Pre-Approved Alternative Search Procedures (ASPs) as of August 21, 2019

Please note:

- As of December 31, 2019, many pre-approved Alternative Search Procedures (ASPs) will expire and no longer be available for use. Checks conducted on January 1, 2020 and after that follow expired pre-approved ASPs will be considered noncompliant and may result in cost disallowance. Prior to December 31, 2019, grant recipients and subrecipients (grantees) should ensure that they have made appropriate policy and procedural updates so that their policies do not rely on expired ASPs/Exemptions.
- As of December 31, 2019, any existing, individual ASP/Exemption requests will expire and will no longer be available for use. Individual ASPs are specific ASPs requested by the grantee. Checks conducted on January 1, 2020 and after that follow expired ASP/Exemption requests will be considered noncompliant and may result in cost disallowance. Prior to December 31, 2019, grantees should ensure that they have made appropriate policy and procedural updates so that their policies do not rely on expired ASPs/Exemptions.
- As of November 15, 2018, the Corporation for National and Community Service (CNCS) will approve ASP/Exemption requests in limited circumstances.
- If grantees are unable to abide by CNCS National Service Criminal History Check (NSCHC) compliance requirements, grantees are encouraged to establish accounts with Truescreen (https://applicationstation.truescreen.com with the CNCS specific agreement code) and Fieldprint (https://fieldprintcncs.com).

What Are Pre-Approved ASPs?

CNCS has approved a number of ASPs that grantees can use to comply with the NSCHC requirements without additional approval in writing from CNCS, termed "pre-approved ASPs." Prior to January 4, 2016, these were known as "blanket ASPs." Grantees are not required to request permission to use these pre-approved ASPs. They may use them at any time, provided they abide by the conditions described below. However, CNCS strongly encourages all grantees that intend to use a pre-approved ASP to first consult with their Program Officer to ensure that they understand its requirements. Noncompliance with the NSCHC regulations or with the requirements of a pre-approved ASP may result in cost disallowance

CNCS may add or remove pre-approved ASPs at any time. 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. When a pre-approved ASP is revoked, the ASP does not apply to any individuals in covered who begin work or service after the expiration date of the pre-approved ASP.

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Pre-Approved ASPs:

As of November 15, 2018, the following pre-approved ASPs are in effect:

1. Use of Truescreen for NSOPW and/or State Checks

EFFECTIVE FOR TRUESCREEN NSCHC CONDUCTED ON/AFTER SEPTEMBER 24, 2018:

In July 2018, CNCS contracted Truescreen to provide State and NSOPW checks to grantees for individuals in covered positions.

Grantees who use Truescreen must abide by the following:

1. Set up an account with Truescreen through https://applicationstation.truescreen.com with the CNCS specific agreement code.
2. Complete Truescreen checks for individuals in covered positions before the start of work or service. **A complete Truescreen check is defined as a check that is adjudicated by the grantee.** Individuals in covered positions may not begin work or service until the Truescreen checks are complete.
    - For example:
        - If the grantee uses Truescreen for state check(s), the Truescreen state check(s) must be completed (adjudicated by grantee) before the individual starts work/service/hours.
        - If the grantee uses Truescreen for NSOPW checks, the Truescreen NSOPW check must be completed (adjudicated by grantee) before the individual starts work/service/hours.
        - If the grantee uses Truescreen for state *and* NSOPW checks, the Truescreen state and NSOPW checks must be completed (adjudicated by grantee) before the individual starts work/service/hours.

Use of Truescreen does not provide information for the following states and territories:

States	Territories
California	Guam
Delaware	Northern Mariana Islands
Louisiana	Puerto Rico
Nevada	
New Mexico	
Virginia	
Massachusetts (Updated on 12/20/18)	
Mississippi (Effective 6/1/2019)	

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.

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 was removed from this pre-approved ASP.

Grantees using Truescreen will not be required to get a check from an unavailable state/territory for individuals in a covered position if they have

1) obtained an NSOPW check from Truescreen,
2) obtained any required state checks that *are* available from Truescreen, and
3) conducted a fingerprint-based FBI check.

Please note:
This ASP does not apply to grantees obtaining NSCHC from Truescreen that have not established accounts with the CNCS specific agreement code. For grantees who do not obtain NSCHC from Truescreen through an account established with the CNCS specific agreement code, all state component checks are required (state of residence/service), regardless of whether an FBI check is obtained.

Refer to Exemption Period guidance for information regarding enforcement action for checks and rechecks conducted during the Exemption Period.

