

ASSESSMENT PROCESS QUESTION AND ANSWER

Originally posted 10/23/14 [New updates start at question #16]

1. Why is CNCS requiring all grantees to undergo this Assessment?

CNCS staff, CNCS grantees and OIG auditors continue to encounter grantee confusion and non-compliance related to CNCS's requirements for criminal history checks during monitoring activities and audits. Because of the high rate of errors, we wanted to give programs an opportunity to identify findings and implement corrective action. This Assessment period is a unique opportunity for grantees to conduct a thorough review of their records and compliance policy and correct instances of non-compliance without penalty (see exceptions in the Guidance and Instructions:

https://www.nationalserviceresources.gov/files/nschc_guidance_and_instructions.pdf).

2. How are currently serving covered positions impacted if they have been serving for several years?

Everyone in a covered position is required to undergo checks regardless of whether they have access to vulnerable populations or not. You must assess compliance for check components requirements by the date that they were assigned to the CNCS grant. Please refer to the Effective Dates document https://www.nationalserviceresources.gov/files/chc_effective_dates_1_2_14.pdf or the Effective Dates Chart

https://www.nationalserviceresources.gov/files/which_checks_flow_chart.pdf to determine what checks were required.

Please note: Currently serving covered positions include those that start their service/employment on the grant during the dates of the Assessment Period.

3. Do I consider checks from the date of employment or date the staff person was assigned to a national service grant?

The date they were assigned to the grant is the date you use to determine what requirements apply for the assessment. Please consult your program officer if you think your program has relied on pre-existing checks. Use of pre-existing employment checks may require an Alternate Search Procedure (ASP). See FAQs 7.6 and 7.7 for more guidance

<https://www.nationalserviceresources.gov/files/faqs.pdf>. Please note for SeniorCorps, a transfer of personnel files due to a change in sponsor organization does not constitute a pre-existing check.

4. What if a covered position is no longer on the project?

That position's NSCHC file does not to be assessed.

5. Should we do checks on subgrantees that are no longer in the portfolio?

If you currently do not have any subgrantees actively working or serving in your portfolio, that were a CNCS grantee last year, then you should assess your last year's records for compliance,

document any errors, and correct your policies and procedures to ensure the error is not repeated in current or future years.

a. Do we have to conduct missing checks for covered positions that have left the program, including those exited, or terminated?

For these persons, you do not have to complete an incomplete check. If you do not have currently serving covered positions and are required to review last year's records, then for individuals who have left your program you do not have to conduct missing checks. You do have to document that you reviewed files and corrected your policies and procedures to ensure the error is not repeated in current or future years.

6. Who do we contact if we have questions regarding the Assessment?

Your CNCS program officer or designated CNCS State Office staff.

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

No. You cannot 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.

a. What if I have not yet issued a disallowance letter and I am wrapping up my monitoring report with consequences?

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 Assessment process as the resolution and required next steps for the subgrantee.

8. How are IPERA cases being handled with regards to NSCHC requests?

IPERA findings related to NSCHC are being resolved outside the scope of this Assessment Period and are limited to the information for requested transactions. Other compliance errors can be resolved under the Assessment without penalty, (exceptions are noted in the Guidance and Instructions document -

9. The Quiz does not have a field for name and other identifiers, how do I record I took this quiz?

The online Quiz has been updated with a place for name, program and grant number. Please retake the Quiz if you took it before 5:30 ET on the 14th of October.

10. What if I already conducted a file review of all my covered positions? Do I have to duplicate this work now?

If you have already completed a similar assessment of your own, transfer the data over to the CNCS form and save as grant record. Spreadsheets cannot be used to replace the required component assessment forms; you can however create and save them in addition to the required forms. If you do not follow the required forms and process you bear the risk of non-compliance

consequences if you have a NSCHC finding for your program in the future, including findings from past grant years. You are required to complete the other elements of the CNCS assessment. You must maintain documentation for the work you did prior to the CNCS assessment, as well as for the elements completed during the CNCS assessment.

11. How do I choose which staff to take the training?

For organizations with multiple programs, such as Senior Corps sponsors, each program must identify a staff person for the NSCHC training and the second person can be the staff at the sponsor organization responsible for oversight and monitoring.

