

OST Provides Programs for D.C. Youths But Grant Oversight Needs Improvement

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A report by the Office of the District of Columbia Auditor



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Executive Summary

Why ODCA Did This Audit

ODCA audited the Office of Out of School Time Grants and Youth Outcomes (OST) to comply with the Office of Out of School Time Grants and Youth Outcomes Establishment Act of 2016.¹ This law states that ODCA must conduct an audit of OST within two years of the issuance of the first grant, and shall conduct subsequent audits of OST at least every five years thereafter.² This audit also serves as ODCA's 2018 performance accountability report (PAR) audit, which is required by D.C. Code § 1-614.14(c).

What ODCA Found

Overall, we found that during its first two years, OST achieved its mandate of providing the District's youth access to out of school time programs. At the same time, we found that OST needs to strengthen monitoring and oversight of its grantee, particularly as it relates to ensuring that subgrantee staff who work with children and youth are compliant with the District's criminal background check requirements, grant funds are expended properly, and the data they collect and report to stakeholders are accurate. We found that 96% of sampled subgrantee staff had worked with youths without documentation verifying that they had cleared all required components of their criminal background checks. During a review of subgrantee expenditure documentation, we also found that in our sample, 45% of expended funds did not have sufficient supporting documentation on file. Furthermore, the attendance data in OST's electronic database contained inaccuracies, and OST did not accurately report on the number of unique youths impacted.

What ODCA Recommends

- OST should improve its oversight and monitoring of criminal background checks by:
 - Including in its grant agreement specific requirements for grantee oversight and monitoring of criminal background checks.
 - Performing regular monitoring and oversight of the criminal background check process and ensuring that individuals who have not completed and obtained a valid criminal background check clearance are supervised by persons with valid criminal background check clearances.
- The D.C. Council should require that grantees and subgrantees are subject to the same criminal background check clearance requirements as District government employees and contractors.
- OST should improve its oversight and monitoring of grant funds by:
 - Requiring that the grantee to reconcile financial documentation for a statistically significant sample size of subgrantees.
 - Reviewing grantee bank statements monthly.
 - Requiring that the grantee adheres to payment deadlines.

1 D.C. Law 21-261, effective April 7, 2017, codified at D.C. Code § 2-1555.01 et seq. The audit requirement is found at D.C. Code § 2-1555.03(d).

2 OST was formed in April 2017, hired an Executive Director in October 2017, and issued its first grant to United Way of the National Capital Area in December 2017.

Background

In April 2017, D.C. Law 21-261 became effective³ and established the Office of Out of School Time Grants and Youth Outcomes (OST)⁴. OST was established to support the equitable distribution of high-quality, out of school time programs for District of Columbia youths through coordination among government agencies, grant-making, data collection, evaluation, and the provision of technical assistance to service providers. OST is part of the Office of the Deputy Mayor of Education (DME) and it supports the Commission on Out of School Time Grants and Youth Outcomes (Commission) in its duties. The Commission is charged with developing a District-wide strategy for equitable access to out of school time programs and to facilitate interagency planning and coordination for out of school time programs and funding.

OST and the Commission were created after the dissolution of the former D.C. Children and Youth Investment Trust Corporation, also known as the D.C. Trust. The D.C. Trust had received District government funding to promote positive youth development, but eventually dissolved in April 2016 after a D.C. Councilmember pled guilty to diverting hundreds of thousands of dollars from the D.C. Trust to pay for his own expenses.

The Bowser administration decided to continue funding most organizations that had received out of school time funding via the D.C. Trust, and in fiscal year (FY) 2016, United Way of the National Capital Area (United Way) was selected to take over grant management duties for out of school time funding in FY 2017.⁵

During FYs 2018 and 2019, OST's budget was \$6,244,000 and \$14,255,000, respectively, and it had five full-time employees (FTEs).

OST selected United Way to serve as its grantmaking partner during these two fiscal years, and some of

OST's Relationship with the Commission

The Office of Out of School Time Grants and Youth Outcomes:

- Conducts an annual, community-wide needs assessment, in accordance with the goals and scope established by the Commission.
- Gathers, analyzes, and provides data for the Commission to draw upon as it develops the strategic plan for out of school time programs and funding.
- Works to fulfill the goals and priorities of the strategic plan, and the Commission regularly reviews those efforts.
- Develops plans for assessing the quality of out of school time programs, and the Commission informs and approves them.

3 OST's establishing legislation, D.C. Law 21-261, was passed subject to inclusion of its fiscal effect in an approved budget and financial plan (See Section 12). This was accomplished in the Fiscal Year 2018 Budget Support Act of 2017, D.C. Law 22-33, effective December 13, 2017.

4 For the public, OST's brand is Learn24.

5 The Office of the Deputy Mayor for Health and Human Services awarded United Way a \$4.2 million grant in September 2016 to administer and oversee out of school time grants during FY 2017. However, management of this out of school time grant with United Way was transferred to DME/OST in April 2017 when OST was formed.

United Way's responsibilities included:

- Developing and managing subgrant competitions.⁶
- Disseminating subgrant awards and funds.
- Monitoring subgrantee performance and compliance with the terms and conditions of subgrant awards.

OST's budget increased by 128% from FY 2018 to FY 2019, as seen in Figure 1 below, and this allowed for an increase in the number of subgrant awards and the total amount awarded.

Figure 1: Overview of OST's budget, Grant Awards, and Subgrant Awards

	FY 2018	FY 2019
OST's Budget	\$6,244,000 (Actual)	\$14,461,000 (Actual)
United Way's Grant Awards	\$5,242,000	\$13,174,777
Total Amount of Subgrant Awards	\$4,717,800	\$12,039,656 ⁷
United Way's Administrative Fee	\$524,200	\$975,909

Source: OST's Fiscal Year 2018 Annual Grant Report Released December 9, 2018, and OST's Fiscal Year 2019 Annual Grant Report Released November 4, 2019.

⁶ OST, with guidance from the Commission, is responsible for deciding the purpose and priorities of each subgrant competition. United Way then issues a request for proposals based on requirements provided by OST.

⁷ OST authorized United Way to use the remaining balance of \$159,212 as grants to be awarded in FY 2020.

Objective, Scope, and Methodology

Objective

ODCA's objective was to evaluate the Office of Out of School Time Grants and Youth Outcomes' operations and its oversight, monitoring, and reporting.

This audit also serves as ODCA's 2018 performance accountability report (PAR) audit.⁸

Scope

The audit scope was April 2017 through April 2019.⁹ This included out of school time grant awards OST issued to United Way for services provided during FY 2017 through April of FY 2019, including the subgrants United Way issued.

Methodology

To complete this audit, ODCA interviewed OST, United Way, and subgrantee staff, and observed how the CitySpan¹⁰ database is used. We reviewed the D.C. Code, grant and subgrant agreements, and agency-specific policies and procedures. We also reconciled:

- Expenditure data provided by OST, United Way, and subgrantees.
- Attendance data provided by subgrantees and recorded in CitySpan.
- Deposits and withdrawals that United Way and subgrantees made.

In addition, we reviewed criminal background check documentation for subgrantee staff, contractors, and volunteers, and interviewed OST, United Way, subgrantee, DCHR, and DCPS staff to understand their processes for collecting criminal background check results and determining an individual's suitability to work with youths. For more details on our methodology, please see Appendix A.

We assessed internal controls related to the audit's objective and we conducted this performance audit in accordance with Generally Accepted Government Auditing Standards (GAGAS). Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

8 D.C. Code §1-614.14(c) requires that ODCA conduct an audit of selected performance measures presented in the Performance Accountability Report (PAR) of certain agencies each fiscal year. This OST audit report includes a PAR Audit section that assesses an FY 2018 key performance indicator (KPI) for DME/OST.

9 The April 2017 start date corresponds with the effective date of D.C. Law 21-261, which established the Office of Out of School Time Grants and Youth Outcomes, but ODCA recognizes that OST's Executive Director was not hired until six months later, in October 2017.

10 CitySpan is an electronic attendance database that OST and subgrantees use to record data.

Audit Results

Overall, we found that during its first two years of operation, OST achieved its mandate of providing the District's youths access to out of school time programs. It issued annual community-wide needs assessments in accordance with the goals and scope established by the Commission, assisted the Commission with developing a strategic plan, implemented quality assessments for OST-funded programs, and communicated well with subgrantees.

While the office made significant strides with a staff of five FTEs, our audit found that OST needs to strengthen its monitoring and oversight of its sole grantee and improve the accuracy of information in its CitySpan database. Improving these two areas will help ensure that the District's funds are being expended properly, youths are receiving quality services, and accurate performance data is being reported to program stakeholders.

During this audit, we issued two Management Alert Reports (MARs). The first addressed unsecured personally identifiable information (PII) for youths and the latter addressed OST not ensuring the suitability of subgrantee staff, contractors, and volunteers who worked with youths.¹¹ (See Appendices B and C, respectively, for copies of the MARs and OST's responses). OST immediately implemented the recommendations in the PII MAR. With respect to the criminal background check MAR, OST recognized the significance of the safety and security concerns that we identified and took immediate actions to strengthen its internal controls and ensure that all subgrantee staff received the proper criminal background checks, as noted in our recommendations.

Finding 1

Out of school time subgrantee employees who did not have valid criminal background check clearances worked directly and unsupervised with youths, posing a potential danger to youths participating in OST-funded out of school time programs.

Grant agreements between OST and United Way are silent on the topic of criminal background checks. They do not address in any way what United Way is required to do regarding verifying or monitoring, on a sampling or full basis, that criminal background checks have been conducted, whether subgrantee employees, volunteers, and contractors have cleared criminal background checks, or whether the criminal background checks are valid for the duration of the grant period.

United Way's subgrant agreements for school year (SY) 2017-2018, 2018 Summer Strong, and SY 2018-2019, however, each contain a section that includes requirements for criminal background checks and clearances for all program staff, volunteers, and contractors who have regular, direct, and unsupervised contact with youth.

¹¹ Management Alert Report (MAR) to OST "Personally Identifiable Information (PII) and demographic information for youths who participated in out of school time programming needs to be secured" issued February 21, 2019. Management Alert Report (MAR) to OST "The Office of Out of School Time Grants and Youth Outcomes has not ensured that subgrantee staff members who have regular and direct contact with youths were determined to be suitable to work with youths" issued August 16, 2019.

In the Summer 2018 subgrant agreements, Section A.4.5, requires the following:

A.4.5 The Grantee shall conduct FBI fingerprint background check, DC Criminal Background Check, National Sex Offender Registry, and DC Child Protection Registry for all program staff, volunteers or contractors who have regular contact and direct interactions with youth. All staff and volunteer [sic] that do not meet this requirement must be continuous [sic] supervised by personnel who met all [of] the required background check.

The background checks must comply with the District of Columbia's Criminal Background Checks policy. DC Code §§ 4-1501.01-1501.11 All of the above staff background checks must be completed by June 2018 and remain current through August 31, 2018. Clearances and certifications must be valid for the duration of the grant period and align with the program site requirements. All requirements will be reviewed on site visits.... Grantor will request to review random personnel files during monitoring visits.¹²

a. The D.C. Code does not require District government grantees and subgrantees who work with children and youths to follow the same criminal background check clearance requirements as D.C. government employees and contractors who work with children and youths, which increases the risk of potential harm to children and youths.

Section A.4.5, of the Summer 2018 subgrant agreement requires that subgrantees comply with the District of Columbia's Criminal Background checks Policy, D.C. Code §§ 4-1501.01 – 1501.11. This subgrant language, however, cannot be enforced because D.C. Code § 4-1501.02(3) specifically excludes grantees from the D.C. Code's criminal background check requirements and ODCA could not determine why the D.C. Code explicitly excludes grantees and subgrantees, from the criminal background check requirements for D.C. government employees, contractors, and volunteers.

This exclusion increases the risk that a youth is harmed by a subgrant employee, contractor, or volunteer¹³ who is not suitable to work with youths. There is an added potential harm to the reputation of D.C. government, OST, and the out of school time program because parents may not want their children to participate in OST-funded out of school time programs where there are and could be employees, volunteers, and contractors with criminal backgrounds who are unsuitable to work directly with youths unsupervised. Furthermore, if a child is harmed, the District may be liable if sued.

D.C. Code § 4-1501.02(3)

“Covered child or youth services provider” means any District government agency providing direct services to children or youth and any private entity that is licensed by or contracts with the District to provide direct services to children or youth, or for the benefit of children or youth, that affect the health, safety, and welfare of children or youth, including individual and group counseling, therapy, case management, supervision, or mentoring. **The term ‘covered child or youth services provider’ does not include foster parents or grantees.”** [emphasis added].

¹² This information is located in section A.4.4 in the SY 2017-2018 and SY 2018-2019 subgrant agreements; the wording is not verbatim across the three agreements, but the key points are the same.

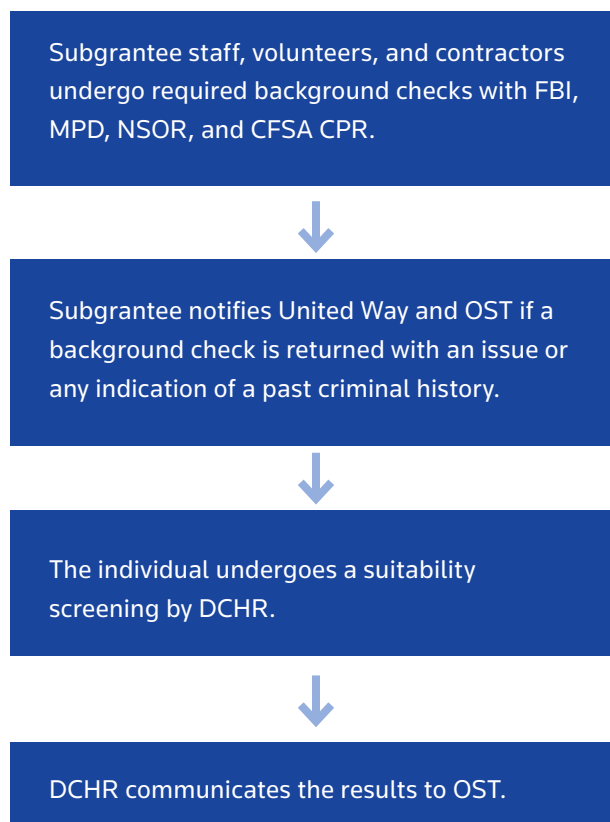
¹³ D.C. Code § 4-1501.03(a)(4) requires that “A volunteer who serves a covered child or youth services provider in an unsupervised position” shall apply for a criminal background check.

b. Ninety-six percent of subgrantee staff, volunteers, and contractors in our sample did not have required criminal background check documentation on file that “cleared” them to have regular and direct contact with youths.

As noted above, subgrant agreements impose a requirement on each subgrantee to have all staff, volunteers, and contractors who have direct and unsupervised interactions with youths complete the following: FBI fingerprint and background check, D.C. Criminal Background Check, National Sex Offender Registry (NSOR) check, and D.C. Child and Family Services Agency Child Protection Registry (CFSA CPR) check. All such criminal background checks must be completed by the established deadline in the subgrant agreement and remain current throughout the grant period.

ODCA interpreted conducting a criminal background check to mean receiving and analyzing the criminal background check results and having a qualified entity complete a suitability determination. We note that OST strengthened the criminal background check process in FY 2019 by requiring that all subgrantee staff, volunteers, and contractors undergo a suitability screening with the D.C. Department of Human Resources if anything appeared in their criminal background check results. Figure 2 provides an overview of the criminal background check process OST has employed since March 2019.

Figure 2: Criminal Background Check Process



ODCA conducted a file review of criminal background check documentation for 16 subgrants at 10 different subgrantees and found that 128 of the 133 subgrantee employees, volunteers, and contractors in our test sample (96%) worked directly with youths without a valid criminal background check clearance, and there was no documentation showing that these individuals were supervised by someone with a valid criminal background check clearance.

The most common deficiencies we observed when reviewing criminal background check documentation were:

- Documentation was not on file for one or more of the four required criminal background checks.
- Criminal background check results were not valid for the entire grant term for one or more of the required criminal background checks.
- A third-party company that was not approved by OST conducted the criminal background check and provided only a summary of results.
- The National Sex Offender Registry check was not run for all states or it was run using a website other than www.nsopw.gov, the only authorized website.
- A DCPS employee identification or offer letter was included inappropriately as evidence that a criminal background check had been completed.

We also observed several individuals who had arrests, sometimes for serious crimes, but disposition information such as whether the person had been convicted had not been provided. Of the 133 individuals in our sample, 14 had at least one arrest with no disposition provided. Consequently, those individuals should not have worked directly and unsupervised with youths until their disposition information had been obtained and they had been determined to be suitable to work directly and unsupervised with youths.

In addition, we observed two individuals who had specific criminal background check results that may have made them unsuitable to work directly and unsupervised with youths. These examples are below:

- One individual had 13 arrests between 1993 and 2004, resulting in convictions for Attempted Distribution of Cocaine, Simple Assault, Possession of Crack/Cocaine, & Disorderly Conduct. This individual also is included in the count of individuals with arrests with no disposition because the individual also had an arrest for Assault with a Deadly Weapon and Simple Assault for which no dispositions were reported.
- Another individual from the same subgrantee had October 2017 CFSA CPR results on file listing him/her as responsible for the abuse or neglect of a child. United Way reportedly advised the subgrantee that the individual should not have any unsupervised interaction with children in March 2018, which was five months after the results came in. United Way, however, did not ensure that the individual was supervised by someone who had cleared a criminal background check, or was reassigned to work in a position that did not require working directly with youths. The individual was removed from the registry in May 2018, but had worked for the subgrantee, having direct and unsupervised contact with youths since October 2017.

These deficiencies occurred because OST failed to oversee United Way's monitoring of criminal background check clearances to ensure that subgrantees met the requirements of their agreements. OST also did not include specific requirements in its grant agreements with United Way regarding oversight of criminal background check clearances.

