

**2017-  
2018**

**Program Year**



**AmeriCorps**

**Program Director Handbook**

# Program Director Handbook

2017-2018

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## **Introduction and Overview**

This manual does not supersede any of the requirements established by the Corporation for National and Community Service (CNCS) in respect to terms, requirements, and provisions for AmeriCorps grants. The information in this manual does not include all of the legal requirements of the AmeriCorps grant; it is intended as a resource to support AmeriCorps State programs with the development of compliant program and fiscal operations. Please review CNCS guidance for managing AmeriCorps grants online at <http://nationalservice.gov/build-your-capacity/grants/managing-ameri-corps-grants>.

## **Corporation for National and Community Service**

The Corporation for National and Community Service (CNCS) is a federal agency that was established in 1993 and engages more than 5 million Americans in service each year through its AmeriCorps, Senior Corps, Social Innovation Fund, and Volunteer Generation Fund programs and leads United We Serve, the President's national call-to-service initiative. The Edward M. Kennedy Serve America Act of 2009 reauthorized and expanded national service programs administered by CNCS by amending the National and Community Service Act of 1990 and the Domestic Volunteer Service Act of 1973.

As the nation's largest grant-maker for service and volunteering, CNCS plays a critical role in strengthening America's nonprofit sector and addressing our nation's challenges through service. CNCS harnesses America's most powerful resource – the energy and talents of its citizens – to solve problems. CNCS believe that everyone can make a difference and that everyone should try. From grade school through retirement, CNCS empowers Americans and fosters a lifetime of service.

In addition to the CNCS office in Boston, MA, there are CNCS State Offices that manage the AmeriCorps VISTA and the Senior Corps programs, which include RSVP, Senior Companion, and Foster Grandparent. The Director of the State Office typically serves as an ex-officio of the State Service Commission.

## **AmeriCorps**

AmeriCorps programs involve more than 75,000 members across the country each year to meet urgent, local community needs. The bipartisan Edward M. Kennedy Serve America Act focused AmeriCorps' efforts in six key areas: disaster services, economic opportunity, education, environmental stewardship, healthy futures, and veterans and military families.

## **AmeriCorps State and National Direct**

AmeriCorps State and National Direct members are sponsored by national, state, and local public and nonprofit organizations. To meet the specific needs of the communities they serve, these local AmeriCorps sponsors recruit and train AmeriCorps members. Funding for these programs comes directly through CNCS (National Direct AmeriCorps programs) or through State Service Commissions, such as Massachusetts Service Alliance (MSA) (AmeriCorps State programs). MSA programs are part of a larger National Service network, and state-by-state national service program information can be found online at [www.nationalservice.gov](http://www.nationalservice.gov).

For AmeriCorps State funds, there are two primary pools of funds available: Competitive and Formula:

- Competitive funds are competed and reviewed at both the local and national levels with funding awards determined by CNCS. Fund availability is determined by Congress and priorities are set by CNCS.
- Formula funds are competed solely at the state level with awards determined by the State Commission (Serve DC). Fund availability is determined by Congress and allocated to State Commissions on a formula basis. State Commissions formally approve programs for formula funding and inform CNCS of decisions.

### **AmeriCorps VISTA (Volunteers In Service To America)**

VISTA was founded as Volunteers in Service to America in 1965 as a national service program designed specifically to fight poverty in America. In 1993, VISTA was incorporated into the AmeriCorps network of programs. AmeriCorps VISTA members work full time in the communities they serve, creating programs that continue after they complete their service term.

### **AmeriCorps NCCC (National Civilian Community Corps)**

AmeriCorps NCCC is a ten-month, full-time team-based residential service program for men and women ages 18-24. AmeriCorps NCCC campuses are located in Maryland, Colorado, Iowa, Mississippi and California. Members complete projects in different regions of the country. AmeriCorps NCCC combines the best practices of civilian service with the best aspects of military service, including leadership and team-building.

### **The Massachusetts Service Alliance**

The Massachusetts Service Alliance (MSA), established in 1991, is a private, nonprofit organization that serves as the state commission on community service and volunteerism. Its mission is to catalyze the innovation and growth of service and volunteerism by creating partnerships that maximize resources, expertise, capacity, and impact. Toward this end, we invest public and private funds in community-based organizations in a fair and equitable manner; convene and mobilize individuals, nonprofits, corporations, and government entities to link strategies related to service and volunteerism; build capacity of programs and agencies through training and technical assistance; and advocate for the development and promotion of public policies and private initiatives that incorporate service and volunteerism as effective strategies to address community needs.

### **National Service**

AmeriCorps is a federal program overseen by the Corporation for National and Community Service (CNCS/the Corporation). For nearly twenty years AmeriCorps has mobilized a new generation of engaged citizens. This year close to 2,000 individuals of all ages and backgrounds will serve through an AmeriCorps program in the Commonwealth. They will help hundreds of community nonprofit organizations, faith-based groups, schools, and local agencies meet local needs in education, the environment, public safety, disaster preparedness, and other critical areas.

## **AmeriCorps in Massachusetts**

MSA serves as the MA Commission on National and Community Service, one of more than 50 State Service Commissions that administer federal Corporation for National and Community Service funds and coordinate national service initiatives in MA. MSA manages the AmeriCorps State national service program, which provides ongoing service opportunities and addresses critical community needs, including funding, monitoring, and supporting AmeriCorps State programs in Massachusetts.

### **MSA Staff**

#### **July Afable**

Manager of Accounting and Finance  
Extension 225  
[jafable@mass-service.org](mailto:jafable@mass-service.org)

#### **TBD**

Commonwealth Corps Program Manager  
Extension 202  
(TBD)

#### **Steve Burke**

Chief Financial Officer  
Extension 227  
[cfo@mass-service.org](mailto:cfo@mass-service.org)

#### **Emily Haber**

Chief Executive Officer  
Extension 228  
[ehaber@mass-service.org](mailto:ehaber@mass-service.org)

#### **Lisl Hacker**

Director of Training & Technical Assistance  
Extension 205  
[lhacker@mass-service.org](mailto:lhacker@mass-service.org)

#### **Maura Hackett**

Program Officer  
Extension 226  
[mhackett@mass-service.org](mailto:mhackett@mass-service.org)

#### **Rachel Irvine**

Program Officer  
Extension 206  
[rirvine@mass-service.org](mailto:rirvine@mass-service.org)

#### **Suzana Kantardzic**

Senior Program Officer  
Extension 216  
[skantardzic@mass-service.org](mailto:skantardzic@mass-service.org)

#### **Shana Lothrop**

Program Officer for Volunteer Initiatives  
Extension 214  
[slothrop@mass-service.org](mailto:slothrop@mass-service.org)

#### **Beth McGuinness**

Director of Programs  
Extension 217  
[bmcguinness@mass-service.org](mailto:bmcguinness@mass-service.org)

#### **TBD**

Administrative Coordinator  
Extension 221  
(TBD)

#### **Amy Mulvena**

Commonwealth Corps Program Assistant  
Extension 220  
[amulvena@mass-service.org](mailto:amulvena@mass-service.org)

#### **Lindsay Rooney**

Director of External Relations & Development  
Extension 212  
[lrooney@mass-service.org](mailto:lrooney@mass-service.org)

#### **Elizabeth Way**

Program Officer  
Extension 203  
[eway@mass-service.org](mailto:eway@mass-service.org)

The information in this section outlines foundational information related to activities associated with AmeriCorps grants.

### **AmeriCorps Rules and Regulations**

- The Statute is The National and Community Service Act of 1990 (Public Law 101–610, Nov. 16, 1990, 104 Stat. 3127) (42 U.S.C. 12501 et seq.) [As Amended Through P.L. 111–13, Enacted April 21, 2009]. The statute authorizes the federally funded initiative of AmeriCorps.
- The Regulations are CNCS’s interpretations of the statute and set out the agency’s purpose and powers, and the circumstances of applying the statute. Regulations are published in the Code of Federal Regulations (CFR). The AmeriCorps regulations can be found in Title 45 of the Code of Federal Regulations, Chapter 25, beginning with section 2520.10. Citations for Regulations are written like this: 45 C.F.R. §2522.230 or abbreviated as §2522.230.
- AmeriCorps Provisions are additional grant requirements. New Provisions are issued each year. Citations for Provisions are written like this: [AC I. B.2].
- AmeriCorps State and National Policy FAQs consist of links to various FAQs and policy guidance provided to grantees and subgrantees.

**Reference:** AmeriCorps website, “Manage Current Grants” section:

[http://www.americorps.gov/for\\_organizations/manage/index.asp](http://www.americorps.gov/for_organizations/manage/index.asp)

### **Other Requirements**

- **State Laws:** AmeriCorps program staff must be aware of state laws as applicable to the AmeriCorps program. This includes state laws pertaining to taxes, workers compensation, criminal history checks, etc.
- **OMB Circulars:** OMB Circulars are issued by the federal Office of Management and Budget (OMB) and outline administrative requirements and cost principles for nonprofit organizations, state and local governments, and educational institutions using federal funds. Understanding the applicable OMB Circulars is critical to operating a compliant federal grant. More information can be found online at <https://www.whitehouse.gov/omb/information-for-agencies/circulars>.

### **AmeriCorps Prohibited Activities**

The following activities must not be engaged in while charging time to the AmeriCorps program, accumulating service and/or training hours, or performing activities supported by the AmeriCorps program or CNCS staff and members. The subgrantee also must not use grant funds (either MSA or matching funds supporting staff or member time and effort) to support the following activities:

1. Attempting to influence legislation
2. Organizing or engaging in protests, petitions, boycotts, or strikes
3. Assisting, promoting or deterring union organizing
4. Impairing existing contracts for services or collective bargaining agreements

5. Engaging in partisan political activities or other activities designed to influence the outcome of an election to any public office
6. Participating in, or endorsing, events or activities that are likely to include advocacy for or against political parties, political platforms, political candidates, proposed legislation, or elected officials
7. Engaging in religious instruction; conducting worship services; providing instruction as part of a program that includes mandatory religious instruction or worship; constructing or operating facilities devoted to religious instruction or worship; maintaining facilities primarily or inherently devoted to religious instruction or worship engaging in any form of religious proselytizing
8. Providing a direct benefit to:
  - For-profit entities
  - Labor unions
  - Partisan political organizations
  - Organizations engaged in the religious activities described in the preceding subclause, unless grant funds are not used to support the religious activities
  - Nonprofit entities that fail to comply with the restrictions contained in section 501(c) (3) of U.S. Code Title 26
9. Organizing or conducting voter registration drives. In addition, Corporation funds may not be used to conduct a voter registration drive.
10. Providing abortion services or making referrals to such services, this includes members enrolled prior to October 1, 2009. In the past, AmeriCorps members have joined with clinics that offer abortion services and partnered with Planned Parenthood chapters to work on public health education topics. The new stipulation will allow members to volunteer or provide their services on their own time, but not while affiliated with AmeriCorps.
11. Other activities, as MSA determines will be prohibited upon notice to the AmeriCorps State subgrantee.

Individuals may exercise their rights as private citizens and may participate in the above activities on their initiative, on non-AmeriCorps time and using non-Corporation funds. The AmeriCorps logo should not be worn while doing so.

