To: AmeriCorps State Commissions and National Grantees

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Subj: Four Areas of Grantee non-Compliance with AmeriCorps Rules

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We would like to bring to your attention four compliance findings that continue to surface during Corporation site visits, grantee monitoring and OIG audits and investigations. These findings relate to the accuracy of member service hours, the signing of member agreements/contracts at the beginning of service, the requirement for performance evaluations of all members, and the implementation of criminal background checks. We hope that by drawing your attention to these areas of frequent non-compliance we can support you in ensuring your programs are effectively operated. Corporation program officers stand ready to assist if you have questions regarding the findings identified in this memo.

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1. Timekeeping: Discrepancies between member service records and end-of-term certifications.

The Corporation relies on the end-of-term certifications in providing education awards to members. However, State Commissions and National grantee controls over timekeeping continue to be a problem. You are responsible for the accuracy of the end-of-term certifications submitted to the National Service Trust. Certifying awards that have not been earned or that cannot be supported by documentation encumbers the Trust to the detriment of prospective members and to your ability to obtain financing of members assigned to you in the future. The strength of your controls to ensure reliable and accurate transmission of member service hours by your subgrantees and operating sites has a direct bearing on the risk associated with members' education awards being called into question and your being liable for making the Trust whole for all or part of the awards.

2. Delays in signing member agreement/contracts.

Some programs do not have all their members sign their agreements/contracts at the beginning of service. The member agreement/contract informs the members of their rights and responsibilities. Delays in signing the agreement/contract increase the risk that a member will not know, among other things, that disputes may be resolved through a grievance procedure or that political activities are prohibited in connection with AmeriCorps service. As an oversight matter, you should monitor your subgrantees or operating sites to ensure that their standard operating procedures require the appropriate up-front steps, including signing the member agreement/contract at the outset, and that programs are following their procedures.

The Corporation may give credit toward completing a term of service for otherwise legitimate hours that a member serves before signing the agreement/contract. However, we consider this an important compliance issue that may impact our decisions on future funding.

3. Failure to complete member evaluations.

Timely and substantive feedback to members is an important part of running a high-quality AmeriCorps program. In addition to the impact evaluations can have on member professional and personal development, they have other important programmatic purposes, such as supporting the understanding of member impact on the community. You should reinforce the importance of required evaluations, again through establishing, and reviewing adherence to, standard operating procedures. Non-compliance with the requirement for member evaluations is a disservice to members as well as an indication of programmatic weakness that may impact your future Corporation funding.

4. Failure to implement criminal background checks.

The Corporation funds many programs that serve vulnerable populations, specifically, children, older persons, and individuals with disabilities. There is an ever increasing need for programs that work closely with certain vulnerable populations to establish effective safeguards in place to protect members of these vulnerable populations from abuse or harm. Your standard operating and oversight procedures must ensure that the baseline regulatory requirement to properly screen program participants and grant-funded employees is met. Background checks help to ensure the safety of vulnerable populations. Failure to comply with this requirement can result in admitting an ineligible member or grant-funded employee or in the imposition of civil liability on your entity. For those reasons, noncompliance may be considered a material violation of the terms and conditions of the grant award, not to mention a risk to your participants.

Your strong oversight of AmeriCorps program operations is essential to minimize risk, to safeguard the best interests of your members and to promote strong, productive programs. State Commissions and National grantees must ensure their training activities and monitoring procedures make subgrantees and operating sites aware of the regulations and check that they are following them.

Contact your program officer for support in connecting to resources available on our Resource Center, through our training and technical assistance providers, and through appropriate CNCS departments.