

## Corporation for National and Community Service

§ 2522.940

economic incentives or are otherwise identifiable as having high concentrations of low-income people, in areas that are environmentally distressed or adversely affected by Federal actions related to the management of Federal lands, in areas that are adversely affected by reductions in defense spending, or in areas that have an unemployment rate greater than the national average unemployment rate for the most recent 12 months for which satisfactory data are available; and

(7) The implications of the results of these studies as appropriate for authorized funding levels.

[59 FR 13796, Mar. 23, 1994. Redesignated at 70 FR 39603, July 8, 2005]

### § 2522.820 Will information on individual participants be kept confidential?

(a) Yes. The Corporation will maintain the confidentiality of information regarding individual participants that is acquired for the purpose of the evaluations described in § 2522.540. The Corporation will disclose individual participant information only with the prior written consent of the participant. However, the Corporation may disclose aggregate participant information.

(b) Grantees and subgrantees that receive assistance under this chapter

must comply with the provisions of paragraph (a) of this section.

[59 FR 13796, Mar. 23, 1994. Redesignated at 70 FR 39603, July 8, 2005]

## Subpart F—Program Management Requirements for Grantees

SOURCE: 70 FR 39606, July 8, 2005, unless otherwise noted.

### § 2522.900 What definitions apply to this subpart?

*Tutor* is defined as someone whose primary goal is to increase academic achievement in reading or other core subjects through planned, consistent, one-to-one or small-group sessions and activities that build on the academic strengths of students in kindergarten through 12th grade, and target their academic needs. A tutor does not include someone engaged in other academic support activities, such as mentoring and after-school program support, whose primary goal is something other than increasing academic achievement. For example, providing a safe place for children is not tutoring, even if some of the program activities focus on homework help.

### § 2522.910 What basic qualifications must an AmeriCorps member have to serve as a tutor?

If the tutor is:	Then the tutor must meet the following qualifications:
(a) Is considered to be an employee of the Local Education Agency or school, as determined by State law.	Paraprofessional qualifications under No Child Left Behind Act, as required in 34 CFR 200.58
(b) Is not considered to be an employee of the Local Education Agency or school, as determined by State law.	(1) High School diploma or its equivalent, or a higher degree; and (2) Successful completion of pre- and in-service specialized training, as required in § 2522.940 of this subpart.

[59 FR 13796, Mar. 23, 1994, as amended at 74 FR 46506, Sept. 10, 2009]

### § 2522.920 Are there any exceptions to the qualifications requirements?

The qualifications requirements in § 2522.910 of this subpart do not apply to a member who is a K–12 student tutoring younger children in the school or after school as part of a structured, school-managed cross-grade tutoring program.

### § 2522.930 [Reserved]

### § 2522.940 What are the requirements for a program in which AmeriCorps members serve as tutors?

A program in which members engage in tutoring for children must:

(a) Articulate appropriate criteria for selecting and qualifying tutors, including the requirements in § 2522.910 of this subpart, and certify that selected

## § 2522.950

tutors meet the requirements in § 2522.910.

(b) Identify the strategies or tools it will use to assess student progress and measure student outcomes;

(c) Certify that the tutoring curriculum and pre-service and in-service training content are high-quality and research-based, consistent with the instructional program of the local educational agency and with State academic content standards.

(d) Include appropriate member supervision by individuals with expertise in tutoring; and

(e) Provide specialized high-quality and research-based, member pre-service and in-service training consistent with the activities the member will perform.

[70 FR 39606, July 8, 2005, as amended at 74 FR 46506, Sept. 10, 2009]

### **§ 2522.950 What requirements and qualifications apply if my program focuses on supplemental academic support activities other than tutoring?**

(a) If your program does not involve tutoring as defined in § 2522.900 of this subpart, the Corporation will not impose the requirements in § 2522.910 through § 2522.940 of this subpart on your program.

(b) At a minimum, you must articulate in your application how you will recruit, train, and supervise members to ensure that they have the qualifications and skills necessary to provide the service activities in which they will be engaged.

## **PART 2523—AGREEMENTS WITH OTHER FEDERAL AGENCIES FOR THE PROVISION OF AMERICORPS PROGRAM ASSISTANCE**

Sec.

2523.10 Are Federal agencies eligible to apply for AmeriCorps program funds?

2523.20 Which Federal agencies may apply for such funds?

2523.30 Must Federal agencies meet the requirements imposed on grantees under parts 2521 and 2522 of this chapter?

2523.40 For what purposes should Federal agencies use AmeriCorps program funds?

2523.50 What types of grants are Federal agencies eligible to receive?

## **45 CFR Ch. XXV (10–1–23 Edition)**

2523.60 May Federal agencies enter into partnerships or participate in consortia?

2523.70 Will the Corporation give special consideration to Federal agency applications that address certain needs?

2523.80 Are there restrictions on the use of Corporation funds?

2523.90 Is there a matching requirement for Federal agencies?

2523.100 Are participants in programs operated by Federal agencies Federal employees?

2523.110 Can Federal agencies submit multiple applications?

2523.120 Must Federal agencies consult with State Commissions?

AUTHORITY: 42 U.S.C. 12571–12595.

SOURCE: 59 FR 13804, Mar. 23, 1994, unless otherwise noted.

### **§ 2523.10 Are Federal agencies eligible to apply for AmeriCorps program funds?**

Yes. Federal agencies may apply for and receive AmeriCorps funds under parts 2521 and 2522 of this chapter, and they are eligible to receive up to one-third of the funds available for competitive distribution under § 2521.30(b)(3) of this chapter. The Corporation may enter into a grant, contract or cooperative agreement with another Federal agency to support an AmeriCorps program carried out by the agency. The Corporation may transfer funds available to it to other Federal agencies.

### **§ 2523.20 Which Federal agencies may apply for such funds?**

The Corporation will consider applications only from Executive Branch agencies or departments. Bureaus, divisions, and local and regional offices of such departments and agencies can only apply through the central department or agency; however, it is possible for the department or agency to submit an application proposing more than one program.

### **§ 2523.30 Must Federal agencies meet the requirements imposed on grantees under parts 2521 and 2522 of this chapter?**

Yes, except as provided in § 2523.90. Federal agency programs must meet the same requirements and serve the same purposes as all other applicants seeking support under part 2522 of this chapter.