

North Dakota Department Of Emergency Services'



Citizen Corps' Program Guidelines

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Section 1: Program Overview

Citizen Corps is coordinated nationally by the Department of Homeland Security's Federal Emergency Management Agency. The mission of Citizen Corps is to harness the power of every individual through education, training, and volunteer service to make communities safer, stronger, and better prepared to respond to the threats of terrorism, crime, public health issues, and disasters of all kinds.

Volunteer Programs

The Citizen Corps Partner Programs listed below give citizens the opportunity to get involved. Citizen Corps' five federally sponsored partner programs help support first responders through volunteer programs and activities:

- **Community Emergency Response Team** educates people about disaster preparedness and provides basic disaster response training. The 20-hour CERT course is taught in the community by a trained team of first responders who have completed a CERT Train-the-Trainer course. CERT training includes disaster psychology, basic fire suppression, elementary disaster medical operations and light search and rescue.



In addition to CERT, there is a **Teen Community Emergency Response Team (Teen CERT)** program. The Teen CERT program educates students about disaster preparedness for hazards that may impact their area and trains them in fundamental disaster response skills such as fire safety, light search and rescue, team organization and disaster medical operations. Using the training learned in the classroom and during exercises, Teen CERT members can assist others in their schools, neighborhood or workplace following an event when professional responders are not immediately available to help. Teen CERT members also are encouraged to support emergency response agencies by taking a more active role in emergency preparedness projects in their community.



For an introduction to the CERT program, FEMA provides an online course, IS-317 (<https://training.fema.gov/is/courseoverview.aspx?code=IS-317>).

- **Fire Corps** promotes the use of citizen advocates to enhance the capacity of resource-constrained fire and rescue departments
- **National Neighborhood Watch** - Neighborhood Watch works to provide information, training and resources to citizens and law enforcement agencies throughout the country.
- **Medical Reserve Corps** program strengthens communities by helping medical, public health and other volunteers offer their expertise during local emergencies and year-round. The ND Medical Volunteer Reserve Corps, also known as the Public Health Emergency Volunteer Reserves, is administered by the ND Department of Health. <http://www.ndhealth.gov/EPR/HP/PHEVR/>

- **Volunteers in Police Service** (VIPS) works to enhance the capacity of state and local law enforcement to utilize volunteers.

Citizen Corps programs build on successful efforts that are in place in many communities around the country to prevent crime and respond to emergencies.

History

Following the tragic events that occurred on September 11, 2001, state and local government officials have increased opportunities for citizens to become an integral part of protecting the homeland and supporting the local first responders. Officials agree that the formula for ensuring a more secure and safer homeland consists of preparedness, training, and citizen involvement in supporting first responders. In January 2002, the President of the United States launched Citizen Corps, to capture the spirit of service that emerged throughout our communities following the terrorist attacks.

Citizen Corps was created to help coordinate volunteer activities that will make our communities safer, stronger, and better prepared to respond to any emergency situation. It provides opportunities for people to participate in a range of measures to make their families, their homes, and their communities safer from the threats of crime, terrorism, and disasters of all kinds.

Citizen Corps programs build on the successful efforts that are in place in many communities around the country to prevent crime and respond to emergencies. Programs that started through local innovation are the foundation for Citizen Corps and this national approach to citizen participation in community safety.

Citizen Corps is coordinated nationally by the Department of Homeland Security's Federal Emergency Management Agency. In this capacity, FEMA works closely with other federal entities, state and local governments, first responders and emergency managers, the volunteer community, and the Corporation for National and Community Service.

North Dakota Citizen Corps Program

The North Dakota Department of Emergency Services (NDDDES) administers the North Dakota Citizen Corps Council, CERT, and Teen CERT programs.

The mission of the North Dakota Citizen Corps Council is to promote readiness in every community. It is well proven that CERT Teams are a response multiplier in times of disaster. NDDDES will provide administrative support to all councils and teams. It is recognized that our youth are the next generation of responders, teachers, and leaders; therefore, the North Dakota CERT program will focus recruitment efforts and financial support on Teen CERT.

