

1. This Agreement is entered into between the State Agency and the Contractor named below
 STATE AGENCY'S NAME
JPR/California Service Corps (CSC)
 CONTRACTOR'S NAME
St. Hope Academy
2. The term of this Agreement is: **July 1, 2004 - December 31, 2005**
3. The maximum amount of this Agreement is: **\$271,009.00**
4. The parties agree to comply with the terms and conditions of the following exhibits which are by this reference made a part of the Agreement:

- Exhibit A, entitled "CSC Policy & Requirements"
- Exhibit B, entitled "Terms and Conditions"
- Exhibit C, entitled "Cost Per Member Policy dated July 1, 2004"
- Exhibit D, entitled "AmeriCorps Title Page/Program Narrative/Performance Measures"
- Exhibit E, entitled "Budget Form and Budget Narrative"
- Exhibit F, entitled "AmeriCorps Provisions Dated February 2004"
- Exhibit G, entitled "Travel Reimbursement Rates/Conditions"
- Exhibit H, entitled "Certification and Assurances"

IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto.

CONTRACTOR		CALIFORNIA Department of General Services Use Only
CONTRACTOR'S NAME (If other than an individual, state whether a corporation, partnership, etc.)		
St. Hope Academy		
	DATE SIGNED 11/10/04	
Executive Director		
ADDRESS		
P.O. Box 5447, Sacramento, CA 95817		
STATE OF CALIFORNIA		
AGENCY NAME		
JPR/California Service Corps		
AUTHORIZED SIGNATURE	DATE SIGNED	
	1-5-05	
PRINTED NAME AND TITLE OF PERSON SIGNING		
Moretti, Executive Director, CSC		<input checked="" type="checkbox"/> Exempt per AG Opinion No. 80-11
10 K Street, Suite 210, Sacramento, CA 95814		

PART I - FACE SHEET

APPLICATION FOR FEDERAL ASSISTANCE		1. TYPE OF SUBMISSION: Non-Construction
2a. DATE SUBMITTED TO CORPORATION FOR NATIONAL AND COMMUNITY SERVICE (CNCS):	3. DATE RECEIVED BY STATE: 15-JUL-04	STATE APPLICATION IDENTIFIER:
2b. APPLICATION ID: 04ACD46031	4. DATE RECEIVED:	GRANT NUMBER:
5. APPLICATION INFORMATION		
LEGAL NAME: St. HOPE Academy	NAME AND CONTACT INFORMATION FOR PROJECT DIRECTOR OR OTHER PERSON TO BE CONTACTED ON MATTERS INVOLVING THIS APPLICATION (give area codes):	
ADDRESS (give street address, city, state and zip code): P.O. Box 5447 Sacramento CA 95817	NAME: [REDACTED] TELEPHONE NUMBER: (916) 732-4673 FAX NUMBER: (916) 452-7177 INTERNET E-MAIL ADDRESS: [REDACTED]	
6. EMPLOYER IDENTIFICATION NUMBER (EIN): 680193050	7. TYPE OF APPLICANT: 7a. Non-Profit 7b. Community-Based Organization Faith-based organization Service/Civic Organization	
8. TYPE OF APPLICATION: <input checked="" type="checkbox"/> NEW <input type="checkbox"/> CONTINUATION <input type="checkbox"/> REVISION If Revision, enter appropriate letter(s) in box(es): <input type="checkbox"/> <input type="checkbox"/> A. Increase Award B. Decrease Award C. Increase Duration D. Decrease Duration	9. NAME OF FEDERAL AGENCY: Corporation for National and Community Service	
10a. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER: 94.006 10b. TITLE: AmeriCorps*State 10c. AREAS AFFECTED BY PROJECT (List Cities, Counties, States, etc): Sacramento, California	11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT: Neighborhood Corps	
PROPOSED PROJECT: START DATE: 09/07/04 END DATE: 08/22/07	14. PERFORMANCE PERIOD: START DATE: END DATE:	
ESTIMATED FUNDING:	16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS? <input type="checkbox"/> YES, THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON: DATE:	
a. FEDERAL \$ 273,745.00		
b. APPLICANT \$ 170,961.00		
c. STATE \$ 0.00		
d. LOCAL \$ 0.00		
e. OTHER \$ 0.00		
PROGRAM INCOME \$ 0.00		
TOTAL \$ 444,706.00	17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT? <input type="checkbox"/> YES if "Yes," attach an explanation. <input checked="" type="checkbox"/> NO	
TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT, THE DOCUMENT HAS BEEN AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED.		
PED NAME OF AUTHORIZED REPRESENTATIVE: [REDACTED]	b. TITLE: Acting Executive Director	c. TELEPHONE NUMBER: (916) 732-4673
		d. DATE:

Narratives

Summary of Program Design

Hood Corps is an experiential leadership development and community service program based on five tenets: (1) Practical Theology; (2) Simple Living; (3) Physical Training; (4) Professional Development; and (5) Civic Leadership. Hood Corps offers a variety of volunteer opportunities ranging from one-hour projects to two-year fellowships. These opportunities are organized into four levels based on the intensity and duration of service: (1) Fellowships; (2) Internships; (3) Apprenticeships; and (4) Volunteers.

Hood Corps assignments include: (1) providing one-on-one tutoring to elementary and high school students; (2) managing the redevelopment of one building per year in Oak Park; and (3) coordinating logistics, public relations, and marketing for the Guild Theater and Art Gallery events, as well as hands-on workshops, guest artist lectures, and art exhibitions for Sacramento High School of the Arts and PS7 Elementary School. Fellows, Interns and Apprentices are responsible for general volunteer recruitment and training and participate in a variety of character building, physical training and growth activities beyond the workday.

A Program Director and Program Coordinator staff the program. A Mentor and a Work Supervisor are assigned to each Fellow, Intern and Apprentice to provide professional and personal support. St. HOPE Academy provides financial administration services.

Summary of Accomplishments

St. HOPE has achieved significant success to date. Over the last 15 years, St. HOPE has dramatically improved education in Oak Park. Through the after school program, hundreds of youth have demonstrated major gains in academic achievement, most notably in reading and math. In 2003, St.

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Executive Director		
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STATE OF CALIFORNIA		
AGENCY NAME JPR/California Service Corps		
[Redacted]	DATE SIGNED 1-5-05	
PRINTED NAME AND TITLE OF PERSON SIGNING [Redacted], Executive Director, CSC		
20 K Street, Suite 210, Sacramento, CA 95814		<input checked="" type="checkbox"/> Exempt per AG Opinion No. 80-111

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YPED NAME OF AUTHORIZED REPRESENTATIVE: [REDACTED]	b. TITLE: Acting Executive Director	c. TELEPHONE NUMBER: (916) 732-4673
		d. DATE:

Narratives

Executive Summary

Statement of Need

Oak Park was founded in 1889 as the first suburb of Sacramento, California. In its early years, schools, businesses and the arts thrived. Today, Oak Park is a densely populated annexed inner-city community fighting the effects of urban blight. On a daily basis, residents are faced with widespread poverty and homelessness, high crime rates, extensive drug activity, truancy, under resourced schools, and a lack of jobs and services. As an area targeted for redevelopment, the Oak Park community is in transition and positioned for revitalization. However, community revitalization cannot be fully realized without coordinated education and economic development efforts, and dedicated volunteers to fuel these efforts.

Mission

Neighborhood Corps ('Hood Corps') is an inner-city service program that educates, trains and empowers individuals to become civic leaders in order to further educational and economic development efforts in the Oak Park community. Hood Corps is part of St. HOPE Academy, a faith-based, nonprofit community development corporation dedicated to revitalizing inner-city communities through public education, civic leadership, economic development, and the arts.

