

**Summary:** This provides guidance on using NSOPW and State Repositories for NSOPW, State and FBI Checks

*The contents of this document do not have the force and effect of law and are not meant to bind the public in any way. This document is intended only to provide clarity to the public regarding existing requirements under the law or agency policies.*



# Using NSOPW and State Repositories for NSOPW, State and FBI Checks

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## NSOPW Guidance

The NSOPW is an Internet-based system operated by the U.S. Department of Justice. The system gathers data from all participating State-level sex offender registries plus those operated by Guam, Puerto Rico, the District of Columbia and Tribal Governments. This check can be obtained free of charge from <https://NSOPW.gov>.

### INSTRUCTIONS and GUIDANCE

1. Go to [www.NSOPW.gov](http://www.NSOPW.gov). The nationwide search must be conducted and it must be documented that an individual in a covered position is eligible to serve or work before starting work or service.
2. Examine the applicant's government issued photo identification.
3. Conduct the NSOPW search by using the first and last name shown on the person's government issued photo identification in the "National Sex Offender Quick Search" feature on <https://NSOPW.gov>. You are only required to check a person's current legal name, as shown on their government issued photo identification.
  - a. Follow the instructions on the NSOPW.gov website. The NSOPW search asks for the first and last name only and only has spaces for the first and last name. Enter the first and last name as shown on the person's government identification.
    - i. Entering a middle name or initial can often limit results or has the potential to change the results and should not be used in the same search. Adding information beyond the first and last name on a government issued photo identification may result in a noncompliant check for which you may face financial consequences.
  - b. Multiple searches for different names (e.g., middle or maiden names) may be conducted but must be conducted in separate searches. It is prudent to check any other names that the person has used or is/was known by.
  - c. **Do not** use the Advanced Search feature, which limits the geographic scope of the search and will result in a noncompliant check for which you will face financial consequences.
4. Review the NSOPW results.
  - a. If the individual is a convicted sex offender, the individual is ineligible to work/serve in a covered position.
    - i. If the results indicate person listed on the NSOPW who has the same name as an applicant you must conduct a more in-depth inquiry to determine whether the person who appears on the NSOPW is your applicant or someone with the same name. The statewide or FBI criminal history search will also provide helpful information to help you determine if the candidate is the person on the registry.
    - ii. If the individual is ineligible to serve or unsuitable to serve according to organization-specific screening criteria and is denied an opportunity to serve, you must provide a reasonable opportunity for the individual to review and challenge the factual accuracy

of a result before action is taken to exclude the individual from the position. This process must be documented.

- b. The result will indicate whether or not any state systems were inoperable during that search. If any state systems were inoperable, the check is not complete, and you must:
  - i. re-check the NSOPW before the person starts service to rule out the possibility that the applicant is registered in the state(s) system(s) that was not connected to the NSOPW system when you performed the first check or
  - ii. supplement the first NSOPW check by checking the state registry/ies that are out of service.
5. Document the adjudication, even if there are no hits. The regulations (45 CFR 2540.204) require you to document that the results were considered when selecting the individual.
6. Retain your date-stamped result and adjudication to demonstrate that results were considered.
  - a. You must retain a record of the NSOPW search and associated results either by printing the screen(s) or by some other method that retains paper or digital images of the results, including the date when the search was performed.
  - b. It is a best practice to print out a screen shot of the NSOPW results.

## State Check Guidance

For grant and sub grant recipients (recipients) who do not use CNCS approved contractor, Truescreen, to obtain State Checks, CNCS has identified the state criminal history record repository and alternatives to the state criminal history record repository in each state and most territories. While many states have more than one source of criminal history information, using any source other than those designated by CNCS is not compliant with the requirements.

CNCS recipients must conduct state checks for states of service/work and residence at time of application. For more information on State of Residence, refer to the Factsheet: State of Residence:

<https://www.nationalservice.gov/CHCFAQs>.

