

Fieldprint and Truescreen Exemption Period

Guidance and Instructions

September 24, 2018 – June 30, 2019

*Revised on March 20, 2019 to update Exemption Period end date from March 31, 2019 to June 30, 2019.

*Revised on April 16, 2019 to clarify CNCS NSCHC monitoring. CNCS NSCHC monitoring is the specific monitoring of NSCHC files.



Introduction

CNCS staff, CNCS grant recipients, and the Office of the Inspector General continue to see high rates of noncompliance with National Service Criminal History Check (NSCHC) requirements. NSCHC is a vital safety requirement to protect our program beneficiaries, often members of vulnerable populations. In addition, noncompliance with the NSCHC statutory mandate has resulted in financial consequences for grant recipients, and it continues to adversely impact the agency's improper payment rate.

To address these longstanding challenges, CNCS has identified two vendors who can perform the checks for grantees and subgrantees. To bring every grantee into compliance, CNCS will provide funding, access, and parameters for a full recheck of individuals to be conducted via these vendors. This recheck will apply to those individuals serving or working in covered positions on or after November 15, 2018.

Exemption Applicability

CNCS will not take disallowance enforcement action against the grant recipients for past noncompliant NSCHCs for eligible individuals if the grant recipient has done the following:

1. Established accounts with Truescreen through <https://applicationstation.truescreen.com> with the CNCS specific agreement code and Fieldprint through <https://fieldprintcncs.com>; and
2. Conducted a recheck no later than June 30, 2019 through said accounts on individuals who are serving or working in covered positions on or after November 15, 2018; and
3. Adjudicated these checks on or before June 30, 2019.

Rechecks conducted through methods other than with accounts established with Truescreen, through <https://applicationstation.truescreen.com> with the CNCS specific agreement code, and Fieldprint, through <https://fieldprintcncs.com>, will not qualify for this Exemption Period.

See instructions below for additional guidance and parameters.

CNCS Approved Vendors Fieldprint and Truescreen

Fieldprint: Fieldprint is a FBI Channeler selected by CNCS to provide grant recipients with FBI fingerprint-based checks, adjudication recommendations on the results of those checks, and record maintenance of the check. Establish a Fieldprint account through <https://fieldprintcncs.com>. Rechecks from Fieldprint accounts established outside of <https://fieldprintcncs.com> will not be considered during this Exemption Period.

Truescreen: Truescreen is a vendor approved by CNCS to provide NSOPW and state criminal history checks; research source-level documentation when needed; make adjudication recommendations to grant recipients; facilitate compliance with the Fair Credit Reporting Act (FCRA), including pre-adverse and adverse action notices; provide time stamps of relevant compliance steps like adjudication; and maintain records. Establish a Truescreen account through <https://applicationstation.truescreen.com> with the CNCS specific agreement code.

For information about what comprises a compliant check when using the CNCS approved vendors, Fieldprint and Truescreen, please see <https://www.nationalservice.gov/resources/criminal-history-check>.

Situations NOT Covered By the Exemption Period

Rechecks should be conducted no later than June 30, 2019 for all individuals who are serving or working in covered positions on or after November 15, 2018; however, CNCS *will* take disallowance enforcement action for NSCHC noncompliance when the noncompliance is identified through an active Office of Inspector General (OIG) audit, review and investigation, CNCS NSCHC monitoring activity, or FY2018 IPERIA assessment. These activities should not prevent grantees from conducting rechecks.

For the following situations, the term “active” is defined as:

- *Audits:* An OIG audit or other review in which the OIG (including an independent audit firm contracted by OIG) conducts fieldwork before or during the Exemption Period. The Exemption Period will apply to rechecks that have been conducted and adjudicated prior to the initiation of fieldwork.
- *IPERIA:* A transaction that was reviewed as part of the FY2018 IPERIA process. If CNCS assessed a file during the FY2018 IPERIA and determined it to be noncompliant, disallowance enforcement action is underway. Conducting a recheck during the Exemption Period will not prevent the disallowance enforcement action for noncompliance identified during the FY2018 IPERIA review. However, rechecks conducted in accordance with this guidance on those individuals during the Exemption Period will prevent future disallowance enforcement action for noncompliance.
- *NSCHC Monitoring:* The CNCS monitoring official requests NSCHC documentation as part of a NSCHC monitoring activity before or during the Exemption Period. The Exemption Period

will apply to rechecks that have been conducted and adjudicated prior to the initiation of a request for documentation.

