



AmeriCorps

Interim NSCHC

Frequently Asked Questions

Effective February 24, 2021 – November 1, 2021

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Introduction

National Service Criminal History Check (NSCHC) is a screening procedure established by law to protect the beneficiaries of national service. This guidance must be followed per the NSCHC regulations ([45 CFR 2540.200 -- .207](#)).

On February 24, 2021, AmeriCorps published a new NSCHC regulation to be effective May 1, 2021. This document outlines common questions related to implementing the new NSCHC regulation for individuals who have started work/service before May 1, 2021 and will continue to work/serve after November 1, 2021. AmeriCorps will refer to the May 1, 2021 – November 1, 2021 as the interim period. CNCS will periodically update this FAQ and retire this document on November 1, 2021.

Grant recipients should refer to [NSCHC FAQs effective May 1, 2021](#) for any FAQs for individuals starting on or after May 1, 2021.

1.0 Effective Dates

1.1 What does the May 1, 2021 effective date mean?

The May 1, 2021 effective date is the date the NSCHC rule becomes enforced. This means anyone starting work or service on May 1, 2021 or after will need to comply with the new NSCHC rule.

1.2 What does November 1, 2021 date refer to?

November 1, 2021 is approximately 180 days after the May 1, 2021 NSCHC rule effective date. This date refers to the deadline for grant recipients to ensure they have taken action to be compliant with the new NSCHC rule for any individuals who started service or work before May 1, 2021 and who continue to serve or work on or after November 1, 2021.

NSCHC grant records of anyone that began service or work prior to May 2, 2021 and will continue to serve/work after November 1, 2021 must be compliant with the May 1, 2021 rule by November 1, 2021.

1.3 What is required for applicants who start May 1, 2021 or later?

Individuals who start on May 1, 2021 or later must abide by the May 1, 2021 effective NSCHC rule.

2.0 Currently Serving/Working Individuals:

2.1 What checks are required for individuals who were serving/working before the effective date May 1, 2021?

- For Individuals who began serving/working prior to May 1, 2021 and will exit before November 1, 2021, the May 1, 2021 effective NSCHC rule does not apply. NSCHC compliance will be determined by the October 5, 2012 NSCHC rule.
- For individuals who began serving/working prior to May 1, 2021 and will exit on or after November 1, 2021, the May 1, 2021 effective NSCHC rule does apply. NSCHC grant records must be brought into compliance with the new rule by November 1, 2021.
 - For example, if an individual serving/working on a grant only has a NSOPW and murder self-certification and plans to continue to serve/work past November 1, 2021, the NSCHC grant files must be updated to be compliant with the May 1, 2021 regulation. A compliant NSCHC file will include an NSOPW, state (of service and residence) check, FBI check and all required documentation.

2.2 Can I perform accompaniment if an individual is pending check results?

If you have an individual whose start date is before May 1, 2021, and you have initiated state and FBI checks, you may perform accompaniment if the individual has access to vulnerable populations while the check results are pending.

If you have an applicant whose start date is May 1, 2021, or after, you must comply with the May 1, 2021 NSCHC rule, which requires that all checks must be completed, and eligibility determined before the start of service/work. In this case, accompaniment is not an option for the individual while checks are pending.

