



ADMINISTRATION

SERVICE HOURS POLICY

PURPOSE: To clarify the types of service, training and other related activities that can be included in a member's record of "service hours."

The following policies apply to all AmeriCorps NCCC members while participating in the AmeriCorps NCCC program. Federal legislation requires that all members and team leaders participating in AmeriCorps complete a minimum of 1,700 service hours over the course of their program. Team projects and individual service hours, in combination, will likely surpass the mandated 1,700 hours. With a shared understanding of the law and each campus' tracking mechanism, the confusion over what does and does not count toward the 1,700 creditable service hours should be minimized.

A. SERVICE HOURS

1. Service Requirement

1,700 hours of service are required of all members and team leaders for successful completion of the program. In general, eligible service and training activities are those service activities that directly relate to a program's community service projects. Key criteria are outlined below.

"Service" is community service that is a direct benefit to the community where it is performed (not to include the AmeriCorps NCCC community). This includes both team service projects and individual service hours, as approved. Part of the service hours can be activities incidental to performing service (such as travel to and from the worksite, project preparation and research, project

portfolio completion, and project debrief). Members participating in the Corps Ambassador Program (CAP) as recruitment stewards may receive direct service credit for this service. Not more than 10 percent of a member's service hours may be credited for this activity.

2. Prohibited Activities

Any activities that can be interpreted as efforts to influence legislation (i.e., advocacy, lobbying, partisan political activities, voter registration drives) are prohibited. Involvement in the political process is permissible on the staff or members' own time using their own resources but not while representing or with support of AmeriCorps NCCC.

3. Duties Not Considered Service

- Service that supports the running of the AmeriCorps NCCC campus (such as shopping, cleaning dorms, and night-watch duty).
- Member involvement in committees and governance with the AmeriCorps NCCC community. While this fosters citizenship and contributes to the overall health of the AmeriCorps NCCC community, it does not fall within the intent of the legislation.

B. INDEPENDENT SERVICE HOURS

Of the 1,700 service hours required for program completion, 80 of these hours must be performed in independent service projects (ISP). These ISPs must be approved by the region director, or his or her designee, and

must be performed so as not to interfere with regular, team-based projects. Designated campus staff will assist members in identifying and developing ISPs. Designated campus staff will also assist members with transportation needs and other administrative support. Members who fail to achieve the 80 hours of ISP service may be subject to having their education awards withheld or pro-rated. Team leaders are exempt from the ISP requirement.

Members can complete ISPs during their campus breaks either in their hometown or local community.

SERVICE-LEARNING AND MEMBER DEVELOPMENT

PURPOSE: To establish procedures and guidelines to be followed in developing an appropriate education and training program to ensure success in project completion and the personal and professional development of all members.

The mission of AmeriCorps NCCC is to get things done in communities while at the same time preparing America's future leaders for continued service to their communities beyond their AmeriCorps NCCC commitment. Therefore, a solid educational program, complementing the work projects and overall campus life, is a critical element of AmeriCorps NCCC's success. In the future, all training, service learning and member development will be included as part of NCCC's Service Leadership Program. Currently, service-learning and member development involves several components, including:

A. IN-PROCESSING AND ORIENTATION

This occurs during the first week of both team leader training and the member training institute. Some of the items covered during this period include member benefits, uniform distribution, and campus orientation.

B. TEAM LEADER TRAINING

Team Leader Training occurs during the first several weeks after team leaders arrive and is coordinated by the assistant program director for training (APDT) and approved by the deputy region director for programming. Training sessions are based on national training competencies and include sessions on supervisory skills, diversity awareness, project preparation and management, policies and procedures, and management and administration. Full participation in Team Leader Training is required and essential for team leaders to be prepared to manage a team of 7-10 members.

C. CORPS MEMBER TRAINING INSTITUTE (CTI)

CTI is conducted during members' first several weeks on campus and is coordinated by the assistant program director for training and other campus staff. It is implemented with the full participation of campus staff. CTI is an intensive program designed to develop the AmeriCorps NCCC campus community. Full participation in CTI is expected and essential for members to be prepared for service throughout the AmeriCorps NCCC year.



