

AMERICORPS
(Corporation for National and Community Service)

ASSISTANCE LISTING 94.006 AMERICORPS STATE AND NATIONAL

I. PROGRAM OBJECTIVES

The AmeriCorps State and National service program provides funds to national and locally based organizations to carry out national service programs described in 42 USC 12572(a) and (b).

II. PROGRAM PROCEDURES

Of the funds available for AmeriCorps State and National programs, AmeriCorps (the operating name of the Corporation for National and Community Service (CNCS)) allots 35.3 percent to State Service Commissions, 1 percent for Indian tribes, and 1 percent for the US territories. After setting aside the aforementioned funds, the remaining funds are distributed competitively by AmeriCorps—either to State Commissions for their subgrantees or directly to eligible nonfederal entities that will operate in two or more states. The State Commissions do not directly operate programs. State Commissions subgrant funds to organizations to operate community service programs within their states.

In addition to grants to fund AmeriCorps State and National programs, State Commissions also receive grants from AmeriCorps to support their administrative and training and technical assistance operations. These grants are made under programs titled State Commission Support Grants (Assistance Listing 94.003) and Commission Investment Fund Grants (Assistance Listing 94.008), which are not included in Part 4 of the Supplement.

AmeriCorps State and National grant recipients operate programs that recruit and train individuals as AmeriCorps members. Full-time AmeriCorps members receive a living allowance and are eligible for health insurance (if they are not otherwise covered while participating in the program), and childcare benefits (if they meet specific income thresholds). After the grant recipient operating a program certifies that an AmeriCorps member has satisfactorily and successfully completed the required term of service, the AmeriCorps members are eligible for the Segal AmeriCorps Education Award, which is held in the National Service Trust, and which may be used to repay qualified student loans or, qualified education costs. As directed under 42 USC 12606, AmeriCorps records the federal liability for an AmeriCorps member's education benefit at the time AmeriCorps awards a grant to an entity, based on a present value discount formula. Upon application from the AmeriCorps member and verification from the lender or educational institution, AmeriCorps' National Service Trust transmits the funds to the lender or institution. AmeriCorps members who successfully complete a term of service may also be eligible to have the National Service Trust pay qualified student loan interest that accrued during the period of their AmeriCorps member service.

Source of Governing Requirements

The AmeriCorps State and National program is authorized under the National and Community Service Act of 1990 (42 USC 12501 et seq.), as amended, and the implementing regulations in 45 CFR parts 2510, 2520–2554, and 2555.

III. COMPLIANCE REQUIREMENTS

In developing the audit procedures to test compliance with the requirements for this federal program, the auditor must determine, from the following summary (also included in Part 2, “Matrix of Compliance Requirements”), which of the 12 types of compliance requirements have been identified as subject to the audit (noted with a “Y” in the summary matrix below), and then determine which of the compliance requirements that are subject to the audit are likely to have a direct and material effect on the federal program at the auditee. For each such compliance requirement subject to the audit, the auditor must use Part 3 (which includes generic details about each compliance requirement other than Special Tests and Provisions) and this program supplement (which includes any program-specific requirements) to perform the audit. When a compliance requirement is shown in the summary below as “N,” it has been identified as not being subject to the audit. Auditors are not expected to test requirements that have been noted with an “N.” See the Safe Harbor Status discussion in Part 1 for additional information.

A	B	C	E	F	G	H	I	J	L	M	N
Activities Allowed or Unallowed	Allowable Costs/Cost Principles	Cash Management	Eligibility	Equipment and Real Property Management	Matching, Level of Effort, Earmarking	Period Of Performance	Procurement and Suspension and Debarment	Program Income	Reporting	Subrecipient Monitoring	Special Tests and Provisions
Y	Y	N	Y	N	Y	N	N	N	Y	Y	Y

A. Activities Allowed or Unallowed

1. *Activities Allowed*

Funding is provided to carry out a community service program. Activities allowed include recruiting, training, and supervising AmeriCorps members, paying living allowances to AmeriCorps members, paying health insurance premiums and child-care benefits for eligible AmeriCorps members, paying certain employment-related taxes, paying staff and other costs for program management, evaluations, and reimbursement of grantee administrative costs (42 USC 12572, 12574, 12581, 12581a, 12583, and 12594; 45 CFR sections 2520 to 2524; 2540; and 2550).

2. *Activities Unallowed*

AmeriCorps grant funds may **not** be used for any of the following:

- a. Attempting to influence legislation;
- b. Organizing or engaging in protests, petitions, boycotts, or strikes;
- c. Assisting, promoting, or deterring union organizing;
- d. Impairing existing contracts for services or collective bargaining agreements;
- e. Engaging in partisan political activities or other activities designed to influence the outcome of an election to any public office;
- f. 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;
- g. 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, or engaging in any form of religious proselytization;
- h. Providing a direct benefit to—
 - (1) A business organized for profit;
 - (2) A labor union;
 - (3) A partisan political organization;
 - (4) A nonprofit organization that fails to comply with the restrictions contained in section 501(c)(3) of the [Internal Revenue Code of 1986](#) except that nothing in this section shall be construed to prevent participants from engaging in advocacy activities undertaken at their own initiative;
 - (5) An organization engaged in the religious activities described in paragraph (g) of this section, unless Corporation assistance is not used to support those religious activities; and

- i. Conducting a voter registration drive or using Corporation funds to conduct a voter registration drive;
- j. Providing abortion services or referrals for receipt of such services; and
- k. Such other activities as the Corporation may prohibit (45 CFR section 2520.65).

