

Staff Findings and Recommendations Report

Governor's Commission on Community and Volunteer Service

151st General Assembly, 2nd session



*Respectfully submitted to the
Joint Legislative Oversight and Sunset Committee
February 2022*

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The Joint Legislative Oversight & Sunset Committee (“JLOSC” or “Committee”) is a bipartisan 10-member legislative body which performs periodic legislative review of boards or commissions. The purpose of the oversight and sunset review is to decide genuine public need and if the entity is effectively performing. The Division of Research is a nonpartisan and confidential reference bureau for the General Assembly and supplies many services including staff support for JLOSC.

Special thanks: We appreciate the aid provided by the staff and membership of the Governor’s Commission on Community and Volunteer Service in conducting this review.

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ABOUT THIS REPORT

This is a staff findings and recommendations report (“staff report”) drafted by Division of Research staff on the sunset and oversight review (“review”) of the Governor’s Commission on Community and Volunteer Service (“Commission”). This report has staff recommendations for JLOSC review and discussion. Recommendations are not final until discussed and adopted by JLOSC with an affirmative vote by 7 members.

The review’s purpose is to find the public need for the entity and whether the entity is effectively performing to meet the need. The goal of the review is to supply strength and support to entities that are providing a State recognized need.

JLOSC performs its duties with support provided by the Division of Research’s dedicated and nonpartisan staff in the form of two JLOSC research analysts, a legislative attorney, legislative fellow, and administrative assistant. JLOSC staff completes a performance evaluation of the entity under review and gives a staff report to JLOSC which includes research, analysis, key findings, and recommendations. During the review process, the following is not assumed:

- There is a genuine public need for the entity under review.
- That the entity is satisfactorily and effectively meeting public need.

Rather, the entity under review has the burden of showing, through the statutory criteria for review included in their self-report and analyst requested supplemental documentation, that there is a genuine public need, and that the entity is meeting that need.

JLOSC selected the Commission for review on March 25, 2021. During the review process, the Commission supplied information by completing a self-report which had a performance review questionnaire.¹

Division of Research staff compiled the following findings and recommendations after completion of a performance evaluation which included thorough research and analysis outlined in the Objectives, Scope, and Methodology section of this report. The performance evaluation was conducted following generally accepted government auditing standards. We follow the requirements, standards, and guidance in Yellow Book chapters 1 through 3, 8 and 9 for performance audits. Those standards require that we plan and perform the evaluation to obtain sufficient, evidence to provide a reasonable basis for our findings and conclusions based on our evaluation objectives. We believe that the evidence obtained supplies a reasonable basis for our findings and conclusions based on our evaluation objectives. The Objectives, Scope, and Methodology section discusses the fieldwork procedures used while developing the findings and recommendations presented in this report.

The recommendations contained in this report are not final until adopted by JLOSC by affirmative vote of 7 members. Under §10213(a), Title 29, the Committee must first decide whether there is a genuine public need for an entity under review. To meet this requirement, the Committee may select to continue or terminate the entity under review. JLOSC meets publicly to review and

¹ Self-reports available on the Committee’s website, <https://legis.delaware.gov/Committee/Sunset>

discuss its staff's findings and recommendations, and the Committee is free to change, reject, or create brand new recommendations.

The JLOSC statute authorizes the Committee to recommend 1 or more of the following:

- Continuation of the entity as is.
- Termination of the entity.
- Termination of any program within the entity.
- Consolidation, merger, or transfer of the entity or the entity's functions to another entity.
- Termination of the entity unless certain conditions are met or modifications are made, by legislation or otherwise within a specified period.
- Budget appropriation limits for the entity.
- Legislation which the Committee considers necessary to carry out its decision to continue or terminate the entity.

The information contained in this report, along with the previously published self-report², which includes background information from the entity under review, help the Committee in conducting a review of the entity and meeting its statutory requirements under Chapter 102, Title 29. The "Staff Findings" section of this report has information to support the following staff recommendations.

Next Steps

After the release of this report, JLOSC will hold a public hearing in early 2022 for each entity under review to present to the Committee and accept public comment on the scope of the review.³

The Committee will review all information received, including the findings and recommendations presented in this staff report. Recommendations become completed after review, discussion, and an affirmative vote of 7 JLOSC members. Committee members are not bound by recommendations presented by staff and are free to change, reject, or form new recommendations. Once JLOSC adopts recommendations, the review moves to the implementation phase which may include drafting legislation.

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² Self-Report is accessible on the Committee's website, <https://legis.delaware.gov/Committee/Sunset>

³ Public meeting notices found on the Committee's website and the State of Delaware's Public Meeting Calendar.

STAFF RECOMMENDATIONS

Recommendation #1, Option 1 – Continue the Governor’s Commission on Community and Volunteer Service

After review and analysis, JLOSC staff recommends option 1, continue the Governor’s Commission on Community and Volunteer Service, subject to any further recommendations that JLOSC adopts.

Continue or Terminate (standard JLOSC recommendation).

Option 1: The Governor’s Commission on Community and Volunteer Service shall continue, subject to any further recommendations that JLOSC adopts.

- OR -

Option 2: The Governor’s Commission on Community and Volunteer Service is terminated, and the Committee will sponsor legislation to implement this recommendation.

Recommendation #2 – Statute Revisions

JLOSC should consider sponsoring a bill to apply technical corrections to the governing statute of the Governor’s Commission on Community and Volunteer Services, Chapter 79, Title 29, and using this review as a guide, applying revisions to sections covering topics such as:

- Commission composition including term length and eligibility.
- Quorum requirements (currently 40% of appointed members).
- Incorporating federal requirements.

JLOSC and Commission administrative staff will work together to develop statutory revisions. JLOSC staff will engage stakeholders, as necessary.

Recommendation #3 – Standing Committee Restructure

The Governor’s Commission on Community and Volunteer Services shall reevaluate its 4-committee structure, assess current responsibilities of the Executive Committee, and reestablish the necessary committees.

The Commission created 4 committees for specific duties and responsibilities, currently only the Executive Committee is meeting.

Recommendation #4 – Update Bylaws

The Governor’s Commission on Community and Volunteer Services shall consider updating its 2010 bylaws to reflect Freedom of Information Act (“FOIA”) requirements and current Commission operations, including updated committee structure.

Recommendation #5 – Release from Review.

