USNA INSTRUCTION 1531.60

From: Superintendent, U.S. Naval Academy

Subj: ACCEPTANCE OF VOLUNTARY SERVICES AT THE U.S. NAVAL ACADEMY

Ref: (a) DoDI 1100.21 of 27 March 2019
(b) OPNAVINST 5380.1D
(c) 10 U.S.C. §1588
(d) 5 U.S.C. §3111
(e) DoD 5500.07-R, Joint Ethics Regulations (JER), August 1993
(f) CJCSI 6510.01F
(g) USNAINS 4651.2H
(h) DoDI 1402.05 of 11 September 2015
(i) USNAINST 1650.4D

Encl: (1) List of Authorized Voluntary and Gratuitous Services at USNA

1. **Purpose.** To amplify guidance issued in references (a) and (b), assign responsibilities, and prescribe procedures for the acceptance and use of statutory voluntary services and gratuitous services referred to collectively as voluntary services at the U.S. Naval Academy (USNA) and its activities.

2. **Background**

   a. Voluntary services are personal services performed for the government, which, if left unperformed, would not necessitate the assignment of an employee to perform them.

   b. **Statutory Voluntary Services.** Specific voluntary services authorized by references (c) and (d), generally without an expectation of compensation, in exchange for specified legal protections.

   c. **Gratuitous Services.** Gratuitous service is defined as voluntary services provided by individuals (or groups of individuals), other than those defined as “statutory volunteers,” without any expectation of compensation (to include salaries, tips, benefits, and reimbursement for incidental expenses or legal protections).
3. **Scope and Applicability**

   a. USNA and USNA activities (Naval Academy Preparatory School, USNA Museum, USNA Band) referred to collectively as USNA.

   b. Statutory volunteers that donate their services to USNA pursuant to references (c) and (d).

   c. Individuals providing gratuitous services to USNA offered outside the scope of references (c) and (d) accepted in accordance with paragraph 5.b. of this instruction.

   d. This instruction does not apply to voluntary legal services or services in the areas of medical, dental, nursing, or other healthcare-related services. These services should be accepted in accordance with all applicable Judge Advocate General and Defense Health Agency policies and guidelines for accepting voluntary services.

   e. This instruction does not apply to volunteers who donate their services to entities that are non-Navy activities (including public, private, or commercial organizations, or contractors for the Government) on USNA. This is true even when volunteer services to non-Navy activities are in direct support of a program providing services to members of the Navy and their families, even if such voluntary services are otherwise permissible (Naval Academy Athletic Association, Naval Academy Alumni Association and Foundation, U.S. Naval Institute).

   f. This instruction does not apply to USNA employees serving on command sponsored boards or committees nor duties assigned as command collateral duties. Federal employees participating in these activities should ensure they are approved by their supervisors and reflected in their position descriptions as appropriate.

   g. The requirements of this instruction do not apply to USNA employees or other federal employees providing services to USNA except as outlined in paragraph 6.

4. **Responsibilities**

   a. Commanding Officer, Naval Academy Preparatory School (NAPS). For the purpose of this instruction, the Commanding Officer of NAPS will perform the same function as a Cost Center Head listed in paragraph 4.b. for NAPS.

   b. Cost Center Heads. Cost Center Heads are responsible for:

      1. The execution of this instruction within their cost center.

      2. Approving all requests for voluntary and gratuitous services within their cost center utilizing the appropriate voluntary or gratuitous service agreement per enclosure (1). All requests for voluntary and gratuitous services involving academic instruction, including teaching or helping to teach a credit bearing course, also require the approval of the Provost regardless of the Cost Center in which the services are to be provided.
(3) Appointing a Voluntary Services Coordinator in writing to carry out the provisions of references (a) and (b) and this instruction for the Cost Center.

(4) Authorizing expenditures of cost center appropriated funds (APF) or non-appropriated funds (NAF) as appropriate for incidental expenses occurred as a result of services rendered for statutory volunteers in accordance with reference (b). Note: Given that all NAF worker’s compensation claims are self-insured by NABSD, all NAF Voluntary Service agreements must be coordinated with the NABSD Director so that the financial risk is assessed and agreed upon prior to Cost Center Head approval.

c. Cost Center Voluntary Services Coordinators. Cost Center Voluntary Service Coordinators will:

(1) Ensure all the provisions of this instruction are met before routing required paperwork to the cost center head or designated representative for approval. This includes verifying the appropriate voluntary services agreement and screenings are completed as well as verifying Provost approval was received for any services connected to credit bearing courses. If the requested service is not included in enclosure (1), coordinate with the USNA Command Counsel for a determination of the categorization of service to be provided. After verification of all requirements are met, route the paperwork to the Cost Center Head for approval.

