

# AmeriCorps\*State Program Guidance Manual



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## **Introduction**

A cornerstone of programs sponsored by the Corporation for National and Community Service is fostering an ethic of service in program participants. By instilling in service members a firsthand understanding of the benefits of being actively engaged in their communities, programs build the futures of their communities.

The AmeriCorps\*State Program enables organizations (government, non-profits, and faith-based groups) to place into direct service individuals whose skills and interests mesh with documented community needs.

This manual provides basic guidance for organizations receiving AmeriCorps\*State funds through the Office on Volunteerism and Community Service in the Virginia Department of Social Services (OVCS). It is not meant to be an “everything you need to know” document because many resources already exist on the OVCS website ([www.vaservice.org](http://www.vaservice.org)), on the website of the Corporation for National and Community Service ([www.nationalservice.gov](http://www.nationalservice.gov)), and through other resources. This manual does set forth key expectations and procedures, and gives AmeriCorps\*State programs a starting point as they navigate successful program creation and implementation.

## Section 1 – Grant Selection Process

### A. Introduction

The Office on Volunteerism and Community Service (OVCS) is the administrative entity responsible for the AmeriCorps\*State programs in Virginia on behalf of the Corporation for National and Community Service (CNCS).

### B. RFP

One of the primary responsibilities of OVCS is to receive and review proposals from organizations to operate AmeriCorps programs in Virginia. This is done through an annual request for proposal process (RFP) in accordance with the Commonwealth of Virginia's procurement policies.

**The annual request for proposals provides detailed instructions for submission of an AmeriCorps application. Applicants should: (1) answer all questions thoroughly, and in the order they are asked. Failure to answer questions will result in the application receiving a lower score; (2) remember that reviewers may have no knowledge of the applicant and none should be assumed; and (3) understand that writing a sound application is an extended process.**

### C. Pre-Screening

All responses to the RFP for AmeriCorps\*State funding are reviewed by OVCS staff to assure that submission requirements for timeliness and completeness are met. Proposals are evaluated on the basis of the criteria set forth in the application instructions established by CNCS and published in the Virginia AmeriCorps RFP. Proposals not meeting the mandatory requirements as detailed in the RFP are not advanced for consideration.

### D. Application Reviewer Selection and Training

Following are the OVCS requirements for reviewers:

1. The group of reviewers is broad-based and diverse.
2. No more than half of the reviewers are also advisory board members.
3. Process ensures that none of the reviewers has a conflict of interest.
4. Reviewers receive training to ensure consistency and determine quality, as well as instruction on how to rank and score proposals.
5. Reviewers use a standard review form for evaluating proposals.

In identifying reviewers, OVCS considers individual's experience and/or knowledge of national or community service, faith-based and community-based organizations; experience with grant writing and grant review; understanding of education, public safety, environment, homeland security, and/or other human needs. Reviewers receive specific program training and instructions.

### E. Application Review

Review panel members read and score applications individually, and then convene and review their scores as a group, using established tools and criteria.

OVCS staff compiles a summary of reviews. Funding recommendations for each proposal are developed and presented to the Program Committee of the Governor's Advisory Board on National and Community Service.

**F. Advisory Board Concurrence**

After review and concurrence with staff recommendations, the Program Committee presents the funding recommendations to the Governor's Advisory Board on National and Community Service during a regular or specially convened meeting. Advisory board members vote to concur or not concur on the recommendations of the staff and program committee.

**G. Letters of Intent**

Following the advisory board review, a letter is sent to each responding applicant communicating the final funding determination:

- Those who received a favorable recommendation are congratulated and provided information concerning the award process.
- Those who are not recommended for funding are notified and invited to request technical assistance for future application and notified of the appeal process. An applicant may protest the award within 10 days of posting funding decisions on the Agency website (Virginia Department of Social Services, Agency Procurement and Surplus Property Manual - Chapter 11, Section 11.2 d.).

**H. Continuation/Renewal Applications**

Applications are submitted each year by AmeriCorps programs in their first or second year of operation to be considered for Continuation/Renewal. These applications are submitted via eGrants and are evaluated by program and fiscal staff. Factors such as recruitment and retention as well as overall program performance are considered during the review of Continuation/Renewal applications.

Upon completion of the Continuation/Renewal application review, a recommendation for allocation of Member Service Year (MSY) is made by program and fiscal staff and is included in the funding recommendations submitted to the Governor's Advisory Board on National and Community Service for the Board's concurrence.

**I. Planning Grants**

OVCS may make Planning Grants available to organizations interested in developing an AmeriCorps program. These grants can range up to \$20,000 for a one-year period. The purpose of the grants is to facilitate intense technical assistance needed to plan and prepare to become an AmeriCorps program.

OVCS may select applicants that demonstrate need for the additional technical assistance through issuance of a separate Planning Grant RFP or through selection based on the review and evaluation of proposals received in response to the annual AmeriCorps\*State RFP.

**J. Competitive Applications**

Competitive applications are submitted by existing programs at the invitation of OVCS staff based on the program's performance as a subgrantee in the AmeriCorps\*State formula program, and on the appropriateness given the Corporation's program design.

Recommendations for program submissions to CNCS's competitive process are made to the Governor's Advisory Board for the Board's concurrence. Once submitted, the recommended programs become part of a national "pool" of applicants reviewed by CNCS. If selected by CNCS for funding, the award is made through the OVCS and managed in the same manner as AmeriCorps\*State Formula programs.

**K. Documentation**

All documentation of the review/grant selection process is maintained in the procurement file in an organized and accessible manner.

## Section 2 – Precontract Requirements

### A. Introduction

Beginning in program year 2010 – 2011, all subgrantees are required to complete and document specific activities before receiving an AmeriCorps contract. These precontract activities are valuable in preparing a program to move quickly to successful implementation once a contract is issued, helping a program be conducted proactively and comprehensively, and supporting programmatic and fiscal compliance.

Precontract activities must be completed and approved by OVCS at least 20 working days prior to the desired effective date of the contract to ensure that OVCS has adequate time to review, comment, and receive adjustments to information provided. These requirements will be incorporated by reference into subgrantee contracts.