The primary goal of NDDDES is to provide the necessary resources to support Teen CERT. The rationale behind the emphasis on Teen CERT is that those graduates will work in their communities to:

- Assist family, friends, neighbors and classmates during emergencies or disasters
- Take an active role in emergency preparedness projects in their community
- Pursue careers in, or volunteer for, service and response disciplines
- Provide a life time of community service

Citizen Corps Council

What Is a Citizen Corps Council? A Citizen Corps Council is a group of private and public sector volunteers who help establish community preparedness programs such as Community Emergency Response Team (CERT), Volunteers in Police Service, Neighborhood Watch, Medical Reserve Corps and Fire Corps programs.

Who Is Involved in the North Dakota Citizen Corps Council? The ND Department of Emergency Services is the primary sponsor. The council is comprised of partners or associations from emergency management, law enforcement, the North Dakota Firefighter's Association, and the North Dakota Department of Health.

Local Citizen Corps Council: The establishment of a local Citizens Corps Council is a prerequisite for the formation of a CERT team. Section 2 of this document details the requirements and procedures to be used.

Section 2: Standard Operating Procedures

Citizen Corps Council requirements

1. Register on the FEMA website – <https://community.fema.gov/Register>
2. Update the website on an annual basis.
3. Provide a bi-annual report to NDDDES. Reports will be submitted to the Citizen Corps point of contact listed on the NDDDES website (<http://www.nd.gov/des/get/citizen-corp/>).

Community Emergency Response Team organizational & conduct requirements

It is not a requirement for a CERT team to be formally established. CERT & Teen CERT classes may also be conducted for educational purposes only. It is recommended that teams be established in communities or schools to aid in preparedness & response, but this should in no way constrain those jurisdictions/organizations who wish to conduct the classes for the purpose of enhancing community preparedness.

1. Register on the FEMA website - <https://community.fema.gov/Register>
2. Update the website on an annual basis.
3. Teen CERT programs taught as a part of a school curriculum & CERT classes taught solely for the purpose of educating and preparing the public, are exempt from requirements 1 & 2 listed above.
4. Provide a bi-annual report to NDDDES. Reports will be submitted to the Citizen Corps point of contact listed on the NDDDES website (<http://www.nd.gov/des/get/citizen-corp/>). Report forms will be available in the NDDDES website resource library (<http://www.nd.gov/des/training/resource-library/>). Reports are due on June 30 & December 31 of the respective calendar year.
5. All information collected on required forms or as a part of the guidelines contained herein is considered to be privileged information, and shall not be released to any outside organization; pursuant to any applicable federal, state, local, or tribal laws.
6. All CERT team coordinators, Lead or Unit Instructors, and volunteers 18 years of age and older will undergo a background check. Persons who have been convicted of a felony offense or a crime of violence or the threat of violence will not be accepted as volunteer CERT members. Coordinators, trainers, and volunteers who are members of an active CERT team or Citizens Corps Council before April 1, 2015 are not required to undergo the background check. Active law enforcement, currently licensed elementary and secondary educators, & unit instructors who are utilized as part of an in-school Teen CERT program and are under the supervision of a teacher or Lead Instructor are also exempt. New coordinators, trainers, and volunteers will sign and submit a background check authorization form to the Citizen Corps point of contact listed on the NDDDES website (<http://www.nd.gov/des/get/citizen-corp/>). Authorization forms can be found in the NDDDES website resource library (<http://www.nd.gov/des/training/resource-library/>).
 - a. The required background checks need not be complete before beginning the Basic CERT class, but must be complete before beginning any CERT team activities beyond the completion of the Basic CERT course.
 - b. All CERT team coordinators, Lead or Unit Instructors must have the background checks complete before beginning any activities or giving any instruction.
 - c. All “adult leaders”, as defined in Section 4 of these guidelines, must have the background checks complete before participating in any Teen CERT activities.

- d. Team coordinators will keep a record of the name of the volunteer and the results of the background check.
7. All CERT team coordinators, Lead or Unit Instructors, and volunteers 18 years of age and older will sign and submit an Informed Consent, Waiver and Release of Liability Agreement. Release of Liability forms can be found in the NDDDES website resource library (<http://www.nd.gov/des/training/resource-library/>). Team coordinators will send electronic copies of the signed forms to the NDDDES Citizen Corps point of contact. Team coordinators will retain the signed copies for the duration of the coordinators, trainers, or volunteer's membership on the team, and for a period 3 years after the coordinator, trainer, or volunteer ceases to be an active member.
 8. All Teen CERT volunteers will return a signed Parent or Guardian's Agreement of Informed Consent, Waiver, and Release of Liability to the local CERT coordinator. In the case of classes taught as a part of a school curriculum, only one form signed by the school superintendent or principal is required. This will be considered a Release of Liability for all participants & activities conducted as a part of the approved school curriculum. Release of Liability forms can be found in the NDDDES website resource library (<http://www.nd.gov/des/training/resource-library/>). The CERT coordinator will send electronic copies of the signed forms to the NDDDES Citizen Corps point of contact. Team coordinators will retain the signed copies for the duration of the volunteer's membership on the team, and for a period 3 years after the volunteer ceases to be an active member.
 9. CERT Team coordinators will keep a record of the following information:
 - Name & Contact information for each participant
 - Date of graduation from CERT Basic Training
 - Active/non-active status
 - Established role within team or program
 - Number of hours they have served
 - Supplemental training and exercises they complete and completion dates
 - Equipment issued to them
 - Their abilities and specialties