B. Allowable Costs/Cost Principles

Allowable Direct and Indirect Costs: AmeriCorps grantees must comply with the cost principles in 2 CFR Part 200, including cost allocation requirements in 2 CFR 200.405, in determining costs that may be funded with AmeriCorps grant funds. AmeriCorps grantees for whom AmeriCorps is the cognizant agency for indirect costs can establish an indirect cost rate; additional instructions to grantees can be found in annual “AmeriCorps State and National Grants Terms and Conditions” at <https://americorps.gov/sites/default/files/document/2023ASNProgram508TC.pdf>.

E. Eligibility

1. Eligibility for Individuals

a. National Service Member Enrollment

The following form is submitted electronically to AmeriCorps for each AmeriCorps member and is used by AmeriCorps to support the member’s eligibility for a post-service education benefit. A roster of members enrolled/completed during the period should be obtained from AmeriCorps to ensure that the universe of forms submitted, as provided by the entity, is complete and matches the roster provided by AmeriCorps. Rosters may be obtained by contacting the National Service Trust at Trustcomm@americorps.gov.

National Service Enrollment Form (OMB No. 3045-0006) – This form is used by AmeriCorps to enroll participants in the National Service Trust. Enrollment is the process through which a grantee notifies AmeriCorps that it has selected an individual to serve as an AmeriCorps member who may be eligible to receive a post-service education benefit upon successful completion of the individual’s term of service.

The following line item contains critical information:

- (1) *Part I* – AmeriCorps member enrollment information that may be helpful to ensure compliance is verification of the first name, last name, middle initial, and date of birth (which are all contained in Part I).

2. Eligibility for Group of Individuals or Area of Service Delivery

Not Applicable

3. Eligibility for Subrecipients

All requirements are passed through to subrecipients.

G. Matching, Level of Effort, Earmarking**1. Matching**

- a. Unless AmeriCorps grants a waiver, the grant recipient's required share of program costs under a cost-reimbursement grant, including member support and operating costs, will incrementally increase to a 50 percent overall share by the tenth year and any year thereafter that it receives a grant without a break in funding of five years or more (45 CFR sections 2521.60 and 2521.80). The timetable is included in 45 CFR section 2521.60(a), although annual appropriations legislation, as specified in Section (c), below, has modified the overall match requirement for the first three years. Other requirements that govern matching are included in 45 CFR sections 2521.35, 2521.40, 2521.45, and 2521.50.
- b. Pursuant to annual appropriations legislation, grant recipients are required to meet an overall minimum share requirement of 24 percent for the first three years that they receive AmeriCorps funding. Grantees in their fourth or subsequent years of funding will be required to meet the overall minimum share requirements specified in 45 CFR section 2521.60. Grantees may apply for and receive a waiver of the overall matching requirements under 45 CFR section 2521.70.
- c. Matching requirements do not apply to fixed-amount grants and Education Award Only program grants (42 USC 12581(l)(4) and 12581a(c)).
- d. AmeriCorps has, under a limited scope, waived certain matching cost requirements on some grants due to challenges associated with COVID-19. This waiver applied to certain grants awarded in fiscal years 2019, 2020, and 2021. More information on COVID-based program flexibilities can be found on the AmeriCorps website at this link: <https://americorps.gov/about/what-we-do/covid-response>.

2. Level of Effort**2.1 Level of Effort – Maintenance of Effort**

Not Applicable

2.2 Level of Effort – *Supplement Not Supplant*

Funds provided by AmeriCorps must be used to supplement the level of state and local public funds expended for services of the type being assisted in the previous fiscal year. This requirement is satisfied if the aggregate expenditure for a particular program for the fiscal year in which services are to be provided will not be less than the aggregate expenditure for the program in the previous fiscal year, excluding the amount of federal assistance provided and any other amounts used to pay the remainder of the costs of AmeriCorps state and national programs (42 USC 12633).

3. Earmarking

Administrative Costs, generally: No more than 5 percent of assistance provided by AmeriCorps can be used for the combined administrative expenses of the grantee and its subgrantees (42 USC 12571(d); 45 CFR sections 2521.30(h) and 2540.110. Limitations on administrative costs do not apply to fixed-amount grants and Education Award Only program grants (42 USC 12581(l)(4) and 12581a(c)).

L. Reporting

1. Financial Reporting

- a. *SF-270, Request for Advance or Reimbursement* – Not Applicable
- b. *SF-271, Outlay Report and Request for Reimbursement for Construction Programs* – Not Applicable
- c. *SF-425, Federal Financial Report* – Applicable

Recipients of Fixed Amount Awards are not required to submit financial reports to AmeriCorps, including the final financial report. See [AmeriCorps State and National Grants Terms and Conditions](#) for this information.