Example 1: One state check is not available from Truescreen
An individual in a covered position with recurring access to vulnerable populations will serve in California (state of service **is not** available from Truescreen) and is residing in Alabama at the time of application (state of residence **is** available from Truescreen). The grantee must conduct a Truescreen NSOPW check, a fingerprint-based FBI check, and a Truescreen Alabama state criminal history check. The grantee does not need California state criminal history check.

Example 2: Both state checks are not available from Truescreen
An individual in a covered position with recurring access to vulnerable populations will be serving in Virginia (state of service **is not** available from Truescreen) and is residing in Puerto Rico at the time of application (state/territory of residence **is not** available from Truescreen). The grantee must conduct a Truescreen NSOPW check and a fingerprint-based FBI check. No separate state and territory checks are required.

Example 3: All state checks are available from Truescreen
An individual in a covered position with recurring access to vulnerable populations will serve in Illinois (state of service **is** available from Truescreen) and is residing in Indiana at the time of application (state of residence **is** available from Truescreen). The grantee must conduct a Truescreen NSOPW check, a fingerprint-based FBI check, a Truescreen Illinois state criminal history check, and a Truescreen Indiana state criminal history check.

2. National Fingerprint File States

EFFECTIVE FOR NSCHC CONDUCTED ON/AFTER SEPTEMBER 24, 2018:

The National Fingerprint File (NFF) is an electronic information sharing system maintained by the Federal Bureau of Investigation (FBI). The NFF allows the FBI and the States to exchange criminal history records for noncriminal justice purposes authorized by federal or state law, such as background checks for governmental licensing and employment.

States that participate in the NFF respond to record requests for all authorized noncriminal justice purposes and, as such, the FBI ceases to maintain duplicate criminal history data for these states. When a state participates in the NFF system, an FBI fingerprint check is duplicative of the search of a state's criminal history record repository. An FBI fingerprint check eliminates the need for grantees to conduct duplicative state criminal history record checks in states that participate in the NFF system.

Therefore:

- If a required state check is from a state that **participates in the NFF**, then the grantee does not need to conduct the check in that NFF state if they have conducted a fingerprint-based FBI check.
- If a required state check is from a state that **does not participate in the NFF,** then this pre-approved ASP is not applicable and the grantee must obtain the appropriate NSCHC state check(s).

The following states participate in the NFF program:

Colorado	Florida	Georgia	Hawaii	Idaho
Iowa	Kansas	Maryland	Minnesota	Missouri
Montana	North Carolina	New Jersey	New York	Ohio

Oklahoma	Oregon	Tennessee	West Virginia	Wyoming

Example 1: One state participates in NFF
An individual in a covered position with recurring access to vulnerable populations will serve in Maine (state of service **does not** participate in NFF) and resides in Colorado at time of application (state of residence **does** participate in the NFF). The grantee must conduct an NSOPW check, a fingerprint-based FBI check, and a Maine state criminal history check. The grantee does not need a separate state of residence criminal history check from Colorado. The Colorado criminal history record information is included in the fingerprint-based FBI check.

Example 2: Both states participate in the NFF
An individual in a covered position with recurring access to vulnerable populations will serve in Ohio (state of service **does** participate in NFF) and resides in Iowa at time of application (state of residence **does** participate in the NFF). The grantee must conduct an NSOPW check and a fingerprint-based FBI check. No separate state checks are required. Ohio and Iowa criminal history record information is already in the fingerprint-based FBI check.

Example 3: No states participate in the NFF
An individual in a covered position with recurring access to vulnerable populations will serve in Wisconsin (state of service **does not** participate in NFF) and resides in New Mexico at time of application (state of residence **does not** participate in the NFF). The grantee must conduct an NSOPW check, a fingerprint-based FBI check, a Wisconsin state criminal history check, and a New Mexico state criminal history check.

Please note:

- For individuals in covered positions with no access, or episodic access, to vulnerable populations, the required checks are either 1) the NSOPW check and a fingerprint-based FBI check or 2) an NSOPW check and criminal history record checks in the State of service and the State of residence, as stated in 45 CFR 2540.203(a).

3. Disability Accommodation Exemption for FBI Fingerprint Checks

EFFECTIVE AS OF NOVEMBER 15, 2018:

CNCS will exempt the fingerprint FBI check requirement for individuals in covered positions (who have recurring access to vulnerable populations) if conducting a fingerprint check is a physical impossibility as a result of disability, such as the absence of limbs. The grantee is still required to conduct NSOPW and name-based state check(s) on the individual.