(2) Maintain cost center or activity service records on those individuals accepted to provide voluntary services for a minimum of three years following the termination of voluntary services (this includes at a minimum the signed DD 2793 Volunteer Agreement or USNA 1531/5 Gratuitous Service Agreement and the position description) in accordance with reference (b). After the required period, maintain an electronic log of voluntary service to include a summary of each volunteer’s service and dates served.

(3) Maintain an auditable electronic list of all personnel actively providing voluntary services including a brief description of services provided, where the service is being provided (on or off base and department), and the name of the supervisor.

(4) Create a cost center or activity orientation and initial training for those providing voluntary services to the cost center with their assigned duties, standards of conduct per reference (e), organization procedures in accordance with references (a) and (b), and policies on reimbursement of incidental expenses and claims against the government.

(5) Create and maintain a cost center or activity voluntary service recognition program in accordance with paragraph 5.e. of this instruction.

d. USNA Command Counsel. The USNA Command Counsel is responsible to:

(1) Make categorization of service determinations based on references (a)-(d) for all prospective voluntary services requested to be performed at USNA that are not outlined in enclosure (1).
(2) Ensure the standard procedures used to investigate and adjudicate incidents involving Navy employees are utilized, when appropriate, to investigate and adjudicate similar incidents arising from statutory voluntary services provided under this instruction. This must include statutory voluntary service incidents involving property damage, destruction, or loss; the injury or death of any person, including the volunteer; any claim against the Federal Government; or any request for an investigation by a Navy activity or other competent authority.

e. **USNA Comptroller.** The USNA Comptroller is responsible for providing guidance to cost centers on the correct process for approving and executing payment of authorized incidental expenses, funding as specified in paragraph 5.h and reimbursements as specified in paragraph 6.d.(3).

f. **USNA Command Security Manager.** The USNA Command Security Manager is responsible for processing required background checks and fingerprints in accordance with paragraphs 5.d.(1) of this instruction and as required for statutory volunteers requiring network access.

g. **Information Technology Service Division (ITSD).** ITSD is responsible to:

   (1) Approve or deny system access requests for individuals providing voluntary services in accordance with reference (f) and all applicable laws, regulations, policies, and directives.

   (2) Ensure no network access is granted for individuals providing voluntary services until a voluntary services agreement has been signed by the approving cost center head.

   (3) Provide IT services as necessary to support USNA approved voluntary services in accordance with all applicable laws, policies, and regulations and in accordance with paragraph 5.h. of this instruction.

h. **Supervisors Requesting to Receive Voluntary Services will:**

   (1) Be paid employees or service members, and supervise individuals providing voluntary services to the same extent as a compensated employee providing similar services.

   (2) Coordinate with human resources to create clearly written position descriptions outlining the duties and scope of responsibility for each voluntary position to include, at a minimum, a summary of required duties, system access requirements, privacy requirements, training requirements, background and screening requirements, and if the position requires interaction with minors. Make the position descriptions available to the individuals performing or expected to perform voluntary services.

   (3) Ensure all potential volunteers or gratuitous servants are licensed, privileged, appropriately credentialed, or otherwise qualified under applicable law regulations or policy to provide the voluntary services in the same fashion as employees performing the same of similar assigned duties.
(4) Coordinate with the Command Security Manager and the Pass and ID office to conduct the appropriate background and screening requirements per paragraph 5.d. of this instruction.

(5) Ensure individuals providing voluntary services complete all training as appropriate in accordance with the position description (cyber awareness, privacy, records management). Provide proof of continuous training required to the appropriate volunteer coordinator.

(6) Submit the position description, appropriate voluntary services agreement per enclosure (1), Command Security Manager approval, proof of all required trainings, and USNA 1531/6 USNA Museum Volunteer and Intern Application (required for museum volunteers only) to the appropriate voluntary services coordinator for retention, review, and processing.

(7) Ensure only individuals meeting the requirements of paragraph 5.f. of this instruction have access to any records contained in a Privacy Act System of records.

(8) Do not allow any voluntary services to be conducted prior to meeting all requirements of this instruction and the cost center head or designated representative has accepted the voluntary services by signing the appropriate voluntary services agreement.

(9) Submit a DD 2875 System Authorization Access Request (SAAR) to IT for individuals requiring access to a Government Information System.

(10) Submit requests for transportation, lodging, subsistence, and related expenses associated with authorized volunteer invitational travel in accordance with reference (h).

(11) Submit requests for approval to incur incidental expenses for voluntary services rendered to the Cost Center Head before allowing incidental expenses to occur.