- Also, a Member's service activities may not include:
  - Raising funds for his or her living allowance
  - Raising funds for an organization's operating expenses or endowment
  - Writing grant applications for AmeriCorps funding or for any other funding provided by CNCS
  - Writing grants applications for funding provided by any other federal agency

### **AmeriCorps Eligibility**

There are several requirements for AmeriCorps membership and this section outlines detailed information regarding citizenship/allowable legal status, Educational Attainment, and criminal history checks. All information pertaining to AmeriCorps Eligibility can be found in 45 CFR 2522.200 11

## **Citizenship or Allowable Legal Status Requirement**

To be eligible to serve as an AmeriCorps Members, an individual must satisfy the Citizenship Requirement at time of enrollment. Significant change in documenting citizenship is that subgrantees will no longer need to provide proof of citizenship documents in the Member File. From CNCS website:

In 2012, the Corporation announced that the process for verifying the identity and citizenship status of individuals applying to serve in AmeriCorps has been automated. By law, to serve in an approved AmeriCorps position, an individual must be a citizen, national, or lawful permanent alien of the United States (42 U.S.C. 12602(a) (3)). With the signing of this agreement, upon an individual accepting a position, the individual's information will be automatically reviewed by the Social Security Administration within 3 business days. If the individual's information is verified, the AmeriCorps grantee or sponsor will not need to do anything. The individual's status will appear as "Verified" in their My AmeriCorps account and in eGrants for your records. If the individual's information cannot be automatically verified by the Social Security Administration, sub grantees will receive an email regarding next steps which will include a request for documentation. For both grantees and sponsors in this scenario, the grantee or sponsor will need to review and verify the individual's documentation and provide copies to CNCS. Within eGrants, the status of an individual's identity and citizenship review can also now be seen at any time and this information must be accessible to MSA staff for monitoring and auditing purposes.

Additional information can be found online at: [www.americorps.gov](http://www.americorps.gov).

### **Primary documentation of status as a United States' citizen or national:**

- A birth certificate showing that the individual was born in one of the 50 states, the District of Columbia, Puerto Rico, Guam, the U.S. Virgin Islands, American Samoa, or the Northern Mariana Islands
- A United States passport
- A report of birth abroad of a U.S. Citizen (FS-240) issued by the State Department
- A certificate of birth-foreign service (FS 545) issued by the State Department
- A certification of report of birth (DS-1350) issued by the State Department
- A certificate of naturalization (Form N-550 or N-570) issued by the Immigration and Naturalization Service
- A certificate of citizenship (Form N-560 or N-561) issued by the Immigration and Naturalization Service

### **Primary documentation of status as a United States' lawful permanent resident alien:**

- Permanent Resident Card, INS Form I-551
- Alien Registration Receipt Card, INS Form I-551
- A passport indicating that the INS has approved it as temporary evidence of lawful admission for permanent residence

- A Departure Record (INS Form I-94) indicating that the INS has approved it as temporary evidence of lawful admission for permanent residence.

Although the combination of obtaining a driver's license or government-issued identification and Social Security card are acceptable forms of identification for the I-9 Federal Employment Eligibility Form, these documents are not sufficient for proving United States Citizenship.

### **Educational Attainment**

CNCS requires that AmeriCorps members have a high school diploma or GED by the time they utilize the Eli Segal Education Award. Members are allowed to complete classes towards their GED during their year of service to satisfy this requirement if necessary. An AmeriCorps member will not be eligible to utilize the Award unless they have satisfied the Educational Attainment Requirement. (Sec. 2522.200 of 45 CFR).

- **High School Diploma/GED:** In cases such as the Tutoring Program Requirement, where members must meet education requirements, each site must obtain a written declaration from the member that they have received their high school diploma or GED. It is strongly encouraged that programs obtain a copy of the member's diploma, GED, or official transcript and place it in their member file; a program can place a memo-to-file if they have attempted to obtain the required document and have been unsuccessful. College diplomas do not satisfy the requirement.
- A program may accept a self-certification from the potential member as proof of high school graduation. Applicants do not have to produce a high school diploma or an equivalency certificate nor are programs required to retain a copy of the high school diploma or other documents confirming education level, such as an official transcript. However, a self-certification must include the person's signature, under penalty of law, specifically certifying that he or she has completed high school or its equivalent or will obtain a high school diploma prior to using the education award.
- **GED Agreement Letter:** If a member does not have a GED or a high school diploma, the member must sign the GED Agreement Letter which states that the member will obtain a GED by end of the service term. The letter must also include a projected date of completion and the stated penalty of loss of Education Award if the GED is not obtained.

### **Criminal History Check Requirements**

Under the Serve America Act (SAA), all grantees must conduct National Service Criminal History Checks (NSCHC) on participants and employees in AmeriCorps and any other programs funded by CNCS. This includes all employees, participants, and others who receive a salary, national service education award, living allowance, or stipend under CNCS grants. Even if the individuals are listed on the grant as in-kind or match or their activities do not involve service with vulnerable populations, criminal history checks are required. An individual is ineligible to serve in an AmeriCorps program if they:

- 1) Refuse to consent to a State Criminal Registry and FBI Check

- 2) Make a false statement in connection with a Program's inquiry concerning the individual's criminal history
- 3) Are registered or required to be registered on a State Sex Offender Registry
- 4) Have committed murder

Programs must be able to document scanned or an attached consent form including a signed statement from candidate agreeing to undergo checks and candidate's understanding that the position is contingent on results.

All AmeriCorps sites must administer a two-part criminal history check consisting of a State Criminal Registry and National Sex Offender Public Website (NSOPW) check on all "covered positions." These positions include AmeriCorps members, volunteers, and grant-funded staff (this includes staff funded by match) enrolled in their program, as well as any staff included in the AmeriCorps budget with the exception of individuals holding covered positions as of September 30, 2009. (AmeriCorps FAQ B.11) An FBI check, which serves as a third check, must be administered on those who have recurring access to vulnerable populations. CNCS defines "recurring access" as "the ability on more than one occasion to approach, observe, or communicate with an individual through physical proximity but not limited to, electronic or telephonic communication." Sec. 2510.20 of 45 CFR

Note that Congress granted those individuals in covered positions with recurring access to vulnerable populations an exception to the FBI fingerprint-based criminal history check requirement when their access to vulnerable populations is "episodic in nature or for a [one]-day period." For the purpose of this final rule, CNCS defines "episodic" as access that is not regular, scheduled, and anticipated component of an individual's service activities. If access to vulnerable populations is not regular, scheduled, and anticipated component of an individual's service activities, the subgrantee is not required to conduct a finger-based FBI criminal history check. However, the subgrantee must conduct the other component of the National Service Criminal History Check. CNCS recommends that subgrantees specifically address contact with vulnerable populations in each position description, service agreement, or similar document describing an individual's service activities. Sec. 2540.207 of 77 CRF

Please see Appendix 4 for a National Service Criminal History Check Documentation Checklist ([http://www.nationalservice.gov/sites/default/files/resource/2016\\_NSCHC\\_Documentation\\_Checklist\\_v070716\\_Text\\_Only.pdf](http://www.nationalservice.gov/sites/default/files/resource/2016_NSCHC_Documentation_Checklist_v070716_Text_Only.pdf)) and Appendix 5 for a National Service Criminal History Check Steps Checklist.

If your program enrolls members in a consecutive term of service and the member has less than 120-day break in their service, your organization does not need to re-check the covered position, as long as the original check is a compliant check. Subgrantees must conduct checks on individuals in covered positions who begin work or start service 1) following a break in service exceeding 120 days or 2) with a new subgrantee.

Requirements and specifics of criminal history checks are listed below (Sec. 2540.203 of 45 CFR):

- **National Sex Offender Public Website (NSOPW):** **This check must be completed on the potential member before the start of service, using the National Sex Offender Public Website ([www.nsopw.gov](http://www.nsopw.gov)).** The information provided on this website is public information and no fees are charged. This check must be completed and documented (date of search must be included in the print out or electronic copy) before the covered position has access to a vulnerable population and the covered position starts their term of service. If the check was less than complete, you must recheck the NSOPW to rule out the possibility that the applicant may be registered in the State(s) system(s) that was not connected to the NSOPW system when you performed the first check. If all states are not reporting for NSOPW, go to the individual states not reporting and search database from state website. Finally, as a prudential action, all subgrantees when conducting a search of the name-based NSOPW should include not only the applicant's current legal name, but also any previous names or aliases by which the applicant may have been known. Individuals cannot begin serving under the grant until this check is complete.
- **Statewide Criminal Registry:** The regulations require AmeriCorps programs to search the designated statewide criminal repository for the State in which the program operates and the State in which the applicant resides at the time of application. **Check(s) must be initiated by the AmeriCorps Program before or on the first day of service.** Initiation is one step more than getting permission to conduct the checks; this could include fingerprinting, mailing requests to obtain checks to the State repository, having forms for checks filled out by candidates, etc. You must be able to document how and when checks were initiated. You must also have policies and procedures outlining how you initiate checks and consistently apply them.

Listing of Required State Criminal History Information Repositories and Alternatives can be found online at [http://www.nationalservice.gov/sites/default/files/resource/table-of-designated-state-repositories-and-alternates-11-30-15\\_v2.pdf](http://www.nationalservice.gov/sites/default/files/resource/table-of-designated-state-repositories-and-alternates-11-30-15_v2.pdf).

- **Federal Bureau of Investigation (FBI):** The National Service Criminal History Check will consist of three parts for individuals who are predicted to have recurring access to a vulnerable population (those who are 17 or younger, 60 and older, or have a disability). An FBI check is not a substitute for the one or two required State Repository checks. **This check must be initiated by the AmeriCorps program before or on the first day of service.** More information on FBI check guidance can be found at [http://www.nationalservice.gov/sites/default/files/resource/FBI\\_Check\\_Guidance\\_070716.pdf](http://www.nationalservice.gov/sites/default/files/resource/FBI_Check_Guidance_070716.pdf).

Currently, programs must use a channeler (Fieldprint is the approved CNCS FBI check channeler) to conduct FBI checks, unless a program is operated by a law enforcement agency, programs cannot request or directly receive FBI checks. If programs would like to use the Departmental Orders (DO) process, which allows a prospective member to request his or her own check, they must contact their MSA Program Officer to receive special permission from CNCS. The previous exception for grantees that relied on DO checks expired on March 31, 2016. Most programs obtain the checks by:

- **State Repositories:** Most state criminal history information repositories can provide FBI checks along with state checks. Grantees can find these organizations by using the list of organizations on the NSCHC Knowledge Network under the State Checks heading. Grantees should utilize these bodies whenever they are able to successfully provide FBI checks. They are the official source of criminal history information in a state, they can offer state and FBI information together, and they are generally the most cost effective option for FBI checks. Fees, procedures and processing times will vary state-to-state. A new grantee should begin by determining if the official repository in their state can provide an FBI check by contacting them using the information on the NSCHC Knowledge Network. Massachusetts does not have an official repository.
- **CNCS's channeler, Fieldprint:** CNCS has engaged a contractor, Fieldprint, to provide FBI checks to organizations that cannot successfully receive this access from their state repositories. This contractor serves as an FBI-approved Channeler, meaning it has been approved by the FBI to directly access the FBI's database. A single check costs \$30.25 and can be returned in a few days in most cases. Fieldprint has fingerprinting locations across the country for members to visit prior to the start of service. Visit the NSCHC Knowledge Network and look under the FBI Check heading for information on how to use Fieldprint or visit [fieldprintcncs.com](http://fieldprintcncs.com).
- **Using local law enforcement agencies.** Some programs work with their local law enforcement agencies to obtain FBI and statewide checks.
- **Using checks conducted by program partners:** Some placement site partners (e.g., public school systems, nursing homes, etc.) may perform checks that include FBI records. Please contact your Program Officer to determine if this is will meet CNCS requirements.

## **Accompaniment**

While results from the State or FBI criminal history check components of the National Service Criminal History check are pending, subgrantees may allow individuals in pending positions with recurring access to vulnerable populations to begin work or start service, the individual must be accompanied by:

- an authorized subgrantee representative who has previously been cleared for such access using the organization's established policies
- a family member or legal guardian of the vulnerable individual

Note: Accompaniment can cease when either an FBI check or the state checks (including both state of residence and state of service checks, when applicable) have been adjudicated.

