

Written Testimony of Elizabeth Darling  
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Before the Committee on Education and the Workforce  
Subcommittee on Higher Education and Workforce Training  
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Chairman Guthrie, Ranking Member Davis, and Members of the Subcommittee:

Thank you for the invitation to testify today. I appreciate the opportunity to provide the Committee insight into the accountability structures within the OneStar National Service Commission, a grantee of the Corporation for National and Community Service (CNCS). This testimony also outlines for the Committee, the many ways CNCS works with state service commissions to ensure compliance with federal regulations and good stewardship of taxpayer dollars.

#### INTRODUCTION

OneStar is one of 52 state service commissions, each of which is as different as our state flags and our geography, yet we are bound by many commonalities. Many commissions reside within a state agency as determined by their governor. Some even reside within the Office of the Governor or Lt. Governor. Other commissions may be stand-alone agencies or separate nonprofit organizations with a link to the Office of the Governor like OneStar Foundation. Each commission is governed by a board of gubernatorial appointees who represent various constituencies as directed by federal statute. All Commissions are charged with identifying local needs, setting policies and program priorities, and overseeing the AmeriCorps competitive grant process for their state.

Commissions administer three quarters of CNCS' AmeriCorps grant funding which is matched dollar for dollar or greater. Commissions award grants supporting human capital (AmeriCorps members) to local nonprofits, universities, state agencies and Tribal governments; provide training and technical assistance; monitor grantees to ensure program quality and compliance with federal and state law; and promote service and volunteering. Many governors also look to their state service commission to support special initiatives funded by state or philanthropic dollars such as annual nonprofit conferences, volunteer awards programs, special mentoring programs, disaster corps and other purposes as determined by their state.

In Texas, OneStar administers approximately \$14 million in Corporation grant funding through a highly competitive process engaging nonprofits, state agencies, universities and local governments. These funds leverage an additional \$31 million in private cash and in-kind

support for 2400 AmeriCorps members who collectively will earn over \$9 million in education awards that may be used to repay student loans or for continuing education.

Like many state service commissions, OneStar works closely with our Division of Emergency Management. We are named in our state disaster response plan as the point of contact for national service and the coordination of spontaneous volunteers. Last year 1,600 AmeriCorps members recruited, trained and managed almost 11,000 volunteers who responded to a series of disasters and are assisting still in ongoing recovery projects including Southeast Texas Flooding, Wimberley Flooding, Memorial Day Flooding, the Hidden Pines Wildfire, Halloween Flooding, North Texas Tornados, the 2015 Van Tornados and the 2013 West Fertilizer explosion. These are not just names of unfortunate events, these are now threads in the fabric of Texas' history.

Texas will soon be home-base to the first RV Senior Corps program deploying Senior Corp volunteers in their motor homes in response to disasters within our 254 county region. Over the past 5 years, the Corporation has mobilized thousands of Senior Corps volunteers and AmeriCorps members throughout the country in response to more than 200 declared disasters, some in your home states and districts.

National service, whether AmeriCorps or its companion program Senior Corps, allows local nonprofits to serve tens of thousands more people than they could otherwise serve. In 2016 AmeriCorps Texas programs served almost 153,000 youth at risk. 30,000 Senior Corps volunteers kept frail elderly Texans in their homes, mentored youth in detention facilities and managed thousands of volunteers after disaster.

Along the southern-most tip of Texas is a border region known as the Rio Grande Valley, an area of high need and few resources to lift people out of poverty. The University of Texas Rio Grande Valley AmeriCorps program supports 160 university students as mentors providing college access services to over 5,000 low-income, first-generation high school seniors. Last year over 3,300 of these high school students successfully enrolled in accredited postsecondary institutions.

The Literacy First AmeriCorps program in Austin supports 106 AmeriCorps members at 32 high-poverty schools providing daily, intensive, individualized reading interventions to over 2,000 kindergarten, first and second grade students. Literacy First's robust evidence-based model works! Approximately two-thirds of tutored students reach grade-level in reading by the end of the school year.

We have a great national service story to tell in Texas and the same is true in each of your states. In order to accomplish our work, we must have well managed programs that are in compliance

with state and federal regulations and accountable for the funds awarded through the AmeriCorps program.