2. Performance Reporting

Not Applicable

3. Special Reporting

Not Applicable

4. Special Reporting for Federal Funding Accountability and Transparency Act

See Part 3.L for audit guidance.

N. Special Tests and Provisions

1. Living Allowances

Compliance Requirements

Living allowances are paid on the basis of an AmeriCorps member's selection and enrollment as a full-time participant in a program. The living allowance that an AmeriCorps member receives is not a wage or a salary and must not be treated as such. The installment payments of living allowances are not dependent upon the actual number of hours spent on service and, unless waived, should be distributed in equal payments across the term of service. Most full-time AmeriCorps members are to receive a living allowance during the installment period of at least 100 percent, but not more than 200 percent, of the total average annual subsistence allowance provided to Volunteers in Service to America (VISTA) volunteers, another type of AmeriCorps program. For particular program years, the limits on the living allowances for full-time service members are as follows (42 USC 4955 and 12594; 45 CFR section 2522.240):

NOFO Year	Minimum Allowance	Maximum Allowance
2016	\$12,530	\$25,060
2017	\$12,630	\$24,930
2018	\$13,732	\$27,464
2019	\$13,992	\$27,984
2020	\$14,279	\$28,558
2021	\$16,000	\$32,000
2022	\$16,502	\$33,004
2023	\$17,600	\$35,200

The minimum and maximum living allowance amounts are listed on the AmeriCorps website. The living allowance amounts can be found in the individual Notice of Funding Opportunity or Availability for the specific grant competition. Previous Notices of Funding Availability/Opportunity for AmeriCorps State and National grant competitions dating back to 2006 are located at this link: [Closed Funding Opportunities | AmeriCorps](#). If additional assistance is required, please contact the Office of Audit and Debt Resolution at AmeriCorps Headquarters at AuditResolution@americorps.gov.

Professional Corps programs allow individuals who are professionals to serve as AmeriCorps members. The compensation from their service site location may exceed the maximum living allowance amount but may not be lower than the minimum. Grant recipients operating a Professional Corps program may not use AmeriCorps funds to pay Professional Corps members' compensation (42 USC 12594(c); 45 CFR section 2522.240).

A living allowance is not required for individuals serving in positions where the service commitment is less than 1700 hours. However, if a living allowance is provided, it must not exceed the maximum living allowance amount published in

the Notice of Funding Opportunity for the position. AmeriCorps establishes prorated maximum living allowance amounts for each less-than-1700-hour position, also published in the Notice of Funding Opportunity. (42 USC 12593 and 12594; 45 CFR sections 2522.220 and 2522.240).

Education Award only programs are not required to provide a living allowance, but if a living allowance is provided, it must comply with the maximum requirements set forth above (42 USC 12581a(c)).

Audit Objectives Determine whether full-time AmeriCorps members are 1) being paid living allowance amounts that fall within minimum and maximum living allowance amounts for the appropriate year and 2) are in accordance with amounts listed in member agreements.

Suggested Audit Procedures

- a. Auditors may request documentation supporting total living allowance amounts that full time members are eligible for and compare them to the minimum and maximum amounts.
- b. Compare the supporting documentation to member agreements which list living allowance amounts and payroll records to determine amounts members are paid in accordance with the compliance requirements.

2. National Service Criminal History Checks

Compliance Requirements

For more information on which grant types and individuals fall under the National Service Criminal History Check (NSCHC) requirement, please reference “NSCHC Manual”, Appendix B: “Who is Required to Conduct NSCHC?” graphic. The NSCHC Manual is found under the NSCHC Guidance section of <https://americorps.gov/grantees-sponsors/history-check>.

For National Service Criminal History Checks Conducted on Persons Beginning Work or Service On or After May 1, 2021:

All three checks below must be conducted, reviewed, and an eligibility determination made by the grant recipient or subrecipient before a person begins to work or serve on an NSCHC-required grant.

- National Sex Offender Public Website nationwide check
- state of residence and state of service criminal history check(s)

- FBI fingerprint-based check

Grant recipients or subrecipients must maintain documentation of NSCHCs as grant records (45 CFR section 2540.206). Required documentation includes:

- Evidence that all required components (NSOPW, state(s), and FBI checks) were completed and on file (45 CFR section 2540.206).
- All required components (NSOPW, state(s), and FBI) were conducted on time (45 CFR section 2540.205) and documentation reflects evidence of when checks were reviewed (adjudicated) and considered when making an eligibility determination.
- All required components (NSOPW, state(s), and FBI checks) were conducted through sources authorized by AmeriCorps (45 CFR section 2540.204) and are consistent with the sources described in the grant recipient's adopted NSCHC policies and procedures.
- Evidence that NSOPW results include searches from all states, territories, and Indian tribes (45 CFR section 2540.204).
- Evidence that First and Last Names used on name-based checks reflect the current name of the individual.
 - Documents used to determine an individual's first and last name must be consistent with sources described in the grant recipient's adopted NSCHC policies and procedures. (Refer to agency NSCHC Manual, Name-based Checks section for guidance on name-based checks. The NSCHC Manual is found under the NSCHC Guidance section of <https://americorps.gov/grantees-sponsors/history-check>.)
- Documentation of consent from the candidate to conduct state and FBI checks (45 CFR section 2540.206) and of notice provided to the candidate that selection into the program is contingent upon the organization's review of the individual's NSCHC component results, if any (45 CFR section 2540.206).
- Documentation that the candidate is eligible to serve/work if a vendor returns a "do not recommend" result for the candidate (45 CFR section 2540.206).
 - Note: A vendor's adjudication recommendation not to "recommend" the candidate indicates that the selecting organization needs more information before it can make a final determination as to the fitness of the individual to work or serve. It does not mean that an individual is ineligible for work or service.
 - Grant recipients must maintain adequate documentation of the process implemented to make an eligibility determination and may include a

