Guidance and Instructions
National Service Criminal History Check Assessment Period
October 14, 2014 – November 30, 2014

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. Therefore, CNCS has instituted an assessment period that will begin in mid-October and last for six weeks. During this period all grantees and sub-grantees must review the files of all currently serving national service participants and currently employed staff to identify any criminal history checks that are not compliant with CNCS requirements. Program staff are also required to undergo training during the assessment period. This assessment period is a unique opportunity for you to conduct a thorough review of your records and compliance policy and correct instances of non-compliance without penalty. Any findings of non-compliance during this period will not result in disallowed costs with the following exceptions:

- If the individual refused to undergo the criminal history checks or self-certify, as applicable.
- If the individual gave a false statement when the program inquired about his or her criminal history.
- If a check component did not clear and the individual was registered or required to be registered on a state sex offender registry, or had been convicted of murder.
- If a program has **not initiated** any check on **at least one** of the individuals actively working or serving in covered positions in their program as of the start date of the assessment period.

This moratorium on collection of costs will not apply to any pending questioned costs in OIG audits. Decisions on disallowance in those cases will follow the normal audit resolution process. The assessment period moratorium includes findings from monitoring activities for which CNCS has not issued a debt collection letter.

The improper payment findings from IPERA will be resolved in the same manner as the pending OIG audits and disallowance of costs may still occur for that improper payment. Programs will be able to correct the findings for their program not specifically checked under IPERA during the assessment period.

By the end of the assessment period, you must confirm that you have completed the required review, document and report your findings to CNCS, and implement any corrective action needed to achieve complete and accurate compliance, including conducting any missing criminal history check components. After the assessment period, CNCS will issue formal guidance related to the consequences for future non-compliance with the criminal history check requirements. We are only requiring you to review the results for currently serving covered individuals. However, any findings of non-compliance identified during routine monitoring for past national service participants and staff will also not be disallowed if you can demonstrate you completed the self-assessment process, took corrective action and are now compliant.

We know that some grantees have already conducted their own assessment of covered position records prior to this CNCS required assessment. If you have already done so, you don't have to repeat the process for each individual file. However, you must ensure that your assessment included the elements covered by the CNCS required forms. You are still 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.

Instructions

You must check your currently serving staff and national service participant files for compliant NSCHC records and their NSCHC procedures for compliant processes.

If you have no currently serving covered positions (e.g. you run a summer-only program) you should check your last grant year records to ensure NSCHCs were conducted correctly.

Complete and document the following steps for the Assessment:

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 online training course available here: http://learning.nationalserviceresources.org/pluginfile.php/27536/mod_resource/content/1/chc/chc.htm
   - Review the newly posted FAQs, revised as of October 10, 2014, available here: https://www.nationalserviceresources.gov/files/faqs.pdf
   - Take the NSCHC online quiz after completing the online training and reviewing the FAQs, available here: https://www.surveymonkey.com/s/NSCHCQuiz

2. Complete the NSCHC Component Assessment Form for all currently serving staff and national service participant files. The component assessment checklist is available here: https://www.nationalserviceresources.gov/files/NSCHC%20Component%20Assessment.docx

3. Review your written NSCHC policies and procedures and complete the NSCHC Procedures Review Form available here: https://www.nationalserviceresources.gov/files/NSCHC%20Procedures%20Review.docx

4. Immediately conduct any missing components of the checks and take any needed corrective action, e.g. revise your procedures to include periodic checks of files to ensure compliance, develop a checklist of required elements to attach to each CHC file. The corrective action must be documented. See examples of potential corrective action for some conditions below. These are examples and not exhaustive.

5. Complete the certification confirming you have completed the steps for the assessment and online survey and with summary responses to the questions below. The survey is available here: https://www.surveymonkey.com/s/AssessmentFindings.

1. How many records did you check? (total of current staff and national service participants)
2. How many records were missing the NSOPW?
3. In how many cases was the NSOPW conducted late?
4. In how many cases was the NSOPW conducted 10 or more days late?
5. In how many cases was the NSOPW check incomplete (missing one or more states)
6. How many records were missing state of service checks?
7. How many records were missing state of residence checks (if applicable)?
8. How many records were missing FBI checks (if a 3-part check is required)?
9. In how many cases were the state and/or FBI checks initiated late?
10. How many records were missing accompaniment documentation while waiting for state or FBI checks to clear?
11. If using a vendor to conduct checks, how many records were conducted through a non-compliant vendor check?

6. Maintain all documentation of your assessment, including any required corrective action plans, the completed NSCHC Procedures Form and the NSCHC Component Forms.

Examples of Potential Corrective Action to Ensure Checks are Completed as Required

Condition	Potential Corrective Action
NSOPW checks were conducted after staff and/or National Service Participants begin work or service	Establish a control that requires supervisors or the human relations office to check the individual's file for a complete NSOPW before allowing the individual to serve or work.
State and/or FBI checks were initiated after staff and/or National Service Participants begin work or service	Establish a control that requires supervisors or the human relations office to check the individual's file for evidence that the state and/or FBI checks were initiated, before allowing the individual to serve or work.
NSCHC checks were not conducted or are missing	Conduct the missing checks. Establish a procedure to sample files periodically to make sure they are complete or a checklist of the NSCHC requirements and establish a procedure to complete the form and attach it to the individual's NSCHC file.
Files that required evidence that individuals were accompanied while serving with vulnerable populations did not have any evidence that the individual was accompanied.	Establish procedures to sample files periodically to ensure evidence of accompaniment is documented. Or, establish a procedure to check files when the check is received to ensure accompaniment was adequately documented.
	Require the vendor to provide a list of the state repositories it uses for the check and ensure they

Vendor checks were not compliant	are the CNCS designated repositories in each state. If not, stop using the vendor or require it to convert to the CNCS repositories or contact CNCS about an Alternate Search Protocol.

Appendix of Resources

1. **NSCHC – National Sex Offender Public Website (NSOPW) Check Guidance**
https://www.nationalserviceresources.gov/files/nschc_-_nsopw_guidance.pdf
2. **NSCHC – State Check Guidance**
https://www.nationalserviceresources.gov/files/nschc_-_state_check_guidance.pdf
3. **NSCHC – FBI Check Guidance**
https://www.nationalserviceresources.gov/files/nschc_-_fbi_check_guidance.pdf
4. **NSCHC – Requirements and Definition of Terms**
https://www.nationalserviceresources.gov/files/nschc_-_requirements_and_definition_of_terms.pdf
5. **NSCHC – Vendor Guidance**
https://www.nationalserviceresources.gov/files/nschc_-_vendor_guidance.pdf
6. **NSCHC – Alternate Search Procedure (ASP) Guidance**
https://www.nationalserviceresources.gov/files/nschc_-_asp_guidance.pdf
7. **NSCHC – Exemption Guidance**
https://www.nationalserviceresources.gov/files/nschc_-_exemptions_guidance_0.pdf
8. **NSCHC – Frequently Asked Questions (FAQs)**
https://www.nationalserviceresources.gov/files/faqs.pdf