Alternate Search Procedure (ASP) and Exemption Guidance

Requirements: The Corporation requires specific steps and sources to be followed by grantees (and subgrantees) in order to be compliant with the National Service Criminal History Check (Check) requirements. National Service program grantees that believe they cannot comply with the requirements in the Corporation for National and Community Service’s (the Corporation) Criminal History Check regulations (45 CFR Parts 2510, 2522, 2540, 2551 and 2552) may apply to the Corporation for approval to use an alternative search procedure (ASP) or Exemption.

Grantees with procedures that follow all of the Corporation’s requirements do not need an ASP or Exemption.

Prime Grantee
An organization that receives its funding grant directly from CNCS is considered a “prime grantee.” Prime grantees submit requests directly to CNCS for itself and their subgrantees.

Sub-Grantee
A subgrantee of a prime grantee that believes it can not comply with the regulations or that its current procedures are equivalent or better, must submit a request to the prime grantee organization. Subgrantee requests should not be submitted directly to CNCS. Prime grantees determine if they will or will not endorse the request and forward such requests to CNCS.

Substantially Equivalent
Those who believe their procedures differ from but are substantially equivalent to or better CNCS’s required procedures may apply for approval.

State Law Prohibition
Those prohibited by State law from complying may apply for approval.

NOT Transferrable to Other Programs
ASPs and Exemptions are program specific and not portable between different programs. Approvals for a national program are not portable to a similar program funded at the State level. If a circumstance develops where an ASP or Exemption can apply to more than one program, CNCS will be explicit in identifying where the approval can be used.

Expiration
An approved ASP is applicable to the specific program using the specific alternative procedures described in its ASP request. Once approved, as long as the program design and procedures remain unchanged, the ASP is valid even if the program operates under subsequent grants funding the same program, unless the approval letter includes an expiration date.

Pre-approved ASP
CNCS also has some Pre-approved ASPs that grantee may use without additional approval from CNCS. Prior to January 4, 2016, CNCS referred to these as "blanket" ASPs. Current Pre-approved ASPs are listed in a document titled "Pre-Approved ASPs" on the Criminal History Check page on the CNCS Knowledge Network. CNCS may add or remove pre-approved ASP at any time. Though further written approval is not necessary, CNCA strongly recommends that grantees discuss pre-approved ASPs with their Program Officers before using them.