contemporaneously dated memo to the file documenting determination of the individual's eligibility.

For National Service Criminal History Checks Conducted on Persons Working or Serving in Positions Prior to May 1, 2021, Who Continued Working or Serving in a Position on or After November 1, 2021:

Prior to May 1, 2021, some individuals only required a two-part check consisting of:

- (1) A nationwide name-based search of the National Sex Offender Public Website (NSOPW); and
- (2) Either:
 - (a) A name- or fingerprint-based search of the statewide criminal history registry in the person's state of residence and in the state where the person will serve/work; or
 - (b) A fingerprint-based FBI criminal history check.

Grant recipients were given until November 1, 2021 to ensure NSCHC records for individuals falling under this category are compliant with the three-part check. Individuals requiring an additional check under the NSCHC Rule, effective May 1, 2021, will have been cleared to work or serve under the grant with only two of the three checks. This is permissible. Individuals that fall into this timeframe are required to have all three National Service Criminal History Checks conducted, reviewed, and an eligibility determination made by the grant recipient or subrecipient by November 1, 2021.

Waivers and Pre-Approved Waivers

AmeriCorps may waive provisions of NSCHC for good cause, or for any other lawful basis. Certain Pre-Approved Waivers exist that any grantee may use without additional written approval from AmeriCorps. Refer to the NSCHC Manual, NSCHC Waivers section and Appendix A: Pre-Approved NSCHC Waivers. The NSCHC Manual is found on <https://americorps.gov/grantees-sponsors/history-check>. In addition, individual, grant-level waivers may be approved for grantees on a case-by-case basis. Grantees with waivers receive written approval from AmeriCorps that document the waived provisions of the NSCHC regulations and should be made available to auditors during testing.

Eligibility Criteria

An individual in a covered position is ineligible to serve or work if the individual:

- is registered or required to be registered on a sex offender registry;

- has been convicted of murder, as defined by 18 USC 1111;
- refuses to consent to a criminal registry check; or
- makes a false statement in connection with a grantee's inquiry concerning the individual's criminal history.

Reference: 45 CFR section 2540.202; 72 FR 48574, August 24, 2007; 77 FR 60922, October 5, 2012.

Definitions

(1) Covered Positions (45 CFR section 2540.201)

Individuals in covered positions are AmeriCorps members or AmeriCorps grant-funded staff who receive a grant-funded salary, stipend, living allowance, education award, or other remuneration whether funded with AmeriCorps-provided funds or used to meet the grant matching requirement.

(2) Designated Sources

- (a) National Sex Offender Public Website (NSOPW) (45 CFR section 2540.204)

NSOPW checks must be sourced from either www.NSOPW.gov or AmeriCorps approved vendor, Truescreen, with an AmeriCorps-affiliated Truescreen account.

- (b) State (45 CFR section 2540.204)

Grantees must use either the AmeriCorps-approved state repository to conduct state checks or AmeriCorps approved vendor, Truescreen, with an AmeriCorps-affiliated Truescreen account in accordance with the Pre-Approved Waiver for Truescreen. The list of AmeriCorps-approved state repositories can be found in the Using NSOPW and State Repositories Manual, available at <https://americorps.gov/grantees-sponsors/history-check>, under How to Conduct NSCHC.

- (c) FBI (45 CFR section 2540.204)

Grantees must use either the AmeriCorps-approved state repository to conduct FBI checks or AmeriCorps approved vendor, Fieldprint, with a AmeriCorps-affiliated Fieldprint account. The list of AmeriCorps-approved state repositories can be found in the Using

NSOPW and State Repositories Manual, State Check Guidance section. This Manual is available at <https://americorps.gov/grantees-sponsors/history-check>, under How to Conduct NSCHC.

Audit Objectives Determine that the grantee completed the required National Service Criminal History Checks in accordance with AmeriCorps regulations, including that the grantee 1) performed the required checks; 2) prepared required documentation; and 3) made an eligibility determination within the required timelines.