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

YES! For those with no access or episodic access specific checks are required, including the NSOPW. Read the FAQs for more guidance:

<https://www.nationalserviceresources.gov/files/faqs.pdf>.

13. How long must I maintain records, including the Assessment Period documentation?

Three years after closeout of your grant, and longer if you have an open audit or investigation.

14. What if I have an ASP pending?

For that component for which you have an ASP pending you are covered as initiating the check. You do still have to account for all the other aspects of the requirements in your Assessment. After you receive a decision on the ASP you may have to update and/or correct your procedures according to the decision.

Please note: If you have submitted an ASP to request to use the department order process for the FBI check please move forward with obtaining the checks for covered positions while the ASP is pending.

15. What if I need to file an ASP because of my Assessment?

Apply by November 30th, 2014 to initiate the corrective action during the Assessment. Fill out the ASP form and follow the instruction therein to submit an ASP request:

https://www.nationalserviceresources.gov/files/form_asp_request_20140826.doc. Please review the Blanket ASP section of the FAQs to make sure you are not submitting a request for an already approved process.

16. Should I withdraw my ASP if I no longer need it? You may as a result of this Assessment realize you no longer need a pending ASP. You can contact CNCS to withdraw your pending request before a decision is issued. Please email ASPRequests@cns.gov.

Revised as of 11/20/14

17. What if I have a pending Exemption request?

For that component for which you have an Exemption pending you are covered as initiating the check. You do still have to account for all the other aspects of the requirements in your Assessment. After you receive a decision you may have to update and/or correct your procedures according to the decision. Please note: If you have submitted an Exemption for a state or FBI check based on denial letter from the state repository you can expect your Exemption to be approved.

18. What if I need to file an Exemption because of my Assessment?

Apply by November 30th, 2014 to initiate the corrective action during the Assessment. Fill out the ASP form and follow the instruction therein to submit an ASP request:

https://www.nationalservicerresources.gov/files/form_asp_request_20140826.doc.

19. Both the NSCHC Quiz and the NSCHC Assessment Findings Summary on www.surveymonkey.com require that the Grant Number be included in the response. How can I verify my current and accurate Grant Number?

The accurate grant number can be found on the cover page of your current Notice of Grant Award (NGA) issued by the Corporation. Do not confuse your current grant number with your Application ID number or any expired grant numbers from prior CNCS awards.

20. Can programs request CNCS to validate that the individuals required for each program took the quiz as required?

CNCS will not be providing this data to programs. It is both a resource issue and a legal challenge to interject our staff in the compliance process.

21. Can programs mail-merge their own spreadsheet data with our component form?

Yes, they can. The password to unlock the form is NSCHC.

22. Why was a new component check form posted?

The NSCHC—Component Assessment form on our knowledge network has been updated. Several covered positions currently serving from past years fall under former NSCHC rules and the original form did not capture those nuances. Programs may opt to use either the old or new component assessment forms, both forms are compliant. Programs do not have to redo their assessment because the form was updated. Handwritten responses on component forms are acceptable, especially if the old form did not capture a nuance of an individual's circumstances.

23. Subgrantees are sending in certificates of completion when they finish the online course. Is this a part of the assessment documentation?

The online course for NSCHC has a certificate you can save, print, screenshot upon completion. Some programs are opting to have their subgrantees submit that to them as certification of completing the online training. CNCS is not requiring this but programs can implement and use this to document compliance by the staff who were identified as required to take the course for this assessment period requirements.

24. Do the NSCHC requirements apply to staff of EAPs, full-cost fixed-amount programs, and other fixed-amount grants?

EAP and Professional Corps fixed amount programs are not required to conduct checks on their employees or partner's staff because the small amount of Federal support per member does not establish a nexus between the Federal assistance awarded and the payment of salaries using grant funds. However, the funding provided to a full-cost, fixed-amount program is sufficient to contribute towards the full range of program costs including salaries. Therefore the NSCHC requirements apply to individuals performing program activities under a full-cost fixed amount grant. Examining the funded grant application narrative wherein the program's activities are described will assist in identifying covered positions. Please note this applies to SeniorCorps fixed amount grants too. Please see FAQ 2.5.

