

4a. National Service Criminal History Checks, NSCHC

Programs must conduct and document a compliant NSCHC (45 CFR 2540.200-.207, [NSCHC Final Rule](#), [Background Check FAQ](#)) before any member or staff funded by the AmeriCorps grant begins service. Each AmeriCorps program should develop a written policy about how criminal history checks will be handled at their agency, including the timeframe in which checks will be conducted. Nevada Volunteers can provide technical assistance to help develop and evaluate this policy. CNCS has many additional resources on their [NSCHC Resources Page](#).

A compliant check includes the following actions and maintaining documentation of described action:

- Verification of identity through government-issued photo identification.
- Obtaining written consent from candidates to perform checks.
- Documentation of candidate's understanding that his or her position is contingent on eligibility determined by the results of the NSCHC.
- Perform a free, nationwide National Sex Offender Public Registry check (NSOPR/NSOPW) before each candidate begins work or service. Records verifying this check must include an electronic date stamp and document any hits which are not a match.
- Determine if the position will have access to vulnerable populations and, if so, initiate and pay for a Resident State, Service State, and FBI checks based on that determination before candidate begins work or service.
- Document initiation of all required checks to include dates of initiation.
- Provide and document accompaniment for members with recurring access to vulnerable populations while background checks are pending when service or work involves vulnerable populations.
- Document receipt date when background check results arrive.
- Document that background check results were considered.
- Document the approval to cease accompaniment once a candidate has been cleared by either the state checks or the FBI check.
- Provide the member an opportunity to review findings, being mindful of Civil Rights laws and particularly when negative results surface.
- Maintain records and documentation of background check results, while maintaining confidentiality, for a period of three years after the expiration of the grant.

CNCS takes the NSCHC seriously and there are significant financial ramifications for noncompliance. Please review the [Enforcement Guide](#) to ensure you understand the implications of noncompliance.

CNCS policies explicitly exclude prospective members/staff from service/work for the following reasons. If the prospective member/staff:

- Is registered, or required to be registered, on a sex offender registry
- Has been convicted of murder, as defined in section 1111 of title 18, United States Code
- Refuses to consent to the National Service Criminal History Check, or

- Makes a false statement in connection with a grantee's inquiry concerning the individual's criminal history

In all other cases, it is the responsibility of the programs to establish guidelines, other disqualifying offenses, and restrictions for consideration of criminal findings that fit with their program design.

Members who serve consecutive terms in a single program with a break of less than 120 days between terms do not require another criminal history check for the additional term. However, if the member will have recurring access to vulnerable populations during his/her consecutive term and did not receive all components for individuals with recurring access to vulnerable populations during the previous term, he/she is required to receive a heightened criminal history check prior to the consecutive term, regardless of the amount of time between terms. A program enrolling a member who has served previously with another AmeriCorps program must complete its own national service criminal history check on the member.