Suggested Audit Procedures

- a. Review grant recipient's or subrecipient's written processes and practices for conducting National Service Criminal History Checks (NSCHC) to provide insights into the recipient's process and documentation. While AmeriCorps does not require recipients to have NSCHC policies, any policies should reflect compliance with 45 CFR sections 2540.200 through 2540.207.
- b. Select a sample of individual NSCHC grant records for staff and members working or serving under the grant to determine completion of all required checks listed above under Compliance Requirements and that there is evidence that an eligibility determination has been made by the grant recipient or subrecipient prior to the person beginning work or service on an NSCHC-required grant. Electronic and/or paper copies of the required documentation are acceptable.

AMERICORPS
(Corporation for National and Community Service)

ASSISTANCE LISTING 94.011 AMERICORPS SENIORS FOSTER GRANDPARENT PROGRAM (FGP)

ASSISTANCE LISTING 94.016 AMERICORPS SENIORS SENIOR COMPANION PROGRAM (SCP)

I. PROGRAM OBJECTIVES

The **Foster Grandparent Program**, established in 1965, is an intergenerational program that engages volunteers ages 55 and older in national service to provide one-on-one mentoring, tutoring, and social-emotional support to children who have special or exceptional needs or who have an academic, social, or financial disadvantage. AmeriCorps Seniors' volunteers in the Foster Grandparent Program serve an average of 20 hours per week in schools, early education and childcare centers, hospitals, juvenile correctional institutions, community centers, and other settings where children are present. Through a one-on-one relationship, AmeriCorps Seniors' volunteers tutor children based on their specific needs, provide support in social-emotional development, and teach parenting skills to young parents, among other activities.

The **Senior Companion Program**, established in 1974, engages adults ages 55 and older in providing independent living support and companionship to other older adults and adults with disabilities. Through this program, older adults are able to age-in-place with support designed to reduce the impacts of social isolation and the negative health impacts that accompany isolation. AmeriCorps Seniors' volunteers in the Senior Companion Program serve an average of 20 hours per week, with most of the volunteer service taking place in the homes of clients. AmeriCorps Seniors' volunteers provide companionship, assist with transportation and light chores, provide respite to family caregivers, perform basic wellness checks, and alert medical professionals if needed, among other activities.

II. PROGRAM PROCEDURES

AmeriCorps (the operating name of the Corporation for National and Community Service (CNCS)) awards Foster Grandparent Program grants and Senior Companion Program grants only to state and local public agencies, private nonprofit organizations, and Indian tribes that have the capability to administer such grants. These grantees (also referred to as sponsors) are legally responsible for all programmatic and fiscal aspects of the project and may not delegate or contract these responsibilities to another entity. Also, the grantees have no subgrantees (subrecipients) (42 USC sections 5011(a) and 5013(a); 45 CFR sections 2551.22 and 2552.22).

In both programs, older Americans aged 55 and older are able to serve a minimum of 260 hours annually, or a minimum of 5 hours per week, not to exceed a total of 2,080 hours per year and, if they meet income eligibility requirements, receive small non-taxable cash stipends and other direct benefits to help offset the costs of serving. In addition, participants who do not meet the income eligibility requirements may serve as non-stipend Foster Grandparents or Senior Companions. Those participants are eligible to receive the same training, supervision, and other

support services and cost reimbursements (other than the stipend) available to participants who receive stipends (42 USC 5011(a) and (d) and 5013(a) and (b); 45 CFR Part 2551, Subpart J and 45 CFR Part 2552, Subpart J).

Prospective sponsors submit applications to AmeriCorps for Foster Grandparent or Senior Companion grants, and AmeriCorps reviews them and makes final funding decisions (45 CFR sections 2551.91 and 2552.91).

Source of Governing Requirements

These programs are authorized under the Domestic Volunteer Service Act of 1973, Title II (42 USC 5000 et seq.) and their implementing regulations are found in 45 CFR parts 2551 and 2552.

III. COMPLIANCE REQUIREMENTS

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Y	Y	N	Y	N	Y	N	N	N	Y	N	Y

A. Activities Allowed or Unallowed

1. *Stipends*

Grant funds may be used for stipends for participants who meet income levels set by AmeriCorps (42 USC 5011(a) and (d) and 5013(a) and (b); 45 CFR sections 2551.43, 2551.44, 2552.43, and 2552.44).

2. *Direct and Administrative Costs*

Grant funds can also be used for other direct benefits for stipended Foster Grandparents and Senior Companions, such as transportation costs; physical examinations; accident, liability, and excess automobile insurance covering participants during their volunteer activities; meals; and costs for recognition of participants' volunteer efforts. Grant funds are also available for budgeted amounts of staff, office space, staff travel, and other administrative costs of the organization sponsoring the program (42 USC 5011(a) and (d) and 5013(a) and (b); 45 CFR sections 2551.46 and 2552.46).