CERT & Teen CERT classes conducted for educational purposes only, need only keep a record of the name of each participant & the date of graduation.

This information shall be retained for a period of 3 years after the volunteer completes the Basic CERT class or after they cease to be an active member, whichever date is later.

10. Team coordinators are encouraged to complete the G0427, Community Emergency Response Team Program Manager Course. This course will be offered in state, by NDDDES a minimum of once per calendar year. The course is also conducted at FEMA's Emergency Management Institute (EMI) in Emmitsburg, MD. Contact the Training and Exercise section of NDDDES for more information on training at EMI.
11. The safety of responders and the general public are of primary importance and all CERT activities must ensure that injuries are avoided. Volunteers shall report all unsafe situations, activities, or practices immediately and take appropriate protective action for themselves and bystanders.

12. Any CERT member who suffers or witnesses an injury while performing an assigned task shall immediately report it to the Incident Commander, team coordinator, or instructor.
13. Many CERT members have skills beyond what is taught through the CERT program (e.g. medical & health professionals, heavy equipment operators, etc.). While these skills may be helpful during an emergency or disaster, and can be utilized in other programs, they are outside of the CERT scope-of-practice and are not authorized activities as a CERT volunteer. Other unauthorized activities include:
 - a. Possession or use of a firearm or other weapon
 - b. Inappropriate self-deployment to routine emergencies
 - c. Public intoxication
 - d. Failure to obey rules, regulations and orders of higher authority.
 - i. CERT members found working outside of their CERT mission or engaging in restricted activities or otherwise acting contrary to these guidelines are subject to immediate removal for the incident, activity, or class and termination from the CERT program.
14. NDDDES recognizes that a volunteer may find themselves suddenly involved in an emergency that happens in their home, neighborhood, workplace or immediate area, or they may come upon an emergency in the course of normal activities. In such spontaneous incidents, CERT volunteers:
 - a. Should ensure that emergency response authorities have been contacted with accurate information.
 - b. May render assistance within their current training & abilities.
 - c. Shall relinquish command of the scene to proper authorities upon their arrival and may render assistance as requested by incident command.
 - i. CERT volunteers are prohibited from self-deploying to routine emergencies in which they are not immediately involved nor requested. Such inappropriate self-deployment is a barrier to proper emergency response and may result in immediate suspension and termination.

CERT Team Funding

1. NDDDES will pay for the **initial (first year)** Workforce Safety and Insurance premium for new teams, after that the payments are the responsibility of the jurisdiction or agency sponsoring the CERT team.
2. NDDDES will fund the following items for **Teen CERT** only:
 - a. Instructor fees for training classes and exercises. Instructor fees may include compensation (limited to a maximum of \$19 per hour) & mileage for volunteer instructors. Each request will be handled on a case-by-case basis.
 - b. Basic CERT kits (to be provided by NDDDES) for graduates of the course.
 - c. \$300 per year in exercise supplies.
 - d. Reimbursement requests will be made on a form available from the NDDDES website resource library (<https://www.nd.gov/des/training/resource-library/>).
3. Local jurisdictions may apply for funding through the Homeland Security Grant to conduct regular CERT courses. Approved expenditures include instructor fees, materials and supplies, basic CERT Kits (to be ordered through NDDDES), and travel expenses.

4. North Dakota residents attending the NDDDES sponsored G0427 and G0428 courses will be reimbursed for meals and lodging according to state rates and policy. Participants must travel a distance greater than 50 miles to be eligible for this reimbursement.