- The process and results of a state repository criminal history check will vary by state. It is the responsibility of the grant recipient to abide by state processes and laws. Each state will have a specific process to obtain a criminal history check. CNCS will accept name or fingerprint based state criminal history checks.
  - Fingerprint-based searches use biometric data (unique fingerprints) and are the most reliable method of obtaining criminal history records.
  - Name-based record checks use biographic information (name, date of birth, gender, and social security numbers). Name-based checks can result in false positives (records that are falsely attributed to the person) or false negatives (records belonging to the person are not identified), and it consumes staff time to verify.
  - Some state repositories will provide different types of check options, beyond fingerprint or name-based. **Do not** select checks that are limited by time, criminal sentence (ex: only felonies reported, past 7 years), etc. The state check must include all included data that dates as far back as the approved sources provide criminal history information.
- After obtaining the state check, the grant recipient must review and adjudicate all results. The adjudication must be documented.
  - Please note that some states will release a “rap sheet” listing all arrests and offenses, while others may provide a summary record reflecting cleared/not cleared based on screening criteria specific to that state. Consequently, you must understand the screening criteria used by the agency that conducts states check(s) to act on results appropriately. At a minimum, CNCS requires that this criteria include individuals convicted of murder and individuals required to register as sex offenders.
- Retain your date-stamped result and adjudication to demonstrate that results were considered even if there are no hits. The regulations require you to document that the results were considered when selecting the individual.

## Designated Statewide Criminal History Repositories and Alternatives

The table below presents a single official criminal history information repository for each state and territory.

These are the repositories which must be used to perform statewide searches for National Service Criminal History Checks. For some states, CNCS has approved the use of an alternative source. If an alternative source has been designated below, unless otherwise qualified, it may be used without further approval from CNCS. Questions on the use of this information should be sent to your CNCS Program Officer or Grants Officer.

New alternatives are indicated by the word “**NEW!**” and updated links or notes are indicated by the word “**UPDATED!**” Both new additions and updates are also **bolded and highlighted**, with the effective date of the change noted.

State	Corporation Designated Repository Agency	Alternative Statewide Source Approved By Corporation and Advisory Notes
Alabama	The Alabama Law Enforcement Agency (ALEA) and the Alabama Background Check (ABC) (Updated July 22, 2016)	None at this time.
Alaska	Department of Public Safety	Alaska Court System CourtView System CourtView system searches must be either (a) singular name-based queries using the on-web portal above; or (b) name-based searches using bulk electronic data obtained from directly from the Alaska Court System on a quarterly updated basis. (UPDATED Link! November 22, 2017)  A fingerprint-based check by the <b>Montana</b> Department of Justice, the <b>Oregon</b> State Police, or the <b>Wyoming</b> Division of Criminal Investigation. (See the relevant state listings in this document for web addresses.) (Added November 30, 2015)  A fingerprint-based check by the <b>Washington</b> State Patrol will indicate only if there is a record of the individual in the Alaska repository. If you receive this notification, you must conduct a full Alaska state check using the designated repository to the left. (Added November 30, 2015)
American Samoa	Department of Public Safety	None at this time

State	Corporation Designated Repository Agency	Alternative Statewide Source Approved By Corporation and Advisory Notes
Arizona	Arizona Department of Public Safety	<p><b>Approved for organizations <u>outside of Arizona</u> conducting <u>Arizona state of residence checks ONLY</u>:</b>  A combined check of the (1) Arizona Judiciary Public Access to Court Case (PACC) system and (2) the Pima County Superior Court Record Search (PCSCRS).</p> <p>All results received must be adjudicated to ensure the individual referenced is not the applicant and both search results must be retained as evidence of performing this check. <b>When using this alternative, annotate the results to indicate the date the check was run and the name of the individual checked, if they do not appear on the printout.</b>  (Updated July 22, 2016)</p>
Arkansas	Arkansas Crime Information Center	None at this time
California	California Department of Justice Criminal Justice Information Services Division	None at this time
Colorado	Department of Public Safety Crime Information Center Colorado Bureau of Investigation	A combined check of the (1) Colorado Judicial Branch (CJB) records and (2) Denver County Court records may be used. The CNCS has labeled this combined alternate search a "Colorado Combined Court Records Check (CCCRC)." Both search results must be retained as evidence of performing a CCCRC check.
Connecticut	Department of Public Safety Bureau of Identification	<p>You may use bulk data from the Connecticut Judicial Branch (CJB) Criminal/Motor Vehicle Case on individuals of any age, provided you subscribe for monthly updates. (Updated July 22, 2016)</p> <p>The State of Connecticut Judicial Branch Criminal / Motor Vehicle Search service's online system is approved <b>for individuals 27 years of age and younger only.</b></p>
Delaware	Department of Public Safety	None at this time
District of Columbia	Metropolitan Police Department Records Department	None at this time
Florida	Florida Department of Law Enforcement Criminal Justice Information Systems	None at this time
Georgia	Georgia Bureau of Investigation Georgia Crime Information Center	Note: The name-based Georgia Felon Search service is not acceptable since it only presents felony crime convictions. You must obtain the criminal history from the Georgia Crime Information Center's statewide full criminal history system.
Guam	Guam Judicial Center, Superior Court of Guam	None at this time
Hawaii	Department of the Attorney General Criminal Justice Data Center	None at this time