3. *Non-stipended Foster Grandparents and Senior Companions*

Non-stipended Foster Grandparents and Senior Companions may contribute the costs they incur in connection with their participation in the program. An FGP or SCP project may not count such contributions as part of the required non-CNCS support (match) for the grant (45 CFR sections 2551.101 and 2552.102)

4. *Unallowed Activities*

Foster Grandparent and Senior Companion grant funds may not be used for the following purposes:

a. *Political activities*

- (1) No part of any grant shall be used to finance, directly or indirectly, any activity to influence the outcome of any election to public office, or any voter registration activity. (45 CFR sections 2551.121(a)(1) and 2552.121(a)(1)).
- (2) No project shall be conducted in a manner involving the use of funds, the provision of services, or the employment or assignment of personnel in a matter supporting or resulting in the identification of such project with (45 CFR sections 2551.121(a)(2) and 2552.121(a)(2)):
 - (i) Any partisan or nonpartisan political activity associated with a candidate, or contending faction or group, in an election; or
 - (ii) Any activity to provide voters or prospective voters with transportation to the polls or similar assistance in connection with any such election; or
 - (iii) Any voter registration activity, except that voter registration applications and nonpartisan voter registration information may be made available to the public at the

premises of the sponsor. But in making registration applications and nonpartisan voter registration information available, employees of the sponsor shall not express preferences or seek to influence decisions concerning any candidate, political party, election issue, or voting decision.

- (3) The sponsor shall not use grant funds in any activity for the purpose of influencing the passage or defeat of legislation or proposals by initiative petition, except (45 CFR sections 2551.121(a)(3) and 2552.121(a)(3)):
 - (a) In any case in which a legislative body, a committee of a legislative body, or a member of a legislative body requests any volunteer in, or employee of such a program to draft, review or testify regarding measures or to make representation to such legislative body, committee or member; or
 - (b) In connection with an authorization or appropriations measure directly affecting the operation of the Senior Companion or Foster Grandparent Program.
- b. *Non-displacement of employed workers.* A Senior Companion or Foster Grandparent shall not perform any service or duty or engage in any activity which would otherwise be performed by an employed worker or which would supplant the hiring of or result in the displacement of employed workers or impair existing contracts for service.
- c. *Compensation for service*
 - (1) An agency or organization to which AmeriCorps Seniors (formerly, National Senior Service Corps, or NSSC) volunteers are assigned or which operates or supervises any AmeriCorps Seniors program shall not request or receive any compensation from AmeriCorps Seniors volunteers or from beneficiaries for services of AmeriCorps Seniors volunteers (45 CFR sections 2551.121(c)(1) and 2552.121(c)(1)).
 - (2) This section does not prohibit a sponsor from soliciting and accepting voluntary contributions from the community at large to meet its local support obligations under the grant or from entering into agreements with parties other than beneficiaries to support additional volunteers beyond those supported by AmeriCorps (45 CFR sections 2551.121(c)(2) and 2552.121(c)(2)).

- (3) A Senior Companion or Foster Grandparent volunteer station may contribute to the financial support of the Senior Companion or Foster Grandparent Program. However, this support shall not be a required precondition for a potential station to obtain Senior Companion or Foster Grandparent service (45 CFR sections 2551.121(c)(3) and 2552.121(c)(3)).
 - (4) If a volunteer station agrees to provide funds to support additional Senior Companions/Foster Grandparents or pay for other Senior Companion/Foster Grandparent support costs, the agreement shall be stated in a written Memorandum of Understanding. The sponsor shall withdraw services if the station's inability to provide monetary or in-kind support to the project under the Memorandum of Understanding diminishes or jeopardizes the project's financial capabilities to fulfill its obligations (45 CFR sections 2551.121(c)(4) and 2552.121(c)(4)).
 - (5) Under no circumstances shall a Senior Companion or Foster Grandparent receive a fee for service from service recipients, their legal guardian, members of their family, or friends (45 CFR sections 2551.121(c)(5) and 2552.121(c)(5)).
- d. *Labor and anti-labor activity.* The sponsor shall not use grant funds directly or indirectly to finance labor or anti-labor organization or related activity.
 - e. *Fair labor standards.* A sponsor that employs laborers and mechanics for construction, alteration, or repair of facilities shall pay wages at prevailing rates as determined by the secretary of labor in accordance with the Davis-Bacon Act, as amended, 40 USC 276a.
 - f. *Nondiscrimination.* A sponsor or sponsor employee shall not discriminate against a Senior Companion on the basis of race, color, national origin, sex, age, religion, or political affiliation, or on the basis of disability, if the Senior Companion or Foster Grandparent with a disability is qualified to serve.
 - g. *Religious activities*
 - (1) A Senior Companion/ Foster Grandparent or a member of the project staff funded by AmeriCorps shall not give religious instruction, conduct worship services, or engage in any form of proselytization as part of his/her duties (45 CFR sections 2551.121(g)(1) and 2552.121(g)(1)).

- (2) A sponsor or volunteer station may retain its independence and may continue to carry out its mission, including the definition, development, practice, and expression of its religious beliefs, provided that it does not use AmeriCorps funds to support any inherently religious activities, such as worship, religious instruction, or proselytization, as part of the programs or services funded. If an organization conducts such activities, the activities must be offered separately, in time or location, from the programs or services funded under this part (45 CFR sections 2551.121(g)(2) and 2552.121(g)(2)).
- h. *Nepotism.* Persons selected for project staff positions shall not be related by blood or marriage to other project staff, sponsor staff or officers, or members of the sponsor Board of Directors, unless there is written concurrence from the Advisory Council or community group established by the sponsor under subpart B of this part, and with notification to AmeriCorps (45 CFR sections 2551.121(h) and 2552.121(h)).

