

**FLOYD COUNTY BOARD OF EDUCATION**  
**Danny Adkins, Superintendent**  
**106 North Front Avenue**  
**Prestonsburg, Kentucky 41653**  
**Telephone (606) 886-2354 Fax (606) 886-4550**  
**www.floyd.kyschools.us**

Sherry Robinson- Chair - District 5  
Dr. Chandra Varia, Vice-Chair - District 2  
Linda C. Gearheart, Member - District 1  
William Newsome, Jr., Member - District 3  
Rhonda Meade, Member - District 4

**Consent Agenda Item(Action Item):**

Consider Memorandum of Agreement with the Division of FRYSC for YSC Youth AmeriCorp workers for the 2018-19 school year.

**Applicable Statute(s), Regulation:**

Board Policies 03.221 and 03.2332

**History / Background Information:**

Stumbo Elementary has the opportunity to host an AmeriCorp youth worker through the Family Resource Center during 2018-2019. The youth worker will be a student from Betsy Layne High School. The student will work 300 hours and, in exchange, will earn money toward college.

**Fiscal/Budgetary Impact:**

No funding is required for this position.

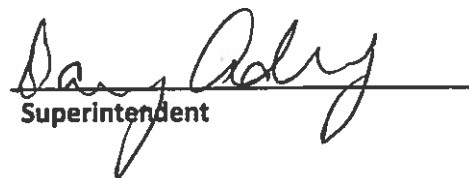
**Recommended Action:**

Approve MOA

**Contact Person(s):**

Angie Martin 587-2233  
Kristina Springer 886-4519

  
Director

  
Superintendent

**Date:**

August 27, 2018





Hello Kristina Springer,

The following FRYSC(s) in your district will be hosting the FRYSC YSC Youth AmeriCorps program during the 2018 – 2019 school year.

**Mud Creek FRYSC**

**John M. Stumbo Elementary**

Sites will recruit high school students aged 17 and older who will have the opportunity to gain career experience and serve their community while earning an education award they may use at any institution that accepts federal financial aid. Selected students will be enrolled as AmeriCorps members with the task of supporting school, district or local food relief programs. FRYSC AmeriCorps will be working with coordinators this summer to get the foundations for the program in place.

FRYSC Corps requests some in-kind donation of supervision and workspace. An in kind verification is included with this letter and MOU. There is not a cash cost to this program.

Here are your next steps.

1. A Memorandum of Understanding is provided with this letter. It must be reviewed in your district and signed by the superintendent.
2. A copy of the signed MOU should be returned to FRYSC AmeriCorps before students may begin their service. Service may start no earlier than September 1, 2018. Please return the signed MOU and in kind verification before September 1, 2018.
3. Signed MOUs should returned by mail, fax or scanned and emailed.  
FRYSC AmeriCorps, Att: Heather Musinski, 275 E. Main St., 3C-G, Frankfort, KY 40601  
Fax: 502-564-6108 or email to [heather.musinski@ky.gov](mailto:heather.musinski@ky.gov)

If you have questions, please contact Heather Musinski, FRYSC AmeriCorps program director. Thank you very much for your help.

Sincerely,

A handwritten signature in blue ink that reads "Heather Musinski".

Heather Musinski  
AmeriCorps Program Director  
Division of Family Resource and Youth Services Centers



An AmeriCorps project serving  
through Family Resource and Youth  
Services Centers

Division of Family Resource and  
Youth Services Centers  
275 E. Main St. 3C-G  
Frankfort, KY 40601

Phone: 502.564.4986  
Fax: 502.564.6108  
E-mail: [heather.musinski@ky.gov](mailto:heather.musinski@ky.gov)



## MEMORANDUM OF UNDERSTANDING

Floyd County School System  
and  
FRYSC CORPS YSC Youth Program

This agreement is entered into between Legal Applicant FRYSC CORPS and Floyd County School System for the 2018-2019 AmeriCorps program participation. The following is understood and agreed to by the parties:

### STATEMENT OF PURPOSE

FRYSC CORPS is the AmeriCorps project of Ohio Valley Educational Cooperative Studies in partnership with the Division of Family Resource and Youth Services Centers (FRYSC). FRYSC CORPS is funded in part by the Corporation for National and Community Service (hereafter referred to as CNCS) through the Kentucky Commission on Community and Volunteer Service (hereafter referred to as KCCVS).

