



FLOYD COUNTY BOARD OF EDUCATION
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William Newsome, Jr., Vice-Chair - District 3
Linda C. Gearheart, Member - District 1
Dr. Chandra Varia, Member- District 2
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Consent Agenda Item(Action Item):

Consider Memorandum of Agreement with the Division of FRYSC - FRYSC Corps program to participate in AmeriCorp for the 2018-19 school year at Betsy Layne Elementary School.

Applicable Statute(s), Regulation:

Board Policies 03.221 and 03.2332

History / Background Information:

Betsy Layne Elementary has been selected to participate in the FRYSC Corp AmeriCorps program through the Division of FRYSC.

Fiscal/Budgetary Impact:

Funding for the AmeriCorps (tutoring) position will come from the Betsy Layne Elementary Family Resource Center. The center will provide \$5,875.00 for the full-time position. The AmeriCorp program will provide all other compensation.

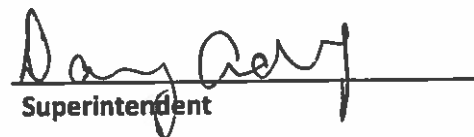
Recommended Action:

Approve MOA

Contact Person(s):

Brian Akers	478-5550
Kristina Springer	886-4519


Director


Superintendent

Date:

January 28, 2019

MEMORANDUM OF UNDERSTANDING

**Floyd County School System
and
FRYSC CORPS Program**

This understanding is entered into between Legal Applicant FRYSC CORPS and the partner district 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 is a service organization that provides opportunities for adults (hereafter referred to as "member") from the age of 17 and up, to contribute service in his or her own community. FRYSC CORPS members, a diverse group of individuals, serve in elementary schools providing literacy tutoring to targeted students with a focus on improving key reading skills. Members also mobilize community volunteers to serve as school volunteers. The recruitment of volunteers comes from three streams of service, which include middle and high school students, college and university students, and the community-at-large. The program has three major objectives in areas of getting things done, strengthening communities, and member development, as outlined in the 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 Partner Memorandum of Understanding 2018-2019

I. PARTNER DISTRICT ROLES AND RESPONSIBILITIES

- A. **Financial:** Provide financial support for match cost of members. Partner site contribution amount is identified on invoice provided by FRYSC Corps. Funds provided to the FRYSC Corps are intended as restricted donations to support all expenditures of FRYSC Corps programs, regardless of whether the expenses meet the requirements to be considered cash match. Any contribution exceeding the final costs incurred by FRYSC Corps shall be retained by FRYSC Corps and utilized as carryover for the benefit of subsequent year programs.

Partner site funds may come from federally funded sources with written permission from the funder. The partner site must submit the funder's permission notification with payment. If the partner site leaves this understanding prior to the member completing service FRYSC Corps may consider restoring the partner contribution if funds are available.

Annual in-kind donation for FRYSC Corps member support by sites is required. (Examples include supervision of FRYSC Corps member(s) by the FRYSC coordinator, tutoring or work supplies for member use, work space, technology usage and professional development like training to use school literacy interventions.) Partner sites must work with FRYSC Corps staff to provide a statement of in-kind donation.

- B. **Member Replacement:** If a member leaves the program for any reason during the 2018 -2019 program year, 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.

If a member cannot serve a full-time term based on personal compelling circumstances, they may choose to serve a half-time (900 hour) term only before 90 days have elapsed since their enrollment in the program. Days include weekends. If agreed, a site may recruit a second person to complete a half-time (900 hour) service position for a total of two half time positions. This change may be approved by the program director on a limited basis.

- C. **Site Supervision:** The partner site provides site supervision of the FRYSC 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.

- D. **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.

- E. **Recruiting:** Sites are responsible for recruiting potential AmeriCorps/FRYSC CORPS members. The FRYSC Corps application is required as the first step in this process. FRYSC CORPS staff conduct screening interviews and make the AmeriCorps mission and goals clear prior to any final agreement of the applicant to enter this AmeriCorps program. The site supervisor and/or applicable school & district staff select the candidate they prefer for their site. Final approval must come from the FRYSC CORPS Director.

- F. **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

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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, 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>

- 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. The member worker's compensation and other applicable insurance are provided through contract with Ohio Valley Education Cooperative.
- H. **Member Criminal History:** All applicants who are interviewed for FRYSC Corps positions must agree to a criminal history check. That check includes 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 submitted for a national search through the Kentucky State Police. The FRYSC Corps bears the cost of the search. However, if the district completed a check of the applicant within the 120 days prior the applicant's start date, the results of that check may be shared with the FRYSC Corps with the applicant's approval.

Any individual who is registered or is required to register on a sex offender registry or was convicted of murder will not be cleared to participate in the FRYSC Corps program, even if the school district's policy may, under some circumstances (e.g. through an appeals process), allow it.

