

MS 284 Early Termination of Service

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Memorandum from Esther Benjamin (former AD for Global Operations) to Country Directors on Volunteer/Trainee Conduct and Administrative Separation

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1.0 Purpose

This Manual Section establishes the policies and procedures governing the circumstances under which a Volunteer or Trainee's (V/T) service may end prior to the completion of service date.

Service in the Peace Corps is voluntary, but once the commitment to serve is made, expectations are created on the part of the Peace Corps, the host country and cooperating agencies. By accepting an invitation, individuals commit themselves to serve the people of the host country to the best of their abilities for a specified period, usually about two years, within the framework and support systems established by the Peace Corps.

However, there are circumstances under which a particular V/T cannot or should not remain in service until his or her completion of service (COS) date. In these circumstances, the V/T's

service will be subject to "early termination." There are four types of early termination, each discussed separately in this Manual Section:

- (a) Resignation (2.0)
- (b) Medical Separation (3.0)
- (c) Administrative Separation (4.0)
- (d) Interrupted Service (5.0)

2.0 Resignation

A resignation is a decision made by a V/T that he/she no longer wishes to continue in Peace Corps service.

2.1 Resignation of Volunteer/Trainee Overseas

When a Peace Corps staff member becomes aware that a V/T is considering resignation from Peace Corps service, the staff member should advise the V/T that it is his or her right to resign from service at any time, for any reason, but, if appropriate, the staff member should also offer to explore with the V/T possibilities for resolving the situation short of resignation. Possibilities considered should be consistent with the needs of the program and might include such measures as increasing staff support, instituting administrative or programmatic remedies and making available a period for reconsideration of the decision to resign.

If, after these attempts to resolve the situation, the V/T still wishes to resign, the staff member shall:

- (a) Advise the V/T of the travel options described in 8.0 "Early Termination Travel;"
- (b) Complete all required documentation before the V/T leaves post, including: the Certification of Non-Indebtedness, and the Description of Service (Volunteers only), and entering all required information in VESI (Volunteer End of Service Information) to terminate their service. *See* Section 9.0 "Required Documents for Early Termination;"
- (c) Complete the "Volunteer/Trainee Resignation Form – Staff Copy" (*see* Attachment D).

2.2 Resignation of Volunteer/Trainee in the U.S.

Volunteers or Trainees who resign in the United States must notify in writing the Country Desk Unit at Headquarters or post staff of their decision. If the Country Desk Unit becomes aware of a V/T's desire to resign, that office should obtain the following information from the V/T and provide it to post staff and OHS/In-Service:

- (a) Name;
- (b) Mailing address and phone number;

(c) Country of service; and

(d) Date when the V/T notified PC/Washington of his or her intention to resign.

Post staff will call the V/T to respond directly to any questions or concerns the resigning V/T may have and assist the V/T with administrative procedures, including sending the Early Termination Email. Once post staff becomes aware of a V/T's resignation, the PCMO should notify the OHS/In-Service staff of the termination date, which is the date post staff was notified. OHS/In-Service will provide the V/T with the medical documents required in cases of resignation.

2.3 Resignation in Lieu of Administrative Separation

A V/T may choose to resign instead of being administratively separated (*see* Section 4.0)

3.0 Medical Separation

If a V/T has or develops a medical condition that Peace Corps cannot medically accommodate or resolve within forty-five (45) days or any medical hold extension period granted under MS 220, the V/T will be medically separated. This decision is made by the Office of Medical Services (OMS) in consultation with the Peace Corps Medical Officer and, if needed, appropriate medical consultants. See 8.1 of MS 220.

3.1 Medical Separation of Volunteer/Trainee Overseas

If a V/T is medically separated overseas, the Country Director (CD) will ensure that arrangements are made for the V/T's return travel to the United States, and that the Early Termination Email, Description of Service Statement, and other documentation are completed. *See* 8.1.1 "Termination Travel to a U.S. Home of Record and 9.0 "Required Documents for Early Termination." The Country Director will also ensure that the V/T is aware of his or her right to appeal medical separation under the provisions of Section 3.3 of this Manual Section.