Expected Impact

By the end of the program year, Hood Corps expects to: (1) to improve the reading and math achievement of 100 elementary and high school students by as part of the after school program; (2) to stimulate economic growth in Oak Park by managing the redevelopment of the Walton Pediatrics building, an investment of \$1.6 million dollars into the community; (3) to increase arts programming in Oak Park, and (4) to recruit and train 500 volunteers to complete 10,000 hours of service in Oak Park.

Exhibit A

Consideration

The total amount payable to the Contractor under this Agreement shall not exceed \$271,009.00. This amount reflects a cost per member of \$15,208.06. The consideration paid to Contractor shall be in compensation for all of the Contractor's expenses, as approved in the budget, attached as Exhibit E.

II. Program Year

The Program Year, defined as the 12 month period in which Members will perform service, will be from 9/1/2004 to 8/5/2005.

III. Scope of Work

For the purposes of this agreement, the Scope of Work shall be deemed to be the objectives, deliverables, and commitments contained in Exhibit D, "AmeriCorps Title Page/Program Narrative/Performance Measures". The grantee may not revise the "Scope of Work" without written approval from the California Service Corps. Extensive changes to the "Scope of Work" require an amendment to this agreement.

IV. California Service Corps Compliance Requirements

The Grantee has set the following date(s) as the Final Enrollment Date(s) for enrolling new members into the Program. This date(s) is also the date(s) that the CSC may adjust the Program's budget, based on the number of members enrolled.

Final Enrollment date for Full-time (1700 hours) Members: 9/30/04

Final Enrollment date for Part-time (900 hours) members: 1/31/2005

Final Enrollment date for Part-time (600 hours) members:

Final Enrollment date for Part-time (450 hours) members: 5/31/05

The CSC may adjust the Program's budget based on the number of members enrolled in the Program at two points in time. The first time the budget may be adjusted is at the latest date members can be brought on by the Program and still complete their term of service within the program year (Final Enrollment Date). The second time is on the last date the Program has members serving (Program End Date). For further clarification, please see Exhibit C entitled "Cost Per Member Policy".

The Grantee will establish Memorandums of Understanding (MOU) with any party providing the program with cash match, Education Award only (unstipended by the Corporation for National and Community Service (CNCS)) members and/or any costs associated with Education Award only members. These MOUs should establish the roles and responsibilities of each party. Education Award Only positions must be filled **prior** to any Corporation-sponsored stipended member slots.

Prior to the processing of the contract, Contractor must complete the CNCS Financial Management Survey. The completed form and related attachments should be submitted to the CSC's Fiscal Unit at the address provided in Item 29.

Record Keeping and Document Verification

The Grantee must obtain and maintain documentation demonstrating member eligibility to serve and the successful completion of a specified term of service. The 2004 AmeriCorps Provisions detail member eligibility requirements. Section 14 - Member Records and Confidentiality outlines the need to obtain and maintain documentation of the review process used to verify eligibility to serve in AmeriCorps. CSC requires that copies of all documents used to confirm age or eligibility be maintained in the member files.

Web Based Reporting

The Grantee may delegate authority to an individual(s) to sign as "certifying officials" for the web based reporting system (WBRS). These individuals are responsible for certifying member forms, completion of members' terms of service, and programmatic and fiscal reports. The Grantee shall follow the formalized WBRS procedures when setting up access accounts to ensure data security, including establishing individual users and assigning their level of access to information in WBRS. The Grantee is responsible for maintaining staff access levels, communicating staff access information to CSC, and, ultimately, maintaining the overall integrity of the information reported through WBRS.

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STATE OF CALIFORNIA	
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	<small>DATE SIGNED</small> 1-5-05
<small>PRINTED NAME AND TITLE OF PERSON SIGNING</small> Executive Director, CSC	
<small>110 K Street, Suite 210, Sacramento, CA 95814</small>	
<input checked="" type="checkbox"/> Exempt per AG Opinion No. 80-11	

g. Cost Share. The Corporation encourages private sector support over-and-above the matching fund requirement. As a general rule, the Corporation will treat cash or in-kind matching contribution that exceeds the required minimum as cost-share. Grantees must comply with the requirements of CFR 2543.23 in documenting cash and in-kind contributions.

14. MEMBER RECORDS AND CONFIDENTIALITY.

a. Record-Keeping. The Grantee must maintain records specified in (b) below that document each member's eligibility to serve pursuant to the member eligibility requirements in the definitions section of these provisions. The records must be sufficient to establish that the individual was eligible to participate in the program and that the member successfully completed the program requirements.

b. Verification. To verify U.S. citizenship, U.S. national status or, U.S. lawful permanent resident alien status, the Grantee must obtain and maintain documentation as required by 45 C.F.R. 2522.200(b) and (c). The Corporation does not require programs to make and retain copies of the actual documents used to confirm age or citizenship eligibility requirements, such as a driver's license, or birth certificate, as long as the Grantee has a consistent practice of identifying the documents that were reviewed and maintaining a record of the review. To verify whether the member meets the requirements relating to high-school education, the Grantee must obtain from the member, and maintain in the member's file, a written declaration under penalty of law that the member meets the requirements of these provisions relating to high school education. If the member has been determined to be incapable of obtaining a high school diploma or its equivalent, the Grantee must retain a copy of the supporting independent evaluation

c. Confidential Member Information. The Grantee must maintain the confidentiality of information regarding individual members. The Grantee must obtain the prior written consent of all members before using their names, photographs and other identifying information for publicity, promotional or other purposes. Parental or legal guardian consent must be obtained for members under 18 years of age. Grantees may include an informed consent form as part of the member contract materials that are signed at the time the member enrolls. Grantees may release aggregate and other non-identifying information, and are required to release member information to the Corporation and its designated contractors. The Grantee must permit a member who submits a written request for access to review records that pertain to the member and were created pursuant to this Grant.

15. BUDGET AND PROGRAMMATIC CHANGES.

a. Programmatic Changes. The State Commission or Parent Organization must obtain the prior written approval of the AmeriCorps Program Office before making the following changes in the approved Program:

- i. Changes in the scope, objectives or goals of the Program, whether or not they involve budgetary changes;
- ii. Substantial changes in the level of participant supervision;
- iii. Entering into additional sub-Grants or contracts for AmeriCorps activities funded by the Grant but not identified or included in the approved application and grant budget.

b. Program Changes for Formula Programs

- i. State Commissions are responsible for approving the above changes for state formula programs.

c. Budgetary Changes. The Grantee must obtain the prior written approval of the Corporation's Office of Grants Management before deviating from the approved budget in any of the following ways:

- i. **Reallocation of Funds from the "Member Support Cost" category** to other categories of the approved budget. However, the Grantee may reallocate funds within the line items in this category, except for increases in health care cost per member, which must be approved. The specific line items covered by this subclause are:
 - a. Living allowance,
 - b. FICA, worker's compensation, and unemployment insurance and
 - c. Health care (or alternative health care).
- ii. **Specific Costs Requiring Prior Approval before Incurrence** under OMB Circulars A-21, A-87 or A-122. For certain cost items, the cost circulars require approval of the awarding agency for the cost to be allowable. Examples of these costs are overtime pay, rearrangement and alteration costs, and pre-award costs.
- iii. **Purchases of Equipment over \$5,000** using Grant funds, unless specified in the approved application and budget.
- iv. **Unless the Corporation share of the award is \$100,000 or less**, changes to cumulative budget line items that amount to 10 per cent or more of the total program budget must be approved in writing in advance by the Corporation. The total program budget includes both the Corporation and Grantee shares. Grantees may transfer funds among approved direct cost categories when the cumulative amount of such transfers does not exceed 10 per cent of the total program budget.

d. Approvals of Programmatic and Budget Changes. The Corporation's Grants Officers are the only officials who have the authority to change the requirements of the Grant. The Grants Officers will execute written amendments, and Grantees should not assume approvals have been granted unless documentation from the Grants Office has been received.