Note that some of the activities require documentation executed by someone other than the Program Director. Generally, this individual has the responsibility and authority to obligate staff and financial resources to a project. Examples of the titles of this individual are: President; County Administrator; Executive Director; and Chairperson. Additionally, the subgrantee's Chief Financial Officer must at least review and initial the Financial System Survey (Module C).

### B. Precontract Activities

*Grantee-Specific Issues:* Issues related to individual applications may be identified during the review process that must be adjusted in order for the project to receive funding. Examples of this might be a proposal that has a cost per MSY that exceeds the maximum allowable amount, or service member assignments that displace paid staff. These issues may have both program and budgetary ramifications that must be addressed and corrected prior to contract execution. OVCS will contact the lead individual identified in the application to arrange a discussion of required modifications.

*Performance Measures:* Program Directors must review the Corporation's Performance Measurement Toolkit, and certify completion of this task. Programs must develop at least one set of aligned performance measures and enter them into their applications in eGrants. In addition, all programs are required to incorporate the state-wide performance measure related to volunteer recruitment and support developed by OVCS. Further, programs must be prepared to identify for their OVCS program officer how performance measure information will be captured for inclusion in monthly and quarterly progress reports.

*CNCS Program Start Up Guide:* Program Director must carefully review this guide and be prepared to discuss it with their assigned OVCS program officer. Program Directors will certify that they have reviewed this guide.

*Early Program Assessment (Module A):* This Assessment, to be completed by the Program Director and approved by the subgrantee's Chief Executive or Executive Director, reviews internal oversight and communication procedures, organizational capacity to implement the AmeriCorps Program, record storage, and organizational structure.

*Financial Review and System Survey (Module C):* The Financial System Survey, to be completed or reviewed by the subgrantee's Chief Financial Officer, walks the preparer and reviewer through all aspects of financial practices. This survey will also connect internal procedures and timeframes with OVCS requirements. OVCS review of this survey prior to contract execution alerts both the subgrantee and OVCS to any obvious systemic issues that may affect the subgrantee's ability to implement the project in compliance with OMB circulars and with DSS requirements. Note that OVCS may request additional information, including but not limited to copies of annual audits, based on the content of the survey. This survey must include whether the subgrantee will provide information about staff time through use of time sheets or with a cost allocation plan. If the subgrantee chooses to submit a cost allocation plan, it must be accepted by OVCS prior to the subgrantee's receipt of its AmeriCorps contract.

*AmeriCorps-Specific Program Manual:* Each program must determine its policies and procedures related to a range of issues, itemized in Module A. Note that within what is permissible and required by regulation, there are certain areas of flexibility with strategic ramifications.

*Grievance Procedures:* Every program must have a specific grievance procedure that complies with CNCS requirements. Programs are encouraged to consider customizing the CNCS minimum standard to include an initial internal grievance process to resolve issues informally. This internal process for members would be used prior to utilizing the more formal CNCS process. Additionally, OVCS requires that Programs have their legal counsel review and approve grievance procedures.

*Position Descriptions:* Every service member must have a bona fide position description that outlines specific roles, tasks, and responsibilities. These must be in place prior to recruitment.

*Draft Member Contracts:* Each program must have a standard member contract that includes rights, benefits, responsibilities, and protections.

*Service Day Plan:* This plan identifies appropriate service day activities identified by Program Directors. Programs will detail their plans for commemorating Martin Luther King, Jr. Day (occurring on the third Monday of each January), and for one other Corporation-sponsored Day of Service.

*Media Plan:* Each program will identify how and when it will engage with its community through use of media. This must include the traditional media, and should include new social media opportunities.

*Inclusion Plan:* The purpose of this plan is to identify the subgrantee's intended outreach methods for conducting open recruitment of AmeriCorps service members. Additionally, this plan will include information on how the subgrantee will include outreach to individuals with disabilities, and how individuals with disabilities will be accommodated as service members. This plan will include an assessment of accessibility.

OVCS is working with the Partnership for People with Disabilities and the Virginia Department of Rehabilitative Services to ensure that subgrantees have the tools necessary to prepare and implement a sound Inclusion Plan.

*Training Plan for Members and Staff:* The Training Plan outlines the training schedule and key elements for providing training to both AmeriCorps members and staff.

Program Directors are asked to specifically identify the types of training that will be provided and curricula that will be used, who will provide the training, cost involved, and where the training will occur. Further, Program Directors must address support of members working towards receipt of a GED. Multi-site programs must address how members working in different locations will coalesce as one AmeriCorps team. Program directors are encouraged to contact one another to share training opportunities and participate jointly.

The Training Plan also outlines training Program Directors, Site Supervisors, and others with responsibilities for working with service members. Staff training will include certain OVCS training, but should also take into account the training needs of specific individuals. For instance, all site supervisors should receive AmeriCorps-specific training, but individuals who are new to supervision generally should receive supervisory training.

*Certification of Availability of Match Funds:* Programs must document the availability of funds. This is done via a formal certification of fund availability by an individual with the authority to obligate funds on behalf of the organization.

*Certification of Organization Authorization:* This document must be executed by the organizational President, Executive Director, Chairperson, County Administrator, or other similar individual, and must be notarized. It identifies (1) who in the organization has the authority to sign requests for reimbursement, and (2) the legal name and address of the organization.

*Health Insurance:* Health care coverage must be available to all full-time members. Because this coverage must be made available to members effective their first day of service, arrangements for this coverage must be secured ahead of time.

*Certification of Review of Tutorials and Protocols:* This document must be executed by the Program Director and his or her supervisor, confirming that the Program Director has completed review of the My AmeriCorps Tutorial, the Virginia OnCorps Tutorial, and the OVCS Electronic Systems Protocol.

## Section 3 – Program Management and Monitoring

### A. Introduction

The Office on Volunteerism and Community Service (OVCS) ensures individual program compliance with programmatic and fiscal requirements through monitoring. Monitoring may occur via phone, videoconference, email, letter, and site visits.