Specifically, OST did not provide detailed procedures to United Way regarding:

- Acceptable evidence of a proper criminal background check clearance for subgrantee employees, volunteers, and contractors.
- What United Way is required to do regarding oversight and monitoring of criminal background check compliance, such as:
 - Whether this should be done on a sampling or 100% basis.
 - Whether using third-party companies to conduct a criminal background check is acceptable.
 - What entity performs the suitability determination.¹⁴
 - What criteria will be used to determine suitability.
 - What documentation of a criminal background check clearance is required to be on file.
 - What constitutes “supervision” of those without criminal background check clearances.
 - What documentation of such “supervision” is required to be on file.

If OST does not implement controls to require that all subgrantee staff, volunteers, and contractors who have regular, direct, and unsupervised contact with youths have valid and documented criminal background check clearances, then there is an increased risk that youths participating in OST-funded programs could be harmed.

Recommendations

1. OST should include in the grant agreement with United Way (or its successor) specific requirements regarding: **a)** grantee oversight of criminal background check clearances and/or appropriate supervision, and documentation requirements regarding criminal background checks and clearances for all subgrantee employees, volunteers, and contractors; and **b)** the language United Way shall include in subgrant agreements regarding criminal background checks and clearances for subgrantee employees, volunteers, and contractors.¹⁵
2. OST should perform regular oversight of the criminal background check process to ensure that the grantee and OST each ensures that all employees, volunteers, and contractors have a valid criminal background check clearance and that individuals who have not completed and obtained a valid criminal background check clearance are supervised by persons with valid criminal background check clearances.
3. The D.C. Council should require that grantee and subgrantee employees, volunteers, and contractors working directly with youths unsupervised are subject to the same criminal background check clearance requirements as District government employees and contractors.

Finding 2

The 16 sampled subgrants had unsupported and/or unallowed expenditures for 45% of expended funds in our sample, totaling \$371,512.

14 Chapter 4, § 499.1 (Definitions) of the D.C. Personnel Manual (DPM) defines suitability as: the quality or state of being acceptable for District government employment with respect to the character, reputation, and fitness of the person under consideration. While the DPM applies to D.C. government employees, OST has entered into an MOU with DCHR to perform suitability for their subgrantees and these are the criteria they use.

15 A portion of this recommendation also was part of the criminal background check MAR issued in August 2019. See Appendix C for a copy of the MAR and its recommendations.

Each subgrant agreement required that subgrantees submit expenditure certification reports, reports of expenditures detail, and general ledgers that documented how subgrant funds were spent. United Way reviewed and approved those documents prior to disbursing grant funds. The subgrant agreements also include the following requirement: “The [Sub]Grantee shall maintain and be able to provide documentation related to the grant for five (5) years after submission of the final payment. At any time before final payment and five (5) years thereafter, United Way or DME may request the organization’s invoices, vouchers, receipts, statements and/or audits.”¹⁶

The invoices, vouchers, receipts, and statements constitute the supporting documentation for expenditure reports, and the Internal Revenue Service (IRS) and District government provide additional guidance for maintaining appropriate expenditure documentation as seen in Figure 3. For example, the IRS defines supporting documentation as sales slips, paid bills, invoices, receipts, deposit slips, and canceled checks. It also notes how to document proof of business expenses. The D.C. Government’s Financial Policies and Procedures Manual defines what a “proper” invoice is.

Figure 3: Guidance for Maintaining Expenditure Documentation

IRS “What kind of records should I keep” Expenses are the costs you incur (other than purchases) to carry on your business. Your supporting documents should show the amount paid and a description that shows the amount was for a business expense. Documents for expenses include the following: • Canceled checks or other documents that identify payee, amount, and proof of payment/electronic funds transferred • Cash register tapes • Account statements • Credit card receipts and statements • Invoices • Petty cash slips for small cash payments	D.C. Government Financial Policies and Procedures Manual “Proper” Invoice 1. Name and remittance address of the business concern, and invoice number and date; 2. Contract number or purchase order or other authorization for delivery of goods or services; 3. Description, price and quantity of goods and services actually delivered or rendered; 4. Shipping and payment terms; 5. Vendor’s DUNS number; and 6. Other substantiating documentation or information as required by contract.
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Sources: Office of the Chief Financial Officer Office of Financial Operations and Systems Policies and Procedures Manual, Volume I District-Wide, November 6, 2018.

Internal Revenue Service guidance retrieved on February 20, 2020 at <https://www.irs.gov/businesses/small-businesses-self-employed/what-kind-of-records-should-i-keep>.

¹⁶ This information is located in sections E.1.1 and E.1 of the SY 2017 and Summer 2018 subgrant agreements, respectively, and in section B.2.1 in the SY 2018-2019 subgrant agreement. The wording is not verbatim across the three agreements, but the key points are the same.

ODCA selected a sample of 16 subgrants and attempted to review and reconcile each subgrant's expenditure certification reports, reports of expenditures detail, general ledgers, and expenditure supporting documentation. ODCA was not able to reconcile the expenditure supporting documentation for one of the 16 subgrants because the subgrantee did not possess the required documents.¹⁷ Because ODCA was unable to review the expenditures for this subgrant, we categorized these expenditures as unsupported. ODCA, however, reviewed and reconciled documentation for the remaining 15 subgrants and determined whether expenditures charged to each subgrant were supported and allowable.

According to the expenditure certification reports, a total of \$823,658 was spent under all 16 subgrants as of January 2019.¹⁸ ODCA's analysis of the supporting documentation revealed that there was insufficient support for \$371,512 or (45%) of those subgrant funds. The most common types of deficiencies that resulted in a determination that an expenditure was "unsupported" or "unallowed" were:

- Check payments (e.g., to consultants and vendors) were on file, but there were no corresponding invoices documenting the dates, times, type, and cost of the service(s) provided.
- Invoices were on file, but there was no proof of payment.
- One subgrantee included fundraising expenses as part of its indirect costs, but the subgrant agreement specifically lists fundraising expenses as an unallowable cost.
- Amounts listed on several subgrantees' general ledgers and/or reports of expenditures detail did not reconcile with supporting documentation, such as invoices and/or proof of payment.

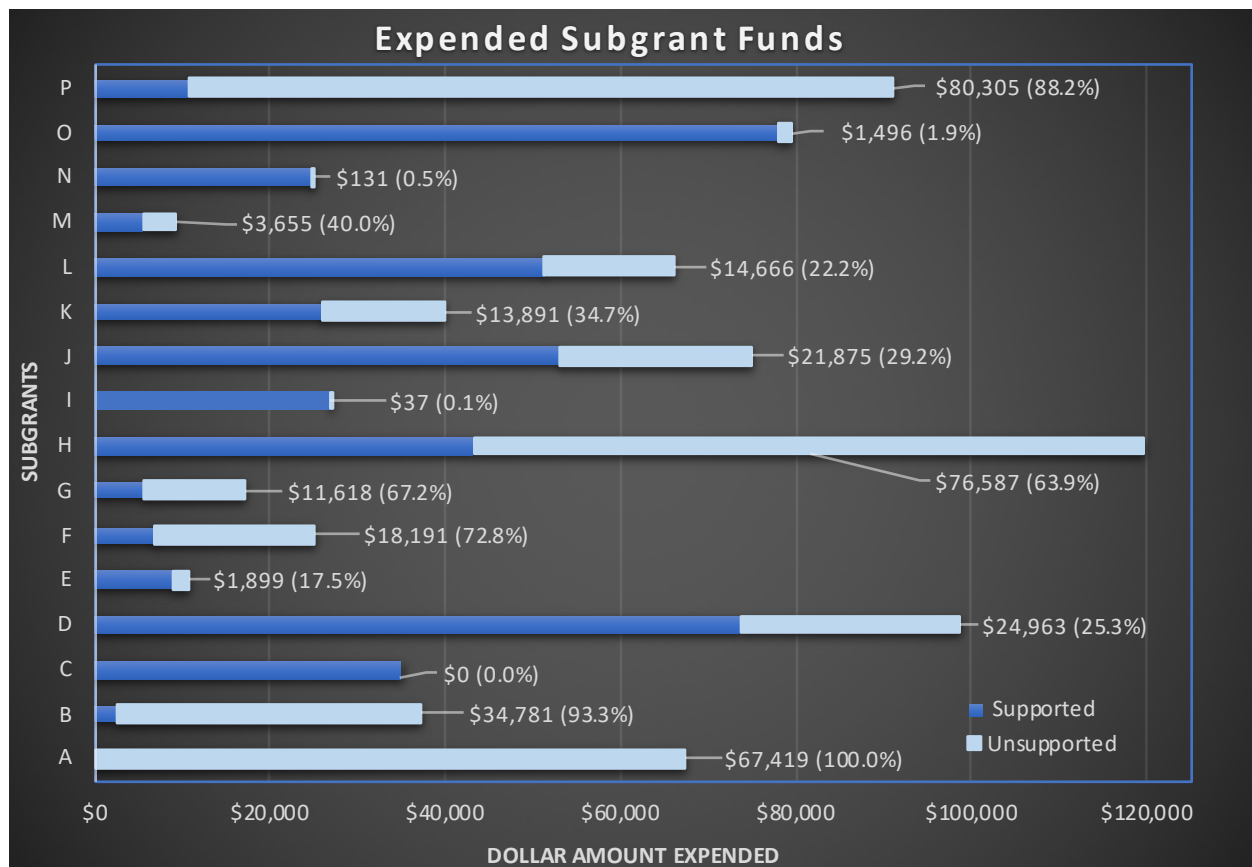
With respect to deficiencies that resulted in a determination that an expenditure was unsupported, ODCA's analysis revealed that five of the subgrants had insufficient support for at least 60% of the funds spent. Details are provided below and the specific subgrants are identified by letter to match the information in Figure 4.

1. Subgrant P spent \$91,046 for its Summer 2018 subgrant but had insufficient supporting documentation for \$80,305 or 88%.
2. Subgrant H expended \$119,810 for its Summer 2018 subgrant but had insufficient supporting documentation for \$76,587 or 64%.
3. Subgrant B spent \$37,292 for its SY 2018-2019 subgrant as of January 2019 but had insufficient supporting documentation for \$34,781 or 93%.
4. One subgrantee had two subgrants (subgrants F and G) for which it had insufficient support for at least half of the subgrant funds expended:
 - Subgrant F spent \$25,000 for its SY 2017-2018 subgrant but had insufficient supporting documentation for \$18,191 or 73%.
 - Subgrant G expended \$17,276 for its SY 2018-2019 subgrant as of January 2019 but had insufficient supporting documentation for \$11,618 or 67%.

17 All entries reported on the general ledgers should have been accounted for on the expenditure certification reports and reports of expenditures detail, but were not because, as the subgrantee explained, when the subgrantee's grants manager compiled the expenditure certification reports, she did not match it to the general ledgers. In addition, the supporting documentation, such as receipts, were not organized so that the amounts matched and supported the expenditures on the general ledgers.

18 SY 2018-2019's subgrant agreement required subgrantees to complete three expenditure certification reports. The first expenditure certification report was due November 30, 2018, the second was due February 28, 2019, and the third was due August 15, 2019, which was outside the scope of ODCA's audit. The \$823,658 expended does not include expenditures occurring during the third report.

Figure 4: Sample of Subgrant Expenditures



Subgrantees were paid without having sufficient supporting documentation on file. United Way did not verify a statistically significant sampling of supporting documentation to determine whether subgrantee expenditures were appropriate. United Way reconciled the amounts reported in the expenditure certification reports, reports of expenditures detail, and general ledgers, but only reviewed supporting documentation for those expenditures periodically. We found that the grant agreements between OST and United Way only required a review of supporting documentation “as requested.”

Because \$379,172 in expenditures were not documented the District does not know whether the funds were properly spent on authorized youth services. Furthermore, OST cannot evaluate whether those purchases helped maximize the effectiveness and quality of the programs.

Recommendation

- OST should update its grant agreement with United Way (or its successor) to ensure that all grant and subgrant agreements provide requirements regarding what is sufficient supporting documentation for subgrant expenditures and require the grantee to reconcile expenditure documentation (e.g., expenditure certification reports, general ledger, reports of expenditures detail, and supporting documentation) for a statistically significant sample of subgrantees on a regular basis.

Finding 3

OST's insufficient monitoring and oversight contributed to United Way using OST grant funds for non-OST services and submitting the FY 2018 grant close-out report one year after its due date.

a. OST did not detect when United Way used \$69,121 in grant funds for non-OST related services.

OST's FY 2017 and FY 2018 grant agreements with United Way state that grant funds must be used solely for the purposes of administering and carrying out the projects and activities described in the agreements.

United Way established a separate bank account for OST funds,¹⁹ and during our analysis of transactions we observed seven instances when United Way used OST funds for non-OST related services. This was a direct violation of the grant's terms and conditions. The seven payments totaled \$69,121, and United Way ultimately reimbursed the separate OST bank account.

United Way reported to ODCA that it had miscoded those transactions, which resulted in OST funds being used for non-OST related services. OST, however, did not detect this because the FY 2017 and FY 2018 grant agreements did not require United Way to provide OST with copies of their bank statements. The FY 2019 grant agreement with United Way was updated to require that United Way submit bank statements quarterly.

b. OST allowed United Way to submit a closeout report for the FY 2018 grant agreement one year after the report's due date.

The grant term for the FY 2018 grant agreement was December 13, 2017, to October 31, 2018, and Section IV (B)(1) of the agreement required that United Way "submit a final report ("Closeout Report") within sixty (60) days after it has expended all of the Grant Funds." This Closeout Report was to include a final narrative of the activities United Way performed under the grant agreement and the work carried on by the subgrantees using grant funds.²⁰

United Way subgrant agreements stated that United Way would issue its last payment to subgrantees on October 31, 2018, which meant United Way's Closeout Report would be due to OST 60 days later, on December 31, 2018 (See Figure 5). United Way, however, did not submit the FY 2018 closeout report until one year later in December 2019, and after ODCA inquired on two occasions about whether OST had obtained the closeout report from United Way.

19 The OST grant fund payments were deposited into United Way's general operating account, and then United Way moved the funds into a separate bank account that was independent of other funds received from the District.

20 The scope of work within the FY 2018 grant agreement required that United Way administer subgrants during the 2017-2018 school year and summer 2018. Therefore, the grant closeout report should have addressed performance related to subgrants in both periods.

Figure 5: 2018 Summer Strong Subgrant Payment Schedule

Payment	Requirements for Payment	Grantee Submission Deadline	Estimated Direct Deposit Date* (based on Availability of Funds from D.C.)
First Payment: 80%	Signed Grant Agreement	May 7, 2018	May 31, 2018
Final Payment: 20%	May, June, July and August ■ Expenditure Certification Report ■ Detailed General Ledger ■ Approved Bullying Prevention Policy ■ Mandated Reporter Policy	September 28, 2018	October 31, 2018

* Each payment will be provided 30 days after submission, review and acceptance of all required reports and corresponding documentation. Failure to meet the agreed upon deadlines will result in a delayed payment, most likely at the time of the next scheduled payment.

Source: United Way NCA 2018 Summer Strong grant Agreement

United Way reported that this delay occurred because several summer 2018 grantee organizations failed to meet the submission deadline for payment. Subgrantees reportedly missed the deadline due to staff turnover and/or changes in their financial system software, while a few others simply were unresponsive. United Way reported that these challenges affected their ability to review, approve, and remit final payments to those organizations. OST was aware of these subgrantee issues and allowed United Way to continue working with those subgrantees for months, instead of mandating that United Way enforce the cutoff date for final review and payment.

When United Way does not submit closeout reports timely, OST cannot evaluate whether United Way fulfilled all of the grant agreement requirements, review subgrantee performance, account for how grant funds were expended, verify unspent funds, or assess whether unspent funds should be returned to the District or authorized for rollover into the next grant.

Recommendations

- OST should update the grant agreement to require monthly submissions of bank statements and review the bank statements monthly to confirm that all deposits and withdrawals correspond to OST-related payments and disbursements.
- OST should ensure that United Way adheres to the final payment deadline established in the subgrant agreements and file grant close-out reports timely.

Performance Accountability Report (PAR) Audit

D.C. Code §1-614.14(c) requires ODCA to conduct an audit of selected performance measures presented in the Performance Accountability Report (PAR) of certain agencies each fiscal year. The PAR provides information about the agency's progress in achieving its goals for the previous year.

Finding 4

D.C. Code does not require OST's Annual Grant Report to include a transparent accounting of how grant funds were spent.

D.C. Code § 2-1555.04(g) requires that OST publish a grant report by November 1 of each year that includes the status of all grants issued by, or on behalf of, OST in the previous fiscal year. ODCA reviewed the FY 2018 Annual Grant Report, which notes that United Way received \$5,242,000 in grant funds and awarded \$4,717,800 of that amount (90%) as subgrants to nonprofit organizations as seen in Figure 6 below.²¹

Figure 6: Summary of Subgrant Awards issued in FY 2018

Grant Competition Name	Number of Grants Awarded	Number of Youth Funded to Serve	Total Amount of Awards
School Year 2017–2018 OST	41	9,578	\$2,075,000
2018 Summer Strong DC	32	2,787	\$2,123,550
2018 Summer Strong Coordinating Entity	2	120	\$200,000
School Year 2018-19 OST and School Year 2018–19 Community Based	80	13,252	\$319,250
Total²²	156		\$4,717,800

Source: Office of Out of School Time Grants and Youth Outcomes Fiscal Year 2018 Annual Grant Report, November 2018

While an accounting of the total amount awarded is helpful, the report did not detail whether the subgrantees properly expended all of the funds they received. It also did not document how much grant funding was carried over from the prior year and spent in FY 2018, or the total amount of unspent funds at the end of FY 2018.

²¹ The remaining 10% of the grant was United Way's administrative fee.

²² The source for this table is OST's FY 2018 Annual Grant Report. OST listed the total number of grants awarded as 156, but when adding up the grant awards for each grant competition category in their table, it should be 155. OST did not provide a total for the Number of Youth Funded to Serve.

The FY 2018 Annual Grant Report did not include this level of detail. D.C. Code only requires that OST report on the total amount awarded and not the actual amount expended.²³ In addition, OST could not address whether there were any unspent grant funds at the end of the fiscal year because they had not yet received the fourth quarter report from United Way providing that information. United Way's fourth quarter report must include a list of the Grant Funds expended and copies of the expense reports provided by each subgrant recipient. The report was due on November 30, 2018, after the November 1, 2018, Annual Grant Report publication deadline. The deadlines mean OST will not have timely access to essential data it needs to report on actual expenditures in its Annual Grant Report.