2.3 Should I still initiate state and FBI checks for new applicants?

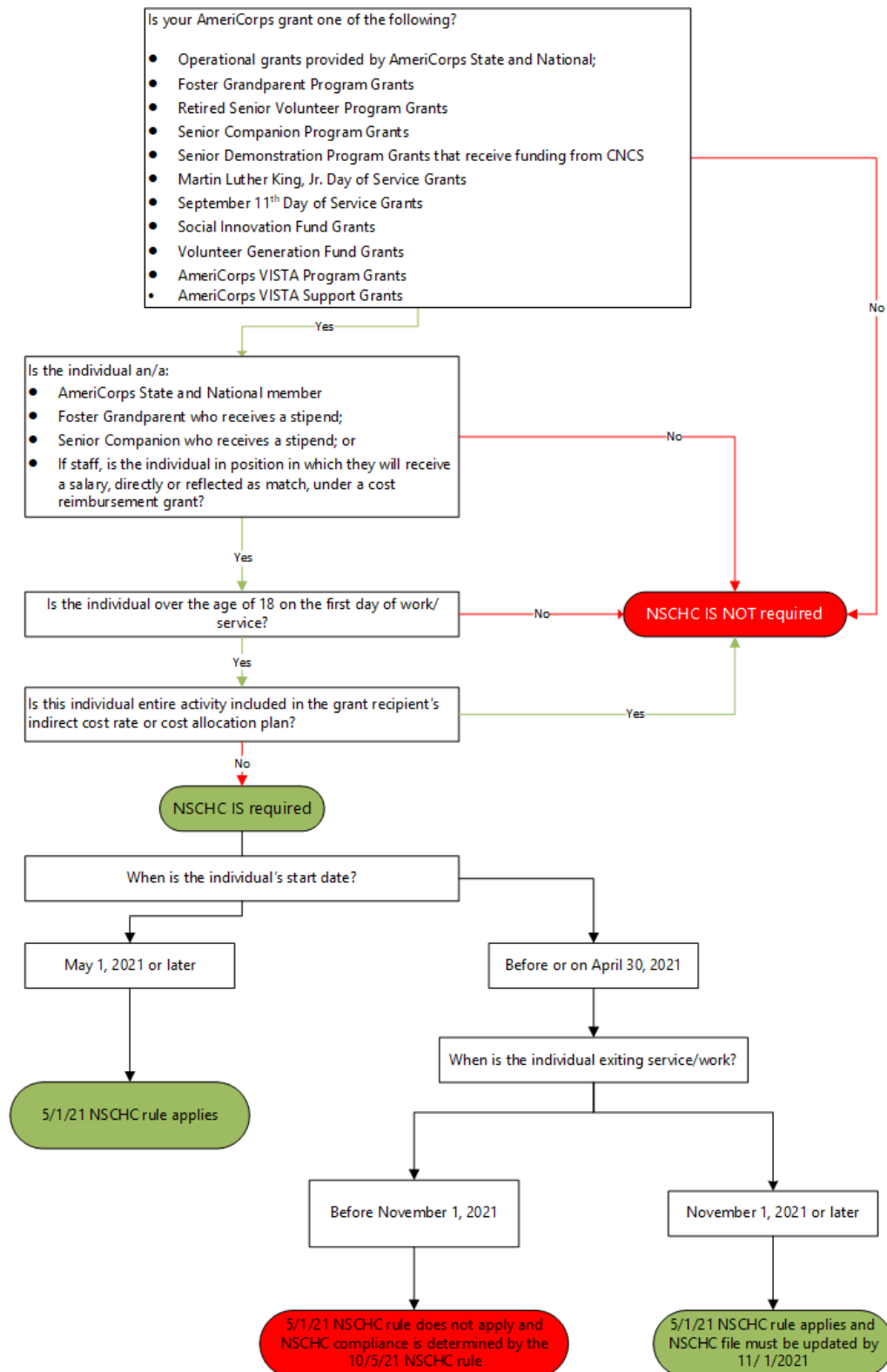
If you have an applicant whose start date is before May 1, 2021, you may initiate state and FBI checks no later than the first day of service/work and perform accompaniment if the individual has access to vulnerable populations while the check results are pending.

If you have an applicant whose start date is May 1, 2021 or after, you must comply with the May 1, 2021 NSCHC rule, which requires that all checks must be completed, and eligibility determined before the start of service/work. In this case, accompaniment is not an option for the individual while checks are pending.

2.4 Effective Date Chart

Effective Date Chart	Covered Individual Exits Work or Service Before 11/1/21	Covered Individual Exits Work or Service on or After 11/1/21
Covered Individual's Start Date is 5/1/21 or After	Must comply with 5/1/21 NSCHC regulations	Must comply with 5/1/21 NSCHC regulations
Covered Individual's Start Date is before 5/1/21	5/1/21 regulations do not apply; 10/5/12 regulations apply	Must comply with 5/1/21 NSCHC regulations by 11/1/21

2.5 Required checks for individuals who were serving/working before the effective date May 1, 2021 graphic (updated 4/29/21)



3.0 NSCHC Compliance

3.1 Does NSCHC enforcement change? (Updated 4/16/24)

The NSCHC Guide to Enforcement Action has been updated and now is part of the NSCHC manual (no longer a standalone document).

3.2 Are the agency-approved vendors required?

Grant recipients have the option of using agency-approved vendors, Truescreen and Fieldprint, or going directly to www.NSOPW.gov and state repositories. The May 1, 2021 NSCHC rule allows both options.

3.3 What should I do with my old files after May 1, 2021 (or November 1, 2021)?

Continue to maintain all your files, as part of the grant record. For active individuals whose files must be updated to become compliant with the new NSCHC rule, the grant records should include evidence of a compliant initial file and documentation of the actions taken to ensure compliance with the new NSCHC rule.

NSCHC information should be maintained in a secure location under the control of an authorized records custodian. Only people who have an official need to review the information should have access to the records.

3.4 Do applicants need to sign the murder self-certification requirement?

The May 1, 2021 NSCHC rule eliminates the need for individuals to certify that they have not been convicted of murder, regardless of when they started service/work.

NSCHC files for individuals with such self-certifications that continue to serve or work after November 1, 2021 must be brought into compliance of the May 1, 2021 rule by November 1, 2021.

By November 1, 2021, these individuals must have a NSOPW check, state of service/residence check and an FBI fingerprint check and all other required documentation requirement to be compliant.

3.5 Do I need to redo any checks because of the May 1, 2021 effective NSCHC rule? (Updated 4/16/21)

There is no need to reconduct compliant checks. Each person who is required to comply with NSCHC and who continues to work or serve on or after November 1, 2021 must have a check that complies with the May 1, 2021 effective rule. They must be able to show that all three required components—the NSOPW, state check(s), and the FBI check—were conducted and reviewed before November 1, 2021. It is expected that most individuals who did not have

a three-part check will be able to obtain the missing state(s) or FBI check, as applicable, by November 1, 2021.