Release the Governor’s Commission on Community and Volunteer Services from review upon enactment of legislation applying technical corrections and changing board composition listed under Recommendation 2.

STAFF FINDINGS

Finding #1

The Governor’s Commission on Community and Volunteer Service (“Commission”) is functioning at a prominent level, performing its statutory duties as an advisory body to the Administrator of the State Office of Volunteerism while considering matters relating to volunteer services.

The Commission advises the Administrator, the Director of the Division of State Service Centers, the Secretary of the Department of Health and Social Services, and the Governor to ensure proper functionality of the State Office of Volunteerism.⁴ Additionally, the Commission maintains a comprehensive national service plan, assembles applications for funding, approving national service positions, and administers national and community service programs in Delaware. The Commission is a requirement for federal program funding eligibility and approved national service positions.

During the period of review, the Commission held 18 meetings and its Executive Committee held 11.⁵ Accomplishments include:

- Adopted revisions to the State Service Plan for National and Community Service.
 - Required to receive funding through AmeriCorps.
 - Supplies prioritization for funding.
- Continuous aid to over 900 non-profit, volunteer organizations.
- Expanded the Segal Education Award through Wilmington University and AmeriCorps Delaware in 2018.
- In 2021, the Commission and staff created the Volunteer Delaware Reserve Corps.
 - Program recruits’ volunteers for emergencies and disasters in conjunction with:
 - Delaware Emergency Management Agency (“DEMA”).
 - Delaware Volunteers Organized Against Disaster (“DEVOAD”).
- Commission doubled its AmeriCorps portfolio since 2016 including:
 - Competitively funded grants.
 - Planning grants.
 - Increased representation in Sussex County.
 - Increased programming for veterans and military families.
- In 2019, Commission and staff testified before the Joint Finance Committee.
 - Restored funding to the State Office of Volunteerism from an earlier \$200,000 budget cut.
- Conducted virtual Volunteer Delaware Conference in 2020 with 345 attendees from 26 states.
- Supplies technical assistance to local nonprofits and other entities in planning programs, applications for funding, and implementation of programming.
- Outstanding Volunteer Service Awards:
 - 2020: Virtual ceremony honoring 38 youth volunteers and 30 adult volunteers.

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⁴ 29 Del. C. § 7914A

⁵ Review period: January 2019 – December 2021.

Finding #2

After improvements, the Commission effectively reviews applications for National Service Program and AmeriCorps supplying recommendations to the State Office of Volunteerism.

The Commission selects applicants for National Service Program funding and prepares other state applications to AmeriCorps. Additionally, the Commission supports and reviews financial systems and progress reports to track expenditures, program quality, and compliance.

In January 2020, the Office of the Inspector General completed a federal audit on the *Agreed-Upon Procedures for Corporation for National and Community Service Grants Awarded to the Delaware Governor's Commission on Community and Volunteer Service*.⁶ The audit found issues in 11 areas and questioned funds associated with 4 grant awards. Currently, the Commission is updating its monitoring and reporting procedures. The Commission adopted several actions, which include the following highlights:

- In August 2019, the Commission hired a Program Fiscal Monitoring Assistant.
- Revise subrecipient single audit and post-award monitoring procedures.
- Updated the *Fiscal Procedures for Federal Financial Report* policy.
- Trained subrecipients on claiming administrative costs correctly.
- Revised their Periodic Expense Report template to automatically calculate administrative costs for subrecipients.
- Developed a budget narrative worksheet to include a pre-populated formula for use with 2020-21 subrecipient application and budget development.
- Participated in trainings conducted by the Corporation for National and Community Service ("CNCS").
- Updated procedures used when subrecipients submit financial reporting late or have other program noncompliance.
- Funds in question returned.

Finding #3

The Commission meets on a regular basis, the majority members have a high attendance rate (80% or greater), chronic quorum issues not seen.

During the last 3 calendar years, the Commission met 6 times annually, 18 meetings in total, and most members attended over 80% or more of held meetings. We calculated an attendance rate of 83% or higher for all members in 2021, a noticeable improvement from 2019 and 2020, where 3 members held attendance rates below 50%. The Commission only experienced quorum issues for 1 meeting in 2019, 1 meeting in 2020, and all meetings held since July 2020 met meeting quorum.

Finding #4

This review found FOIA compliance issues but saw recent improvements.

The Commission is a public body as defined by FOIA.⁷ During the course of this review JLOSC staff reviewed the past 3 years of held meetings and checked for FOIA compliance on posting of meeting notices, agendas, and minutes. Using FOIA open meeting requirements⁸ the *FOIA Scorecard* below notes the following compliance items:

- Every meeting must be open to the public, except for valid exception under FOIA.
 - Executive session closed to the public for FOIA named purposes.

⁶ [Management Decision on OIG Report 19-10.](#)

⁷ 29 Del. C. § 10002.

⁸ 29 Del. C. § 10004.

- Public notice of regular meetings posted at least 7 days in advance of the meeting.
 - Includes agenda if determined.
 - Posted within 6 hours in advance of the meeting with reason for posting delay included.
 - Posted in public location accessible to the public, including electronic posting on designated State of Delaware website.⁹
 - Includes date, time, and place of meeting.
 - Indicates intent to hold executive session (if applicable).
- Agenda is subject to change, changes may include:
 - Added items, including executive session.
 - Deletion of items, including executive session.
- Minutes recorded and made available for public inspection and copying as a public record. Minutes must include the following:
 - Record of members present.
 - Record by individual members of each vote taken and action agreed on.
- Final minutes posted within 5 working days of final approval.
 - Draft minutes posted within 20 working days of meeting conclusion for public bodies who meet 4 or fewer times per year.

FOIA Scorecard for January 2019 – December 2021		
	Commission	Executive Committee
Total Meetings Held	18	11
Properly Noticed Meetings	11	9
Properly Posted Agendas	1	3
Properly Posted Meeting Minutes	1	1
Missing Agendas	10	4
Missing Minutes	11	3
Minutes Contain Required Information	17	7
Agendas Contain Required Information	8	3
Number of Executive Sessions	0	0

JLOSC staff reviewed Delaware’s Public Meeting Calendar for all meetings held by the Commission and its Executive Committee during a 3-year review period (January 2019 – December 2021). The Public Meeting Calendar keeps a record of all administrative actions for a meeting date, including announcement creation date, and posting dates for agendas and minutes. During the review period, the Commission held 18 meetings. The Commission properly noticed 11 out of 18 public meetings held, 1 announcement did not supply 7 days’ notice, 4 posted after the meeting date, and 2 not posted. The Commission posted 1 agenda properly, posted 7 meeting agendas after the meeting date with 10 agendas missing.

