

National Service Criminal History Check Guidance

Assessing Vendor Products

Many programs would like to use vendors to complete the required criminal history checks. However, many vendor products are not fully compliant with CNCS requirements. It is the program's responsibility to evaluate the vendor product, state by state, against the NSCHC requirements. Through that process, you may decide to use vendors to provide all or some of the components of the NSCHC. It will help you determine which components and steps in the NSCHC process you will ask your vendor to conduct.

Assessing Vendor Products. You should maintain documentation of your review of the vendor's products for monitoring purposes. CNCS ask to review that documentation to ensure your vendors are following CNCS requirements. The following questions will help you assess your vendor's products.

1. NSOPW Check

- a. Does the vendor access the NSOPW website (nsopw.gov) and conduct a nationwide search?
- b. Does the vendor have a process for ensuring that if a link between the NSOPW and the state, tribe, or territory is temporarily down, that a result is not returned to you before the NSOPW check returns results from all states, tribes, and territories?
- c. Does the vendor compare a government-issued photo ID of the individual with the photos generated as a result of the search?
- d. Will the vendor provide you with the actual results returned to it by the designated source for your organization to adjudicate?
- e. Will the vendor provide you the results or adjudicate the results for you based on criteria for eligibility?

2. State Criminal History Check Components

- a. Does the vendor obtain state criminal history information from the CNCS-designated source in every state you need the check?
- b. Is the vendor's access to information shorter than the timeframe for which you could obtain information if your organization did not use a vendor? (For example if the vendor limits the data pull to 7 years or any other restricted amount.)
- c. Will the vendor provide you with the actual results returned to it by the designated source for your organization to adjudicate?
- d. Will the vendor provide you the results or adjudicate the results for you based on criteria for eligibility?

3. FBI Check Component

- a. Does the vendor submit fingerprints to the FBI through a CNCS-designated source?

- b. Is the vendor's access to information shorter than the timeframe for which you could obtain information if your organization did not use a vendor? (For example if the vendor limits the data pull to 7 years or any other restricted amount.)
- c. Will the vendor provide you with the actual results returned to it by the designated source for your organization to adjudicate?
- d. Will the vendor provide you the results or adjudicate the results for you based on criteria for eligibility?

Establishing an Agreement with a Vendor. The answers to the above questions will help you determine if you will use the vendor and for what components and with what conditions. For example:

- If the vendor is only giving you clearance letters for the component or components of the checks it is doing for you and you do not review the actual results in order to choose the candidate, you need a written agreement in place with the vendor detailing the selection criteria that will result in a cleared or not cleared check. You must ensure that the agreement notes a cleared status cannot include any sex offender and individual convicted of murder.
- If the vendor, rather than your organization, will maintain records of the checks, confirm that the vendor keeps records as long as required under the grant and will make the records available for monitoring purposes.

Please note that Social Security searches, Credit reports, Motor Vehicle reports and other common vendor offerings are not relevant to the NSCHC. Your organization may choose to purchase these options for other reasons. Subject to state and federal civil rights and non-discrimination laws, your organization has the discretion to identify additional eligibility criteria based on other offenses.