FRYSC CORPS offers the YSC Corps, a service organization that provides opportunities for U.S citizens (hereafter referred to as "member") from the age of 17 and up, to contribute service in his or her own community. YSC CORPS members serve in high schools providing support to Youth Services Centers, schools and community non-profit organizations. Members support school, district and community food insecurity projects and mobilize community volunteers. The program has three major objectives in areas of getting things done, strengthening communities, and member development, as outlined in the FRYSC CORPS grant.

### FRYSC CORPS MISSION STATEMENT

***FRYSC CORPS is an AmeriCorps project, with members committed to serving the children of Kentucky in partnership with caring families, supportive schools and resource centers, active communities and dedicated volunteers, providing literacy-rich opportunities to assist K-12 students in improving their reading skills, benefiting their entire lives.***

FRYSC CORPS is the AmeriCorps project of the Ohio Valley Educational Cooperative. FRYSC CORPS is funded in part by the Corporation for National and Community Service through the Kentucky Commission on Community and Volunteer Service.

FRYSC CORPS is an equal opportunity employer.



**I. PARTNER DISTRICT ROLES AND RESPONSIBILITIES**

- A. **In Kind:** Provide financial support for in-kind match cost of members. Partner site contribution amount is identified on in-kind statement provided by FRYSC Corps. In-kind funds provided to the FRYSC Corps are intended as restricted donations to support all expenditures of FRYSC Corps programs, regardless of whether the expenses are deemed allowable under the provisions of 2 CFR 200, Subpart E. Examples of in-kind contribution include supervision for member(s) provided by the FRYSC Coordinator or approved delegate, work space, event or office supplies for member use, and mileage costs for member travel to orientation.
- B. **Site Supervision:** The partner site provides site supervision of the FRYSC YSC Corps member. The Family Resource or Youth Service Center Coordinator serves as the site supervisor. Site supervisors receive FRYSC CORPS orientation information and a site supervisor's guide as well as technical assistance from program staff. They are expected to adhere to the policies and procedures contained therein. The school principal may assume or appoint another school employee to site supervision of the FRYSC CORPS member if the FRYSC Coordinator is unable to fulfill that role. The partner site must immediately notify FRYSC Corps of all supervision changes. The FRYSC Corps program year begins September 1, 2018 and ends August 31, 2019.
- C. **Site Supervisor Criminal History:** The district affirms their employee who acts as site supervisor has a criminal history check that clears them to work as certified personnel in the school district in compliance with KRS 160.380(5)(a-c). This documentation is maintained by the district, and may be shared by written request and permission of their employee.
- D. **Recruiting:** Sites are responsible for recruiting potential AmeriCorps/FRYSC CORPS members. A FRYSC Youth Service Corps application is required as the first step in this process. Sites should interview applicants for the position(s). The site supervisor and/or applicable school & district staff will select the candidate they prefer for their site. Final approval must come from the FRYSC CORPS Director.
- E. **Civil Rights / Equal Opportunity Policy:** The Corporation for National and Community Service (CNCS) has zero tolerance for the harassment of any individual or group of individuals for any reason. CNCS is committed to treating all persons with dignity and respect. CNCS prohibits all forms of discrimination based upon race, color, national origin, gender, age, religion, sexual orientation, disability, gender identity or expression, political affiliation, marital or parental status, or military service. Any such harassment, if found, will result in immediate corrective action, up to and including removal or termination of any CNCS employee or volunteer. Recipients of Federal financial assistance, be they individuals, partner sites, programs and/or projects are also subject to this zero tolerance policy. Where a violation is found, and subject to regulatory procedures, appropriate corrective action will be taken, up to and including termination of Federal financial assistance from all Federal sources.