3.2 Medical Separation Following Medical Evacuation

If a V/T is medically separated following a medical evacuation, OMS will:

- (a) Advise the V/T of his or her medical separation date;
- (b) Advise the V/T and Country Director of the termination date and request that the Country Director send the Early Termination Email, Description of Service Statement, and other documentation. *See* Section 9.0 "Required Documents for Early Termination;"
- (c) Arrange transportation for the V/T to his or her Home of Record (*See* Section 8.0);
- (d) Work with the Transportation Division (M/AS/T) and post staff to arrange for the return to home of record of one hundred (100) pounds of the V/T's personal effects as unaccompanied air freight (*see* MS 214); and

- (e) Inform the V/T of his or her right to appeal medical separation under the provisions of Section 3.3 of this Manual Section.

For information on medical evacuation, *see* [MS 264](#).

3.3 Appeal of Medical Separation

A V/T who wishes to appeal his or her medical separation may contact his or her field support nurse to request a review by the Director of Medical Services. The V/T may include any opinions or diagnoses that were not considered by Medical Services in reaching its original decision. In reviewing the case, the Director of Medical Services will consider all the information. The decision of the Director of Medical Services will be the final Agency decision in the case. *See* [MS 282](#).

3.4 Post Service Care under FECA

OMS will assist medically separated V/Ts in applying to the Office of Workers' Compensation Programs, Department of Labor, to obtain any post-service medical care or disability benefits for which they may be eligible under the Federal Employees' Compensation Act (FECA). *See* [MS 266](#).

4.0 Administrative Separation

Pursuant to the Peace Corps Act, 22 U.S.C. 2504(i), the service of a V/T may be terminated at any time at the pleasure of the President. The authority of the President to terminate service has been delegated to the Director of the Peace Corps. Accordingly, the Director, or anyone to whom the Director delegates such authority, may separate a V/T at any time purely at the discretion of the deciding official and as otherwise expressly provided herein. For special procedures and requirements pertaining to administrative separations based on misleading, inaccurate, or incomplete information provided in the application process, *see* Section 7.0.

4.1 Procedures

4.1.1 Trainees

A Trainee may be administratively separated at any time by the applicable Regional Director (RD), or designee, in consultation with the Office of the General Counsel (OGC), during staging or training in the United States, or by the Country Director (CD) (a third country CD if the training is in a third country), in consultation with OGC and with the concurrence of the applicable RD during training overseas. Upon deciding to administratively separate a Trainee, the RD or CD, as applicable, shall inform the Trainee of the option to resign within 24 hours in lieu of being administratively separated. If the Trainee does not resign within 24 hours, the RD or CD, as applicable, shall sign and provide to the Trainee a written notification that the Trainee has been separated from service pursuant to 22 U.S.C. 2504(i). *See* Attachment A. The RD or CD, as applicable, shall notify the Office of Volunteer Recruitment and Selection (VRS) of such action and provide the relevant supporting documents in accordance with the instructions

described in Attachment H. There are no other procedures than those set forth herein, except for cases of admitted drug use as provided for in MS 204, 3.5.4 (a).

4.1.2 Volunteers

A Volunteer may be administratively separated for unsatisfactory conduct or performance; violation of any Peace Corps policy, including those in the Peace Corps Manual, whether agency-wide or post-specific; or other grounds that diminish the effectiveness of the Volunteer or the Peace Corps program, as determined in the sole discretion of the Peace Corps.

A Volunteer may be administratively separated by the CD in consultation with OGC, if feasible, under the following procedures, which are provided purely at the discretion of Peace Corps pursuant to the authority of the Director:

