



**AmeriCorps**

# **National Service Criminal History Check (NSCHC) Manual**

Effective May 1, 2021



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## National Service Criminal History Checks (NSCHC)

The NSCHC is a screening procedure established by law to protect the beneficiaries of national service. NSCHCs have three components:

- A nationwide name-based check of the National Sex Offender Public Website (NSOPW). The NSOPW (<https://www.nsopw.gov/>) is a centralized system that identifies people who are registered as sex offenders in states, territories, and with many federally recognized Tribes,
- A name- or fingerprint-based search of the statewide criminal history registry in the candidate's state of residence and in the state where the person will serve or work, and
- A fingerprint-based FBI check

NSCHC requirements are baseline screening procedures. Organizations should institute a holistic framework for safeguarding beneficiaries of service.

Safeguarding beneficiaries involves more than screening for criminal history. It includes taking additional actions to ensure the health and safety of beneficiaries, such as having clear guidelines on interactions between individuals, policies and procedures on appropriate behavior and how to respond to noncompliance with those policies.

## Grant recipients or subrecipients required to comply with the NSCHC

Organizations that receive one of the following grants, as a recipient or subrecipient, must conduct NSCHCs:

- Operational grants provided by AmeriCorps State and National
- Foster Grandparent Program Grants
- Retired Senior Volunteer Program Grants
- Senior Companion Program Grants
- Senior Demonstration Program Grants that receive funding from AmeriCorps
- Martin Luther King, Jr. Day of Service Grants
- September 11<sup>th</sup> Day of Service Grants
- Social Innovation Fund Grants
- Volunteer Generation Fund Grants
- AmeriCorps VISTA Program Grants
- AmeriCorps VISTA Support Grants

All grant program provisions, laws and regulations, including the requirement to perform the NSCHC, applies to any subrecipients or of grant recipients identified in the aforementioned list. This requirement applies no matter how large or small the dollar amount of the sub-award, or whether the costs are covered by AmeriCorps federal funds or, in the case of cost-reimbursement grants, non-federal matching funds.

## Individuals required to comply with NSCHC

The following individuals, who serve or work under a grant subject to NSCHC requirements, must have an NSCHC:

- AmeriCorps State and National members
- Foster Grandparents who receive a stipend
- Senior Companions who receive a stipend
- Individuals in positions in which they will receive a salary, directly or reflected as match, under a cost reimbursement grant

## Individuals exempt from NSCHC:

The following individuals are exempt from NSCHC:

- Individuals who are under the age of 18 on the first day of work or service who serve on an NSCHC required grant.

Individuals whose activity is entirely included in the grant recipient's indirect cost rate.

### **Contractors\*:**

\*In most cases, contractors are not covered by NSCHC.

AmeriCorps applies the NSCHC requirements based on the legal distinctions between subawards (also known as subgrants) and contracts as defined in the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards. See 2 C.F.R. §§ 200.22 & 200.92, respectively. Organizations may colloquially refer to subawards as contracts.

However, the two are legally distinct and the NSCHC requirements apply to subawards, not contracts. Guidance on how to determine whether you have entered into a subaward or a contract with another entity is available at 2 C.F.R. § 200.330, "Subrecipient and contractor determinations."

*Subaward:* The NSCHC requirement does apply to individuals who work or serve under subawards, as defined under 2 C.F.R. § 200.92. This is because subrecipients are responsible for adherence to applicable Federal requirements specified in the original federal award, as stated in 2 C.F.R. § 200.330(a)(4).

*Contractor:* The NSCHC requirement does not apply to individuals who provide services under a contract, as defined under 2 C.F.R. § 200.22. If your organization enters into a contract with an entity to provide services, the NSCHC requirements do not apply to the contractor because payments made by your organization to the contractor are not grant-funded living allowances, stipends, or salaries.

If the services for which you contracted involve ongoing contact between contractor personnel and service beneficiaries, then even though the specific requirements of the NSCHC do not apply to those contract personnel. AmeriCorps strongly recommends

that your organization use prudent and reasonable screening procedures of contractor personnel to protect service beneficiaries from the risk of harm. You may obtain free and immediate results of a sex offender search through <https://www.nsopw.gov/>. The costs of additional screening for contractors with ongoing contact with service beneficiaries are allowable grant costs.