Any person who believes that he or she has been discriminated against in violation of civil rights laws, regulations, or this policy, or in retaliation for opposition to discrimination or participation in discrimination complaint proceedings (e.g., as a complainant or witness) in any CNCS program or project, may raise his or her concerns with our Office of Civil Rights and Inclusiveness (OCRI). Discrimination claims not brought to the attention of OCRI within 45 days of their occurrence may not be accepted in a formal complaint of discrimination. No one can be required to use a program, project or sponsor dispute resolution procedure before contacting OCRI. If another procedure is used, it does not affect the 45-day time limit. OCRI may be reached



at (202) 606-7503 (voice), (202) 606-3472 (TTY), [eo@cns.gov](mailto:eo@cns.gov), or through <http://www.nationalservice.gov/>.

CNCS civil rights / equal opportunity requirements at <https://www.nationalservice.gov/build-your-capacity/grants/civil-rights-eo-regs>

- F. **Member Criminal History:** FRYSC Corps has an expectation that students identified by their school or school district as a reasonable threat to other students absolutely may not serve as a FRYSC YSC Corps member. Additionally, all applicants for FRYSC YSC Corps positions must agree to a criminal history check in order to participate in the YSC Corps. Parents or legal guardians of students under the age of 18 must agree to the criminal history check for their student. The criminal history check will include: a search of the Department of Justice's Sex Offender database, a search of state criminal history database from the applicant's state of residence and a fingerprint based check initiated and submitted for a national search through the Kentucky State Police. The FRYSC Corps bears the cost of the search.
- G. **Member Terms of Service:** FRYSC CORPS members are contracted to serve through the Ohio Valley Educational Cooperative regardless of the district they serve. Therefore, THE FRYSC CORPS staff must work with site supervisors to hire, terminate, reprimand, etc. members. Any concerns about the member must be brought to the attention of THE FRYSC CORPS staff immediately. Ohio Valley Educational Cooperative provides a grievance protocol for the member.
- H. **Performance Goals:** FRYSC YSC members provide support for school, district or local food relief programs. They may fundraise (limited to 30 hours), research resources to supplement the program, organize, store and deliver food to recipients. Members will receive confidentiality training from FRYSC Corps. FRYSC Corps requires that recipients complete (or are helped to complete) 2 surveys measuring personal perception of food security.
- I. **Civic Engagement:** The host site must support and promote the efforts of FRYSC CORPS members to support their host FRYSC's components and to inspire local community members to volunteer in school activities, community service, and other FRYSC CORPS projects.
- J. **Reporting:** The site supervisor will review and approve member time records, complete service summaries and other reports, and surveys as required by FRYSC CORPS, KCCVS, and CNCS.
- K. **Meetings and Trainings:** Site supervisors should attend the program orientation presented by the program staff. They will also be required to participate in periodic teleconference meetings hosted by the program. The dates of those meetings will be arranged and announced to all site supervisors. Members should attend FRYSC meetings as required. FRYSC Corps will offer multiple meeting opportunities to accommodate schedules when possible.
- L. **Media Release:** The parties understand that partner school district may restrict the release of photographs, video and film identifying students. This is in keeping with school district policies relating to photographs, videos and student confidentiality. Media identifying students who are NOT under FRYSC Corps contract will not be shared without school district permission. Media identifying YSC Corps members who have agreed to our media policy may be shared.
- M. **Communication:** Site supervisors or principals must report any professional problems, extended absences or work-related accidents concerning the member to FRYSC CORPS program staff immediately. FRYSC, school or district staff may arrange for FRYSC CORPS staff to present AmeriCorps/FRYSC CORPS information at school board and other relevant meetings.