Figure 7: United Way and OST Report Submission Deadlines

United Way's Final Payment Date for 2018 Summer Strong Subgrantees	Publication Date for OST's Annual Grant Report	United Way's Fourth Quarterly Report Due to OST	United Way's Closeout Report Due to OST
October 31, 2018	November 1, 2018	November 30, 2018	December 31, 2018

The amount of funding for grant (and subgrant) awards increased by 128% from FY 2018 to FY 2019, and currently there is no public document that details how those funds were spent and whether they were spent as intended. If future Annual Grant Reports do not include this information, there will continue to be a lack of transparency in how out of school time grant funds are spent and how much funding was carried over and subsequently expended.

Recommendation

- The D.C. Council should amend the D.C. Code to move the due date for the Annual Grant Report to January 31 or later as requested by OST and the Mayor in the FY 2020 Budget Support Act of 2019 and require that the report include total funds spent by subgrantees, how much funding was unspent at the end of the grant term, and how carryover grant funds from the prior year were expended.

Finding 5

OST's performance data is inaccurate. CitySpan attendance data does not reconcile with subgrantee records and OST did not accurately report on the number of unique youths impacted.

²³ D.C. Code 2-1555.04(g) states the Annual Grant Report shall include, for each grant:

- (1) Detailed information about the grantee and any subgrantees;
- (2) A description of the specific services provided to youth;
- (3) The name of the entity providing the services, if one other than the grantee;
- (4) The location of services and demographic profile of service recipients; and
- (5) The amount of grant funds dedicated to program costs and the amount dedicated to other expenditures.

CitySpan attendance data do not reconcile with subgrantee attendance records.

The FY 2019 subgrant agreements contain explicit language requiring subgrantees to provide daily attendance/ sign-in sheets to the grantor (United Way), record the attendance in CitySpan²⁴, and ensure that the attendance was up to date at the end of each month.

ODCA compared daily attendance records of seven subgrantees to the attendance data the subgrantees entered into CitySpan for 15 days. The comparison showed that six out of seven subgrantees' daily attendance records did not match the attendance data they had recorded in CitySpan. For example, youths listed as present on the daily attendance sheets, were not listed as present in CitySpan, or vice versa. One subgrantee had 118 attendance entries, but 42% were inconsistent. A second subgrantee had 2,190 attendance entries, but 22% were inconsistent. The remaining four subgrantees had inconsistencies ranging from 2% to 16% for the 15 days in the sample.

ODCA found that these inconsistencies occurred for three primary reasons.

1. Subgrantees did not enroll program participants in CitySpan, and consequently, the participants' names did not appear in CitySpan, but they were listed as present on daily attendance records. For example, a subgrantee stated that there were some participants listed on his/her daily attendance sheet who did not attend the program regularly. Consequently, a decision was made to not enroll those participants in CitySpan. This determination was made because the CitySpan User Guide left it up to the subgrantee's discretion to determine whether a youth was supported by OST grants and therefore required to be enrolled in CitySpan.
2. Subgrantees that recorded daily attendance with manual sign-in sheets typed the incorrect attendance status when documenting participant attendance in CitySpan.
3. When attendance data was uploaded into CitySpan from a subgrantee's separate database, differences between the two systems could have resulted in attendance data being documented incorrectly in CitySpan.

In addition, the CitySpan user guide did not include guidance on how OST and subgrantees should complete quality assurance reviews of the daily attendance records in comparison to CitySpan attendance data. Such issues easily can lead to human error when inputting attendance data. Such errors make the attendance data in CitySpan unreliable if these errors are not caught and corrected timely.

Without complete and consistent data, OST cannot effectively monitor program attendance. OST reported that one of its future goals is to document how frequently each youth comes to the same program and track the number of participants who reach 30, 60, or 90 hours of programming. OST will then use additional data (e.g., improvements in school attendance and grades) from the Office of the State Superintendent of Education (OSSE) to help determine the impact OST programs have on the participants. If OST, however, does not have accurate attendance data from CitySpan to use in this analysis, then its impact analysis will be incorrect.

The 2018 Performance Accountability Report inflated the number of youths impacted by OST funding.

D.C. government agencies complete a Performance Accountability Report (PAR) that measures each agency's performance for the fiscal year against the agency's performance plan. The PAR includes major accomplishments, updates on initiatives, and key performance indicators (KPIs). OST is an office within DME, so DME's FY 2018 PAR

²⁴ CitySpan is an electronic attendance database that OST and subgrantees use to record data.

included the following workload metric for OST: “Number of youth directly impacted by programming funded by the Office of Out of School Time Grants and Youth Outcomes.”

OST reported in the FY 2018 PAR that 11,825 youths were directly impacted by OST-funded programming. ODCA, however, found that this number was inflated because OST double-counted youths who attended both the SY 2017-2018 and Summer 2018 sessions. ODCA came to this determination by analyzing seven subgrantees’ rosters for SY 2017-2018 and summer 2018. A total of 1,384 youths’ names were listed on the rosters, and 9% (120) of the names were listed on both the School Year and Summer rosters.

The duplication occurred at least in part because OST did not obtain the names of SY 2017-2018 participants and did not retain a copy of the Summer 2018 CitySpan report it ran for the PAR.²⁵ OST reported they were aware that duplicates were reported, and that the duplicates were not removed because OST relied on United Way’s “FY 18 OST Grantee Final Report Review Summary” listing the number of SY 2017-2018 youth participants without names. Without the SY 2017-2018 names, OST could not compare it against the names of Summer 2018 youth participants in CitySpan to eliminate duplicates. Another area of concern is that OST did not retain a copy of the Summer 2018 report on the date it ran the report. This means that OST cannot provide support for the number of Summer 2018 participants it used to calculate its PAR number.

OST informed ODCA that going forward, OST will be able to prevent youths from being counted twice because it will use attendance data from the CitySpan database to determine the unique number of youths directly impacted by OST funding. As seen in the prior finding, however, ODCA has concerns regarding the accuracy of the attendance data in CitySpan.

Without accurate PAR data, OST and the D.C. Council cannot effectively monitor how many youths are impacted by OST funding over time. In addition, the lack of accurate data hinders OST’s ability to confidently and accurately report on when they experienced increases or decreases in the number of youths impacted by OST-funded programs.

Recommendations

8. OST should revise the CitySpan user guide so data make clear which participants are supported by each grant and to clarify quality assurance steps to be taken by OST and subgrantees.
9. OST should gather and preserve detailed participant information for both Summer and School Year programs, eliminate duplicates, and report only the number of unique youths impacted by OST-funded programs.

²⁵ During SY 2017-2018 attendance was not tracked using CitySpan.

Conclusion

As noted by OST, research indicates that children and youth who regularly participate in quality afterschool and summer programs benefit in terms of their academic performance, social and emotional learning, and health and wellness. In addition, youths who participate in out of school time programs have better school attendance; higher graduation rates; lower dropout rates; stronger academic performance; and improved positive behaviors and work habits.

OST provides a network of afterschool and summer opportunities so that children and youths in the District have access to quality educational and enrichment activities beyond the school day. OST, with guidance from the Commission, has fulfilled this mandate by completing a community-wide annual needs assessment on out of school time programming, surveying children, youths, and community-based organizations regarding the quality of programming, approving grant and subgrant awards to organizations for a variety of youth programs, and working to ensure that children and youths have equitable access to quality programming. To maximize the effectiveness of its work and the benefits to the youths participating in its programs, OST must ensure that it provides strong monitoring and oversight in areas related to children and youth safety, expenditure of funds, and its own accounting of the number of youths directly impacted by programs funded by OST.

In this audit, ODCA found that OST needs to strengthen its monitoring and oversight of its grantee, particularly as it relates to ensuring that subgrantee staff who work with children and youths are compliant with the District's criminal background check requirements, ensuring that grant funds are expended properly, and ensuring that the data they collect and report to stakeholders is accurate. For example, our analysis showed that 96% of sampled subgrantee staff had worked with youths without clearing all required components of their criminal background checks. During a review of subgrantee expenditure documentation, we also found that in our sample, 46% of expended funds did not have sufficient supporting documentation on file. Furthermore, the attendance data in OST's electronic database contained inaccuracies, and OST did not accurately report on the number of unique youths impacted.

We commend OST, United Way, and the subgrantees for their responsiveness and cooperation with our many requests for information for this audit. We are grateful for the time they spent responding to our questions and for the courtesies they extended to the audit team during our work.

We anticipate that the implementation of our recommendations will strengthen and enforce grant and subgrant agreement language, result in regular oversight and monitoring of the grantee and subgrantees, improve compliance with criminal background check and fiscal monitoring requirements, lead to more detailed Annual Grant Reports, and improve the quality of data—all to improve the quality of out of school time programs provided to children and youths in the District of Columbia.

Agency Comments

On April 23, 2020, we sent a draft of this report to DME for review and written comment. DME responded on May 8, 2020. DME's comments are included here in their entirety, followed by ODCA's response to the comments.

Office of the Deputy Mayor for Education
John A. Wilson Building | 1350 Pennsylvania Ave, NW, Suite 307 | Washington, DC 20004

May 8, 2020

Kathy Patterson
Office of the District of Columbia Auditor
717 14th Street NW, Suite 900
Washington, D.C. 20005

Dear Ms. Patterson:

The Office of Out of School Time Grants and Youth Outcomes (OST Office) appreciates the ability to respond to the OST audit report.

The service provided by the quality OST programs are critical to the healthy development of at-risk youth and broaden their experiences. The OST program includes enrichment programs that provide sewing classes, poetry writing, public speaking through spoken word, soccer, boxing, field trips to college campuses, entrepreneurship and business skills, knitting, robotic challenges, and occasionally a trip to the wilderness with overnight camps outside of DC. While other subgrantees support academics by supporting literacy, math and science.

As footnoted in the report, the OST Office was legislatively created in April 2017. The Fiscal Year 2018 budget funded the OST Office which created the five full-time positions. In October 2017, the Executive Director was hired and then the other four team members hired by October 2018. The audit scope occurred from April 2017 through April 2019, a time when this new office had to hire a team, improve an existing grant program, develop internal standard operating procedures, identify and develop a database for reporting, and develop interagency agreements to support various support aspects of the OST Office.

The Office of the District of Columbia Auditor (ODCA) report acknowledges that the OST Office achieved the mandate of providing the District's youth access to out of school time programs which is the sole purpose of the office. As a new office, we're proud to have instituted procedures for accountability and oversight, as well as the ability to achieve performance measures. The OST Office prioritized the distribution of grant funds to OST programs while developing the internal processes, infrastructure, and oversight concurrently. The OST Office continues to improve the grants management, compliance, accountability, quality of programs, and fiscal monitoring while continuing to prioritize and provide youth access to quality out of school time (OST) programs.

In providing access to quality OST programs, the OST Office is aware of the need to protect the children and youth by ensuring subgrantee personnel engaging in direct services to youth had background checks. The OST Office mandated additional background checks over what was required. There were 113 organizations funded by the OST Office in Fiscal Years 2018 and 2019 of which ODCA sampled 16 organizations. ODCA "interpreted conducting a criminal background check to mean receiving and analyzing the criminal background check result and having a **qualified entity complete a suitability determination.**" This was not the expectation of the OST Office until its agreement with DCHR to conduct those suitability checks in June 2018, after which the OST Office had the ability to support the subgrantees with suitability determination. Many nonprofits and community-based organizations encourage community

members to volunteer and staff OST programs. Several of these organizations have written policies and guidance on determining suitability that is much broader than the OST Office requirement. For example, one policy the OST Office has seen is that criminal charges over ten years have less weight in determining suitability. ODCA's Draft Report directly ties this lack of a criminal background check with a suitability determination to indicate that youth participating in OST programs were at an increased risk of being harmed. Based on the sample size and the subjective review of documentation, it is inappropriate and inflammatory to suggest such a conclusion from a lack of documented paperwork. The District takes children safety and protection to the highest priority. The OST Office went above and beyond what was required and have implemented several processes to ensure the safety of the participants in the OST programs.

United Way of the National Capital Area (United Way NCA) was selected as the first grantmaking partner for the OST Office so that the OST Office could build adequate internal capacity. Over several years, the OST Office provided oversight to United Way NCA and instituted several changes working with United Way NCA on its management of the grant program:

1. Initially United Way NCA required attendance as a grant performance measure and was collecting subgrantee enrollment via excel. The excel file contained sensitive information and transmission of the file may not have been secure. The OST Office promptly identified the risk associated and eliminated the attendance requirement. The OST Office via United Way NCA then contracted with Cityspan to manage subgrantee information as a secure method of sharing information.
2. Background checks have sensitive information on subgrantee employees and volunteers. United Way NCA was collecting background checks via email, a second unsecure transmission method. The OST Office changed the grant agreement and protocol which then required United Way NCA to review background checks during administrative site visits.
3. The grant agreements between the District and United Way NCA have been amended, refined, and improved annually. Changes in the grant agreement include having United Way NCA specifying background check information, submission of bank statements, defining the annual grant report requirements, subgrantee visits, and ensuring the need for United Way NCA to transfer subgrantee funds in accordance with the grant agreements.
4. The OST Office finalized a grantee monitoring tool in December 2019 to provide additional oversight of the grantee.

United Way NCA experienced a significant number of staff transitions that made instituting these changes and providing oversight challenging over several grant cycles. There have been three OST Grants Directors managing the OST grant program since October 2017, two Vice Presidents that oversee the OST Grants Director, and the Chief Operating Officer transitioned out of the organization, which eliminated institutional knowledge and expectations.

Finally, the number of youth affected used by the OST Office in the 2018 performance accountability report (PAR) occurred during a transition year between subgrantee self-reporting numbers and the implementation of the OST database. The OST database was under development for most of the 2018 fiscal year and only implemented for subgrantees during summer 2019. There is also a difference in interrupting the PAR data which should be noted. ODCA measured attendance data as the impact analysis, however, the OST Office used enrollment into an OST program as the measure for this PAR. The OST Office has made it clear to subgrantees and the OST Commission that enrollment, not attendance, is a measure of impact and collects the information for future correlational research.

OST's response to ODCA's specific recommendations are as follows:



Recommendation One: The OST Office should include in the grant agreement with United Way (or its successor) specific requirements regarding: a) grantee oversight of criminal background check clearances and/or appropriate supervision, and documentation requirements regarding background checks and clearances for all subgrantee employees, volunteers, and contractors; and b) the language United Way shall include in subgrant agreements regarding criminal background checks and clearances for subgrantee employees, volunteers, and contractors.

Response: Agree and already implemented. The fiscal year 2020 grant agreement with United Way NCA includes details about the oversight of subgrantee background checks and subgrantee grant agreements also have specific background check requirements. In addition, the OST Office has provided United Way NCA and subgrantees the background check guidance which describes the requirements and documentation needed to be in compliance. Furthermore, the OST Office, through an agreement with the Department of Human Resources (DCHR), organizes several days throughout the years for subgrantees to receive subsidized background checks through DCHR.

Recommendation Two: OST should perform regular oversight of the criminal background check process to ensure that the grantee and OST each ensures that all employees, volunteers, and contractors have a valid criminal background check clearance and that individuals who have not completed and obtained a valid criminal background check clearance are supervised by persons with a valid criminal background check clearances.

Response: Agree and already implemented. The OST Office worked with United Way NCA to improve the oversight process of subgrantees with regards to the background checks. Subgrantees are required to upload the background checks into the OST Office database, with sensitive information removed. The OST Office emails subgrantees when information needs to be corrected or is not acceptable. In addition, United Way NCA submits names of all adults on site during a programmatic site visit. The OST Office verifies the clearances of the adults on site.

Recommendation Three: The D.C. Council should require that grantee and subgrantee employees, volunteers, and contractors working directly with youths unsupervised are subject to the same criminal background check clearance requirements as District government employees and contractors.

Response: This recommendation is not directed at the OST Office.

Recommendation Four: OST should update its grant agreement with United Way (or its successor) to ensure that all grant and subgrant agreements provide requirements regarding what is sufficient supporting documentation for subgrant expenditures and require the grantee to reconcile expenditure documentation (e.g., expenditure certification reports, general ledger, reports of expenditure details, and supporting documentation) for a statistically significant sample of subgrantees on a regular basis.

Response: Agree. As the grantee and fiscal agent for the District, United Way NCA managed the grant distribution and expenditure reporting of the subgrantees. As part of their responsibilities, United Way must manage its subgrantees. The OST Office will review the process and consider revising the entire expenditure process and develop guidance on acceptable expense documentation.



Recommendation Five: OST should update the grant agreement to require monthly submissions of bank statements and review the bank statements monthly to confirm that all deposits and withdrawals corresponds to OST-related payments and disbursements.

Response: Agree and already implemented. The fiscal year 2019 grant agreement with United Way NCA dated November 30, 2018 requires the submission of bank statements with each quarterly report.

Recommendation Six: OST should ensure that United Way adheres to the final payment deadline established in the subgrant agreements and file grant close-out reports timely.

Response: Agree. The OST Office agrees that United Way should submit timely reports if it continues to serve as the Office's grantee. On several occasions, the OST Office has provided notice to United Way to submit its reports and all late filings have been documented in United Way's performance file and would be under consideration when evaluating future grantees.

Recommendation Seven: The D.C. Council should amend the D.C. Code to move the due date for the Annual Grant Report to January 31 or later as requested by OST and the Mayor in the Fiscal Year 2020 Budget Support Act of 2019 and require that the report include total funds spent by subgrantees, how much funding was unspent at the end of the grant term, and how carryover grant funds from the prior year were expended.

Response: This recommendation is not directed at the OST Office.

Recommendation Eight: OST should revise the Cityspan user guide so data make clear which participants are supported by each grant and to clarify quality assurance steps to be taken by OST and subgrantees.

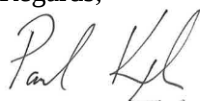
Response: Agree and will implement. The OST Office will revise the user guide and provide additional supports to subgrantees on the accuracy of data entry.