Please note that this guidance only clarifies existing rules related to the NSCHC. It does not authorize or change a recipient's ability to subaward or contract. By regulation, AmeriCorps Seniors recipients are prohibited from making subawards or from contracting out project management requirements necessary to accomplish the purposes of the grant, as described in 45 C.F.R. §§ 2551.22, 2552.22, and 2553.22. Social Innovation Fund subrecipients may not make further subawards.

## Individuals deemed ineligible due to NSCHC

Under the regulation and statute, an individual is ineligible to serve or work on an AmeriCorps grant if they:

- refuse to consent to NSCHC;
- make a false statement in connection with NSCHC;
- is registered, or is required to be registered, on a state sex offender registry or the National Sex Offender Registry; or
- has been convicted of murder, as defined in 18 U.S.C. 1111.

Grant recipients must maintain adequate documentation that the individual has consented to NSCHC and understands that selection into the program is contingent upon the organizations' review of the individuals NSCHC component results, if any. An organization's policy should describe actions required to inform an individual of their rights related to NSCHC, as well as privacy practices to ensure confidentiality of any information related to NSCHC, consistent with the authorization provided by the applicant.

If the applicant is found to be ineligible because of NSCHC component results, grant recipients must provide a reasonable opportunity for the individual to review and challenge the factual accuracy of the results before action is taken to exclude the individual from the position.

### Suitability

Suitability is determined by the grant recipients and subrecipients, or service sites. An individual may be eligible to work or serve in a position, under the NSCHC regulation, but a grant recipient, subrecipient, or service site may determine that an individual is not suitable to work or serve in such a position based on criteria that the grant recipient or subrecipient or service site establishes.

The suitability criteria must be consistent with state and federal Civil Rights and

nondiscrimination laws, including Titles VI and VII of the Civil Rights Act of 1964 (and AmeriCorps' implementing regulations under Title VI). Additional screening criteria should be clearly described and adhered to within grant recipient and subrecipient or service site policy.

### **Arrests vs. Convictions**

The requirements do not disqualify applicants on the basis of arrest. In certain states, there are legal constraints on how an arrest record may be considered, and some statewide criminal repositories do not include arrest information in the records they release. Recipients should recognize that they have a dual status under the Civil Rights Act of 1964, depending on the nature of their relationship with a candidate.

Grant recipients, because they get federal financial assistance, must comply with the Civil Rights Act of 1964 and its implementing regulation. These regulations prohibit discrimination, including selection and placement of volunteers and members, on the basis of race, color, and national origin, in AmeriCorps-funded programs and activities. And as employers, recipients must also comply with Title VII of the Civil Rights Act of 1964, which prohibits discrimination in employment decisions. The Equal Employment Opportunity Commission (EEOC) has issued [guidance](#) explaining when consideration of arrest and conviction records violates Title VII. In addition, grant recipients must comply with the nondiscrimination provisions of the NCSA and the regulations at 45 CFR 2540.210.

As the EEOC guidance outlines, recipients should be mindful that arrests alone are mere allegations, and that actual criminal convictions, or actual evidence of conduct underlying an arrest, are the relevant indicators of a person's suitability, or in some cases, eligibility, to serve with, or work for, an AmeriCorps grant recipient. Recipients should make sure that their screening practices are narrowly tailored in a manner that complies with these federal nondiscrimination requirements, in addition to applicable state laws governing the consideration of criminal history records.

### **Non-disqualifying Convictions**

If the NSCHC returns results other than those above, the recipient has the discretion – subject to any federal civil rights law and state law requirements – to decide if the results of a criminal history background check disqualify a candidate from service. Recipients should consider the factors set forth in the [EEOC's guidance under Title VII](#), including the nature and gravity of the offense, the time that has passed since the conviction or completion of the sentence, and the nature of the position. Recipients should have written policies on their disqualification criteria and be consistent in how those criteria are applied. Additionally, organizations must use national service criminal history check results in combination with other information obtained through the grant recipient's selection process to make an informed choice before selecting an individual for work or service. Recipients should maintain documentation of the evidence used in making suitability determinations for individual's with non-disqualifying convictions.