For the purposes of my testimony today I will focus on OneStar's role as Texas' state service commission and the management of our AmeriCorps portfolio. I would like to note that some CNCS AmeriCorps grantees (National Direct programs) apply directly to the Corporation for their funding without going through state service commissions. Their risk assessment, monitoring and oversight activities will have many parallels and similarities to commissions due to our common funder, CNCS.

I have served as CEO/President of OneStar Foundation and OneStar National Service Commission since my appointment by Governor Rick Perry in 2009. I currently serve under Governor Greg Abbott. Over the past 8 years the sophistication and integrity of OneStar's grant-making and oversight has matured along with that of CNCS. Many private Texas funders look to OneStar's portfolio of programs to inform their own grant decisions. They know our grant-making is rigorous from our intensive pre-award vetting and risk assessment to the subsequent monitoring of performance throughout the lifecycle of our grants. With CNCS' guidance and resources we are engaged in continuous improvement, never satisfied with the status quo. State service commissions truly are the first line of defense in ensuring accountability and good stewardship of these taxpayer dollars.

#### CNCS OVERSIGHT

OneStar has found CNCS's oversight to be robust and the resources and trainings provided to be improving over the last few years. It is clear that CNCS takes training and prevention activities seriously, and puts a great deal of effort into ensuring the national service field has access to resources needed to run compliant programs. OneStar frequently uses resources developed by CNCS to provide oversight to our sub-grantees. OneStar feels confident in our ability to provide oversight to our grantees based on the oversight we receive as a grantee of CNCS.

#### CNCS Monitoring

Within the last three years OneStar has received a monitoring visit from our CNCS Program Officer and CNCS Grants (fiscal) Officer. Both visits spanned several days and covered in detail primary AmeriCorps regulations. The tools and feedback used by our CNCS Program and Grants Officers were beneficial to OneStar as a state service commission, to refine how we monitor our sub-grantees and to ensure we are documenting written policies and procedures. The monitoring visit from our Program Officer also included a review of full member files, member National Service Criminal History Check (NSCHC) files, and staff NSCHC files of selected sub-grantees. Additionally, the visit included member observations of one of our sub-grantees. The visits were constructive and thorough.

Under the Improper Payments Elimination and Recovery Act (IPERA) CNCS is responsible for determining if its programs are susceptible to significant levels of improper payments. CNCS uses random sampling methodology to select transactions, and then grantees must submit supporting documentation. OneStar and our sub-grantees have been selected for IPERA testing for several years and found the process to be thorough.

#### CNCS PROVIDED RESOURCES, TRAINING AND SUPPORT

State service commissions are fortunate to have the benefit of countless resources from CNCS to help us provide critical oversight to sub-grantees. Below is a summary of some of the resources OneStar has found particularly helpful:

AmeriCorps State and National Symposium: Each year, CNCS delivers a multi-day Symposium for leaders of state service commissions, and AmeriCorps National grantees. The AmeriCorps State and National Symposium offers an opportunity to learn about grant requirements and best practices, build relationships with CNCS staff at all levels, and network with colleagues from a variety of programs. The event is designed to build the AmeriCorps network and strengthen programming and service experiences across the country. OneStar typically sends 2-4 staff to the Symposium, and brings back resources to share with the full team. Information learned at the Symposium is used to shape OneStar trainings and technical assistance to our sub-grantees throughout the upcoming year.

National Service Regional Trainings: These regional trainings are hosted in collaboration with state service commissions, CNCS, and America's Service Commissions (ASC) the association for state commissions. Staff representing all streams of national service are encouraged and welcome to attend the training events including but not limited to AmeriCorps State (state service commissions), AmeriCorps National Direct, Senior Corps, Social Innovation Fund grantees, AmeriCorps VISTA, Volunteer Generation Fund grantees, Tribal Grantees, and AmeriCorps National Civilian Community Corps (NCCC). These trainings provide critical "how-to" training for both OneStar staff and our sub-grantee staff. The fact that these trainings are developed locally within regions allows the trainings to be tailored to regional needs, while also providing the expertise from CNCS presenters on AmeriCorps regulations and best practices. The CNCS Office of Inspector General is a frequent presenter and attendee at these regional events.