Recommendation Nine: OST should gather and preserve detailed participant information for both summer and school year programs, eliminate duplicates, and report only on the number of unique youths impacted by OST-funded programs.

Response: Agree and already completed. The OST Office has standardized the internal standard operating procedures to store and provide the source documentation for each performance quarter.

The OST Office is committed to continuing to fund high-quality OST programs across the District. Since the audit, the OST Office has resolved several of the recommendations and the OST Office will continue to refine and improve the system to deliver a high-quality grants program. Please let us know if you have additional questions or concerns.

Regards,



Paul Kihn
Deputy Mayor for Education



Response to Agency Comments

We greatly appreciate the Deputy Mayor for Education's (DME) response to the draft report. We are pleased that DME agrees with our report recommendations and that several recommendations were implemented prior to the release of this report.

DME's agency comments include concerns regarding our finding on criminal background checks. More specifically, DME faults the sample size and what is referred to as ODCA "subjectivity" and questions whether the lack of documentation of suitability checks is a reasonable foundation to note a potential risk to children. ODCA reviewed 10% of subgrant awards issued during our scope and observed that one or more required pieces of documentation was missing from 96% of the 133 individuals in our sample. This objective review and sample size were sufficient for ODCA to determine that the criminal background check files did not contain the information needed to determine whether the individual was suitable to work with youths. ODCA maintains the position that a qualified entity should review criminal background check results to ensure that suitability determinations are made in accordance with District of Columbia statute as well as grant, and subgrant requirements.

In citing lack of documentation as an underlying risk, ODCA is meeting a standard to which auditors must adhere under Generally Accepted Government Auditing Standards (GAGAS). That is, we have not claimed that a youth was harmed; we have noted the heightened risk of harm occurring from not fully complying with criminal background check requirements. We have made this point in previous reports: that we must stipulate when we see evidence of a risk, whether of fraud or gross negligence, for example. Auditors, per GAGAS, are required to maintain "an attitude of professional skepticism in assessing these risks."

DME's response to our draft report also notes that for the 2018 PAR metric, "...the OST Office used enrollment into an OST program as the measure for this PAR. The OST Office has made it clear to subgrantees and the OST Commission that enrollment, not attendance, is a measure of impact and collects the information for future correlational research." This statement, however, contradicts the methodology that OST stated they used when compiling data for the 2018 metric. On March 7, 2019, OST reported that it added the number of school year (SY) 2017-2018 youths impacted—as reported in United Way's final programmatic report for SY 2017-2018—to an interim number of Summer 2018 youth participants recorded in the CitySpan database. OST's response indicated that students were *actually served*, rather than just *enrolled in* an OST-funded program. ODCA recommends that DME/ OST compiles data for its "Number of youth directly impacted by programming funded by the Office of Out of School Time Grants and Youth Outcomes" performance metric, by counting youths who actually participated in an OST-funded program, not double-counting youths who participated in programs in both school year and summer programs, and updating the subgrantees and the OST Commission of this change in methodology.

Finally, we greatly appreciate the spirit of candor and cooperation throughout the audit evidenced by colleagues with the OST Office and look forward to the successful implementation of ODCA recommendations.

Summary of Report Recommendations

Most of the recommendations in this report can be implemented without any additional costs to the Office of Out of School Time Grants and Youth Outcomes (OST), and/or help to advance the goals of OST, as seen below.

Recommendation	Is There a Cost to the Agency/Entity to Implement?	Potential to Generate Revenue or Savings to the District?	Specific Agency/Entity or District-Wide Goal Advanced by Recommendation
PII Management Alert Report Recommendation			
1. ODCA recommends that OST, in collaboration with United Way: a) Immediately restrict access to attendance reports accessible via hyperlinks contained in United Way's FY 2017 third and fourth quarter reports (e.g., deactivate the hyperlink, require a password). b) Review all files located in the Dropbox account and secure any other unsecured files.	No	No	OCTO policy number 2010.3 "requires all DC agency information to be identified, classified, protected, and managed from creation to disposal in a manner that ensures protection commensurate with the sensitivity and value of the information."

Recommendation	Is There a Cost to the Agency/Entity to Implement?	Potential to Generate Revenue or Savings to the District?	Specific Agency/Entity or District-Wide Goal Advanced by Recommendation
Criminal Background Check Management Alert Report Recommendations			
1. Send school year 2019-2020 subgrantees a reminder that: ■ They must ensure that any staff member who has direct and regular contact with youths, but for whom the subgrantee has not received the results from all components of their criminal background check, is supervised by another staff member who was determined to be suitable to work with youths. ■ Any staff member for whom the subgrantee receives results showing that the staff member has a past criminal history, is listed on the National Sex Offender Registry, or is listed in the D.C. Child Protection Register must notify United Way within two business days so that a suitability determination can be performed. If the staff member is determined to be unsuitable (prior to or after the suitability screening), he/she must not work with youths, supervised or unsupervised.	No	No	The Child and Youth Safety and Health Omnibus Amendment Act of 2000 legislative introduction notes: The Act was intended to dramatically improve the variety of protections available to ensure the health, safety and well-being of children and youth in the District of Columbia. DME's FY 2020 Key Performance Indicator: The number of OST sites improving their program quality year over year. DME's FY 2020 Strategic Objective 4: Create and maintain a highly efficient, transparent, and responsive District government. DCHR's FY 2020 Strategic Objective 1: DCHR strategically and expeditiously sources, selects and on-boards highly talented individuals with the acumen, aptitude, and attitude to thrive in District Government.²⁶

²⁶ The four goals listed here apply to all four of the Criminal Background Check MAR recommendations.

Recommendation	Is There a Cost to the Agency/Entity to Implement?	Potential to Generate Revenue or Savings to the District?	Specific Agency/Entity or District-Wide Goal Advanced by Recommendation
■ They must ensure that any staff member for whom the subgrantee is waiting for a suitability determination is supervised by another staff member who was determined to be suitable to work with youths until a suitability determination has been received. ■ These requirements must be met on an ongoing basis and subgrantees should maintain documentation showing how they complied with these requirements.			
2. Conduct a full review of school year 2019–2020 subgrantee compliance with criminal background check requirements listed in the subgrant agreements between each subgrantee and United Way, that includes: ■ Verifying throughout the school year that all subgrantee staff members who have not received results from their criminal background checks are or will be supervised by another staff member who was determined to be suitable to work with youths. ■ Confirming that criminal background check results were sent directly to the employer and not the applicant.	No	No	

Recommendation	Is There a Cost to the Agency/ Entity to Implement?	Potential to Generate Revenue or Savings to the District?	Specific Agency/Entity or District-Wide Goal Advanced by Recommendation
Ensuring that all subgrantee staff members who have results showing a past criminal history, are listed on the National Sex Offender Registry, or are listed in the D.C. Child Protection Register do not work unsupervised until they have been determined to be suitable by DCHR. If they are determined to be unsuitable prior to or after DCHR's suitability screening, they must not work with youths, supervised or unsupervised.			
3. Develop detailed written criminal background check policy and procedures that address topics including: - How to complete criminal background checks. - How to ensure subgrantee compliance with criminal background check requirements for all subgrantee staff members rather than the current practice of only verifying compliance for a sample of subgrantee staff members. - When to complete criminal background check compliance checks. - What items are considered acceptable forms of documentation. - How to proceed when subgrantee staff members have not completed the required criminal background checks. - How to proceed when criminal background checks reveal a criminal background and/or being on the National Sex Offender Registry or D.C. Child Protection Register.	No	No	

Recommendation	Is There a Cost to the Agency/ Entity to Implement?	Potential to Generate Revenue or Savings to the District?	Specific Agency/Entity or District-Wide Goal Advanced by Recommendation
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4. Ensure that:

■ Future grant agreements between OST and United Way and subgrantee agreements between United Way and subgrantees, starting with fiscal year 2020, include OST's criminal background check policy and procedures.

No

No

■ The grantee verifies subgrantee compliance with OST's criminal background check policy and procedures.

Report Recommendations

1. OST should include in the grant agreement with United Way (or its successor) specific requirements regarding: a) grantee oversight of criminal background check clearances and/or appropriate supervision, and documentation requirements regarding background checks and clearances for all subgrantee employees, volunteers, and contractors; and b) the language United Way shall include in subgrant agreements regarding criminal background checks and clearances for subgrantee employees, volunteers, and contractors.

No

No

The Child and Youth Safety and Health Omnibus Amendment Act of 2000 legislative introduction

notes: The Act was intended to dramatically improve the variety of protections available to ensure the health, safety and well-being of children and youth in the District of Columbia.

DME's FY 2020 Key Performance Indicator:

The number of OST sites improving their program quality year over year.

DME's FY 2020 Strategic

Objective 4: Create and maintain a highly efficient, transparent, and responsive District government.

Recommendation	Is There a Cost to the Agency/ Entity to Implement?	Potential to Generate Revenue or Savings to the District?	Specific Agency/Entity or District-Wide Goal Advanced by Recommendation
2. OST should perform regular oversight of the criminal background check process to ensure that the grantee and OST each ensures that all employees, volunteers, and contractors have a valid criminal background check clearance and that individuals who have not completed and obtained a valid criminal background check clearance are supervised by persons with valid criminal background check clearances.	No	No	The Child and Youth Safety and Health Omnibus Amendment Act of 2000 legislative introduction notes: The Act was intended to dramatically improve the variety of protections available to ensure the health, safety and well-being of children and youth in the District of Columbia. DME's FY 2020 Key Performance Indicator: The number of OST sites improving their program quality year over year. DCHR's FY 2020 Strategic Objective 1: DCHR strategically and expeditiously sources, selects and on-boards highly talented individuals with the acumen, aptitude, and attitude to thrive in District Government.

Recommendation	Is There a Cost to the Agency/ Entity to Implement?	Potential to Generate Revenue or Savings to the District?	Specific Agency/Entity or District-Wide Goal Advanced by Recommendation
3. The D.C. Council should require that grantee and subgrantee employees, volunteers, and contractors working directly with youths unsupervised are subject to the same criminal background check clearance requirements as District government employees and contractors.	No	No	The Child and Youth Safety and Health Omnibus Amendment Act of 2000 legislative introduction notes: The Act was intended to dramatically improve the variety of protections available to ensure the health, safety and well-being of children and youth in the District of Columbia. DME's FY 2020 Key Performance Indicator: The number of OST sites improving their program quality year over year. DCHR's FY 2020 Strategic Objective 1: DCHR strategically and expeditiously sources, selects and on-boards highly talented individuals with the acumen, aptitude, and attitude to thrive in District Government.

Recommendation	Is There a Cost to the Agency/Entity to Implement?	Potential to Generate Revenue or Savings to the District?	Specific Agency/Entity or District-Wide Goal Advanced by Recommendation
4. OST should update its grant agreement with United Way (or its successor) to ensure that all grant and subgrant agreements provide requirements regarding what is sufficient supporting documentation for subgrant expenditures and require the grantee to reconcile expenditure documentation (e.g., expenditure certification reports, general ledger, reports of expenditures detail, and supporting documentation) for a statistically significant sample of subgrantees on a regular basis.	No	No	DME's FY 2020 Key Performance Indicator: The number of OST sites improving their program quality year over year. DME's FY 2020 Strategic Objective 4: Create and maintain a highly efficient, transparent, and responsive District government.
5. OST should update the grant agreement to require monthly submissions of bank statements and review the bank statements monthly to confirm that all deposits and withdrawals correspond to OST-related payments and disbursements.	No	No	
6. OST should ensure that United Way adheres to the final payment deadline established in the subgrant agreements and file grant close-out reports timely.	No	No	DME's FY 2020 Strategic Objective 4: Create and maintain a highly efficient, transparent, and responsive District government.

Recommendation	Is There a Cost to the Agency/Entity to Implement?	Potential to Generate Revenue or Savings to the District?	Specific Agency/Entity or District-Wide Goal Advanced by Recommendation
Performance Accountability Report Audit Recommendations			
7. The D.C. Council should amend the D.C. Code to move the due date for the Annual Grant Report to January 31 or later as requested by OST and the Mayor in the Fiscal Year 2020 Budget Support Act of 2019 and require that the report include total funds spent by subgrantees, how much funding was unspent at the end of the grant term, and how carryover grant funds from the prior year were expended.	No	No	DME's FY 2020 Strategic Objective 4: Create and maintain a highly efficient, transparent, and responsive District government.
8. OST should revise the CitySpan user guide so data make clear which participants are supported by each grant and to clarify quality assurance steps to be taken by OST and subgrantees.	No	No	The FY 2020 budget supports this work with an investment of \$13.8 million and the impact of the work will be measured by the number of youths served by funded programs and the number of programs improving their quality, currently targeted at ten.
9. OST should gather and preserve detailed participant information for both summer and school year programs, eliminate duplicates, and report only on the number of unique youths impacted by OST-funded programs.	No	No	

Appendices

Appendix A

Methodology

Sample Size

ODCA used samples of subgrant awards to allow for in-depth analysis of compliance with criminal background check and expenditure requirements. Our sample size reflected 10% of our population of subgrant awards and 11% of subgrant award funds. The size of the samples, the complete population from which they are drawn, and how they were selected are shown in Figure 8.

Figure 8: Subgrant Award Sample and Population Sizes and Sampling Methodology

Item	Sample	Population	Sampling Method
School Year 2017-2018 (Total Award Amount)	4 (\$200,000)	41 (\$2,075,000)	Random & Judgmental
2018 Summer Strong	5 (\$349,600)	32 (\$2,123,550)	Random & Judgmental
2018 Summer Strong Coordinating Entity	1 (\$100,000)	2 (\$200,000)	Random & Judgmental
School Year 2018-2019	4 (\$400,000)	62 (\$5,760,011)	Random & Judgmental
School Year 2018-2019 Community Based	3 (\$75,000)	18 (\$430,880)	Random & Judgmental
Total	16 (\$1,124,600)	155 (\$10,589,441)	

Criminal Background Checks

ODCA:

- Interviewed OST, United Way NCA, subgrantee, DCHR, and DCPS, staff to understand their processes for collecting and reviewing criminal background check results and determining suitability.
- Reviewed D.C. Code and subgrant agreement requirements to establish which criminal background check requirements applied to grantee and subgrantee staff.
- Reviewed criminal background check documentation to determine whether results were on file for all required criminal background checks for all staff who had regular and direct interactions with youth, and whether the results were valid for the required period of time. See Figure 9.

Figure 9: Summary of Criminal Background Check Entities and Acceptable Documentation

Criminal Background Check Entity	Acceptable Form of Documentation
DC Department of Human Resources (DCHR) suitability screening results	Email from DCHR stating whether the individual cleared DCHR's background check.
DC Public Schools (DCPS)	DCPS clearance letter
Federal Bureau of Investigation	Criminal background check results
DC Metropolitan Police Department	Criminal background check results
CFSA Child Protection Registry (CPR)	CFSA letter
National Sex Offender Registry (NSOR) located at https://www.nsopw.gov	Results from NSOR showing that a check was completed for all states

Expenditure Testing

ODCA reconciled amounts reported in subgrantees' Expenditure Certification Reports, Reports of Expenditures Detail, General Ledgers, and supporting documentation (e.g., receipts, invoices, cancelled checks, pay stubs, timesheets, etc.). In addition, we assessed whether expended amounts were fully supported by source documentation, whether any expenditures were unallowed, and if there were any unaccounted for amounts.

Bank Statement Analysis

United Way established separate bank accounts and a money market account for OST funds. ODCA documented all deposits into and withdrawals from these accounts and compared those transactions to reports generated by the District's System of Accounting and Financial Reporting (SOAR), grant agreements, subgrantee payment schedules, and transactional details for subgrantee payments to determine whether any deposits or withdrawals were non-OST related. ODCA also obtained explanations from OST and United Way regarding why non-OST related deposits and withdrawals occurred.

PAR

ODCA reviewed the SY 2017-2018 and 2018 Summer Strong final program reports that subgrantees submitted to United Way and analyzed whether the total number of youths impacted that subgrantees listed in their reports reconciled with the total number that United Way reported to OST. Next we selected a sample of seven subgrantees that offered programming during both SY 2017-2018 and Summer 2018 and determined how many students appeared on both lists.

ODCA also reviewed the FY 2018 Annual Grant Report produced by OST, statutory reporting requirements, and grant and subgrant reporting requirements.

CitySpan

ODCA selected 15 days between September 2018 and April 2019 and compared OST's attendance records generated by the CitySpan database to the subgrantee's attendance records (e.g., sign-in sheets or computer printouts of attendance). We documented the students who were present on those days according to the CitySpan and subgrantee attendance records and calculated for each day the number of discrepancies between the two sets of attendance records.

Appendix B

PII Management Alert Report and OST Response



February 21, 2019

Ms. Mila Yochum
Executive Director
Office of Out-of-School Time Grants and Youth Outcomes
1350 Pennsylvania Avenue N.W., Suite 307
Washington, DC 20004

Mr. Timothy Johnson
Chief Strategy and Impact Officer
United Way of the National Capital Area
1101 15th Street, N.W., Suite 1000
Washington, DC 20005

Management Alert: Personally Identifiable Information (PII) and demographic information for youths who participated in out-of-school time programming needs to be secured.

Dear Ms. Yochum and Mr. Johnson:

The Office of the D.C. Auditor (ODCA) writes this Management Alert to inform you that Personally Identifiable Information (PII) and other sensitive information for children and youths who participated in Fiscal Year (FY) 2017 out of school time programming needs to be secured. PII was observed on attendance reports that United Way of the National Capital Area (United Way) made available to the Office of Out of Out-of-School Time Grants and Youth Outcomes (OST) via an unsecured DropBox account and needs to be secured as soon as possible.

During our audit, ODCA reviewed third and fourth quarter reports United Way submitted to the District in FY 2017 as part of its responsibilities under its FY 2017 grant agreement and observed that the reports include active hyperlinks to attendance reports that contain the following PII for youths:

- Date of birth.
- Last four digits of their social security numbers.
- Home address.

Such information is widely regarded as PII and is identified as such in OST's own Policy and Procedures Manual. In addition, the reports contain other sensitive information such as gender, race, and ethnicity.