Grant recipients should be aware of federal reentry policy, which aims, among other goals, to reduce post prison barriers to employment. Participation in national service programs funded by AmeriCorps could help people who have been in prison

successfully re-enter society. Therefore, we encourage agencies to minimize barriers to service – without putting their program beneficiaries at genuine risk – for former prisoners who are eligible under the law.

## False statements under NSCHC

A false statement in connection with NSCHC is made when an individual intentionally provides false information required to conduct national service criminal history check components found at section 2540.205. This would arise when an individual intentionally provides the following to conduct the components of the NSCHC:

- A false name,
- A government-issued identification belonging to another person,
- A false identification, or
- Fingerprints of another individual.

The intentionally false statements, as listed above regarding information required to conduct NSCHC components found at 42 USC 12645g(b), render an individual ineligible to serve under 42 USC 12645g(c).

As reminder, suitability criteria independent of the NSCHC ineligibility criteria may be established by recipients and subrecipients or service sites, subject to any federal civil rights law and state law requirements. In cases where individuals provide false information requested for suitability criteria, recipients have discretion in how to deal with the situation, again consistent with federal civil rights law and state law requirements. Grant recipient suitability determinations, and false statements related to such determinations, have no effect on an individual's eligibility under the statute.

## NSCHC check components

NSCHC check components include three distinct components:

- a nationwide check of the National Sex Offender Public website through [www.NSOPW.gov](http://www.NSOPW.gov);
- a check of the state criminal history record repository or agency-designated alternative for the individual's state of residence and state of service; and
- a fingerprint-based check of the FBI criminal history record database through the state criminal history record repository or agency-approved vendor.

## State of residence

NSCHC regulations require organizations to search (by name or fingerprint) the state criminal history record repository.

The state where a candidate “resides” is the location the individual identifies as their place of residence at the moment in time they applied to serve or work.

There is no measure of how long the individual has resided at a location that a program is required to validate to establish the correct state of residence – even a single day as a resident would meet the test for where an individual has made a home.

**College Students:** For the purpose of AmeriCorps requirements, an individual applying to serve or work who is enrolled as a full-time college student is deemed to be residing in the state where they live for the purpose of attending the school without regards to whether or not that home is on- or off-campus, and whether or not that home is in the same state as the college is located.

The state to check does not change because a student is on semester or summer breaks or temporarily residing elsewhere. There is no test needed to measure duration of residence while attending school.

Programs may not opt to use any other basis for identifying the student's state of residence, e.g., such as the student's family home.

**Foreign Residents:** For those living abroad, the individual's last state of residence in the United States, as well as the state where the program operates, must be checked. If the individual never lived in the United States, then only the state where they will be serving is required to be checked. Programs are also strongly encouraged to perform additional checks, including making contact with appropriate sources in other countries, whenever possible.

**Documentation:** While AmeriCorps does not dictate specifics with regard to documentation for establishing state of residence, programs must ensure that the totality of information is accurate and logical. For example, when a government-issued ID address does not match the indicated state of residence address, programs should document the reason for the variance. Programs should have clear, written policies and procedures establishing protocol for discerning state of residence for all covered individuals.

## Conducting the NSCHC

NSCHCs can be conducted in the following ways:

**NSOPW checks:** Use the agency approved vendor (Truescreen) or go directly to [www.NSOPW.gov](http://www.NSOPW.gov)

**State of Residence and State of Service checks:** Use the agency approved vendor (Truescreen) or go directly to the appropriate state criminal history repository or AmeriCorps approved alternative statewide source

**FBI checks:** Use the agency approved vendor (Fieldprint) or go directly to the appropriate state criminal history repository or AmeriCorps approved alternative statewide source

An organization's written procedures should specify the AmeriCorps approved sources to be used for conducting the required checks and the actions required to conduct the required checks using each approved source, including how to document adherence with NSCHC timing requirements. One way for grant recipients or subrecipients to obtain and document the required components of the NSCHC is through the use of agency-approved vendors.