⁹ Designated website is the Public Meeting Calendar: <https://publicmeetings.delaware.gov>

During the review period, the Executive Committee held 11 meetings. The Executive Committee properly noticed 9 out of 11 public meetings held, 2 announcements posted after the meeting date. The Executive Committee posted 3 agendas properly, posted 4 meeting agendas after the meeting date with 4 agendas missing.

During the review period, JLOSC staff saw some improvement with FOIA compliance with the posting of virtual meeting links for the September and November 2021 Commission meetings and the October 2021 Executive Committee meeting. However, meeting minutes and agendas are missing for the March, May, June, and September 2021 Commission meetings and agendas are missing for the August and December 2021 Executive Committee meetings.

Like other public bodies across the state, there was a significant learning curve in the immediate pivot to virtual meetings due to the COVID-19 pandemic. Moving forward, the Commission should confirm staff posts all virtual meeting links, agendas, and minutes properly on the Public Meeting Calendar to ensure public access.

Finding #5

The Commission supplies an onboarding manual to all members as well as access to multiple training opportunities.

Newly appointed members take part in a required onboarding training and orientation. Additionally, AmeriCorps supplies regular training opportunities available to all members, as does America's Service Commission, a peer network of state commissioners and service staff across the country. Commission members take part in Volunteer Delaware's annual Volunteerism Conference and other events facilitated by Delaware Association of Volunteer Administrators and Points of Light.

Finding #6

The Governor appoints 15-25 voting members of the Commission. The current statute is missing the federal standards outlined in 42 U.S.C. § 12501¹⁰ Currently, there are 15 members of the Commission. Staff is working with the Governor's office and the State Office of Volunteerism to use recruitment strategies to appoint qualified individuals.

According to statute, the Commission is composed of 15-25 voting members appointed by the Governor:¹¹

- One representative from each of the committees which serve in an advisory capacity to the volunteer programs that are directly administered by the State Office of Volunteerism.
- Up to 22 representatives reflecting the broad diversity of the State, including members from the public sector, the private nonprofit sector, and the business community.

The National Service Act of 1993 and its later amendments codify 10 required positions to be filled on state service and volunteerism commissions:

- An individual with expertise in the educational, training, and developmental needs of youth, particularly disadvantaged youth.
- An individual with experience in promoting the involvement of older adults in community service.

¹⁰ <https://www.law.cornell.edu/uscode/text/42/12501>.

¹¹ 29 Del. C. § 7914A.

- A representative of community-based agencies or community-based organizations within the State.
- The Secretary of the Department of Education or designee.
- A representative of local governments in the State.
- A representative of local labor organizations in the State.
- A representative of business.
- An individual between the ages of 16 and 25 inclusive who is a participant, or supervisor of a service program for school-age youth of a campus-based or service program.
- A representative of a National Service Program.
- A representative from the volunteer sector.

The Commission's bylaws list these 10 federally needed positions, however, the Commission's statute does not.¹² Additionally, Commission membership lists appearing on the Commission's website and minutes do not include information for the appointed position each member serves. The membership list JLOSC staff received from the Governor's office included each appointment's code requirement, which matches the Committee's bylaws list of positions. The membership list from the Governor's office confirms current appointments exist for the 10 federally needed positions. For transparency, Commission staff should update Committee membership lists to include this information and future statute modifications should codify this information.

The Commission can hold up to 10 added members and is working in conjunction with the Governor's office to find qualified individuals. At the December 16, 2021 Executive Committee meeting, the Commission's Chair was pleased in the number of new applications received for consideration. In reviewing all available materials including meeting minutes and member spreadsheets from the Commission, the following is a chart of the 15 members currently serving:

Last Name	First Name	Term Start	Term End
Benson	Mary Kate	12/29/2017	12/29/2020
Calistro	Paul	7/24/2018	7/24/2021
Freeman	Lossie	7/24/2018	7/24/2021
Heberstroh	Susan	3/26/2015	11/2/2015
Morgan	Sharon	7/24/2018	7/24/2021
Parsons	J. Robert	10/3/2018	10/3/2021
Pippin	Gary	6/26/2011	6/26/2017
Prueitt	Marguerite	7/30/2015	10/3/2021
Rodriguez-Duffy	Margarita	9/24/2008	7/24/2021
Sheldon	Timothy	5/13/2016	5/13/2019
Siebold	Marilyn	3/3/2021	3/3/2024
Vincent	Charles	5/14/2019	5/14/2022
Wallace-Simms	Enid	9/23/2010	7/24/2021
Williams	Molly	12/29/2017	12/29/2020
Wright	Valarie	3/3/2021	3/3/2024

¹² 29 Del. C. § 7914A.

Finding #7

The Commission set up committees in its bylaws to aid in carrying out the Commission's duties and responsibilities. Only the Executive Committee is meeting, sometimes performing the duties of the other 3 committees.

As outlined in its bylaws, the Commission created 4 committees with the discretion to create ad hoc committees for specific assignments:

- Executive Committee – General supervision authority between full Commission meetings and may act on behalf of the Commission in emergency situations. All decisions are subject to full Commission approval.
- Program Oversight Committee – Monitoring arm for statewide programs and reviews grant applications and progress reports. The committee makes funding recommendations to the full Commission.
- Administration and Finance Committee – Recommends membership changes and monitors member attendance and performance. The committee recommends a slate of officers for Commission approval and oversees expenditures of federal funds while monitoring financial compliance.
- Delaware Volunteerism Committee – Promotes community service and volunteerism statewide. The committee aids in helping and coordinating volunteer activities in addition to developing partnerships between stakeholders.