State	Corporation Designated Repository Agency	Alternative Statewide Source Approved By Corporation and Advisory Notes
Idaho	Idaho State Police Bureau of Criminal Identification	<p>A fingerprint-based check by the <b>Montana</b> Department of Justice, the <b>Oregon</b> Department of Human Services or the <b>Wyoming</b> Division of Criminal Investigation. (See the relevant state listings in this document for web addresses.) (Added November 30, 2015)</p> <p>A fingerprint-based check by the <b>Washington</b> State Patrol will indicate only if there is a record of the individual checked in the Idaho repository. If you receive this notification, you must conduct a full Idaho state check using the designated repository to the left. (Added November 30, 2015)</p>
Illinois	Illinois State Police, Division of Administration	None at this time
Indiana	Indiana State Police, Records Division	None at this time
Iowa	Iowa Department of Public Safety Division of Criminal Investigation	None at this time
Kansas	Kansas Bureau of Investigation	None at this time
Kentucky	Kentucky State Police, Records Section	Kentucky Administrative Office of the Courts (AOC)
Louisiana	Office of State Police, Bureau of Criminal Investigation	None at this time
Maine	Maine State Police, State Bureau of Identification	None at this time
Maryland	Maryland Department of Public Safety & Correctional Services--Criminal Justice Information System-Central Repository	<p><b>Approved for organizations <u>outside of Maryland</u> conducting Maryland <u>state of residence</u> checks <u>ONLY</u>:</b> Maryland Judicial Case Search.</p> <p>You must review all results to ensure the individual referenced is not your applicant and retain the results of your search as evidence of performing this check.</p>
Massachusetts	Massachusetts Department of Criminal Justice Information Services	None at this time
Michigan	Michigan Department of State Police, Criminal Justice Information Center	None at this time
Minnesota	Department of Public Safety, Bureau of Criminal Apprehension (BCA)	You may use the Minnesota BCA's Computerized Criminal History for individuals 32 years of age or under. (Added July 22, 2016)
Mississippi	Department of Public Safety, Criminal Information Center	Organizations may use the Mississippi Department of Health's Criminal History Record Check Division, which utilizes the Department of Public Safety repository. (Added April 4, 2016)

State	Corporation Designated Repository Agency	Alternative Statewide Source Approved By Corporation and Advisory Notes
Missouri	Missouri State Highway Patrol, Criminal Records and Identification Division	The Missouri Family Care Safety Registry (FCSR) operated by the Missouri Department of Health and Senior Services ( <a href="http://health.mo.gov/safety/fcsr/">http://health.mo.gov/safety/fcsr/</a> ) is an acceptable alternate source when the following condition has been met by the program using the FCSR: The program must ensure that individual being checked has been registered into the FCSR and received his/her notice from the FCSR that registration has been accepted.
Montana	Montana Department of Justice, Justice Information Services Division	<p>A fingerprint-based search by the <b>Oregon</b> Department of Human Services or the <b>Wyoming</b> Division of Criminal Investigation. (See the relevant state listings in this document for web addresses.) (Added November 30, 2015)</p> <p>A fingerprint-based check by the <b>Washington</b> State Patrol will indicate only if there is a record of the individual in the Montana repository. If you receive this notification, you must conduct a full Montana state check using the designated repository to the left. (Added November 30, 2015)</p>
Nebraska	Nebraska State Patrol, Investigation Services Division	As of March 2016, the Nebraska State Patrol has stopped offering fingerprint-based checks to organizations that do not receive an adjudication from an authorized entity. All organizations may still receive name-based checks. (Updated April 4, 2016)
Nevada	Nevada Department of Public Safety	<p>A fingerprint-based check by the <b>Montana</b> Department of Justice, the <b>Oregon</b> Department of Human Services or the <b>Wyoming</b> Division of Criminal Investigation. (See the relevant state listings in this document for web addresses.) (Added November 30, 2015)</p> <p>A fingerprint-based check by the <b>Washington</b> State Patrol will indicate only if there is a record of the individual in the Nevada repository. If you receive this notification, you must conduct a full Nevada state check using the designated repository to the left. (Added November 30, 2015)</p>
New Hampshire	New Hampshire State Police, Support Services Bureau	None at this time
New Jersey	New Jersey State Police, Records & Identification Section	None at this time
New Mexico	Department of Public Safety, Technical and Emergency Support Division	The New Mexico Department of Health Caregivers Criminal History Screening Program (CCHSP) Note: This service may not be available to all recipients.