AGREEMENT NUMBER 03AFHCA002Y11-F102
Registration NUMBER 0650010561724
Federal EIN 68-0193050

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ADDRESS P.O. Box 5447, Sacramento, CA 95817		
STATE OF CALIFORNIA		
AGENCY NAME JPR/California Service Corps		<input checked="" type="checkbox"/> Exempt per AG Opinion No. 80-11
DATE SIGNED 1-5-05		
SIGNED NAME AND TITLE OF PERSON SIGNING [Redacted] Executive Director, CSC		
ADDRESS 10 K Street, Suite 210, Sacramento, CA 95814		

AGREEMENT SUMMARY

(FD-216 (Rev. 1/2002))

AGREEMENT NUMBER

AMENDMENT NUMBER

03AFHCAQ Y11-F102

CHECK HERE IF ADDITIONAL PAGES ARE ATTACHED _____ Pages

1. CONTRACTOR'S NAME

2. FEDERAL I.D. NUMBER

St. Hope Academy

68-0193050

3. AGENCY TRANSMITTING AGREEMENT

4. DIVISION, BUREAU or OTHER UNIT

5. AGENCY BILLING CODE

Office of Planning and Research (OPR)

California Service Corps (CSC)

031100

6. NAME & TELEPHONE NUMBER OF CONTRACT ANALYST FOR QUESTIONS REGARDING THIS AGREEMENT

██████████ 916-324-4786

7. HAS YOUR AGENCY CONTRACTED FOR THESE SERVICES BEFORE

Yes No

(If YES, enter prior contractor name and Agreement Number)

8. BRIEF DESCRIPTION OF SERVICES - LIMIT 72 CHARACTERS INCLUDING PUNCTUATION AND SPACES

Neighborhood Corps (Hood Corps) will have approximately 6 FT, 18 PT, and 12 QT members. FT members will serve 40 hours per week for a one-

9. AGREEMENT OUTLINE (include reason for Agreement. Identify specific problem, administrative requirement, program need or other circumstances making the Agreement necessary; or special or unusual terms and conditions.)

The contractor competed successfully for grant funding by submitting a proposal to administer an AmeriCorps program in California. AmeriCorps programs strengthen communities through projects that address education, public safety, the environment, and other unmet human needs. The grantee agrees to comply with all provisions of the grant as well as to administer the grant in accordance with approved Grant Application and budget, supporting documents, and other representations made in support of the approved Grant Application.

10. PAYMENT TERMS (More than one may apply.)

Itemized Invoice

11. PROJECTED EXPENDITURES

FUND TITLE	ITEM	F.Y.	CHAPTER	STATUTE	PROJECTED EXPENDITURES
Federal Trust	0650-101-0890	2004-2005	208	04	\$271,009.00

OBJECT CODE **AGREEMENT TOTAL** \$271,009.00

OPTIONAL USE AMOUNT ENCUMBERED BY THIS DOCUMENT \$271,009.00

CERTIFY upon my own personal knowledge that budgeted funds for the current budget year are available for the period and purpose of the expenditure stated above. PRIOR AMOUNT ENCUMBERED FOR THIS AGREEMENT

ACCOUNTING OFFICER'S SIGNATURE DATED SIGNED 1-10-05 TOTAL AMOUNT ENCUMBERED TO DATE \$271,009.00

AGREEMENT	From	Through	TERM	TOTAL COST THIS TRANSACTION	BID, SOLE SOURCE, EXEMPT
Original	7/1/2004	12/31/05		\$271,009.00	EXEMPT
Amendment 1					
Amendment 2					
Amendment 3					
Amendment 4					
TOTAL				\$271,009.00	

AGREEMENT SUMMARY
STD 215 (Rev 04/02)

AGREEMENT NUMBER: 03AFHCA002Y11-F102
AMENDMENT NUMBER:

STATE OF CALIFORNIA
AGREEMENT SUMMARY
STD 215 (Rev 04/02)

13. BIDDING METHOD USED:

- REQUEST FOR PROPOSAL (RFP) INVITATION FOR BID (IFB) USE OF MASTER SERVICE AGREEMENT
(Attach justification if secondary method is used.)
- SOLE SOURCE CONTRACT EXEMPT FROM BIDDING OTHER (Explain)
(Attach STD. 821) (Give authority for exempt status)

NOTE: Proof of publication in the State Contracts Register or an approved form STD 821, Contract Advertising Exemption Request, must be attached. Exempt from bidding per Section 3.18c of the State Contracting Manual

14. SUMMARY OF BIDS (List bidders, bid amount and small business status.) (If an amendment, sole source, or exempt, leave blank)

N/A

15. IF AWARD OF AGREEMENT IS TO OTHER THAN THE LOWER BIDDER, PLEASE EXPLAIN REASON(S) (If an amendment, sole source, or exempt, leave blank.)

N/A

16. WHAT IS THE BASIS FOR DETERMINING THAT THE PRICE OR RATE IS REASONABLE?

17. JUSTIFICATION FOR CONTRACT (Check one)

- Contracting out is based on cost savings per Government Code §19130(a). The State Personnel Board has been so notified.
- Contracting out is justified based on Government Code §19130(b). Justification for the agreement is described below.

Justification:

As a unit of the Governor's Office, the California Service Corps is exempt from this requirement. All staff of CSC are staff of the Governor's Office. All functions of the Governor's Office are exempt from civil service, pursuant to Section 4 of Article VI of the California Constitution.

18. FOR AGREEMENTS IN EXCESS OF \$5,000, HAS THE LETTING OF THE AGREEMENT BEEN REPORTED TO THE DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING?

No

19. HAVE CONFLICT OF INTEREST ISSUES BEEN IDENTIFIED AND RESOLVED AS REQUIRED BY THE STATE CONTRACT MANUAL SECTION 7.10?

Yes

20. FOR CONSULTING AGREEMENTS, DID YOU REVIEW ANY CONTRACTOR EVALUATIONS ON FILE WITH THE DGS LEGAL OFFICE?

N/A

21. IS A SIGNED COPY OF THE FOLLOWING ON FILE AT YOUR AGENCY FOR THIS CONTRACTOR?

A. CONTRACTOR CERTIFICATION CLAUSES

B. STD. 204, VENDOR DATA RECORD

N/A

Yes

22. REQUIRED RESOLUTIONS ARE ATTACHED

N/A

23. ARE DISABLED VETERANS BUSINESS ENTERPRISE GOALS REQUIRED? (If an amendment, explain changes, if any.)

DISABLED VETERAN BUSINESS ENTERPRISES: _____ % OF CONTRACT

Good Faith effort documentation attached if 3% goal is not reached.

We have determined that the contractor has made sincere Good Faith effort to meet the goals.

EXPLAIN:

N/A

24. IS THIS A SMALL BUSINESS CERTIFIED BY OSMB?

No

(Indicate Industry Group)

SMALL BUSINESS REFERENCE NUMBER

25. IS THIS CONTRACT (WITH AMENDMENTS) FOR A PERIOD OF TIME LONGER THAN ONE YEAR?

If YES, please provide justification.