Currently, the Executive Committee is sometimes performing the duties of the other 3 committees including reviewing grant applications, setting the agenda for full Commission meetings, and recommending a slate of officers for Commission approval. The Commission is reestablishing its committee structure based on current operations and responsibilities. From Executive Committee meeting minutes on February 18, 2021, August 19, 2021 and October 21, 2021, the following is a current list of Executive Committee members:

Last Name	First Name	Term Start	Term End
Benson	Mary Kate	12/29/2017	12/29/2020
Calistro	Paul	7/24/2018	7/24/2021
Freeman	Lossie	7/24/2018	7/24/2021
Morgan	Sharon	7/24/2018	7/24/2021
Pippin	Gary	6/26/2011	6/26/2017
Prueitt	Marguerite	7/30/2015	10/3/2021
Rodriguez-Duffy	Margarita	9/24/2008	7/24/2021
Sheldon	Timothy	5/13/2016	5/13/2019
Siebold	Marilyn	3/3/2021	3/3/2024
Vincent	Charles	5/14/2019	5/14/2022
Wallace-Simms	Enid	9/23/2010	7/24/2021

The meeting minutes do not consistently list the Commissioners absent from meetings. Including this information in future minutes would be helpful for membership transparency. During the review period, appointment information to the Executive Committee cannot be found in full Commission minutes.

Finding #8

Commission bylaws last updated on October 25, 2010.

The Commission should review its decade old bylaws and apply changes to reflect current operating and committee structure. There are areas of the bylaws that do not conform to FOIA standards in article V, under Commission business. Meetings that do not meet the definition of an emergency meeting under FOIA require 7 days of notice to the public.¹³ The bylaws state special meetings require 5 days of notice. In article V, the bylaws include incorrect information on conference calls, electronic, and paper proxies counting towards quorum. The bylaws could include the recent FOIA statute changes to allow for virtual meetings.¹⁴

Lastly, bylaws define quorum as 40% of voting members of the Commission, JLOSC staff recommends adding quorum requirements to the Commission's bylaws and statute so that vacancies do not affect quorum. Staff has language used for other reviews to define quorum as 51% of appointed members so that vacancies do not negatively affect quorum.

Finding #9

Commission section of the State Office of Volunteerism website not prominently displayed; website lists an outdated Commissioners listing.

The Commission's website is within a section of the State Office of Volunteerism's website. It takes a user multiple steps to get to the Commission's website. Current navigation from the main splash page of the State Office of Volunteerism to the Commission's website requires the user to:

- Click the blue "about us" box on the top right of the page.
 - Navigation brings user to the State Office of Volunteerism "about us" page.
 - Hover cursor over the "about us" heading in the top yellow menu bar and click on "commission."
 - Below yellow menu bar are 2 small paragraphs of text, followed by the following sentence with a hyperlink to Commission's page:
 - "For more information on the Governor's Commission on Community and Volunteer Service, Click [HERE](#)"

There is no direct link to the Commission's website on the main splash page of the State Office of Volunteerism's website. A direct hyperlink to the Commission's page would be helpful here in the "about us" text at the top of this page.

The Commission's website also has an outdated list of Commissioners and does not include Commissioner service on committees, such as the Executive Committee. The website has information about recruiting new commissioners; however, the Governor's office form information repeats at the bottom of the website, which is a style decision but may not be aesthetically pleasing to website visitors.

Finding #10

Positive feedback received from public outreach survey.

JLOSC staff conducted a public outreach survey from August 9 – September 30, 2021 and received 68 responses for the Commission. Overall, the survey received mostly positive feedback, with 91% of respondents voting the Commission as valuable to the State of Delaware. Critical comments included the need for website improvements, suggestion for more training for volunteer managers, and sending information on the Commission and its meetings to volunteers.

¹³ 29 Del. C. § 10004.

¹⁴ 29 Del. C. § 10006A.

Positive feedback received indicated pleasure with leadership, programming, and support, and appreciation for recent website training held for organizations on uploading volunteer opportunities.

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OBJECTIVE, SCOPE, AND METHODOLOGY

Objective

A performance evaluation conducted as required under JLOSC statute and based on the following criteria:¹⁵

1. If the agency is a licensing agency, the extent to which the agency has permitted qualified applicants to be licensed.
2. The extent to which the agency has served the public interests.
3. The extent to which the agency has recommended statutory changes, and whether those changes directly benefit the public or whether those changes primarily benefit the agency or other entities and are of only indirect benefit to the public.
4. Review the implementation of recommendations contained in the final reports presented to the General Assembly and the Governor during previous legislative sessions.

Scope

This review covers a 5-year performance period except where noted.

JLOSC Statutory Criteria #1

If the agency is a licensing agency, the extent to which the agency has permitted qualified applicants to be licensed.

Methodology for JLOSC Statutory Criteria #1

The Governor's Commission on Community and Volunteer Service is not a licensing agency but does receive, review, and make decisions regarding National Service Program and AmeriCorps applications. This review looked at the overall process and decisions the Commission made over the past 5 years.

JLOSC Statutory Criteria #2

The extent to which the agency has served the public interests.

Methodology for JLOSC Statutory Criteria #2

The State of Delaware established the Governor's Commission on Community and Volunteer Service to serve the Administrator of the State Office of Volunteerism in an advisory capacity relating to volunteer services in the state. Other matters as requested may be referred to the Commission by the Governor, Secretary of the Department of Health and Social Services, the Director of the Division of State Services Centers, or the Administrator of the State Office of Volunteerism. As described in the fieldwork section of this report, this review explored the 2 main duties and responsibilities listed in statute:¹⁶

1. Serve in advisory capacity and advise on matters relating to volunteer services.
2. Study, research, plan, and advise to the Administrator, the Secretary of the Department, and the Governor on appropriate matters to enable the State Office of Volunteerism to function in the best possible manner.

¹⁵ 29 Del. C. § 10209.

¹⁶ 29 Del. C. § 7914A.

JLOSC Statutory Criteria #3

The extent to which the agency has recommended statutory changes, and whether those changes directly benefit the public or primarily benefit the agency or other entities and are of only indirect benefit to the public.

Methodology for JLOSC Statutory Criteria #3

This review took a closer look at recommendations provided by the Commission in its completed self-report. JLOSC staff explored information relevant to these recommendations as described in the fieldwork listed in this section. For quick reference, the Commission supplied the following recommendations:

1. Reestablishing the Committee structure.
2. Increase visibility to mitigate recruitment challenges. Federal compliance requires 10 specific membership criteria and consistently finding members willing to serve has been challenging.

JLOSC Statutory Criteria #4

Review the implementation of recommendations contained in the final reports presented to the General Assembly and the Governor during earlier legislative sessions.

Methodology for JLOSC Statutory Criteria #4

This is the first JLOSC review of the Governor's Commission on Community and Volunteer Service, statutory criteria #4 is not applicable to this review.