D. SERVICE TRAINING AND PREPARATION

AmeriCorps NCCC recognizes that quality community service has many components. Among these components is the cycle of learning where good preparation and training precedes the service project and thorough evaluation and reflection occurs throughout and after completion of the project. The campus staff work in collaboration with the sponsoring agencies to ensure that required project-related training is provided to the team prior to or upon arrival on-site. Preparation can include use of equipment and safety procedures as appropriate and background information about community or natural environment of the project site.

E. SERVICE-LEARNING

Members and AmeriCorps NCCC staff will be expected to teach each other and the communities they are serving throughout the year and to reflect together about experiences on project sites. This is done through the incorporation of the PARC Service-Learning Model – Preparation, Action, Reflection, and Celebration. This kind of service-learning is facilitated through the following activities:

- **Preparation** for each project by conducting research on the social issue being addressed and the community where the project will be conducted. Part of preparation includes identifying service-learning activities that will be conducted on-site.
- **Action** which refers to the actual service project activities.

- **Reflection** on the service activities, skills developed, and the community impact. A service-learning project portfolio is assembled by each team. The project portfolio records the service-learning project experiences, challenges, and accomplishments and is used for reflection, documentation, and presentation purposes. The completed portfolio can be used by members as background for resumes, job seeking, or educational applications. Finally, AmeriCorps NCCC staff members can use the finished service-learning project portfolio as documentation of members' activities—a tangible account of program achievements.
- **Celebration** includes project recognition efforts and achievements and is usually done through project debriefs.

F. PERSONAL AND PROFESSIONAL DEVELOPMENT

AmeriCorps NCCC is committed to enhancing the skills and education of all members and staff. AmeriCorps NCCC will provide resources, strategies, and opportunities for individuals to make decisions and plans for their future following AmeriCorps NCCC, including the following:

- Members and team leaders will complete an Individual Learning Plan (ILP), identifying goals and skills to be developed over the course of the year.
- Members and team leaders will be encouraged to work on the goals/skills identified in their ILP through community service, mini-courses, and other resources with support

from training and service-learning staff and in the community where they serve.

- AmeriCorps NCCC expects members who have yet to obtain a high school diploma or GED to include this goal in the ILP.
- Members and team leaders will have the opportunity to pursue college credit, a Certificate in Non-Profit Management, and both the Presidential and Congressional Awards for service. Academic integrity will be strictly adhered to for all course and certificate requirements.

G. OTHER ACTIVITIES

In order to provide a campus environment that promotes the whole person concept, a number of campus traditions will be developed. A variety of optional structured leisure activities will be coordinated by the campus staff in cooperation with members.

MEMBER GRIEVANCE PROCEDURES

PURPOSE: To provide a mechanism for identifying and resolving training or service-related grievances in a fair, orderly, and timely manner with minimum disruption to the program's mission and objectives.

These grievance procedures shall be used when a member or team leader believes that his or her ability to participate in, or receive the full benefits of, the program has been diminished because of disagreements with other members or staff personnel. This includes, but is not limited to, disagreements concerning service credit and amounts

of education awards due at the termination of the individual's participation in the program.

The procedures shall not be used in the following circumstances:

- To raise allegations of discrimination or disparate (unfair) treatment based upon discrimination. Equal Opportunity procedures are available for these types of complaints.
- To complain about campus policies, operations, physical living conditions, size or locations of living quarters, or other similar matters. These types of concerns should be brought to the attention of the campus administration through normal channels established for these purposes.
- To challenge a proposal or decision by the campus administration to transfer, terminate, suspend, fine, or otherwise discipline a member for conduct that, in the opinion of the region director, jeopardizes the enforcement of the standards of conduct established by AmeriCorps NCCC, or that may diminish the opportunities of other individuals. Additionally, these grievance procedures will not be used to appeal a disciplinary action.