CERT Team Instructor and Training Course Requirements

1. CERT Team coordinators or their designee, will complete the G0428, Community Emergency Response Team Train-the-Trainer course. This course will be offered *in state*, by NDDDES a minimum of once per calendar year. The course is also conducted at FEMA's Emergency Management Institute (EMI) in Emmitsburg, MD. Contact the Training and Exercise section of NDDDES for more information on training at EMI. Team coordinators & Lead Instructors who were teaching the course prior to June 1, 2015 are exempt from this requirement, pending NDDDES approval. Approval may be obtained by direct observation by a NDDDES employee, or by showing a record of instructional competence, such as a primary or secondary teaching certification, POST Board approval, ICS instructor approval, video submission of the instructor teaching a CERT course unit, etc. All submissions shall be sent to the NDDDES Citizens Corps point of contact.
2. After completion of the G0428 course, the team coordinator or their designee will be assigned as the Lead Instructor for that team and will be responsible for the training of any other persons used for conducting the individual course units.
3. Any person requested by the Lead Instructor to conduct the training of an individual course unit is designated as a Unit Instructor. Unit Instructors are not required to take the G0428 course but are encouraged to do so. It is also very highly recommended that active law enforcement, firefighting, and EMS personnel be recruited to serve as Unit Instructors.
4. Lead Instructors must complete G0428 course once every 3 calendar years or show a record of continuing education in subject areas relevant to CERT team operations. Examples of relevant continuing education are POST or EMS board approved classes, completion of FEMA sponsored in-person or on-line IS courses, etc. This record of continuing education shall be submitted to the Citizen Corps point of contact listed on the NDDDES website (<http://www.nd.gov/des/get/citizen-corp/>).
5. Lead instructors shall keep a record of the names of all unit instructors utilized for a CERT course of training. This record shall be kept for a minimum of 3 years.
6. Lead instructors shall keep a record of all persons who have completed a CERT course of training. This record shall be kept for a minimum of 3 years.
7. Lead and unit instructors will use the approved syllabus. The syllabus and a course organization checklist can be found in the NDDDES website resource library (<http://www.nd.gov/des/training/resource-library/>).
8. At the completion of each CERT course of training, the lead instructor shall have each participant complete a course evaluation. Copies of these evaluations will then be sent to the Citizen Corps point of contact listed on the NDDDES website (<http://www.nd.gov/des/get/citizen-corp/>). Classes taught as a part of a school curriculum are exempt from this requirement. Evaluation forms can be found in the NDDDES website resource library (<http://www.nd.gov/des/training/resource-library/>).

Section 3: Non-discrimination Policy

It is the policy of NDDES that no member shall be excluded from participation in, denied the benefits of, or subjected to discrimination in any Citizen Corps, CERT, or Teen CERT program or activity on the basis of race, sex, age, color, religion, national origin, or disability.

Section 4: Teen CERT Protection Policies

1. NDDDES conducts its Teen CERT program in a positive, safe, age-appropriate environment that emphasizes good citizenship. Teen CERT participants will have opportunities to lead, encounter challenges, and have fun.
2. NDDDES policy asserts that there is no place for physical, sexual, or emotional abuse in any of its programs. NDDDES will report to law enforcement all reasonable suspicions of child abuse and other criminal activity as required by local, state, and federal law, and it will cooperate with law enforcement investigations.
3. Because of their professional responsibilities, some Teen CERT coordinators and instructors are required by state laws to report suspicions of child abuse to local authorities. If ever this policy conflicts with a local, state, or federal law, the law shall govern NDDDES's conduct.
4. This policy governs all NDDDES, CERT, and Teen CERT activities, and applies to all NDDDES employees, CERT and Teen CERT coordinators, members, and instructors. When guest speakers and visitors interact with Teen CERT participants, NDDDES employees, CERT and Teen CERT coordinators, members, and instructors will supervise to ensure that the guest speakers and visitors adhere to basic, socially acceptable norms.
5. All NDDDES employees, CERT and Teen CERT coordinators, members, and instructors are expected to conduct themselves in a professional and appropriate manner at all Teen CERT activities.
6. For the purposes of this section, "adult leaders" are defined as NDDDES employees, NDDDES contractors, CERT and Teen CERT coordinators, and instructors over the age of 18 years, who are participating in, or supervising any Teen CERT activity.
7. Because adult leaders have intrinsic supervisory authority over Teen CERT participants, adult leaders **will not** date or have an intimate romantic relationship with a Teen CERT participant at any time, regardless of the circumstances.
8. All Teen CERT activities will be open to parental observations. Closed meetings are not permitted. NDDDES employees, CERT and Teen CERT coordinators, and instructors will make reasonable accommodations to allow parents open access during all activities. However, some environments, such as simulated disaster exercises or in-school classes, cannot accommodate non-members. In such instances, parental access might be limited to certain designated times and areas. In all cases, the individual school districts policies and procedures will take precedence.
9. NDDDES's general policy is that every participant activity must be supervised by at least two (2) adult leaders, and at least one (1) of those must have passed the background check required in Section 2: Standard Operating Procedures. When classes are conducted as a part of an approved in-school curriculum, only the Lead or Unit Instructor, or assigned classroom teacher must be present. In all cases, the individual school districts policies and procedures will take precedence.
10. Because each physical environment and the nature of activities is different, NDDDES does not set a firm rule regarding the proximity between a group of participants and their adult leader supervisors. If supervisors do not have direct line of sight contact with Teen CERT participants, they must nevertheless be aware of where the participants are, what they are doing, and check up on them periodically.