- (a) When considering administrative separation for a Volunteer, the CD shall, in consultation with OGC, complete a brief Consideration of Administrative Separation memo stating the grounds for the separation and the information in support of those grounds. See Attachment F for Consideration of Administrative Separation memo template. The CD shall inform the Volunteer of the option to resign in lieu of administrative separation up to 24 hours after a final administrative separation decision is made;
- (b) If, after considering the Volunteer's response, the CD decides to separate the Volunteer, the CD may do so only with the concurrence of the applicable RD. In order to insure an informed concurrence, the CD shall provide the RD, either orally or in writing, with the reasons for the CD's decision;
- (c) If the RD concurs, the CD shall inform the Volunteer of the final decision to administratively separate the Volunteer and shall give the Volunteer an opportunity to resign within 24 hours, in lieu of being administratively separated. If the Volunteer does not resign within 24 hours, the CD shall sign and provide to the Volunteer a written notification that he or she has been separated from service pursuant to 22 U.S.C. 2504(i). See Attachment B.
- (d) When the Volunteer is administratively separated or resigns in lieu of administrative separation, the CD shall notify VRS of such action and provide the relevant supporting documents in accordance with the instructions described in Attachment H.
- (e) These procedures may be expedited under exceptional circumstances as determined by the CD in consultation with the applicable RD and, if feasible, OGC.
- (f) There are no other procedures than those set forth herein, except for cases of admitted drug use as provided for in MS 204, 3.5.4 (a).

4.1.3 Corrective Action Plan

Before considering administrative separation for a Volunteer, CDs may, but are not required to, consider initiating a corrective action plan to provide the Volunteer an opportunity to address, to the CD's satisfaction, the grounds upon which an administrative separation would be based.

4.2 Termination and Departure Dates for V/Ts

The service termination date for a V/T who is administratively separated or who resigns in lieu of administrative separation, will be the day of departure from post. For Trainees in the United States, the service termination date will be the day of departure from the staging or training location.

Unless it is not feasible, a V/T's departure date shall be no more than seventy-two (72) hours after the CD makes a final decision to administratively separate the V/T or the V/T resigns.

5.0 Interrupted Service

A V/T may be separated with interrupted service status if the Country Director determines that circumstances beyond the control of the V/T make it necessary for the V/T to leave his or her present assignment. Because the nature of circumstances leading to interrupted service are beyond the V/T's control, interrupted service should not be used in lieu of administrative separation.

All travel options under paragraph 8.0 are open to V/Ts who are separated with interrupted service status.

5.1 Grounds for Interrupted Service

Interrupted service may be appropriate if:

- (a) The V/T is unable to meet technical or language requirements in current assignment or country but the Country Director recommends future volunteer service;
- (b) The V/T no longer meets eligibility requirements in MS 201, due to changes in legal, marital, or other circumstances that are beyond the V/T's control;
- (c) There is no viable assignment in the country of assignment for which the V/T is qualified;
- (d) Circumstances in the country of assignment prevent the V/T from carrying out his or her assignment (e.g., a prolonged teachers' strike);
- (e) Circumstances beyond the control of the V/T may damage the effectiveness of the individual, or the credibility or effectiveness of the Peace Corps program;
- (f) The host country (or other cooperating agency to which the Volunteer is assigned) requests that the Volunteer be removed from service for reasons that would not constitute grounds for administrative separation;
- (g) The V/T's spouse has been medically separated, administratively separated, or separated with interrupted service status, and the V/T him or herself is not subject to administrative separation;

(h) Circumstances in the country of assignment may endanger the V/T's safety (excluding evacuations, which are covered by Section 6.0); and

(i) The V/T was the victim of a sexual assault, stalking, or other serious crime.

A V/T who has been separated with interrupted service status may seek reinstatement or re-enrollment to Peace Corps service or may seek transfer to another country, provided the Country Director endorses the V/T's request. These conditions and procedures are set out in MS 282.

5.2 Appeal

A V/T may appeal to the Regional Director (RD) in writing if he or she thinks the reasons for separation under Section 5.1 do not apply. The RD shall consider the documentation provided by the V/T and country staff in determining whether the decision to separate the V/T with interrupted service was appropriate. Except as provided in MS 293 *Applicant, Trainee, Volunteer Discrimination Complaint Procedure*, RD's decision is the final agency action.

6.0 Early Terminations Pending Investigation or Inquiry

Whenever a V/T resigns in accordance with Sections 2.1 or 2.2, medically separates in accordance with Section 3.1, or is granted interrupted service in accordance with Section 5.0, and such early termination takes place after an allegation has been made that the V/T engaged in serious misconduct, but before disciplinary action was either initiated or ruled out, the Country Director must fill out Attachment J, and process it in accordance with the instructions in Attachment H.