We are bringing this to your attention now because although OST's current internal controls require the use of a secure Box.com account that mitigates this PII concern going forward, OST needs to go back to these earlier reports as soon as possible and safeguard the PII information.

Recommendations:

ODCA recommends that OST, in collaboration with United Way:

- a) Immediately restrict access to attendance reports accessible via hyperlinks contained in United Way's FY 2017 third and fourth quarter reports (e.g., deactivate the hyperlink, require a password).
- b) Review all files located in the DropBox account and secure any other unsecured files.

Please let me know by Friday, March 1, 2019, whether you have moved forward with these recommendations. If you have any questions on this Management Alert, please feel free to contact me. Also, when the final audit report on this audit is issued, this management alert and your response will be made public.

Thank you for your consideration. I look forward to continuing to work with you and members of your staff with the goal of improving the District government and benefiting the residents of the District.

Sincerely yours,



Kathleen Patterson
District of Columbia Auditor

cc: Paul Kihn, Deputy Mayor for Education
Wayne Turnage, Interim Deputy Mayor for Health and Human Services

Office of the Deputy Mayor for Education

John A. Wilson Building | 1350 Pennsylvania Ave, NW, Suite 307 | Washington, DC 20004

March 1, 2019

Kathleen Patterson
Office of the DC Auditor
717 14th Street, N.W. Suite 900
Washington, DC 20005

Subject: Management Alert: Personally Identifiable Information (PII) and demographic information for youths who participated in out-of-school time programming needs to be secured.

Dear Ms. Patterson,

Protecting Personally Identifiable Information (PII) is extremely important to the Office of Out of School Time Grants and Youth Outcomes (OST Office). In fact, the OST Office has instituted policies and procedures that insure the security of all PII and sensitive information and requires all grantees and subgrantees to follow those policies and procedures. In response to the management alert sent on February 21, the information was immediately secured as of February 22. United Way of the National Capital Area (United Way NCA) deactivated all links containing PII and deleted all files on the unsecured DropBox account, as requested by the OST Office. The OST Office confirmed that all links in the FY17 Q3 and Q4 reports will now lead to a webpage error. Additionally, the OST Office confirmed with United Way NCA that others had not accessed the link and the information was not accessed by other staff.

To our knowledge no data was released publicly or breached in any manner, and the information was initially unsecured due to the lack of internal controls at United Way NCA. We agree with your recommendations and have implemented both with United Way NCA. We have also placed a letter in United Way NCA's file recording this incident and indicating the seriousness of the matter. That letter will be considered when evaluating past performance of application submissions from United Way NCA in the future.

As you have described, the OST Office has instituted a number of policies and procedures to protect PII:

- First, the OST Office worked with United Way NCA to contract with CitySpan, a database provider, to have subgrantees directly enter participant data and attendance into a secure, password protected database. The OST Office is the sole administrator to the database and United Way NCA staff does not have access to any PII entered into the database.



- In Fall 2018, the OST Office had requested that United Way NCA institute new internal controls and protocols to protect all information. The new protocols required that all information shared with the OST Office must be password protected and shared over secured and encrypted transmission only. At the same time, the OST Office requested all previously shared files and information be deleted within one week.
- Finally, all subgrantees are required to follow data security protocols that have been designed by the OST Office and disseminated to the subgrantees by United Way NCA. This is accomplished in various ways:
 - The OST Office worked with United Way NCA to include security requirements in the subgrantee grant agreements to protect information and data.
 - These security protocols are reiterated in a mandatory meeting that all subgrantees attend at the start of each grant cycle.
 - These protocols are again shared with all subgrantees through the Database User Guide which is provided to all subgrantees.

The OST Office will also conduct on-site monitoring and continued compliance review of United Way NCA as another means of performance evaluation and monitoring pursuant to our grant agreement, effective as of November 30, 2018. Please let us know if you have any questions.

Best,



Mila Yochum
Executive Director, Office of Out of School Time Grants and Youth Outcomes
Office of the Deputy Mayor for Education

Cc: Paul Kihn, Deputy Mayor for Education



Appendix C

Criminal Background Check Management Alert Report and OST Response

August 16, 2019

Ms. Mila Yochum
Executive Director
Office of Out-of-School Time Grants and Youth Outcomes
1350 Pennsylvania Avenue N.W., Suite 307
Washington, DC 20004

Management Alert Report: *The Office of Out of School Time Grants and Youth Outcomes (OST) has not ensured that subgrantee staff members who have regular and direct contact with youths were determined to be suitable¹ to work with youths.*

Dear Ms. Yochum:

The Office of the D.C. Auditor (ODCA) writes this Management Alert Report to inform you that subgrantee staff members who have not completed or received the results from their criminal background check² **may** have had unsupervised, direct, and regular contact with youths. This may have resulted from The Office of Out of School Time Grants and Youth Outcomes (OST) not including in the OST-United Way grant agreement specific requirements relating to the criminal background check review process and not identifying and correcting significant weaknesses in the criminal background check review process conducted by United Way.

OST's grant agreements with United Way do not specify how United Way should ensure subgrantee compliance with criminal background check requirements. For example, there are no specific requirements regarding when United Way should review subgrantee criminal background check documentation, what items are considered acceptable forms of documentation, how to proceed when subgrantee staff members have not completed the required criminal background checks, or how to proceed when criminal background checks reveal a criminal background and/or being on the U.S. Department of Justice's National Sex Offender Registry or the District of Columbia's Child Protection Register.

¹ The District of Columbia Municipal Regulations (DCMR) contain the District's Employee Suitability Policy and DCMR §6-B400.3 states, "General background checks, criminal background checks, and mandatory drug and alcohol testing shall be utilized to ensure that each applicant, appointee, volunteer, and employee possesses the character and background necessary to enhance the integrity and efficiency of the District government."

² The Subgrant agreements require background checks (Federal Bureau of Investigation (FBI) fingerprint and background check, D.C.'s Criminal Background Check, National Sex Offender Registry, and D.C.'s Child Protection Register) for all program staff, volunteers or contractors who have regular contact and direct interactions with youth. Additionally, those agreements specify that the background checks must comply with the District of Columbia's Criminal Background Check policy. D.C. Code §§ 4-1501.01 – 4-1501.11.

In July 2019, ODCA conducted a file review³ of criminal background check documentation maintained by four subgrantees and observed several areas of concern. Most concerning was a subgrantee that allowed a staff member to work with youths even though the individual was listed on the Child and Family Services Administration (CFSA) Child Protection Register as responsible for the abuse or neglect of a child. In another instance, we observed that a school year 2018-2019 subgrantee staff member had a criminal history but United Way and OST were not notified. Consequently, the employee was not referred to the D.C. Department of Human Resources (DCHR) for a suitability determination. Additional areas of concern that we identified:

- Some Federal Bureau of Investigation (FBI) and Metropolitan Police Department (MPD) background checks were not completed.
- The National Sex Offender Registry search often was not performed for all states.
- There were no results from the CFSA Child Protection Register check.
- There were criminal background check results on file that were not valid for the entire duration of the grant.
- There was one instance when it appeared that the applicant received the criminal background check result from MPD instead of the employer receiving the results directly.

In each of these instances, subgrantees had staff members whose suitability to work with youths had not been confirmed, and the individuals should have been supervised by another staff member who was suitable to work with youths until such confirmation was received. Neither ODCA nor United Way can validate that the subgrantees complied with the safeguard, which is designed to mitigate youths' exposure to harm.

We also note a concern regarding how long criminal background check results are valid. United Way's internal Background Clearance Policy and Procedures states the criminal background check results from MPD, FBI and the National Sex Offender Registry are valid for two years, and the CFSA Child Protection Register results are valid for one year. This timeframe follows requirements established in D.C. Code § 4–1501.05(e)⁴ but the policy does not incorporate the additional D.C. Code requirement that subgrantee staff members who use the same set of criminal background check results over a two-year period sign an affidavit stating that since the background check they have not engaged in activity that may preclude them from being suitable to work with children and youths.

The final two areas of weakness that we observed involved the scope of United Way's testing when completing its criminal background check compliance review and United Way's process for ensuring that staff members who have not completed a criminal background check are supervised by another staff member who was determined to be suitable to work with youths. During a July 2019 interview with United Way personnel, they reported that they ensure compliance with criminal background check requirements by selecting a sample of subgrantee staff members for review and the subgrantee is

³ ODCA reviewed documentation from four subgrantees who received a total of eight OST-funded subgrants.

⁴ D.C. Code § 4–1501.05(e) states: A volunteer may use the same criminal background check for a period of 2 years when applying to volunteer for multiple positions, if the volunteer provides a signed affirmation that he or she has not been convicted of a crime, has not pleaded nolo contendere, is not on probation before judgment or placement of a case upon a stet docket, and has not been found not guilty by reason of insanity, for any sexual offenses or intra-family offenses in the District of Columbia or their equivalent in any other state or territory, or for any of the felony offenses listed in subsection (c)(5) of this section, or their equivalent in any other state or territory, since the date of the most recent criminal background check conducted on him or her.

considered in compliance if everyone in the sample has applied for criminal background check clearances by a specific date. If a staff member has not received the criminal background check results prior to working with youths, United Way stated that the subgrantee is responsible for ensuring that the staff member works in a supervised setting until receiving the results. United Way, however, did not have a process in place to verify that subgrantees implemented this provision. ODCA asked United Way if OST had provided any guidance on how to conduct the criminal background checks, and United Way reported that they had only received a list of required clearances for subgrantees to complete. They did not receive written guidance regarding how the criminal background checks should be completed.

Given the significant deficiencies identified during our interview with United Way, United Way's criminal background check policy and procedures, and our file review of criminal background check documentation, to date, we recommend that OST take corrective action immediately.

Recommendations:

ODCA recommends that OST:

1. Send school year 2019-2020 subgrantees a reminder that:
 - They must ensure that any staff member who has direct and regular contact with youths, but for whom the subgrantee has not received the results from all components of their criminal background check, is supervised by another staff member who was determined to be suitable to work with youths.
 - Any staff member for whom the subgrantee receives results showing that the staff member has a past criminal history, is listed on the National Sex Offender Registry, or is listed in the D.C. Child Protection Register must notify United Way within two business days so that a suitability determination can be performed. If the staff member is determined to be unsuitable (prior to or after the suitability screening), he/she must not work with youths, supervised or unsupervised;
 - They must ensure that any staff member for whom the subgrantee is waiting for a suitability determination is supervised by another staff member who was determined to be suitable to work with youths until a suitability determination has been received.
 - These requirements must be met on an ongoing basis and subgrantees should maintain documentation showing how they complied with these requirements.
2. Conduct a full review of school year 2019-2020 subgrantee compliance with criminal background check requirements listed in the subgrant agreements between each subgrantee and United Way, that includes:
 - Verifying throughout the school year that all subgrantee staff members who have not received results from their criminal background checks are or will be supervised by another staff member who was determined to be suitable to work with youths.
 - Confirming that criminal background check results were sent directly to the employer and not the applicant.
 - Ensuring that all subgrantee staff members who have results showing a past criminal history, are listed on the National Sex Offender Registry, or are listed in the D.C. Child Protection Register do not work unsupervised until they have been determined to be suitable by DCHR. If they are determined to be unsuitable prior to or after DCHR's suitability screening, they must not work with youths, supervised or unsupervised.

3. Develop detailed written criminal background check policy and procedures that address topics including:
 - How to complete criminal background checks.
 - How to ensure subgrantee compliance with criminal background check requirements for all subgrantee staff members rather than the current practice of only verifying compliance for a sample of subgrantee staff members.
 - When to complete criminal background check compliance checks.
 - What items are considered acceptable forms of documentation.
 - How to proceed when subgrantee staff members have not completed the required criminal background checks.
 - How to proceed when criminal background checks reveal a criminal background and/or being on the National Sex Offender Registry or D.C. Child Protection Register.
4. Ensure that:
 - Future grant agreements between OST and United Way and subgrantee agreements between United Way and subgrantees, starting with fiscal year 2020, include OST's criminal background check policy and procedures.
 - The grantee verifies subgrantee compliance with OST's criminal background check policy and procedures.

Please let ODCA know whether you will move forward with these recommendations and when you will do so. In addition, please notify ODCA if and when you have completed implementation of these recommendations and the results of such implementation.

Thank you for your consideration. I look forward to continuing to work with you and members of your staff with the goal of improving the District government and benefiting the residents of the District.

Sincerely yours,



Kathleen Patterson
District of Columbia Auditor

cc: Paul Kihn, Deputy Mayor for Education
Timothy Johnson, United Way of the National Capital Area

Office of the Deputy Mayor for Education

John A. Wilson Building | 1350 Pennsylvania Ave, NW, Suite 307 | Washington, DC 20004

September 11, 2019

Kathy Patterson
Office of the District of Columbia Auditor
717 14th Street NW, Suite 900
Washington, D.C. 20005

Subject: Management Alert Report: The Office of Out of School Time Grants and Youth Outcomes (OST) has not ensured that subgrantee staff members who have regular and direct contact with youth were determined to be suitable to work with youths.

Dear Ms. Patterson:

The Office of Out of School Time Grants and Youth Outcomes (OST Office) holds the safety and care of the children and youth of the District in the highest of importance. We have a number of policies and procedures to ensure that children and youth are supervised by individuals with clearances. The OST Office requires that any adult with unsupervised interaction with children and youth have background checks from:

- Federal Bureau of Investigation fingerprint and background check
- Metropolitan Police Department criminal background check
- National Sex Offender (NSO) registry
- DC Child and Family Services Agency (CFSA) Child Protection Register (CPR)

The OST Office instituted policies that protect children and youth of the District above and beyond what is required by having the additional CFSA CPR and NSO check. The Criminal Background Checks for the Protection of Children Act of 2004, DC Law 15-353, codified at DC Code § 4-1501.02, defines a covered child or youth service provider as

any District government agency providing direct services to children or youth and any private entity that is licensed by or contracts with the District to provide direct services to children or youth, or for the benefit of children or youth, that affect the health, safety, and welfare of children or youth, including individual and group counseling, therapy, case management, supervision, or mentoring. The term “covered child or youth services provider” does not include foster parents or **grantees**. (emphasis added).

The Management Alert includes a specific, troubling, allegation that a subgrantee allowed a staff member to work with youth even though the individual was listed on the CFSA CPR. However, no additional context is given from the previous year regarding the specific staff member from the subgrantee organization. In that instance, that organization abided by the policies that the OST Office had established once it learned of the staff member’s background. The organization was notified by United Way of the National Capital Area (United Way NCA) that the individual was not to have any unsupervised interaction with children in March 2018. That same day, the organization shared that the individual had



been hospitalized and her children were then placed under the care of the father. When she exited the hospital, her children were returned to her and she should not have been listed in the CFSA CPR. United Way NCA reiterated immediately that the individual should not work with youth and that the individual should work with CFSA to clear her record. The individual was cleared from the CFSA CPR in May 2018 and that letter was on file with the subgrantee.

With regards to the recommendations suggested, the OST Office continues to strengthen operations and have implemented many of the recommendations as described below.

1. Send School Year 2019-2020 subgrantees a reminder.

The OST Office sent a reminder email to all Fiscal Year 2020 subgrantees on August 27, 2019. The email is attached (1. Reminder Email to Subgrantee).

In addition, the OST Office has asked United Way NCA to remind subgrantees and subsequent cohorts of subgrantees at each mandatory grantee meeting at the start of the grant period. In addition, United Way NCA will ask subgrantees about adherence to the policy during administrative site visits and will send reminders throughout the grant period.

2. Conduct a full review of School Year 2019-2020 subgrantee compliance with criminal background checks.

The OST Office will work with United Way NCA now and throughout fiscal year 2020 to ensure all subgrantees are compliant on the background check policy. The following policies and procedures have been implemented:

- a. A new requirement for subgrantees to upload clearance documents into Cityspan (the OST Office's database). The OST Office team will review the entries weekly for validity. The OST Office will supply United Way NCA a list of staff that has valid clearance documents monthly or upon request. United Way NCA will cross reference the list with staff present during programming or during administrative site visits.
- b. Another new requirement is that subgrantees are required to supply United Way NCA a list of primary and secondary staff names that will supervise any individual without clearances and background checks.
- c. The OST Office is renewing the agreement with Department of Human Resources (DCHR) to continue to determine suitability of subgrantees' staff and volunteers that have any indication of past criminal records.
- d. A webinar will be hosted on Sept. 11th by the OST Office for subgrantees to clarify and answers questions related to the background check guidance.
- e. On September 14th, DCHR will open their office to complete fingerprint scans for FBI and MPD background checks for subgrantee personnel at no cost to the subgrantee. The results will be sent directly to the OST Office. (The OST Office will then upload the results into Cityspan and update subgrantees and United Way NCA of completion of those checks.)



- f. On September 19th, the OST Office and DCHR will host another opportunity for subgrantees to send individuals to DCHR offices to complete the FBI fingerprint and MPD background checks at no cost to the subgrantee.

In addition, the OST Office will have a notary available for subgrantees to complete the CFSA CPR check form. The OST Office will conduct National Sex Offender Registry checks on site and upload the results into Cityspan.

- g. The OST Office offered support to subgrantee with uploading information into Cityspan by being available to subgrantees at their office to scan and upload the files directly into Cityspan.
 - h. United Way NCA will institute a process to warn subgrantees of non-compliance and corrective action and, if needed, will withhold payment until a subgrantee is compliant.
 - i. United Way NCA will institute a process for subgrantees to sign an affidavit stating they have not been involved in any behavior that would make them ineligible to work with children and youth within the past twelve (12) months. The sample affidavit is attached (2. Sample Affidavit).
3. Develop a detailed and written criminal background check policy and procedures.

The OST Office has updated the internal policies and procedures (P&P) handbook on clearances. The draft and updated P&P is attached (3. DRAFT OST PandP V2).

The OST Office has drafted guidance for grantee and subgrantees on background checks. The background check guidance has been shared with United Way NCA and United Way NCA has shared the guidance with subgrantees on August 30, 2019. The guidance provided to United Way NCA is attached (4. Background Check Guidance).