I certify that all copies of the referenced Agreement will conform to the original Agreement sent to the Department of General Services

SIGNATURE/TITLE

Chief Financial Officer

DATE SIGNED

1/10/2005

THE SACRAMENTO BEE

This story is taken from Sacbee / Our Region

Investigation of girl's allegations against Kevin Johnson raises questions

thardy@sacbee.com

Published Friday, Apr. 25, 2008

After a Sacramento High School teacher's report last year that a 17-year-old student told him she was inappropriately touched by Kevin Johnson, Johnson's personal attorney and business partner investigated the complaint for the campus.

State law requires that authorities be notified immediately when school officials learn of such an allegation. But – before police were called in by the teacher – Johnson's attorney, Kevin Hiestand, questioned the girl during an internal investigation, according to interviews and e-mails obtained by The Bee.

Following the school's internal investigation, the student recanted. (The Bee is not naming her because of her age and the nature of the allegation.) Sacramento police investigators, who never interviewed Johnson, later found "no merit" to the allegation and declined to pursue the case in part because the girl recanted.

At the time of the April 2007 allegation, former NBA star Johnson served as a teacher, interim principal and head of St. HOPE Public Schools, which oversees the Sac High charter school. Currently, he is challenging Sacramento Mayor Heather Fargo in the June election.

Erik Jones, the teacher who made the report to police, resigned over the way the matter was handled by the school.

"St. HOPE sought to intimidate the student through an illegal interrogation and even had the audacity to ask me to change my story," Jones wrote in his May 15 resignation letter.

In response to a detailed summary of issues raised by this article, the Johnson campaign released a one-paragraph statement late Wednesday:

"St. HOPE takes any claim of harassment seriously, particularly in the case of a minor. In this case, St. HOPE acted swiftly to follow its federally mandated requirement to investigate. An impartial three-person panel found that the allegation was unfounded, a finding that was later confirmed by law enforcement. We consider the matter closed given the findings of law enforcement and out of respect for the minor involved."

When a Bee reporter asked about the matter at a Sacramento Press Club lunch Thursday, Johnson responded briefly.

"I think the allegations at the school were handled in the way that you would want them handled," he said. "Immediately they followed all the normal protocols that they were

supposed to follow I think it was pretty clear there was nothing there."

Pressed for more information, Hiestand e-mailed answers to some questions late Thursday. He said the three-person impartial panel included him, the school's principal and a St. HOPE staff member and that they proceeded "in accordance with the law." He said he did not recall whether the investigation began before police were notified.

Police Chief Rick Braziel said that the police report confirms that the attorney had contacted the girl before they got involved.

"We knew there was an internal investigation done before the date we were notified," Braziel said. "We did ask the young lady whether anyone had influenced her - her answer was no."

Classmate questioned

Jones, who heard the girl's original account, and a classmate who also was there, told The Bee that Hiestand suggested they alter their versions of what they heard. Both said they refused.

The classmate, Dora Bromme, said Hiestand pulled her out of class and told her the girl making the allegation had recanted. In an interview, Bromme told The Bee that Hiestand said he was from "human resources" but did not identify himself as a lawyer.

She said Hiestand told her that the student "told us that (Johnson) just kissed her on the forehead and gave her a pat on the shoulder and left."

"I said to him 'I can tell you for a fact that's not what she said,'" Bromme said. "He was changing around the story."

St. HOPE classifies the incident as "harassment," and Hiestand said he participated as the school's federal Title IX officer. Police, however, investigated it as a child sexual abuse case because the minor alleged Johnson had touched her breasts.

"Our investigation found the allegations were rumor and innuendo, and not based on any evidence," Hiestand wrote in his Thursday e-mail response.

All school teachers and administrators are "mandated reporters" - meaning they are required to report suspected child abuse. Under the California Education Code, teachers who fail to report can lose their credentials. And the state penal code says any supervisor or administrator who "impedes or inhibits" the reporting can be punished with a fine or jail time or both.

"Your duty is to report, not investigate," the California attorney general's office advises educators in a written explanation of legal requirements for reporting child abuse.

Also at issue is Hiestand's possible conflict of interest, legal experts say, because he represented both the school and Johnson, the target of the complaint.

Diane Karpman, a Los Angeles-based expert in legal ethics, said cases like the Sac High situation raise several questions, including the importance for lawyers to disclose dual roles and receive a formal waiver from the school board.

St. HOPE board minutes for the past year show no request for a waiver. The board is appointed by Johnson and he served as its chairman until January.

Hiestand said he disclosed that he was Johnson's private attorney and had been retained to represent St. HOPE to "every party involved in the investigation, including the student and her guardian."

Lawyer and friend

Hiestand is a vice president of Johnson's private development company, Kynship, according to state incorporation papers. His relationship to Johnson is "personal and legal counsel," a federal document states. And he receives a monthly retainer of \$2,800 from St. HOPE Public Schools for his legal services.

Hiestand, Johnson's friend since childhood, has filled a number of roles in the organization. He was part of the team in January that presented St. HOPE's application to open a new charter school in New York City's Harlem.

When Johnson played point guard for the Phoenix Suns, Hiestand was his spokesman. In 1995, Hiestand also got involved in a Phoenix police investigation into a 16-year-old's allegation that Johnson molested her. In a conversation taped by police, Hiestand called the girl's therapist and questioned her about her client's story.

Phoenix police referred that case to the District Attorney's Office, but no charges were filed.

In the Sac High case, Jones and a counselor who heard the girl's remarks about Johnson both said Hiestand told them not to report the incident until the internal investigation was complete.

According to Jones: "Hiestand told me he had met with her and that she had told a different story and that I should change my story to fit the one they had been told."

Jones maintains that Hiestand later told him the girl had recanted during the internal investigation.

Hiestand described a different chain of events, saying that "when Jones informed me about his suspicion and asked whether he should file a report, I promptly told him to do so with the police and CPS."

On April 30 – a week after the girl made her allegations – Jones sent Hiestand an e-mail asking: "Do (I) not also need to submit a form to (Child Protective Services) as I am a mandatory reporter in my role as a teacher?"

Hiestand responded: "Yes, if you suspect it."

By then, however, Jones had already begun trying to contact outside authorities.

Teacher recounts events

In a recent interview, Jones gave a detailed account of events he said led up to his resignation. He said the girl's initial comments came during a senior class retreat in Yosemite.

As the group prepared breakfast on April 23, Jones said, the girl confided to him, counselor Jill Tabachnick and two classmates that Johnson had touched her inappropriately on several occasions.

The classmates, Dora Bromme and Lisa Wood, corroborated Jones' account. When contacted by The Bee, Tabachnick – who was laid off from Sacramento High at the end of the school year – confirmed she heard the girl's allegations and she confirmed Jones' account of the school's handling of the situation.

Jones said the girl demonstrated to the Yosemite group how Johnson massaged her shoulders from behind as she sat at a computer at the school, and how his hands dipped down to her breasts.

"The situation grossed me out and that was not the first time," Jones quoted her as saying in his report to police.

"(Johnson) has also done this to other girls in the class," Jones' child-abuse report quoted her as adding. "And with one of the Hood Corps students he tried to crawl into her bed. And that

is why she quit Hood Corps."

Hood Corps, another arm of St. HOPE, is a nonprofit organization based on an urban Peace Corps model that enlists high school students and recent graduates. The girl who spoke up in Yosemite also was a part-time Hood Corps volunteer.