A. GRIEVANCES AGAINST FELLOW MEMBERS

1. Conflict Resolution

If a member has a grievance against another AmeriCorps NCCC member, he or she should first try to resolve the matter by requesting a meeting with the other member and the appropriate team leader(s), or a trained counselor mutually agreed upon by both par-

ties, or in cases involving residence hall issues, the unit leader or residence hall director, within three duty days following the incident. If previous attempts to resolve the matter by the parties have resulted in an impasse, the time limit shall begin to run from the day of the impasse. The time limit may be waived by the region director for good cause.

2. Written Complaint

If the face-to-face meeting does not resolve the matter, the aggrieved member may submit a written complaint through his or her team leader to his or her unit leader. The written complaint should include at a minimum the date and time of the incident, the names of the parties involved, witnesses to the incident, and a short statement as to how he or she thinks the grievance should be resolved. The written complaint should be endorsed by the team leader (with a recommendation) and be presented to the grieving party's unit leader within three duty days from receipt.

3. Unit Leader

The unit leader will then attempt to resolve the complaint with the concerned parties. This shall take place within three duty days from receipt of the written complaint. If the matter cannot be resolved to the mutual satisfaction of both parties, the unit leader will submit the matter within three duty days (with recommendations) to the region director, or her/his designee, for final decision. If the conflict is acted upon by someone other than the region director, the findings and recommendation(s) of this individual shall be

forwarded to the region director, who will either approve or disapprove the recommendation. The final decision will be made within five duty days and transmitted to the grieving party within five duty days from the date of the region director's final decision.

4. Region Director

The decision of the region director is final and binding on all parties. There is no appeal of the region director's decision. Failure to comply with this decision may also be the basis for disciplinary action (including dismissal from AmeriCorps NCCC) against the offending party.

B. GRIEVANCES AGAINST STAFF

1. Conflict Resolution

If a member has a grievance against a team leader or staff member, he or she should attempt to resolve the matter by meeting with the individual within three duty days following the incident. This also applies to team leaders who have complaints concerning campus staff. If the complaint concerns a service issue or assignment, the individual will comply with the staff member's instructions and then attempt to schedule a meeting with the staff member in order to resolve the conflict. If the staff member does not meet with the individual within three duty days or at the time mutually agreed upon by both parties, or if the meeting fails to produce an acceptable resolution to the grievance, the individual may submit a written complaint to the staff member's immediate supervisor. The complaint should specifically describe

the circumstances surrounding the complaint and the names of individuals who may have information surrounding the incident. Finally, the complaint should contain a short statement as to how he or she thinks the grievance should be resolved. The written complaint should be endorsed by the supervisor of the grieving party (with a recommendation) and be presented to the region director within three duty days from receipt.

2. Region Director

The region director will then attempt to resolve the complaint with the concerned parties. This shall take place within 10 duty days from receipt of the written complaint. The region director will make the final decision concerning the complaint and transmit this decision in writing within five duty days from the date that the final decision is made by the region director.

3. Appeal of Decision

The decision of the region director is final and binding on all parties except for those grievances that concern service hour credit and/or education award determinations. In these situations, a member or team leader may appeal the region director's decision to the national director, who will give the individual an opportunity to submit matters on his or her behalf. Depending on the circumstances, an objective fact-finder may be appointed to ascertain the facts and make a recommendation to the AmeriCorps NCCC national director, who will make the final decision concerning the grievance.

For all other grievances, there is no appeal of the region director's decision. Failure to comply with this decision may be the basis for

disciplinary action (including dismissal from AmeriCorps NCCC) against the offending party. Nothing in these procedures either mandates or precludes AmeriCorps NCCC from taking official disciplinary action against government employees who are involved in duty-related misconduct.

C. GRIEVANCES AGAINST REGION DIRECTORS

The only grievances that may be brought against a region director are those related to the director's personal conduct that is not performed within the scope of his or her official duties. In situations such as these, members may contact AmeriCorps NCCC headquarters. Decisions made by region directors in the course of their official duties may not be grieved, except as discussed above.