- I. **Prohibited Activities:** Ensure that FRYSC CORPS members may not engage or participate in any of the following while charging time to the FRYSC Corps AmeriCorps program:
 - 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

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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—
 - i. A business organized for profit;
 - ii. A labor union;
 - iii. A partisan political organization;
 - iv. 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
 - v. An organization engaged in the religious activities described in paragraph (g) 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; and
 11. Such other activities as the Corporation may prohibit.
- J. **Fundraising by Members:** AmeriCorps members may raise resources directly in support of the partner site's service activities. Examples of fundraising activities AmeriCorps members may perform include, but are not limited to, the following:
1. Seeking donations of books from companies and individuals for a program in which volunteers teach children to read;
 2. Writing a grant proposal to a foundation to secure resources to support the training of volunteers;
 3. Securing financial resources from the community to assist in launching or expanding a program that provides social services to the members of the community and is delivered, in whole or in part, through the members of a community-based organization;

AmeriCorps members may not:

1. Raise funds for living allowances or for the partner's general (as opposed to project) operating expenses or endowment;
2. Write a grant application to the Corporation or to any other Federal agency.

An AmeriCorps member may spend no more than ten percent of his or her originally agreed-upon term of service, as reflected in the member enrollment in the National Service Trust, performing fundraising activities, as described in CFR 45 sub B Ch XXV §2520.40.

- K. **Performance Goals:** FRYSC CORPS members tutoring K-5 students have a target of tutoring 20-35 students using a school selected curriculum. Members working with grade 6-12 students have a target of 7-15 students. The school must provide training to the FRYSC CORPS member to use school selected material. Members must be allowed to complete 13 hours of tutoring with assigned students during the school year. Students who work with a FRYSC CORPS member have the target of reaching their expected growth goal (EGG) as set by their teacher or instructional team. Members are required to plan and organize reading mentoring groups. Older students should act as mentors with younger students. Targets include 5 pairs of students who meet for 10 – 45 minute meetings (total 7.5 hours) during the school year.
- L. **Student Assignment to Members:** FRYSC Corps members are intended to act as tutors providing reading support for individual and small groups (up to 10) of students identified as struggling to read at grade level. FRYSC Corps members are not trained to manage students identified with behavior

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disorders. FRYSC Corps members should not be assigned care of students who are identified with or suspected of having atypical impulse control or violent behavior.

- M. **Civic Engagement:** The host site must support and promote the efforts of FRYSC CORPS members to support their host FRYSC's core components and to inspire local community members to volunteer in school activities, community service, and other FRYSC CORPS projects.
- N. **Reporting:** The site supervisor must review and approve member time records, provide evaluation of member performance, site reports and other reports, surveys as required by FRYSC CORPS, KCCVS, and CNCS.
- O. **Communication:** Site supervisors or principals must immediately report any professional problems, extended absences or work-related accidents concerning the member to FRYSC CORPS program staff. FRYSC, school or district staff may arrange for FRYSC CORPS staff to present AmeriCorps/FRYSC CORPS information at school board and other relevant meetings.
- P. **Meetings and Trainings:** Site supervisors should attend required program meetings intended for site supervisors. They may be required to participate in periodic teleconference meetings hosted by the program. The dates of those meetings are arranged and announced to all site supervisors. Meetings are posted on the FRYSC Corps shared calendar at <http://americalearns.net/americorpsky>. Members should attend FRYSC, school staff and organization meetings which provide information regarding school and district policies and procedures. FRYSC CORPS members are required to attend meetings as required by FRYSC Corps staff. FRYSC, school and district requirements may not interfere with member attendance at FRYSC Corps/AmeriCorps required meetings.
- Q. **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 cannot be shared without school district permission.

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. The member worker's compensation and other applicable insurance are provided through contract with Ohio Valley Education Cooperative.
- D. **Performance Goals:** FRYSC CORPS staff is required to review site and member progress to ensure the performance goals in section I, paragraph K. and the civic engagement goals in section 1, paragraph M are on track for completion. FRYSC Corps staff reviews 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

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members to volunteer in school activities, community service, tutoring programs, and other FRYSC CORPS projects.

- F. **Reporting:** Complete quarterly and other 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. **Mileage/Travel Costs:** The FRYSC Corps pays mileage on personal vehicles to enrolled FRYSC Corps members only for mandatory meetings and trainings. If overnight lodging is required as part of attendance at a mandatory meeting or training, the FRYSC Corps will either pay or reimburse the member at the current per diem rate set by Ohio Valley Educational Cooperative. The FRYSC Corps will not reimburse mileage for travel requested by the host site.
 - I. **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.
 - J. **Communication:** Report any problems or work-related accidents to partners immediately. Present information at school board and other relevant meetings as requested by partners.
 - K. **Prohibited Activities:** Ensure that FRYSC CORPS members will not engage or participate in any activity as outlined in section I, paragraphs I and J of this agreement.
 - L. **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.
 - M. **Security:** Ensure that FRYSC CORPS members adhere to all safety policies and procedures of the school district. Any and all FRYSC Corps members shall, prior to entering onto Floyd County School grounds or buildings, submit to state criminal records check required of all Floyd County School employees and volunteers.
 - N. **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, before entering onto any Floyd County School grounds or buildings pursuant to this understanding, receive confidentiality training required of other community volunteers.
- III. Amendments to this Understanding**
This understanding may be changed or revised with the written consent of both parties.
- 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 understanding remain in effect until the end of the current program year, which is August 31, 2019.

FISCAL AGENCY

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Ohio Valley Educational Cooperative

Signature on file at OVEC
Dr. Leon Mooneyhan, CEO

6/5/2018

Date

FRYSC CORPS/AMERICORPS PROGRAM

Heather Musinski

Heather Musinski, Program Director

6/5/2018

Date

PARTNER DISTRICT

Floyd County School System

Danny Adkins, Superintendent

Date