Fieldwork completed

- Reviewed all information supplied by Commission staff.
 - Self-report.
 - Memorandums of Understanding, 3 contracts total.
 - State Service Plan development.
 - Past 3 program director guidebooks.
 - Organizational chart.
 - Past 3 years of meeting minutes and agendas.
 - Federal audit memorandum.
 - Legislative funding milestones.
 - State service plans covering program years 2016-2022.
 - Last 5 budget reports.
 - Commission by-laws.
 - Commission's onboarding manual.
 - Commissioner roster with appointment and end dates, last 5 years.
- All available public documents such as annual reports, Commission's website, and available news articles.
- Current statute and any Commission-proposed revisions.
- Commission's overall performance as it relates to current statute.
- Commission's compliance with Freedom of Information Act ("FOIA").
 - Public meeting calendar: Commission meeting notices, agendas, minutes.
- Commission member size, quorum trends, and composition.
- Commission member training opportunities.
- Reviewed list of appointed members from Governor's office.

- Surveyed the public to gather opinions and experiences with Commission.
- Held two virtual public input sessions to collect more public comment on review.
- Held virtual meeting with Commission staff to discuss review.

Review Background

This is the first review of the Governor’s Commission on Community and Volunteer Service by JLOSC. This review began in April of 2021. Entity’s support staff completed and returned a self-report in August of 2021. JLOSC staff conducted research and drafted this findings and recommendations report.

Background Research Synopsis

Established on July 6, 2004, the Delaware Governor’s Commission on Community and Volunteer Service (“Commission”) replaced the earlier Governor’s Council on Volunteer Services and the Delaware Community Service Commission. The Commission serves in an advisory capacity, considering matters relating to volunteer services in Delaware, and may study, research, plan, and advise on matters it considers proper to enable the State Office of Volunteerism to function in the best possible manner.¹⁷ The Commission matches the talents of state residents with the organizations that would be best suited to them with the goal of meeting community needs and solving community problems.

The Commission is nonpartisan, consisting of 15-25 Governor appointed volunteer members, responsible for developing a comprehensive national service plan, assembling applications for funding, and approved national service positions, and administering national and community service programs in the State.

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¹⁷ 29 Del. C. § 7914A.



DELAWARE HEALTH AND SOCIAL SERVICES

Division of State Service Centers State Office of Volunteerism

Governor's Commission on Community and Volunteer Service

January 31, 2022

2022 Joint Legislative Oversight & Sunset Committee
Legislative Council, Division of Research
411 Legislative Avenue
Dover, DE 19901

Dear JLOSC members and Division of Research Staff:

The Governor's Commission on Community and Volunteer Service sincerely thanks the staff of the Division of Research and the Joint Legislative Oversight & Sunset Committee members for their findings and recommendations. We also thank you for the opportunity to address the valuable work the Commission and staff at the State Office of Volunteerism do to promote volunteerism in the State of Delaware.

The Commission and the State Office of Volunteerism are committed to enriching lives and communities by advocating for service and volunteerism throughout the State of Delaware. We welcome and value your input and have provided a response to each of your findings:

Finding #1

The Governor's Commission on Community and Volunteer Service ("Commission") is functioning at a prominent level, performing its statutory duties as an advisory body to the Administrator of the State Office of Volunteerism while considering matters relating to volunteer services.

Response #1

The Commission is pleased to have demonstrated and met the burden required in statute by the Joint Legislative Oversight & Sunset Committee. Review of a self-evaluation report, historical background, current accomplishments and requested supplemental documentation demonstrated that there exists a genuine public need for the Governor's Commission on Community and Volunteer Service within the State of Delaware and that the Commission is performing and satisfactorily meeting that need. The Commission will continue in its capacity as an advisory board to the State Office of Volunteerism Administrator, the Director of the Division of State Service Centers, the Secretary of the Department of Health and Social Services, and the Governor to ensure continued funding, staffing capacity and effective functionality of the State Office of Volunteerism.

Finding #2

After improvements, the Commission effectively reviews applications for National Service Program and AmeriCorps supplying recommendations to the State Office of Volunteerism.

Response #2

The Commission embraces a culture of continuous improvement, consistently adapting and improving processes under the direction of Federal funders and partners, the State Government and the Delaware Department of Health and Social Services (“DHSS”). Commissioners study, monitor, provide insight, and assess activities and programs to ensure mission alignment, implementation and sharing of best practices and exemplars to develop strategic recommendations that strengthen, improve, and achieve goals. By so doing, our Commission members and staff are better able to recognize challenges and opportunities, and strategically adjust to changing circumstances and address issues proactively.

The Commission will continue to review and offer recommendations regarding National Service Programs to the State Office of Volunteerism with the intention of utilizing service as a strategy to address the state's most pressing issues and provide the necessary resources to engage volunteers and organizations who seek to make a greater impact in communities across the state. The Commission will continue to oversee, monitor, and provide technical assistance to funded programs in Delaware to ensure they are high quality and comply with legal and grant requirements.

Finding #3

The Commission meets on a regular basis, the majority members have a high attendance rate (80% or greater), chronic quorum issues not seen.

Response #3

Members of the Governor’s Commission on Community and Volunteer Service are committed to being catalysts for positive social change and serve as convenors, connectors, and bridge-builders in addressing and tackling community problems through service and volunteerism. The Commissioners are dedicated to their charge and mission of enriching lives and communities by promoting service and volunteerism through their support of the State Office of Volunteerism and the National Service Programs they administer.

Finding #4

This review found FOIA compliance issues but saw recent improvements.

Response #4

The Commission will review all areas that were identified with FOIA compliance issues and make the required corrections.

Finding #5

The Commission supplies an onboarding manual to all members as well as access to multiple training opportunities.

Response #5

The Commission will continue to supply a strong and comprehensive onboarding process to all members as well as make available access to relevant training.

Finding #6

The Governor appoints 15-25 voting members of the Commission. The current statute is missing the federal standards outlined in 42 U.S.C. § 1250110. Currently, there are 15 members of the Commission. Staff is working with the Governor's office and the State Office of Volunteerism to use recruitment strategies to appoint qualified individuals.

Response #6

The Commission will review the current statute and address the missing Federal Standards outlined in 42 U.S.C § 1250110. We will continue to work with the State Office of Volunteerism to recruit qualified and committed Commissioners. Per the *Staff Findings and Recommendations Report* - Staff Recommendation #2, the JLOSC and Commission administrative staff will work together to develop statutory revisions, and JLOSC staff will engage stakeholders, as necessary.