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**N. Prohibited Activities:** Ensure that FRYSC CORPS members will not engage or participate in any of the following while charging time to AmeriCorps service or representing themselves as an AmeriCorps participant:

1. Attempting to influence legislation;
2. Organizing or engaging in protests, petitions, boycotts, or strikes;
3. Assisting, promoting, or deterring union organizing;
4. Impairing existing contracts for services or collective bargaining agreements;
5. Engaging in partisan political activities, or other activities designed to influence the outcome of an election to any public office;
6. Participating in, or endorsing, events or activities that are likely to include advocacy for or against political parties, political platforms, political candidates, proposed legislation, or elected officials;
7. Engaging in religious instruction, conducting worship services, providing instruction as part of a program that includes mandatory religious instruction or worship, constructing or operating facilities devoted to religious instruction or worship, maintaining facilities primarily or inherently devoted to religious instruction or worship, or engaging in any form of religious proselytization;
8. Providing a direct benefit to—
  - a. A business organized for profit;
  - b. A labor union;
  - c. A partisan political organization;
  - d. A nonprofit organization that fails to comply with the restrictions contained in section 501(c)(3) of the Internal Revenue Code of 1986 except that nothing in this section shall be construed to prevent participants from engaging in advocacy activities undertaken at their own initiative; and
  - e. An organization engaged in the religious activities described in paragraph (7) of this section, unless Corporation assistance is not used to support those religious activities;
9. Conducting a voter registration drive or using Corporation funds to conduct a voter registration drive;
10. Providing abortion services or referrals for receipt of such services;
11. Supplantation- Corporation assistance may not be used to replace State and local public funds used to support programs eligible to receive CNCS support
12. Nonduplication - Corporation assistance may not be used to duplicate an activity already available in the locality of a program.
13. Nondisplacement – Service site may not displace an employee or position, including reduction in hours, wages or benefits
  - a. Displace a volunteer already providing service to the organization
  - b. Create a service opportunity that prevents promotion of an employed individual
  - c. Perform duties that are already assigned to another employee
  - d. Perform duties or engage in activities that supplant the hiring of employed workers or a recalled worker pursuant to personnel procedure or a bargaining agreement.
14. Participants may not perform duties or services that have been performed by or were assigned to any;



- a. Presently employed worker;
- b. Employee who recently resigned or was terminated
- c. Employee on leave (terminal, vacation, emergency or sick)
- d. Striking or locked out employees
- 15. Fundraising that supports;
  - a. Participant living allowance
  - b. An organization general operating expenses or endowments
  - c. Write a grant application to CNCS or other federal agency
- 16. Such other activities as the Corporation may prohibit.

## II. FRYSC CORPS Roles and Responsibilities

- A. **Financial:** Provide additional financial support for the program and members, through grant funds.
- B. **Site Supervision:** Provide programmatic supervision and management to ensure quality of service, program accountability and member support.
- C. **Member Terms of Service:** Members are not considered employees. The definition of "participant" in the National and Community Service Act includes AmeriCorps members. Under the law, "a participant (member) shall not be considered to be an employee of the organization receiving assistance under the national service laws through which the participant (member) is engaged in service" (42 U.S.C. 12511(30)(B)).

FRYSC CORPS members are contracted to serve through the Ohio Valley Educational Cooperative regardless of the district they serve. Therefore, THE FRYSC CORPS staff must work with site supervisors to hire, terminate, reprimand, etc. members. Any concerns about the member must be brought to the attention of THE FRYSC CORPS staff immediately. Ohio Valley Educational Cooperative provides a grievance protocol for the member.