11. Adult leaders who need to mentor or counsel participants individually during official activities should do so in the presence of a third person when reasonably possible. Alternatively, one-on-one meetings are permitted if conducted in a semi-open setting (e.g. office door kept ajar, or conversing away from, but in sight of, the group). Participants are prohibited from meeting one-on-one in a closed environment; an adult leader must be present or other arrangements must be made to minimize the risk of misconduct, such as keeping the door fully open.
12. Favoritism is to be avoided as much as is reasonably possible. Adult leaders are expected to make a good faith effort to avoid favoritism and to support each individual participant in their sphere of responsibility with an appropriate amount of individualized attention.
13. This policy assumes that social media will continue to evolve and that NDDDES policies cannot possibly keep up with the idiosyncrasies of the various platforms. NDDDES's general policy is that when adult leaders interact with participants via social media, they will make reasonable attempts to limit participant's access to content that is of a personal, non-CERT, or non-professional nature.
14. When adult leaders need to communicate with Teen CERT participants in the interval between official activities, if reasonably possible they will do so via email or social media that is visible to other members. With email, adult leaders will include another adult leader in the distribution, except for very brief messages; or email traffic distributed to two (2) or more participants.
15. Texting, private messaging, and similar forms of electronic communication that third parties cannot easily monitor are permitted only for very brief messages of an official nature. Contact with participants via telephone or video conference is permitted during non-school hours.
16. Normally, participants and adult leaders are not permitted to have significant contact outside of official Teen CERT activities. However, NDDDES recognizes that there are a limited number of situations in which contact between adult leaders and participants outside of authorized meetings and activities may occur because of chance encounters, pre-existing relationships, or other situations as described below:
 - a. Brief conversations between adult leaders and participants resulting from chance encounters in the community are permitted.
 - b. Non-romantic relationships between adult leaders and participants that existed prior to one of the individuals joining CERT or Teen CERT (e.g. family, neighbors, coworkers, etc.) are not improper and may continue, including substantial contact outside of Teen CERT activities.
 - c. Relationships of a professional nature between adult leaders and participants (e.g. teacher/student, doctor/patient, clergy/congregant, etc.) are not improper, and substantial contact outside of Teen CERT activities may occur, provided the interactions are made in the context of the professional relationship.
 - d. An adult leader's and participants mutual membership in another organization is not improper, and substantial contact outside of Teen CERT activities may occur when interactions are made expressly for the purpose of participating in that organization's activities.
 - e. When participants become personal friends and a member of one of the families is an adult leader, the adult leader's interactions with their child's friend outside of Teen CERT in a non-CERT capacity are not improper. However, all NDDDES/CERT standards of practice will continue to apply during Teen CERT activities.