Finding #7

The Commission set up committees in its bylaws to aid in carrying out the Commission's duties and responsibilities. Only the Executive Committee is meeting, sometimes performing the duties of the other 3 committees.

Response #7

The Commission will re-evaluate the bylaws with respect to the setup of the committee structure and make the necessary changes. The Commission will also assess current responsibilities of the Executive Committee and reestablish the necessary committees.

Finding #8

Commission bylaws last updated on October 25, 2010.

Response #8

The Commission will review and update the bylaws to reflect Findings #6 and #7 as well as the Freedom of Information Act ("FOIA") requirements. Updates will also include the Committee's recommendations regarding Commission composition including term length and eligibility, Commission operations, updated committee structure, quorum requirements and incorporating federal requirements.

Finding #9

Commission section of the State Office of Volunteerism website not prominently displayed. Website lists an outdated Commissioners listing.

Response #9


The Commission will assist the staff at the State Office of Volunteerism to update the website as it pertains to the listing of Commissioners. We will also review the placement of the link for the list to the Commission on the Volunteer Delaware Website and ensure visibility and prominence needed for ease of navigation for website visitors. The Commission will appoint a staff member to regularly monitor the Commission section of the website to avoid issues moving forward.

Finding #10**Positive feedback received from public outreach survey.****Response #10**

The Commission is pleased that the public comments were positive. That is a direct reflection of the hard work of the Commissioner and the staff at the State Office of Volunteerism.

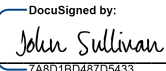
The Commission and the State Office of Volunteerism are grateful for the collaborative assessment, detailed review process, time, effort, and diligence that went into developing this report and recommendations. We take the insights, recommendations, and findings seriously and will work in partnership with JLOSC staff, Commission members, State Office of Volunteerism staff and/or community stakeholders where applicable to enable the State Office of Volunteerism to function in the best possible manner. The spirit of volunteerism in Delaware is strong and we appreciate the support of the JLOSC which has only further confirmed the value of this Commission and the importance of elevating and continuing to shine a light on the valuable service volunteers accomplish across the state, as well as the need to inspire others to get involved. We look forward to presenting and further highlighting the work of the Commission, our leverage of National Service Programs and the commitment and impact volunteers and programs have on critical needs within our State.

Respectfully Submitted,

Signature:  Date: 2/1/2022 | 12:26 PM PST
DocuSigned by: 7C243C1F4F9441F...

Paul Calistro

Chair, The Governor's Commission on Community and Volunteer Service
 Delaware Division of State Service Centers, Department of Health and Social Services

Signature:  Date: 2/1/2022 | 3:27 PM EST
DocuSigned by: 7A8D1BD487D5433

John Sullivan, AmeriCorps Delaware Program Director FOR

Kanani Hines Munford

Executive Director, The Governor's Commission on Community and Volunteer Service
 Senior Administrator, State Office of Volunteerism
 Delaware Division of State Service Centers, Department of Health and Social Services

Cc: Molly K. Magarik, Cabinet Secretary DHSS
 Kathryn Evinger, Chief Policy Advisor, Office of the Secretary, DHSS
 Renée Beaman, Director, Division of State Service Centers, DHSS
 Faith Mwaura, Deputy Director, Division of State Service Centers, DHSS
 Lauren E. Maguire, Deputy Attorney General Delaware Department of Justice

§ 7914A. The Governor's Commission on Community and Volunteer Services.

(a) The Governor's Commission on Community and Volunteer Services is established and shall serve in an advisory capacity to the Administrator of the State Office of Volunteerism and shall consider matters relating to volunteer services in this State and such other matters as may be referred to it by the Governor, the Secretary of the Department of Health and Social Services, the Director of the Division of State Service Centers or the Administrator of the State Office of Volunteerism. The Governor's Commission on Community and Volunteer Services merges the functions and representation of the Governor's Council on Volunteer Services with the Delaware Community Service Commission. The Commission may study, research, plan and advise the Administrator, the Director, the Secretary and the Governor on matters it deems appropriate to enable the State Office of Volunteerism to function in the best possible manner.

(b) The Governor's Commission on Community and Volunteer Services shall be composed of 15-25 voting members, to include:

(1) One representative from each of the committees which serve in an advisory capacity to the volunteer programs that are directly administered by the State Office of Volunteerism; and

(2) Up to 22 representatives reflecting the broad diversity of the State, including members from the public sector, the private nonprofit sector and the business community.

(c) Members of the Commission shall be appointed by the Governor in accordance with 42 U.S.C. § 12501. The initial terms of the members shall be staggered. Seven members shall be appointed for an initial term of 3 years, 7 members shall be appointed for an initial term of 2 years, and 3 members shall be appointed for an initial term of 1 year. Thereafter, all terms shall be for 3 years. Members shall be eligible for reappointment to no more than 2 additional consecutive terms.

(d) Members of the Commission shall serve without compensation, except that they may be reimbursed for reasonable and necessary expenses incident to their duties as members of the Commission, to the extent that funds are available therefor and in accordance with state law.

(e) A chairperson of the Commission shall be chosen by the members of the Commission from among its members and shall serve in that capacity for a term of 1 year and shall be eligible for reelection to not more than 2 additional consecutive terms.

(f) Any vacancy among the members of the Commission shall be filled by the Governor for the balance of the unexpired term. Unexcused absence by a Commission member from either 3 consecutive meetings or any 4 out of 12 consecutive meetings shall constitute an executed resignation from the Commission by a member.

(64 Del. Laws, c. 313, § 3; 68 Del. Laws, c. 149, §§ 4, 5; 71 Del. Laws, c. 305, §§ 1-6; 74 Del. Laws, c. 313, §§ 1-9.)



Operating Bylaws

Governor's Commission on Community and Volunteer Service – 2010

Article I MISSION

Section 1.1 **Mission Statement** The Delaware Commission for Community and Volunteer Service (the Commission) is committed to enriching lives and communities by advocating service and volunteerism.