For the purposes of section 6.0 and Attachment J, the Agency “initiates” disciplinary action when the Volunteer/Trainee is first presented with a Consideration of Administrative Separation, a Corrective Action Plan, or the equivalent. For cases involving discipline other than Administrative Separation or a CAP, Country Directors should consult with OGC and the Regional Director. The Agency “rules out” disciplinary action when the Country Director decides, based on a review of the circumstances, that no further investigation or discipline is warranted.

If the Country Director becomes aware of an allegation of serious misconduct after a V/T leaves service, or if a pending allegation remains unresolved as of the date of a PCV's close of service, the Country Director may also fill out Attachment J and process it in accordance with Attachment H.

The Country Director must consult with the Regional Director and OGC in completing Attachment J.

For the purposes of this section:

(a) An allegation includes any allegation of serious misconduct brought to the Country Director's attention or otherwise known to the Country Director.

(b) Serious misconduct includes, but is not limited to, the following:

- (1) Violation of the Sexual Misconduct Policy (IPS 1-12);
 - (2) Violation of the Child Protection Policy (MS 648);
 - (3) Commercial Sex (MS 204);
 - (4) Involvement with Drugs (MS 204);
 - (5) Fraud, theft, embezzlement or misuse of Peace Corps funds or funds entrusted to the V/T;
 - (6) Refusal to take required immunizations/vaccinations or prophylaxes (MS 262);
 - (7) Failure to Disclose Legal or Medical History (MS 201, MS 284);
 - (8) Fraternization with students or subordinates contrary to policy; and/or
 - (9) Any serious violations of U.S. or local law (e.g. murder, attempted murder, aggravated physical assault, threats).
- (c) Attachment J must only be completed in cases where an allegation of serious misconduct has been made regarding a V/T, but the V/T early terminated before disciplinary action was either initiated or ruled out. Additional instructions for the completion of the form are contained in Attachment J.
- (d) The creation or maintenance of this record does not necessarily mean that the accused V/T committed any misconduct, nor will it serve as an automatic bar to future service or employment with the Peace Corps.

7.0 Evacuations

Volunteers and Trainees who are evacuated from their country of service may be given completion of service (COS) status, regardless of how long they served (unless they are transferred to another post). Their Description of Service statements should indicate the lengths and nature of their service, with an explanation for their early departures (e.g., emergency evacuation).

Evacuated V/Ts may be transferred to other posts when possible and will be given priority consideration for re-enrollment in another Peace Corps program. In order to facilitate these transfers, V/Ts may be placed on Administrative hold in accordance with 8.2 of MS 220.

Evacuated V/Ts may be eligible for E.O. 11103 certification. The Country Director will make the agency decision regarding eligibility for E.O. 11103 certification in accordance with paragraph 5.3 of MS 285 *Volunteer Description of Service and Certificate of Group Health Coverage*. See [MS 341](#) for more information on evacuations.

8.0 Misleading, Inaccurate, or Incomplete Information in Application Process

Pursuant to the Peace Corps Act, 22 U.S.C. 2504 (a) and (i), the selection of an applicant for Peace Corps service and the termination of a V/T's service are at the pleasure of the President. These authorities have been delegated to the Peace Corps Director. In order for the Peace Corps to be able to make appropriate selection and placement decisions, it is critical that applicants for Peace Corps service provide complete and accurate information throughout the application process. The Director, or anyone to whom the Director delegates such authority, may disqualify an applicant or administratively separate a V/T at any time when the Peace Corps determines that the applicant or V/T has provided misleading, inaccurate or incomplete information ("non-disclosure") during the Peace Corps application process.

8.1 Procedures when Non-Disclosure Discovered During Application Stage

If, at any time before an applicant arrives at a staging event, the Peace Corps determines that an applicant provided misleading, inaccurate, or incomplete information, the applicant may be disqualified for service without application of the procedures in Section 7.2.