If the individual has no/episodic access to vulnerable populations, the grantee must conduct a NSOPW check and name-based state checks of the state of service and state of residence.

The results of the NSOPW must be reviewed and documented prior to the person beginning work or starting service (before work, service, or training hours are charged to the grant, federal or match). The state check(s) must be initiated no later than the first day or the start of service or work. Grantees using Truescreen to conduct state checks should refer to the Truescreen ASP (Pre-Approved ASP 1) for information regarding the timing requirement for completion.

4. Ceasing Accompaniment

EXPIRING DECEMBER 31, 2019

This applies to all organizations with individuals in covered positions with recurring access to vulnerable populations.

These covered positions require grantees to conduct State checks *and* FBI checks on the individual(s) in covered positions.

A grantee may cease accompaniment of the individual when it has received results clearing the individual through either:

- BOTH of the State checks (State or residence AND State of service checks) OR

- The fingerprint-based FBI check.

An organization does not need to receive State *AND* FBI checks before ceasing accompaniment.

Please note: An individual may not start work or service in a covered position prior to completing a nationwide National Sex Offender Public Website (NSOPW) check. An individual is considered to have "started" work or service when he or she begins accumulating hours towards a salary, stipend, living allowance, or education award from a CNCS-funded grant, including trainings or pre-service orientations. CNCS strongly encourages the best practice of adjudicating checks prior to an individual working or serving in a covered position.

***Please note, as of December 31, 2019, this pre-approved ASP will expire and will no longer be available for use. Relying on an expired ASP will result in noncompliance and may result in cost disallowance.**

5. Maintaining Clearance Letters in Lieu of Actual NSCHC Results

EXPIRING DECEMBER 31, 2019

If your organization partners with another organization that conducts some or all of the components (for example, a fingerprint-based FBI check through the state repository) of the NSCHC process on your employees and/or national service participants, but doesn't permit your organization to review the results, then your organization can satisfy the documentation requirements of the NSCHC by entering into a written agreement with the organization conducting the checks.

The agreement must specify that any individual who is registered, or required to be registered, on a sex offender registry or was convicted of murder will not be cleared to participate in the program, even if the organization's policy may, under some circumstances (e.g. through an appeal process), allow it.

The organization that conducts the required criminal history screening components can then issue clearances based on your selection criteria. Copies of the clearance decisions are grant records and your organization must maintain them with the individual's other NSCHC documentation for compliance purposes. Your organization must ensure that your organization conducts any required check components that are not conducted by your partner, such as a search of the NSOPW.

***Please note, as of December 31, 2019, this pre-approved ASP will expire and will no longer be available for use. Relying on an expired ASP will result in noncompliance and may result in cost disallowance.**

6. Unreadable Fingerprints Rejected during Departmental Order FBI Checks

EXPIRING DECEMBER 31, 2019

If your organization has an ASP to obtain an FBI fingerprint-based check by going directly to the FBI through the "Departmental Orders" (DO) method, you may cease attempting to conduct a fingerprint-based check after two separate unsuccessful attempts due to unreadable fingerprints. You must maintain documentation of your attempts to obtain the check and the rejection letters from the FBI with the individual's other NSCHC files as grant records. This pre-approved ASP applies only when an organization attempts to conduct fingerprint-based FBI checks through the DO method. When requesting fingerprint-based FBI checks through a state repository, follow the repository's protocols for handling rejected fingerprints.

An individual that does not receive a fingerprint-based FBI check due to use of this pre-approved ASP must still undergo a compliant, nationwide NSOPW check and, as applicable, state of residence, and state of service checks.

***Please note, as of December 31, 2019, this pre-approved ASP will expire and will no longer be available for use. Relying on an expired ASP will result in noncompliance and may result in cost disallowance.**

7. Prohibited by State Law from Maintaining Results or Sharing Results

EXPIRING DECEMBER 31, 2019

If State law prohibits your organization from maintaining results of the state or FBI checks, or your organization is prohibited from sharing the results with an oversight agency, including CNCS, you must do the following to comply with the NSCHC requirements:

1. You must document that you are prohibited by State law from maintaining results and/or prohibited from sharing those results.
2. You must maintain a memo in the individual's file, in lieu of the results, which must indicate, at a minimum:
    - The source (for example, website URL, name, address, etc.) used for the check;
    - The date you initiated each check component;
    - The date you received results of each component;
    - Whether the person has been cleared or not for service based on the component results; and
    - The name and **signature** of the person who reviewed the results of each check component and the **date** on which they conducted the review.

