# Common Findings of National Service Criminal History Check (NSCHC) Noncompliance

AmeriCorps Office of Monitoring – updated 9/26/2024 (created Sept. 2023)

NSCHC noncompliance puts communities at risk. Grantee did not fully comply with all NSCHC requirements

45 CFR §2540.200207

Results in significant cost disallowance

- ➤ Refer to the *NSCHC Manual* (available on the <u>NSCHC webpage</u>), 'Administrative Remedies and Enforcement for Noncompliance' section for details on NSCHC cost disallowance.
- This resource only summarizes key guidance around top areas of NSCHC noncompliance. See the <u>NSCHC webpage</u> and <u>NSCHC Learning Path in Litmos</u> for complete guidance documents and resources.

### Pay special attention to avoid these common findings!

Missing checks / unallowable source

Wrong name on namebased checks / missing document to support name Adjudication:

Missing documentation of review & eligibility decision

Lateness:

Checks not completed & adjudicated before start date

#### **Know the Who - What - Where!**

Avoid missing checks / unallowable check source

# WHO needs NSCHC:

45 CFR §2540.201

All covered staff, members, and volunteers ...

## **WHAT**

**45 CFR §2540.204** 

require three check components: NSOPW, States (service and residence), and FBI ...

### **WHERE**

to get each check: Compliant sources only! 45 CFR §2540.204



that must be completed through the <u>specific sources</u> <u>authorized</u> by AmeriCorps.

#### **Complete checks DIRECTLY through these compliant sources:**

- NSOPW: NSOPW.gov or Truescreen
- State: AmeriCorps identified state repository or Truescreen
- FBI: AmeriCorps identified state repository or Truescreen

Avoid wrong name, missing adjudication, and lateness



Avoid wrong name on name-based checks / missing document to support name



# SPELLING

- ✓ Spell first and last names on name-based checks *correctly*.
- ✓ Names must exactly match an allowable name document. See <u>NSCHC Manual</u> for allowable documents.
- ✓ Maintain the allowable name document.
- ✓ Document process to reconcile different names, if applicable.

Avoid missing documentation of review & eligibility decision (adjudication)



## ADJUDICATION

- ✓ Adjudicate: review all check results and make an eligibility determination.
- ✓ Clearly document your review and adjudication, including when it took place.
- ✓ Clearly document how you determined eligibility if Truescreen result does not pass the individual.

# **ADJUDICATION REMINDERS!**

A complete NSCHC includes a final, documented adjudication decision from YOU, the grant recipient. You must document your grantee adjudication for each check regardless of which source you use.

#### Approved Vendor Truescreen:

- Truescreen only provides an adjudication recommendation.
- Use the Truescreen system to document YOUR review and adjudication decision.
- Refer to <u>Using AmeriCorps</u> <u>Approved Vendor Truescreen</u> <u>Manual!</u>

#### NSOPW.gov and State Repositories:

Refer to <u>Using NSOPW and State</u>
<u>Repositories Manual</u> for details
about documenting your review
and adjudication using these
sources!

Avoid checks not completed/adjudicated before start (lateness)



## Timing

- ✓ Do it all on time!
- ✓ Review that checks are fully compliant and all requirements documented no later than the day BEFORE the individual's start date.
- ✓ If you encounter significant delays or barriers outside your control, consider requesting an *NSCHC waiver*, described in *NSCHC Manual*.

### **Check your checks!**

# Monitoring checks early is crucial to safeguarding communities and avoiding cost-based disallowance.

#### **Self-monitoring resources:**

- Overview of Uniform Monitoring Package (UMP) Section 9: NSCHC, on Office of Monitoring webpage.
- *NSCHC Manual*: 'NSCHC Documentation' and 'Monitoring for Compliance' sections.
- Truescreen AmeriCorps Monitoring Report in your myTruescreen client portal. Use it to monitor early!