4. Future grant agreements.

The grant agreement with United Way NCA for Fiscal Year 2020 will incorporate the requirement for the grantee (United Way NCA) to ensure subgrantee compliance of the policy.

Please let us know if you have additional questions or concerns.

Regards,



Mila Yochum
Executive Director, Office of Out of School Time Grants and Youth Outcomes
Office of the Deputy Mayor for Education



Yochum, Mila (EOM)

From: Eichenbaum, Debra (EOM)
Sent: Tuesday, August 27, 2019 3:04 PM
To: Eichenbaum, Debra (EOM)
Cc: Community Impact Grants; Yochum, Mila (EOM)
Subject: Background Check Policy for Learn24 Grantees

All Learn24 Grantees,

We thank you for your hard work on behalf of the District of Columbia children and youth! As you may know, the Office of the District of Columbia Auditor (ODCA) is currently auditing the OST Office. In the course of the audit, there were several instances of noncompliance from grantees specifically related to the background check policies. We have been advised to send a reminder to all grantees regarding the background check requirements.

Policy

All grantees must ensure full compliance with the background check policy stated in the grant agreement with United Way of the National Capital Area (United Way NCA) and maintain documentation of compliance. The agreement states in part, "all program staff, volunteers, or contractors who have regular unsupervised contact and direct interactions with youth receive the following background checks: ...Federal Bureau of Investigation (FBI) ... Metropolitan Police Department (MPD), ... National Sex Offender Registry (NSO), and DC Child and Family Services Agency (CFSA) Child Protection Registry (CPR)" In the event that "any staff, volunteer, or contractor has a background check returned with an issue or indication of past criminal history ... Grantee must notify the Grantor and the OST Office within two (2) business days for the District to determine suitability." The agreement further states: "All staff, volunteers, and contractors without a complete set of clear background checks ... must be supervised at all times when working with children or youth by an individual who has cleared background checks." Any adult found to be unsuitable is not permitted to work or volunteer with children and youth.

If you know of any staff, volunteer, or contractor with an issue on their background check, please contact me immediately.

In collaboration with United Way NCA, there are several changes in the fiscal year 2020 grant agreement that help to ensure compliance with the background checks. Prior to first grant payments being issued, United Way NCA will conduct a 100% background check review. Additionally, all clearance documentation must be uploaded to CitySpan, the OST Office database. In the event that all documentation is not received by the date specified in the grant agreement, payment may be delayed. More details will be shared at the mandatory grantee meeting in September.

Assistance

We're here to help and we're offering the following supports:

- a. A webinar on September 11, 2019 from 10:00 am – 11:00 am to fully explain the background check procedures and answer any questions you have. Register [here](#).
- b. Learn24 Background Check Day on September 19, 2019 from 2:00 pm to 4:30 pm at 1015 Half Street, SE, 9th floor. The OST Office has secured the help of DC Human Resources (DCHR) to provide MPD and FBI suitability checks for all personnel that will have unsupervised interactions with children and youth at Learn24 funded program locations during School Year 2019-20. Everyone who will receive a background check must bring two (2) forms of ID (work ID, license, credit/debit card, bill, birth certificate, or passport). There will be no charge to grantees.

Additionally, we will have a Notary available for individuals to complete the CFSA CPR form and OST Office staff will be present to complete the National Sex Offender Registry search. The OST Office will also directly enter the information into the Learn24 database, CitySpan.

- c. Schedule time for the OST Office team to help you. We're offering hands-on help to complete checks, scan and upload documents into CitySpan, or whatever services you may need. Email me and we'll make arrangements for this to happen.

We appreciate your time and energy in working towards full compliance and I look forward to assisting. In the meantime, please let me know if you have any questions.

Best,
Debra

Debra Eichenbaum
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Office of the Deputy Mayor for Education
The John A. Wilson Building
1350 Pennsylvania Avenue NW, Suite 307
Washington, DC 20004
(202) 478-5913 Office

AFFIDAVIT BACKGROUND CHECK

As part of my continued service (employment or volunteer) with _____ (name of organization), I, _____ (Name), hereby swear and affirm that all information provided is correct and current, and that any false statements can be punishable by law.

I hereby swear and affirm that I have not been convicted or under investigation of any of the following offenses under the District of Columbia's Child and Youth, Safety and Health Omnibus Amendment Act of 2004 or any offense similar in nature to the crimes listed below, under the laws or former laws of the United States or one of its territories or possessions, another state, the Commonwealth of Puerto Rico or a foreign nation, or under a former law of the District of Columbia:

- (A.) Murder, attempted murder, manslaughter or arson;
- (B.) Assault, battery, assault and battery, assault with a dangerous weapon, mayhem, or threats to do bodily harm;
- (C.) Burglary;
- (D.) Robbery;
- (E.) Kidnapping;
- (F.) Illegal use or possession of a firearm;
- (G.) Sexual offenses, including indecent exposure; promoting, procuring, compelling, soliciting, or engaging in prostitution; corrupting minors (sexual relations with children); molesting; voyeurism; committing sex acts in public; incest; rape; sexual assault; sexual battery; or sexual abuse; but excluding sodomy between consenting adults;
- (H.) Child abuse or cruelty to children; or
- (I.) Unlawful distribution or possession of or possession with intent to distribute, a controlled substance.

I hereby swear and affirm that I understand that a conviction for any of the offenses outlined above or any similar offense under federal or other state law or former law disqualifies me from approval of service. I further swear and affirm that I have an obligation to submit written notice to my direct supervisor disclosing any future arrest or conviction for any such offense, and/or any notification that I have been listed as a perpetrator in a founded or indicted report, within 72 hours, of the occurrence of such arrest, conviction, or notification of listing as a perpetrator.

I hereby swear and affirm that all statements in this Affidavit are true and correct to the best of my knowledge, information, and belief. I further swear and affirm that my statements are made subject to the penalties of DC Law §22-2404, which provides that knowingly making false averments can and will subject me to criminal penalties.

Signature

Date

Attest/Witness Printed Name

Attest/Witness Signature

Date

The Office of Out of School Time Grants
and Youth Outcomes

Policies and Procedures Manual

TBD 2019

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The Commission on Out of School Time Grants and Youth Outcomes (OST Commission) D.C. Official Code § 2-1555.5

About the OST Commission

The duties of the OST Commission are to: set the goals and scope of the annual, community-wide needs assessment; draft and approve a strategic plan; review the efforts of the OST Office to fulfill the goals and priorities of the strategic plan; review efforts of relevant District agencies to cooperate in achieving the strategic plan; review the allocation of OST funding to determine if it aligns with the need; identify areas for improved collaboration, problem-solving and cooperation among agencies; and inform and approve plans for assessing the quality of OST programs.

The Mayor's Office of Talent and Appointments (MOTA) is responsible for nominating public members to the OST Commission to be confirmed by Council.

Strategic Plan

The OST Commission established the strategic plan and strategic priorities of the OST Office. The OST Commission must review the strategic priorities annually and consider amending the strategic plan every three years.

Needs Assessment

The OST Commission will guide and review the annual needs assessment.

The Office of Out of School Time Grants and Youth Outcomes

Statutory Authority

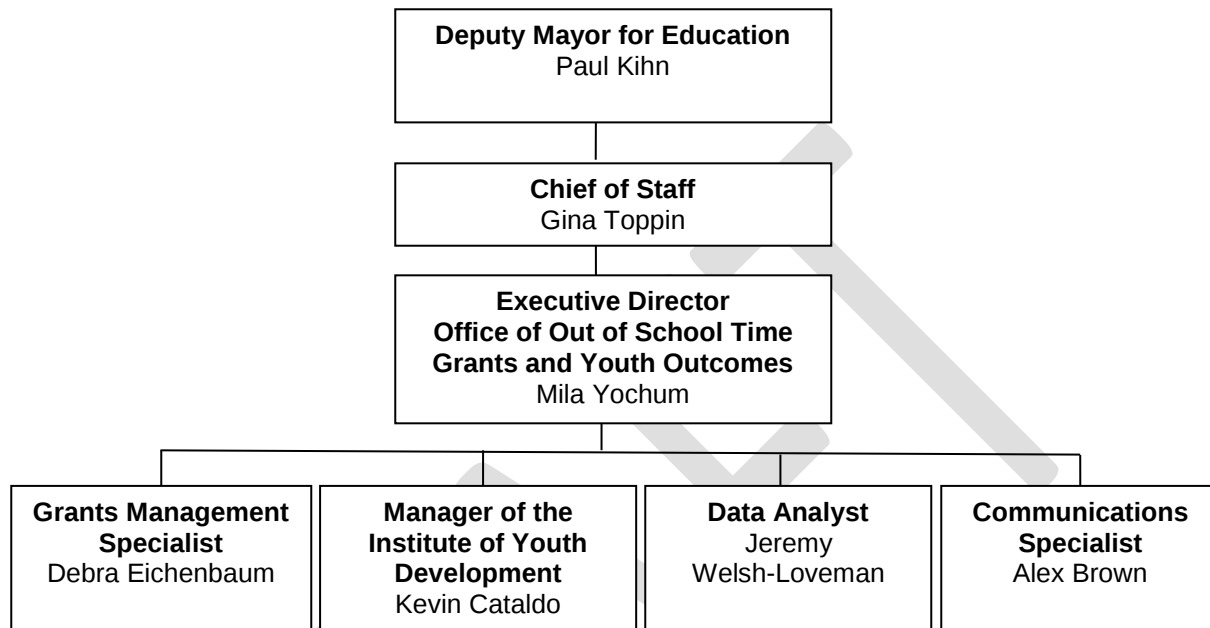
D.C. Law 21-261, Office of Out of School Time Grants and Youth Outcomes Establishment Act of 2016 established the Office of Out of School Time Grants and Youth Outcomes and the Commission on Out of School Time Grants and Youth Outcomes (OST Office) to support the equitable distribution of high-quality, out-of-school-time programs to District of Columbia youth through coordination among government agencies, grant-making, data collection and evaluation, and the provision of technical assistance to service providers.

Mission of the OST Office

To improve the educational, social-emotional, and physical health outcomes of youth through participation in out-of-school-time (OST) programs.

Organizational Chart

The OST Office is located in the Office of the Deputy Mayor for Education (DME). The OST Office will be incubated within the DME until such time that the OST Commission and stakeholders discuss and consider optimal placement of the OST Office elsewhere.



The Institute for Youth Development (The Institute) at the University of the District of Columbia-Community College

The Institute organizes and supports the technical assistance, program quality improvement process and professional development work of the OST Office. The Institute builds the skills of adults who work with children and youth through workshops, trainings, and conferences. The Institute also supports the program quality improvement process through observation, assessment, and coaching to improve the program design and implementation of youth serving organizations.

Quality

The Institute is responsible for implementing and support the David P. Weikart Center for Youth Program Quality's (Weikart) Youth Program Quality Intervention (YPQI). YPQI is a research-validated comprehensive system for improving program quality that follows a three phased approach to quality improvement: Assess, Plan, and Improve.

Professional Development

The Institute provides trainings, technical assistance and organizes learning opportunities that will enhance the skills of the adults working with youth, which in turn increases the quality of the OST program.

Nonprofit organizations, agencies, and local education agencies (LEA) that serve DC children and youth are not charged for trainings as long as there are no budget constraints on the

OST Office. Organizations, agencies, and LEAs requesting training may not charge attendees a fee for the training and must complete a training request form.

Supporting the OST Commission

The OST Office supports the needs of the OST Commission by: drafting agendas; issuing public notice of meetings in the DC Register at least two weeks in advance of the meeting; physical posting the notice at least two days before the public meeting; drafting and posting minutes within three business days of a public meeting; updating the DC Central Calendar of public meetings; reserving venue and space for all public meetings; supporting OST Committees; and providing regular updates on the work of the OST Office.

If the OST Commission expects a public vote, then a thirty (30) day notice is required and as well as a post in the DC Register. The deadlines and dates to post a notice in the DC Register are available at the Office of Documents and Administrative Issuance. If notice should be posted in multiple editions of the DC Register, it must be reposted, as notice will not roll over automatically.

There are four (4) Standing Committees: Strategic Plan, Needs Assessment, Quality, and Governance, and three (3) Strategic Plan Committees: Funding and Capacity Building, Outcomes, and Coordination and Collaboration. All Committee meetings are public and notice is provided in the OST Office newsletter. The Chairperson and Co-Chairperson are permanently assigned to the Governance Committee. All other Commissioners are assigned to two (2) Committees. Strategic Plan Committees meet monthly. The Executive Director of the OST Office attends all Committee meetings. A staff member of the OST Office is assigned to each Committee and coordinates meeting dates, times, locations, promotion, agenda, handouts and minutes.

Grants and Funding (TO BE UPDATED AFTER RULE MAKING)

The OST Office shall award grants on a competitive basis to nonprofit organizations that provide OST programs provided that grants are awarded in a manner consistent with the OST Commission's strategic plan and target at-risk youth. The OST Office may also award non-competitive grants. See Rulemaking.

- a. If the OST Office decides to use a grant administrator, Grantmaking Partner, must be a nonprofit organization that does not provide OST programs but has a proven track record of success in grant-making.
 - The Grantmaking Partner agrees to use at least 90% of the grant to award subgrants to nonprofit organizations that provide OST programs in consultation with the OST Office;
 - The Grantmaking Partner agrees to undergo an annual audit and submit quarterly reports to the OST Office on its financial health and its use of the OST Office's grant funds.
 - As part of the reporting, the Grantmaking Partner will provide detailed information about the subgrantees to include name of the organizations, description of the specific services provided to youth, location of services, demographic profile of service recipients, amount of grant funds provided, and program costs and other expenditures.
- b. Grants Timeline: The OST Office shall issue grants that align to the public school calendar and thereby ensuring families and youth have access to programming during the hours school is not operating, either before school, after school, on weekends, or during seasonal school breaks.
- c. Grant Competition
The OST Office must use the policy and grant guidelines established by the District.

If using an external partner to issue grants, the OST Office must ensure the Grantmaking Partner does the following:

- Issue a Request for Proposal (RFP) that includes:
 - Grant purpose and minimum number of youth proposed to serve through the grant
 - Eligibility
 - Scope of work to include key deliverables, work, and/or processes
 - Grant period
 - Individual grant award amounts and total amount to be awarded
 - Permitted expenditures and indirect costs
- Host at least one information session per RFP about the grant competition
- Publish Frequently Asked Questions for each RFP
- Communicate with grantees regarding continuation grants, if applicable
- Define the proposal submission process and if applicable an electronic submission process
- Recruit and train reviewers to read and score proposals submitted
- Submit the reviewer scores to the OST Office for determining grant awards
 - Grantmaking Partner will password protect score sheet and call OST Office to provide password verbally
 - Grantmaking Partner will submit score sheet in password protected dropbox account used to provide sensitive documents and reports

- Issue award and denial letters to all applicants
- Issue, collect, and monitor grant agreements
- Ensure all background checks are complete and grantee is compliant with all clearance requirements for all staff, contractors, and volunteers
- Conduct timely administrative and programmatic site visits
- Collect reports from grantees
- Ensure grantees complete the Weikart quality assessments
- Ensure grantees administer the National Institute on Out of School Time (NIOST) Survey of Academic and Youth Outcomes – Youth Survey (SAYO-Y) to measure youth program experience.
- Issue payments according the grant agreement timeline
- Issue quarterly and closeout reports to OST Office

Prior to finalizing grant decisions for a given competition, the OST Office will follow a quality control (QC) process to ensure all data, information, and analysis used to make grant decisions is correct.

- This is a checklist of all of the items/pieces of information which the OST Office needs to check prior to finalizing the grant decisions.
 - ☐ Check the source documents compared to the tracking sheets that United Way provided (see below).
 - ☐ Check that the information on reviewer scores was accurately copied over and analyzed.
 - ☐ Calculations and formulas should be checked for accuracy and should be redone in multiple ways.
 - ☐ Quality control (QC) the decision memo against the raw data.
- Source Documents and Values to Check:
 - ☐ Eligibility
 - Business license, nonprofit status, etc.
 - In good standing with previous grants
 - Qualify for the grant competition (SY1819 and Summer19 grantees)
 - Dosage (schedule, meeting times per week) and age of participants
 - ☐ Program site locations (The Ward should be checked using the DC Master Address Repository.)
 - If not provided in application response, the site locations from previous grant periods will be used (if former grantee) or the fields will be left blank when doing analysis.
 - ☐ Reviewer scores
 - Check that all sections are scored
 - All sections add up correctly
 - ☐ Proposed number to serve (is achievable)
 - If former grantee check if they met their previous proposed number to serve.
 - ☐ Requested grant amount (check that it is under the maximum)
 - For continuation grants and year round grants, check if it is more than the previous grant.

Following grant decisions and during the grant period, the OST Office will follow at QC process to ensure that grantmaking partner is ensuring all policies are followed.

- This is a checklist of all of the items/pieces of information which the OST Office needs to check prior to finalizing the grant decisions.
 - ☐ Clearance documentation dates are current in the database
 - ☐ Youth attendance is current on a monthly basis
 - ☐ Number of youth reported meets number of youth on tracking sheet
 - ☐ SAYO-Y is conducted timely
- Possible Sources of Error:
 - Copy and pasting between documents. Need to be careful if data in one file is alphabetical, but is not in another file.
 - Sorting an excel file incorrectly. For example if the excel file is not formatted correctly (some spacer columns) then the organization name column might sort but other columns do not.
 - Different organization names in different files. For example in one file there is a “The” preceding the name or an “Inc” at the end.
 - Formula errors in excel or in R (statistical analysis software). The formula itself could be incorrect, or it could be referencing the wrong cell.

Background Check

Any adult (18 years or older) staff, volunteer, or contractor that may have unsupervised interactions with children and youth must obtain the following clearances:

- Federal Bureau of Investigation (FBI) Criminal Background Check and a signed Affidavit if using results within a two-year period;
- Metropolitan Police Department (MPD) Criminal Background Check and signed Affidavit if using results within a two-year period;
- National Sex Offender Registry (annually); and
- DC Child and Family Services Agency (CFSA) Child Protection Registry (CPR) (annually)

OST Office maintains a memorandum of understanding (MOU) with DC Department of Human Resources (DCHR) to complete a background checks. The OST Office may use the MOU to complete background checks on OST Office staff, or personnel from grantees and subgrantees. The DCHR background check is compliant for meeting the FBI and MPD background check.

