Agenda

• Why do they matter?
• Who needs them?
• Your Responsibility
• Ineligibility
• Checks
• Accompaniment
• Resources
Why does NSHCs Matter?

• Responsibility to protect our vulnerable population.
• It required by law
• Cost disallowance and other consequences for noncompliance will occur.
Who Needs Them?

- Covered Positions—Anyone receiving:
  - Salary
  - Stipend
  - Education Award

- Costs may be from match, CNCS, or both

- Fixed Amount: Any individual performing activities described in the application.
Types of Access to Vulnerable Population

- **Episodic Access:** Access that is not a regular, scheduled, and anticipated component of an individual’s position.

- **Recurring Access:** The ability on more than one occasion to approach, observe, or communicate with an individual, through physical proximity or other means, including but not limited to, electronic or telephonic communication.
Programs Responsibility

Do the right **Checks**!

Do all checks on time! Every time!

Document all your action in the Background check process!
Program Responsibility

- Verify Identity
- Obtain Consent
- Clarify understanding of Contingency of position.

- Complete NSOPW **BEFORE** Member hours are counted!
- INITIATE State and/or Federal checks **NO LATER THAN THE FIRST DAY.**

- DOCUMENT copy of government issued ID or Key information
- DOCUMENT written consent
- DOCUMENT understanding of contingency of position.
Who Can’t Serve

• Anyone who refuses to undergo the check is ineligible.

• Anyone who makes a false statement in connection with a program’s inquiry concerning their individual’s criminal history is ineligible.

• Anyone listed, or required to be listed, on a sex offender registry is ineligible.

• Anyone convicted of murder as defined and described in 18 U.S.C. § 1111 is ineligible.
What Checks are REQUIRED?

There are 3 type of Background Checks required:

- National Sex Offender Public Website
- State Checks
- FBI Checks
National Sex Offender Public Website (NSOPW)

• Name-based check of public information.

• Must clear all “hits” on a name.

• Must obtain all states.
State Checks

• Checks from official CNCS-designated sources (and only designated sources).

• BOTH State of Service and State of Residence required.

• Fingerprint-based search of the FBI’s national criminal history database.
• FBI checks can be conducted through Missouri’s state repository (MSHP)
• To utilize any sources other than a state repository, AmeriCorps programs must request an ASP (Alternative Search Procedures) from their assigned MCSC Program Officer. There are alternatives available if your program is challenged with FBI checks or an extraneous circumstance exists. There is no guarantee you will be approved for the ASP.
CNCS has approved a number of Alternative Search Procedures (ASPs) that grantees and sub-grantees (“grantees”) can use to comply with the National Service Criminal History Check (NSCHC) requirements without additional approval in writing from CNCS, termed “pre-approved ASPs”. Prior to January 4, 2016, these were known as “blanket ASPs.” All grantees that intend to use a pre-approved ASP should first consult with their Program Officer to ensure that they understand its requirements and have considered any potential alternatives. CNCS may add or remove pre-approved ASPs at any time, and maintaining awareness of current pre-approved ASPs is the responsibility of grantees. Once revoked, an organization may no longer use a pre-approved ASP for individuals that begin work or service after CNCS has revoked the pre-approved ASP. Organizations do not need to re-run checks on individuals that started work or service while a pre-approved ASP had been in effect.

Link of pre-Approved ASP’s: https://www.nationalservice.gov/resources/criminal-history-check
ACCOMPANIMENT

- Accompaniment **MUST** be performed when individuals are in contact with vulnerable populations while State and FBI checks are pending.

- An individual is accompanied when he or she is in the physical presence of a person cleared for access to a vulnerable population.

- Accompaniment can cease when either a State or FBI check is cleared.
Lessons Learned

► 2016-17 Grant Year Review
  o There were 3 citings related to NSCHC that resulted in a Disallowance and penalty costs to programs.

► 2017-18 Grant Year Review
  o There was 4 citings related to NSCHC that resulted in a Disallowance and penalty cost to the programs.
    ❖ Late NSOPW check
    ❖ No NSOPW check
    ❖ Not all states were checked through the NSOPW
    ❖ Late State and Federal Background check

**TIP:** Majority of the Disallowances occurred due to a big transition in the Management team and no transitional document to help correctly guide anyone through the process.
Resources

• Best resources to guide you successfully though NSCHC:
  - CNCS Website (Knowledge Network)
  - Program Directors Handbook
  - MCSC Program Officer

**TIP:** If a mistake does occur self disclose to your Program Officer. Leniency is allowed for Disallowed cost when a program self identifies.
Activity

- Who is required to have a background check?
- What are the two types of access to vulnerable population?
- Who cannot serve?
- What are the 3 types of background check that are required?
- When is NSOPW supposed to be completed?
- You are required to do a state check for state of service and a check for state of ________?
- When can accompaniment end?
Who is required to have a background check?

Covered Positions - Anyone receiving:

- Salary
- Stipend
- Education Award

- Costs may be from match, CNCS, or both
- Fixed Amount: Any individual performing activities described in the application

What are the two types of access to vulnerable population?

- Episodic
- Recurring/ongoing
Who can not serve?

- Anyone who refuses to undergo the check is ineligible
- Anyone who makes a false statement in connection with a program’s inquiry concerning their individual’s criminal history is ineligible.
- Anyone listed, or required to be listed, on a sex offender registry is ineligible.
- Anyone convicted of murder as defined and described in 18 U.S.C. § 1111 is ineligible.

What are the 3 types of background check that are required?

- NSOPW
- STATE
- FBI
When is NSOPW supposed to be completed?
- Before for the 1st day of service (before any hours accrue)

You are required to do a state check for state of service and a check for state of ________?
- Residency – where the member lived at the time they applied

When can accompaniment end?
- Accompaniment can cease when either a State or FBI check is cleared. NSOPW is already completed.