Accompaniment is a higher standard than supervision in that it requires the individual with recurring access to vulnerable populations to be in the physical presence of the accompanying individual. Sec. 2540.205 of 77 CFR. A log of the dates, times, and person accompanying individuals must be maintained contemporaneously for each instance when an individual was in the presence of vulnerable populations before either an FBI check or the state checks clear.

## Criminal History Check Policies and Procedures

An AmeriCorps site must have procedures in place for soliciting, completing, and documenting both Criminal History Checks. Procedures must include the following:

- Verification of identity of the individual
- Acquiring prior, written authorization to complete the State Criminal Registry and FBI Check (not required for the NSOPR check).
- Documenting the individual's understanding that selection is contingent upon the review of both Criminal History Checks
- Providing reasonable opportunity for the individual to challenge the factual accuracy before action is taken Providing safeguards to ensure confidentiality
- Ensuring individuals with pending State Criminal Registry checks are supervised while interacting with vulnerable populations
- Document identity was verified/checks performed
- Maintaining all original documentation with date verification (printout)
- Document that selection was based on results
- Program pays for the costs of the check. CNCS considers the cost of this required National Service Criminal History Check a reasonable and necessary program grant expense. A grantee may not charge an individual for the cost of a check unless CNCS has given written permission to do so.
- Requesting of alternate search protocol when necessary

## Criminal History Check Resources

- Massachusetts: <http://www.mass.gov/eopss/crime-prev-personal-sfty/bkgd-check/cori/>
- National Sex Offender Public Website Check: <https://www.nsopw.gov/>
- State Criminal History Information Repositories and Alternatives:  
[http://www.nationalservice.gov/sites/default/files/resource/table-of-designated-state-repositories-and-alternates-11-30-15\\_v2.pdf](http://www.nationalservice.gov/sites/default/files/resource/table-of-designated-state-repositories-and-alternates-11-30-15_v2.pdf)
- FBI Checks: Fieldprint, <http://www.fieldprintcncs.com>
- CNCS: <http://www.nationalservice.gov/resources/criminal-history-check>

## Alternative Search Procedures

If the program would like to use an alternative criminal history check, other than those listed above, the program must obtain an Alternate Search Protocol (ASP) from CNCS. This applies to those who use alternate searches provided through school systems, commercial vendors, and screening authorities (other than National Center for Missing and Exploited Children, no approval needed) instead of the statewide criminal history repository. The program must first request approval from MSA who will then seek the ASP from CNCS. CNCS maintains guidance for requesting an ASP on Knowledge Network website: <http://www.nationalservice.gov/ASPEmptionsGuidance> **If you are receiving clearance letters**

**instead of the actual results from a partner or non-designated source/alternate**, please include a copy of the written agreement you have in place to ensure that murder and sexual offenses deem an individual ineligible to serve and that no appeals can overturn this eligibility determination for the purposes of serving/working under a National Service program.

**If you are using a vendor**, secure an analysis of the product/services as they relate to our requirements on a state-by-state basis. For vendors going to CNCS designated sources, please ensure they are not limiting their search to 7 years, but go as far back as the designated source has records. Also, ensure that if they are retaining the results on behalf of the program, that the records are accessible for monitoring and oversight purposes for the required length of time for your program. Please see CNCS Vendor guidance for more information:

[http://www.nationalservice.gov/sites/default/files/resource/nschc\\_-\\_vendor\\_guidance.pdf](http://www.nationalservice.gov/sites/default/files/resource/nschc_-_vendor_guidance.pdf).

CNCS has approved an Alternative Search Procedure (ASP) to continue its current policy on accompaniment beyond January 1, 2013. This ASP applies to all programs and projects with individuals in covered positions with recurring access to vulnerable populations. This means that for individuals in covered positions for whom a National Service Criminal History Check requires both state and FBI components, the program or project may elect to cease accompaniment of the individual when it has received results from either the state component or the FBI component and does not need to receive results from both components before electing to cease accompaniment. This temporary extension of CNCS's current policy will continue until further notice.

**Please Note:** An individual may not serve or work in a covered position prior to completing the nationwide NSOPW search component. Sec. 2540.206 of 45 CFR

This limited ASP does not relieve programs of any other National Service Criminal History Check obligations or requirements.

CNCS requires MSA to monitor subgrantee compliance with NSCHC requirements. Consequences for late or incomplete checks are outlined in the most recent NSCHC [Enforcement Guide](#), effective April 1, 2017 2015.

### **Use of the AmeriCorps Name and Logo**

AmeriCorps program websites must use the AmeriCorps logo and the MSA logo. AmeriCorps is a registered service mark of CNCS. CNCS provides a camera-ready logo. All recipient and subrecipient websites shall clearly state that they are an AmeriCorps recipient and shall prominently display the AmeriCorps logo. Recipients and subrecipients shall use the AmeriCorps name and logo on service gear and public materials such as stationery, application forms, recruitment brochures, on-line position postings or other recruitment materials, orientation materials, member curriculum materials, signs, banners, press releases and publications related to their AmeriCorps program in accordance with CNCS requirements.

To publicize the relationship between the program and AmeriCorps, the recipient shall describe their program as “an AmeriCorps program.” Recipients shall provide information or training to their AmeriCorps members about how their program is part of the national AmeriCorps program and about the other national service programs of CNCS. Recipients are strongly encouraged to place signs that include the AmeriCorps name and logo at their service sites and may use the slogan “AmeriCorps Serving Here.” AmeriCorps members should state that they are AmeriCorps members during public speaking opportunities.

The recipient may not alter the AmeriCorps logo, and must obtain written permission from CNCS before using the AmeriCorps name or logo on materials that will be sold, or permitting donors to use the AmeriCorps name or logo in promotional materials. The recipient may not use or display the AmeriCorps name or logo in connection with any activity prohibited by statute, regulation, or CNCS General Terms and Conditions, and these specific award terms and conditions.

**Reference:** “Graphic Standards: A Users Guide” at [http://www.nationalservice.gov/pdf/graphic\\_standards.pdf](http://www.nationalservice.gov/pdf/graphic_standards.pdf). Programs can also order/download free National and Community Service materials from the CNCS website: <https://pubs.nationalservice.gov/Default.aspx>. For the MSA logo, please contact the AmeriCorps Program Officer.

### **Identification as an AmeriCorps Program or Member**

The recipient shall identify the program as an AmeriCorps program and members as AmeriCorps members. All agreements with subrecipients, operating sites, or service locations, related to the AmeriCorps program must explicitly state that the program is an AmeriCorps program and AmeriCorps members are the resource being provided.

### **AmeriCorps Recruitment, Selection and Orientation**

#### **AmeriCorps Member Position Description**

The key to successful recruitment and engagement of AmeriCorps members is creating a comprehensive AmeriCorps Member Position Description. The Position Description is how you will “sell” your program to prospective members. It must also align with goals and objectives in the program’s approved grant proposal and it must also adhere to AmeriCorps rules and regulations for allowable member activities. The Position Description should avoid terminology associated with employment or hiring that could detract from AmeriCorps member recruitment for a year of service.

All AmeriCorps Member Position Descriptions should include at least the following:

- Service Position Title
- Service Location
- Organization’s mission and work

- Member Impact
- Immediate Supervisor & Contact Information
- Overview of your agency and member expectations
- Service Position Summary
- Essential Functions of Position (all basic duties that must be performed with or without reasonable accommodations)
- Marginal Functions of Position (additional duties that are preferred)
- A list of required and preferred qualifications which include
  - 1) Citizenship or permanent residency status (Green Card)
  - 2) High School or GED education
  - 3) 17 years of age or older
- Commitment Required (minimum length of service, terms of service, hours per week, and any other special requirements)
- Education Award amount
- A description of benefits, if applicable: stipend amount, health insurance, loan deferment, and other benefits, tangible and otherwise
- A list of all the necessary criminal history checks Members must agree to conduct – National Sex Offender Public Website, State criminal check, and FBI check
- A short sentence or two about any unique opportunities offered—advanced training in a particular skill, for example, or anything that is unique about your community
- Contact or resource for requesting additional information
- Equal Employment Opportunity Council and American with Disabilities Act language (“will not discriminate against a member on the basis of race, color, religious creed, ancestry, union membership, age, sex, sexual orientation, national origin, disability, nor political affiliation”)
- Statement that reasonable accommodations can be made for **interviews and service**

**MSA will request member position descriptions for review within the first 30 days of the program year.** Member position description information and templates can be found at [http://www.nationalservice.gov/sites/default/files/resource/position\\_description\\_templatetool.pdf](http://www.nationalservice.gov/sites/default/files/resource/position_description_templatetool.pdf).

## My AmeriCorps Portal

The CNCS-hosted website, [www.my.americorps.gov](http://www.my.americorps.gov), allows AmeriCorps programs, once approved for funding, to post available AmeriCorps positions free of charge and provides a searchable database for prospective members. Organizations can post service opportunities to the My AmeriCorps Portal through the Member Management Portal in eGrants.

Here are step-by-step instructions to create a service opportunity through eGrants to be posted on the My AmeriCorps Portal:

1. On the main screen of eGrants, select 'Recruitment' under "View My AmeriCorps Portal"
2. Select "Service Opportunities" on the Recruitment Workbasket screen.
3. Select "Create Opportunity Listing"
4. Fill in the appropriate information specific to your Service Opportunity on the proceeding screens

\*The eGrants system will not let you proceed until all required information (noted with a red star) is filled in.

\*You can decide to make the Service Opportunity immediately available or save the information to post at a later date.

For more information on using the My AmeriCorps Portal, please visit the CNCS National Service Knowledge Network online at: <http://nationalserviceresources.org/ac-training-support-state>. In addition, My AmeriCorps includes comprehensive online help, frequently asked questions, and an enhanced customer service feature, "Contact My AmeriCorps," to get answers needed about the programs or the system. For more information on My AmeriCorps, visit [http://www.americorps.gov/for\\_organizations/members/index.asp](http://www.americorps.gov/for_organizations/members/index.asp).

## AmeriCorps Member Enrollment

Once your organization has recruited qualified individuals to serve in your AmeriCorps Program, it will be time to enroll the members into your organization and into the required AmeriCorps systems. Enrollment in the My AmeriCorps Portal must be done **within 30 days** of the member start date (the first day of service that is recorded in service hour tracking). The 30 day period of time also applies to exiting members from the program. This is a requirement of the grant and enrollment/exit reports are reviewed by MSA and Corporation staff.

## Service Location Designation

In the My AmeriCorps Portal, programs are required to create accurate operating sites and service locations for their members. This requirement will allow for better tracking of resources, increase transparency, align with federal-wide open government initiatives, enhance communication among national and state stakeholders, and build capacity to accurately tell the story of national service.

## **Member Forms**

My AmeriCorps makes frequently used and requested forms available online at any time. This will allow Members to:

- Modify contact information (address, email address)
- View and print 1099 forms
- Complete Loan Forbearance forms
- Complete Interest Accrual Benefit requests
- Access to Service Certification forms
- Use all of the features and forms that were available in the AmeriCorps Online Payment System
- Complete Member Surveys (to include the End of Term Exit Survey)
- Connect to Alumni Services

## **Enrollment Policy**

Member enrollment refers to the number of slots filled divided by the number of slots awarded. Programs that are not able to reach 100% enrollment may be required to develop a corrective action plan and low enrollment rates adversely affect the program's risk level and may reduce the amount of grant allocation in future years. MSA reserves the right to recommend a smaller amount of AmeriCorps members in a subgrantees' second or third year of funding based on enrollment, retention, and graduation rates.

## **Refill Policy**

Eligible programs that have fully enrolled their awarded member slots are allowed to replace any member who terminates service before completing 30% of his/her term. Programs may not refill the same slot more than once. If a member leaves with compelling personal circumstances, the slot cannot be re-filled if the exited member accepts a partial Education Award.