Regular Webinars and Trainings: CNCS is frequently hosting webinars and distributing resources to their grantees to provide training on AmeriCorps regulations, training on new information, and general support for running high quality, compliant national service programs.

Communication with CNCS Program and Grants Officer: The CNCS model of one assigned Program Officer and Grants Officer is effective in ensuring grantees receive the support they need from CNCS. OneStar has scheduled monthly calls with our assigned Program Officer, and is in constant communication outside of those call times as well, typically on a weekly basis. OneStar's assigned Grants Officer is available to help when questions arise. It is extremely beneficial to have a primary contact at CNCS that we can trust to provide us guidance in a timely

manner. This is essential for us to in turn provide the guidance necessary to our sub-grantees. When we have difficult or ambiguous questions we know we can reach out to our Program or Grants Officer.

CNCS Website: The CNCS website contains countless resources for state commissions and sub-grantees. OneStar staff reference resources on the website on an almost daily basis. Some of the most helpful resources are the Knowledge Networks that provide in depth information on a wide variety of topics, such as Evaluation, Recruitment, Disability Inclusion, and National Service Criminal History Checks.

National Service Criminal History Check (NSCHC) Resources: CNCS has been increasing the level of support and guidance for NSCHC checks every year. There is now a robust eCourse that is required for all grantees and sub-grantees to take annually. CNCS has also released guidance for disallowing costs for non-compliant NSCHCs that uses a risk-based approach. They have also recently added a state-by-state guide for running compliant “state of residence checks”, which can often be one of the most time-intensive check components to complete.

## ONESTAR OVERSIGHT

### Risk Assessment and Monitoring Procedures

OneStar conducts an annual Portfolio Risk Assessment, which includes 23 different categories across inherent, program, and fiscal risk. The Risk Assessment includes: Inherent items of risk, any items as a result of pre-award reviews, follow-up items as a result of any site and/or desk-based monitoring, issues identified in monthly compliance meetings, external information as applicable (i.e. publicly available information, complaints, news headlines, etc.). The risk scores determine the intensity of monitoring each sub-grantee receives, but does not determine when monitoring is received.

Each sub-grantee receives a monitoring visit once during their three-year project period. In 2016, OneStar conducted monitoring visits of 9 sub-grantees, or 32% of the portfolio. Additionally, three sub-grantees received post-award visits in the first year of their grant, one sub-grantee received a pre-award visit prior to the start of their grant, and two planning sub-grantees received visits to provide in person training. In total, 54% of sub-grantees received some type of visit from OneStar staff (15 of 28 grantees) in 2016.

During monitoring visits OneStar Grants and Program Officers conduct group interviews with 5 AmeriCorps members, conduct member observations, and site supervisor interviews. The number of interviews and observations conducted are dependent on portfolio risk assessment. Additionally there are Program and Fiscal staff interviews that take place during monitoring visits, where OneStar staff can monitor for sub-grantees’ adherence to required regulations and to their own written policies, which are reviewed in conjunction with the visit.

100% of operating AmeriCorps sub-grantees receive an annual desk-based monitoring of both their program and fiscal files. For program monitoring portfolio risk assessment is used to

determine how many full member files, member NSCHC files, and staff NSCHC files are pulled for review for each grantee. For fiscal monitoring, all programs receive an end of year reconciliation of reimbursement requests, and the portfolio risk assessment is used to determine the number of transactions pulled for testing throughout the year for cost-reimbursement grants.

#### Ongoing Resources and Support for Oversight

In addition to Monitoring Visits, OneStar provides several avenues to prevent, detect, and enforce potential compliance issues. OneStar is committed to providing high quality training and resources to sub-grantees to ensure quality, compliant programming. Below is a summary of these types of activities:

All Grantee Meeting (AGM): OneStar hosts the All-Grantee Meeting (AGM) annually for our sub-grantees as a required training, typically 2 days. Participants are brought together from across Texas to build relationships and networks, share best practices, address challenges, reflect on the year to date, and receive important updates and trainings from the field on programmatic and fiscal topics. Previous sessions include: National Service Criminal History Check Bootcamp, Procurement Procedures, and Preparing for an OIG Audit and Securing Federal Funds.