PHYSICAL AND MENTAL HEALTH

PURPOSE: To establish physical and mental health guidelines for continued service in AmeriCorps NCCC and to define the conditions for medical hold, medical termination, and medical re-admittance.

A. HEALTH HISTORY

To be eligible to serve in AmeriCorps NCCC, the applicant must be free of any health condition (medical, mental, or emotional) that:

- Represents a current and direct threat to other members of AmeriCorps NCCC or to the applicant himself or herself.
- Precludes participation in the AmeriCorps

NCCC program with a reasonable expectation of successful completion.

- Requires prolonged inpatient medical care or special medical attention that AmeriCorps NCCC cannot reasonably accommodate.

B. DEFINITION OF “DIRECT THREAT”

“Direct threat” means a significant risk of substantial harm to the health or safety of the individual or others that cannot be eliminated or reduced by reasonable accommodation. The determination that an individual poses a “direct threat” shall be based on an individualized assessment of the individual’s present ability to safely perform the essential functions of the service. This assessment shall be based on reasonable medical judgment that relies on the most current medical knowledge or on the best available objective evidence. In determining whether an individual would pose a direct threat, the factors to be considered include:

- The duration of the risk;
- The nature and severity of the potential harm;
- The likelihood that the potential harm will occur;
- Whether reasonable modifications of policies, practices, or procedures will mitigate the risk.

C. MEDICAL HOLD

If, due to an injury or illness, a member is unable to train or serve for a period of 10 to

30 days, he or she will be placed in a medical hold status. The decision to place the individual on medical hold will be made by the region director who will base the decision on information provided by the individual’s attending physician. The member will be informed in writing of the effective date of placement into medical hold.

1. Special Care

During the medical hold period, the member will ordinarily be sent home if he or she is not required to remain in a hospital but still needs special care. Individuals who do not require special care may, at the region director’s discretion, be allowed to remain on campus. Living allowances will continue; however, service hours will not be earned. An individual who has been, or who is, on medical hold at the completion of the program, will graduate with the rest of his or her class.

2. Short Periods of Incapacitation (unable to serve)

If a member is incapacitated for a period of less than 10 days as a result of illness or injury, he or she will not be placed on medical hold and will be allowed to remain on campus, if appropriate. All allowances and stipends will continue. However, no service hours will be earned during this period.

D. MEDICAL TERMINATION

If the member is unable to resume service within 30 days after being placed on medical hold, the member may, at the discretion of the region director, be disenrolled for medical

reasons. However, if a region director decides to keep a member on medical hold after he or she has been in that status for a 30-day period, the living allowance will not be paid for any time after the 30 days have elapsed. The living allowance will resume when, and if, the member is reinstated.

The decision to terminate an individual for medical reasons will be made by the region director on the basis of information received from the individual's attending physician or other medical consultation obtained by AmeriCorps NCCC. Written notice of termination must precede the date on which the individual is proposed to be medically terminated. If a member receives a medical termination, health benefits will be paid through the effective termination date. Education awards may be pro-rated in accordance with Corporation/AmeriCorps NCCC policy.

An individual may appeal the medical termination decision on the basis of disagreement with the anticipated time of recovery from the illness or injury. If an individual chooses to appeal, he or she must submit a written appeal, with supporting documentation, within 15 days of receipt of the written notice to the director of AmeriCorps NCCC, 1201 New York Avenue, NW, Washington, DC 20525.

The Office of the Director of AmeriCorps NCCC will review all information submitted and may request additional medical information from the attending physician. After review of all pertinent medical documentation, the director will render a final decision on the appeal. If the appeal is upheld, the individual will be reinstated into AmeriCorps NCCC service retroactive to the date of termination.