Section 1.2 **Guiding Principles** In pursuing this mission, the Governor's Commission on Community and Volunteer Service is guided by the following principles:

- a) Service is an important strategy for addressing community needs and problems;
- b) Citizens of all ages are critical resources in addressing community needs and problems;
- c) Service in Delaware can be augmented by effective private-public collaborations, and a general willingness for all sectors to partner for the advancement of the Delaware volunteer service field and the First State's communities
- d) Grantees of the Commission shall serve as high quality demonstrations for the potential of national service in Delaware.

Article II DUTIES OF THE COMMISSION

Section 2.1 **Duties of the Commission** Duties of the Commission are prescribed in the National and Community Service Trust Act of 1993 and should include but shall not be limited to:

- A. Develop a comprehensive State Service Plan for national and community service, through an open, inclusive process which may include establishment of State funding priorities.
- B. Select applicants for National Service Program funding and prepare other State applications to the Corporation for National Service.
- C. Develop a solid infrastructure in Delaware which facilitates and supports high quality national service programs.
- D. Maintain and review financial management systems and progress reports to track expenditures for national service programs.
- E. Oversee and monitor funded programs in Delaware to ensure they are high quality and comply with legal and grant requirements.
- F. Provide technical assistance to local nonprofits and other entities in planning programs, applying for funds, and implementing high quality program.

- G. Provide program development assistance and training to funded National Service Programs in the State.
- H. Increase the level of Volunteerism in Delaware by coordinating, sharing information, and improving the experience of volunteers to encourage involvement.
- I. Develop and recruit mechanisms for local service programs in the State.
- J. Build volunteer and service infrastructure and capacity through coordination of activities with other State agencies and with other volunteer and service initiatives in the State, including initiatives administered by the Corporation's State office.
- K. Develop, implement, and disseminate information on volunteer opportunities in the State.
- L. Collect, maintain, and share information on private initiatives, community partnerships and creative solutions undertaken by businesses, foundations, voluntary organizations, religious institutions and other private sector groups in the state, in order to promote their broader use.

Article III MEMBERSHIP

Section 3.1 Commission Voting Members

The Commission shall consist of not less than fifteen and not more than twenty-five voting members appointed by the Governor. The Commission shall elect a Chair from among its members. The Governor shall appoint a Commission Vice-Chair who will lead the work of the Program Oversight Committee and a Commission Vice-Chair who will lead the work of the Delaware Volunteerism Committee, who shall serve at the pleasure of the Governor. The members of the Commission shall be appointed subject to the following qualifications:

10 Federal Required Positions

- A. An individual with expertise in the educational, training, and developmental needs of youth, particularly disadvantaged youth.
- B. An individual with experience in promoting the involvement of older adults in community service.
- C. A representative of community-based agencies or community-based organizations within the State.
- D. The Secretary of the Department of Education or his/her designee.
- E. A representative of local governments in the State.
- F. A representative of local labor organizations in the State.
- G. A representative of business.
- H. An individual between the ages of 16 and 25 inclusive who is a participant, or supervisor of a service program for school-age youth of a campus-based or service program.
- I. A representative of a national service program.
- J. A representative from the volunteer sector.

Other Designated Positions

- K. A representative of Foster Grandparents.
- L. A representative of RSVP.
- M. A representative serving in an advisory position on volunteerism.
- N. A member active in advocacy for people with disabilities.
- O. 2-12 members that may include but not be limited to representatives of education, public safety, at risk youth, environmental organizations, non-profit organizations, businesses and Government.

Section 3.2 State Employees as Voting Members.

Not more than 25 percent of the Commission voting members may be employees of State government, though additional state agency representatives may sit on the Commission as non-voting, ex-officio members.

Section 3.3 Terms and Vacancies

A. Except as provided in Section 3.5 of this section, each member shall serve a term of 3 years, and will be eligible for 2 additional terms. Any person appointed to fill a vacancy among the members of the Commission shall be filled for the remainder of the unexpired term of the former member and such member will be eligible for 2 additional terms. Each term of office shall expire on the date specified in the appointment; however, the Commission member shall remain eligible to participate in Commission proceedings until notified by the Governor. The Commission will engage in a nominations process which ensures diversity with respect to race, ethnicity, age, gender, disability characteristics, geography and political affiliation to the maximum extent possible when making recommendations to the Governor.

B. Vacancies in Federal required positions shall be given priority for new appointments.

C. A person, who has never served on the Commission, may be appointed to the Commission for 3 consecutive terms; but no such person shall thereafter be eligible for 3 consecutive appointments. No person, who has been twice appointed to the Commission or who has served on the Commission for 9 years within any 12 year period, shall again be appointed to the Commission until an interim period of at least 1 term has expired since such person last served.

Section 3.4 Bipartisan Representation

Appointments will be made in a manner which ensures bipartisan representation, as no more than fifty percent of the voting members, plus one additional member, shall be from the same political party.

Section 3.5 Resignation and Removal

- A. It is recommended that a Commission member if resigning at any time give written notice to the Office of the Governor and copy the Executive Director and the Chair of the Commission.
- B. A member of the Commission shall be suspended or removed by the Governor for misfeasance, nonfeasance, malfeasance misconduct, incompetency or neglect of duty. The Executive Committee may recommend removals to the Governor.

Section 3.6 Corporation for National Service Ex-officio Representative

A representative of the Corporation for National Service (the Corporation) will serve as an ex-officio member of the Commission.

Section 3.7 Conflict of Interest

No voting member of the Commission shall engage in any conduct proscribed by the Conflict of Interest prohibitions stated by the Corporation for National Service. It shall be the responsibility of each voting member of the Commission to disqualify him or herself from participation in any manner in which that member has a conflict and to make appropriate disclosures to the Commission of all circumstances from which an appearance of conflict reasonably may be inferred. Members shall abstain from participation in the review of proposals and formal evaluation of programs in which a conflict of interest may occur or an appearance of a conflict may be inferred. Also, members having a conflict of interest shall not be involved in a priority setting process for the Commission if that process ultimately determines how Commission funds will be distributed.

Article IV OFFICERS

Section 4.1 Commission Officers

Commission officers shall consist of the Commission Chair, the two Commission Vice-Chairs, the Treasurer, and Secretary. The Executive Director of the Commission is a non-voting, ex-officio officer.

Section 4.2 Chair

The Chair shall have general charge of the business of the Commission. The Chair may delegate any of his /her powers to the Vice-Chairs or other Commission members. The Chair shall preside over the Executive Committee and be an ex-officio member of all other committees with the exception of the Nominations Committee. In the absence of the Chair, the Chair shall designate a Vice-Chair to preside over a meeting. In the event of a resignation

or removal of the Chair prior to the expiration of the Chair's term, the Executive Committee shall address the vacancy with the members and by majority vote of members agree to elect a Chair to fill the remainder of the term.