(12) Inform the appropriate Volunteer Coordinator, Command Security Manager, and ITSD immediately upon termination of voluntary services. Complete part IV of of the approved voluntary service agreement and route it to the Volunteer Coordinator for retention. Provide a copy of the completed agreement to the individual providing voluntary services for their records.

i. Individuals Performing Voluntary Services for USNA will:

(1) Adhere to the standards of conduct prescribed in reference (e).

(2) Complete all required training and positional requirements outlined in the position description governing the voluntary services being provided.

(3) Complete and sign DD Form 2973 or USNA 1531/5 as appropriate.

(4) Complete SECNAV 5512/1 DON Local Populations ID Card/Base Access Pass Registration form and/or the appropriate background check as required by this instruction.
5. Policy

a. Acceptance of Statutory Voluntary Services. Persons providing statutory voluntary services are considered employees only to the extent specified in references (c) and (d) (e.g., for the purposes of tort claims, compensation for injuries, criminal conflicts of interest, and the Privacy Act), and only when acting within the scope of the services accepted by USNA. Statutory voluntary services authorized per references (c) and (d), may be accepted by USNA to assist and augment the regularly funded workforce only if:

(1) They are not used to displace paid employees or in lieu of filling authorized paid personnel positions.

(2) They are used for services, which if left unperformed, would not necessitate the assignment of an employee to perform the service.

(3) All required background and fingerprinting requirements are met.

(4) The individual providing statutory voluntary services is a U.S. citizen and signs a DD 2793 Volunteer Agreement prior to providing any services to USNA.

b. Acceptance of Gratuitous Services. Individuals performing gratuitous services are not considered employees of the U.S. Government or any instrumentality thereof to any extent. There is no compensation nor related benefits such as injury compensation for these services. Gratuitous services may be accepted at USNA only if:

(1) The service is outside the scope of statutory voluntary services authorized in references (c) and (d).

(2) The individual offering to serve without compensation is not entitled to a statutory rate of pay (e.g. the position is not a general schedule, administratively determined, or a NAF position), as such, pay cannot be waived by USNA.

(3) The services being performed would not normally be performed by agency employees funded with appropriated dollars.

(4) All required background and fingerprinting requirements are met.

(5) The individual providing gratuitous services is a U.S. citizen and completes and signs a USNA 1531/5 Gratuitous Service Agreement prior to providing any services to USNA.

c. Per references (a) and (b), individuals performing voluntary services for USNA cannot:

(1) Be placed in:

(a) Policy-making positions, roles, or situations performing inherently governmental functions.
(b) Control of monetary transactions or entitlements.

(c) Supervisory positions, roles, or situations over compensated government (APF or NAF) employees or military personnel.

(2) Receive salary, cash awards, bonuses, or compensation of any kind for service rendered.

(3) Perform duties which displace paid employees, in lieu of filling authorized paid personnel positions to include teaching core academic courses, or to offset any personnel action (e.g. reduction in force, furlough) affecting any paid employee or service member.

(4) Be used in functions for which funding has been provided to hire staff or obtain services by contract.

(5) Perform dangerous duties that render them unusually susceptible to injury, or to causing injury to others. Note: This prohibition is not intended to prevent properly licensed and certified volunteers from assisting qualified employees in providing athletic or adventure-type outdoor recreation activities.

d. Screening and Background Checks

(1) All individuals providing voluntary services must be screened and vetted as required by applicable law and regulations. Background and fingerprinting requirements should be consistent with the sensitivity requirements indicated in the position description governing the voluntary position. At a minimum, all individuals providing voluntary services to USNA or its activities will be screened utilizing SECNAV 5512/1. USNA will not accept any voluntary services for individuals that are denied base access for any reason.

(2) Any individual providing voluntary services that are expected to have regular contact (as defined in reference (h)) with children on board USNA or via a USNA sanctioned program or activity must have a fingerprint-based background check completed in accordance with the requirements of reference (h).

(3) All background and fingerprinting requirements must be submitted and favorably reviewed prior to the acceptance and start of any voluntary services.

e. Individuals providing voluntary services to USNA should be recognized and rewarded through a non-monetary means, which may consist of volunteer recognition events and letters or certificates of appreciation for their service. Individuals providing gratuitous services to the Naval Academy Information Program will be recognized in accordance with reference (i).

f. Access to Records Maintained in a Privacy Act System of Records. Individuals providing statutory voluntary services to USNA per reference (c) are authorized access to records
contained in a Privacy Act System of records, as needed for performance of their assigned duties as long as all training and access requirements are met except as indicated below:

(1) Statutory student volunteers providing services pursuant to reference (d) are not authorized access to records contained in a Privacy Act System of records in the performance of their assigned duties, unless there is another basis for disclosure pursuant to Section 552a(b) of Title 5, U.S.C.