8.2 Procedures when Non-Disclosure Discovered During V/T Stage

If the Peace Corps determines that a V/T, while still an applicant, provided misleading, inaccurate, or incomplete information to the Peace Corps that could have affected the Peace Corps' review or consideration of that applicant, the V/T may be administratively separated from Peace Corps service under the following procedures, which are provided purely at the discretion of the Peace Corps pursuant to the authority of the Director:

- (a) (1) Where the non-disclosure relates to medical information or the medical clearance process, the Deciding Official is at the level of the Office of Medical Services Field Support Manager or higher. The concurring official is at the level of the Director of the Office of Medical Services (D/OMS) or higher.

(2) Where the non-disclosure relates to any other information relevant to an application for Peace Corps service, the Deciding Official is the VRS Director of Placement. The concurring official is the Chief of Operations of VRS.
- (b) Before taking any action to administratively separate a V/T under these provisions, the Deciding Official must consult with OGC and notify the Country Director (or if the Trainee has not left the United States, the appropriate Regional Director) of the current action and provide the Country Director an opportunity to comment on the V/T's conduct and performance.
- (c) The Deciding Official will complete a brief Consideration of Administrative Separation memo stating the grounds for separation and the information consideration in support of those grounds. *See* Attachment G for Consideration of Administrative Separation memo template. The Deciding Official will inform the V/T of the option to resign in lieu of

administrative separation at any time before a final administrative separation decision is made.

- (d) The Deciding Official will give the V/T a reasonable period to respond, considering the V/T's ease of access to information the V/T requires for such a response. A Trainee who has not left the U.S. may be required to remain in the U.S. until a final decision is made.
- (e) If, after considering the V/T's response, the Deciding Official decides to separate the V/T, the Deciding Official may do so only with the concurrence of the Concurring Official. In order to insure an informed concurrence, the Deciding Official must provide the Concurring Official, either orally or in writing, with the reasons for the decision and the V/T's response.
- (f) If the Concurring Official concurs, the Deciding Official will inform the V/T of the final decision to administratively separate the V/T and give the V/T an opportunity to resign within 24 hours, in lieu of being administratively separated.
- (g) If the V/T does not resign within 24 hours, the Deciding Official will sign and provide to the V/T a written notification that he or she has been separated from service pursuant to 22 U.S.C. 2504(i). See Attachment C.
- (h) The Deciding Official will notify the CD of the outcome of the process.
- (i) When the V/T is administratively separated or resigns in lieu of administrative separation, the Deciding Official shall notify VRS of such action and provide the relevant supporting documents in accordance with the instructions described in Attachment H.
- (j) There are no other procedures than those set forth here.

9.0 Early Termination Travel

9.1 Return Travel at Peace Corps' Expense

Peace Corps will pay return transportation costs for early terminating Volunteers and Trainees who, upon termination from Peace Corps, return directly and immediately to their home of record from their country of assignment. Direct is defined as the most direct route from country of assignment to the V/T's Home of Record. Immediate is defined as no more than seventy-two (72) hours after departure from the host country for the U.S.

9.1.1 V/Ts traveling at Peace Corps' expense must be given:

- (a) An international travel authorization (see MS 218);
- (b) An economy class air ticket from post to home of record (the V/T may not be advanced the cash value of any part of this air ticket); and
- (c) Travel allowances in accordance with MS 221 or MS 222 (only if complying with direct and immediate return travel requirements).

9.1.2 Early terminating Trainees are not eligible for an advance from their readjustment allowance; however, early terminating Volunteers may receive a readjustment allowance advance of up to \$200.00 in country with authorization from the Country Director.

9.1.3 Upon arrival in the U.S., the V/T should mail the no-fee passport and the used ticket stub to the Transportation Division (M/AS/T) at Peace Corps, 1111 20th Street, NW, Washington, DC 20526. The Transportation Division should receive the passport and ticket stub within fourteen (14) days of the V/T's departure from country of assignment.

9.2 Field Exception to Direct and Immediate Return

The Country Director may grant a Volunteer an exception to the requirement to return directly and immediately to the Volunteer's Home of Record if the requirement would create a hardship for the Volunteer and the early termination is for reasons beyond the Volunteer's control. Trainees are not eligible for this exception.