- *OIG Investigations*: An OIG investigation that is either pending or initiated during the Exemption Period. The Exemption Period will apply to rechecks that have been conducted and adjudicated prior to the initiation of the investigation. CNCS will ascertain from the OIG when an investigation began to determine the applicability of the exemption period.

Disallowance for noncompliant files detected during any of the above will follow current and standard resolution process as described in the Enforcement Guide.

Instructions

To participate in this Exemption Period, follow the steps below:

1. If applicable, follow specific guidance provided by your program to access the additional funds available to support these rechecks.
2. Create accounts with:
 - a. Truescreen (<https://applicationstation.truescreen.com> with the CNCS specific agreement code) and
 - b. Fieldprint (<https://fieldprintcncs.com>);

For more information on creating a Truescreen and/or Fieldprint account see <https://www.nationalservice.gov/resources/criminal-history-check>.

3. Recheck all individuals in a covered position who have been working/serving on a CNCS grant on or after November 15, 2018. To be covered by the Exemption Period, the recheck should consist of the NSCHC components required for the individual at the time of application or the date the individual was assigned to the grant. For more information about Effective Dates, refer to the NSCHC Manual (<https://www.nationalservice.gov/CHCFAQs>).
 - a. Please note it is the responsibility of the grant recipient to understand the individual's access to vulnerable populations and perform the correct checks and abide by NSCHC compliance requirements.
 - i. See the NSCHC Knowledge Network's Pre-Approved ASPs for specific guidance on using Truescreen: <https://www.nationalservice.gov/resources/criminal-history-check>.
 - ii. See the NSCHC Knowledge Network to understand what comprises compliant Truescreen State/NSOPW and/or Fieldprint fingerprint FBI checks here: <https://www.nationalservice.gov/resources/criminal-history-check>.
 - b. All checks required for the individual must be completed during this period to obtain the benefit of the exemption.
4. The checks must be completed between September 24, 2018* and June 30, 2019. Completion is when the check is conducted and adjudicated by grant recipient.

*A small number of organizations were given access to Truescreen under a Soft Launch that lasted from September 24 through the publication of this document. This Exemption Period covers participants that participated in this soft launch.

Fieldprint and Truescreen Exemption Period

Frequently Asked Questions



Introduction

CNCS will provide funding, access, and parameters for a full NSCHC recheck of all covered positions currently serving or working.

CNCS will not take enforcement action for prior noncompliance of NSCHC on individuals in covered positions who are eligible to serve/work.

FAQs

1. Is participation in this Exemption Period mandatory?

No; however, CNCS will issue formal guidance related to a revised disallowance structure for noncompliance with the criminal history check requirements, to go into effect after the end of this Exemption Period, that reflects that barriers to getting a compliant check have been greatly reduced. Participation in the Exemption Period is strongly encouraged.

2. What checks do I need to recheck?

Grantees should use the CNCS-approved contract with Truescreen and Fieldprint to recheck all checks (NSOPW, State(s) and FBI). To be covered by the Exemption Period, the recheck should consist of the NSCHC components required for the individual at the time of application or the date the individual was assigned to the grant. For more information about Effective Dates, refer to the NSCHC Manual (<https://www.nationalservice.gov/CHCFAQs>).

3. I already have a Fieldprint account, created through <https://fieldprintcncs.com>, and have already conducted Fieldprint FBI checks on individuals in covered positions. Do I need to recheck the Fieldprint FBI check?

If the Fieldprint check is on time, it is not necessary to recheck a Fieldprint FBI check. If the Fieldprint check was not conducted on time or is otherwise noncompliant, rechecking the individual via Fieldprint will result in coverage under this Exemption Period.

4. What effective date do I consider for staff/volunteers/members for purposes of determining what checks need to be done?

To be covered by the Exemption Period, the recheck should consist of the NSCHC components required for the individual at the time of application or the date the individual was assigned to the grant. For more information about Effective Dates, refer to the NSCHC Manual (<https://www.nationalservice.gov/CHCFAQs>).

For individuals who were required to conduct a NSOPW and a murder self-certification, it is not necessary for the individual to sign a new murder self-certification. CNCS is not revising past definitions of compliance. However, it is only checks conducted via the CNCS-approved contract with Fieldprint and Truescreen during this Exemption Period that are covered with regard to exemption from enforcement action. Recipients with NSCHC conducted via other sources will be subject to enforcement for noncompliance. CNCS strongly encourages grantees to use this Exemption Period and the associated funding to conduct a check required by the individual's current access to vulnerable populations.