Under federal AmeriCorps provisions, St. HOPE was required to report both allegations immediately, according to Marta Bortner, a spokeswoman for California Volunteers, the state office that channeled AmeriCorps grants to Johnson's Hood Corps. That never happened, she said.

After being shown Jones' child abuse report, California Volunteers on Tuesday turned the matter over to the inspector general for one of its umbrella organizations, the Corporation for National and Community Service.

Jones said the Sac High student was worried about telling people about Johnson because "he is a family friend, but I feel creeped out when he does this."

The girl's mother, asked to comment last week, said only "nothing happened" and hung up. The girl didn't respond to requests for comment.

Investigation progresses

When the group returned to Sacramento from Yosemite, Jones said he knew he was legally bound to make a child abuse report so he asked Tabachnick to talk to administrators.

He said the school's response came from Hiestand, telling him to delay filing the report: "Hiestand told me, 'Before you fill anything out, we will conduct our own internal investigation.'"

Jones said he learned that the girl who made the allegation was summoned to a meeting, along with her mother, and questioned by Hiestand, Sac High Principal Lara Knight, and Lori Mills, a longtime friend of Johnson's and a top St. HOPE administrator. Jones' account of that meeting was confirmed by Tabachnick.

Neither Knight nor Mills responded to requests for comment.

As the internal investigation progressed, Jones said he grew increasingly concerned about his responsibility as a mandated reporter. He conferred with two friends, both of them now principals at other schools.

One, Allen Young, clearly recalled the conversation. Young, formerly Jones' principal at Sac High, is now principal at Met Sacramento Charter High School.

"Erik called me and told me this girl was groped and that St. HOPE was going to deal with it internally," Young said. "I said: 'You are a mandated reporter. This needs to get past anecdotal discussion.' I told him to call the Department of Justice.

"I watched Erik, pretty much in tears, calling in the report. He knew what it meant: He was finished at Sac High."

Parent protests

When Lisa Wood's mother heard that Hiestand was questioning students, she told The Bee she sent an e-mail to Knight, the principal, saying that her daughter was not to be questioned without a parent present.

"I am shocked that parents have not been notified before students are questioned," Linda Hogg-Wood wrote on May 3.

Knight replied on May 7, "We did meet with a student last week regarding information she may know about an investigation we are conducting regarding allegations brought to our attention by a teacher."

Following that exchange with her mother, Lisa Wood said she was never questioned after all.

In a May 6 e-mail to Jones, Hiestand wrote: "We have concluded our investigation and management will take appropriate action based on our findings."

Meanwhile, on May 3 the Sacramento County District Attorney's Office notified the Police Department of Jones' child abuse complaint, according to police spokesman Sgt. Matt Young. The same day, Jones gave police a written version of his complaint.

The case was handled by Sgt. Don Buno, a sex crimes investigator. Jones gave Buno information about the other witnesses from Yosemite and passed along the name of the Hood Corps volunteer mentioned in his child-abuse report. He also said he told Buno of his concerns about Hiestand's internal investigation.

The Sacramento Police Department declined to release the actual police report. In an e-mail response to Bee questions, Young wrote that detectives interviewed "several people" but would not reveal their names because most were juveniles. Of the four Yosemite witnesses, only Jones said he was interviewed by police - the others said they were not contacted by police.

Johnson was another person left off the detectives' interview list. Asked why, Young responded: "There was no evidence indicative of criminal conduct on the part of Mr. Johnson."

Detectives also said they did not pursue the information Jones passed on about the young woman who left Hood Corps. They gave two reasons: She was not a juvenile and the allegation that Johnson tried to get into her bed "doesn't indicate conduct of a criminal nature."

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Call The Bee's Terri Hardy, (916) 321-1073, or Dorothy Korber, (916) 321-1061. The Bee's Mary Lynne Vellinga contributed to this report.

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NEWS: CALIFORNIA

April 26, 2008 - 02:40

Sacramento mayoral candidate's non-profit now being examined by federal officials

By DAVID FINNIGAN

Federal officials on Friday began investigating Sacramento mayoral candidate and ex-NBA star Kevin Johnson's urban nonprofit Hood Corps following a Sacramento Bee story about sexual misconduct concerns surrounding two Hood Corps-connected teenagers.

The Bee reported Friday that a governor's office staff attorney confirmed that federal officials began their inquiry after seeing the newspaper's coverage. Federal officials will check out Hood Corps for possibly failing to report sexual misconduct allegations involving a teenage volunteer and a student.

Hood Corps receives AmeriCorps funding which is covered through the federal Corporation for National and Community Service, the agency handling the inspector general inquiry of Johnson's non-profit. Though Hood Corps received AmeriCorps funding from 2004 through 2007, the Bee said it currently does not get that funding.

The Bee's Friday story raised questions about the handling of a 17-year-old female student's claim, later recanted, that Johnson allegedly touched her inappropriately in 2007.

Johnson wants to unseat incumbent Sacramento Mayor Heather Fargo. On April 15, mayoral candidate Steve Padilla released a Phoenix police report about a 1996 investigation of alleged sexual misconduct involving Johnson and a minor in Arizona. No criminal charges were filed.

David Finnigan can be reached via email at noreply@politicker.com.

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This story is taken from Sacbee / Our Region

Hood Corps probe expands

dkorber@sacbee.com

Published Monday, Jun. 30, 2008

The continuing federal investigation into St. HOPE's Hood Corps has expanded to more deeply scrutinize the volunteer program's use of public dollars, say those familiar with the probe.

Agents Jeffrey Morales and Wendy Wingers made a second visit to Sacramento in late May, after extending their initial stay in April by several weeks. They interviewed teen volunteers, parents, teachers and administrators affiliated with St. HOPE, the nonprofit that operates Hood Corps. They traveled to Humboldt County and West Point.

Initially, the agents were dispatched to Sacramento on April 24 to examine allegations of sexual misconduct, Hood Corps' mandatory church attendance and compulsory physical training – activities prohibited on the federal dime.

Federal officials would not talk about the Hood Corps investigation but said their rules are clear.

"No church on our time, and it cannot be required," said William O. Hillburg, a spokesman for the inspector general's office conducting the investigation. "No political activity at all on our time, and it can't be required. No residential requirement at all."

At issue is \$807,000 in federal AmeriCorps money that Hood Corps collected from 2004 to 2007. Though funding for the program was not renewed last year, if theft of public funds is found, fines could be assessed and other federal funding withheld from every program administered by St. HOPE, according to Hillburg.

Kevin Johnson, former NBA star and current mayoral candidate, is St. HOPE's founder and served as CEO until this month. Johnson has built his political campaign on his efforts to improve Oak Park, from redevelopment to charter schools to the Hood Corps, which he has compared to an urban Peace Corps.

Neither St. HOPE nor Johnson responded to questions from The Bee about the investigation. Instead, they issued one-paragraph statements saying they were cooperating with the agents but could not comment on specifics until the probe is complete.

At a televised candidate forum in early May, Johnson was asked about the investigation. "I feel very confident in what St. HOPE has done," he said. "If St. HOPE did not do something as well as it should have, we would certainly rectify that immediately, but we'd have to hear back from them."

The federal investigation was sparked by a report of alleged sexual misconduct last year involving Johnson and two teen volunteers. That report, filed by a teacher at Sacramento

High School, was found to be without merit by police – but still became the catalyst for the investigation because it was not reported to AmeriCorps.

AmeriCorps currently has 75,000 volunteers – called "members" – serving in 4,100 nonprofits nationwide. Members are paid a small living allowance and, if they put in a specified number of hours, earn an education award for college: \$4,725 for 1,700 hours over the course of a year.