For information on how to conduct agency approved vendor checks see:

<https://www.nationalservice.gov/documents/2018/nschc-using-fieldprint-and-truescreen-manual>

For information on how to conduct NSOPW/state repository checks see:

<https://www.nationalservice.gov/documents/2018/nschc-using-nsopw-and-state-repositories>

## NSCHC timing

The NSCHC must be conducted, reviewed, and an eligibility determination made by the grant recipient or subrecipient based on the results of the NSCHC before a person begins to work or serve on a NSCHC-required grant. Work or service hours include AmeriCorps funded orientation and training activities.

## Break in Service

If a person serves consecutive terms of service with the same organization and has a break in service longer than 180 days, then an additional NSCHC is required. A break in service means that a person is no longer providing service through or receiving salary from a recipient or subrecipient. Temporary interruption of work or service without termination of employment or expiration of the agreement under which service is being provided is not a break in service.

It is not necessary to redo the NSCHC for individuals who serve consecutive terms of service with the same organization if the break in service or work is less than 180 days and the original NSCHC checks are compliant.

However, if the person turns 18 before the start of the subsequent term of service, NSCHC is required prior to the individual beginning a subsequent term of work or service.

It is a best practice to document any break in service and retain that documentation as a grant record. For example, if an AmeriCorps Seniors volunteer who receives a stipend has run out of leave and is on leave without pay, the grant recipient should maintain documentation to show that the person is on leave status rather than terminated from the program.

## Changing National Service Programs

When someone leaves one national service grant program and begins serving or working in different grant program, the grant program receiving the employee or participant must conduct a new NSCHC, even if there has been no break in service.

However, if you are a recipient with multiple programs, and a participant moves from one of them to another, you only have to conduct a new NSCHC for that person if they have a break in service that is longer than 180 days.

## NSCHC Documentation

The grant recipient must maintain adequate documentation of their NSCHC process and practices as well as documentation of individual NSCHC grant records. The following NSCHC documentation must be maintained:

- Evidence of required annual staff training by retaining certificate of completion of the AmeriCorps e-course training
  - Ensure staff retake the course prior to expiration of the certificate. Retain certificates of completion from each year as grant records.
- Evidence that all required components (NSOPW, State(s), and FBI checks) were completed and on file (§2540.206)
  - All required components (NSOPW, State(s), and FBI) were conducted on time (§2540.205) and documentation reflects evidence of when checks were reviewed (adjudicated) and considered when making an eligibility determination
- All required components ((NSOPW, State(s), and FBI checks) were conducted through sources authorized by AmeriCorps (§2540.204) and are consistent with the sources described in the grant recipient's adopted NSCHC policies and procedures
- Evidence that NSOPW results include searches from all States, Territories, and Indian Tribes (§2540.204)
- First and Last Names used on name-based checks should reflect the legal name of the individual, as reflected on documentation used to verify the identity of the individual
  - Documents used to verify an individual's identity must be consistent with sources described in the grant recipient's adopted NSCHC policies and procedures (sources may include documents collected with W-9 form, W-2 form, SSN verified name within AmeriCorps portal, and income eligibility documents from a government source)
    - NOTE: Individuals with government documents reflecting two last names (family names) should enter both names in the Last Name search field. Individuals with two first names (given names) should enter both names in the First Name search field. Searches should include the hyphen (-) or apostrophe (') if their names have them.
- Documentation of consent from the candidate to conduct State and FBI checks and share results (§2540.206), including:

- Documentation of the candidate's understanding that the national service position is contingent upon the organization's review of the individual's NSCHC component results, if any; and
- Documentation that the candidate understands his or her ability to review and challenge the factual accuracy of the result before action is taken to exclude the candidate from the position
- Documentation that the candidate is eligible to serve/work if a vendor check's returns a "do not recommend" result for the candidate (§2540.206)
  - NOTE: A vendor's adjudication recommendation not to recommend the candidate indicates that the selecting organization needs more information before it can make a final determination as to the fitness of the individual to work or serve. It does not mean that an individual is ineligible for work or service. Grant recipients must maintain adequate documentation of the process implemented to make an eligibility determination and may include a contemporaneously dated memo to the file documenting determination of the individual's eligibility.

