

Summary of National Service Criminal History Check Regulation 45 CFR 2450.200 - .207 (effective May 1, 2021)

AmeriCorps has published a new National Service Criminal History Check (NSCHC) regulation that will be effective May 1, 2021.

This new guidance clarifies and simplifies the NSCHC process.

- The new regulation clarifies:
 - Which grants are required to comply with NSCHC
 - Which individuals are required to comply with NSCHC
- The new regulation simplifies:
 - What checks are required
 - When checks need to be completed
 - Documentation requirements
- The new regulation:
 - Requires a three-part check for all covered individuals
 - Requires all NSCHC check components to be complete before the start of work or service
 - Exempts fixed amount grant staff and planning grants from NSCHC requirements
 - Exempts grant staff fully covered by an indirect cost rate from NSCHC requirements
 - Exempts individuals who are not yet 18 at the start of work or service from NSCHC requirements (if an individual turns 18 prior to a consecutive term, NSCHC is required)
 - Extends the time period for which a grant recipient must re-check an individual after a break in service or employment with the same organization from 120-days to 180-days
 - Includes an NSCHC Waiver process, to replace the Alternative Search Process.

The new regulation will be effective on May 1, 2021 and will apply to individuals starting work or service in an NSCHC-required grant on or after this date. Individuals in covered positions who remain in a covered position must complete an NSCHC that complies with the final rule by November 1, 2021.

The chart below provides additional information about how the new requirements apply to specific start and exit dates of covered individuals:

	Covered Individual Exits Work or Service Before 11/1/21	Covered Individual Exits Work or Service On or After 11/1/21
Covered Individual's Start Date is 5/1/21 or After	Must comply with 5/1/21 NSCHC regulations	Must comply with 5/1/21 NSCHC regulations
Covered Individual's Start Date is before 5/1/21	5/1/21 regulations do not apply; 10/5/12 regulations apply	Must comply with 5/1/21 NSCHC regulations by 11/1/21