

(e) *Fair labor standards.* A sponsor that employs laborers and mechanics for construction, alteration, or repair of facilities shall pay wages at prevailing rates as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended, 40 U.S.C. 276a.

(f) *Nondiscrimination.* A sponsor or sponsor employee shall not discriminate against a Senior Companion on the basis of race, color, national origin, sex, age, religion, or political affiliation, or on the basis of disability, if the Senior Companion with a disability is qualified to serve.

(g) *Religious activities.* (1) A Senior Companion or a member of the project staff funded by CNCS shall not give religious instruction, conduct worship services, or engage in any form of proselytization as part of his/her duties.

(2) A sponsor or volunteer station may retain its independence and may continue to carry out its mission, including the definition, development, practice, and expression of its religious beliefs, provided that it does not use CNCS funds to support any inherently religious activities, such as worship, religious instruction, or proselytization, as part of the programs or services funded. If an organization conducts such activities, the activities must be offered separately, in time or location, from the programs or services funded under this part.

(h) *Nepotism.* Persons selected for project staff positions shall not be related by blood or marriage to other project staff, sponsor staff or officers, or members of the sponsor Board of Directors, unless there is written concurrence from the Advisory Council or community group established by the sponsor under subpart B of this part, and with notification to CNCS.

[64 FR 14115, Mar. 24, 1999, as amended at 69 FR 60095, Oct. 7, 2004; 83 FR 64648, Dec. 17, 2018]

§2551.122 What legal coverage does CNCS make available to Senior Companions?

It is within CNCS's discretion to determine if Counsel is employed and counsel fees, court costs, bail and other expenses incidental to the defense of a SCP volunteer are paid in a criminal,

civil or administrative proceeding, when such a proceeding arises directly out of performance of the volunteer's activities. The circumstances under which CNCS may pay such expenses are specified in 45 CFR part 1220.

[83 FR 64649, Dec. 17, 2018]

PART 2552—FOSTER GRANDPARENT PROGRAM

Subpart A—General

Sec.

2552.11 What is the Foster Grandparent Program?

2552.12 Definitions.

Subpart B—Eligibility and Responsibilities of a Sponsor

2552.21 Who is eligible to serve as a sponsor?

2552.22 What are the responsibilities of a sponsor?

2552.23 What are a sponsor's project responsibilities?

2552.24 What are a sponsor's responsibilities for securing community participation?

2552.25 What are a sponsor's administrative responsibilities?

2552.26–2552.33 [Reserved]

Subpart C—Suspension and Termination of Corporation Assistance

2552.34 What are the rules on suspension, termination, and denial of refunding of grants? (eff. until 11-22-07)

Subpart D—Foster Grandparent Eligibility, Status, Cost Reimbursements and Benefits

2552.41 Who is eligible to be a Foster Grandparent?

2552.42 What types of criminal convictions or other adjudications disqualify an individual from serving as a Foster Grandparent or as a Foster Grandparent grant-funded employee?

2552.43 What income guidelines govern eligibility to serve as a stipended Foster Grandparent?

2552.44 What is considered income for determining volunteer eligibility?

2552.45 Is a Foster Grandparent a federal employee, an employee of the sponsor or of the volunteer station?

2552.46 What cost reimbursements and benefits do sponsors provide to Foster Grandparents?

2552.47 May the cost reimbursements and benefits received by a Foster Grandparent be subject to any tax or charge, be treated as wages or compensation, or

§ 2552.11

affect eligibility to receive assistance from other programs?

Subpart E—Foster Grandparent Terms of Service

2552.51 What are the terms of service of a Foster Grandparent?

2552.52 What factors are considered in determining a Foster Grandparent's service schedule?

2552.53 Under what circumstances may a Foster Grandparent be removed from service?

Subpart F—Responsibilities of a Volunteer Station

2552.61 May a sponsor serve as a volunteer station?

2552.62 What are the responsibilities of a volunteer station?

Subpart G—Foster Grandparent Placements and Assignments

2552.71 What requirements govern the assignment of Foster Grandparents?

2552.72 Is a written volunteer assignment plan required for each Foster Grandparent?

Subpart H—Children and Youth Served

2552.81 Who is eligible to be served?

2552.82 Under what circumstances may a Foster Grandparent continue to serve an individual beyond his or her 21st birthday?

Subpart I—Application and Fiscal Requirements

2552.91 What is the process for application and award of a grant?

2552.92 What are project funding requirements?

2552.93 What are a sponsor's legal requirements in managing grants?

Subpart J—Non-Stipended Foster Grandparents

2552.101 What rule governs the recruitment and enrollment of persons who do not meet the income eligibility guidelines to serve as Foster Grandparents?

2552.102 What are the conditions of service of non-stipended Foster Grandparents?

2552.103 Must a sponsor be required to enroll non-stipended Foster Grandparents?

2552.104 [Reserved]

Subpart K—Non-CNCS Funded Foster Grandparent Projects

2552.111 Under what conditions may an agency or organization sponsor a Foster

45 CFR Ch. XXV (10–1–23 Edition)

Grandparent project without CNCS funding?

2552.112 What are the resources and benefits to which a non-CNCS funded project is entitled?

2552.113 What financial obligation does CNCS incur for non-CNCS funded projects?

2552.114 What happens if a non-CNCS funded sponsor does not comply with the NGA?

Subpart L—Restrictions and Legal Representation

2552.121 What legal limitations apply to the operation of the Foster Grandparent Program and to the expenditure of grant funds?

2552.122 What legal coverage does CNCS make available to Foster Grandparents?

AUTHORITY: 42 U.S.C. 4950 *et seq.*; 42 U.S.C. 12651b–12651d; E.O. 13331, 69 FR 9911.

SOURCE: 64 FR 14126, Mar. 24, 1999, unless otherwise noted.

Subpart A—General

§ 2552.11 What is the Foster Grandparent Program?

The Foster Grandparent Program provides grants to qualified agencies and organizations for the dual purpose of engaging persons 55 and older, particularly those with limited incomes, in volunteer service to meet critical community needs; and to provide a high quality experience that will enrich the lives of the volunteers. Program funds are used to support Foster Grandparents in providing supportive, person to person service to children with special and or exceptional needs, or in circumstances that limit their academic, social or emotional development.

[83 FR 64649, Dec. 17, 2018]

§ 2552.12 Definitions.

Act. The Domestic Volunteer Service Act of 1973, as amended, Pub. L. 93–113, Oct. 1, 1973, 87 Stat. 396, 42 U.S.C. 4950 *et seq.*

Adequate staffing level. The number of project staff or full time equivalent needed by a sponsor to manage the National Senior Service Corps (NSSC) project operations considering such factors as: Number of budgeted Volunteer Service Years (VSYs), number of