

## § 2550.100

same program (e.g., subtitle B programs or subtitle C programs); and

(3) They cannot participate in the oversight, evaluation, continuation, suspension or termination of the grant award.

(b) *Exception to achieve a quorum.* If this general restriction creates a situation in which a Commission or AAE does not have enough eligible voting members to achieve a quorum, the Commission or AAE may involve some normally-excluded members subject to the following conditions:

(1) A Commission or AAE may randomly and in a non-discretionary manner select the number of refused members necessary to achieve a quorum;

(2) Notwithstanding paragraph (b)(1) of this section, no Commission or AAE member may, under any circumstances, participate in any discussions or decisions regarding a grant application submitted by an organization with which he or she is or was affiliated according to the definitions in paragraph (a) of this section; and

(3) If recused members are included so as to achieve quorum, the State Commission or AAE must document the event and report to the Corporation within 30 days of the vote.

(c) *Rule of construction.* Paragraph (a) of this section shall not be construed to limit the authority of any voting member of the State Commission or AAE to participate in—

(1) Discussion of, and hearings and forums on, the general duties, policies and operations of the Commission or AAE, or general program administration; or

(2) Similar general matters relating to the Commission or AAE.

## § 2550.100 Do State entities or their members incur any risk of liability?

(a) *State liability.* Except as provided in paragraph (b) of this section, a State must agree to assume liability with respect to any claim arising out of or resulting from any act or omission by a member of the State Commission or AAE, within the scope of the service of that member.

(b) *Individual liability.* A member of the State Commission or AAE shall have no personal liability with respect

## 45 CFR Ch. XXV (10–1–24 Edition)

to any claim arising out of or resulting from any act or omission by that member, within the scope of the service of that member. This does not, however, limit personal liability for criminal acts or omissions, willful or malicious misconduct, acts or omissions for private gain, or any other act or omission outside the scope of the service of that member. Similarly, this part does not limit or alter in any way any other immunities that are available under applicable law for State officials and employees not described in this section; nor does this part affect any other right or remedy against the State or any person other than a member of a State Commission or AAE.

## § 2550.110 What grants will be available from the Corporation to assist in establishing and operating a State Commission, Alternative Administrative Entity, or Transitional Entity?

(a) *Administrative Grants.* The Corporation may make administrative grants to States in an amount no less than \$250,000 and up to \$1 million for the purpose of establishing or operating a State Commission or AAE; these grants will be available to States which have Corporation-approved Transitional Entities only if those States commit to establishing a Corporation-approved State Commission or AAE prior to the expiration of the transitional period.

(b) *Limitation on Federal share.* Except as provided in paragraph (c) of this section, the amount of a grant that may be provided to a State under this subsection, together with other Federal funds available to establish or operate the State Commission or AAE, may not exceed 50 percent of the total cost to establish or operate the State Commission or AAE.

(c) *Alternative Match Schedule.* The Corporation may permit a State that demonstrates hardship or a new State Commission to meet alternative matching requirements for such a grant as follows:

## Corporation for National and Community Service

## Pt. 2551

Grant amount	Match requirement
(1) First \$100,000 .....	No match requirement.
(2) Amounts above \$100,000 but less than \$250,000 .....	\$1 of non-Federal funds for every \$2 provided by the Corporation in excess of \$100,000.
(3) Amounts greater than \$250,000 .....	\$1 of non-Federal funds for every \$1 provided by the Corporation in excess of \$250,000.

[74 FR 46508, Sept. 10, 2009]

### PART 2551—SENIOR COMPANION PROGRAM

#### Subpart A—General

Sec.

2551.11 What is the Senior Companion Program?

2551.12 Definitions.

#### Subpart B—Eligibility and Responsibilities of a Sponsor

2551.21 Who is eligible to serve as a sponsor?

2551.22 What are the responsibilities of a sponsor?

2551.23 What are a sponsor's project responsibilities?

2551.24 What are a sponsor's responsibilities for securing community participation?

2551.25 What are a sponsor's administrative responsibilities?

2551.26–2551.33 [Reserved]

#### Subpart C—Suspension and Termination of AmeriCorps Assistance

2551.34 What are the rules on suspension, termination, and denial of refunding of grants?

#### Subpart D—Senior Companion Eligibility, Status, and Cost Reimbursements

2551.41 Who is eligible to be a Senior Companion?

2551.42 What types of criminal convictions or other adjudications disqualify an individual from serving as a Senior Companion or as a Senior Companion grant-funded employee?

2551.43 What income guidelines govern eligibility to serve as a stipended Senior Companion?

2551.44 What is considered income for determining volunteer eligibility?

2551.45 Is a Senior Companion a federal employee, an employee of the sponsor or of the volunteer station?

2551.46 What cost reimbursements and benefits do sponsors provide to Senior Companions?

2551.47 May the cost reimbursements and benefits of a Senior Companion be subject to any tax or charge, be treated as

wages or compensation, or affect eligibility to receive assistance from other programs?

#### Subpart E—Senior Companion Terms of Service

2551.51 What are the terms of service of a Senior Companion?

2551.52 What factors are considered in determining a Senior Companion's service schedule?

2551.53 Under what circumstances may a Senior Companion be removed from service?

#### Subpart F—Responsibilities of a Volunteer Station

2551.61 May a sponsor serve as a volunteer station?

2551.62 What are the responsibilities of a volunteer station?

#### Subpart G—Senior Companion Placements and Assignments

2551.71 What requirements govern the assignment of Senior Companions?

2551.72 Is a written volunteer assignment plan required for each Senior Companion?

2551.73 May a Senior Companion serve as a volunteer leader?

#### Subpart H—Clients Served

2551.81 What type of clients are eligible to be served?

#### Subpart I—Application and Fiscal Requirements

2551.91 What is the process for application and award of a grant?

2551.92 What are project funding requirements?

2551.93 What are a sponsor's legal requirements in managing grants?

#### Subpart J—Non-Stipended Senior Companions

2551.101 What rule governs the recruitment and enrollment of persons who do not meet the income eligibility guidelines to serve as Senior Companions?

2551.102 What are the conditions of service of non-stipended Senior Companions?