New AmeriCorps Staff Orientation (NASO): OneStar holds a special 1.5-day orientation and basic training for new sub-grantees and/or new staff working with sub-grantees approximately 2-3 times per year, typically in July, November, and March. This orientation is mandatory for any Primary Program and Fiscal Staff listed on the AmeriCorps Authorized Representative Form (ARF) within the first year of being assigned as a Primary contact.

Monthly Calls: OneStar hosts 2 sets of Grantee Training and Technical Assistance (TTA) calls for sub-grantees. Every other month is an "Updates from the Field Call" where OneStar staff share our updates and reminders with the whole portfolio, and on the alternate months, OneStar Program and Grants Officers have one-on-one calls with each sub-grantee.

Member Experience Survey: Every year, OneStar requires programs to send the Member Experience Survey out to AmeriCorps members. While this survey is optional, OneStar strongly recommends that programs encourage their members to complete it. Typical response rate is about 50% of AmeriCorps members within the OneStar portfolio (approximately 1200). This survey includes topics asking members what they have received training on, if they have ever been asked to participate in prohibited activities, as well as reflection on how meaningful they find their service. Responses are broken down by sub-grantee and OneStar Program Officers follow-up with sub-grantees on any issues raised in the responses.

Pre-Award Review: Each summer, as part of OneStar's annual Pre-Award Review process, each OneStar Program and Grants Officers complete an in-depth review of all relevant program and fiscal start up documents. The Notice of Funding Availability (NOGA) will not be issued until Program and Grants Officers have approved all required start up documents.

Pre-Award Visits: For newly selected AmeriCorps sub-grantees, OneStar Program and Grants Officers conduct a full day Pre-Award Start Up Visit prior to issuing the NOGA. During this on-site visit, OneStar Program and Grants Officers provide initial, face-to-face training and technical assistance related to the program launch.

Grant Review: During annual grant review (New, Recompete, and Continuation), OneStar-trained grant reviewers specifically review all grant application narratives and proposed member activity descriptions for any concerning language or other red flags. If any red flags are detected, the applicant must go through additional clarification; if for any reason resolution of the concerns or questions was not reached, the grant application would not be considered for funding.

AmeriCorps Progress Report (APR) Review: During the mid-year and end of year APR review, OneStar Program Officers complete a careful review of sub-grantees' submitted APR. This review occurs twice per year for the mid-year and end of year report. The Program Officers review performance measures, demographic information, and member data reported for validity, completeness, consistency, accuracy and verifiability. If the Program Officers detect any potential errors or items that need clarification, they will be addressed in the APR Review document sent to the program with action items.

Data Dive: On a yearly basis, OneStar Program Officers complete a data dive for every sub-grantee. This review occurs after the mid-year AmeriCorps Progress Report is submitted. In this review, they conduct a basic test of the accuracy and verifiability of one data point reported in the Mid-Year AmeriCorps Progress Report. All data submitted as part of progress reports are potentially subject to testing and review.

Federal Financial Report (FFR): During mid-year and end of year FFR Review, OneStar Grants Officers complete a careful review of sub-grantee' submitted FFRs. OneStar's FFRs and Unexpended Reports for its prime grants reflect the following 4 key elements: federal expenditures ("CNCS Share"), grantee expenditures ("Grantee Share"), program income, and other federal sources used to support the program ("Federal Funds Used as Match").

Ongoing Technical Assistance/Training: OneStar Program and Grants Officers are always available by phone and email to grantees, and are in constant communication with grantee staff to promptly address any issues or concerns. As funding allows, OneStar hosts additional trainings for grantees, such as Disability Inclusion Training or AmeriCorps Evaluation Institute.

#### NATIONAL SERVICE CRIMINAL HISTORY CHECKS

OneStar takes the prevention, detection, and enforcement of National Service Criminal History Checks (NSCHC) very seriously. We have heard clearly from the CNCS that the expectation is "on time, every time" and we pass this message on to our sub-grantees regularly. Below is a summary of OneStar procedures to ensure compliance of NSCHC regulations.

## *NSCHC – OneStar Procedures for Prevention*

In order to prevent the likelihood of programs conducting non-compliant criminal history checks, OneStar conducts the following prevention-focused activities:

Pre-Award Visits: During this visit, OneStar Program Officers specifically train sub-grantee staff on how to conduct a compliant National Service Criminal History Check (NSCHC).