Grant recipients must take reasonable steps to protect the confidentiality of any information relating to the criminal history check, consistent with authorization provided by the applicant. An organization's NSCHC policies and procedures should describe the practices for protecting information related to NSCHC.

Please note that many documentation requirements are obtained and maintained by agency-approved vendors. More information on vendor usage can be found [here](#).

## NSCHC Grant Costs

The person who is serving or working in a position that requires NSCHC may not be charged for the cost of any component of a National Service Criminal Check.

## NSCHC Waiver

If the grant recipient or subrecipient is unable to abide by the NSCHC rule, the agency can waive requirements for good cause or any other lawful basis. Contact [NSCHCWaiverRequest@cns.gov](mailto:NSCHCWaiverRequest@cns.gov) for a waiver request form and more information.

## NSCHC Pre-Approved Waivers

Pre-Approved NSCHC Waivers are waivers that grant recipients can use without additional written approval from AmeriCorps. Grant recipients may use these Pre-Approved Waivers at any time, provided they abide by the conditions described below. However, AmeriCorps strongly encourages all grant recipients that intend to use a pre-approved NSCHC Waiver to first consult with their Portfolio Manager to ensure

that they understand its requirements. Noncompliance with the NSCHC regulations or with the requirements of a pre-approved NSCHC Waiver may result in a financial impact for the grant recipient.

AmeriCorps may add or remove pre-approved NSCHC Waivers at any time. Maintaining awareness of current pre-approved NSCHC Waivers is the responsibility of grant recipients. Once revoked, an organization may no longer use a pre-approved NSCHC Waiver. When a pre-approved NSCHC Waiver is revoked, the Waiver does not apply to any individuals who begin work or service after the expiration date of the pre-approved NSCHC Waiver. The use of pre-approved NSCHC Waivers should be clearly described within NSCHC policies and procedures, including actions for maintaining awareness of the active AmeriCorps pre-approved NSCHC Waivers. [Refer to Appendix A for active Pre-Approved Waivers.](#)

## Enforcement

AmeriCorps will apply administrative enforcement related to findings of NSCHC noncompliance identified through oversight and monitoring of grant records, such as Payment Integrity Information Act (PIIA) sampling, formerly the Improper Payments Elimination and Recovery Improvement Act (IPERIA), compliance assessments conducted by the Office of Monitoring, and Office of Inspector General audits, reviews or investigations. The [National Service Criminal History Check Guide to Enforcement Action for Identified Noncompliance \(Guide\)](#) describes what constitutes NSCHC noncompliance, potential administrative consequences for noncompliance, and how and when to implement specific administrative corrective action or enforcement for NSCHC noncompliance.

The Guide does not change the legal requirements for the NSCHC, nor does it prevent AmeriCorps or AmeriCorps-OIG from pursuing other civil or criminal enforcement or preventive remedies available by law.

## Appendix A: Pre-Approved NSCHC Waivers

AmeriCorps may add or remove pre-approved NSCHC Waivers at any time. Maintaining awareness of current pre-approved NSCHC Waivers is the responsibility of grant recipients. Once revoked, an organization may no longer use a pre-approved NSCHC Waiver. When a pre-approved NSCHC Waiver is revoked, the Waiver does not apply to any individuals who begin work or service after the expiration date of the pre-approved NSCHC Waiver.

The use of pre-approved NSCHC Waivers should be clearly described within NSCHC policies and procedures, including actions for maintaining awareness of the active AmeriCorps pre-approved NSCHC Waivers.

Noncompliance with the NSCHC regulations or with the requirements of a pre-approved NSCHC Waiver may result in cost disallowance.

### 1. Use of Truescreen for NSOPW and/or State Checks

Effective May 1, 2021

In July 2018, AmeriCorps contracted Truescreen to provide State and NSOPW checks to grantees for individuals who are required to comply with NSCHC.

Grantees who use Truescreen must set up an account with Truescreen through <https://applicationstation.truescreen.com> with the AmeriCorps specific agreement code.

Truescreen does not provide information for the following states and territories:

<b>States</b>	<b>Territories</b>
California	Guam
Delaware	Northern Mariana Islands
Louisiana	Puerto Rico
Nevada	
New Mexico	
Virginia	
Massachusetts (added 12/20/18)	
Mississippi (added 6/1/2019)	

Between 11/15/18 to 8/12/19, Truescreen did not provide information for New Hampshire. As of 8/12/19, New Hampshire is accessible by Truescreen and was removed from this pre-approved ASP.