E. Eligibility

1. Eligibility for Individuals

- a. To be eligible to be paid a stipend, Foster Grandparents and Senior Companions must be at least 55 years old and meet income guidelines. Income eligibility is based on the applicant's total annual income (including the total annual income of the applicant's spouse), less allowable medical expenses. To be income-eligible, an applicant's income must fall at or below 200 percent of the poverty level as annually established by the Department of Health and Human Services for the state in which he or she resides.

The annual income eligibility levels for all areas are available at the AmeriCorps website (<https://americorps.gov/sites/default/files/document/2023%20AmeriCorps%20Seniors%20Income%20Guidelines.pdf>) by accessing the link for "Foster Grandparent Program grantees" or "Senior Companion Program grantees." You may also contact the Office of Audit and Debt Resolution at AuditResolution@americorps.gov. Stipends for Foster Grandparents and Senior Companions are currently \$4.00 per hour. This may be increased by AmeriCorps from time to time (42 USC 5011 and 5013; 45 CFR sections 2551.41 through 2551.44 and 2552.41 through 2552.44).

Foster Grandparents and Senior Companion programs may enroll persons who are at least 55 years old, but who do not meet the income guidelines as non-stipended Foster Grandparents or Senior Companions (45 CFR Part 2551, Subpart J and 45 CFR Part 2552, Subpart J).

For awards made on or after January 31, 2019, participants may serve from five to 40 hours per week, not to exceed a total of 2,080 hours per year.

2. Eligibility for Group of Individuals or Area of Service Delivery

Not Applicable

3. Eligibility for Subrecipients

Not Applicable

G. Matching, Level of Effort, Earmarking

1. Matching

The nonfederal entity is required to contribute at least 10 percent of the total cost of a project from nonfederal sources or authorized federal sources, unless the Notice of Grant Award specifies a lower percentage (42 USC 5011(a) and 5013(a); 45 CFR sections 2551.92(a) and 2552.92(a)).

AmeriCorps has, under a limited scope, waived certain matching cost requirements on some grants due to challenges associated with COVID-19. This waiver applied to certain grants awarded in fiscal years 2019, 2020, and 2021. (More information on COVID-based program flexibilities can be found on the AmeriCorps website at this link: <https://americorps.gov/about/what-we-do/covid-response>.)

2. Level of Effort

Not Applicable

3. Earmarking

Not Applicable

L. Reporting

1. Financial Reporting

a. *SF-270, Request for Advance or Reimbursement* – Not Applicable

b. *SF-271, Outlay Report and Request for Reimbursement for Construction Programs* – Not Applicable

c. *SF-425, Federal Financial Report* –Applicable

2. Performance Reporting

Not Applicable

3. Special Reporting

Not Applicable

4. Special Reporting for Federal Funding Accountability and Transparency Act

See Part 3.L for audit guidance.

N. Special Tests and Provisions**1. National Service Criminal History Checks****Compliance Requirements**

For more information on which grant types and individuals fall under the NSCHC requirement, please reference “NSCHC Manual”, Appendix B: “Who is Required to Conduct NSCHC?” graphic. The NSCHC Manual is found under NSCHC Guidance section of <https://americorps.gov/grantees-sponsors/history-check>.

For National Service Criminal History Checks Conducted on Persons Beginning Work or Service On or After May 1, 2021:

All three checks below must be conducted, reviewed, and an eligibility determination made by the grant recipient before a person begins to work or serve on an NSCHC-required grant.

- National Sex Offender Public Website nationwide check
- state of residence and state of service criminal history check(s)
- FBI fingerprint-based check

Grant recipients or subrecipients must maintain documentation of NSCHCs as grant records (45 CFR section 2540.206). Required documentation includes:

- Evidence that all required components (NSOPW, state(s), and FBI checks) were completed and on file (45 CFR section 2540.206).
- All required components (NSOPW, state(s), and FBI) were conducted on time (45 CFR section 2540.205) and documentation reflects evidence of when checks were reviewed (adjudicated) and considered when making an eligibility determination.

- All required components (NSOPW, state(s), and FBI checks) were conducted through sources authorized by AmeriCorps (45 CFR section 2540.204) and are consistent with the sources described in the grant recipient's adopted NSCHC policies and procedures.
- Evidence that NSOPW results include searches from all states, territories, and Indian tribes (45 CFR sections 2540.204).
- Evidence that First and Last Names used on name-based checks reflect the current name of the individual.
 - Documents used to determine an individual's first and last name must be consistent with sources described in the grant recipient's adopted NSCHC policies and procedures. (Refer to agency NSCHC manual for guidance on name-based checks. The NSCHC Manual is found under the NSCHC Guidance section of <https://americorps.gov/grantees-sponsors/history-check>.)
 - Documentation of consent from the candidate to conduct state and FBI checks (45 CFR section 2540.206) and of notice provided to the candidate that selection into the program is contingent upon the organization's review of the individual's NSCHC component results, if any (45 CFR section 2540.206).
 - Documentation that the candidate is eligible to serve/work if a vendor returns a "do not recommend" result for the candidate (45 CFR section 2540.206).
 - Note: A vendor's adjudication recommendation not to "recommend" the candidate indicates that the selecting organization needs more information before it can make a final determination as to the fitness of the individual to work or serve. It does not mean that an individual is ineligible for work or service.
 - Grant recipients must maintain adequate documentation of the process implemented to make an eligibility determination and may include a contemporaneously dated memo to the file documenting determination of the individual's eligibility.