This approval does not cover the NSOPW check. You must maintain the dated results of the nationwide NSOPW for each individual in a covered position.

***Please note, as of December 31, 2019, this pre-approved ASP will expire and will no longer be available for use. Relying on an expired ASP will result in noncompliance and may result in cost disallowance.**

Expired Pre-Approved ASPs

Departmental Order (DO) FBI checks

EXPIRED MARCH 31, 2016

If the state repository denied your organization's request to obtain or access FBI checks, your program may satisfy this requirement by obtaining FBI checks through the departmental orders (DO) process. See the FAQs on CNCS's Knowledge Network for guidance for the DO check. You must maintain a copy of the denial letter from the state repository as a grant record for compliance purposes.

This pre-approved ASP will expire on March 31, 2016, due to the anticipated start of services of CNCS's FBI Channeler. For more information, see CNCS' Fact Sheet on the FBI Channeler for more information.

ASP Frequently Asked Questions

1. Are there reasons why I might seek an ASP approval?

If you have a special circumstance that prevents you from complying with the NSCHC requirements, you may request approval of an ASP. With the availability of vendors Truescreen and Fieldprint, we expect that grant recipients will be able to comply with NSCHC requirements.

2. How do I submit an ASP or Exemption request to CNCS?

CNCS maintains instructions for requesting an ASP on the Knowledge Network page of nationalservice.gov. Please complete and submit the form included in the guidance as part of your submission.

3. How long does an ASP approval last?

All individual ASP/Exemption approvals and certain pre-approved ASPs will expire on December 31, 2019. Any ASP/Exemption Requests that are approved on November 15, 2018 or later will list an expiration date.

4. Can other programs use my ASP approval?

No. ASPs are program-specific and not portable between different programs. ASPs that are approved for a national program are not portable to a similar program funded at the state level. If a circumstance develops where an ASP can apply to more than one program, our approval will be explicit in identifying where the ASP can be used. You may coordinate submission between a national program and state program. Any existing ASP/Exemption requests will expire on December 31, 2019.

5. Before the FBI check requirements went into effect on April 21, 2011, we obtained an ASP permitting us to rely upon checks performed by a partner site, and also a vendor's checks. Is that ASP still valid?

Any existing ASP/Exemption approvals will expire on December 31, 2019. Checks conducted prior to Dec 31, 2019 that are compliant with an ASP/Exemption approvals will be considered compliant checks.

6. Does a VISTA project that once operated under a VISTA support and training grant and now operates under a VISTA program grant need a new ASP?

Any existing ASP/Exemption approvals will expire on December 31, 2019.

7. A school is performing the checks for us. Is there anything else we need to do?

Yes. The schools performing checks for you is covered by pre-approved ASP #5, which will expire on December 31, 2019. Until it expires, if schools are performing checks, you must determine how the school (whether private or public) and/or its state licensing authority, are performing background or criminal history checks. If the types of checks, timing, adjudication criteria, and other procedures being used meet CNCS requirements, then your only obligation is to make sure that both you and CNCS have access to the records for oversight and monitoring purposes. The school may issue a clearance letter to the program rather than providing the actual check results, until pre-approved ASP #5 expires.

8. My program works with a school that conducts some or all of the components of the NSCHC on its employees and volunteers (including national service participants), but doesn't permit outside parties to review the results of the criminal history check. How can we satisfy the documentation requirements if we are not permitted to review these results?

This falls under our Current Pre-Approved ASPs on clearances issued by partners and possibly also state law prohibiting examination of results by a third party. Both pre-approved ASPs will expire on December 31, 2019. Grantees are encouraged to use CNCS contracted vendors, Fieldprint and Truescreen, to obtain NSCHC.

9. **CNCS requires NSCHC, and a site location also requires identical criminal history checks. Do applicants need to undergo the same process twice or more?**

Yes, applicants may need to undergo NSCHC and a site's criminal history check process. Applicants may need to undergo the same process more than once. Grantees can communicate this to applicants in advance of the screening process. NSCHC costs and costs for additional checks required by site locations or other partners are an allowable grant expense.

10. **Does pre-approved ASP #4 (National Fingerprint File States), require use of CNCS-contracted vendors Truescreen and/or Fieldprint?**

No, the use of the pre-approved ASP #4 does not require the use of CNCS-contracted vendors Truescreen and/or Fieldprint. However, use of Truescreen and/or Fieldprint is strongly encouraged.