



Background Screening Agency Accreditation Program

Policies and Procedures

Original Effective Date: December 22, 2009
Current Revision Effective Date: April 24, 2019

TABLE OF CONTENTS

SECTION I	2
MISSION STATEMENT	2
SECTION II	2
ORGANIZATION OF THE COUNCIL	2
A. <i>Composition of the Council</i>	2
B. <i>Qualifications for Membership on the Council</i>	3
C. <i>Relationship with NAPBS</i>	3
D. <i>Orientation for New Members of the Council</i>	4
E. <i>Dismissal from the Council</i>	4
F. <i>Roles and Responsibilities of the Council Members and the Chair</i>	4
G. <i>Terms of Office and Appointments</i>	5
H. <i>Staff</i>	5
I. <i>Confidentiality and Conflicts of Interest</i>	5
J. <i>Committees</i>	6
<i>Ethics Committee</i>	6
<i>Marketing & Communication Committee</i>	6
<i>Policies and Procedures Committee</i>	6
<i>Standard Committee</i>	6
SECTION III	6
COUNCIL OPERATIONS	6
A. <i>Standard</i>	6
SECTION IV	8
ACCREDITATION POLICIES AND PROCEDURES	8
A. <i>Jurisdiction</i>	8
B. <i>Accreditation Process</i>	8
C. <i>Fees and Charges</i>	11
D. <i>BSCC Review Cycles</i>	12
E. <i>Accreditation Decisions</i>	12
F. <i>Renewal Process</i>	13
G. <i>Surveillance</i>	13
H. <i>Voluntary Withdrawal of Accreditation</i>	13
I. <i>Use of Logo</i>	14
J. <i>Complaints Regarding Accredited Agencies</i>	14
K. <i>Appeals of Council Decisions</i>	20
L. <i>Non-Conformity</i>	21
M. <i>Records</i>	21
N. <i>Release/Disclosure of Accreditation Information</i>	22
O. <i>Assistance during the Accreditation Process</i>	22
P. <i>Circumstances Requiring Notice by Accredited Agencies</i>	22
Q. <i>Glossary of Terms</i>	23
ATTACHMENTS	25
ATTACHMENT 1: INITIAL ACCREDITATION PROCESS FLOWCHART	25
ATTACHMENT 2: FEE SCHEDULE	26
ATTACHMENT 3: RENEWAL ACCREDITATION PROCESS FLOWCHART	27
ATTACHMENT 4: MAINTENANCE PROCESS – 3-YEAR INTERIM SURVEILLANCE FLOWCHART	28
ATTACHMENT 5: COMPLAINT/GRIEVANCE PROCESS FLOWCHART	29
ATTACHMENT 6: APPEAL PROCESS	30
LIST OF APPROVED FORMS.....	31

I. Mission Statement

The Background Screening Agency Accreditation Program (BSAAP or the Accreditation Program) has been developed by and is a program of the National Association of Professional Background Screeners (NAPBS or the Association). The Accreditation Program advances professionalism in the employment screening industry through the promotion of best practices and legal compliance, the development of standards that protect consumers, the evaluation of consumer reporting agencies (CRAs) that apply for accreditation, and the awarding of accreditation to CRAs deemed to meet the requirements of the BSAAP Standard. These Background Screening Agency Accreditation Program Policies and Procedures (Policies and Procedures) apply to the Accreditation Program and to all CRAs accredited by the Council (Accredited Agencies).

II. Organization of the Council

The governing body for the Accreditation Program is the Background Screening Credentialing Council (BSCC or the Council). At the discretion of the NAPBS Board, the Association's individual certification programs may fall under the direction of the BSCC. During the application of the BSAAP Policies and Procedures, Council has the right to engage approved legal counsel where deemed necessary.

A. Composition of the Council

The Council shall consist of a minimum of seven (7), but no more than thirteen (13) members, as follows:

1. There shall be one (1) public member who is:
 - a. not a Regular or Associate member of NAPBS or of the screening profession;
 - b. not an employee, member of the governing board, owner or shareholder of or consultant to an organization that either is accredited or has applied for accreditation by the BSCC;
 - c. An Affiliate member or, an individual who is associated with a trade association or membership organization which supports the screening profession. Examples are staffing agencies, human resource and security professionals and end users (employers); and
 - d. not a spouse, parent, child, or sibling of an individual identified in a) b); or c)
2. There shall be at least one (1) Regular member of NAPBS who is from an organization in the screening industry;
3. There shall be at least one (1) member representative from the Global Membership of the Association;
4. There shall be at least one (1) member representative from the Tenant Screening population of the Association;
5. There shall be at least one (1) member representative from the Provider population of the Association;

6. The Chair will be one (1) of the members of the Council;
7. The Chair of the Council will vote only to break a tie;
8. The Incoming Chair will be one (1) of the members of the Council;
9. Additional members including the following:

Three (3) current members of the Association's Board of Directors.

10. Vacancies on the Council may be left open or may be filled at the discretion of the Chair in conjunction with the Board, so long as the minimum of (7) members is maintained.

B. Qualifications for Membership on the Council

1. No more than one (1) representative from a company or related companies (parent company, subsidiaries and affiliates) may serve on the Council;
2. The Council's membership shall, to the maximum extent possible, reflect the diversity, in terms of geography and scope of operation, of the screening industry; and,
3. Council members shall be recognized industry professionals and well-respected individuals of the business community.

