



Serve America Act A to Z

BACKGROUND

On April 21, 2009, President Barack Obama signed the Edward M. Kennedy Serve America Act. The Act reauthorizes and expands the mission of the Corporation for National and Community Service (CNCS) and its programs through 2014 and includes the following significant provisions for advancing the Administration's goals for national service:

- Expanding service opportunities for Americans of all ages, setting a path for increasing the number of AmeriCorps members to 250,000 by 2017.
- Simplifying AmeriCorps program management, including the availability of fixed amount grants.
- Increasing the Segal AmeriCorps Education Award.
- Expanding eligibility for Senior Companion and Foster Grandparent programs.
- Expanding innovation in service-learning programming and research by supporting youth engagement zones, summer of service programs and campuses of service.
- Expanding the availability of training and technical assistance and disability inclusion resources to all streams of national service.

The Serve America Act went into effect on October 1, 2009.

- Many of the Act's provisions took effect on this date, such as opening Senior Companion and Foster Grandparent programs to adults age 55 and older.

Authorization does not equal Appropriation.

- Appropriations follow a separate legislative process from authorizations.
- Even if the Serve America Act authorizes a program at a specific funding level, there is no guarantee that the program will be funded or funded at the specified level.

SUMMARY: A to Z

AmeriCorps*State & National

Allocation of Funds – Streamlines the AmeriCorps funding streams to promote competition while allowing state commissions authority to set priorities and indicators. The new allocation of AmeriCorps funds are as follows:

- 1 percent to Tribes
- 1 percent to Territories
- At least 35.3 percent State Formula. Each state will receive an allocation from this funding pool equal to their state's percentage of the country's population.
 - New small state minimum of at least \$600,000 or 0.5 percent of the amount allocated for State Formula grants for the fiscal year, whichever is greater.
- Not more than 62.7 percent for grants awarded on a competitive basis.

Citizenship Verification - CNCS will be allowed to move to a nationwide electronic citizenship verification system that other federal programs use thereby eliminating the existing record and retention policies for birth certificates.

Education Award Programs – Increases the amount of operational support for an Education Award program to \$800 per individual enrolled in an approved full-time national service position, and \$1,000 per such individual if at least 50 percent of the persons enrolled in the program are disadvantaged youth.

Educational Requirements - High school diploma required for AmeriCorps members serving as tutors, with standards set for curriculum and training.

Encore Programs - Directs CNCS to make an effort to allocate not less than 10 percent of Competitive grants and positions to carry out Encore service programs (positions aimed at participants 55 years and older).

Equitable Treatment - Directs CNCS to ensure equitable treatment of grantees that are urban, rural, states, national nonprofit organizations, and those that are diverse in terms of program size, as reflected in the number of members.

Federal Work Study - Provides for adjustment of living allowance for members who also participate in Federal Work Study.

Fixed Amount Grants – Authorizes fixed amount grants for national service programs if the amount is significantly less than the reasonable and necessary costs of administering the program. The grant will be made on the basis of a pre-determined amount and extent of service completed, rather than as reimbursement for actual costs incurred. The first year may only be phased in for full-time positions (excluding Education Award Programs, which already use fixed amount grants).

Ineligible Applicants - Disqualifies from receiving subtitle C (AmeriCorps) assistance any organization that has been convicted of a Federal crime.

Member Early Release - Compelling personal circumstances for early release of AmeriCorps member to be determined by the grantee.

Member Enrollment - Sets AmeriCorps on a path from 75,000 positions annually to 250,000 by 2017. The legislation directs CNCS to develop a plan to increase the number of approved AmeriCorps positions to:

- FY 2010 - 88,000
- FY 2011 - 115,000
- FY 2012 - 140,000
- FY 2013 - 170,000
- FY 2014 - 200,000
- FY 2015 - 210,000
- FY2016 - 235,000
- FY 2017 - 250,000

The legislation also directs the CNCS Chief Executive Officer to develop a strategic plan to achieve the goal of having 50 percent of all approved national service positions be full-time by 2012.

Member Living Allowances - Grantees (other than those receiving fixed-amount grants) must report on any non-CNCS Federal funds used to pay member living allowances. CNCS uses this information for a report to Congress.

Member Term of Service - Eliminates requirement that a full-time term of service be at least 9 months. Allows an individual to receive CNCS-funded support for more than two terms of AmeriCorps service. Codifies current policy of limiting the length of a part-time term of service to 2 years.