Pre-Award Review: Each summer, as part of OneStar’s annual Pre-Award Review process, Program Officers complete an in-depth review of all relevant program start up documents. Sub-grantees submit the following documents:

*NSCHC Consent and Verification Form* – template used by sub-grantee to document member and staff person consent to run checks, and verification that checks were run and documented. OneStar Program Officers will require the sub-grantee to edit the document if it does not include all requirements for documentation, including requirements specific to OneStar’s Alternative Search Protocol (ASP).

*Staff NSCHC Certification* – document where the sub-grantee self-certifies that all required components of the National Service Criminal History Check are complete for all covered staff positions.

*Staff NSCHC Review* – OneStar Program Officer reviews NSCHCs for all staff on a planning grants. NOGAs are not released until the OneStar Program Officers have verified that compliant NSCHCs have been conducted.

*NSCHC Policies and Procedures* – Program Officer will review sub-grantee’s NSCHC Policies and Procedures, using the NSCHC Policy and Procedure Checklist. Program Officer will require sub-grantee to edit policy and procedure if it does not include all requirements.

*CNCS NSCHC eCourse* – sub-grantees are required to submit eCourse certificate for at least one individual on staff. The eCourse must be completed annually.

New AmeriCorps Staff Orientation (NASO): During NASO, a two hour session on Criminal History Checks is covered, including step-by-step instructions on how to complete a compliant NSCHC.

Ongoing Training & Technical Assistance (TTA): OneStar sub-grantees also receive frequent, regular training and technical assistance coaching from OneStar staff related to NSCHCs. The topic of NSCHC Requirements and Alternative Search Protocols (ASPs) is a standing topic on the individual one-on-one calls every other month so sub-grantee staff are frequently being reminded of this important requirement. Additionally, OneStar holds an annual All-Grantee Meeting (typically in spring) that includes annual trainings related



to the National Service Criminal History Check requirements; this meeting is required attendance for all Primary Program and Fiscal Contacts.

### *NSCHC – OneStar Procedures for **Detection***

In order to ensure swift detection of any compliance issues related to National Service Criminal History Checks, OneStar conducts the following detection-focused activities:

Desk Based File Review: Per OneStar’s Monitoring Policy and Plan, OneStar Program Officers, conduct a file review of complete member files, member criminal history checks, and staff criminal history checks for the current and/or most recently completed year. If any compliance concerns arise as a result of the desk based review, these will be addressed in writing along with any clarification questions in the monitoring report.

Monitoring Visits: During formal monitoring visits, OneStar Program Officers conduct a Program Staff Interview with sub-grantee. This interview asks sub-grantee staff to walk through the sub-grantee’s specific policy and procedures for criminal history checks.

On-Going Detection: OneStar Program Officers are ready to process any self-reported NSCHC issues by the sub-grantee.

If there are any components of the National Service Criminal History Check that are not compliant, or any results of the criminal history check that would render an individual ineligible to serve or work in a covered position, OneStar uses the CNCS Guidance for Risk Based Disallowance.

## PROHIBITED ACTIVITIES

OneStar understands the importance of training sub-grantees on Prohibited Activities, and having robust systems in place to detect any issues of non-compliance.

### *Prohibited Activities – Procedures for **Prevention***

In order to prevent the likelihood of AmeriCorps members from participating in prohibited activities, OneStar conducts the following prevention-focused activities:

Grant Review and Clarification: During annual grant review (New, Recompete, and Continuation), OneStar-trained grant reviewers specifically review all grant application narratives and proposed member activity descriptions for any concerning language or other red flags that may suggest the potential for prohibited activities. Secondly, grant reviewers specifically look for language in the grant application that mentions how the program will train AmeriCorps members and staff on the prohibited activities. If any red flags are detected, the applicant must go through additional clarification; if for any reason resolution of the concerns or questions was not reached, the grant application would not be considered for funding.

Pre-Award Visits: During this visit, the OneStar Program Officer discusses allowable member service activities and timekeeping to ensure prohibited activities are not conducted by members.

Pre-Award Review: The Sub-grantees submit their Member Service Agreements (MSAs) during this review, and are required to include the prohibited activities language. If the language in the MSA does not align exactly with the requirements, the Program Officer will require the sub-grantee to edit the document and resubmit it for approval. Secondly, the Program Officer also reviews each sub-grantee's proposed Member Position Descriptions to ensure they do not include any prohibited activities.