For National Service Criminal History Checks Conducted on Persons Working or Serving in Positions Prior to May 1, 2021, Who Continued Working or Serving in a Position on or After November 1, 2021:

Prior to May 1, 2021, some individuals only required a two-part check consisting of:

- (1) A nationwide name-based search of the National Sex Offender Public Website (NSOPW); and
- (2) Either:
 - (a) A name- or fingerprint-based search of the statewide criminal history registry in the person's state of residence and in the state where the person will serve/work; or
 - (b) A fingerprint-based FBI criminal history check.

Grant recipients were given until November 1, 2021 to ensure NSCHC records for individuals falling under this category are compliant with the three-part check. Individuals requiring an additional check under the NSCHC Rule, effective May 1, 2021, will have been cleared to work or serve under the grant with only two of the three checks. This is permissible. Individuals that fall into this timeframe are required to have all three National Service Criminal History Checks conducted, reviewed, and an eligibility determination made by the grant recipient by November 1, 2021.

For the purposes of this compliance element, auditors may elect not to test NSCHC records for individuals who began work or service **prior to May 1, 2021 and exited** from work or service prior to November 1, 2021, since the former NSCHC regulations apply to those individuals.

Waivers and Pre-Approved Waivers

AmeriCorps may waive provisions of NSCHC for good cause, or for any other lawful basis. Certain Pre-Approved Waivers exist that any grantee may use without additional written approval from AmeriCorps. Refer to the NSCHC Manual found on <https://americorps.gov/grantees-sponsors/history-check>. In addition, individual, grant-level waivers may be approved for grantees on a case-by-case basis. Grantees with waivers receive written approval from AmeriCorps that document the waived provisions of the NSCHC regulations and should be made available to auditors during testing.

Eligibility Criteria

An individual in a covered position is ineligible to serve or work if the individual:

- is registered or required to be registered on a sex offender registry;
- has been convicted of murder, as defined by 18 USC 1111;
- refuses to consent to a criminal registry check; or
- makes a false statement in connection with a grantee's inquiry concerning the individual's criminal history.

Reference: 45 CFR section 2540.202; 72 FR 48574, August 24, 2007; 77 FR 60922, October 5, 2012.

Definitions:

(1) **Covered Positions (45 CFR section 2540.201)**

Individuals in covered positions are Foster Grandparents who receive a stipend, Senior Companions who receive a stipend, or AmeriCorps grant-funded staff who receive a grant-funded salary, whether funded with AmeriCorps-provided funds or used to meet the grant matching requirement.

(2) **Designated Sources**

- (a) National Sex Offender Public Website (NSOPW) (45 CFR section 2540.204)

NSOPW checks must be sourced from either www.NSOPW.gov or AmeriCorps approved vendor, Truescreen, with an AmeriCorps-affiliated Truescreen account.

- (b) State (45 CFR section 2540.204)

Grantees must use either the AmeriCorps-approved state repository to conduct state checks *or* AmeriCorps approved vendor, Truescreen, with an AmeriCorps-affiliated Truescreen account in accordance with the Pre-Approved Waiver for Truescreen. The list of AmeriCorps-approved state repositories can be found in the Using NSOPW and State Repositories Manual, available at <https://americorps.gov/grantees-sponsors/history-check>, under How to Conduct NSCHC.

- (c) FBI (45 CFR section 2540.204)

Grantees must use either the AmeriCorps-approved state repository to conduct FBI checks *or* AmeriCorps approved vendor, Fieldprint, with an AmeriCorps-affiliated Fieldprint account. The list of AmeriCorps-approved state repositories can be found in the Using NSOPW and State Repositories Manual, State Check Guidance section. This Manual is available at <https://americorps.gov/grantees-sponsors/history-check>, under How to Conduct NSCHC.

Audit Objectives Determine that the grantee completed the required National Service Criminal History Checks in accordance with AmeriCorps regulations, including that the grantee 1) performed the required checks; 2) prepared required documentation; and 3) made an eligibility determination within the required timelines.

Suggested Audit Procedures

- a. Review grant recipient's written processes and practices for conducting National Service Criminal History Checks (NSCHC) to provide insights into the recipient's process and documentation. While AmeriCorps does not require recipients to have NSCHC policies, any policies should reflect compliance with 45 CFR sections 2540.200 through 2540.207.
- b. Select a sample of individual NSCHC grant records for staff and volunteers working or serving under the grant to determine completion of all required checks listed above under Compliance Requirements and that there is evidence that an eligibility determination has been made by the grant recipient prior to the person beginning work or service on an NSCHC-required grant. Electronic and/or paper copies of documentation are acceptable.