Section 4.3 Vice-Chairs

- A. In the absence of the Chair, one of the Vice-Chairs upon designation by the Chair shall perform the duties of the Chair, and when so acting, shall have all of the powers of and be subject to all the restrictions upon the chairperson.
- B. In the absence of a Vice-Chair he or she will designate a member to preside over a scheduled meeting when needed.
- C. Upon the resignation of a Vice-Chair the Governor will appoint a replacement at his pleasure. The Chair will perform the Vice-Chair duties until the Governor has appointed a replacement.
- D. The role of the 2 Vice-Chairs shall be as follows: One Vice-Chair shall oversee all of the Commission activities related to national service programs, and the other Vice-Chair shall oversee Commission activities related to broader volunteerism.

Section 4.4 Treasurer

The Treasurer shall have the oversight of all funds and security of the Commission.

Section 4.5 Secretary

The Secretary shall ensure that minutes are recorded of proceedings of all Commission and Executive Committee meetings. The Secretary shall perform such other duties as the Commission may from time to time prescribe.

Section 4.6 Executive Director

- A. The Executive Director shall be the Executive Director of the Commission and be a non-voting ex-officio member of the Board and all Committees. The Executive Director shall be responsible for the active direction and management of the business and affairs of the Commission and shall perform such duties as may be assigned to him/her from time to time by the Commission.
- B. The duties of the Executive Director include: preparing all federal and state applications, funding reports, and reporting documents; supervising Commission staff; providing staff support to committees of the Commission; serving as a liaison to Commission funded programs; monitoring grantee compliance and progress; and providing reports to the Commission. The Executive Director shall have the authority to represent the Commission and manage day-to-day business of the Commission. The Executive Director may delegate these duties to other staff members. Commission members will participate in the selection process for the Executive Director and the Commission Program Officer.

Section 4.7 Officer Terms

The officers shall be elected to serve for one year from the date of their election, but shall serve no more than two consecutive terms unless no successor has been found. The officer in this case may serve until a successor has been elected.

Section 4.8 Nominating Committee

The Administrative Committee shall prepare a slate of officers for review by the Executive Committee in October. The listing shall be presented to the Commission for approval in November. Nominations may be made from the floor with prior approval of the nominated person.

Article V COMMISSION BUSINESS

Section 5.1 Meetings.

Business of the Commission shall be conducted by Commission members at regularly scheduled meetings (which includes the annual retreat or any special meetings). The Commission will meet at least five times each year. A quorum is required to conduct business of the Commission.

Section 5.2 Quorum

A quorum shall exist when forty percent of the voting members of the Commission are present. Phone, electronic and paper proxies count towards the determination of a quorum.

Section 5.3 Special Meetings.

Special meetings may be called between regularly scheduled meetings by the Chair or at the written request of three Commission members. Five days notice is required for special meetings.

Section 5.4 Conference Call

A Commission member attending via telephone connection shall be counted as in attendance and shall be able to conduct business as if he or she were in the room.

Article VI COMMITTEES

Section 6.1 Committees

- a) The Commission shall establish committees as necessary to carry out business and the responsibilities specified in Article II. Program committees may establish subcommittees to assist in accomplishing their programs. Chairs of all committees must be Commission members but non-commission members may be members of committees when

their presence adds diversity and breadth to the committee. Committee chairs shall be selected and approved by the Executive Committee.

- b) A vice-chair, selected by the committee chair, and approved by the Executive Committee shall serve, and vote at Executive Committee meetings in the absence of the committee chair.

Section 6.2 Executive Committee

The Executive Committee shall consist of the Officers of the Commission and Chairs or the Vice-chairs of each standing committee. The Commission Chair shall preside over the Executive Committee. The Executive Committee shall have general supervision of the affairs of the Commission between meetings. Should emergencies arise and immediate action is required, the Executive Committee may act on behalf of the Commission. The Executive Committee shall be subject to the orders of the Commission and none of its acts shall conflict with action taken by the Commission.

Section 6.3 Program Oversight Committee

The Program Oversight Committee shall be a monitoring arm of the Commission for statewide programs, meeting with grantees at least once each year. The Committee reviews grantee's annual progress and evaluates grantees' applications for continued funding. The Committee makes funding recommendations to the full Commission during each funding cycle. Members of the Program Oversight Committee include Program Liaisons and other members of the Commission.

Section 6.4 Administration and Finance Committee

The Administration and Finance Committee recommends to the Commission additions and deletions to the Commission roster. They also monitor Commission member performance and member attendance at meetings. The Administration and Finance Committee recommends a slate of officers to the Commission prior to the expiration of any current officers' terms. They also oversee expenditure of Corporation funds and monitor compliance with fiscal mandates of the Corporation for National Service. The Administration and Finance Committee will also recommend changes in policies and procedures to the Commission.

Section 6.5 Delaware Volunteerism Committee

The Delaware Volunteerism Committee promotes the values of community service and volunteerism throughout Delaware. The Committee is chaired by the Delaware Volunteerism Vice-Chair who will play a leadership role in facilitating and coordinating volunteer activities in the state and who will help to develop partnerships between organizations, businesses and volunteer groups to enhance community service ideals and practices.

The Committee oversees the Recognition and Publicity activities of the Commission by assisting to organize and promote the two annual Governor's Awards for Volunteerism events and through press releases, websites, and

other promotional tools that advocate and publicize volunteer activities and events.

Section 6.6 Special (Ad Hoc) Committees

The Chair may designate such committees as from time to time who are deemed appropriate to conduct specific assignments. Each special (ad hoc) committee shall be considered temporary and disbanded on acceptance of its report or when discharged by the Chair.

Article VII AMENDMENTS

Section 7.1 By-Law Amendments.

These by-laws may be amended by a two-thirds vote of the voting membership of the Commission.

Article VIII RULES OF ORDER

Section 8.1 Rules of Order. The rules contained in the current edition of Roberts Rules of Order Newly-Revised shall govern the Commission in all cases to which they are applicable and in which they are not inconsistent with these bylaws and any special rules of order that the Commission may adopt.

Bylaws Revision October 25, 2010