Under this exception, Volunteers who are granted an exception:

- (a) Will be given an air ticket (as authorized under Section 4.11.1 of MS 218) purchased by the Peace Corps to their Home of Record. In certain situations related to Interrupted Service, under Section 5.0, a Country Director, with concurrence of the Regional Director, may grant cash-in-lieu;
- (b) Receive no travel allowance;
- (c) Are not medically covered by Peace Corps after termination of service. Peace Corps life insurance may be valid for ninety (90) days following termination, depending upon stipulations contained in the insurance policy;
- (d) Although Volunteers granted an exception are not required to return directly and immediately, the Country Director may require that the Volunteer depart from the host country via the quickest appropriate means in situations involving risk to personal safety or when the departure is required by the host country; and
- (e) The Volunteer's service termination date is the day final administrative processing is completed at post.
- (f) The Country Director may authorize the cash withdrawal of up to \$200.00 of the Volunteer's readjustment allowance. A payment from the readjustment allowance should be reported on the early termination email and on form PC-10 (see MS 223, Attachment F).

9.3 Field Termination

An early terminating V/T who chooses not to be bound by the direct and immediate return requirement is considered to have a field termination. Peace Corps will not cover return travel costs to the U.S. for field terminees, but may, if the already terminated V/T requests a ticket, pay for a ticket (as authorized under Section 4.11.1 of MS 218, if sufficient funds are in the V/T's

readjustment allowance) to the V/T's Home of Record and shall deduct the cost of the ticket from the V/T's readjustment allowance.

V/Ts who choose Field Termination under this subsection shall be advised that:

- (a) Once the decision to Field Terminate is made and termination is complete, the V/T's decision cannot be reversed or changed;
- (b) The Peace Corps will not assume any expenses for the V/T's return transportation costs or shipment of personal effects;
- (c) The V/T should obtain medical insurance to provide for any necessary medical care or medical evacuation after termination of Peace Corps service;
- (d) The V/T must surrender the no-fee passport to the Country Director prior to termination. Field terminees are responsible for securing a personal passport and any other necessary immigration documents through the U.S. Embassy;
- (e) The V/T will be traveling as a private U.S. citizen; and
- (f) The V/Ts service termination date is the day final administrative processing is completed at post.

Upon the field trainee's request the Peace Corps will determine the final balance of the V/T's readjustment allowance account after all deductions have been made to cover unpaid allowances, overpayments, debts owed to the Peace Corps and in-country debts.

The Country Director may authorize an advance of up to \$200.00 to a Volunteer, provided there is a sufficient balance in the Volunteer's readjustment allowance account. Trainees are not eligible for a readjustment allowance advance.

10.0 Required Documents for Early Termination

10.1 Required Documents for All Early Terminations

The following documents are required for ALL types of early termination:

Document	Where to send or file
Designation of Travel (MS 284 - Attachment E)	File in-country
Certificate of Non-Indebtedness (MS 223 - Attachment J)	File in-country
Description of Service (Volunteers only) (MS 285 - Attachments A & B)	Original to Volunteer; One copy to VPS

10.2 Required Documents for Early Termination Pending an Inquiry or Investigation

In the case of an early termination that occurs while an inquiry or investigation is pending:

Document	Where to send or file
Volunteers Who Early Terminate While Under Investigation/Inquiry (MS 284 - Attachment J)	File in DOVE, in accordance with Attachment H

10.3 Required Documents for Early Terminations Resulting from a Resignation

In the case of a resignation, staff shall complete the following:

Document	Where to send or file
Volunteer/Trainee Resignation Form – Staff Copy (MS 284 - Attachment D)	File in-country

11.0 Information Provided to VRS

Under 4.1.2(d) 6.0, and 7.2(i), information must be provided to VRS in accordance with the instructions described in Attachment H. VRS, OGO, OGC and the Office of Records Management are delegated authority to approve the instructions in Attachment H.

12.0 Effective Date

The effective date will be the date of issuance. The revised policy will not apply to any cases already pending before the effective date.