MSY - Sets the ceiling for the cost per Member Service Year (MSY) level at \$18,000, allowing for inflation, and grants the CEO the waiver authority to increase the ceiling to \$19,500 to meet the compelling needs of a program, such as disadvantaged youth, individuals with disabilities and start-up.

New Service Corps – Establishes 5 new possible Corps with distinct focus areas to address community needs. CNCS will be required to make grants in at least 2 of the new Corps in addition to traditional AmeriCorps grants. The 5 new Corps focus areas will address the following unmet community needs:

- Education Corps to identify and meet unmet educational needs;
- Healthy Futures Corps to identify and meet unmet health needs;
- Clean Energy Corps to identify and meet unmet environmental needs;
- Veterans Corps to identify and meet unmet needs of veterans and members of the Armed Forces who are on active duty; and

- Opportunity Corps to identify and meet unmet needs relating to economic opportunity for economically disadvantaged individuals.

Any AmeriCorps State & National program may use a variety of program models, including Professional Corps. Grant applicants must propose programs that will work to improve upon statutory or CNCS-approved performance indicators. Applications must include measurable goals on one or more performance indicators.

The legislation also requires the CNCS to submit an annual report on AmeriCorps funding decisions and improvement on performance indicators. CNCS is directed to establish priorities, on an annual basis, for funding competitive grants to programs in at least 2 of the 5 new Service Corps.

Professional Corps - Permits Professional Corps programs to apply through AmeriCorps State Formula and Competitive as well as National Direct (under current law, Professional Corps programs that pay a living allowance greater than the maximum for non-professional corps programs may apply only through State Competitive and National Direct).

Program List - Expands list of illustrative AmeriCorps programs to include programs focusing on access to technology, disaster services, mentoring (including provision of supportive services to direct mentoring service organizations as part of a partnership), disadvantaged youth, higher education service-learning, re-engaging court-involved youth and adults, financial literacy education, building affordable housing, access to health care, access to State and Federal programs, e-Corps, job-training, job-placement, reducing crime, a musician and artist corps program, and foster care and mentoring.

Prohibited Activities - Expands list of prohibited member activities to codify long-standing regulations at 45 CFR 2520.65, and adds abortion services or referrals to the list.

Segal AmeriCorps Education Award - Codifies the maximum education award members may earn equal to 2 full terms of service. The legislation indexes the value of the education award to the maximum amount of a federal Pell Grant, which is currently \$5,350.

Transfer of Education Award - Transfer of education award earned in Subtitle C (AmeriCorps) position or as a Silver Scholar is permitted for individuals 55 or older to the individual's child or grandchild who meets the citizenship eligibility requirements for AmeriCorps and attains a high school degree before using. Recipient must use the education award within 10 years of its being earned.

AmeriCorps*NCCC

- The legislation instructs the NCCC Director to take appropriate steps to increase the percentage of participants in the program who are disadvantaged youth to 50 percent of all participants by the year 2012.
- The legislation emphasizes NCCC's role in natural and other disasters; infrastructure improvement; environmental stewardship and conservation; energy conservation; as well as urban and rural development.

AmeriCorps*VISTA

- The legislation adds new program assignments for VISTA participants, including the re-integration of formerly incarcerated youth and adults, financial literacy and financial planning, before-school and after-school programs for low-income children, and veteran's assistance programs.

Learn & Serve America

Allocation of Funds – The new allocation of Learn & Serve America funds are as follows:

- 60 percent for K-12 school-based (only formula grants to State Education Agencies)
- 25 percent for Higher Education
- 15 percent for the new Innovative Service-Learning Program and Research, which includes community-based grants

Campuses of Service – Authorizes CNCS, after consultation with the Secretary of Education, to designate 25 institutions of higher education as “Campuses of Service” from among institutions nominated by state commissions. A designated “Campus of Service” will receive an award of funds to be used to develop or disseminate service-learning models and information on best practices regarding service-learning to other institutions of higher education.

Summer of Service – Authorizes CNCS to provide competitive grants and education awards to support students in grades 6-12 in summer volunteer opportunities. Summer of Service programs could be an extension of a school-based program or operated independently. Students who complete 100 hours of service would earn a Summer of Service Educational Award of \$500 (or not more than \$750 in the case of a participant who is economically disadvantaged), to be put toward the cost of college or college preparatory programs.