Between 11/15/18 to 8/21/19, Truescreen did not provide information for American Samoa and Virgin Islands. As of 8/21/19, American Samoa and Virgin Islands are accessible by Truescreen and was removed from this pre-approved ASP.

Grantees using Truescreen will not be required to get a check from an unavailable state/territory for individuals required to comply with NSCHC if they have:

- 1) obtained an NSOPW check from Truescreen,
- 2) obtained any required state checks that **are** available from Truescreen, and
- 3) conducted a fingerprint-based FBI check.

Please note:

This ASP does not apply to grant recipients who obtain NSCHC from Truescreen through an account **not** established with the AmeriCorps specific agreement code. Such checks are noncompliant.

#### **Example 1: One state check is not available from Truescreen**

An individual required to comply with NSCHC will serve in California (state of service **is not** available from Truescreen) and is residing in Alabama at the time of application (state of residence **is** available from Truescreen). The grantee must conduct a Truescreen NSOPW check, a fingerprint-based FBI check, and a Truescreen Alabama state criminal history check. The grantee does not need California state criminal history check.

#### **Example 2: Both state checks are not available from Truescreen**

An individual required to comply with NSCHC will be serving in Virginia (state of service **is not** available from Truescreen) and is residing in Puerto Rico at the time of application (state/territory of residence **is not** available from Truescreen). The grantee must conduct a Truescreen NSOPW check and a fingerprint-based FBI check. No separate state and territory checks are required.

#### **Example 3: All state checks are available from Truescreen**

An individual required to comply with NSCHC will serve in Illinois (state of service **is** available from Truescreen) and is residing in Indiana at the time of application (state of residence **is** available from Truescreen). The grantee must conduct a Truescreen NSOPW check, a fingerprint-based FBI check, a Truescreen Illinois state criminal history check, and a Truescreen Indiana state criminal history check.

## 2. National Fingerprint File States

Effective May 1, 2021

The National Fingerprint File (NFF) is an electronic information sharing system maintained by the Federal Bureau of Investigation (FBI). The NFF allows the FBI and the States to exchange criminal history records for noncriminal justice purposes authorized by federal or state law, such as background checks for governmental licensing and employment.

States that participate in the NFF respond to record requests for all authorized noncriminal justice purposes and, as such, the FBI ceases to maintain duplicate criminal history data for these states. When a state participates in the NFF system, an FBI fingerprint check is duplicative of the search of a state's criminal history record repository. An FBI fingerprint check eliminates the need for grantees to conduct duplicative state criminal history record checks in states that participate in the NFF system.

Therefore:

- If a required state check is from a state that **participates in the NFF**, then the grantee does not need to conduct the check in that NFF state if they have conducted a fingerprint-based FBI check.
- If a required state check is from a state that **does not participate in the NFF**, then this pre-approved Waiver is not applicable and the grantee must obtain the appropriate NSCHC state check(s).

The following states participate in the NFF program:

Colorado	Florida	Georgia	Hawaii	Idaho
Iowa	Kansas	Maryland	Minnesota	Missouri
Montana	North Carolina	New Jersey	New York	Ohio
Oklahoma	Oregon	Tennessee	West Virginia	Wyoming

### Example 1: One state participates in NFF

An individual who is required to comply with NSCHC will serve in Maine (state of service **does not** participate in NFF) and resides in Colorado at time of application (state of residence **does** participate in the NFF). The grantee must conduct an NSOPW check, a fingerprint-based FBI check, and a Maine state criminal history check. The grantee does not need a separate state of residence criminal history check from Colorado. The Colorado criminal history record information is included in the fingerprint-based FBI check.

### Example 2: Both states participate in the NFF

An individual who is required to comply with NSCHC will serve in Ohio (state of service **does** participate in NFF) and resides in Iowa at time of application (state of residence **does** participate in the NFF). The grantee must conduct an NSOPW check and a fingerprint-based FBI check. No separate state checks are required. Ohio and Iowa criminal history record information is already in the fingerprint-based FBI check.