### B. Authorization

Compliance guidelines are set forth by the following:

1. National and Community Service Act of 1990, as amended (42 USC 12501, et seq) – Chapter 129
2. National and Community Service Trust Act of 1993
3. Corporation Regulations (45 CFR Parts 2500-2599, 2510 et seq, Parts 2541-2543)
4. VA AmeriCorps Request for Proposal (RFP)
5. VDSS Program Contract/Grant Award
6. AmeriCorps Provisions
7. Applicable OMB Circulars
8. A-133
9. Other relevant legislation, regulations, and requirements as amended or incorporated by state or federal government.

### C. Goals

- To assess and ensure programs' ability to perform effectively;
- To identify potential problems to eliminate them or reduce their effects;
- To support programs' increased capacity and sustainability.

### D. Monitoring

Program Monitoring is conducted throughout the funded year to review and evaluate records, accomplishments, organizational procedures, fiscal control systems, and service impact.

To accomplish this objective, the OVCS has adopted a *Risk-Based Strategy* for monitoring its programs. The purpose of this process is to have in place the tools that will enable the office to evaluate its programs. In addition, assignment of risk provides program staff will an important factor for scheduling initial and follow up monitoring visits as necessary.

To determine and assign risk, programs are periodically evaluated individually based upon several program and fiscal related risk indicators, including but not limited to;

- Program Reporting
- Program Communication
- Results of Prior Monitoring or Other Site Visits
- The Number of Additional Programs Managed by AmeriCorps Program Staff
- Number of AmeriCorps Service Sites
- Number of Staff Devoted to AmeriCorps Program
- Management Support and Oversight
- Board Involvement and Oversight
- Program Experience with State and/or Federal Government Contracts

- Adequacy of Computer Systems
- Ability to consistently meet Performance Measures
- Current Operating Environment
- Federal Funds Expended During a Fiscal Year (amount)
- Internal Controls
- Results of Prior Audit(s)
- Impact of Budget Changes on Overall Finances
- Reporting Timeliness
- Changes in the Audit Unit (and impact upon overall program)

Note: new programs, and programs with previous findings, are automatically considered higher risk; and therefore, are subject to additional monitoring by OVCS program staff.

The OVCS's *Monitoring Strategy* encompasses a variety of mechanisms to provide oversight of subgrantees, which may include the following:

- *Communicating*, maintaining regular communications, such as scheduled conference calls or advisory or policy issuances, etc.
- *Training*, to assure program staff knowledge.
- *Reporting*, receiving, and reviewing Program and Fiscal Reports, A-133 or other audits, and other reports as necessary.
- *Site Visits*, for review of compliance and/or program quality and performance issues or emergency resolution of identified problems. Site visits could also include specialized technical assistance trips or special audits or surveys.
- *Evaluating*, to assess progress toward program goals and the severity of any standards not met.

The above considerations are used along with a risk assessment of each grantee based on the following types of factors:

#### New Grantees

- Organizational performance in past endeavors
- Prior federal or state awards and programs
- Results of prior independent A-133s

#### Continuing Grantees

- History of organizational performance
- Prior site visits and findings
- Compliance issues
- Adequacy of reports—program and financial
- Timeliness of reports
- Program performance (quality of activities and accomplishments, responsiveness)
- Audit findings (A-133 or state reviews)
- Adequacy and stability of management, both of the organization and the program
- Community feedback

Information from the following sources may also be used in assessing risk:

- Site visit evaluations
- Progress Reports and Aggregate Financial Reports
- Invoices
- Documentation of program expense reports, time logs, enrollments, etc.
- Status of corrective actions taken for past deficiencies
- Community feedback

Program Monitoring involves the use and analysis of information gathered using several program review instruments (Modules A-D), using an electronic reporting system as described below, and through conversation.

Program Monitoring targets the following areas through the review and/or collection of the following information, including but not limited to:

1. Reporting Compliance – Timely and accurate submission of:
  - a. Member Enrollment Forms
  - b. Change of Status Forms
  - c. Progress Reports
  - d. Periodic Expenditure Reports (PER)
  - e. Federal Financial Reports (AFR)
  - f. A-133 Audit Reports
2. Program Specific Policy Manual – Information about the required content of this manual can be found in Module A.
3. Member Documentation – A review of member files is conducted during site visits. As few as 20% or as many as 100% of the member files are randomly selected for review. Information about the required documentation can be found in Module B2.
4. Review of Timesheets – A review of member time sheets is conducted as part of program monitoring. Time sheets are reviewed using Virginia OnCorps. Time sheets are reviewed for the following:
  - a. Authorized by member, site supervisor, **and** program director
  - b. Notation of actual time and date (i.e. 8/30/00; 8:00am-12:30pm)
  - c. Notation of hours (i.e. 4.5 hours)
  - d. Notation of activity (direct service hours, training hours, fundraising hours)
5. Benefits and Coverage – Documentation of the following benefits and/or coverage:
  - a. Liability insurance that covers the organization, employees and members
  - b. FICA coverage for members
  - c. Health care coverage for eligible members
6. Organizational Strength – Demonstration of:
  - a. Evaluation tools
  - b. Agency mission
  - c. Staff capacity and quality

Monitoring (Site) Visit Protocol – when it is determined that a site visit is warranted, the procedure will be as follows:

- Program Officer schedules date for site visit via email or phone at least 30 days in advance of visit
- Confirmation letter sent via email or hard copy with a copy of agenda for visit and copy of review instrument tool(s)
- Site Visit conducted
- Follow-up letter & a monitoring report sent within 30 days of visit with a copy of completed review instruments
- Required actions will be communicated as needed
- Follow-up visit, if warranted

Additional Monitoring – Other methods are used by the Office on Volunteerism and Community Service to monitor the progress of subgrantees and to assess program compliance. The following is a partial list of those methods and tools:

- Monthly Progress Reports
- Monthly Periodic Expenditure Reports
- Monthly In-Kind Contribution Forms
- Federal Financial Reports (AFR)
- Desk Monitoring
- Program Training and Development Teleconferences
- Program Director Teleconferences
- Program Director Meetings

## **E. Reporting**

### **1. Virginia OnCorps**

Virginia OnCorps is an electronic program reporting and managements system utilized by Virginia AmeriCorps programs and the OVCS.