OST Office Staff

The OST Office staff may conduct site visits. During these site visits it is possible staff may have interaction with children and youth, therefore, it is possible that OST Office staff may have unsupervised interaction. In the abundance of caution, the OST Office staff will have MPD, FBI and CFSA CPR background checks completed annually after the first year of employment (DCHR completes a background check upon hiring).

The Executive Director must ensure all personnel have clearances annually and must store all results in a secure location.

Grantee and Subgrantee Background Check

Grantee and subgrantees may use grant funds to cover the cost of clearances.

The OST Office has created a guidance document for grantees and subgrantees that shall with each cohort of grantees or subgrantees.

The OST Office should ensure the guidance document is updated regularly.

Suitability

Based on the District of Columbia's Criminal Background Checks for the Protection of Children Act of 2004, any adult with the following felony convictions are not permitted to work or volunteer with children and youth served through the OST grants.

- i. Murder, attempted murder, manslaughter or arson;
- ii. Assault, battery, assault and battery, assault with a dangerous weapon, mayhem, or threats to do bodily harm;
- iii. Burglary;
- iv. Robbery;
- v. Kidnapping;
- vi. Illegal use or possession of a firearm;
- vii. Sexual offenses, including indecent exposure; promoting, procuring, compelling, soliciting, or engaging in prostitution; corrupting minors (sexual relations with children); molesting; voyeurism; committing sex acts in public; incest; rape; sexual assault; sexual battery; or sexual abuse; but excluding sodomy between consenting adults;

- viii. Child abuse or cruelty to children; or
- ix. Unlawful distribution or possession of or possession with intent to distribute, a controlled substance.

Any substantiated background checks returned from CFSA CPR or the National Sex Offender Registry is not permitted to work with children and youth.

Clearance Compliance

The OST Office or designee will track clearance information of grantees and subgrantees through the Cityspan database and site visits. More information on this can be found in the Data Analysis and Reporting section below.

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Data Security

The OST Office requires care and specific measures to protect information that could cause harm if made public. All OST personnel, contractors, grantee, subgrantee, and partners must abide by the following procedures.

Any information that is confidential or sensitive must be sent via secure and encrypted transmission. Confidential or sensitive information includes, but is not limited to: financial information, applicant information, personally identifiable information of service recipient(s) and personnel, and social security numbers.

The OST Office will use the DC Government's Box.com account to securely transfer files, unless a partner has their own secure method (such as a secure file transfer protocol portal). Files uploaded to Box.com will be deleted from Box.com once they are downloaded or within 5 days of upload. According to the Office of the Chief Technology Officer, data uploaded to Box.com is encrypted during transit and at rest. Additionally Box.com is FedRAMP compliant.

Data Security

Per DC Law § 2-1555.04(g), the OST Office will collect information from grantee and subgrantee such as Personally Identifiable Information (PII) on Learn24 funded program participants including name, date of birth, address, and demographics. The OST Office will use the following methods for receiving and transmitting PII with other agencies or community-based organizations (CBO).

- The OST Office will receive PII over secure electronic connections. The OST Office will not receive PII via email, even if dc.gov email is considered secure. This means that the source system must be trusted and recognized for the level of security needed (i.e., not a home computer system), and the means of transfer must be secure (e.g., encrypted Internet session, secure file transfer protocol).
- To transfer files securely the OST Office will use the DC Government's Box.com account.
 - To transfer files the OST Office first creates a folder on Box.com for the partner providing data, then adds them as a collaborator for that folder. This ensures they have access to that folder and that folder only. They can then add files to that folder or retrieve files. Once the OST Office has downloaded the file or once the partner has downloaded the file it will be removed from the Box.com folder.
 - Box should not be used for file storage and all files should be deleted from Box once they are downloaded.
- The OST Office can also receive PII or transmit PII via an in-person delivery. OST Office and other agency staff can exchange PII via "hardware" such as encrypted flash drives. The OST Office staff will use dedicated flash drives for these purposes and will secure them in the OST Office's Data Analyst's desk. The preferred method of transfer will be secure electronic connections and transmission via in-person delivery will be minimized.

OST Office PII Storage

The OST Office will use the following methods for securing PII:

- OST Office staff will store all PII in the DME's Confidential file folder on the DME network drive. EOM IT staff created this encrypted folder. The Confidential Data file folder is limited to DME project staff authorized to access the confidential information. The Director of Planning, Data, and Analysis identifies those select DME staff, and they are only granted access after they review these confidentiality procedures and sign a

confidentiality form. Other DME staff not granted access cannot see nor access the Confidential Data file folder.

- The OST Office will also store PII through its contracted database provider Cityspan. The Cityspan database can only be accessed with individual specific passwords. Access to Cityspan logins is restricted to only those who absolutely need access to meet reporting requirements.
- OST Office staff will track the receipt and transmittal of data that include personally identifiable information including but not limited to person/agency transmitting data, person/agency receiving data, information being shared, reason for sharing, whether a data sharing agreement was necessary and secured. This tracking sheet will be stored on the DME's Confidential Data file folder on the shared drive that only authorized OST Office staff have access to.
- PII data is not stored on OST Office staff's work laptop nor on OST Office staff's desktop hard drive.
- Records and reports containing PII will be secured by individual OST Office staff (e.g., stored in desks or cabinets when not in use). Access to these cabinets and desks must be limited to project staff authorized to access the confidential information. When these records or reports are no longer needed they should be shredded.
- Data will be secured at the end of the evening and materials with PII information will not be left unattended in the office.
- Desktop and laptop computers of OST Office staff with access to PII information will be locked when the staff member is not at their desk.

Analysis of personally identifiable information

The OST Office will ensure that students' and children's identities will remain private when conducting analyses by doing the following:

- Personally identifiable information (PII) will be removed from analytic datasets when feasible (e.g., names, DOBs, or addresses).
- PII will be removed from internal analytic deliverables (e.g., names, DOBs or addresses) and data will be aggregated.
- OST Office staff will limit their use of confidential information to the minimum that allows them to complete the analysis.
- OST Office staff will not intentionally look for an individual's information that is not pertinent to the necessary analysis.

Reporting of data analyses using personally identifiable data

The OST Office shall ensure that analytic products shared with those who are not exempt from privacy laws take the following precaution:

- No PII data will be published in reports. Data will be aggregated or de-identified.
- Analytic materials that will be released publically will be aggregated to the appropriate "cell" size based on federal or local educational standards (e.g., 10, 20, or 25 depending on the metric).
- OST Office staff will ensure that all PII on worksheets/tables are removed from spreadsheets.
- OST Office staff will ensure that all metadata has been removed/sanitized from documents.
- OST Office staff will have another member of the team review materials to ensure PII standards are met before releasing. This includes reviewing summary tables, charts, maps, or other exhibits.

Re-disclosure of personally identifiable data

The OST Office will not release nor re-disclose PII to any non-education agency or authority unless a Memorandum of Agreement (MOA) exists with the third-party with respect to the PII. The MOA will outline the relationship between the OST Office and the third party, what data is being released, for what purpose the data will be used, and the timeline and method of destruction of the data by the third party.

Cityspan: The Learn24 Database

The Learn24 Database has been licensed and contracted by the grantmaking partner to support subgrantees in providing information such as program information and program site locations youth enrollment information and attendance and collection of the SAYO-Y results from youth. The OST Office's Data Analyst is the administrator of the Learn24 Database.

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Data Analysis and Reporting

The OST Office will analyze the data from the Cityspan Learn24 Database to calculate the number of youth served for each program, organization, site, and for all grantees combined. The OST Office will also analyze the data from the SAYO youth survey. The OST Office also provides grantees with two guides with recommended procedures and policies regarding data and surveys. One is the “DC Learn24 Database User Guide” which is focused on the database and all information which is entered into it. The other procedures and guide document is the “DC SAYO-Y User Instructions” which provides information on how to administer the SAYO in general and how to collect responses in the database. These guides and instructions are frequently updated and are distributed via email and available for download from the login page of the Cityspan database.

Attendance Entry

Grantees are required to enter participant program attendance for programming that is supported by Learn24 grants, meaning the programming would not have existed without the Learn24 grant.

- Learn24 participants, in regards to attendance tracking requirements, are OST program participants whose OST programming would not have existed in its full form without the Learn24 grants.
- Grantees are required to track individual level attendance for Learn24 participants.
- Grantees are required to provide the OST Office the site locations where Learn24 funded OST programs will take place prior to the beginning of programming.
- The grantmaking partner will record attendance information for 1-3 program days. This information will then be compared to what is in the Cityspan database for those days to check the validity of the attendance entered into the database.
- Programs here are for specific periods of time, serve participants on a regular basis over the course of multiple weeks, and meet regularly.
- Events: For the purpose of attendance tracking events are one time public events that engage youth who are not enrolled in the program. Some grantees hold one off events that are funded, at least in part, by Learn24 grants. If these events do not occur regularly, and do not regularly have the same participants, then it's not required that grantees track individual level attendance for these events. Grantees enter these events in the Events module of the Cityspan database where they enter the date the event occurred, a short description, and the number of attendees. Field trips or events that are part of regular youth program should be tracked as part of program attendance. These days can be added to the regular schedule.

Some grantees administer mentoring programs and they can track attendance in a different manner. It's possible for grantees to track attendance in a mentoring program using a regular program schedule, since the OST Office is only interested in the number of times a participant attended a mentoring session. Grantees can also enter in mentoring attendance using the 1-on-1 Activities module. In this 1-on-1 Activities module the user creates the activity and then tracks attendance individual, with no fixed schedule. These present records are included in the *Person Service Details* report.

Attendance Analysis

The OST Office will download the *Person Service Details* report from Cityspan and use this report to calculate the final number of youth served for the annual report and quarterly performance measurement tracking.

- This report is at the person, program level, meaning there is one record per participant at each program.
- Participants in mentoring are also included in this file.
- This report will be filtered to ensure only Learn24 funded programs are counted. The report will then be filtered by program start date to separate attendance and programs by fiscal year and grant period.
- This analysis will be done using R and the R script used is titled *Learn24 Attendance Summary.R*.
- To count the number of unique participants at each level the records will be collapsed by full name and date of birth. Prior to this the date of birth's will be checked to see if there are ages outside of the range which grantees can serve, ages 5-21. Grantees are supposed to only serve youth, with grant funds, who are eligible for public school enrollment in DC. Grantees with date of birth's outside of the range will be contacted to correct the dates.
- Once data sharing begins with OSSE, name and date of births' will be checked by attempted matching with OSSE records.

Attendance in one off events, as tracked in the events modules, will be included separately because the event attendance cannot be collapsed to the unique individual level because no PII is provided for the event attendance. Attendance in those events is shown in the *Learn24_MasterProgramSummary_SY1819* program level reports (the name of the report varies by the grant period).

The OST Office will provide the Grant Making Partner a list every month of the grantee site locations in the database for that current grant period (For example, School Year 2019-20). That list will include program information (such as begin and end dates), in addition to the number of participants enrolled and the number of participants who have attended at least one session. The purpose of this report is to update the Grant Making Partner on whether subgrantees are staying in compliance with the attendance entry requirements.

Source Documentation

The R script, raw data (downloaded from Cityspan), and all output will be saved in a separate folder in the Confidential Drive and not opened again after each quarter and fiscal year reporting. These numbers will also be used in the Annual Report. Data will be stripped of PII before it is saved and random unique identifier values will be added instead to distinguish unique participants.

SAYO Analysis

SAYO results will be downloaded from the Cityspan *SAYO Y Results Report*. This report has one record per response.

- This report marks each record with the organization and the site location. It also contains the *youthid* which can be used to link the response to a participant.
- Responses are separated by the date of survey.
- Results are analyzed in R.
- Responses with no question answers are dropped.
- Responses are converted to numeric values on a 1-4 scale and then all items in a scale are averaged to create the scale means.
- Scale means are created even if not all questions in a scale have responses. These scale means are then averaged to create means for the organization and means for all grantees, except the organization who is the focus of the report.

Reports are then generated for each grantee and each program period and these reports are provided to grantees. These reports include means of scale means and distributions of scale mean values, comparing the organization to all Learn24 grantees with SAYO responses. The reports also contain tables and graphics showing item level responses, showing the percent of respondents who responded with each option. For example the percentage that answered “Yes” to a certain item.

Staff Clearances and Information

OST grantee or subgrantees are required to enter all personnel clearance date and upload proof of clearance at Learn24 funded sites into the Cityspan database. In addition, personnel name and date of birth will be required to be entered.

The Data Analyst will enter DCHR suitability findings into the Cityspan database as they are received. The DCHR suitability email meets the MPD and FBI background check clearance requirements.

The OST Office staff will review all clearance documents uploaded by grantee or subgrantee on a weekly basis to verify the correct files have been uploaded and valid. The Data Analyst will track new staff entries each week and distribute a list of staff names to review by OST Office staff. The OST Office staff will then check to see if the documentation proves a clearance was completed. If the National Sex Offender registry had not been checked then the OST Office will check the registry and enter the information into the Cityspan database.

The OST Office will inform grantee and subgrantee of clearances which will expire within two (2) months.

Monthly, the OST Office will provide the Grantmaking Partner a list of the staff members at each subgrantee who have collected the sufficient clearances and the effective date of the clearances. The Grant Making Partner will then check this list against the staff members present at their site visits.

Event Management

The Institute for Youth Development (The Institute) plans and organizes professional development opportunities for OST Program staff serving children and youth in the District of Columbia. Through these professional development opportunities, The Institute is building the skills for adults who work with children and youth in OST programs through various workshops and conferences.

The Institute provides workshops and conferences as follows:

1. First Friday Learning Series
 - Offered the first Friday of each month from September through June
 - Workshop topics feature topics of high interest or trending in the OST field
 - Workshops vary from 2 hours to full day offerings
2. On Demand Workshops
 - 2-3 hour workshops hosted by a community-based OST Program provider locations with a minimum of 10 adults participating
 - Youth Development Training Series (6 workshops) provides the foundation workshops for individuals new to positive youth development and an asset-based approach to working with children and youth.
 - Youth Work Methods Training Series (10 workshops) is a series of workshops that improve direct service providers' interaction with children and youth
 - All workshops are delivered by Certified Trainers
3. One Day Conference
 - Fall Conference in October each year
 - Summer Conference held in June each year
 - These conferences usually highlights a keynote speaker and various workshops based on a call for presenters.

The process for creating an event is as follows:

- Develop a registration page using the OST Office Eventbrite Account.
- Coordinate logistics for event
- Advertise event in the Learn24 newsletter and website
- Develop an event work plan and "run of show"
- Secure equipment and supplies
- Clean-up after the event and
- Send evaluations to attendees

Stakeholder Engagement and Outreach

Learn24 is a network of before—and after—school and summer programs, also called out-of-school time (OST) programs, launched by Mayor Bowser in 2017 to ensure that youth in Washington, DC have access to quality educational and enrichment activities beyond the school day. The Learn24 network includes the Office of Out of School Time Grants and Youth Outcomes (OST Office) located in the Office of the Deputy Mayor for Education, The Commission on Out of School Time Grants and Youth Outcomes, the Institute for Youth Development located at the University of the District of Columbia Community College, United Way of the National Capital Area, non-profit organizations that serve District of Columbia youth, Government agencies and the youth development professionals that work to provide youth with a quality learning experience in an out-of-school time (OST) setting.

Organizations that receive funding through the OST Office, network members, partners and stakeholders play a major role as ambassadors, in helping all District of Columbia youth and families access meaningful educational and enrichment activities across the city. These stakeholders serve as the ambassadors and leaders for Learn24. It is the responsibility of all ambassadors to promote the importance of learning, growing, and playing in a safe environment outside the school day. The Learn24 network is proud to have such committed partners and individuals working to enhance the lives of youth in the Nation's Capital.

Branding Guidelines

The following guidelines were created to provide clarity to the network on the use of the Learn24 brand.

Learn24 Grantees

Organizations (Grantees) that receive funding from Learn24 may place the Learn24 logo on the program page of the organization's website and/or acknowledge that the program receives support from Learn24.

Grantees may use the logo on program materials during the grant period such as:

- Program page of organization's website
- Program recruitment flyers and posters
- Registration packets
- Programs booklets or final showcase

The Learn24 logo shall not to be used on the following:

- Fundraising materials
- Physical structures for capital improvements
- Political agendas or materials
- Clothing (i.e. t-shirts, hats, bags, etc.)

Other Stakeholders

All partners and network members should seek approval to use the logo on items such as:

- Websites
- Event materials
- Printed materials

Communication

Website

The Learn24.dc.gov follows the standards and rules set forth by OCTO. OCTO grants access to the potential users only after completing a full-day training hosted by OCTO staff. Currently, the Communications Specialist, Executive Director, and OCTO Web Editors have access to make edits and updates to the Learn24.dc.gov website. Edits and updates to the website are made as needed and must receive approval before being updated to the website. OCTO has final autonomy on layout and content of website and contact the OST Office if there are any concerns with content or layout displayed on the website.

The Learn24.dc.gov website is translated in Spanish, Amharic, French, Korean, Vietnamese, and Chinese. If translation services are needed, use the DME process to obtain translation service from District approved list of translation service providers.

Newsletter

The OST distributes a bi-weekly newsletter to subscribers that have opted to receive information regarding OST. The newsletter is distributed using the Granicus (gov.delivery) platform supported by OCTO. Users must schedule and complete a webinar hosted by OCTO before receiving access to the Granicus software. Content is gathered and reviewed for accuracy by various members of the OST Office. Content is then placed into the system, and then the OST Office reviews a draft newsletter internally before being approved by the DME's Communication Director.

Subscribers sign up to receive the newsletter by entering their email on the homepage of Learn24.dc.gov, physical sign-in sheets or selecting the option to receive newsletters from the OST Office on the DC.gov website. Subscribers have the option to opt-out of receiving the newsletter at any time.

Glossary

Applicant: an entity that submits an application to be considered for funding.