State	Corporation Designated Repository Agency	Alternative Statewide Source Approved By Corporation and Advisory Notes
New York	NY State Division of Criminal Justice Services, Office of Operations and Systems	<p><b>New York State Office of Court Administration (OCA).</b></p> <p><b>Go Pass:</b> Eligible recipients may rely on clearances issued by the Go Pass system, operated via a partnership between NYC Service and the NYC Department of Education, for New York State and FBI checks. This system documents fingerprint-based New York state-level criminal history information and nationwide FBI checks. Go Pass clearance is available for volunteers (not employees). Non-profits using Go Pass are not required to be based in New York City, but the individual being cleared must serve in one of the five New York City boroughs. To satisfy CNCS regulations on retaining check results, recipients must retain a dated printout of the Go Pass system query reflecting that an individual’s cleared status existed at the time the print-out was produced. (Updated April 4, 2016)</p> <p><b>PETS:</b> Eligible recipients may rely on clearances issued by the New York City Department of Education’s Personnel Eligibility Tracking System (PETS) for New York State and FBI checks. Recipients must retain a dated printout or screenshot reflecting the individual’s “Satisfactory” clearance and the individual’s Fingerprint / DOE Record details when offenses are identified. (Added April 4, 2016)</p>
North Carolina	North Carolina Bureau of Investigation Identification Section	North Carolina Administrative Office of the Courts (NCAOC)
North Dakota	Bureau of Criminal Investigation, Information	None at this time
Northern Mariana Islands	Department of Public Safety	The Clerk of Court of CNMI (Added November 30, 2015)
Ohio	Bureau of Criminal Investigation, Information Services Division	None at this time
Oklahoma	Bureau of Investigation, Information Services	None at this time

State	Corporation Designated Repository Agency	Alternative Statewide Source Approved By Corporation and Advisory Notes
Oregon	<p>Oregon State Police Open Records Section (Name-Based)</p> <p>Oregon Department of Human Services Background Check Unit (Fingerprint-Based) (Updated April 4, 2016)</p>	<p>The DHS offers fingerprint-based checks to businesses or organizations that provide care or placement services for youth, elderly persons or dependent persons; license or certify others to provide these services; and are not governed by a state regulatory or licensing agency. Contact DHS using the link to the left to learn more. You <b>must</b> include “This position is subject to the Serve America Act” in the Description of Duties field in each request. (Updated April 4, 2016)</p> <p>A fingerprint-based check by the <b>Montana</b> Department of Justice or the <b>Wyoming</b> Division of Criminal Investigation. (See the relevant state listings in this document for web addresses.) (Added November 30, 2015)</p> <p>A fingerprint-based check by the <b>Washington</b> State Patrol will indicate only if there is a record of the individual in the Oregon repository. If you receive this notification, you must conduct a full Oregon state check using the designated repository to the left. (Added November 30, 2015)</p>
Pennsylvania	Pennsylvania State Police, Bureau of Records & Information Services	None at this time
Puerto Rico	Police of Puerto Rico, Certificate of Penal Record/Policia de Puerto Rico, Certificado de Antecedentes Penales (Updated May 27, 2015)	None at this time
Rhode Island	Department of the Attorney General, Bureau of Criminal Identification	None at this time
South Carolina	South Carolina Law Enforcement Division	None at this time
South Dakota	Office of the Attorney General, Division of Criminal Investigation	None at this time
Tennessee	Tennessee Bureau of Investigation	None at this time
Texas	Texas Department of Public Safety, Crime Records Services	None at this time