### **Example 3: No states participate in the NFF**

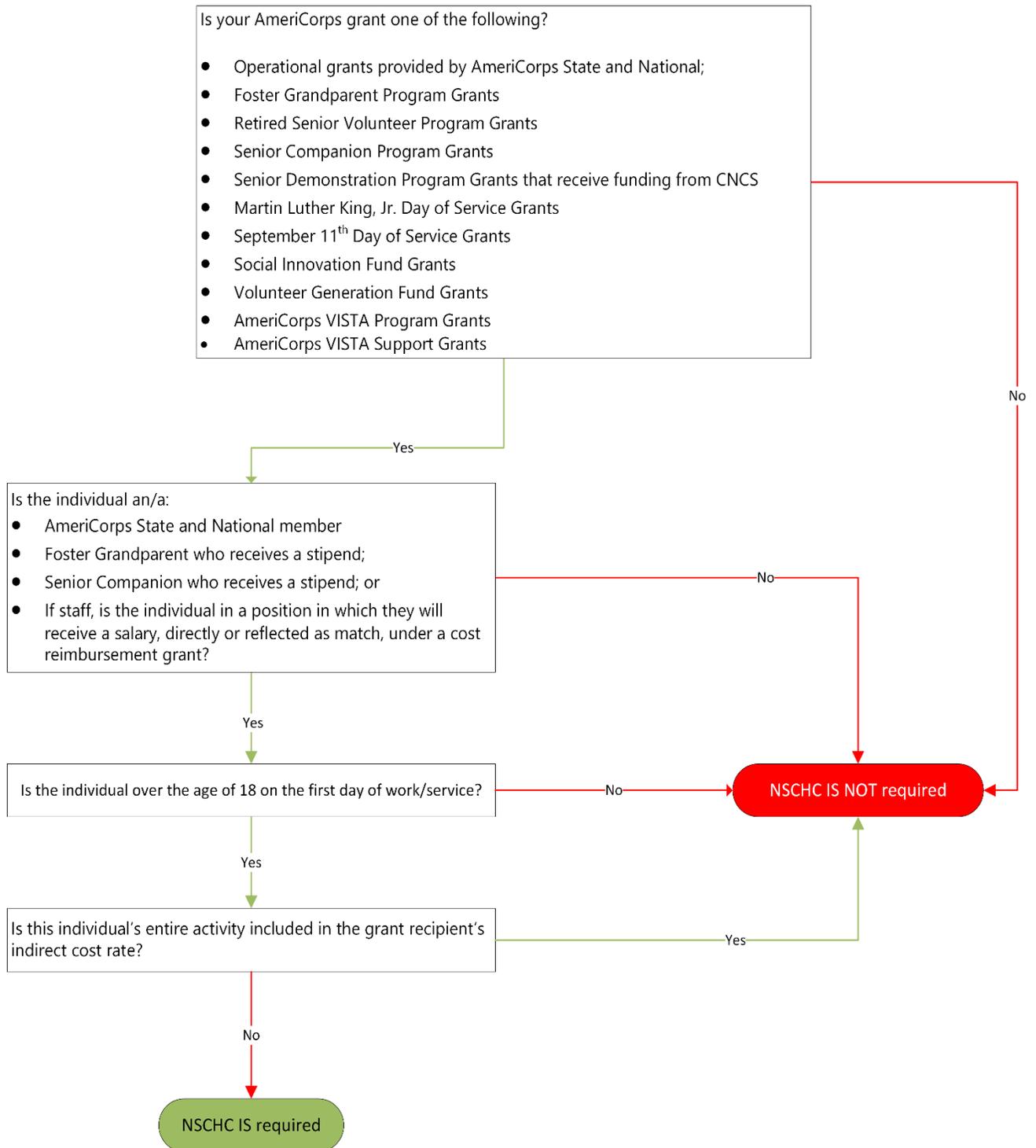
An individual who must comply with NSCHC will serve in Wisconsin (state of service **does not** participate in NFF) and resides in New Mexico at time of application (state of residence **does not** participate in the NFF). The grantee must conduct an NSOPW check, a fingerprint-based FBI check, a Wisconsin state criminal history check, and a New Mexico state criminal history check.

