

National Service Criminal History Check Guidance State Check for State of Service and State of Residence

CNCS has designated specific registries 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. Please visit:

<https://www.nationalservice.gov/documents/2017/cncc-designated-state-criminal-history-information-repositories-and-alternatives> for a list of CNCS-designated repositories and the alternative state approved sources.

The results of a state repository criminal history check will vary by state. 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. You must become familiar with the type of information provided in the result issued by the state you are checking, and retain that document as the result of the state level check.

Like the FBI check, CNCS requires that state checks be initiated on or before the start of work or service. The “start of work or service” is the first day that hours may be logged for work, service or training.

While you wait for results, the individual must be accompanied when in contact with vulnerable populations, and that accompaniment must be documented (in the timesheets). Accompaniment may cease upon review of EITHER the FBI check OR both state checks (if two state checks are required to check both state of service/work and state of residence).

Vendors may seem to make this process less complicated, but they do not always check the designated state repository and can expose you to higher costs and greater risks for non-compliance. No single vendor offers searches that are compliant with CNCS regulations in every state.

Instructions

Review the process for the state(s) from which you will be requesting checks. Some states require organizations to be authorized before they will release criminal history information. CNCS programs should explore options for their organization to become authorized for this access.

Programs must initiate state required checks on or before the start of service. Initiation is one step further than requesting authorization to conduct the checks and must be documented. For example, fingerprinting meets the requirement of initiation. If an individual is coming to serve from another state, it is easier to get fingerprinting for state of residence checks in their home state.

Some programs may not meet statutory restrictions to access state records on behalf of an individual.

- Document the rejections or denials.

- Or individuals may request their own records (unless prohibited by law from sharing those records with you as in CA. Also, AZ records cannot leave the state of AZ.)

For a consecutive term, you do not need to conduct a new search if the break in service/employment is 120 days or less and the initial search(es) are compliant for the new position.