<https://www.nationalservicerresources.gov/files/faqs.pdf>.

25. If grantees do not have the initiation date of past state or FBI check recorded what date should they enter into the component assessment where it asks for date initiated?

Programs can enter either the date the checks were received as the earliest documentable date of initiation or enter nothing. Either way the programs have to do corrective action for their procedures to be compliant going forward.

26. If a grantee did not document accompaniment, do we expect them to recreate it if they can?

No, they do not need to go back and recreate it. They do need to document the corrective action they have taken to ensure documentation in the future.

27. When a program failed to get written permission in advance of conducting the checks, do they need to get retro-active permission from current covered positions, or just update their procedures moving forward?

Yes, programs need to get permission for conducting the criminal history checks, even if it is after the fact – though they would not back date the approval. One of the conditions of ineligibility is an individual refusing to have checks conducted, so we must ensure no one is ineligible on those terms. The program has to correct its procedures to ensure compliant going forward.

28. For question #3, "When did the covered position start work/service in the program?" Should programs put the actual start date for the staff that are in covered positions or the date of when the grant started?

Programs would enter the date that the individual started on the grant (e.g. charging time as match or on the federal share).

29. If incorrect checks were run, but the subgrantee re-checked individuals with the compliant check prior to the assessment period, which dates should be used on the Component Assessment forms?

Programs can choose to enter either. You would document past corrective action as well as current new actions so that you have a record of the evolution of the compliance.

- If the dates of the incorrect check are entered, then the next corrective action (since the correct checks are already done) would be to ensure procedures are correct to ensure compliance going forward.
- If the dates of the correct check are entered (these checks are late), then the next corrective action would be to ensure procedures are correct to ensure compliance going forward.

30. If NSOPW results were reviewed and confirmed that the hits are not documents as adjudicated and cleared, what should the program do to complete the NSOPW check component ?

Programs should be conducting any incorrect, incomplete, or missing checks during the assessment period. This includes the NSOPW check, which requires dated documentation of results, as well as resolving any name based hits before clearing the individual. If this documentation is missing, the check is still incomplete.

31. Are contractors or subgrantees in the Volunteer Generation Fund (VGF)'s mini-grants covered positions?

Volunteer Generation Fund programs may have both covered and not covered positions among their contractors and subgrantees as a result of their program design. Contractors or subgrantee staff performing program activities leading to volunteer generation (positions that are leading volunteer recruitment and management, training of nonprofit staff on recruitment, etc.) are covered positions for the purpose of the NSCHC.

Contractors and subgrantee staff providing general services that are not central to the program and volunteer generation (web design, PR and media functions, etc.) supported under the grant are not covered.

VGF grantee program staff must make an assessment of the assignment of the contractor or subgrantee to determine if the individual will perform program activities. If you need further assistance in making the determination you should contact your VGF program officer.

32. How do I know when I have completed the assessment?

The assessment is a multi-step process and is not complete until all the items listed below have been completed:

1. Identify at least **two key staff persons** (if you have more than one staff person) responsible for the grant and the NSCHC process.
Require them to:
 - Take the CNCS NSCHC online training course.
 - Review the newly posted FAQs.
 - Take the NSCHC online quiz.
2. Complete the NSCHC Component Assessment Form for all currently serving staff and national service participant files.

3. Review your written NSCHC policies and procedures and complete the NSCHC Procedures Review Form.
4. Immediately conduct any missing components of the checks and take any needed corrective action.
5. Complete the certification confirming you have completed the steps for the assessment and online survey.
6. Maintain all documentation of your assessment, including any required corrective action plans, the completed NSCHC Procedures Form and the NSCHC Component Forms.

Revised as of 11/24/14

33. The assessment period was extended to December 5, 2014, does this mean I have to review files through December 5th for anyone newly hired or selected as a national service participant?

No, the extension was announced due to technical difficulties in accessing assessment materials on the CNCS Knowledge Network. You are only required to check currently serving individuals as of the October 14, 2014 start date and the original November 30, 2014 end date.