About 100 programs currently are under investigation, according to Hillburg. His office is part of the federal Corporation for National and Community Service, one of AmeriCorps' umbrella organizations.

Agents are checking whether St. HOPE's Sacramento High School used Hood Corps funds to augment employee salaries; sources close to the investigation told The Bee.

Among those interviewed by the federal agents was Sheila Coleman, a dance teacher at Sac High and a Hood Corps member in 2005.

That year, Coleman received a salary of \$20,225 from St. HOPE public schools plus a \$13,000 living stipend for her Hood Corps work, according to documents obtained by The Bee through a public information act request.

Coleman did not return calls for comment.

Allen Young, Coleman's former principal, said the teacher worked full time in 2005 and her salary would have been approximately \$35,000.

Young said he learned about St. HOPE's decision to tap into funds for Hood Corps volunteers during a budget meeting when an employee from St. HOPE Human Resources told him of the plan.

"She said we had 'X' amount of money to hire staff. She said some of Sheila Coleman's salary would be paid for from some other tab – Hood Corps," said Young, who also has been in contact with agent Morales. "I didn't give it a second thought. I thought it must be OK to do that."

Allison Alair, a former St. HOPE teacher and administrator, said she met with agent Morales in May and has exchanged e-mails with him since then.

Alair said Morales questioned her about her allegation that Johnson and Dana Gonzalez, a top St. HOPE executive, directed Hood Corps members to help her sell school uniform shirts. "From Day One, Kevin and Dana told me to use Hood Corps students if I needed anything done," she said.

Alair said Morales also asked questions about Johnson's role in Hood Corps.

"He wanted information on Kevin, on his position, on his power," Alair said. "He wanted me to tell him the chain of command and specific examples about how Kevin himself directed certain activities."

Such questions – aimed at nailing down who is responsible – are crucial in every investigation, according to Hillburg.

Hood Corps – short for "Neighborhood Corps – was founded in 1998 by Johnson as a cornerstone of his St. HOPE organization. He continued in an active role in the program during the AmeriCorps years, according to Hood Corps participants and St. HOPE documents.

In its original contract with AmeriCorps, Hood Corps said its volunteers would perform a range of community service including tutoring, public relations for the Guild Theater and art gallery, and managing "redevelopment of one building per year in Oak Park."

Some volunteers said those things were among their duties. But Jonathan Beacham, a full-time Hood Corps fellow in 2004, told The Bee that his main duty was to be assistant manager for Uncle Jed's Cut Hut, a barbershop operated by St. HOPE.

Others told investigators that their tasks differed greatly from the contract, including chauffeuring Johnson, washing a St. HOPE van and scrubbing the toilets at the nonprofit's Guild Theater, according to four former members who spoke to The Bee after talking to the agents.

Changing duties in that way is prohibited, according to Hillburg, because it can undermine the very aspects of a program that won it funding. "You must abide by the contract," he said.

In addition to conducting interviews, Morales and Wingers also are reportedly combing through documents – including timecards – gathered under federal subpoena.

Agents always look hard at volunteers' timecards, Hillburg said, considering them the only true measure of work done.

"They have to be signed by the member and by a supervisor," he said. "If you sign a wrong time sheet, that's fraud and a federal charge.

Tamara Shelton, a full-time 2005 member, said she told the agents she never filled out a time sheet.

"We never kept track – they did that for us," according to Shelton, who dropped out of the program after struggling with the physical training.

Depending on the agents' findings, AmeriCorps investigations can have heavy consequences.

If warranted, Hillburg said, the agency can place a nonprofit or individual employees under a temporary federal suspension, cutting off all federal funding until the probe is completed. After the conclusion of the case, federal officials also can yank federal funding for up to three years – a punishment known as "debarment."

Under debarment, Hood Corps and other St. HOPE programs – including Sacramento Charter High School and PS 7, which last year received \$1.3 million in federal funds – could be placed on a national list barring them from receiving any type of federal money, including student lunch funding, student loans – even federally backed mortgages.

"I call it the 'pariah list,' " Hillburg said.

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Investigators turn St. HOPE report over to U.S. attorney

By Dorothy Korber and Terri Hardy - dkorber@sacbee.com

Published 12:00 am PDT Friday, September 5, 2008

Federal agents investigating the use of taxpayer dollars by Kevin Johnson's St. HOPE have turned the case over to the U.S. Attorney's Office in Sacramento, officials confirmed Thursday.

A spokesman for the agency conducting the probe said he could not comment specifically on the case. But, any "referral means that it's our opinion that there is some truth to the initial allegations, backed up by our investigation of the matter," said William O. Hillburg, spokesman for office of inspector general for the Corporation for National and Community Service.

Since the inspector general's office does not have prosecutorial authority, Hillburg said it depends on federal prosecutors to "decide whether it's a criminal or civil matter – essentially whether they want to put someone in jail or decide to get the money back. They might also say they can't handle it, because it doesn't meet their threshold for prosecution."

Federal agents were dispatched to Sacramento in April to examine Johnson's volunteer program, Hood Corps. They investigated whether the nonprofit misused federal funds, required volunteers to attend church and train for a marathon on the federal dime or mishandled allegations of sexual misconduct.

U.S. Attorney McGregor Scott confirmed Thursday evening that "we are in receipt of the Inspector General's report and we are... reviewing it."

Johnson, facing Sacramento's Mayor Heather Fargo in a November runoff, said in a statement released by his campaign: "Although we have not seen the report, we are confident that it will show only administrative mistakes that St. HOPE already has acknowledged. We look forward to the U.S. Attorney's review and will continue to cooperate fully."

Timothy Zindel, a local assistant federal defender, said it's unlikely that the inspector general's office would turn over the case if it was a "simple non-compliance matter."

"The U.S. Attorney wouldn't handle something like that, unless it's an issue of recovery of funds on the civil side," he said.

A decision on whether to file charges could take from days to months, Zindel said, but he added that because of public interest in the case the process might move faster.

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VIA CERTIFIED MAIL RETURN RECEIPT REQUESTED

September 24, 2008

Kevin Johnson, President
St. HOPE Academy
3400 Third Avenue.
Sacramento, CA 95817

Re: Grantee: St. HOPE Academy
Individual: Kevin Johnson
President and former Chief Executive Officer

AmeriCorps Awards: State of California Grants

<u>Number</u>	<u>Period of Funding</u>	<u>Federal Share</u>
03AFHCA002Y11-F102	July 1, 2004-Dec. 31, 2005	\$271,009
03AFHY12-F102	July 1, 2005-Dec. 31, 2006	\$277,651
06AFHY13-F102	July 1, 2006-Dec. 31, 2007	\$258,674

NOTICE OF SUSPENSION

Dear Mr. Johnson:

Under the Federal regulations on Suspension and Debarment, 2 CFR Parts 180 and 2200, the Corporation for National and Community Service (Corporation), an agency of the United States Government, hereby notifies you, as required under 2 CFR 180.615 and 180.715, of its decision to suspend you from participation in Federal procurement and nonprocurement programs and activities.¹ Your name will be entered into the Excluded Parties List System, thereby giving governmentwide effect to your suspension. This suspension is for a temporary period pending the completion of an investigation, or the conclusion of any legal or debarment proceedings resulting from the investigation. (See 2 CFR 180.760 for other details regarding the time limits for suspension.)

¹ For your information, by separate mailing to Mr. Jules Alcouffe, St. HOPE Academy, St. HOPE Academy also is suspended from Federal procurement and nonprocurement activities for the same reasons set out in this Notice.