As a fail-safe mechanism to ensure that CNCS resources are available in the National Service Trust to finance any Member's Education Award, MSA will suspend refilling if either the total AmeriCorps program enrollment reaches 97% of awarded slots or the number of refills reaches 5% of awarded slots.

## **AmeriCorps Member Supervision**

Quality supervision and mentorship is critical in helping to maximize the benefits of service for the member and the organization. AmeriCorps Members should be supervised by qualified staff of your organization and should not be supervised by other AmeriCorps Members. AmeriCorps Members cannot be supervised by other AmeriCorps Members because it potentially violates the non-displacement

requirement of the AmeriCorps Regulations. Additionally, AmeriCorps Members look to their supervisors for guidance, mentorship, and other professional development opportunities. 11Sec. 2540.100, Subpart A of 45 CFR

Always provide supervision to your AmeriCorps Members. AmeriCorps Members cannot acquire service/training/fundraising hours during time when they are unsupervised. AmeriCorps Members cannot complete service tasks from home or in any other location where they are unsupervised.

Remember to:

- Provide ongoing supervision through regularly scheduled meetings with your member(s). Focus on reviewing and developing service plans to achieve objectives;
- Maintain open communication with member(s);
- Identify and document training needs and opportunities for professional development for the member;
- Involve the member in appropriate staff meetings, retreats, and training events;
- Provide direct and honest feedback on all aspects of the member's performance on a regular basis-positive aspects as well as constructive criticism.

### **Performance Reviews**

The recipient must conduct and keep a record of at least a midterm and an end-of-term written evaluation of each member's performance for Full and Half-Time members and an end-of-term written evaluation for less than Half-time members. The end-of-term evaluation should address, at a minimum, the following factors:

1. Whether the member has completed the required number of hours;
2. Whether the member has satisfactorily completed assignments; and
3. Whether the member has met performance criteria that were clearly communicated at the beginning of the term of service
4. Member and supervisor signoff acknowledging that the evaluation content was reviewed and discussed

### **Service Objectives**

Outlining service expectations with applicants and revisiting those expectations at orientation and regular intervals with AmeriCorps members ensures that there is a clear understanding of what the member should accomplish over the course of the service year. Objectives should focus on outcomes within the community which are clearly linked to service activities and the program's performance measures.

In order to facilitate the full understanding of member expectations:

- Review specific responsibilities of the service year
- Outline goals and objectives for program success
- Provide projects, tasks, and assignments throughout the year that allow the member to develop and exercise leadership
- Communicate periodically regarding the progress and attainment of goals and objectives
- Revisit objectives periodically and revise them if necessary. Please be sure to keep the AmeriCorps Program Officer informed of any changes that may require MSA approval
- Ensure supervisors/site partners delegate activities to AmeriCorps Members that are allowable:
  - a. The AmeriCorps members may perform direct service activities that will advance the goals of your program, will result in a specific identifiable service or improvement that otherwise would not be provided, and that are included in, or consistent with, your CNCS-approved grant application.
  - b. Direct service activities generally refer to activities that provide a direct, measurable benefit to an individual, a group, or a community
  - c. Examples of the types of direct service activities AmeriCorps Members may perform include, but are not limited to, the following:
    - Tutoring
    - Helping to run an after-school program
    - Engaging in community clean-up projects
    - Providing health information to a vulnerable population
    - Teaching as part of a professional corps
    - Providing relief services to a community affected by a disaster
    - Conducting a neighborhood watch program as part of a public safety effort

12 Sec. 2520 – 2520.65

13 Sec. 2520.45 and 2520.50 of 45 CFR.

Please note that service activities should NOT include clerical work, research, or fundraising unless such activities are directly related to the service project and do not exceed the percentage established by

CNCS. Regulations state that Fundraising hours cannot exceed 10% of the member's total time; training hours cannot exceed 20% of the member's total time.

### **AmeriCorps Member Service Agreement/Member Contract**

This is the contract that Members and supervisors must sign on or before the first day of service that details the working arrangement for their term of service, including requirements of their service, duties, and discipline policies. Failure to sign on or before the first day of service will result in loss of accrued time and reported expenses if signed after the start of service. The AmeriCorps Program must ensure that there is an alignment with all enrollment documentation with start dates as designated in My AmeriCorps Portal. An example of an AmeriCorps Member Contract can be found in Appendix 2.

The program must require that each member sign a service agreement that, at minimum, includes the following:

- AmeriCorps and MSA logos
- Member position description
- Minimum number of service hours (as required by statute) and other requirements (as developed by the subgrantee) necessary to successfully complete the term of service (start and end date within grant year, slot type, etc.) and to be eligible for an Education Award
- Amount of the Education Award being offered for successful completion of the terms of service in which the individual is enrolling
- Member's weekly schedule
- Name and contact information of site supervisor and placement site
- Policy on Jury Duty, leave, and holidays
- Standards of conduct, as developed by the grantee or subgrantee
- Prohibited activities, including those specified in the regulations at 45 § CFR 2520.65
- Non-duplication and non-displacement requirements as specified in the regulations at 45 § CFR 2540.100 (e)-(f)
- Fundraising requirements as specified in the regulations at 45 § CFR 2540.100
- Requirements under the Drug-Free Workplace Act (41 U.S.C. § 701 et seq.)
- Civil rights requirements, complaint procedures, and rights of beneficiaries
- Suspension and termination rules

- Specific circumstances under which a member may be released for cause
- Member signature and date (before or on service start date)
- Grievance procedures
- Nondiscrimination clause including disability
- Written release consent form for publicity
- Written election/decline healthcare and childcare (Full time members)
- Other requirements established by the subgrantee

### **Member Orientation**

Members who begin their service year well oriented to their placement site have the greatest potential for increased productivity and personal growth. Orientation should be held in an accessible location and all AmeriCorps State programs are required to document that each member has received an orientation. Documentation includes a copy of the orientation agenda(s) and sign-in sheets. This information can be kept with program administration files.

Orientation should include:

- Review the history of AmeriCorps and National Service, the role of MSA, and the background of the organization to include mission, goals, structure, and current programs.
- Provide training on member rights and responsibilities, code of conduct, prohibited activities, suspension/termination from service, sexual harassment policies, Drug-Free Workplace requirements, and civic responsibility.
- Share the skills needed to complete service activities and provide appropriate equipment, materials, and a workspace to members to ensure an adequate and safe working environment.
- Provide a handbook and written materials about your organization and community.
- Enable the member to spend time with other program staff, board members, and community residents in order to get a broader picture of the organization and the community.
- Share organizational norms and rules. Although AmeriCorps members are completing a year of service, they should be treated as “first-year employees” with regard to policies and procedures.
- Formally introduce the member to the service placement site stakeholders and discuss goals and expectations.

Program staff should set aside time to formally meet with the member to provide an opportunity for clarifying organizational expectations regarding:

- AmeriCorps Member Agreement\*
- Organization Policies and Procedures
  - Sick leave, vacation, personal leave and holiday policies\*
  - Grievance procedures\*
  - Work schedule and lunch breaks\*
  - Time and attendance reporting\*
  - Reimbursement policies for service related travel
  - Dress code and/or uniform (should include AmeriCorps branding during all service hours)
  - Reasonable accommodation\*
  - Telephone and computer protocol and etiquette
  - Appropriate staff contact information
  - Participation in meetings and trainings
  - Formality and language (addressing others by last or first name, titles)
  - Rules of confidentiality (customer/client information, organizational information)
  - Representation (including who may speak to the press)
  - Fundraising
- Professionalism
- AmeriCorps Member benefits\* (as applicable to the term of service, most benefits are only available to full-time members)
  - Living Allowance
  - Health Insurance
  - Child Care
  - Loan Forbearance
  - Education Award

\*These items must be reviewed by all AmeriCorps members serving with your organization.

## **AmeriCorps Member Benefits**

### **Loan Forgiveness, Forbearance, and Interest Accrual Payments**

Members must be made aware that they can request forbearance to a loan holder via MyAmeriCorps Portal. Members enrolled in an AmeriCorps project are eligible for forbearance and interest accrual payment for most federally-backed student loans. Member files must document that the member is aware of this benefit. For other types of student loans, the member should ask their loan holder if their AmeriCorps service qualifies them for a deferment or forbearance. To access and complete the forms for forbearance or interest accrual payment, the member must be registered at [www.my.americorps.gov](http://www.my.americorps.gov). Once a Member successfully completes a term of service, they can request CNCS to pay for the interest accrued on their loans while they had been in forbearance.

**Note:** The interest accrual payment is considered taxable income during the year that CNCS provides it to the member.

### **Health Insurance**

Except for EAPs, Professional Corps, or Members covered under a collective bargaining agreement, the subgrantee must provide, or make available, healthcare insurance to those members serving a 1700-hour term (Full Time) who are not otherwise covered by a healthcare policy at the time each begins his/her term of service. The subgrantee must also provide, or make available, healthcare insurance to members serving a 1700-hour full-time term who lose coverage during their term of service as a result of service or through no deliberate act of their own. CNCS will not cover healthcare costs for family members.

Beginning in 2014, AmeriCorps members have new options for quality, affordable health insurance made available by the Affordable Care Act (ACA).

Like all Americans, AmeriCorps members can now access comprehensive, affordable health insurance coverage through a variety of means. Members can shop for plans in the Health Insurance Marketplaces at [HealthCare.gov](http://HealthCare.gov) where they may be eligible for financial assistance; if they are under 26 they may be able to stay on their parent's health insurance plan; or they may be able to obtain coverage through Medicaid, military health benefits, or Medicare. These health insurance options meet the new consumer protection standards under the Affordable Care Act.

It is important that members have information to help them learn what health care coverage is available so they can choose the option that works best for them. Their options might be different depending on your program or the state where they are serving. For more information please go to <http://www.nationalservice.gov/programs/americorps/current-members/health-care-options>.

Programs may provide health insurance to less-than-full-time members serving in a full-time capacity, but they are not required to do so. For purposes of this provision, a member is serving in a full-time capacity when his/her regular term of service will involve performing service on a normal full-time schedule for a period of six weeks or more. A member may be serving in a full-time capacity without

regard to whether his/her agreed term of service will result in a full-time Segal AmeriCorps Education Award.

### **Living Allowance**

AmeriCorps Programs must provide a modest living allowance to all Full-Time AmeriCorps Members and programs have the option of providing living allowances to less than Full-Time members. Pay periods are determined by the program. However, each member must receive a living allowance in equal amounts over the term of service regardless of absences. Deductions should be made for federal and state income taxes (where applicable) and FICA. Members must submit timesheets for each service period to the program. Members should not log zero hours during a pay period, but if they do, they should still be paid their living allowance. If a member is not completing service for a long period of time, based on your policies and procedures, the member should be suspended. A program is not required to provide the member's living allowance to the member while they are suspended.

### **Living Allowance Distribution**

Please also see [AC IV.G.1]. A living allowance is not a wage. Subgrantees must not pay a living allowance on an hourly basis. Subgrantees should pay the living allowance in regular increments, such as weekly or bi-weekly, paying an increased increment only on the basis of increased living expenses such as food, housing, or transportation. Payments should not fluctuate based on the number of hours served in a particular time period, and must cease when the member's service ceases.

If a member serves all required hours and is permitted to conclude his or her term of service before the originally agreed upon end of term, the grantee may not provide a lump sum payment to the member. Similarly, if a member is selected after the program's start date, the grantee must provide regular living allowance payments from the member's start date and may not increase the member's living allowance incremental payment or provide a lump sum to make up any missed payments.

AmeriCorps EAPs may provide a living allowance or other in-service benefits to their members, but are not required to do so. Full-cost and other Fixed Amount grantees must provide a living allowance to their members.