E. MEDICAL READMITTANCE

If a former member wishes to re-enter service following medical termination, he or she should submit a written request to the director of AmeriCorps NCCC along with a statement from the attending physician that the individual is fit to return to service. AmeriCorps NCCC may seek additional medical consultation in such cases, as necessary. The director may admit the individual to the next class provided the individual meets the age restrictions, will not have completed more than two terms of service upon the new termination date, and is deemed to be physically and mentally able to participate with or without reasonable accommodation.

MEMBER LIABILITY FOR GOVERNMENT PROPERTY

Members will be financially responsible for government property under their control that is either damaged or lost as a result of gross negligence or a deliberate willful destruction of the property. Gross negligence is defined as the intentional failure to perform a duty in reckless disregard of the consequences, which directly affects the property of another.

When a region director makes a preliminary determination that government property was either lost or damaged as a result of gross negligence or deliberate destruction, the member will be presented a Statement of Charges, which will include a description of the property, the replacement value of the property, a short narrative stating how the property was either lost or damaged, and a determination as to the member's pecuniary liability. The member will either sign the Statement of Charges, agreeing to pay for or



replace the item, or disagree with the conclusion and, within five duty days, present a rebuttal statement, together with witness statements and other evidence in support of the rebuttal.

The region director will then appoint a staff member to conduct an informal investigation to determine the validity of the rebuttal statement. The investigating officer will present his or her findings to the region director, who will make a final decision. The region director may impose either the replacement value or depreciated value (when appropriate), allow an acceptable replacement, or impose no liability at all in appropriate situations.

Appeals of the region director's decision must be submitted in writing to the AmeriCorps NCCC national director within seven days of the region director's notification. The appeal should state the reasons for the appeal, and be accompanied by relevant witness statements and/or other documentation supporting the appeal. Once liability has finally been determined, the individual will be given a reasonable period to either replace, or pay for, the loss or damage (usually no more than one pay period). Deductions may not be made from the member's living allowance; however, failure to pay may be the basis for disciplinary action up to, and including, dismissal.

Additionally, if a member owes money at the end of the program, a director may take this into consideration in determining whether or not the member has successfully completed the program. Successful completion of the program is required to be eligible for the education award. Consequently, the award may be withheld until such time that the member satisfies the debt to the government.

FEDERAL TORT CLAIMS ACT

PURPOSE: To establish policy and procedures to be followed when accidents occur while team leaders and members are performing within the official scope of their duties.

Under Title 42 U.S.C. Section 12620 (c), the National and Community Service Act of 1990, as amended, members are federal employees for purposes of the Federal Tort Claims Act (FTCA). Under this act, the federal government assumes liability for any damage to property or injury to third persons caused by a federal employee that arises out of his or her official duties and for which the individual would be liable under local law. It should be noted that contract employees are not government employees and consequently are not covered by the FTCA.

A. REPORTING A CLAIM

If any claim is made against an AmeriCorps NCCC participant or staff member with respect to an automobile accident or other damage (or in cases of potential liability for damage) to property or injury to persons, the individual should report such claims to the unit leader. The unit leader should then notify the deputy director or region director. The region director must immediately notify the director of AmeriCorps NCCC, who will consult with the Corporation Office of General Counsel, who will then advise the AmeriCorps NCCC director as to the steps that should be taken.

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B. STATEMENTS ABOUT CLAIMS

Individuals should refrain from making any statements to other parties regarding accidents and the ultimate liability of the government on a particular claim. Such statements should only be made to government investigating officers. Depending on the amount of the claim in question, either the Office of General Counsel or the Department of Justice will make the final determination as to whether an accident occurred within the scope of the individual's service-related activities and the extent of the federal government's liability.

C. FULL COOPERATION

Individuals are expected to give full cooperation to the Office of General Counsel in obtaining necessary evidence and materials and to the United States Attorney in the event any legal action is initiated in connection with an accident.

D. PERSONAL LIABILITY

During off-duty hours, or in any situation in which AmeriCorps NCCC members are not engaged in service-related activities, they are as personally liable as any other citizen for any damage or injury they may cause.