3.6 When my member/staff/volunteer started, I obtained a state check that was added or removed on the Use of Truescreen for NSOPW and/or State Check Pre-Approved ASP. What added/removed Truescreen state checks must be conducted for those individuals who will continue to serve/work on or after 11/1/21? (Updated 4/16/21)

The Use of Truescreen for NSOPW and/or State Check pre-approved ASP will continue to exist as a pre-approved Waiver.

- a. For states that were removed from the ASP (New Hampshire, American Samoa, Virgin Islands)
 - i. Between 11/15/18 to 8/12/19, Truescreen did not provide information for New Hampshire. As of 8/12/19, New Hampshire is accessible by Truescreen and was removed from this pre-approved ASP.
 1. Individuals who started between 11/15/18 to 8/12/19 and will continue to work/serve on or after 11/1/21 do not need to conduct a Truescreen New Hampshire state check
 2. Individuals who started on 8/13/19 or after are required to have a Truescreen New Hampshire check.
 - ii. Between 11/15/18 to 8/21/19, Truescreen did not provide information for American Samoa and Virgin Islands. As of 8/21/19, American Samoa and Virgin Islands are accessible by Truescreen and were removed from this pre-approved ASP.
 1. Individuals who started between 11/15/18 to 8/21/19 and will continue to work/serve on or after 11/1/21 do not need a Truescreen American Samoa or Virgin Island territory check.
 2. Individuals who started on or after 8/22/19 are required to have a Truescreen American Samoa or Virgin Island territory check.
- b. For states that were added to the ASP (Massachusetts, Mississippi)
 - i. Massachusetts was added to the pre-approved ASP on 12/20/18.
 1. Individuals who started between 11/15/18 to 12/20/18 and will continue to work/serve on or after 11/1/21 need a Truescreen Massachusetts state check.
 2. Individuals who started between after 12/20/19 and will continue to work/serve on or after 11/1/21 do not need a Truescreen Massachusetts state check.
 - ii. Mississippi was added to the pre-approved ASP on 6/1/19.
 1. Individuals who started between 11/15/18 to 6/1/19 and will continue to work/serve on or after 11/1/21 need a Truescreen Mississippi state check.
 2. Individuals who started between after 6/1/19 and will continue to work/serve on or after 11/1/21 do not need to a Truescreen Mississippi state check.

3.7 When my member/volunteer/staff person started, I initiated the state/FBI checks and performed accompaniment until the results were returned. When bringing the member/staff/volunteer into compliance, do I need to perform accompaniment? (Updated 4/16/21)

Accompaniment was required when a member/volunteer/staff person had access to vulnerable populations while waiting the result of their FBI/state check. As of May 1, 2021, accompaniment will no longer exist as all checks must be conducted, reviewed, and an eligibility determination made before a person begins to work or serve in a position specified in 45 CFR § 2540.201 (a).

When bringing member/staff/volunteer into compliance with the May 1, 2021 effective rule by November 1, 2021, there is no need to perform accompaniment. The individual is already cleared to serve per the October 5, 2012 NSCHC rule.

3.8 Do I need to wait until May 1, 2021 to conduct any additional checks on individual who will be serving/work on November 1, 2021 or later? (Updated 4/16/21)

No, there is no need to wait until May 1, 2021 to conduct any additional checks on individual who will be serving/work on November 1, 2021 or later. Grantees may begin that process now to supplement two-part checks with a third check component.

3.9 Staff person moved unexpectedly during the past few months, there has been no break in service/work and is expected to continue serving/working on or after 11/1/21. Do I need to do a new state of residence check? (Updated 4/16/21)

A new state of residence check is not required as long as there has been no break in service/work. The regulations require a state of residence check at the time of application

3.10 Will AmeriCorps pay for the additional checks for current members/volunteers/staff who will be working/serving on November 1, 2021 and beyond? (Updated 4/16/21)

NSCHC is an allowable grant cost and grantees should work with their Portfolio Manager if they need to adjust their existing budget by more than 10%.

4.0 Annual Required NSCHC eCourse Training

4.1 Will the NSCHC required annual eCourse training be updated? (Updated 4/16/21)

Yes, the eCourse is being updated with May 1 effective NSCHC rule information and has a target release date of May 4, 2021.

4.2 When do I need to take the NSCHC eCourse? Should I wait to take eCourse associated with the May 1 effective NSCHC regulation? (Updated 4/16/21)

AmeriCorps grant terms and conditions require grantees to retain the eCourse certificate of completion and assign staff to retake the course annually prior to the expiration of the certificate. Grantees should not allow their training certificate to expire and should ensure they complete the NSCHC eCourse that is available in Litmos. Grantees are welcome to take the eCourse associated with the May 1 regulation when it becomes available in May 2021.

4.3 Do I need to retake the eCourse after the May 1, 2021 eCourse is posted? (Updated 4/16/21)

No, if you already have already taken your annual training there is no requirement to take the course. Prime and subrecipients must assign staff to take the course annually prior to the expiration of the certificate and should not allow their training certificate to expire.