### **Paid Absences**

Vacation, holiday, and sick time will vary with each program. Members must follow policies and procedures indicated in the member contract for requesting paid time off. Paid absences are not counted as service.

### **Childcare**

Full-time AmeriCorps Members have the benefit of applying for Child Care Coverage provided by CNCS. Members are not eligible to receive childcare from AmeriCorps while they are receiving childcare subsidies from another source for the same period of AmeriCorps service. The childcare subsidy is provided to eligible members through GAP Solutions, Inc.

AmeriCorps Child Care

GAP Solutions, Inc.

12054 North Shore Drive

Reston, VA 20190

For household income, provider credentials and other qualifying requirements, CNCS uses the rules determined by the state in which the care is provided. All applications will continue to be reviewed and applicants will be notified of their approval or denial. All invoices will be reviewed and all that are complete will be paid. Please see [www.nationalservice.gov](http://www.nationalservice.gov) for additional information.

### **Eli Segal AmeriCorps Education Award**

Supervisors must share with members that they will be eligible to receive an Education Award upon successful completion of all program requirements. The Award amount will be based on the term of services and the number of service hours completed. The Award can be used to pay for attendance at a qualified institution of higher education and to repay qualified student loans for a period of up to seven years after the completion of service. The award is considered taxable income in the year(s) that it is used. Please see <http://www.nationalservice.gov/programs/amicorps/segal-amicorps-education-award/amount-eligibility-and-limitations-education> for additional information. As a reference, the amount of a full-time education award for national positions approved in the 2018 award year (which runs from July 1, 2017 to June 30, 2018) is \$5,920.

### **Extended Terms of Service**

#### **Compelling Personal Circumstances**

The program may place a member on suspension and extend the member's term of service beyond one calendar year due to the same compelling personal circumstances listed above. Please consult with the AmeriCorps Program Officer for approval and appropriate procedure as this may require approval from CNCS.

If the member is placed on suspension due to compelling personal circumstances as described above, the member will cease to receive benefits including the stipend under the program. The member's new end-of-term date will be extended by the number of days the member was on leave. Once the member is reinstated, the member must begin receiving their stipend until completion of service. If because of suspension due to personal and compelling circumstances, the member still cannot complete the minimum required hours, he/she will be eligible for a pro-rated education award.

### **Retention**

Retention refers to the number of AmeriCorps members that exit the program successfully with either a full Education Award or a partial/pro-rated Education Award. MSA and the Corporation expect programs

to maintain a 100% retention rate. Those who meet less than an 85% retention rate will be assessed more closely and may be required to provide a Corrective Action Plan.

MSA will take any written and documented retention difficulties into consideration when reviewing an application and monitoring a program. Recruitment and retention percentages may be used to determine a program's risk designation and may be taken into consideration when determining funding decisions that could result in the loss of funding. Retention percentages will be assessed prior to a formal site visit, when the Grantee Progress Report is due in April, and at the end of the year.

### **Taxes and Insurance**

Requirements related to member living allowances and benefits are in [45 CFR §§ 2522.240 and 2522.250]. In addition, subgrantees must ensure that the following procedures are followed:

a. Liability Insurance Coverage: The subgrantee is responsible for ensuring adequate general liability coverage for the organization, employees and members, including coverage of members engaged in on- and off-site project activities.

b. FICA (Social Security and Medicare taxes): Unless the subgrantee obtains a ruling from the Social Security Administration or the Internal Revenue Service that specifically exempts its AmeriCorps members from FICA requirements, the grantee must pay FICA for any member receiving a living allowance. The subgrantee also must withhold 7.65% from the member's living allowance.

c. Income Taxes: The subgrantee must withhold Federal personal income taxes from member living allowances, requiring each member to complete a W-4 form at the beginning of the term of service and providing a W-2 form at the close of the tax year. The subgrantee must comply with any applicable state or local tax requirements.

d. Worker's Compensation: Subgrantees must check with State Departments of Labor or Serve DC to determine worker's compensation requirements. If worker's compensation is not required, subgrantees must obtain Occupational, Accidental, and Death and Dismemberment coverage for members to cover in-service injury or incidents.

Note: As per the Massachusetts Division of Career Services, Massachusetts AmeriCorps programs do **not** have to provide unemployment coverage for members and therefore this is not an allowable cost.

### **Member Time and Attendance**

AmeriCorps program managers are responsible for verifying the accuracy of and signing member timesheets.

- Members are responsible for completing their own timesheets and submitting them to the site supervisor for review and verification.

- Members must sign and date their completed timesheets. Qualified supervisors are responsible for verifying the accuracy of and signing the timesheets. Supervisors cannot sign and date a timesheet before members have signed and dated their service log.
- Member timesheets track of the member's time and ensures completion of the required number of hours to qualify for an Education Award.
- The timesheets must account for time related to training, direct service, and fundraising. Timesheets distinguish between the member's hours to comply with all federal regulations to include no more than 20% of member time on training and no more than 10% of member time on fundraising.
- Document where the member's service is completed at a service location

**Please Note:** Travel time to and from activities does not count towards service, fundraising, or training hours. However, if travel is needed during the service day to fulfill the essential functions of the position, those hours can be counted as service hours. Additionally, each Full-Time member (and any other type of member serving in a Full-Time capacity) must include a lunch break on their timesheets. Lunch breaks are not allowed to be counted toward service hours. The program must develop a policy about lunch hours and other non-service hours and train members on the policy. Members should report whether or not they have taken a lunch break during their service day. If lunch was not taken members should list out what activities they were doing while working through lunch.

**Minimum Standard for Electronic Timekeeping Systems:**

Electronic timekeeping systems are allowed as the system of record when three conditions are met:

1. A written policy is in effect establishing the use of electronic timekeeping system as your system of record; and,
2. A secure, verifiable electronic signature system (a) identifies and authenticates a particular person as the source of the electronic signature; and (b) indicates such person's approval of the information contained in the electronic message.
3. Once appropriate electronic signatures have been applied, no changes may be made unless there is a clear, auditable record of the revision.

All current grant provisions including access restrictions, security, privacy, and retention of paper records, also apply to records maintained in an electronic timekeeping system. The use of regular e-mail to communicate approval is not a secure, verifiable electronic signature system.

## **AmeriCorps Member Records**

### **Electronic Recordkeeping**

The subgrantee must maintain records, including the position description, sufficient to establish that each member was eligible to participate and that the member successfully completed all program requirements. A program may store member files electronically if the program can ensure that the validity and integrity of the record is not compromised. CNCS will recognize electronically stored files where:

- The electronic storage procedures and system provide for the safe-keeping and security of the records, including:
  - Sufficient prevention of unauthorized alterations or erasures of records
  - Effective security measures to ensure that only authorized persons have access to records
  - Adequate measures designed to prevent physical damage to records
  - A system providing for back-up and recovery of records

The electronic storage procedures and system provide for the easy retrieval of records in a timely fashion, including:

- Storage of the records in a physically accessible location
- Clear and accurate labeling of all records
- Storage of the records in a usable, readable format

Where there is a requirement for a signature on a record, electronically stored records must include an image of the original signature; records without signatures, when required, are considered incomplete.

### **AmeriCorps Member File Documents**

A critical administrative responsibility for AmeriCorps Program Managers is the maintenance of AmeriCorps member files. These files are required by CNCS and MSA to ensure compliance with statutory regulations. The following are the content requirements of the member file. Discrepancies in files or additional information related to the member file must be documented and requires a “memo to file”. A sample AmeriCorps Member File Checklist can be found in Appendix 1.

- **Member Enrollment Form:** Programs must demonstrate that members have been enrolled in the MyAmeriCorps Portal.
- **Member Application, Resume, & Cover Letter:** Include the completed member application and any additional documents required, including a cover letter and/or resume submitted to apply for the position.

- **Uniform Selection Documents:** Include the required number of reference checks (should be the same number for all applicants), interview notes, and notification of member acceptance. A position description featuring the essential functions of the position should also be included.
- **Photo Identification:** For criminal history check purposes an official picture I.D must be included in the member file.
- **Proof of citizenship or allowable legal status:** a print-out from Portal or provide hard copies if citizenship status information is rejected from the Portal.
- **Proof of Age:** AmeriCorps members must be at least 17 years of age to be able to serve. If a member is under 18 at the time of enrollment, they must get parental consent to serve. Your organization must solicit parental consent for the member to serve before the member begins their term of service. The parental consent form must be maintained in the AmeriCorps member's file.
- **Educational Attainment Document(s):** Proof of GED or high school diploma or statement that member agrees to earn one prior to using the Education Award. Please see Appendix 4 for a GED Agreement Letter Example.
- **Tutoring Requirement (if applicable):** documentation that members who are tutors have met the tutoring qualification requirements established [Sec. 2522.900-950]. Please see Appendix 3 for a Tutoring Requirement Checklist.
- **I-9 Federal Employment Eligibility Form:** A standard employment form can be found here: <http://www.uscis.gov/files/form/i-9.pdf>.
- **W-4 Tax Withholding Form:** A standard employment form that is required if the member will be receiving a living allowance. For a copy of this form, visit: [www.irs.gov/pub/irs-pdf/fw4.pdf](http://www.irs.gov/pub/irs-pdf/fw4.pdf).
- **Criminal History Checks:** Printed copies of National Sex Offender Public Website Check (with date of printing), State Criminal History Check, and FBI Criminal History Check. Programs must be able to document dates of checks, initiation, and accompaniment while check results were pending. Please see Appendix 4 for a National Service Criminal History Check Documentation Checklist.
- **Written Consent for Criminal History Checks:** Scanned or attached consent form, including a signed statement from candidate agreeing to undergo checks and candidate understands that position is contingent on results. Please see Appendix 6 for an example form.
- **AmeriCorps Member Agreement/Contract:** (See Appendix 2 for an example AmeriCorps Member Contract).
- **Proof of Health Care Enrollment or Health Care Enrollment Waiver:** To provide proof of health insurance either a health insurance card or an official letter stating the member's health plan information must be included in the member file. If a Full-Time member already has health

insurance coverage for the duration of the term of service, programs must include documentation of that coverage in the member file. **Note:** Please do not include medical condition information or disability disclosure/accommodation information in the member's file. These documents should be placed in a separate locked file cabinet/box.

- **Child Care Benefit Enrollment Documents or Waiver of Benefit:** If a member decides to utilize this benefit, the AmeriCorps program must maintain documentation in the member's file. All full-time AmeriCorps members must sign a waiver of this benefit if they decide not to utilize this benefit. The waiver must also be maintained in the member's file.
- **Media Release:** Members must sign a photo release form (or include it in the Member Contract/Agreement) that will enable their pictures to be used in publications. Members under 18 years of age must have parental consent.
- **Member Timesheets must:**
  - Note location of service performed
  - Separate time for direct service, training, and fundraising
  - Separate lunch hours (lunch hours cannot be counted towards hours required for completion of the program)

If a program is using electronic system it must meet the following three conditions:

- A written policy is in effect establishing the use of electronic timekeeping system as your system of record
  - A secure, verifiable electronic signature system (a) identifies and authenticates a particular person as the source of the electronic signature; and (b) indicates such person's approval of the information contained in the electronic message
  - Once appropriate electronic signatures have been applied, no changes may be made unless there is a clear, auditable record of the revision
- **Mid-Term Performance Evaluation:** Required for Half-Time or Full-Time Members.
  - **Documentation of Member Discipline and Change of Status:** All programs must maintain copies of 'Change of Status' forms from the eGrants Member Management System and document suspensions of service in the Member File. Member Files must include documentation of release of any member for compelling circumstances or for cause.
  - **Documentation of Compelling Personal Circumstances:** Supporting materials for release from the program due to circumstances that are beyond the participant's control or for reasons approved by CNCS, including: disability, serious illness, death in the member's family making completing the term unreasonably difficult, military service obligations, an opportunity to transition from

welfare to work, and other reasons. Documentation can include official notes from doctors, the government, or other items that qualify as proof of the event or circumstance.