### **2. Monthly Progress Reports**

Programs are required to submit monthly progress reports detailing progress toward performance measures, program activities, and steps toward sustainability. Monthly Progress Reports are due **no later than** the 6<sup>th</sup> working day of each month and are submitted using the Virginia OnCorps reporting system. Reports are reviewed by OVCS Program Officers, who may provide feedback as necessary for clarification or requesting additional information. Based on the report, programs may be required to provide written correspondence, participate in specific training, and/or receive additional site visits.

### **3. Fiscal Reporting**

Please review Section 4 – Fiscal Management and Monitoring.

## **F. Summary**

Every effort is made to ensure the successful completion of the funded program period. In addition to the above reports and procedures, OVCS may collect and review additional information (e.g., service hour time sheets, self-reporting fiscal assessments, audit reports, etc.). Additional reports, visits, teleconferences, correspondence, and training may be required based upon program performance and compliance.

## Section 4 – Fiscal Management and Monitoring

### A. Introduction

The Office on Volunteerism and Community Service (OVCS) must not only exercise standard accounting procedures in the use and management of monetary funds within the Unit, but also ensure the proper management and allowable costs of its subgrantees.

Practices have been established to determine the following:

- accurate financial information and reporting;
- match requirements including cash and ‘in-kind’ services;
- internal controls;
- documentation to support expenditures;
- documentation of member activity; and
- effective cash management and budgetary controls

### B. Review of A-133 Audits

Programs are required (requested in writing) to submit the most recent audit of the organization to OCVS. The reports are reviewed to ensure that the legal applicant is in compliance with financial regulations. The A-133 may alert OVCS to deficiencies in internal controls, noncompliance with grant provisions, and questioned costs. A copy of the audit report is filed in each program file.

Most state agencies (e.g., universities) will have an audit completed by the Auditor of Public Accounts. This comprehensive audit makes it very difficult to extract AmeriCorps dollars from the reporting. However, these reports are reviewed by the State and any findings are duly noted and shared within State agencies.

When findings are noted that raise concerns as to the legal management and reporting of finances, programs must provide OCVS in writing with corrective steps taken. The office will determine if these actions are adequate and effective. OVCS may also request Management Letters from the firm that conducted the audit. If necessary, OVCS will use the additional expertise of the Virginia Department of Social Services (VDSS) Accounting Department to identify weaknesses in program internal controls. Lack of continuous improvement or serious audit findings may result in an early closure/termination of the program based on the required terms and conditions of the sub grantee award agreement (or the contract under the RFP).

### C. Financial Reports, Documents and Procedures

All subgrantees must submit a variety of financial documents to be compliant with program requirements.

#### **Periodic Expenditure Reports - PERs**

Programs submit monthly Periodic Expenditure Reports (PERs) to generate program reimbursements and to provide a benchmark of expenditures, allowable costs and program activity. Programs are provided written feedback on reports. Based on the report findings, programs may be required to provide written correspondence, participate in specific training and/or receive additional site visits. This report is completed in Virginia OnCorps.

1. Monthly Periodic Expense Reports (PERs) are due to OVCS **no later than** the 6<sup>th</sup> workday of each month. Late submission is an incident of noncompliance.

2. PER Submission and Review Process:
  - a. Program enters a PER into Virginia OnCorps as “complete - awaiting approval.”
  - b. Program notifies the Office on Volunteerism and Community Service’s Fiscal Officer in writing (by email) when the PER is entered into Virginia OnCorps. This notice must be received by the due date.
  - c. The Fiscal Officer will review the PER.
  - d. After review, the Fiscal Officer will either save the report as Approved, or notify the Program Director that specific revisions are required, along with a due date.
  - e. This review and revision process will continue until the report is approved by the Fiscal Officer.
  - f. Once the PER is approved in Virginia OnCorps, the Program Director and one additional person must sign and date it.
  - g. Program then mails the **signed copy** of the approved PER. (The PER **must** be printed in **LANDSCAPE** format).

### **Aggregate Financial Reports (AFR)**

Programs submit quarterly Aggregate Financial Reports (AFRs) (formerly ‘Federal Financial Reports’ or ‘FFR’) to provide a summary of the financial status of the subgrantee. This report is completed in Virginia OnCorps.

1. Aggregate Financial Reports (AFR) are due to OVCS **no later than** the 10<sup>th</sup> workday of October, January, April, July, and October (again). It is common for a 12 month contract to submit five (5) quarterly reports. Late submission is an incident of noncompliance.
2. AFR Submission and Review Process:
  - a. Program enters the AFR into Virginia OnCorps as “complete - awaiting approval.”
  - b. Program notifies the Office on Volunteerism and Community Service’s Fiscal Officer in writing (by email) when the AFR is entered into Virginia OnCorps. This notice must be received by the due date.
  - c. The Fiscal Officer will review the AFR.
  - d. After review, the Fiscal Officer will either save the report as Approved, or notify the Program Director that specific revisions are required, along with a due date.
  - e. This review and revision process will continue until the report is approved by the Fiscal Officer.
  - f. Once the AFR is approved in Virginia OnCorps, the Program Director and one additional person must sign and date it.
  - g. Program then mails the **signed copy** of the approved AFR. (The AFR **must** be printed in **LANDSCAPE** format).

For both the PER and the AFR, review emphasis is placed upon the following areas:

1. Correct grant number
2. Proper name of program used
3. Proper reporting period, whether monthly or quarterly
4. Numerical figures/lines are calculated correctly
5. Documentation that the sub grantee meets minimum match requirements
6. Any other related items and issues identified by OVCS.

### **Monthly In-kind Contribution Reports**

In-kind Contribution Reports may be requested upon review of a subgrantee PER. This report is used to document in-kind match as specified in the proposal and/or in-kind services and/or

monetary support provided by the grantee. In-kind Contribution Reports are submitted via Virginia OnCorps.

**D. Budget Revisions**

Throughout the program year, a program may request line-item budget reallocations using the following process:

1. Program submits a Budget Modification Request via Virginia OnCorps.
2. Program notifies OVCS Fiscal Officer via email that a Budget Request Form is pending review.
3. OVCS fiscal officer will review and approve the request, providing notification via Virginia OnCorps –or– request additional information and revisions as necessary.
4. If additional information or revisions are required, step #3 will be repeated until the request is approved.
5. CNCS approval may be needed for budget revisions that represent more than ten percent (10%) of CNCS funds in the budget.