I have determined that there exists adequate evidence to suspect a cause for debarment listed under 2 CFR 180.800(b) through (d), and that immediate action is necessary to protect the public interest. This suspension is based upon information that I have received from the Corporation's Office of Inspector General (OIG) relating to the use of Corporation grant funds awarded to St. HOPE by the State of California, as listed above, as part of AmeriCorps grant funding for the period from September, 2004, through August, 2007. Although the OIG investigation is ongoing, thus far the information I have received is adequate to allow me to suspect that there has been on your part a willful failure to perform in accordance with the terms of a public agreement (2 CFR 180.800((b) (1))), and other causes of so serious or compelling a nature that it affects your present responsibility (2 CFR 180.800(d)). The evidence is adequate to suspect that you have committed irregularities which seriously reflect on the propriety of further Federal Government dealings with you.

St. HOPE's AmeriCorps application requested grant funds to support AmeriCorps members to tutor elementary and high school students, help redevelop one building a year in Oak Park, and coordinate logistics, public relations and marketing for the Guild Theatre and Art Gallery in Sacramento, CA.

Specifically, however, the evidence reveals that in your capacity as president and chief executive officer of St. HOPE Academy during the period of the referenced grants, you engaged in a pattern of conduct in which Corporation grant funds were diverted for uses outside the scope of the grant. This improper conduct is indicative of either a fundamental lack of understanding of how to administer Federal grant funds and policy, or the inability to do so. This conduct also may indicate a disregard for the terms of the grant agreement and the applicable cost principles, administrative, and prohibited activity regulations (2 CFR 230 (A-122); 45 CFR 2543; and 45 CFR 2520.65, respectively). The diversion of grant funds is so serious a violation of the terms of a grant agreement that immediate action via suspension is required to protect the public interest and restrict the offending parties' involvement with other Federally-funded programs and activities.

The evidence reveals that Corporation grant funds were diverted and used in the following manner:

1. Recruiting students for St. HOPE Academy

Evidence provided by OIG demonstrates that grant-funded AmeriCorps members were directed to actively recruit students for enrollment into St. HOPE Academy, which was outside the scope of the grant and therefore an impermissible activity.

2. Political Activities relating to the Sacramento Board of Education Election

Evidence provided by OIG demonstrates that St. HOPE improperly engaged grant-funded AmeriCorps members to participate in political activities relating to the election of candidates to the Sacramento Board of Education, in violation of the Corporation's AmeriCorps regulation prohibiting political activities. (45 CFR 2520.65 (a) (5) and (6)).

3. Traveling to New York to promote the expansion of St. Hope operations in Harlem

OIG evidence demonstrates that grant-funded AmeriCorps members were assigned to and participated in a trip to New York City from June 26 to July 16, 2006, to recruit students for a new charter school St. HOPE was planning to open in Harlem, and that the trip was not within the scope of the grant agreement. Therefore, it was an impermissible activity.

4. Personally Benefitting President and then-CEO Kevin Johnson

OIG investigators obtained evidence demonstrating that grant-funded AmeriCorps members were assigned to perform personal services for your personal benefit, including driving you to personal appointments, washing your car, and running personal errands which were outside the scope of the grant agreement and therefore impermissible.

5. Supplementing staff salaries by converting grant funds designated for AmeriCorps members

According to evidence provided by OIG, St. HOPE Academy enrolled two employees, Ms. [REDACTED] and [REDACTED], into the AmeriCorps program for the 2004/2005 grant year. [REDACTED] salary was then paid through the AmeriCorps program. In addition, she received a living allowance and an education award. Although St. HOPE continued to pay [REDACTED] salary, it was supplemented by both an AmeriCorps living allowance and an education award. Under Corporation-funded programs, only individuals serving in approved AmeriCorps positions are eligible for financial benefits, including living allowances and education awards, described in the regulations. (45 CFR 2522.240) Therefore living allowance costs and education award certifications associated with [REDACTED] and [REDACTED] employment were improper diversions of federal funds.

6. Performing Clerical and Front Office Duties

St. HOPE Academy improperly used members to perform non-AmeriCorps clerical and other services for the benefit of St. HOPE. OIG evidence demonstrates that grant-funded AmeriCorps members were diverted to serve as receptionists, perform clerical work, staff the school store and perform other routine clerical and cleaning duties to the benefit of the school, which were activities outside the scope of the grant and therefore were impermissible.

Based upon my review of the evidence discussed in this notice, I conclude that the evidence is adequate to suspect the existence of one or more causes for debarment and that immediate action is necessary to protect the public interest. Therefore, you are hereby suspended from participation in Federal procurement and nonprocurement programs and activities.

In accordance with 2 CFR 180.720-745, within 30 calendar days of your receipt of this notice, you may submit, in person, in writing, or through your representative, information and argument in opposition to this suspension, including specific facts that contradict the statements contained in this notice. The Corporation has been advised by the U.S. Attorney's Office that substantial interests of the government in pending or contemplated proceedings based on the same facts as the suspension would be prejudiced by conducting fact-finding. Therefore, as provided under 2 CFR 180.735(a)(4), no additional opportunity to challenge the facts will be permitted.

Please send all written correspondence to me at the following address:

William Anderson
Deputy CFO for Financial Management
Corporation for National and Community Service
1201 New York Avenue, 8th Floor
Washington, DC 20525

Please be aware that the Corporation's receipt of regular mail is slow due to the irradiation procedures that continue to be conducted by the U.S. Postal Service; to facilitate our receipt of any written correspondence you wish to send, you are encouraged to send correspondence via an alternative means—e.g. overnight mail or fax at 202-606-3467. Also, if you have any questions, or wish to arrange for an in-person presentation, please contact me at 202-606-6980.

Sincerely,

A handwritten signature in cursive script that reads "William Anderson". The signature is written in black ink and is positioned above the typed name and title.

William Anderson
Debarment and Suspension Official
Corporation for National and Community Service



VIA CERTIFIED MAIL RETURN RECEIPT REQUESTED

September 24, 2008

Dana Gonzalez,
Director of New Site and School Development
St. HOPE
3400 Third Avenue,
Sacramento, CA 95817

Re: Individual: Dana Gonzalez
St. HOPE Director of New Site and School Development;
former Executive Director of
St. HOPE Academy

AmeriCorps Awards: State of California Grants

<u>Number</u>	<u>Period of Funding</u>	<u>Federal Share</u>
03AFHCA002Y11-F102	July 1, 2004-Dec. 31, 2005	\$271,009
03AFHY12-F102	July 1, 2005-Dec. 31, 2006	\$277,651
06AFHY13-F102	July 1, 2006-Dec. 31, 2007	\$258,674

NOTICE OF SUSPENSION

Dear Ms. Gonzalez:

Under the Federal regulations on Suspension and Debarment, 2 CFR Parts 180 and 2200, the Corporation for National and Community Service (Corporation), an agency of the United States Government, hereby notifies you, as required under 2 CFR 180.615 and 180.715, of its decision to suspend you from participation in Federal procurement and nonprocurement programs and activities.¹ Your name will be entered into the Excluded Parties List System, thereby giving governmentwide effect to your suspension. This suspension is for a temporary period pending the completion of an investigation, or the conclusion of any legal or debarment proceedings resulting from of the investigation. (See 2 CFR 180.760 for other details regarding the time limits for suspension.)

¹ For your information, by separate mailing to Mr. Jules Mcouffie, St. HOPE Academy, also is suspended from Federal procurement and nonprocurement activities for the same reasons set out in this Notice.