- **End of Term/Exit Form:** The member exit process qualifies members for the Education Award and also documents early exits. As this process takes place in the My AmeriCorps Portal/eGrants system, it is sufficient for programs to confirm that information in the Portal. Programs must have printed documentation from the Portal in individual member files to document member exit. Members must be exited in the Portal within 30 days of the end of the term of service.
- **End-of-Term Performance Evaluation /Exit Interview:** Must include required hours and if satisfactory completed. If programs are unable to get excited members to sign off on exit document, the program should document attempts to reach the unresponsive member(s). Those attempts must be added to the member file.

Note: CNCS implemented a new process in 2015 – all members are required to complete their own enrollment and exit forms in the Portal.

## **AmeriCorps Training and Development**

### **AmeriCorps Member Training**

AmeriCorps programs should seek to provide ongoing professional development opportunities for members related to the service activities and leadership skill development, including support in transitioning at the end of a year of service. MSA seeks to convene members in professional development opportunities and encourages AmeriCorps State and National programs to collaborate when possible. Members should be involved in selection of trainings and provided with opportunities to share feedback.

<http://www.nationalservice.gov/resources/member-and-volunteer-development>

<http://www.nationalservice.gov/resources/member-and-volunteer-development/encorps/member-training-and-development>

<http://www.nationalservice.gov/resources/edaward>

### **Member Development Plan**

Each program must use service experiences to help members achieve the skills and education needed for productive, active citizenship, including the provision, if appropriate, of structured opportunities for members to reflect on their service experience. Specifically, supervisors are encouraged to work with members to create an “Individual Development Plan” which outlines personal development goals to be achieved during the term of service, and how the AmeriCorps Supervisor will support attaining these goals.

## **AmeriCorps Program Staff Training and Technical Assistance**

Each fall, MSA distributes an online training and technical assistance assessment to gauge the performance level of National Service program directors. Each program manager must submit a complete Training and Technical Assistance Needs Assessment Survey. Results from the assessment are used to create MSA's yearly training and technical assistance calendar.

As an AmeriCorps program funded by MSA, the program manager or his/her designee must attend program director meetings, orientations, training events and statewide special events, as stated in the AmeriCorps State Grant Award Agreement. MSA offers individualized training and technical assistance to AmeriCorps State subgrantees if the requested training is not listed on the yearly training calendar. An AmeriCorps subgrantee must submit a request in writing to the AmeriCorps Program Officer for additional training and technical assistance.

## **Training and Technical Assistance Resources**

### **Websites**

Corporation for National Community Service

The Corporation for National Community Service website, [www.nationalservice.gov](http://www.nationalservice.gov), includes all information relevant for National Service programs to include program and fiscal guidance for grants management and updates on national initiatives related to CNCS.

Knowledge Network

The Corporation's National Service Knowledge Network website, [www.nationalserviceresources.org](http://www.nationalserviceresources.org), is a one-stop for National Service resources including an effective practices database where programs can post effective practices; conference and training calendar; online tutorials; and service-related links. Tutorials for AmeriCorps subgrantees: <http://www.nationalservice.gov/resources>

National Service Learning Clearinghouse

The National Service Learning Clearinghouse website, [www.servicelearning.org](http://www.servicelearning.org) is a one-stop for service learning models, techniques, and methodologies that includes online publications; effective practices database; funding sources and resources; and service-learning resources.

### **Disability Inclusion Initiative**

MSA encourages individuals with physical or mental disabilities to participate as AmeriCorps members through AmeriCorps programs operating in Massachusetts. **Subgrantees must ensure that AmeriCorps Members are aware of disability inclusion policies and procedures to include reasonable accommodations.**

## Disability Definition

According to the Americans with Disabilities Act (ADA), with respect to an individual, the term "disability" means a physical or mental impairment that substantially limits one or more of the individual's major life activities; a record of having such an impairment; or being regarded as having such an impairment. "Major life activities" mean functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, working, etc. Additionally, a "qualified individual with a disability" is an individual with a disability who, with or without reasonable accommodations, meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by the program.

## Policy

Under Federal law, any program that receives federal funds is required to comply with the requirements of the ADA and Section 504 of the Rehabilitation Act. In compliance with the Federal law, all National Service programs prohibit any form of discrimination against persons with disabilities in recruitment, as well as in service. No qualified individual with a disability shall, by reason of disability, be excluded from participation in or be denied the benefits of the program, services, or activities of the program, or be subjected to discrimination by the program. Nor shall the program exclude or otherwise deny equal services, programs, or activities to an individual because of the known disability.

## Reasonable Accommodation

A reasonable accommodation is any modification or adjustment to a program site that will enable a qualified applicant, National Service participant, or National Service-funded employee with a disability to participate in the application process or to perform essential service or job functions. Reasonable accommodation also includes adjustments to assure that a qualified individual with a disability has rights and privileges in service equal to those of individuals without disabilities. All National Service programs shall make reasonable accommodations in practices and/or procedures when the accommodations are necessary to avoid discrimination on the basis of disability. Accommodations are "reasonable" when they are practical or feasible. The program does not have to provide reasonable accommodations that would impose undue hardship on the operation of the program.

## Procedure for Requesting Reasonable Accommodation Funds

Based on funding availability, MSA offers reasonable accommodation funds to assist National Service program sites operating in the Massachusetts. Contact your Program Officer if you are interested in requesting reasonable accommodation funds.

## AmeriCorps Program Management

As an AmeriCorps Program Manager, your responsibilities include, but are not limited to, recruiting and selecting members, supervising and training members, observing programmatic and fiscal responsibilities, enrolling and exiting members, and reporting to MSA and CNCS as appropriate.

You will find the requirements for AmeriCorps programs in the following documents:

- AmeriCorps State Grant Agreement issued by MSA
- AmeriCorps Regulations\*
- AmeriCorps Provisions\*
- Applicable OMB circulars\* (referenced in your AmeriCorps State Site Grant Award Agreement)
- The National and Community Service Act of 1990\*, as amended
- AmeriCorps proposal (application) and modifications to it that may have been negotiated
- AmeriCorps State budget, which contains the maximum amount of CNCS funds provided and obligations for matching funds and/or in-kind contributions.

\* For the most updated versions of the documents above, please see [www.nationalservice.gov](http://www.nationalservice.gov)

### **AmeriCorps State Cooperative Agreement**

All programs will receive an AmeriCorps State Cooperative Agreement that outlines all responsibilities of the grant. The agreement will outline terms and conditions for the grant as related to local and Federal requirements. The full award agreement package must be kept on file by the program and available for review by MSA staff.

### **Slot Conversions and Corrections**

#### **Slot Conversion**

As of November 13, 2006, CNCS revised the slot conversion policy to allow programs to convert one Full-Time position to up to three Quarter-Time positions. A slot conversion is necessary when a program wants to convert an unfilled slot into less time slots. All conversions will be Trust neutral, are subject to availability of funds in the Trust, and will comply with all assumptions on which Trust prudence and continued solvency are predicated. This policy allows AmeriCorps slots to be converted in accordance with the grant award (AmeriCorps General Provision, Section 8, Terms of Service) but without regard to the limitation therein on increasing the number of slots in the program. Thus, when converting a slot to one requiring fewer hours, the subgrantee is not limited to a one-for-one slot conversion, and may increase the number of members correspondingly. However, the total number of MSYs and education award amounts in the grant may not increase as a result of the slot conversion. Even though programs can convert slots in eGrants on their own, every slot conversion must be discussed with AmeriCorps Program Officer prior to converting the slot in eGrants.

#### **Slot Correction**

A slot correction is necessary when a program needs to increase or decrease the number of slots awarded in the grant. The number of MSYs specified in the grant contract will be altered by this request.

A slot correction can only be processed by the MSA AmeriCorps Program Officer. Once approved, the request will be sent to the CNCS grants officer. The program must contact the AmeriCorps Program Officer if such a correction needs to be made.

### **Performance Measures**

MSA requires that all AmeriCorps State subgrantees track their progress toward performance measures as indicated in their AmeriCorps applications through ongoing data collection. The results of the data collected through periodic progress reports will establish concrete results of national service in Massachusetts communities.

### **Performance Measures Modification**

Modification requests must be made in writing and sent to the MSA AmeriCorps Program Officer and approved before reporting on the modified objectives in a Progress Report. Before you go through the process of modifying your performance measures, please consult with the MSA AmeriCorps Program Officer. Refer to the AmeriCorps grant agreement and exhibits for additional information. Please note that the request must be sent before the end of the 3rd quarter of the program year. An email is acceptable. Any performance measure change in eGrants will need CNCS' final approval.

### **AmeriCorps Program Reporting**

Subgrantees are expected to meet all reporting deadlines established by MSA and CNCS. Due dates for all reports are listed in Contract Addendum #8 of the AmeriCorps grant agreement. Reports received after the due date and without an approved extension may delay the subgrantee's next funding reimbursement. A subgrantee must request an extension at least 24-hours before the report is due. A subgrantee's ability to meet due dates is evaluated by program staff as a part of the monitoring process.

### **Record Retention**

All records related to any programs funded by MSA must be retained by the program for at least three years from when MSA submits the final FFR to close out a grant. This could be up to 6 or 7 seven years in total, if there was an extension.

### **Disposal of Records**

Programs must make responsible efforts to protect the confidentiality of disposed program records in such a way as to protect the identity and privacy of program participants.

### **Service Host Site Management**

In order to ensure a positive experience for members at the service site, it is critical to establish a clear understanding of expectations for the member role and responsibilities. MSA monitors subgrantees to ensure that proper host site management is taking place by evaluating the following:

- Established Memorandum of Understanding/Partnership Agreements between subgrantees and service host sites
- Verification that Service Host Sites follow AmeriCorps and other federal policies. (Subgrantee should be able to provide policies and procedures of service sites)
- Established protocol for subgrantees to monitor service sites (schedule, tool, feedback form, follow up, etc.) and verification that monitoring is taking place at the service sites

### **MSA Monitoring and Evaluation**

A monitoring site visit is an on-site assessment by MSA staff to determine if the program is in compliance with the Contract Agreement, AmeriCorps Grant Provisions, and Federal Regulations. The monitoring visit will cover all areas of program operation. Source documentation to be reviewed may include: data collection sheets, member files, financial documents, and any other documents that will substantiate data reported in progress reports and/or financial reports.

### **Monitoring Site Visit**

Each year, MSA staff prepares a site visit schedule as a part of the risk-based monitoring policy. The purpose of the visit is to ensure that the program is having the desired impact in the communities it serves, provides meaningful service for members, and has strong programmatic systems in place to adhere to the grant provisions. Each program can expect to have a site visit at least once during the three-year grant cycle.

One month prior to the visit the program will be contacted via email to arrange a mutually convenient date for the visit. Fiscal site visits will be scheduled separately and will be identified through the finance team's assessed priorities.

Once the date had been scheduled, the program will receive a list of the systems that will be reviewed and a sample agenda, complete with a list of people that MSA Program Officer wants to meet with.

A formal site visit report will be issued after the visit. This report will identify best practices, areas of non-compliance and areas for continuous improvement. It will also outline any necessary next steps for the program. Programs are required to respond to the site visit summary within the 30 business days. If the program has significant findings, the AmeriCorps Program Officer will conduct a follow-up visit.

### **Personnel Policies and Procedures**

The following policies and procedures are a requirement of the AmeriCorps grants. These policies apply to all grant funded staff and members. During site visits MSA programmatic and fiscal staff will check subgrantee personnel policies and procedures to ensure they are included.