**E. Match Requirements**

Programs must meet the match requirements as identified in the RFP and CNCS guidelines. Programs must meet match requirements monthly as reported and reviewed on the PER. If a program does not meet its match one month, it will be brought to the attention of the program in writing. The program must then either correct the reporting and/or provide an explanation. If the explanation is justifiable (e.g., new staff not hired) as determined by the Director of the OVCS, the percent match must still be achieved by a given deadline or next quarterly Aggregate Financial Report (AFR).

**F. Fiscal Reporting Non-Compliance**

After the applicable due date, if a particular report has not been received, the Fiscal Officer will initiate the noncompliance notification process (see Section 6 – Non Compliance).

## Section 5 – Communication

### A. Introduction

All significant correspondence between AmeriCorps program directors and Office on Volunteerism and Community Service (OVCS) program and/or fiscal officers should be documented in the appropriate program file. OVCS program and fiscal officers are given the responsibility to determine what constitutes significant correspondence.

### B. Significant Correspondence

Below is a partial list of items that may constitute significant correspondence between program directors and OVCS staff:

- Any changes to member slot types, including but not limited to, slot corrections, change of slot type, etc.
- All programmatic changes to include program policies and procedures;
- All programmatic changes pertaining to AmeriCorps program service activities;
- All programmatic changes or questions pertaining to AmeriCorps special events;
- All budget modifications and financial changes in the approved contracts;
- Any change in organizational capacity (e.g., financial status, legal restraint, etc.)
- Any information regarding AmeriCorps Living Allowances;
- All accounting issues including fraud and program waste;
- All changes that reflect a variance in program objectives;
- All compelling circumstances with supporting documentation;
- All issues or questions pertaining to replacing AmeriCorps members or AmeriCorps members returning to the program;
- All issues or questions pertaining to an AmeriCorps member transferring to another program;
- All issues or questions pertaining to AmeriCorps member suspensions, prohibited activities, and rules of conduct;
- All issues pertaining to law suits, grievances, and injuries of any kind;
- All organizational changes such as personnel being hired or resigning from the program. This includes any changes in the management structure of the program;
- All issues pertaining to criminal history checks and/or reference checks;
- All requests for program no-cost extensions;
- All issues that pertain to fundraising risks;
- All issues that involve AmeriCorps members' injuries while serving in the program;
- All AmeriCorps program issues (i.e., Sexual Harassment, Racial Harassment, General Harassment, Equal Employment Opportunity (EEO) issues, Insurance issues, Workers compensation issues, AmeriCorps Disciplinary action issues, and Grievance procedures);
- All program complaints or concerns pertaining to Office on Volunteerism and Community Service staff;
- All program appeals of non-compliance notifications;
- All program training requests for staff and AmeriCorps members;
- All program evaluation issues;
- All monitoring visit responses and requests for additional information;
- All general program requests and changes in any part of the approved contract.

**C. Lines of Communication**

OVCS's primary customer is always the Program Director, who is seen as the program 'gatekeeper'. Within OVCS, the assigned Program Officer is the 'gatekeeper'. OVCS may also communicate directly with an organizational fiscal manager, and in very limited cases, the chief executive. It is the responsibility of the organization to ensure that its internal lines of communication are adequate.

The Program Director's primary customer is the AmeriCorps member. AmeriCorps members should not be directed to OVCS unless the office is clearly identified as a step in the program's internal grievance procedures. Communication should occur between OVCS and the AmeriCorps program staff only. The program is responsible for relaying information and support to the member.

**D. Routine Programmatic or Budgetary Changes**

When OVCS receives a request for programmatic or budgetary changes, the office acknowledges the receipt within 5 working days.

OVCS reviews the request and notifies the program if additional information is required for review of the request. Upon receipt of required information or documentation, a final determination is made within ten (10) working days, and the program is notified of the outcome.

**E. Program Appeals Process**

The Appeals Process of OVCS is for use when OVCS AmeriCorps program staff makes a decision that is disputed by an AmeriCorps\*State program subgrantee. Disputed decisions may include, but are not limited to, decisions regarding program extensions, denial of funds, requests made to return funding, or the discontinuation of a program.

Please note that decisions related to grants awarded under the OVCS AmeriCorps Program are exempt from the Virginia Administrative Process Act pursuant to Virginia Code § 2.2-4002(B)(4).

If the subgrantee has substantive objections to a decision of OVCS, the subgrantee may request a reconsideration of the disputed decision. Following are the required steps in the Appeals Process.

- A formal, written request for reconsideration must be made to the Director, Office on Volunteerism and Community Service, Virginia Department of Social Services, 801 E. Main Street, 15<sup>th</sup> Floor, Richmond, VA 23219 within 21 calendar days of the subgrantee receiving the disputed decision.
- When a request for reconsideration is made, the OVCS Director or the Director's designee shall hear such additional information, as may be deemed appropriate and pertinent to the matter involved, in an informal meeting within 21 calendar days of receipt of the subgrantee's request.
- Only one subgrantee representative may present the additional information. However, the subgrantee is allowed to have two other representatives present at the time of the meeting.
- At his/her discretion, the OVCS Director or the Director's designee may invite discussion or comments from others knowledgeable in the matter being appealed.

- The OVCS Director shall send to the subgrantee, and others deemed appropriate, a written determination pursuant to the request for reconsideration within 21 calendar days of the informal meeting.
- Such determination by the OVCS Director shall be final.

## Section 6 – Member Issues

### A. Member Recruitment

As a precontract activity, programs are required to develop a Recruitment Plan. This plan has two primary functions. First, it demonstrates to OVCS that the program is prepared to implement a comprehensive recruitment process that maximizes the likelihood that the program will fill its member slots with individuals who are excited about the opportunities of community service.

Second, it outlines the intent to ensure that recruitment of service members will comply with all equal opportunity requirements, including full programmatic accessibility. OVCS is working with the Virginia Department of Rehabilitative Services and the Partnership for Persons with Disabilities to assist programs with both self-assessment and creation of accommodations as needed.