(2) Individuals providing voluntary services to Non-Appropriated Fund Instrumentalities (NAFIs) are not authorized access to records contained in a Privacy Act System of records pursuant to reference (c). Disclosure of privacy protected records to NAFI volunteers requires consent of the individual about whom the record pertains.

(3) Individuals providing gratuitous services as defined in paragraph 2.c. of this instruction are not authorized access to records contained in a Privacy Act System of records, unless there is another basis for disclosure pursuant to Section 552a(b) of Title 5, U.S.C.

g. All claims authorized in accordance with references (a) - (d) should be submitted to the USNA Command Counsel for processing.

h. Cost centers accepting voluntary services are responsible for funding all required expenses resulting from the acceptance of voluntary services including reimbursable expenses and the equipment necessary to perform the required voluntary service (IT hardware and software, network accounts, license agreements, desktop platforms, furniture, office supplies...).

i. Individuals providing voluntary services to USNA and its activities are required to adhere to the same standards of conduct per reference (g) and training requirements as paid employees performing similar functions. Non-adherence to these requirements will result in termination of voluntary services.

6. Utilizing Federal Employees outside of their Assigned Billets/Current Positions. Services rendered from a current Federal Employees in a paid status are not considered voluntary services. Utilizing the services of a Federal Employee in a non-paid status is considered voluntary service under this instruction. The following governs the use of Federal Employees in a paid status:

a. Utilizing current federal employees to displace paid employees, in lieu of filling authorized paid personnel positions, while still collecting funds for both billets as a cost saving measure is strictly prohibited.

b. Active duty military members assigned to USNA can perform additional duties not within their current assigned billet upon the written agreement from their current supervisor and cost center head and the cost center head requesting assistance as long as all requirements or prerequisites for the duties are met.
c. USNA civilian employees can only perform additional duties not covered in their current position’s descriptions upon the written agreement of the current supervisor and cost center head and the cost center head accepting the services upon approval from the USNA Command Counsel and the appropriate human resources office to ensure all applicable requirements are met prior to the execution of services.

d. Federal employees not currently employed or stationed at USNA can perform services for USNA upon a written agreement between USNA and the employee’s current Federal agency or command as long as all the requirements or prerequisites for the services to be rendered are met and:

   1. The agreement is approved by USNA’s Command Counsel and the Cost Center Head accepting service.

   2. The agreement is approved by the Provost if the services agreed upon involve academic instruction, including teaching or helping to teach a credit bearing course regardless of cost center requesting service.

   3. The requesting cost center is responsible for any additional costs USNA incurs from utilizing federal employees not stationed or employed at USNA resulting from the acceptance of their services including reimbursable expenses and the equipment necessary to perform the required services (IT hardware and software, network accounts, license agreements, desktop platforms, furniture, office supplies).

   4. A copy of the agreement is provided to the Director of Information Technology and the Command Security Manager upon approval.

   5. The employees parent command or agency maintains all personnel requirements for the employee providing services including annual training requirements and performance management while the cost center receiving service is required to ensure all requirements of the position are met for the duration of services rendered including specific training or background requirements.

7. **Records Management**

   a. Records created as a result of this instruction, regardless of format or media, must be maintained and dispositioned per the records disposition schedules located on the DON Assistant for Administration, Directives and Records Management Division portal page at https://portal.secanv.navy.mil/orgs/DUSNM/DONAA/DRM/Records-and-InformationManagement/Approved%20Record%20Schedules/Forms/AllItems.aspx.

   b. For questions concerning the management of records related to this instruction or the records disposition schedules, please contact your local record custodian or the USNA Records Manager.
8. **Review and Effective Date.** Per OPNAVINST 5215.17A, the Command Counsel will review this instruction annually on the anniversary of its issuance date to ensure applicability, currency, and consistency with Federal, Department of Defense, Secretary of the Navy, and Navy policy and statutory authority using OPNAV 5215/40 Review of Instruction.

9. **Forms**


   b. SECNAV 5512/1 DON Local Populations ID Card/Base Access Pass Registration form should be turned in to the USNA Pass and ID office. SECNAV 5512/1 can be found on the SECNAV forms website at: https://www.secanv.navy.mil/doni/NFOL/SECNAV/SECNAV%20Forms/SECNAV%205512_1%20%20RE.pdf.

   c. USNA 1531/5 Gratuitous Service Application and should be submitted in accordance with this instruction and USNA 1531/6 Museum Volunteer Application should be submitted to the museum volunteer coordinator. Both forms can be found on the USNA official forms website at: https://www.usna.edu/AdminSupport/FormsProgram/USNAOfficialFormsList.php.

   [Signature]

Y. M. DAVIDS

Releasability and distribution:
This instruction is cleared for public release and is available electronically only via USNA Issuances Web site, https://www.usna.edu/AdminSupport/Inst/index.php.
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