## **Drug-Free Workplace Certification**

Through the enactment of Senate Bill 1120 (Chapter 1170, Statutes of 1990), the Drug-Free Workplace Act of 1990 (“the Act”) was established, which requires subgrantees to assure MSA that they will comply with the requirements of Government code Sections 8350-8357. MSA is required by law to obtain written certification of compliance. The Drug-free Workplace Certification must be signed by the designated individuals authorized to sign the grant award and is part of MSA grant agreement.

## **Grievance Procedures**

AmeriCorps State programs must develop and distribute CNCS-approved grievance procedures to all AmeriCorps members and staff supported by the AmeriCorps State grant. It is imperative that programs be able to demonstrate that they have grievance procedures that resolve disputes concerning member’s suspension, dismissal, service evaluation or proposed service assignments, and that, as a participant of the program, he/she may file a grievance in accordance with the program’s approved grievance policy.

Grievance Procedures should include (at a minimum):

- Grievance must be filed within one calendar year of the alleged occurrence (except in cases of fraud or criminal activity) and right to remedies and assignment of costs stated.
- Contact information for MSA’s Director of Programs and a notice that MSA will be notified when a grievance is filed against the program and that a member can file a grievance directly with MSA with the same dispute resolution process. Include a section for the Member to sign-off.
- Within 30 days of the filing of a grievance, a hearing must be held.
- The right to hearing by a person not involved in previous decision on the issue.
- Within 60 days of the filing of a grievance, a decision must be made.
- If no decision is made within 60 days of the grievance filing, or if the decision is adverse to the aggrieved party, the aggrieved party may request binding arbitration. Binding arbitration must be held within 45 days of request.
- If the parties cannot agree on an arbitrator within 15 calendar days after receiving a request from one of the grievance parties, the CNCS Chief Executive Officer will appoint an arbitrator from a list of qualified arbitrators.
- An arbitration proceeding must be held no later than 45 calendar days after the request for arbitration, or, if the arbitrator is appointed by the Chief Executive Officer, the proceeding must occur no later than 30 calendar days after the arbitrator's appointment.
- Optional alternative dispute resolution or mediation throughout process. If the matter is resolved through alternative dispute resolution or other informal means, the party will agree to forgo filing a grievance in the matter under consideration.
- The right to dispute resolution process (if selected) initiated within 45 days.

## **Non-Discrimination Policy**

The subgrantee must include information on civil rights requirements, complaint procedures and the rights of beneficiaries in member service agreements, handbooks, manuals, pamphlets, and post in prominent locations, as appropriate. The grantee must also notify the public in recruitment material and application forms that it operates its program or activity subject to the nondiscrimination requirements. Sample language, in bold print, is “This program is available to all, without regard to race, color, national origin, disability, age, sex, political affiliation, or, in most instances, religion.” Where a significant portion of the population eligible to be served needs services or information in a language other than English, the grantee shall take reasonable steps to provide written material of the type ordinarily available to the public in appropriate languages.

## **Non-Supplantation, Non-Duplication and Non-Displacement**

### **Non-Supplantation**

CNCS assistance may not be used to replace State and local public funds that had been used to support programs of the type eligible to receive CNCS support. For any given program, this condition will be satisfied if the aggregate non-Federal public expenditure for that program in the fiscal year that support is to be provided is not less than the previous fiscal year.

### **Non-Duplication**

Assistance provided under the national service laws shall be used only for a program that does not duplicate, and is in addition to, an activity otherwise available in the locality of such program.

Private Nonprofit Entity—Assistance made available under the national service laws shall not be provided to a private nonprofit entity to conduct activities that are the same or substantially equivalent to activities provided by a State or local government agency that such entity resides unless non-displacement requirements are met.

### **Non-Displacement**

An employer shall not displace an employee, position, or volunteer (other than a participant under the national service laws), including partial displacement such as reduction in hours, wages, or employment benefits, as a result of the use by such employer of a participant in a program receiving assistance under the national service laws.

## **Prohibited Activities Restrictions**

The subgrantee ensures that grant-funded staff is compliant with prohibited activities restrictions.

## **Reasonable Accommodation**

The grantee ensures the provision of reasonable accommodation to qualified individuals.

**General Liability Coverage**

The subgrantee is responsible for ensuring adequate general liability coverage for the organization, employees and members, including coverage of members engaged in on- and off-site project activities.

# Appendices

## 1. AmeriCorps Member File Checklist Example

**Member Name:**

**Start Date:**            **End Date:**

**Service Term:** 1700   900   675   450   300

Enrolled into eGrants within 30 days

AmeriCorps Application, Resume, Cover Letter, References, Interview Notes

Photo identification

Proof of Citizenship/Allowable Legal Status            Note if not in My AC Portal

Proof of Age (Parental Consent Form if under 18)

Educational Attainment Document(s)            Type: (GED, HS, Letter)

Tutoring Requirement (if applicable)

I-9 Federal Employment Eligibility Form

W-4 Tax Withholding Form (if stipend)

Criminal History Checks (see below)

Written Consent for Criminal History Checks

AmeriCorps Member Agreement/Contract with member signature and date (before or on first day of service)

Proof of Healthcare Enrollment or Waiver

Childcare Benefit Enrollment/Waiver

Media Release

Member Timesheets

Mid-Term Performance Evaluation (Required for FT and HT)- include hours served to date

Documentation of Member Discipline/Change of Status (if applicable)

End of Term/Exit Form within 30 days

End of Term Performance Evaluation

**Statewide Criminal History Check** (initiated before start of service)

- State where service will be performed: YES NO
- State where applicant applied from: YES NO N/A (application state is state of service)

If yes:

Date check initiated:

Date check completed or copy received:

**National Sex Offender Public Website Check:** YES NO (printed or electronic copy with date of search included)

(Completed before the start of service)

**FBI Check** for those who have access to vulnerable populations (initiated before start of service): YES NO

If yes:

Date check initiated:

Date check completed or copy received:

## 2. AmeriCorps Member Contract Example

### I. PURPOSE

It is the purpose of this agreement to delineate the terms, conditions, and rules of membership regarding the participation of \_\_\_\_\_ (hereinafter referred to as the member) in the \_\_\_\_\_ AmeriCorps Program (hereinafter referred to as the Program).

### II. MINIMUM QUALIFICATIONS

The member certifies that he/she is a United States citizen, a United States national, or a lawful permanent resident alien and at least 17 years of age (or at least 16 years of age if the member is an out-of-school youth and a participant in one of two types of youth corps defined under the National and Community Service Act of 1990, as amended); has a GED or high school diploma; and has not been convicted of murder and/or is not listed as a sex offender.

### III. TERMS OF SERVICE

A. The member's term of service begins on \_\_\_\_\_ and ends on \_\_\_\_\_.

The Program and the member may agree, in writing, to extend this term of service for the following reasons:

1. The member's service has been suspended due to compelling personal circumstances.
2. The member's service has been terminated, but a grievance procedure has resulted in reinstatement.

B. The member will complete a minimum of \_\_\_\_\_ hours of service during this period.

C. The member will serve in the following weekly schedule: \_\_\_\_\_ (include days, times expected, duties performed, etc.)

1. Full-Time Members must serve 1700 hours during a period of not less than nine months and not more than one year.
2. Half Time Member must serve at least 900 hours over a time not to exceed one year.
3. Reduced Half-Time Members must serve at least 675 hours over a time not to exceed one year.
4. Quarter-Time Members must serve at least 450 hours over a time not to exceed one year.

5. Minimum Time Members must serve at least 300 hours over a time not to exceed one year.
- D. The member understands that to complete the term of service successfully (as defined by the program and consistent with regulations of the Corporation for National and Community Service and to be eligible for the education award, he/she must complete all the hours of service (as noted in B above) and satisfactorily complete pre-service training and the appropriate education/training that relates to the member's ability to perform service.
  - E. The member understands that to be eligible to serve a second term of service the member must receive satisfactory performance reviews for any previous term of service. The member's eligibility for a second term of service with this program will be based on at least a mid-term and end-of-term evaluation of the member's performance focusing on factors such as whether the member has:
    1. Completed the required number of hours
    2. Satisfactorily completed assignments, tasks, or projects
    3. Met any other criteria that were clearly communicated both orally and in writing at the beginning of the service term.
  - F. The member understands, however, that the mere eligibility for an additional term of service does not guarantee selection or placement.
  - G. The member understands that the program must abide by the Corporation's non-duplication and non-displacement rules.

Non-duplication - Corporation assistance may not be used to duplicate an activity that is already available in the locality of a program. And, unless the requirements of paragraph (f) of this section are met, Corporation assistance will not be provided to a private nonprofit entity to conduct activities that are the same or substantially equivalent to activities provided by a State or local government agency in which such entity resides.

Non-displacement:

1. An employer may not displace an employee or position, including partial displacement such as reduction in hours, wages, or employment benefits, as a result of the use by such employer of a participant in a program receiving Corporation assistance.
2. An organization may not displace a volunteer by using a participant in a program receiving Corporation assistance.

3. A service opportunity will not be created under this chapter that will infringe in any manner on the promotional opportunity of an employed individual.
4. A participant in a program receiving Corporation assistance may not perform any services or duties or engage in activities that would otherwise be performed by an employee as part of the assigned duties of such employee.
5. A participant in any program receiving assistance under this chapter may not perform any services or duties, or engage in activities, that—
  - a) Will supplant the hiring of employed workers; or
  - b) Are services, duties, or activities with respect to which an individual has recall rights pursuant to a collective bargaining agreement or applicable personnel procedures.
6. A participant in any program receiving assistance under this chapter may not perform services or duties that have been performed by or were assigned to any—
  - a) Presently employed worker;
  - b) Employee who recently resigned or was discharged;
  - c) Employee who is subject to a reduction in force or who has recall rights pursuant to a collective bargaining agreement or applicable personnel procedures;
  - d) Employee who is on leave (terminal, temporary, vacation, emergency, or sick); or
  - e) Employee who is on strike or who is being locked out.

H. The members understand under what circumstances they may raise resource for the program.

1. AmeriCorps members may raise resources directly in support of your program's service activities.
2. Examples of fundraising activities AmeriCorps members may perform include, but are not limited to, the following:
3. Seeking donations of books from companies and individuals for a program in which volunteers teach children to read;

4. Writing a grant proposal to a foundation to secure resources to support the training of volunteers;
5. Securing supplies and equipment from the community to enable volunteers to help build houses for low-income individuals;
6. Securing financial resources from the community to assist in launching or expanding a program that provides social services to the members of the community and is delivered, in whole or in part, through the members of a community-based organization;
7. Seeking donations from alumni of the program for specific service projects being performed by current members.
8. AmeriCorps members may not:
  - a) Raise funds for living allowances or for an organization's general (as opposed to project) operating expenses or endowment;
  - b) Write a grant application to the Corporation or to any other Federal agency.

IV. IV. POSITION DESCRIPTION (See attached Member Position Description)

The name of the member's direct supervisor is \_\_\_\_\_.

V. BENEFITS

The member will receive from the Program the following benefits:

A. Living Allowance Calculation. The living allowance is designed to help members meet the necessary living expenses incurred while participating in the AmeriCorps Program. Programs must not pay a living allowance on an hourly basis. It is not a wage and should not fluctuate based on the number of hours members serve in a given time period. Programs should pay the living allowance in increments, such as weekly or biweekly. Programs may use their organization's payroll system to process members' living allowances. However, if a payroll system cannot be altered and must show 40 hours in order to distribute a living allowance, then members' service hours should be documented separately to keep track of their progress toward the Program's total required AmeriCorps service hours.

1. A living allowance in the amount of: \_\_\_\_\_
2. The living allowance is taxable, and taxes will be deducted directly from the living allowance.