### B. Member Concern Protocol

When a member contacts OVCS to voice concerns or inquire about proper procedures, National Trust information, or other issues, the office respond within two working days.

A written record of all correspondence with members will be placed in the appropriate program file.

OVCS will hear the concern of the member and provide guidance when possible. However, if it is a program complaint or grievance the member is directed to follow his/her program grievance procedure.

All programs are required to have a grievance procedure and must notify OVCS if it is to serve as a part of the steps to resolution.

#### 1. Grievance Procedures Minimum Standards (CFR § 2540.230)\*

State and local applicants that receive assistance from the Corporation must establish and maintain a procedure for the filing and adjudication of grievances from participants, labor organizations, and other interested individuals concerning programs that receive assistance from the Corporation. A grievance procedure may include dispute resolution programs such as mediation, facilitation, assisted negotiation and neutral evaluation. If the grievance alleges fraud or criminal activity, it must immediately be brought to the attention of the Corporation's inspector general. The items below, identified as a – h, are not a sample grievance procedure. They represent the minimum elements and thresholds that must be represented in a grievance procedure in order to minimally meet the Corporation's requirements.

a. *Alternative dispute resolution.* (1) The aggrieved party may seek resolution through alternative means of dispute resolution such as mediation or facilitation. Dispute resolution proceedings must be initiated within 45 calendar days from the date of the alleged occurrence. (2) If mediation, facilitation, or other dispute resolution processes are selected, the process must be aided by a neutral party who, with respect to an issue in controversy, functions specifically to aid the parties in resolving the matter through a mutually achieved and acceptable written agreement. The neutral party may not compel a resolution.

b. *Grievance procedure for unresolved complaints.* If the matter is not resolved within 30 calendar days from the date the informal dispute resolution process began, the neutral party must again inform the aggrieving party of his or her right to file a formal grievance.

c. *Time limitations.* Except for a grievance that alleges fraud or criminal activity, a grievance must be made no later than one year after the date of the alleged occurrence. If a hearing is held on a grievance, it must be conducted no later than 30 calendar days after the filing of such grievance. A decision on any such grievance must be made no later than 60 calendar days after the filing of the grievance.

d. *Arbitration* —(1) *Arbitrator* —(i) *Joint selection by parties.* If there is an adverse decision against the party who filed the grievance, or 60 calendar days after the filing of a grievance no decision has been reached, the filing party may submit the grievance to binding arbitration before a qualified arbitrator who is jointly selected and independent of the interested parties. (ii) *Appointment by Corporation.* If the parties cannot agree on an arbitrator within 15 calendar days after receiving a request from one of the grievance parties, the Corporations Chief Executive Officer will appoint an arbitrator from a list of qualified arbitrators.

(2) *Time Limits* —(i) *Proceedings.* 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. (ii) *Decision.* A decision must be made by the arbitrator no later than 30 calendar days after the date the arbitration proceeding begins. (3) *The cost.* The cost of the arbitration proceeding must be divided evenly between the parties to the arbitration. If, however, a participant, labor organization, or other interested individual prevails under a binding arbitration proceeding, the State or local applicant that is a party to the grievance must pay the total cost of the proceeding and the attorney's fees of the prevailing party.

e. *Suspension of placement.* If a grievance is filed regarding a proposed placement of a participant in a program that receives assistance under this chapter, such placement must not be made unless the placement is consistent with the resolution of the grievance.

f. *Remedies.* Remedies for a grievance filed under a procedure established by a recipient of Corporation assistance may include — (1) Prohibition of a placement of a participant; and (2) In grievance cases where there is a violation of nonduplication or nondisplacement requirements and the employer of the displaced employee is the recipient of Corporation assistance — (i) Reinstatement of the employee to the position he or she held prior to the displacement; (ii) Payment of lost wages and benefits; (iii) Re-establishment of other relevant terms, conditions and privileges of employment; and (iv) Any other equitable relief that is necessary to correct any violation of the nonduplication or nondisplacement requirements or to make the displaced employee whole.

g. *Suspension or termination of assistance.* The Corporation may suspend or terminate payments for assistance under this chapter.

h. *Effect of noncompliance with arbitration.* A suit to enforce arbitration awards may be brought in any Federal district court having jurisdiction over the parties without regard to the amount in controversy

Full text is available under CFR § 2540.230. Note that the above represents the minimum process to be used. OVCS recommends that programs incorporate and document less formal procedures, as well, that may include but not be limited to providing access by the member to organizational leadership to hear and address concerns. Beginning in 2010, subgrantees must receive approval of their grievance procedures by legal counsel.

**C. Member Disciplinary Action at Office on Volunteerism and Community Service Sponsored Events**

OVCS sponsors a number of events throughout the program year. All AmeriCorps members are expected to behave professionally while attending these events. If inappropriate behavior is demonstrated, the office will alert the appropriate program director, who is required to follow the program's disciplinary procedures. If illegal activity or violent behavior is identified, the member should be immediately terminated from the program and removed from the event grounds/premises.

**D. National Trust Inquiries**

For all questions concerning the Segal Education Award, members should be directed to the My AmeriCorps Web site at <https://my.AmeriCorps.gov/mp/login.do>.

**E. National Service Program Criminal History Checks**

A National Service Criminal History Check consists of (1) a State criminal registry search, which involves a search of State law enforcement and court records (by name and/or fingerprint) to determine whether an applicant has a criminal history, and (2) a National Sex Offender Public Registry (NSOPR) check, which consists of individuals that are required by their States to register as sex offenders.

The OVCS requires all of its AmeriCorps subgrantees to complete National Service Program Criminal History checks on **all** members and program related staff. In addition, the OVCS requires its subgrantees to complete Child Protective Services (CPS) checks on all members.

Two of the required background checks can be completed by programs at no cost (NSOR – free online, CPS – fee waived for Virginia AmeriCorps\*State & National programs). State Criminal History checks can be obtained through the Virginia State Police at a reduced rate for federally recognized non-profit organizations and state and local government entities.

In situations in which programs have volunteers providing direct services, it is strongly recommended that programs routinely conduct background checks on volunteers, as well.

**E. Release From Service**

Grantees may release members from participation for two reasons: (a) for compelling personal circumstances; and (b) for cause.