Youth Engagement Zone Program – Authorizes CNCS to make direct competitive grants to service-learning programs in which an eligible partnership provides coordinated school or community-based service-learning opportunities to address a specific community challenge and to improve student engagement.

Senior Corps

Foster Grandparent Program

- Lowers the age of participation to 55.
- Allows services by a foster grandparent to continue after the child turns 21 if it is in their best interest.
- Mandates that the federal share of the stipend for a foster grandparent cannot exceed \$3.00 per hour (an increase from \$2.65 per hour), which can not exceed 75 percent of the minimum wage.
- Sets the income limitation to 200 percent of the poverty level in order to participate.
- Allows for 15 percent of the participants to exceed the low-income eligibility requirement if the program is unable to effectively recruit and place low-income volunteers.

Retired & Senior Volunteer Program

- Introduces responsible and balanced competition into the program to better position it for expansion.

Senior Companion Program

- Applies the same age eligibility, stipend level and income eligibility requirements for the Senior Companion Program as for the Foster Grandparent Program.

Training and Technical Assistance

- Creates a new subtitle for training and technical assistance that directs CNCS to conduct appropriate training for, and provide technical assistance to, all streams of national service (particularly entities in rural areas and underserved communities).
- The new training requirement can be met through the provision of direct assistance or through grants, contracts or cooperative agreements (including through state commissions).
- The new subtitle will eliminate CNCS' current practice of utilizing just AmeriCorps program funds to support training and technical assistance activities.
- CNCS will reserve up to 2.5 percent of all funds for this new subtitle.

Disability Inclusion

- Expands use of disability inclusion funds to include participants with disabilities in Senior Corps, Learn & Serve America and AmeriCorps.
- CNCS will reserve up to 2 percent of all program funds for disability inclusion.

Subtitle H Innovation Funds

Call to Service - Directs CNCS to conduct a nationwide Call to Service campaign.

Encore Fellowship - Authorizes a new Encore Fellowship program to allow CNCS-selected individuals aged 55 or older to serve at organizations on a CNCS-maintained list, supported by \$11,000 grants (under a \$1 for \$1 match) to the organization for Fellow living expenses. A 75 percent non-Federal match is required for the first year, and a 50 percent non-Federal match is required in subsequent years.

Non-Profit Capacity Building - Authorizes a Nonprofit Capacity Building Program to make grants of at least \$200,000 to intermediary organizations to support the provision of organizational development assistance – including training on best practices, financial planning, grant writing, and compliance with applicable tax laws – to small and mid-size nonprofit organizations, particularly those facing resource hardship challenges. Federal share not to exceed 50 percent.

Program Support - Adds authority within subtitle H for CNCS to provide support – via one-time grants (including fixed amount grants) of up to 4 years – to innovative and model programs.

Resource Clearinghouses - Adds authority within subtitle H to disseminate information through clearinghouses on service-learning needs assessments, planning, research, evaluation, leadership training, communication, curriculum, accessibility to individuals with disabilities, and best practices.

September 11 Day of Service - Authorizes CNCS to organize and carry out ceremonies and activities in conjunction with September 11 Day of Service, with authority to make grants in furtherance of related service, charity and remembrance opportunities.

Serve America Fellowship - Authorizes a Serve America Fellowship program to support individuals selected by state commissions who serve with sponsors registered with the commission. Fellows will receive a living allowance and, upon successful completion of a term of service, an education award.

Silver Scholarship - Authorizes a Silver Scholarship program providing a \$1,000 education award to an individual aged 55 or older who performs at least 350 hours of service.

Social Innovation Fund - Authorizes a Social Innovation Fund pilot program, of \$1-10 million grants, to expand effective initiatives, to provide seed funding for experimental initiatives and to leverage Federal investments to increase private and philanthropic resources in support of evidence-based programming.

Special Initiatives - Retains CNCS authority for conferences, youth leadership, service-learning, summer programs, Martin Luther King, Jr., Day of Service, Global Youth Service Day, and emergent needs.

Volunteer Generation Fund - Authorizes a Volunteer Generation Fund to award grants to states and nonprofits to recruit, manage and support volunteers and to strengthen the nation's volunteer infrastructure. Of the funds allocated, 50 percent will be provided as formula grants to state commissions, and 50 percent will be allotted on a competitive basis to state commissions and nonprofits. A 20 percent match is required in the first year, increasing to 50 percent for year 4 and thereafter.