3. The living allowance will be distributed [weekly/biweekly] by [direct deposit] [check] starting on \_\_\_\_\_ [date] \_\_\_\_\_. The biweekly amount will be \_\_\_\_\_.

a) [Health benefits (if the member is eligible). The health insurance policy is attached.]

b) If applicable, a child care allowance of \_\_\_\_\_ will be provided by GAP Solutions, Inc. directly to the provider, if the member qualifies for the allowance.

B. Upon successful completion of the member's term of service, the member will receive an education award from the National Service Trust. For successful completion of a full-time term, the member will receive an education award in the amount of \$5,775.

1. If the member has not yet received a high school diploma or its equivalent (including an alternative diploma or certificate for individuals with learning disabilities), the member agrees to obtain a high school diploma or its equivalent before using the education award.

2. This requirement can be waived if the member is enrolled in an institution of higher education on an ability to benefit basis or the program has waived this requirement due to the results of the member's education assessment. The member understands that his or her failure to disclose to the program any history of having been released for cause from another AmeriCorps program will render him or her ineligible to receive the education award.

C. If the member has received forbearance on a qualified student loan during the term of service, the National Service Trust will repay a portion or all of the interest that accrued on the loan during the term of service.

## VI. RULES OF CONDUCT

A. At no time may the member:

1. Engage in any activity that is illegal under local, state, or federal law

2. Engage in activities that pose a significant safety risk to others

3. Engage in any AmeriCorps-prohibited activities that include:

a) Any activity involving attempting to influence legislation or an election or aid a partisan political organization

- b) Helping or hindering union activity
- c) Engaging in religious instruction
- d) Conducting worship services
- e) Providing instruction as part of a program that includes mandatory religious instruction or worship
- f) Constructing or operating facilities devoted to religious instruction or worship
- g) Maintaining facilities primarily or inherently devoted to religious instruction or worship
- h) Engaging in any form of religious proselytizing
- i) Organizing or engaging in protests, petitions, boycotts, or strikes
- j) Impairing existing contracts for services or collective bargaining agreements
- k) Participating in, or endorsing, events or activities that are likely to include advocacy for or against political parties, political candidates, political platforms, proposed legislation, or elected officials
- l) Providing a direct benefit to a for-profit entity, a labor union, a partisan political organization, a religious organization, or a nonprofit that engages in lobbying
- m) Providing abortion services or referrals for receipt of such services; and
- n) Such other activities as the Corporation may prohibit.

Individuals may exercise their rights as private citizens and may participate in the activities listed above on their initiative, on non-AmeriCorps time, and using non-Corporation funds. Individuals should not wear the AmeriCorps logo while doing so.

B. B. The member is expected to, at all times while acting in an official capacity as an AmeriCorps member:

1. Comply with the rules and standards of the host agency.
2. Demonstrate mutual respect toward others
3. Follow directions

4. Direct concerns, problems, and suggestions to [designate the appropriate program official here]
- C. The member understands that the following acts also constitute a violation of the Program's rules of conduct:
1. Unauthorized tardiness
  2. Unauthorized absences
  3. Repeated use of inappropriate language (i.e., profanity) at a service site
  4. Failure to wear appropriate clothing to service assignments
  5. Stealing or lying
  6. Engaging in any activity that may physically or emotionally damage other members of the program or people in the community
  7. Unlawful manufacture, distribution, dispensation, possession, or use of any controlled substance or illegal drugs during the term of service
  8. Consuming alcoholic beverages during the performance of service activities
  9. Being under the influence of alcohol or any illegal drugs during the performance of service activities
  10. Failure to notify the program of any criminal arrest or conviction that occurs during the term of service
- D. Under the Drug-Free Workplace Act, you must immediately notify the Program Director if you are convicted under any criminal drug statute. Your participation in the Program is conditioned upon compliance with this notice requirement, and we will take action for violation of this.
- E. In general, for violating the above stated rules in section VI(C), the Program will do the following (except in cases where during the term of service the member has been charged with or convicted of a violent felony, possession, sale, or distribution of a controlled substance):
1. For the member's first offense, an appropriate program official will issue a verbal warning to the member.
  2. For the member's second offense, an appropriate program official will issue a written warning and reprimand the member.

3. For the member's third offense, the member may be suspended for one day or more without compensation and will not receive credit for any service hours missed.

4. For the fourth offense, the Program may release the member for cause.

F. The member understands that he/she will be either suspended or released for cause in accordance with paragraphs (B), (D), and (E) of section VII of this agreement for committing certain acts during the term of service including but not limited to being convicted or charged with a violent felony, possession, sale, or distribution of a controlled substance.

## VII. RELEASE FROM TERMS OF SERVICE

A. The member understands that he/she may be released for the following two reasons:

1. For cause, as explained in paragraph (B) of this section

2. For compelling personal circumstances as defined in paragraph (C) of this section

B. The Program will release the member for cause for the following reasons:

1. The member has dropped out of the program without obtaining a release for compelling personal circumstances from the appropriate program official.

2. During the term of service the member has been convicted of a violent felony or the sale or distribution of a controlled substance.

3. The member has committed a fourth offense in accordance with paragraph (E) of section VI of this agreement.

4. The member has committed any of the offenses listed.

5. The member has committed another serious breach that, in the judgment of the program director, would undermine the effectiveness of the Program.

C. The Program may release the member from the term of service for compelling personal circumstances if the member demonstrates that:

1. The member has a disability or serious illness that makes completing the term impossible.

2. There is a serious injury, illness, or death of a family member which makes completing the term unreasonably difficult or impossible for the member.

3. The member has military service obligations.

4. The member has accepted an opportunity to make the transition from welfare to work.
5. Some other unforeseeable circumstance beyond the member's control makes it impossible or unreasonably difficult for the member to complete the term of service, such as a natural disaster, a strike, relocation of a spouse, or the nonrenewal or premature closing of a project or the Program.

D. Compelling personal circumstances which do not constitute leaving the Program:

1. To enroll in school
2. To obtain employment, other than moving from welfare to work
3. Because of dissatisfaction with the Program

E. The Program may suspend the member's term of service for the following reasons:

1. During the term of service the member has been charged with a violent felony or the sale or distribution of a controlled substance. (If the member is found not guilty or the charge is dismissed, the member may resume his/her term of service. The member, however, will not receive back living allowances or credit for any service hours missed.)
2. During the term of service the member has been convicted of a first offense of possession of a controlled substance. (If, however, the member demonstrates that he/she has enrolled in an approved drug rehabilitation program, the member may resume his/her term of service. The member will not receive back living allowances or credit for any service hours missed.)

F. The Program may suspend the member's term of service for violating the rule of conduct provisions in accordance with the rules set forth in paragraph (C) of section VI of this agreement.

G. If the member discontinues his/her term of service for any reason other than a release for compelling personal circumstances as described in paragraph (B), (D), and (E), the member will cease to receive the benefits described in paragraph (A) of section V and will receive no portion of the education award or interest payments.

H. If the member discontinues his/her term of service due to compelling personal circumstances as described in paragraph (C) of section VII of this agreement, the member will cease to receive benefits described in paragraphs (B) and (C) of section V.

- I. Program director must submit written notification to NCLR and health care providers and cancel health insurance within one week of the member's exit date and submit written notification to NCLR and First Financial (child care) providers and cancel child care.

VIII. GRIEVANCE PROCEDURES (See attached Grievance Procedure and AmeriCorps Provisions, Sec. 34)

- A. The member understands that the Program has a grievance procedure to resolve disputes concerning the Member's suspension, dismissal, service evaluation, or proposed service assignment.
- B. The member understands that, as a participant of the program, he/she may file a grievance in accordance with the Program's grievance procedure.

IX. Program has written policies that address:

- A. Grievance Procedures
- B. Drug-Free Workplace
- C. Nondiscrimination
- D. Reasonable accommodation for members with disabilities
- E. Jury Duty, civic duties/voting, leave, and holidays

X. AMENDMENTS TO THIS AGREEMENT

This agreement may be changed or revised only by written consent by both parties.

XI. AUTHORIZATION

The member and Program hereby acknowledge by their signatures that they have read, understand, and agree to all terms and conditions of this agreement. (If member is less than 18 years old, the member's parent/legal guardian must also sign.)

AmeriCorps Member AmeriCorps Program Director Member or Parent/Legal Guardian

Signature/Date

### 3. National Service Criminal History Check Consent Form Model Language

Adapt this text to generate a form that candidates sign stating their willingness to undergo the NSCHC and their understanding that their position (whether staff or national service) is contingent on the results. You may collect this form from your candidates during the application process.

I, \_\_\_\_\_, agree to undergo the National Service Criminal History Check, which may include one or both of the following: Checks of state criminal history registries for locations where I've lived as well as where I will serve or work and/or an FBI fingerprint check.

I also understand that selection is subject to check results and that a candidate can be disqualified for any one of the following reasons:

1. Murder conviction
2. Required to be registered on a sex offender registry
3. False statement in response to inquiry about criminal history
4. Refusal to undergo the National Service Criminal History Check

Name (printed):

Signature:

Date:

### 4. National Service Criminal History Check Documentation Checklist

Name of individual receiving checks:

Dates of service:

Position:

Recurring access to vulnerable populations? **Yes / No**

#### Verification of identity:

- Photocopy/scan of government-issued ID (driver's license or passport) attached

--OR--

- ID type \_\_\_\_\_ ID number \_\_\_\_\_ Expiration \_\_\_\_\_

#### National Sex Offender Public Website (NSOPW)

- Screen shots or print out of results from nationwide sex offender registry check that clear your candidate

- If there are individuals on the NSOPW with the same name as your candidate, include documentation that shows that your candidate is not one of those listed.

#### **Written Consent**

- Scanned or attached consent form including a signed statement from candidate agreeing to undergo checks and candidate's understanding that position is contingent on results

#### **Dates of initiation of additional check components(s)**

- States records checks initiated:

**--AND/OR--**

- FBI fingerprint check initiated:

#### **Accompaniment**

- Attach documentation of each instance of accompaniment (while checks were pending) during service or work with vulnerable populations. Record the date, time, location, and name of person who provided accompaniment.

#### **Completion of checks**

- Record date checks were completed:
- Attach results of checks (scanned or photocopied documents, screen shots, etc.)

#### **Consideration of results**

- Maintain a document stating that checks were completed and that you considered the results of the checks

### **5. National Service Criminal History Check Steps Checklist**

Follow these steps to clear staff:

Remember, staff members from your program must be cleared with the National Service Criminal History Check before they can charge hours to the CNCS grant.

- Verify identity through government-issued photo identification (maintain documentation)
- Get written consent from candidates to perform checks (maintain documentation)
- Document candidate's understanding that his or her position is contingent on eligibility determined by the results of the National Service Criminal History Check (maintain documentation)

- Determine check types. Access to vulnerable populations will determine components of the National Service Criminal History Check needed
- Select sources. When going through a vendor; make sure you are getting results from CNCS-approved sources
- Perform a free, nationwide NSOPW search before candidate begins work or service (maintain documentation)
- Initiate and pay for additional check component(s). State(s) and/or FBI checks must be ordered before candidate begins work or service (maintain documentation)
- Provide accompaniment while checks are pending when service or work involves vulnerable populations (maintain documentation)
- Document receipt date when check results arrive (maintain documentation)
- Consider check results, as cleared candidates can now become fully instated (maintain documentation)
- Cease accompaniment once a candidate has cleared the state or FBI check
- Provide opportunity to review finding, being mindful of Civil Rights laws and particularly when negative results surface
- Maintain results, while providing confidentiality.





**Massachusetts Service Alliance**  
100 North Washington Street, Floor 3  
Boston, MA 02114

(617) 542-2544  
[www.mass-service.org](http://www.mass-service.org)