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## Records, Communications and Compliance Division

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To all Civil Fingerprint Account Holders,

This memo has been designed to advise of a new timeline for re-training requirements, give an overview of the NexTest Training Portal, and outline the process for training registrations. Further, we have compiled guidance on commonly seen audit findings to assist your agency in maintaining compliance.

To meet the requirements of the Federal Bureau of Investigations (FBI) Criminal Justice Information Systems (CJIS) Security Policy, all agency/entity personnel with access to Criminal History Record Information (CHRI) are now required to complete training on a yearly basis. Proof of training will be maintained on file and reviewed by your audit team during the triannual audit cycle.

Each agency will designate one civil point of contact (POC) listed on the account to register and be certified through the NexTest training portal. To register for training submit your agency POC name and email address to the NCU Civil Auditors at <a href="mailto:civilauditor@dps.state.nv.us">civilauditor@dps.state.nv.us</a>. The POC will be emailed the NexTest login instructions to complete the certification. Additional personnel who may have contact with CHRI and are listed on the Authorized Personnel List, will be trained internally by the designated agency POC who has been certified through the NexTest portal. Once completed, a training acknowledgment for those individuals must be signed and kept on record for review during an audit.

Below are several findings commonly found during an audit. Failure to adhere to policy that results in audit findings may result in progressive sanctions, up to and including termination of system and/or data access. This information is meant to better assist you in maintaining compliance and preparing for future civil audits:

**USE/RE-USE:** It is prohibited for noncriminal justice and criminal justice Authorized Recipients to use CHRI for any purpose other than that for which it was originally requested. It is also prohibited to re-use CHRI for separate and distinctly different employment and/or licensing needs. CHRI shall be used solely for the purpose for which it was requested and shall not be reproduced for secondary dissemination to any unauthorized entity, agency, or person. (NCJIS Administrative Policy Section 10.3; NGI Audit Policy Reference).

USE OF CORRECT REASON FINGERPRINTED (RFP): Agencies must only submit noncriminal justice fingerprint-based requests for CHRI for purposes (applicant type) covered by the authority leveraged for the request. It is prohibited for noncriminal justice and criminal justice agencies to use CHRI for any purpose other than that for which it was requested.

**VOLUNTEER RATES:** Ensure that the discounted volunteer fingerprinting rates are only used with authorized accounts. Current fingerprinting rates can be found at RCCD.nv.gov.

**ACCOUNT UPDATE:** An account update form must be submitted within 10 days for any changes to the account. Civil Applicant Account Update Forms can be found under the Civil Applicant Program Heading at: <a href="https://rccd.nv.gov/FeesForms/Fingerprints/">https://rccd.nv.gov/FeesForms/Fingerprints/</a>.

**DISSEMINATION:** CHRI cannot be disseminated outside the receiving department(s), related Authorized Recipients, or other authorized/unauthorized entities. Authorized Recipient may only disseminate fingerprint based CHRI to the subject of the record (i.e., the applicant) for the subject to challenge their criminal history records. If that is the case, the Authorized Recipients must stamp the word "copy" in red on each page of the provided records and maintain a secondary dissemination log. (NCJIS Administrative Policy Section 10.8).

WAIVERS: The Fingerprint Background Waiver must be signed and dated prior to any applicant being fingerprinted. Applicants can refer to this waiver if they choose to challenge the accuracy or completeness of their FBI criminal history record. This waiver must be maintained on file for one complete audit cycle. All NCPA/VCA accounts must also have a Volunteer and Employee Criminal History System (VECHS) waiver signed by the applicant prior to being fingerprinted. This waiver must also be maintained for one complete audit cycle. (NCJIS Administrative Policy Section 10.5) The current versions of the waiver can be found on our website Fingerprint Background Waiver and VECHS Waiver.

Other additional useful resources and information can be found on our website at: <a href="https://rccd.nv.gov/FeesForms/Fingerprints/">https://rccd.nv.gov/FeesForms/Fingerprints/</a>. For questions and to sign up for the NexTest Training portal, please email the civil auditors at: <a href="mailto:civilauditor@dps.state.nv.us">civilauditor@dps.state.nv.us</a>

NCJIS Compliance Unit Civil Applicant Audit Team