

of Federal and non-Federal funds, including expenditures from excess locally generated contributions in support of the grant are subject to audit by AmeriCorps, its Inspector General, or their authorized agents.

(e) *May a sponsor pay stipends at rates different than those established by AmeriCorps?* A sponsor must pay stipends at rates no less than the rate established by AmeriCorps. A sponsor may use non-AmeriCorps funding to pay stipends at rates higher than the rate established by AmeriCorps, but may not use AmeriCorps funding for this purpose.

[64 FR 14126, Mar. 24, 1999, as amended at 75 FR 51415, Aug. 20, 2010; 83 FR 64652, Dec. 17, 2018; 89 FR 70543, Aug. 30, 2024]

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

What rules govern a sponsor's management of grants?

(a) A sponsor shall manage a grant in accordance with:

- (1) The Act;
- (2) Regulations in this part;
- (3) 2 CFR part 200 and 2 CFR part 2205;
- (4) All applicable AmeriCorps policies; and
- (5) All other applicable AmeriCorps requirements.

(b) Project support provided under a AmeriCorps grant shall be furnished at the lowest possible cost consistent with the effective operation of the project.

(c) Volunteer expense items, including transportation, meals, recognition activities and items purchased at the volunteers' own expense and which are not reimbursed, are not allowable as contributions to the non-Federal share of the budget.

(d) Costs to bring a sponsor into basic compliance with accessibility requirements for individuals with disabilities are not allowable costs.

(e) Payments to settle discrimination complaints, either through a settlement agreement or formal adjudication, are not allowable costs.

(f) Written AmeriCorps approval is required for the following changes in the approved grant:

- (1) Reduction in budgeted volunteer service years.

- (2) Change in the service area.

[79 FR 76077, Dec. 19, 2014, as amended at 83 FR 64653, Dec. 17, 2018]

### **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?**

Over-income persons as described in § 2552.43, age 55 or over, may be enrolled in FGP project as non-stipended volunteers.

[83 FR 64653, Dec. 17, 2018]

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

Non-stipended Foster Grandparents serve under the following conditions:

(a) They must not displace or prevent eligible low-income individuals from becoming Foster Grandparents.

(b) No special privilege or status is granted or created among Foster Grandparents, whether stipended or non-stipended, and equal treatment is required.

(c) Training, supervision, and other support services and cost reimbursements, other than the stipend, are available equally to all Foster Grandparents.

(d) All regulations and requirements applicable to the program apply to all Foster Grandparents.

(e) Non-stipended Foster Grandparents may contribute the costs they incur in connection with their participation in the program. An FGP project may not count such contributions as part of the required non-AmeriCorps support (match) for the grant.

[64 FR 14126, Mar. 24, 1999, as amended at 83 FR 64653, Dec. 17, 2018]

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

No. Enrollment of non-stipended Foster Grandparents is not a condition for a sponsor to receive a new or continuation grant.

[83 FR 64653, Dec. 17, 2018]

§ 2552.104

§ 2552.104 [Reserved]

**Subpart K—Non-AmeriCorps  
Funded Foster Grandparent  
Projects**

**§ 2552.111 Under what conditions may  
an agency or organization sponsor  
a Foster Grandparent project with-  
out AmeriCorps funding?**

An eligible agency or organization who wishes to sponsor a Foster Grandparent project without AmeriCorps funding must make an application through the designated grants management system which is approved by AmeriCorps and documented through the Notice of Grant Agreement (NGA).

[83 FR 64653, Dec. 17, 2018]

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

The Notice of Grant Award entitles the sponsor of a non-AmeriCorps funded project to:

(a) All technical assistance and materials provided to AmeriCorps funded Foster Grandparent projects; and

(b) The application of the provisions of 42 U.S.C. 5044 and 5058.

[64 FR 14126, Mar. 24, 1999, as amended at 83 FR 64653, Dec. 17, 2018; 89 FR 70544, Aug. 30, 2024]

**§ 2552.113 What financial obligation  
does AmeriCorps incur for non-  
AmeriCorps funded projects?**

Issuance of an NGA to a sponsor of a non-AmeriCorps funded project does not create a financial obligation on the part of AmeriCorps for any costs associated with the project.

[83 FR 64653, Dec. 17, 2018]

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

A non-AmeriCorps funded project sponsor's noncompliance with the NGA may result in suspension or termination AmeriCorps' agreement and all benefits specified in § 2552.112.

[83 FR 64653, Dec. 17, 2018, as amended at 89 FR 70544, Aug. 30, 2024]

45 CFR Ch. XXV (10–1–24 Edition)

**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?**

(a) *Political activities.* (1) No part of any grant shall be used to finance, directly or indirectly, any activity to influence the outcome of any election to public office, or any voter registration activity.

(2) No project shall be conducted in a manner involving the use of funds, the provision of services, or the employment or assignment of personnel in a matter supporting or resulting in the identification of such project with:

(i) Any partisan or nonpartisan political activity associated with a candidate, or contending faction or group, in an election; or

(ii) Any activity to provide voters or prospective voters with transportation to the polls or similar assistance in connection with any such election; or

(iii) Any voter registration activity, except that voter registration applications and nonpartisan voter registration information may be made available to the public at the premises of the sponsor. But in making registration applications and nonpartisan voter registration information available, employees of the sponsor shall not express preferences or seek to influence decisions concerning any candidate, political party, election issue, or voting decision.

(3) The sponsor shall not use grant funds in any activity for the purpose of influencing the passage or defeat of legislation or proposals by initiative petition, except:

(i) In any case in which a legislative body, a committee of a legislative body, or a member of a legislative body requests any volunteer in, or employee of such a program to draft, review or testify regarding measures or to make representation to such legislative body, committee or member; or

(ii) In connection with an authorization or appropriations measure directly affecting the operation of the FGP.

(b) *Non-displacement of employed workers.* A Foster Grandparent shall not perform any service or duty or engage