Asset Based: An approach that focuses on the strengths and competencies that children and youth have that values resilience over risk, assets over deficits, and strengths over weaknesses. An asset based approach focuses on leveraging existing strengths as opposed to fixing what is “wrong”.

At-Risk: Fair Student Funding and School, Based Budgeting Amendment Act of 2013 Section 4(a)(2A) states “At-risk” means a District of Columbia Public School (DCPS) student or a public charter school student who is identified as one or more of the following: (A) Homeless; (B) In the District’s foster care system; (C) Qualifies for the Temporary Assistance for Needy Families program or the Supplemental Nutrition Assistance Program; or (D) A high school student that is one year older, or more, than the expected age for the grade in which the student is enrolled.

Direct Program Costs: costs related to carrying out program activities and working directly with the students such as teachers, instructors, other education staff, aids, assistants, interns, supplies, curriculum, and management.

DME: Office of the Deputy Mayor for Education

DPR: Department of Parks and Recreation

Evidence Based Practices: practices or programming that have been shown through research or data to improve outcomes.

Family Education Rights and Privacy Act (FERPA): The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education. FERPA gives parents certain rights with respect to their children's education records. These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level. Students to whom the rights have transferred are “eligible students.”

Indirect/Operating Costs: costs that cannot be tied directly to the program, but costs that are incurred to support the program, such as general operating costs or overhead costs (e.g. audits, audit fees, grant writing, management or finance salaries, or administrative rent).

Frontline Staff: staff that work directly with youth.

Goal: an indicator established to determine whether an objective has been achieved (e.g. all participating youth have improved their literacy scores).

Grantmaking Partner: a nonprofit organization that administers and monitors the OST Grant Program on behalf of the OST Office.

Local Education Agency: the DCPS system or any individual or group of public charter schools operating under a single charter.

Opportunities: activities, roles, and responsibilities taken on and done by youth to explore, express, earn, belong, and influence.

OST Commission: The Commission on Out of School Time Grants and Youth Outcomes.

Out-of-School Time (OST) Program: a structured, supervised learning or youth development program offered to District youth before school, after school, on weekends, or during seasonal breaks.

Outcomes: knowledge, skills, attributes, abilities, and behaviors youth need to be healthy, caring, and responsible as they transition to adulthood.

Outputs: tangible and measurable results of what a program does or provides that then lead participants to desired outcomes. (e.g. number enrolled, number retained, number and/or duration of workshops, homework sessions, college visits, special events, and guest speakers).

Personally identifiable information (PII): Information that, alone or in combination, can be linked to a specific student including but not limited to: child or family name, address, Unique Student Identifier, school name, date of birth (DOB), place of birth, or mother's maiden name. Aggregate data may sometimes include PII if the underlying data is so narrowly-defined that the information can be used to identify the student. Furthermore, group level aggregated data where the group is less than 5 children could be identifiable as well.

Personnel: Refers to all (paid and unpaid) staff, contractors, and volunteers that work at or with an organization.

Positive Youth Development (PYD): is a method that engages youth within their communities, schools, organizations, peer groups, and families in a manner that is productive and constructive; recognizes, utilizes, and enhances youths' strengths *so that youth are empowered to reach their full potential*. PYD differs from other approaches to youth in that it rejects an emphasis on trying to correct what is "wrong" with youth's behavior or development.

Request for Application (RFA): a document that solicits entities to submit an application to be considered for funding.

Reviewer: an individual that reads applications, reviews, and scores applications based on the scoring criteria

School-Age Program Quality Assessment (SAPQA): is a validated instrument designed to measure the quality of school age programs (grades K-6) and identify staff training needs. The SAPQA is one of a number of tools available through Youth Program Quality Intervention (YPQI).

Services: provision of resources, knowledge, or goods to or for youth.

Small Nonprofit Organization: an organization with an operating budget of less than \$250,000.

Supports: things done with youth; relationships addressed by expectations, guidance, and boundaries.

Survey of Academic and Youth Outcomes-Youth (SAYO-Y): a youth survey created by the National Institute on Out of School Time (NIOST) at Wellesley College that is comprised of multiple choice, Likert scale questions that are completed by youth participants to measure their program experiences, future expectations, sense of competence, and sense of how the OST program has helped them.

Target: an indicator established to determine how successfully an organization is achieving an objective (e.g. x% of youth will improve their literacy scores by at least one grade level).

Youth: an individual of 21 years of age or less who is eligible to enroll in a District primary or secondary school, or an individual of 22 years of age or less who is eligible to receive special education services from a local educational agency.

Youth Development: childhood and adolescence stages of human development that supports social, emotional, cognitive/intellectual, spiritual, and physical growth.

Youth Development (Program): childhood and adolescence stages of human development that supports social, emotional, cognitive/intellectual, spiritual, and physical growth or a programmatic or service delivery approach that engages youth within their communities, schools, organizations, peer groups, and families in a manner that is productive and constructive; recognizes, utilizes, and enhances youths' strengths; and promotes positive outcomes for youth by providing opportunities, fostering positive relationships, and furnishing the support needed to build on their strengths.

Youth Developmental Outcomes: the results of programs, services and supports that are designed to engage youth to meet their developmental needs. These outcomes have been framed into two categories:

Identity: a sense of personal well-being and connection and commitment to others.

Ability: knowledge, skills, and attitudes that prepare youth for adulthood.

Youth Participation: youth having the power to make and implement decisions, together with a share of the responsibility for the outcomes.

Youth Program Quality Assessment (YPQA) ®: is a validated instrument designed to measure the quality of grades 4-12 youth programs and identify staff training needs. The PQA is one of a number of tools available through Youth Program Quality Intervention (YPQI).

Youth Program Quality Intervention (YPQI): a data-driven continuous improvement model created by The David P. Weikert Center for Youth Program Quality (Weikart) that uses a rigorous, experimental design, which research finds produces a cascade of positive effects, resulting in improved program quality at the point of service.

Youth Worker or Youth Development Practitioner: an individual who works with youth to promote developmental outcomes. Youth Workers range from frontline staff to program managers who work with youth in structured, semi-structured, or unstructured settings.

Office of Out of School Time Grants and Youth Outcomes Background Checks Guidance

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A. Introduction

The Office of Out of School Time Grants and Youth Outcomes Establishment Act of 2016, D.C. Law 21-261, created the Office of Out of School Time Grants and Youth Outcomes (OST Office), located in the Office of the Deputy Mayor for Education. The OST Office's mission is to improve the educational, social-emotional, and physical health well-being of youth through participation in out-of-school-time programs.

The term grantee refers to an organization that receives a grant directly from the OST Office.

The term subgrantee refers to an organization that receives a grant from an OST Office grantee.

B. Overview

Grantees and subgrantees will ensure all adult program staff (paid and unpaid), volunteers, or contractors (herein referenced as personnel) who have unsupervised interactions with youth receive the following background checks in order to comply with the District of Columbia's Criminal Background Checks for the Protection of Children Act of 2004, DC Code §§ 4-1501.01 – 4-1501.11 and other OST Office requirements:

- Federal Bureau of Investigation (FBI) Criminal Background Check
- Metropolitan Police Department (MPD) Criminal Background Check
- National Sex Offender Registry; and
- DC Child and Family Services Agency (CFSA) Child Protection Registry (CPR).

It is strongly encouraged that all staff, supervised and unsupervised, has background checks completed as well.

Personnel without a complete set of clear background checks must always be supervised when working with children or youth by an individual who has cleared background checks. Grantees and subgrantees must provide the OST Office or designee with the names of primary and secondary supervisory staff by site who are responsible for supervising personnel awaiting clearances. Documentation of completed clearances must be uploaded into Cityspan before the start of OST programming.

All background check results must be sent directly to the organization, from the entity providing the check (for example the MPD), and not the individual. Source documentation will be reviewed and verified during the grant period.

C. Personnel

Current Personnel

All personnel must have background checks that are valid throughout the grant period. Personnel whose clearances expire during the grant period should undergo the process again.

New Personnel

Personnel who are newly hired or under contract by the organization must have background checks and clearances submitted to the appropriate agencies within one (1) week of the start date. The organization must maintain proof of submission for each background check in the personnel file.

The National Sex Offender Registry check results must be completed and available in the personnel file within two (2) days of the start date.

New personnel shall not be left unsupervised with children and youth until background checks are completed and approved.

D. Confidentiality and Retention

Confidentiality Information

All personnel files and background checks should be stored in secured file cabinets or password-protected electronic storage. It is the responsibility of the grantee and subgrantee to safeguard confidential information and only use or disclose it as expressly authorized by the staff member or specifically required.

In the event that confidential information must be shared electronically, the transmission must be made via encrypted methods and removed from any temporary storage within seven (7) days.

File Retention Policy

All results must be retained for a minimum of five (5) years after the completion of a grant agreement and must be retained in accordance with federal and DC laws governing record retention.

Destruction of Files

All paper personnel records and confidential employee data maintained will be destroyed by shredding after retention dates have passed.

Electronic records shall be properly purged, deleted, and overwritten, after the retention dates have passed.

E. Completing Background Checks

The following is provided for ease, but information may have changed. It is the responsibility of the applicant to confirm the necessary costs and requirements for submission.

Grantee or subgrantee with personnel that will be providing programming at a District of Columbia Public Schools (DCPS) facility must follow the policies and procedures established by DCPS.

Grantee and subgrantee must ensure background check results are sent directly to the employer. A copy of the clearance letter must be retained within the personnel file.

1. FBI Background Check

a. Live Scan

Live Scan is the preferred method for FBI background check submission. A Live Scan is when fingerprints are scanned electronically instead of imprinted on ink first. Results are returned via email typically within twenty-four (24) hours.

Live Scan locations:

- | | |
|---|---|
| i. Metro Lab
www.metrolabdc.com | vi. Metropolitan Police Department
300 Indiana Ave NW
Washington, DC 20001
Phone: (202) 727-9909 |
| ii. AFRH-W Police Department
3700 North Capitol Street NW
Washington, DC 20011
Phone: (202) 730-3113 | vii. Supreme Court of the United States Police Department
One First Street NE
Washington, DC 20543
Phone: (202) 479-3211 |
| iii. Bureau of Engraving and Printing Police
301 14 th Street SW
Washington, DC 20228
Phone: (942) 906-4435 | viii. U.S. Department of Homeland Security Federal Protective Service
1900 Half Street SW
Washington, DC 20536
Phone: (202) 245-2300 |
| iv. Federal Bureau of Investigation
935 Pennsylvania Avenue NW
Washington, DC 20535
Phone: (202) 324-3000 | ix. U.S. Park Police
1100 Ohio Drive SW
Washington, DC 20242
Phone: (202) 619-7105 |
| v. Federal Emergency Management Agency Law Enforcement Coordination and Investigation
1201 Maryland Avenue SW
Washington, DC 20472
Phone: (202) 646-4263 | x. United States Capitol Police
119 D Street NE
Washington, DC 20510
Phone: (202) 224-5151 |

b. Ink-based fingerprint card and application

Inked fingerprints and applications can be submitted directly to the FBI and can take three (3) months or more to return search results. More information available at: <https://www.fbi.gov/services/cjis/identity-history-summary-checks>.

The completed and signed application and the inked-fingerprint card must be submitted directly to the FBI and must include:

- i. Money Order or Certified Check for \$18.00 dollars payable to the “Treasure of the United States”.
- ii. The items listed on the [Identity History Summary Request Checklist](#).

Submit completed packet to:

FBI CJIS Division – Summary Request
1000 Custer Hollow Road
Clarksburg, WV 26306

The application may be found at <https://forms.fbi.gov/identity-history-summary-checks-review/q384893984839334.pdf>

Locations to obtain inked-fingerprints available at:

- i. Federal Services, Inc.
1712 I Street NW, Suite 915
Washington, DC 20006
(202) 223-5317
- ii. Metro Lab
Location and information available at www.metrolabdc.com
- iii. Washington DC Fingerprinting
1140 Connecticut Avenue NW
Washington, DC 20036
(202) 628-3716
www.washingtondcfingerprinting.com

2. MPD Background Check

Grantee and subgrantee must complete a background check by mail to ensure the results are sent directly to the employer. The process of the request can take up to six (6) weeks.

The organization submits a notarized letter on the organization's letterhead. The letter must include the following:

- Statement requesting criminal background
- Full Name (First, Middle, and Last)
- Address
- Date of Birth (DOB)
- Sex
- Race
- Place of Birth
- Social Security Number

The letter must be notarized confirming that the individual is authorizing the release of information to the organization.

The package must include a self-addressed stamped envelope and \$7.00 Money Order payable to the "DC Treasurer" (cash and checks are not accepted).

Mail the letter, money order, and envelope to:

Henry J. Daly Building, Metropolitan Police Department
Criminal History Section
300 Indiana Avenue NW, Room 1075
Washington, DC 20001

3. CFSA CPR

The purpose of the Child Protection Register (CPR) is to protect children and to ensure their safety by maintaining an index of perpetrators of child abuse and neglect in the District of Columbia. This confidential index includes the names of individuals with substantiated and/or inconclusive findings from the investigative reports of the Child Protective Services Unit of the Child and Family Services Agency. More information is available at:

<https://cfsa.dc.gov/publication/program-child-protection-register>

Employers must directly request CPR clearances for prospective or current personnel by completing Part I of the form and selecting "Non-Government Organization". Grantee and subgrantee may not accept a self-check CPR result. Results may take up to 30 days.

The application is available at:

https://cfsa.dc.gov/sites/default/files/dc/sites/cfsa/publication/attachments/CPR_Check_Application_FINAL_030818_English_fillable.pdf

The CFSA CPR check is free, but the application must be notarized.

The CFSA CPR check must be completed annually.

4. The National Sex Offender Registry

The Dru Sjodin National Sex Offender Public Website (NSOPW) provides the public with access to sex offender data nationwide. NSOPW is a partnership between the U.S. Department of Justice and state, territorial, and tribal governments.

Grantee and subgrantee should visit www.nsopw.gov/Home and conduct a search of the personnel by typing in the full name. The results from the website page showing no results found for the staff/volunteer should be printed or pdf and saved in the personnel file.

This background check must be completed annually.

F. Results and Suitability

1. FBI and MPD Background Check

Any personnel with the following felony convictions are not permitted to work with children and youth:

1. Murder, attempted murder, manslaughter or arson;
2. Assault, battery, assault and battery, assault with a dangerous weapon, mayhem, or threats to do bodily harm;
3. Burglary;
4. Robbery;
5. Kidnapping;
6. Illegal use or possession of a firearm;
7. Sexual offenses, including: indecent exposure; promoting, procuring, compelling, soliciting, or engaging in prostitution; corrupting minors (sexual relations with children); molesting; voyeurism; committing sex acts in public; incest; rape; sexual assault; sexual battery; or sexual abuse; but excluding sodomy between consenting adults;
8. Child abuse or cruelty to children; or
9. Unlawful distribution or possession of or possession with intent to distribute, a controlled substance.

Any personnel that have background checks returned with an issue or indication of past criminal history other than what is listed above must have a suitability determination made by the District. Grantee or subgrantee must notify the OST Office within two (2) business days of receiving the results and the OST Office will provide grantee or subgrantee a process in which DCHR will conduct a suitability check for said personnel at no additional cost.

Until the District has determined suitability, the individual **MUST** not be left unsupervised with youth, or without the presence of the previously identified supervising staff member with appropriate clearances.

Results from the FBI and MPD are valid for two (2) years. Twelve (12) months after the check is complete, the individual will need to sign an affidavit stating that since the FBI and MPD background check was completed, they have not engaged in any activity that may preclude them from being suitable to work with children and youth.

DCPS and Serve DC Background Check clearance letters are accepted evidence of meeting the FBI and MPD Background check policy. The clearance letter must be available in the personnel file and uploaded into Cityspan.

Emailed suitability determination from DCHR is accepted evidence of meeting the FBI and MPD background check policies.

Other documentation of FBI and MPD background may be accepted but must be approved by the OST Office. Grantee or subgrantee must submit a request to the OST Office for approval of other acceptable documents.

2. CFSA CPR

Any personnel listed in the CFSA CPR with substantiated reports of abuse or neglect are not permitted to work with children and youth.

Individuals with inconclusive reports have the right to challenge the decision through a Fair Hearing process with CFSA. Further instructions regarding the Fair Hearing process is noted on the last page of the Notice of Investigation Results letter from CFSA.

No other documentation except what is supplied by CFSA will be accepted as completion of the CFSA CPR check.

3. National Sex Offender Registry

The search will display the name, photo, age, aliases, and addresses of individuals who have the same name as the person entered. If the name and photo of the personnel is listed, review the file to ensure it is the correct personnel. Any personnel listed in the national sex offender database is not permitted to work with children and youth.

No other documentation except the pdf or printed results from the National Sex Offender site will be accepted as completion of this check.

G. Compliance

The OST Office or designee will conduct program and administrative visits, announced and unannounced, throughout the grant period. In accordance with Section B above, grantee or subgrantee must supply names of all supervisory personnel, personnel awaiting background checks, and those who have received all clearances and may have unsupervised interaction with youth on-site at the time of programming. The OST Office will verify the names of personnel with what has been entered into Cityspan. In the event personnel background checks have not been entered, grantee or subgrantee will receive a notice within ten (10) business days of observing the non-compliance and grantee or subgrantee will have three (3) business days to upload the information into Cityspan.

If the grantee fails to correct or does not respond, a second written notice will be sent restating the corrective action required and deadline to comply. If grantee has not corrected the action by the deadline specified in the second notice, a third and final notice will be sent restating the corrective action, deadline to comply, and repercussions to Grantee which may include delayed payment, loss of good standing, termination or suspension of grant, or repayment of grant funds.

Any violation of this policy may result in delayed grant payments or termination of the grant agreement for Failure to Comply as listed in the grant agreement.

About ODCA

The mission of the Office of the District of Columbia Auditor (ODCA) is to support the Council of the District of Columbia by making sound recommendations that improve the effectiveness, efficiency, and accountability of the District government.

To fulfill our mission, we conduct performance audits, non-audit reviews, and revenue certifications. The residents of the District of Columbia are one of our primary customers and we strive to keep the residents of the District of Columbia informed on how their government is operating and how their tax money is being spent.

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