New AmeriCorps Staff Orientation (NASO): During NASO, the topic of prohibited activities is specifically discussed and explained to attendees for additional reinforcement.

Ongoing Training & Technical Assistance (TTA): OneStar sub-grantees also receive frequent, regular training and technical assistance coaching from OneStar staff, including required monthly conference calls. The topic of prohibited activities periodically comes up as a question from sub-grantee staff, and OneStar Program Officers are prepared to answer sub-grantee questions. Additionally, OneStar holds an annual All-Grantee Meeting (typically in spring) that includes annual reminders of and activities/discussions related to the prohibited activities requirements.

### *Prohibited Activities – Procedures for **Detection***

In order to ensure swift detection of any compliance issues related to Prohibited Activities, OneStar conducts the following detection-focused activities:

Monitoring Visits: During formal monitoring visits, OneStar Program and Grants Officers conduct a 2 hour member interview with OneStar-selected focus group of 5-10 currently serving members. During this group interview, the Program and Grants Officers pass out a list of the prohibited activities and ask members the following question:

“Take a minute to review the list of activities. Have you participated or been asked to participate in activities such as those on the list?” (Probe: Give a few examples of the types of activities that would be prohibited and ask if they've been involved in these.)

In addition to the member interview, OneStar staff conducts a 30-minute interview with at least 2 site supervisors. During the interviews, the Program and Grants Officers pass out a list of the prohibited activities and ask supervisors the following question:

“How familiar are you with the kind of activities that are prohibited and what you therefore may not ask your members to do?”

In addition to the formal interviews, OneStar Program and Grants Officers carefully observe members and staff in action during the visit to determine potential implications with regards to prohibited activities requirements.

If any concerns arise as a result of the monitoring site visits and interviews, this will be addressed in writing along with any clarification questions in the monitoring report.

In addition to the member and site supervisor interview and observations, the Program Officer also conducts a Program Staff Interview with sub-grantee staff. This interview asks sub-grantee staff to walk through the sub-grantee's specific policies and procedures, including the sub-grantees policies and procedures for prohibited activities.

Annual Member Survey: The following questions are asked related to prohibited activities requirements:

*Have you participated in or been asked to participate in any activities on the list while earning service or training hours?*

Yes      No      Unsure

*If you answered yes or unsure, please describe:*

*Have you ever been asked to participate in any service activities that made you uncomfortable or seemed inappropriate for your position?*

Yes      No      Unsure

*If you answered yes or unsure, please describe:*

If any members answer "yes" to the questions above, OneStar Program Officers will contact the member directly if she/he provided contact information to find out more information. If the member response indicates the program was not following the prohibited activities requirements, it will be discussed with the program to determine if corrective action needs to occur. Secondly, the responses to the above questions are included in the individualized reports sent out to programs. OneStar Program Officers discuss the results with any programs who have responses above which indicate that members could have participated, or been asked to participate in prohibited activities.

On-Going Detection: On an on-going basis, the OneStar team carefully listens and observes during monthly calls, community events, trainings, and impact visits to detect if any prohibited activities occurring in the field.

### *Prohibited Activities – Procedures for **Enforcement***

In order to handle and resolve any compliance issues related to prohibited activities, OneStar conducts rigorous enforcement activities in an escalated manner in accordance with OneStar Foundation Terms and Conditions ("Enforcement") and OneStar's Enforcement Policy & Matrix.

This additional documentation is available upon request but has not been included for the purposes of testimony before this Committee. For more information on OneStar's policies and procedures please contact [Liz@onestarfoundation.org](mailto:Liz@onestarfoundation.org).

#### CONCLUSION

Chairman Guthrie, Ranking Member Davis, and Members of the Subcommittee, thank you for inviting me to speak to you today. It is an honor to be included in the discussion of strengthening national service accountability through various mechanisms including risk assessments, monitoring, protocols for criminal history checks and other critical points of compliance. OneStar is grateful for the support and guidance offered by CNCS as it allows us to more effectively serve our programs in Texas. AmeriCorps and Senior Corps programs are making considerable impact in communities across this country. They truly are a powerful force for good.