State	Corporation Designated Repository Agency	Alternative Statewide Source Approved By Corporation and Advisory Notes
Utah	Utah Department of Public Safety	<p>A fingerprint-based check by the <b>Montana</b> Department of Justice, the <b>Oregon</b> Department of Human Services or the <b>Wyoming</b> Division of Criminal Investigation. (See the relevant state listings in this document for web addresses.) (Added November 30, 2015)</p> <p>A fingerprint-based check by the <b>Washington</b> State Patrol will indicate only if there is a record of the individual in the Utah repository. If you receive this notification, you must conduct a full Utah state check using the designated repository to the left. (Added November 30, 2015)</p>
Vermont	Department of Public Safety, Crime Information Center	None at this time
Virgin Islands	VI Police Department, Records Bureau Records Management Officer	None at this time
Virginia	Virginia State Police, Bureau of Administration & Support Service	None at this time
Washington	Washington State Patrol, Criminal Records Division	<p>A fingerprint-based check by the <b>Montana</b> Department of Justice, the <b>Oregon</b> Department of Human Services or the <b>Wyoming</b> Division of Criminal Investigation. (See the relevant state listings in this document for web addresses.) (Added November 30, 2015)</p>
West Virginia	West Virginia State Police	None at this time
Wisconsin	Wisconsin Department of Justice, Crime Information Bureau	None at this time
Wyoming	Division of Criminal Investigation	<p>A fingerprint-based check by the <b>Montana</b> Department of Justice or the <b>Oregon</b> Department of Human Services. (See the relevant state listings in this document for web addresses.) (Added November 30, 2015)</p> <p>A fingerprint-based check by the <b>Washington</b> State Patrol will indicate only if there is a record of the individual in the Wyoming repository. If you receive this notification, you must conduct a full Wyoming state check using the designated repository to the left. (Added November 30, 2015)</p>

## FBI Guidance

An FBI check is a fingerprint-based search of the FBI's national criminal history database. It returns information from all states and territories in the United States, in contrast to state checks, which are geographically limited.

While an FBI check covers a broad geographical area, it relies on data reported by the states and territories. The information reported varies from jurisdiction to jurisdiction. Consequently, its coverage is broad, but not necessarily deep. Combining an FBI check with state checks in an individual's state of residence and state of service offers the best combination of breadth and depth to ensure a thorough search.

Recipients who do not use CNCS approved contractor, Fieldprint, may obtain FBI fingerprint checks from state repositories. Most state criminal history information repositories can provide FBI checks along with state checks.

In most cases, the FBI checks you receive will only indicate whether an individual has cleared or not cleared a check against a certain list of criteria, as the FBI generally does not permit the release of criminal history information to entities that are not authorized by law to receive it.

Consequently, you must understand the screening criteria used by the agency that conducts an FBI check to act on results appropriately. At a minimum, CNCS requires that this criteria include individuals convicted of murder and individuals required to register as sex offenders. Your state repository may allow you to add additional screening criteria. Some states may use their own processes for reviewing and screening applicants for certain types of positions. If you use a state repository, contact the repository if you are unsure of the criteria used.

Organizations that legally are authorized by law to receive criminal history information must adjudicate all the results. The adjudication must be documented. If the individual is convicted of murder, listed on a sex offender registry or required to be on a sex offender registry, the individual is ineligible to work/serve in a covered position.

Retain your date-stamped result and adjudication to demonstrate that results were considered even if there are no hits. The regulations require you to document that the results were considered when selecting the individual.

## Documentation and Compliance

Recipients must follow these steps to document the NSCHC Process for each individual file:

- document that they verified the individual's identity through government-issued photo identification (e.g. ID number, photocopies of ID, etc.)
- document that they obtained written consent from candidates to perform State and FBI checks (e.g. as part of service agreement)
- document the candidate's understanding that his or her position is contingent on eligibility determined by the results of the NSCHC (e.g. as part of service agreement)
- document whether the individual has recurring or episodic/no access to vulnerable populations
- document that they performed a nationwide NSOPW search before the candidate begins work or service
- document NSOPW check adjudication; document that NSOPW results were reviewed and considered and the candidate was cleared to serve or work (e.g. sign and date document, create cleared memo, etc.)
- document that they initiated State(s) checks on time, no later than the first day of the start of service or work. (e.g. mail receipts, fingerprinting, etc.), as applicable
- document that they initiated a fingerprint FBI check component on time no later than the first day of the start of service or work. (e.g. mail receipts, fingerprinting, etc.), as applicable
- document that they provided accompaniment while checks were pending when the service or work involves vulnerable populations (children 17 and younger, adults age 60 and older, and individuals with disabilities)
  - Accompaniment is documented with time, date, name of person accompanying and the name of the individual accompanied prior to clearance of state checks and FBI check
- document state(s) check adjudication; document that the state(s) check results were reviewed and considered and the candidate was cleared to serve or work (e.g. sign and date document, create cleared memo, etc.), as applicable
- document FBI check adjudication; document that the FBI check results were reviewed and considered and the candidate was cleared to serve or work (e.g. sign and date document, create cleared memo, etc.), as applicable
- maintain NSOPW check results, while providing confidentiality
  - Compliant NSOPW check results must be complete (all states, territories and Indian Country must be reporting), dated, and the name searched must match the first and last name of the government issued photo identification.
- maintain state check(s) results, while providing confidentiality
  - Compliant state check(s) results must be dated, from the designated CNCS state repository or CNCS designated alternative and, if the check is a name based search, the name searched must match the first and last name of the government issued photo identification.
- maintain dated FBI check results, while providing confidentiality

In addition to documenting the steps to obtain compliant NSCHC for an individual in a covered position, you must create policies and procedures that govern and detail their procedures, such as the definition of initiation, adjudication procedures, additional screening criteria, etc.