**Compelling Personal Circumstance**

Compelling Personal Circumstance is defined by the Corporation for National and Community Service (CNCS) in the AmeriCorps Provisions (FAQ Number: [45 CFR § 2522.230](#)). Final decisions on all compelling personal circumstances are rendered by the appropriate OVCS program officer. Release from service due to compelling personal circumstances allows the service member to be eligible for a prorated Education Award. Because this is not to be taken lightly, OVCS requires the use of the following procedure:

1. The Program Director determines whether a member's situation meets the general criteria of compelling circumstances as outlined by CNCS. Note that compelling circumstances are narrowly defined.

2. If the Program Director determines that a member issue does meet the criteria, a written request for approval of a prorated Education Award is forwarded to the appropriate OVCS program officer. Requests for prorated awards must be submitted in a timely manner (as soon as the circumstances and the member's inability to complete the service term have been identified – not at the end of the program year).
3. A request for approval of a prorated Education Award based upon compelling personal circumstance must minimally include:
  - a. Member's name;
  - b. Number of hours and percentage of time completed;
  - c. Detailed description of the circumstances;
  - d. Supporting documentation (i.e., medical notes); and
  - e. Letter from member to the program requesting approval.
4. A response will be provided to the program within 5 working days of receipt of the request. A decision will be rendered or additional information will be requested.
5. A program does have the right to appeal a decision (within 5 days of the rendered OVCS decision); this appeal must be submitted in writing within 10 days of the original decision.
6. Failure to utilize this process will result in a finding of non-correctable non-compliance.
7. Note that OVCS has instituted this requirement for the protection of the program. OVCS monitors all member exits for compelling reason. If this determination is made without OVCS prior approval, and OVCS later determines that the member should NOT be eligible for an adjusted Education Award, OVCS will notify the Corporation and the program will be liable for the amount of the Education Award.

### **Release for Cause**

1. A release for cause encompasses any circumstances other than compelling personal circumstances that warrant an individual's release from completing a term of service. Release for cause may be initiated by the service member - for instance, a member decides to terminate his or her service contract because he or she is seeking traditional employment to support a higher standard of living; or may be initiated by the program – for instance, a member has missed service-related meetings or appointments and not followed protocol for absences. Note that release for cause does not require nor automatically imply misconduct by the member.

Additional information detailing under what circumstances AmeriCorps participants may be released from completing a term of service and the associated consequences can be found in 45 CFR § 2522.230

## Section 7 – Noncompliance

### A. Introduction

A compliant program is on time, in budget, and meeting or exceeding its contracted outcomes. OVCS is committed to supporting programs in their efforts to achieve full compliance. Nonetheless, programs sometimes fall short. In many instances, corrections can be made that return a program to compliance. Although the noncompliance is corrected, it is not erased. The instance of noncompliance remains a part of the program's permanent compliance record.

### B. Noncompliance

If a program is determined to be out of compliance with program requirements, the OVCS will provide the program with written notification. Notification from the OVCS includes any required corrective actions, deadlines, and consequences. Consequences may consist of delay in processing reimbursements, limitation of future grant renewal, and termination of the program. Copies of all notices are maintained in the program's contract file.

### C. Noncompliance Notification Process

If a program has not fulfilled a *specific* requirement or request by a communicated deadline (via email or letter), the OVCS will send a **"Notice of Failure to Respond"** to the Program Director via email.

If the request has not been fulfilled within 48 hours of the issuance of the Notice of Failure to Respond, a **"Notice of Non-Compliance"** will be sent via email with copies sent to Program Director's superior and the program's fiscal contact. This notice will communicate that reimbursements may be placed on hold until satisfactory compliance as determined by OVCS Program and/or Fiscal staff.

If the request has not been fulfilled within 48 hours of the issuance of the Notice of Non-Compliance, a **"Notice of Intent to Terminate Contract"** may be sent via email and postal mail, with copies sent to Program Director's supervisor and the program's fiscal manager.

Issues of noncompliance will, at the very least, be considered when a program is being considered for funding in subsequent years. OVCS reserves the right to terminate a program based on non-correctable non-compliance.

**Note: In the instance of fixed, program-wide deadlines or timeframes that are missed, OVCS will omit the "Notice of Failure to Respond" and the 48 hour response window. (Examples of fixed, program-wide deadlines are submission of a Periodic Expense Report by the 6<sup>th</sup> working day of the month, and formally enrolling and exiting members within 30 days.) Instead, missed deadline or timeframe becomes an instance of noncompliance.**

## Section 8 – Training and Technical Assistance

### A. Introduction

The Office of Volunteerism and Community Service (OVCS) is responsible for providing ongoing training support to national service programs within the Commonwealth of Virginia. Program Development Assistance and Training (PDAT) funds are available and can be used to support attendance at sponsored events, training activities, and member/program staff development. OVCS conducts annual training surveys to AmeriCorps State and National programs to assess training needs for the program year. Training and resources are provided to AmeriCorps programs to promote continued program effectiveness and sustainability. The training received is offered through accessing national training providers, local training consultants, and staff.

Programs are required to complete a Training Plan as a precontract requirement. The training plan addresses needed training for program staff and service members.

Some of the ways in which training and technical assistance is provided to AmeriCorps state/national direct programs include:

- Program Director and Program Staff Training Meetings;
- Training sessions and topical workshops (conferences, events and meetings);
- Program Director/staff and Program Development Assistance and Training (PDAT) Teleconferences;
- Annual Statewide Conference on Volunteerism and Community Service;
- Staff coaching and one-to-one direct technical assistance; and
- Training and resources available at the OVCS website:  
<http://www.vaservice.org/go/training/assistance/>.

### B. Meetings & Teleconferences

**Program Director Meetings** – Program Directors are required to attend periodic meetings for training, program updates, and CNCS and OVCS updates. Program Directors are encouraged to bring program-related staff to meetings.

**Program Director Teleconferences** – Teleconferences are held quarterly with Program Directors to discuss issues of importance or concern, receive updates on program activities, assess training needs, provide feedback, and announce upcoming opportunities for development and/or operation changes.