Section 5: Personnel & Team Termination Procedures

1. Membership in CERT & Teen CERT is a privilege and not a right.
2. A “member”, as defined in this section, means any individual or team that participates in Citizens Corps, CERT, or Teen Cert.
3. “Approving Authority” is defined as the NDDDES point of contact (or designee) for the Citizens Corps, CERT, & Teen CERT programs.
4. Members must continue to meet all membership eligibility criteria and conduct themselves in an exemplary manner.
5. Members are also required to comply with all laws, policies, guidelines, regulations, and orders of higher authority. If at any time, a team coordinator, program manager, or NDDDES employee/representative determines that continued membership is adverse to the best interest of Citizens Corps, CERT or Teen CERT, the member may be terminated.
6. Causes to terminate membership:
 - a. Voluntary resignation. Individuals wishing to voluntarily resign their membership must resign in writing and sign the resignation request.
 - b. Failure to respond within 45 days to a request for additional background information.
 - c. Termination for Cause. Members whose conduct, behavior or effectiveness fails to meet the standards as set forth in these guidelines shall have their membership terminated for cause. Termination action may be justified by the seriousness of a single incident or by repeated minor incidents, none of which alone would justify termination action. Termination for cause is defined as follows:
 - i. Conduct involving moral turpitude.
 - ii. Conduct unbecoming a member of CERT or Teen CERT.
 - iii. Financial irresponsibility involving Citizens Corps, CERT or Teen CERT assets.
 - iv. Insanity, habitual drunkenness, or sexual perversion.
 - v. Habitual failure to perform duties.
 - vi. Making a false statement to or concerning Citizens Corps, CERT or Teen CERT.
 - vii. Serious or willful violations of Citizens Corps, CERT or Teen CERT regulation, directives or guidelines.
 - viii. Substandard performance of duty over an extended period of time.
 - ix. Failure to obey rules, regulations and orders of higher authority.
 - x. Insubordination.
 - xi. Any other conduct, action or incident which violated the guidelines set forth in this document, provided the reason for termination is clearly stated in the letter of notification.
7. Normally the team coordinator or local program manager should initiate termination action in appropriate cases. However, if NDDDES has knowledge of an incident which warrants termination of membership, NDDDES has the prerogative of initiating termination procedures.

A termination action may be withdrawn by the initiating party at any time prior to the completion of the process.

8. When it is determined that it is appropriate to terminate an individuals or teams membership, the following procedures will be followed:
 - a. Members being terminated for cause are entitled to the appeal procedures set out in this document.
 - b. The initiating party will begin the termination action by notifying the member by letter. Team coordinators, local program managers, or NDDDES should ensure that the notification letter states each appropriate charge and a brief statement of the facts.
 - c. Within 10 days of the decision to terminate, the letter of notification should be delivered by personal delivery to the member or a copy mailed both by certified mail and by regular mail to the member's residence address as recorded in the membership applications. At the time the letter of notification is sent to the member, a copy of the letter will be sent to the NDDDES point of contact. Upon notification of a proposed termination action, the appellant will be considered in suspended status and will not be authorized to participate in Citizens Corps, CERT, or Teen CERT activities or represent Citizens Corps, CERT, or Teen CERT in any capacity until the termination action is completed.
 - d. Members not appealing termination of their membership need only to return any CERT, or Teen CERT property in their possession to the team coordinator, local program manager, or NDDDES.
9. Members who wish to exercise their right to appeal the membership termination action must notify the initiating party and the NDDDES point of contact by letter stating such intention within 30 days of the personal delivery of the letter of termination notification (or, if mailed 30 days after the postmark on the letter of termination notification). Failure to do so within the 30 day period will forfeit the right of appeal and the termination action will automatically be concluded.
10. The appellant will remain in suspended status until the approving authority takes final action, the termination action is withdrawn, or the appellant is otherwise terminated.
11. Normally, within 10 days of the receipt of a timely appeal from a member, the approving authority will appoint an appeal board and name a chairperson to consider the appeal and report its findings. The appeal board will consist of a minimum of three NDDDES employees. The NDDDES point of contact for Citizen Corps, CERT, & Teen CERT will never serve on an appeal board.
12. The initiating party will furnish to the chairperson of the appeal board and to the member a full statement of the circumstances that prompted the termination of membership proceedings, including a copy of the letter of notification & any and all documents pertinent to the case.
13. The chairperson will set a date and place for the hearing, which normally should not be more than 30 days from the date of the appointment of the board. The chairperson will then notify

the appellant and the initiating party in writing of the time & place of the hearing. Said notice should be given at least 15 days prior to the hearing date.

