

NATIONAL SERVICE CRIMINAL HISTORY CHECKS

KEY POINTS

1. The Final Rule was published in Federal Register on August 24, 2007.
2. The effective date of the rule is November 23, 2007 – this means that grantees must conduct State criminal registry checks and National Sex Offender Public Registry (NSOPR) checks on individuals who are enrolled as participants or hired as grant-funded employees after this date.
3. NSOPR checks conducted on individuals who are currently serving, or who begin to serve, in covered positions before November 23, 2007. However, the rule does not require grantees to conduct State criminal registry checks on these individuals.
4. Requests for approval of alternative search procedures must be submitted to the Corporation's Office of Grants Management not later than November 23, 2007.
5. An individual who is registered, or required to be registered, on a State sex offender registry, is ineligible to serve.
6. The final rule does not preclude grantees from adopting other disqualifying offenses.
7. An individual who refuses to consent to a criminal registry check is ineligible to serve.
8. Individuals for whom the State criminal registry results are pending may be enrolled, but may not have unsupervised access to vulnerable populations until the results are complete.
9. Grantees must document in writing that (1) the applicant's identity was verified by examining the applicant's government-issued photo identification card and (2) that the required criminal history checks were conducted.
10. Grantees must maintain the results of the criminal history check in a secure location and document in writing that the grantee considered the results in selecting the applicant.

**** This document is not intended to be a substitute for the final rule (http://www.cns.gov/pdf/notices/fy07_07_0824_41.pdf). It is provided merely to acquaint the reader with the key points of the rule. Any variance between this document and the final rule should be resolved in favor of the final rule.**