I have determined that there exists adequate evidence to suspect a cause for debarment listed under 2 CFR 180.800(b) through (d), and that immediate action is necessary to protect the public interest. This suspension is based upon information that I have received from the Corporation's Office of Inspector General (OIG) relating to the use of Corporation grant funds awarded to St. HOPE by the State of California, as listed above, as part of AmeriCorps grant funding for the period from September, 2004, through August, 2007. Although the OIG investigation is ongoing, thus far the information I have received is adequate to allow me to suspect that there has been on your part a willful failure to perform in accordance with the terms of a public agreement (2 CFR 180.800((b) (1)), and other causes of so serious or compelling a nature that it affects your present responsibility (2 CFR 180.800(d)). The evidence is adequate to suspect that you, acting through St. HOPE's officers and employees, have committed irregularities which seriously reflect on the propriety of further Federal Government dealings with you.

St. HOPE's AmeriCorps application requested grant funds to support AmeriCorps members to tutor elementary and high school students, help redevelop one building a year in Oak Park, and coordinate logistics, public relations and marketing for the Guild Theatre and Art Gallery in Sacramento, CA.

Specifically, however, the evidence reveals that in your capacity as executive director of St. HOPE Academy during the period of the referenced grants, you engaged in a pattern of conduct in which Corporation grant funds were diverted for uses outside the scope of the grant. This improper conduct is indicative of either a fundamental lack of understanding of how to administer Federal grant funds and policy, or the inability to do so. This conduct also may indicate a disregard for the terms of the grant agreement and the applicable cost principles, administrative, and prohibited activity regulations (2 CFR 230 (A-122); 45 CFR 2543; and 45 CFR 2520.65, respectively). The diversion of grant funds is so serious a violation of the terms of a grant agreement that immediate action via suspension is required to protect the public interest and restrict the offending parties' involvement with other Federally-funded programs and activities.

The evidence reveals that Corporation grant funds were diverted and used in the following manner:

1. Recruiting students for St. HOPE Academy

Evidence provided by OIG demonstrates that grant-funded AmeriCorps members were directed to actively recruit students for enrollment into St. HOPE Academy, which was outside the scope of the grant and therefore an impermissible activity.

2. Political Activities relating to the Sacramento Board of Education Election

Evidence provided by OIG demonstrates that St. HOPE improperly engaged grant-funded AmeriCorps members to participate in political activities relating to the election of candidates to the Sacramento Board of Education, in violation of the Corporation's AmeriCorps regulation prohibiting political activities. (45 CFR 2520.65 (a) (5) and (6)).

3. Traveling to New York to promote the expansion of St. Hope operations in Harlem

OIG evidence demonstrates that grant-funded AmeriCorps members were assigned to and participated in a trip to New York City from June 26 to July 16, 2006, to recruit students for a new charter school St. HOPE was planning to open in Harlem, and that the trip was not within the scope of the grant agreement. Therefore, it was an impermissible activity.

4. Personally Benefitting President and then-CEO Kevin Johnson

OIG investigators obtained evidence demonstrating that grant-funded AmeriCorps members were assigned to perform personal services for Mr. Kevin Johnson's personal benefit, including driving him to personal appointments, washing his car, and running personal errands which were outside the scope of the grant agreement and therefore impermissible.

5. Supplementing staff salaries by converting grant funds designated for AmeriCorps members

According to evidence provided by OIG, St. HOPE Academy enrolled two employees, [REDACTED] and [REDACTED], into the AmeriCorps program for the 2004/2005 grant year. [REDACTED] salary was then paid through the AmeriCorps program. In addition, she received a living allowance and an education award. Although St. HOPE continued to pay [REDACTED] salary, it was supplemented by both an AmeriCorps living allowance and an education award. Under Corporation-funded programs, only individuals serving in approved AmeriCorps positions are eligible for financial benefits, including living allowances and education awards, described in the regulations. (45 CFR 2522.240) Therefore living allowance costs and education award certifications associated with [REDACTED] and [REDACTED] employment were improper diversions of federal funds.

6. Performing Clerical and Front Office Duties

St. HOPE Academy improperly used members to perform non-AmeriCorps clerical and other services for the benefit of St. HOPE. OIG evidence demonstrates that grant-funded AmeriCorps members were diverted to serve as receptionists, perform clerical work, staff the school store and perform other routine clerical and cleaning duties to the benefit of the school, which were activities outside the scope of the grant and therefore were impermissible.

Based upon my review of the evidence discussed in this notice, I conclude that the evidence is adequate to suspect the existence of one or more causes for debarment and that immediate action is necessary to protect the public interest. Therefore, you are hereby suspended from participation in Federal procurement and nonprocurement programs and activities.

In accordance with 2 CFR 180.720-745, within 30 calendar days of your receipt of this notice, you may submit, in person, in writing, or through your representative, information and argument in opposition to this suspension, including specific facts that contradict the statements contained in this notice. The Corporation has been advised by the U.S. Attorney's Office that substantial interests of the government in pending or contemplated proceedings based on the same facts as the suspension would be prejudiced by conducting fact-finding. Therefore, as provided under 2 CFR 180.735(a)(4), no additional opportunity to challenge the facts will be permitted.

Please send all written correspondence to me at the following address:

William Anderson
Deputy CFO for Financial Management
Corporation for National and Community Service
1201 New York Avenue, 8th Floor
Washington, DC 20525

Please be aware that the Corporation's receipt of regular mail is slow due to the irradiation procedures that continue to be conducted by the U.S. Postal Service; to facilitate our receipt of any written correspondence you wish to send, you are encouraged to send correspondence via an alternative means—e.g. overnight mail or fax at 202-606-3467. Also, if you have any questions, or wish to arrange for an in-person presentation, please contact me at 202-606-6980.

Sincerely,

A handwritten signature in cursive script that reads "William Anderson".

William Anderson
Debarment and Suspension Official
Corporation for National and Community Service



VIA CERTIFIED MAIL RETURN RECEIPT REQUESTED

September 24, 2008

Jules C. Alcouffe
Registered Agent
St. HOPE Academy
1659 Greenbrier Road
West Sacramento, CA 95691

St. HOPE Academy
3400 Third Avenue
Sacramento, CA 95817

Re: Grantee: St. HOPE Academy

AmeriCorps Awards: State of California Grants

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1201 New York Avenue NW ★ Washington, DC 20525
202 606-5000 ★ www.nationalservice.org
Senior Corps ★ AmeriCorps ★ Learn and Serve America



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St. HOPE's AmeriCorps application requested grant funds to support AmeriCorps members to tutor elementary and high school students, help redevelop one building a year in Oak Park, and coordinate logistics, public relations and marketing for the Guild Theatre and Art Gallery in Sacramento, CA.

Specifically, however, the evidence reveals that St. HOPE engaged in a pattern of conduct in which Corporation grant funds were diverted for uses outside the scope of the grant. This improper conduct is indicative of either a fundamental lack of understanding of how to administer Federal grant funds and policy, or the inability to do so. This conduct also may indicate a disregard for the terms of the grant agreement and the applicable cost principles, administrative, and prohibited activity regulations (2 CFR 230 (A-122); 45 CFR 2543; and 45 CFR 2520.65, respectively). The diversion of grant funds is so serious a violation of the terms of a grant agreement that immediate action via suspension is required to protect the public interest and restrict the offending parties' involvement with other Federally-funded programs and activities.

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Sincerely,

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William Anderson
Debarment and Suspension Official
Corporation for National and Community Service

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