**Program Compliance Teleconferences** – Programs may receive calls from the OVCS to review concerns and/or recognize progress towards objectives. These calls serve as an opportunity to address program-specific issues. Teleconferences must be documented in the program's contract file and feedback provided in writing.

### C. PDAT Fund Usage

PDAT funds are the principal resource available to State Commissions for enhancing and sustaining high quality AmeriCorps\*State and National service programs. All policies and guidelines are set forth by the Corporation for National and Community Service. All proposed activities sponsored by OVCS must be consistent within these guidelines.

PDAT funds are used to the extent allowed by funding provisions and the extent available.

State level PDAT funds are used to:

- Offer training resources to enhance and sustain high-quality, effectively functioning AmeriCorps\*State and National service programs;
- Strengthen multiple programs, rather than individual AmeriCorps programs, program staff, and members;
- Supports collaborations through training that crosses all of Virginia's national service programs (AmeriCorps, Senior Corps, and Learn & Serve America).

OVCS strongly recommends that programs communicate with each other to plan and carry out member training events either regionally or by topic or type of program. OVCS will work with organizations willing to host events of this sort to assist with communication and organization. Note that OVCS may be able to assist with the costs involved in multi-program training events.

Service member or staff training for a single program is funded from the subgrantee's budget.

#### **D. Annual Needs Assessment/Evaluation**

The annual Training Needs Assessment is conducted by OVCS to assess and evaluate the training needs of Virginia AmeriCorps programs. The responses and feedback are used to guide the implementation of an annual training plan and the allocation of training resources for the program year. Each AmeriCorps subgrantee is expected to conduct evaluations and surveys to assess AmeriCorps members' in-program training needs and to track progress in member development each year.

#### **E. Training and Technical Assistance Resources**

Training and Resources for AmeriCorps \*State and National programs and members are available online at the Training, Tools and Resource site <http://www.vaservice.org/go/training/assistance/>. A variety of workshops, seminars, and program events are listed on the AmeriCorps Training/Event Calendar, Funding/Grants, and Resource Portal. The vaservice.org website has links to the Corporation for National and Community Service Resource Center, national training providers, online resources for program staff and AmeriCorps members, and resources in volunteerism.

#### **F. Program Staff Training**

AmeriCorps Program Directors and program staff receive training in program effectiveness, sustainability, and resources through various activities and training events. The Office of Volunteerism and Community Service staff provides facilitation, specialized training, and resources for new and returning programs. Training for program staff is required and covers administrative functions, policies, program reporting, training/technical assistance resources, and fiscal accountability. Topical training may also be provided by staff and local or national training providers. The attendance at these trainings for program staff is required and mandatory. Activities/events that involve training for program staff include: AmeriCorps New/Renewal Program Director/Program, Staff Orientation (bi-annually), AmeriCorps Program Director/Program Staff Training Teleconferences, Virginia Statewide Conferences, National Conference on Volunteering and Service, cross-partner, specialized, or topical training.

#### **G. AmeriCorps Member Training**

AmeriCorps members should receive continuous member development and on-site training through their assigned AmeriCorps program. Possible topics for AmeriCorps member training include leadership skills, teambuilding, peer-to-peer interchange, public speaking/outreach,

accommodation and inclusion of individuals with disabilities, life after/beyond AmeriCorps, diversity, conflict resolution, and emergency preparedness. Attendance at program-sponsored trainings is mandatory for AmeriCorps members. OVCS also provides training opportunities across programs for members through use of its PDAT funds. Opportunities for training specific to AmeriCorps members include AmeriCorps state launch activities, and conferences on volunteerism and service, as well as other cross-program, specialized, or topical training.

## Section 9 – Sponsored Events

### A. Introduction

The Office on Volunteerism and Community Service (OVCS) sponsors a number of events to promote citizenship and service across the Commonwealth. Attendance at certain designated Office on Volunteerism and Community Service-sponsored events is mandatory, as determined by the Office on Volunteerism and Community Service.

### B. AmeriCorps Launch

The AmeriCorps Launch kicks off the service year in Virginia. All AmeriCorps programs in Virginia are represented, the AmeriCorps Pledge is taken, and training is usually provided. The event is typically held near the beginning of the program year.

### C. Statewide Conference

The Statewide Conference, when held, provides an opportunity for training, networking, and collaboration among the various national service groups, volunteer, and service communities.

### D. National Service Days

OVCS requires programs to coordinate at least two service projects for National Service Days. One of the service projects is conducted on Dr. Martin Luther King, Jr. Day, which is the third Monday in January. Even though this is a holiday, the project must occur on Dr. Martin Luther King, Jr. Day. Other Service Days from which programs can choose for their second required project are Day of Remembrance (commemorating September 11), Make a Difference Day (third Saturday in October), and Global Youth Service Day (third weekend in April). Programs are also strongly encouraged to plan events for AmeriCorps Week, Virginia Volunteer Month, National Volunteer Week, and Join Hands Day.

### E. Governor's Community Service and Volunteerism Awards

The Governor's Awards are used to recognize outstanding volunteer service efforts of companies, organizations, groups, youth, seniors, families, etc. across the Commonwealth. These esteemed annual awards promote civic responsibility, national service, and achievement.

### F. State Service Plan Meetings and Events

The State Service Plan identifies the service priorities of the Commonwealth as well as the overarching vision of promoting an ethic of service within the state that includes national service, community service, volunteerism, and service learning at all levels.

The common theme of the State Service Plan is to create regional service networks to share information and explore collaboration leading to the provision of comprehensive and holistic services to people in need.

State Service Plan meetings and events are arranged by OVCS, which is guided by the needs of the citizens of the Commonwealth and the State Service Plan Collaborative Partners.

## **Section 10 – Program Close-Out**

If a program contract is ended by the subgrantee or the Office on Volunteerism and Community Service (OVCS), specific financial information must be gathered and filed. The required time frame to complete the close-out documentation is ninety days from the grant termination date. These requirements are determined by the Corporation for National and Community Service (CNCS).

OVCS requires programs to maintain records for a period of five years after the date of the program's final AFR.

Upon close-out, OVCS staff will provide all required documentation and instructions. This may include but is not limited to a certification of subgrant close-out and inventory of residual supplies over \$5000 and an equipment inventory with a fair market value over \$5000.