14. The chairperson may, at his or her discretion, delay the established hearing date if requested by the appellant, counsel of the appellant, or the initiating party.
15. There is no requirement that a verbatim record be made of the hearing. In the event that the appellant is granted permission to record or transcribe the board proceedings, a copy of any such recording or transcript must be furnished without charge to the chairperson of the appeal board by the appellant within such time period as the chairperson deems appropriate.
16. The duty of the appeal board is to consider all relevant facts presented in the hearing and to make a factual determination of whether or not the termination reasons used by the initiating party are sustained by the evidence. The normal procedure is to allow the initiating party to present all of its case first, followed by the appellant's. Rebuttal evidence may be allowed at the discretion of the chairperson. In the board proceedings, both the appellant and the initiating party will be given the opportunity to:
 - a) Call witnesses on their own behalf (at their own expense).
 - b) Cross examine witnesses called adverse to their case.
 - c) Present written statements and documents supporting their case.
17. The appellant shall also have the right to appear in person with or without an assistant of his or her own selection and shall also have the right to testify in his or her own behalf. The appellant shall also have the right to elect not to appear before the board but rather submit the case in writing with any attached documentation that he or she chooses pertinent to the issues.
18. Appeal board hearings are informal in nature and the rules of evidence do not apply. The chairperson shall have the right to rule on any questions of relevancy, materiality, or admissibility of witnesses' testimony and documents offered by either side. The chairperson will ensure that a full, fair, and impartial hearing shall be conducted, the sole objective of which is the truth of the matters alleged in the letter of notification.
19. Upon completion of the hearing, the appeal board members will make findings of fact and recommendations. All voting on recommendations will be by majority vote. A board member who dissents from the majority will so indicate in writing. Such dissent must be attached to the formal report of the board and sent to the approving authority.
20. The chairperson is responsible for the preparation and forwarding of the appeal board's report, including any attachments thereto, to the approving authority. The report of the board proceedings should normally be forwarded to the approving authority within 10 days after the close of the hearing.
21. The approving authority will review the report of the proceedings and take final action in the case. If the appeal board has recommended retention of the appellant, the approving authority's action may not provide for termination. In the event the appeal board recommends termination, the approving authority may either approve that recommendation or disapprove it, whereby the appellant will be retained. The approving authority's action normally will be taken within 10 days after receipt of the appeal board report and the appellant notified by appropriate letter sent by the approving authority.

22. If the approving authority's action provides that the appellant's membership should not be terminated, the proceedings are concluded and no further action is necessary.

Section 6: Program Feedback and Complaint Resolution

1. Constructive feedback may be sent to the Citizens Corps point of contact listed on the NDDES website (<http://www.nd.gov/des/get/citizen-corp/>).
2. The NDDES complaints resolutions program is designed to prevent, detect, and correct any fraud, waste and abuse (FWA), mismanagement or deficiency, acts of reprisal or restriction, or participant protection issues.
3. Citizen Corps members, CERT and Teen CERT members, and adult leaders (as defined in Section 3) have a responsibility to report FWA; violations of policies or directives; abuse (including abuse of authority); participant protection issues or misconduct; to the NDDES point of contact. In addition, all known violations of local, state, tribal, or federal law must be reported.
4. NDDES will receive and process complaints from any source (including anonymous), via any medium. Complaints will be resolved through referral, transfer, dismissal, assistance, or investigation. NDDES will maintain a record of all contacts and the rationale for selecting the resolution strategy implemented for each contact.
5. Complaints of sexual abuse or other criminal conduct should be reported to and investigated by appropriate civilian law enforcement agencies in accordance with the laws of the state. Any complaints of sexual abuse or criminal conduct received by NDDES will be referred to the appropriate law enforcement agencies.
6. Citizen Corps members, CERT and Teen CERT members, adult leaders, and parents or legal guardians of Teen CERT members have the right to file complaints under this section. All allegations of FWA may be accepted regardless of the source.
7. All complaints should be in writing, dated and signed by the complainant. The signature on the complaint is deemed to be an affirmation and is evidence that all information in the complaint is true and correct to the best of the knowledge of the complainant.
8. Complaints must be accompanied by all available documentation in the possession or control of the complainant.
9. E-mail or verbal (telephone or direct conversation) complaints should be followed up with a written submission, signed by the complainant and dated within 14 days of the original notification.
10. Complainants may submit anonymously. Anonymous complaints may be sent to the NDDES point of contact. E-mail and voice (telephone) complaints filed anonymously do not require a written follow up. Anonymous complaints are NEVER evidence of a violation of NDDES guidelines and cannot be used as evidence of violations. Anonymous complaints may only be acted upon if the complaint reveals evidence of a violation of NDDES guidelines or local, state, tribal, or federal laws.