- D. **Performance Goals:** FRYSC CORPS staff is required to review site and member progress to ensure the performance goals in Part I, section H. and the civic engagement goals in section I. are on track for completion. FRYSC Corps staff will also review the reports required for submission by members and site supervisor to ensure accuracy and completeness.
- E. **Civic Engagement:** Support and promote the efforts of FRYSC CORPS and its partnership with the school district to support FRYSC core component programming and to inspire local community members to volunteer in school activities, community service, tutoring programs, and other FRYSC CORPS projects.
- F. **Reporting:** Complete requested reports, and surveys as required by FRYSC CORPS, KCCVS, and CNCS. Provide copies reports as requested to the Superintendent (or his/her designee) in order to communicate program information. FRYSC, school or district staff may arrange for FRYSC CORPS staff to present AmeriCorps/FRYSC CORPS information at school board and other relevant meetings.
- G. **Meetings and Trainings:** Sponsor partner meetings, to provide information regarding program policies and procedures, as well as an opportunity for an exchange of information between all FRYSC CORPS partners.
- H. **Media:** Develop, create and publish articles, videos, displays and other forms of publicity. Using variety of media outlets, promoting the mission of FRYSC CORPS and its partners.
- I. **Communication:** Report any problems or work-related accidents to partners immediately. Present information at school board and other relevant meetings as requested by partners.

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- J. **Prohibited Activities:** Ensure that FRYSC CORPS members will not engage or participate in any activity as outlined in Section I, Paragraph J of this agreement.
- K. **Confidentiality:** Ensure that FRYSC CORPS members maintain the confidentiality standards expected of all school district employees. Ensure that confidentiality of referred students is maintained. FRYSC Corps members shall receive confidentiality training required of other community volunteers.
- L. **Member Replacement:** If a minimum-time member leaves the program during the 2017 -2018 program year for any reason, that member MAY be replaced if they have served less than 30% of their commitment as stated in the Guidelines from the Corporation for National and Community Service.
- M. **Member Criminal History Check:** The FRYSC Corps is responsible for initiating a criminal history check for each service member prior to the service member's start of service. In compliance with the Corporation for National and Community Service provisions, the grantee (FRYSC Corps) which serves a vulnerable population must check the service member's name record in (1) the Department of Justice's Sex Offender Database and (2) the state repository for the service members place of residence, and (3) a fingerprint check with the FBI's national repository. A record of clearance decisions based on the results of these checks are considered grant documentation and are maintained with FRYSC Corps records at the Division of FRYSC at 275 E. Main St., Frankfort, KY.  
**However,** Kentucky Revised Statutes 610.320(3) prevents criminal records of minors under the age of 18 from being released. KRS 610.345(1) provides that superintendents or principals be notified when a child is found guilty of an offense. FRYSC Corps has an expectation that students identified by their school or school district as a reasonable threat to other students absolutely may not serve as a FRYSC YSC Corps member. All applicants for FRYSC YSC Corps positions must agree to a criminal history check in order to participate in the YSC Corps. Parents or legal guardians of students under the age of 18 must agree to the criminal history check for their student. The criminal history check will include: a search of the Department of Justice's Sex Offender database, a search of state criminal history database from the applicant's state of residence and a fingerprint based check initiated and submitted for a national search through the Kentucky State Police. The FRYSC Corps bears the cost of the search.

### III. Amendments to this Agreement

This agreement may be changed or revised with the written consent of both parties prior to signing the MoA.



**IV. Authorization**

Floyd County School System and FRYSC CORPS hereby acknowledge by their signatures that they have read, understood, and agreed to the terms of this document. This agreement will remain in effect until the end of the current program year, which is August 31, 2019.

**FISCAL AGENCY**

Ohio Valley Educational Cooperative

Signature on file at OVEC

Dr. Leon Mooneyhan, CEO

7/10/2018

Date

**FRYSC CORPS/AMERICORPS PROGRAM**

Heather Musinski

Heather Musinski, Program Director

7/10/2018

Date

**PARTNER DISTRICT**

Floyd County School System

Danny Adkins, Superintendent

Date