## FAQs

### 1.0 National Sex Offender Public Website (NSOPW.gov)

1.1 If the FBI check captures crimes that are also identified on the sex offender registry and in state criminal history databases, why does CNCS require separate checks of the NSOPW and state criminal history information databases?

The Serve America Act specified the required NSCHC components for individuals in covered positions (42 USC 12645g). Each component pulls data from a different database, and no single database of criminal history information is complete. The NSOPW links public state, territorial, and tribal sex offender registries in one national search site.

1.2 When was the date stamp added to the NSOPW website?

The date stamp was added September 4, 2013. Please note that an on-time NSOPW check has always been a compliance requirement for the NSCHC, but the NSOPW website did not always contain a date stamp. Before it did, recipients were required to print or otherwise maintain the NSOPW results in a way that displayed the date and time.

1.3 My volunteers are starting today. Are their NSOPW checks compliant if the time stamp is before their hours are counted?

Yes, it is compliant. However, waiting until the day volunteers begin accruing hours to conduct the NSOPW check poses significant risks for your organization. For example, there is the potential for one or more state sex offender registries to be off-line for maintenance or not reporting for other reasons. These “downed sites” are not predictable, and you run the risk of not being able to complete a full search of the NSOPW system on time, and therefore being subject to financial consequences.

### 2.0 Statewide Criminal History

2.1 How far back do state repositories maintain data and how many years must I check?

You must obtain data as far back as the approved sources provide criminal history information.

2.2 I run a child abuse registry check on my volunteers since they work with children and it is fitting for our program design. Is this a compliant check for the purposes of the NSCHC?

Recipients should establish additional screening criteria that are appropriate for their program design and beneficiaries, in addition to the NSCHC baseline requirements. Child abuse registry checks are one example of checks that can be used to supplement the minimum NSCHC requirements but running this check alone is not sufficient to meet the NSCHC requirements.

2.3 We operate a nationwide program that places people in many states. Must we check each person against their state of residence in addition to every state in which we operate?

Nationwide programs do not need to check more than two statewide repositories for a candidate. You must check the statewide repository for the state where the applicant resided upon application and the statewide repository for the state where the person will be assigned to work or serve.

### 3.0 FBI

#### 3.1 May I have CNCS's Originating Agency Identifier (ORI) number to give to my state repository?

CNCS does not have an ORI number. If recipients face any challenges obtaining NSCHC, use Fieldprint and Truescreen.

#### 3.2 Are we allowed to negotiate with state and local law enforcement to obtain checks at reduced cost?

We have been informed that in some cases programs have been able to negotiate with state and local law enforcement to help them obtain checks at reduced cost, and recipients may initiate these discussions.

### 4.0 Documentation for NSCHC Requirements

#### 4.1 The results we receive do not appear to be actual criminal history records but rather summaries and conclusions on the person's suitability. Should we ask the repository for the detailed record?

State repositories issue either "rap sheets" or summary, adjudicated results. Adjudicated results typically present a "cleared," "not cleared," "undetermined" or similar summary result. You should contact the repository to obtain a list of disqualifying offenses and explanations for what the responses mean. If someone does not clear, you must determine if the disqualifying offense was one that CNCS uses to determine eligibility, or if it is an offense that your program considers to be disqualifying. Except when the FBI releases the NSCHC result directly to the person who is being checked, the FBI checks that are released to our recipients by state repositories and other authorized governmental bodies (including Fieldprint) typically provide adjudicated summary results.

#### 4.2 What if my state either doesn't allow my program to maintain the results of the criminal history checks or limits the amount of time that results can be maintained?

The regulations require you to retain the NSOPW and criminal history information results. A pre-approved ASP for recipients prohibited by state law from maintaining or sharing results is currently available but will expire on December 31, 2019. If state law prohibits or limits you in retaining this documentation, please follow the instructions in the Current Pre-approved ASPs to use CNCS approved vendor, Truescreen.