### **3. Disability Accommodation Exemption for FBI Fingerprint Checks**

Effective May 1, 2021

AmeriCorps will exempt the fingerprint FBI check requirement for individuals who are required to comply with NSCHC, if conducting a fingerprint check is a physical impossibility as a result of disability, such as the absence of limbs. The grantee is still required to conduct NSOPW and name-based state check(s) on the individual.

## Appendix B: Who is required to conduct NSCHC? Graphic



# Appendix C: How to Conduct NSCHC graphic

National Service Criminal History Check Steps: Effective May 1, 2021				
	Grant Recipient action using NSOPW.gov and State Repository for NSOPW, State and FBI checks	NSCHC Tip	Grant Recipient action when using agency approved vendors for NSOPW, State and FBI checks	How vendors assist NSCHC process
	Develop and maintain your organization's NSCHC policies and procedures	See Office of Monitoring's Recommendations for Effective NSCHC Policy and Procedures	Develop and maintain your organization's NSCHC policies and procedures	
NSCHC Annual E-Course	Take NSCHC annual e-course training (and maintain documentation)	eCourse training should be completed by the individual responsible for conducting NSCHC	Take NSCHC annual e-course training (and maintain documentation)	
Consent	Obtain and maintain a person's consent before conducting the state and FBI components of the National Service Criminal History Check	<p>As soon as you selected a candidate, begin the NSCHC process. Remember all checks must be completed and eligibility must be determined <b>before an individual starts work/service!</b></p> <p>If an individual refuses to consent to NSCHC → Ineligible to serve</p>		Vendors will capture and maintain consent from applicant
Service/Work is contingent on NSCHC	Provide and maintain notice that selection for work or service is contingent upon the organization's review of the NSCHC component results			Vendors will provide and document notice the applicant understands that selection for work or service is contingent upon the organization's review of the NSCHC component results
Conduct the Checks	<p>Go directly to:</p> <ul style="list-style-type: none"> <li>NSOPW.gov to conduct NSOPW checks</li> <li>State criminal history repository or CNCS designated alternative to conduct State of Service and Residence checks and FBI checks</li> </ul>	<p>State of Residence Checks: The state the individual is in physically at the time of application</p> <p>If an individual refuses to consent to NSCHC → Ineligible to serve</p>	<ul style="list-style-type: none"> <li>Order NSOPW and State checks from agency approved vendor, Truescreen</li> <li>Provide AmeriCorps Fieldprint code to applicant to set up a fingerprinting appointment</li> </ul>	
Receive the Results	Receive the Results Turn around time varies by state		Receive the Results Average turn around time: Truescreen: 1-5 days Fieldprint: 2 days	
Adjudicate	Adjudicate the Results	<p>Suitability and unsuitability is determined in by the grant recipients and subrecipients, or service sites. The suitability criteria must consistent with state and federal Civil Rights and nondiscrimination laws.</p> <p>An individual may be eligible to work or serve in a position, but a grant recipient, subrecipient, or service site may determine that an individual is not suitable to work or serve in such a position based on criteria that the grant recipient or subrecipient or service site establishes.</p> <p>If the individual is registered, or is required to be registered, on a state sex offender registry or the National Sex Offender Registry; or has been convicted of murder, as defined in 18 U.S.C. 1111. → Ineligible to serve</p>	Review adjudication recommendations	Vendors will provide an adjudication recommendation.
Document Adjudication	Document adjudication decision		Document adjudication decision in vendor system	
Opportunity to Challenge	Grantees must provide a reasonable opportunity for the person to review and challenge the factual accuracy of a result before action is taken to exclude the person from the position. This must be documented.			Vendors will notify and provide opportunity for applicant to review and challenge the review and challenge the factual accuracy of a result before action is taken to exclude the person from the position. Vendor will also maintain this documentation.
Protect Information	Grantee must take reasonable steps to protect the confidentiality of any information relating to the criminal history check, consistent with authorization provided by the applicant			Vendor systems protects PII; if grantees print any documentation be sure to protect the confidentiality of any information



**AmeriCorps**



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