

## **Instructions for Grantees**

### **Requests for Approval of Alternative Criminal History Check Search Procedures**

#### **Basis for Requesting an Alternate Search Protocol**

AmeriCorps State/National, Foster Grandparent and Senior Companion grantees that believe they cannot comply with the requirements in the Corporation's Criminal History Check regulations (45 CFR Parts 2510, 2522, 2540, 2551 and 2552) may apply to the Corporation for National and Community Service (Corporation) for approval to use an alternative search protocol. Those who believe their procedures differ from yet are substantially equivalent to or better than the Corporation's required procedures similarly may apply to the Corporation for approval to use alternative search protocols. Grantees with procedures that they believe follow all of the Corporation's requirements either meeting or exceeding all requirements (you will find a complete description of these requirements in the above referenced regulations), do not need to seek the Corporation's approval of an alternate search protocol.

#### **How Do Requests Reach the Corporation?**

An AmeriCorps State/National, Foster Grandparent or Senior Companion program that receives their funding grant directly from the Corporation is considered a "prime grantee." Prime grantees submit requests for alternate search protocols directly to the Corporation (see instructions below).

A subgrantee to an AmeriCorps State/National, Foster Grandparent or Senior Companion grantee that similarly believes they can not comply with the regulations or that their current procedures are equivalent or better, must submit their request to the prime grantee organization. Subgrantee requests should not be submitted directly to the Corporation. Prime grantees determine if they will or will not endorse and forward such requests to the Corporation.

Please be advised that approval of the use of alternative procedures does not include an exemption from conducting a check of the National Sex Offender Public Registry (NSOPR), operated by the Department of Justice. All grantees must conduct a check of the NSOPR (which is a national sex offender registry), in addition to any alternative system the Corporation may approve.

#### **Review and Approval Timeframes**

The Corporation will generally review and make a decision on your request within three weeks of receiving the request unless we need additional information before making our decision.

## Submission Instructions

<b><u>Grantees</u> submit your request with copy to your Program Officer</b>	
By mail or courier to:	Senior Grants Officer for Compliance Attn: Alternative Criminal History Search Request Office of Grants Management 1201 New York Ave. NY Washington, DC 20525
By eMail to:	AlternateBackgroundCheck@cns.gov
<b><u>Subgrantees</u> submit your request to your sponsoring prime grantee</b>	

### What to Include in Your Request

- An explanatory cover letter / message that explains the nature of the request and specific element(s) of the required procedures that you would vary from. Include:
  - Legal Applicant Name
  - Name of your Program(s),
  - Grant Number(s) that would be impacted
  - Individual to contact for further information (name, address, eMail & telephone)
- An explanation of why you are requesting approval to use an alternative criminal history search. If prohibited by state law, attach a copy of the statute or prohibition along with any available legal analysis.
- A description of what process/system you plan to use to verify the identity of the person whose criminal history is under review. You may attach your policies and procedures if the description is contained therein.
- A description of the alternative process/system you plan to use to conduct a criminal history check. You may attach your criminal history check policy and procedures in lieu of a description if the description is contained therein.
- Affirmation that the process will include conducting a check of the National Sex Offender Public Registry (NSOPR), in addition to any alternative system the Corporation may approve.

Requests received without the legal name of your organization, identification of your grant(s) and program(s) as well as who to contact will not be reviewed until the missing information is provided through a revised submission.

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If you have any questions regarding these instructions, please send your question to:

[AlternateBackgroundCheck@cns.gov](mailto:AlternateBackgroundCheck@cns.gov)