5. Must I check individuals who are no longer working or serving? If so, are those files still subject to disallowance?

No, it is not necessary to recheck individuals in covered positions who are no longer working or serving. If a grantee conducts a full recheck on all covered individuals serving within the parameters of this Exemption Period, enforcement action will not be taken for noncompliant files of individuals no longer working or serving at the time of the Exemption Period.

6. My staff who are covered positions do not have access to vulnerable populations, should I do anything?

Yes. This exemption and recheck applies to all individuals in covered positions.

7. I am conducting a recheck of an individual who resided in a different state than the state of service at the time he or she entered work or service. They have now relocated so that the state of work and state of service are the same. To take advantage of the exemption opportunity, do I need to conduct a re-check of their original state of service as well?

To participate in this Exemption Period, you need to conduct a recheck of the state of service and state of residence at the time of application.

8. How do I document my participation in the Exemption Period?

You do not need to document participation beyond conducting checks through the CNCS-approved contracts with Truescreen and Fieldprint and maintaining the documentation in accordance with regulation and grantee's own policies.

Truescreen's system allows grantees to retain the results of the checks for seven years after the check is done and download records of the checks having been completed.

The Exemption Period applies on a check by check basis—for example, if a grantee conducts recheck on nine of ten participants, only the nine rechecked participants are covered by the parameters of the Exemption Period. Participation in the Exemption Period is therefore documented on an individual basis, via the results and date of the checks conducted via Truescreen and Fieldprint.

9. Who do I ask if I have questions? (Updated April 16, 2019)

If you are a subgrantee, please reach out to your State Commission or prime grantee organization. If you are a direct grantee of CNCS, please reach out to your CNCS Program Officer. You may also email NSCHC compliance questions to CHC@cns.gov and Truescreen system questions to CNCSHelp@truescreen.com

10. If I use Truescreen and/or Fieldprint for this process, do I need to use them going forward as well?

No; however, CNCS strongly encourages grantees to use the CNCS-approved contract with Truescreen and Fieldprint beyond the Exemption Period.

11. I participated in the 2014 Assessment Period. Do I need to do participate in the Exemption Period?

CNCS is initiating this recheck and Exemption Period as we continue to find extensive noncompliance with NSCHC, despite the 2014 Assessment. While this recheck and Exemption Period is voluntary, CNCS will institute a revised disallowance structure for non-compliance with the criminal history check requirements, to go into effect after the end of this Exemption Period that reflects that barriers to getting a compliant check have been greatly reduced.

12. I recently paid a cost disallowance resulting from NSCHC noncompliance. If I rectify the issue now, am I no longer responsible for these costs?

Compliant participation in the Exemption Period cannot be retroactively applied to disallowance resulting from NSCHC noncompliance identified prior to November 15, 2018.

13. I use an ASP to obtain compliant checks and my checks are compliant as long as the ASP was in effect. Should I still participate in this Exemption Period?

Yes, CNCS strongly encourages participation in the Exemption Period, even if you think you have compliant NSCHC. Please note that CNCS will institute a revised disallowance structure for NSCHC noncompliance that reflects that barriers to getting a compliant check have been greatly reduced.

14. How does the 2014 Assessment impact the Exemption Period?

The 2014 Assessment Period is still valid. If you participated in the 2014 Assessment Period and will also participate in the Exemption Period, full participation in the Exemption Period will cover past noncompliance, some of which may have been covered by the 2014 Assessment Period.

15. If I monitored my subgrantees and issued debt collection letters, do I have to overturn those decisions because of the Exemption Period?

No. You do not have to overturn a decision for which a debt collection has been issued. Money already repaid for disallowed costs cannot be returned, whether it is at the CNCS level or the grantee level. To the extent that disallowances have been paid, those matters are final.

16. What if I have not yet issued a disallowance letter and I am wrapping up my monitoring report with consequences? (Updated April 16, 2019)

The Exemption Period will not apply to rechecks of individuals whose grant is part of an active Office of Inspector General (OIG) audit, review and investigation, CNCS NSCHC monitoring activity, or FY2018 IPERIA assessment.

For grant recipient monitoring of subrecipients- If you have not issued this decision, then do not disallow costs unless you are required to do so under state law, regulation, or your organization's policy and procedures. The language you may use to close out pending monitoring reports with questioned costs related to NSCHC can reference the Exemption process as the resolution and required next steps for the subgrantee.