Administrative Provisions

Contracts - Authorizes personal services contracts for research, evaluation and public awareness functions.

Cost-Share - Permits cost-share agreements under which other Federal agencies support national service programs.

Criminal Background Checks - Requires criminal history checks for any individual who receives a CNCS grant-funded living allowance, stipend, education award, or salary. Disqualifies any registered sex offender or individual convicted of murder from receiving an education award.

Requires, within 2 years after the bill's enactment, an FBI fingerprint check for those individuals with access to vulnerable populations, except for programs for whom such checks would be prohibitively expensive, programs not authorized to conduct FBI checks, and for individuals whose access to vulnerable populations is episodic or less than 1 day.

Directs the Attorney General to conduct a feasibility study on the efficiency and effectiveness of criminal history checks to examine, among other things, the availability, accessibility, and cost of the checks.

Displaced Workers - Directs CNCS to conduct a study on how national service programs could better serve displaced workers, with a report due to Congress 1 year after enactment, and a pilot program based on the findings.

Displacement - Prohibits displacement of volunteers (in addition to current law prohibition of displacement of employees), codifying 2005 AmeriCorps rulemaking.

Grant Applicant Considerations - Directs CNCS to consider the extent to which a grant applicant will increase the involvement of volunteers in meeting community needs, while also considering the applicant's mission.

Grant Period - Specifies that, unless otherwise provided, CNCS grants are up to 3 years.

Grant Prohibitions - Prohibits use of grant funds for the sole purpose of referring individuals for other Federal assistance and for endorsing, approving or sanctioning any elementary or secondary school curriculum. Also, funding may not be conditioned on a state having its academic standards approved by the Federal government.

Match Requirements - Prohibits match requirements for any program in a severely economically distressed community.

Member Grievances - Specifies that remedies include the applicant's selection or reinstatement and other changes in the terms and conditions of service.

Modifications to Application Procedures - Authorizes CNCS to consolidate or modify application procedures and reporting requirements for national service grant recipients.

Parent Consultation - Adds requirement for national service programs to consult with parents in developing and operating programs that serve children; requires written permission from parents before transporting minor children.

Performance Measures - Focuses national evaluation activities on performance measures, with more service delivery evaluation focus on effective use of participants' time and cost-effectiveness. In addition to funds appropriated under evaluation section 179, authorizes CNCS to reserve up to 1 percent of total program funds to support program accountability activities.

Directs CNCS to (1) establish, in consultation with grantees, performance measures for each program, (2) require corrective plans for those not meeting goals, and (3) reduce or terminate assistance if correction is not made. New grantees must receive training and technical assistance relating to performance problems. Annual reports are required, beginning 2 years after enactment.

Directs the Government Accountability Office to develop performance measures for each national service program and make an assessment every 5 years.

Program Sustainability - Authorizes CNCS, in collaboration with state commissions and in consultation with grantees, to set sustainability goals relating to grantees' acquiring and leveraging non-Federal funds.

Suspension of Funding - Authorizes suspension of funding for emergency situations for 1 or more 30-day periods not to exceed 90 days.

Volunteer Management Corps - Directs CNCS to study and submit a plan on how best to establish a Volunteer Management Corps under which individuals with experience as managers would participate.

State Commissions

- For administrative grants to support each state commission's operations, the legislation increases the minimum from \$125,000 to \$250,000. The maximum is increased from \$750,000 to \$1,000,000.
- Retains current law \$1 for \$1 non-Federal match requirement for commission administrative grants, with new authority to permit a state that demonstrates hardship or a new state commission to match as follows: \$0-\$100,000: 0 percent; \$100,000-\$250,000: 50 percent; and above \$250,000: 100 percent.
- Eligibility for AmeriCorps and Learn & Serve America grants is contingent upon a state submitting to CNCS a comprehensive plan that addresses service by members of the Baby Boomer generation and older adults.
- Specifies that the State Plan is subject to approval of the Governor. Adds requirement that the Plan must include measurable outcomes. Authorizes State Plan to serve as basis for considering waivers of administrative (non-statutory) requirements a state identifies as impeding efficiency of service programs. Requires consultation with counties and municipal governments.
- Adds representative of volunteer sector to list of required commission members.