C. Relationship with NAPBS

1. The NAPBS Board of Directors shall have the authority to approve members of the Council.
2. The members of Council shall elect the officers of the Council, provided that those elected shall take office upon receiving the approval of the NAPBS Board of Directors.
3. The Council together with the Board following public comment and response as provided for in these policies and procedures shall have the final decision-making authority to develop and revise standards for the Association's credentialing programs, to approve each credentialing process. The Council shall have the ability to make final decisions regarding the awarding of accreditation or certification credentials.
4. The NAPBS Board of Directors will have oversight authority over the Council to ensure that all programs developed and operated by the Council are conducted in a fair and equitable manner.
 - a. NAPBS oversight authority will include a requirement that the operation and financial policies and procedures of Council shall be approved by the NAPBS Board until such time that NAPBS agrees to grant final approval authority for these policies and procedures to the Council.
 - b. The Council will provide regular status reports to NAPBS Board of Directors regarding all activities that are not subject to confidentiality protections.
 - c. NAPBS will provide staff and financial support for credentialing programs. The Council will be expected to propose an annual budget for the operation of all programs. The

NAPBS Board will exercise final authority in approving such budgets and the accompanying fee schedules for the credentialing program(s).

D. Orientation for New Members of the Council

The Council Chair and staff shall provide an appropriate orientation to new Council members. Information to be included in the orientations shall include, but not be limited to, overview of Policies and Procedures, Standard, blank application materials, minutes of previous meetings and various other reports/documents deemed necessary and appropriate to orient new Council members to their responsibilities and to the operation of the Council. The yearly coordination of this shall be the responsibility of the NAPBS Staff in conjunction with the current BSAAP Chair.

E. Dismissal from the Council

Any member of the Council may be removed from office by a two-thirds (2/3) vote of the remaining Council members for engaging in any conduct contrary to the best interests of the BSCC.

F. Roles and Responsibilities of the Council Members and the Chair

The roles of the Council members are as follows:

1. Review the BSAAP Standard and propose changes in the Standard that reflect best practices in consumer reporting at least every three (3) years;
2. At the first meeting of the Council each year, the goals and mission will be reviewed;
3. Periodically review all policies and procedures and propose changes in these documents to meet the ongoing needs of the Accreditation Program;
4. Periodically review accreditation fees and propose modifications as deemed necessary;
5. Proactively seek process improvements
6. Vote (with the exception of the Chair) on accreditation decisions;
7. Participate in subcommittees of the Council;
8. Attend scheduled meetings (Council members shall not have more than 2 unexcused absences per year, where an unexcused absence is any absence without notice to the Chair or Staff); and additionally, greater than 4 absences for any reason within the year are grounds for dismissal.
9. Review complaints of an Accredited Agency's alleged non-compliance with the Accredited Agency Code of conduct or the BSAAP Standard and propose appropriate probation periods and/or sanctions.
10. Selection and oversight of BSAAP third-party auditor(s).

The role of the Council public member is as follows:

1. Serve as a consumer advocate, represent and protect the public interest, and oversee the

accreditation process to ensure fair and reasonable action;

2. Advise and make recommendations to the Council regarding issues of fairness, due process, and consistency; and
3. Participate in subcommittees of the Council, as appropriate.

The role of the Chair of the Council is as follows:

1. Call meetings of the Council;
2. Preside at meetings and prepare agendas, in conjunction with staff;
3. Serve as an official spokesperson for the Council;
4. Prepare an annual report summarizing the work of the Council;
5. Appoint chairs of Council's committees;
6. Review with NAPBS staff complaints brought against Accredited Agencies and work with the BSAAP Ethics committee to suggest appropriate action, if warranted, to the Council; and,
7. Only vote to break a tie.

The role of the Vice Chair of the Council is as follows:

1. Perform the duties of the Chair in the absence of the Chair; and
2. Perform such other duties as may be assigned by the Council.

G. Terms of Office and Appointments

1. Members of the Council shall serve one (1)-year terms;
2. There are no limits on the number of consecutive terms a Council member may serve;
3. The Chair and Vice Chair will each serve a one (1)-year term; and
4. The Immediate Past Chair will service for a one (1) year term on the Council.

H. Staff

The Executive Director of the Association, or a designee of the Executive Director, shall serve as the chief staff position supporting the Accreditation Program.

I. Confidentiality and Conflicts of Interest

Access by the Council members to the information submitted as part of the accreditation process shall be limited to only those specific responses and clauses which are needed to assess an applicant's accreditation eligibility and/or those responses and clauses under appeal. All of the items of

information submitted by an Applicant to the accreditation Auditor shall be kept confidential and accessible only to the Auditor and Staff unless released otherwise by the Applicant.

All Council members and committee members will sign a confidentiality and conflict of interest statement in the form determined by the Council. All Council members must agree to recuse themselves from consideration of any application where there is a personal or professional affiliation that might be perceived to compromise the impartiality of the Council member by notifying NAPBS staff or the Executive Director.

All information created or obtained during the review of an accreditation application may be used only by the staff/Council member(s)/Auditor(s) in the conduct of their assessment activity and shall not be disclosed to any other individuals except when expressly authorized by the Council. All applicant identifying information shall be redacted from any accreditation application materials provided to Council members; to the fullest extent possible, the Council's accreditation decisions shall be made on a "blind" basis, i.e., in a manner such that the Council members do not know the identity of the company under consideration.

J. Committees

The Council shall develop standing and ad hoc committees to achieve its mission and goals. The Chair of each committee must be a Council member. The Chair of the Council shall appoint all committee chairs for one (1) year terms. Committee Chairs may be reappointed for up to three (3) total terms as chair. Committee Chairs appoint the members of their committees with the approval of the Council Chair. Except where indicated otherwise, committee membership may include professionals other than Council members. Standing committees shall include the following:

Ethics Committee

The Ethics Committee is responsible for reviewing the Accredited Agency Code of Conduct on a regular basis, reviewing issues whose subject matter falls within the Accredited Agency Code of Conduct and preparing a recommendation based upon its findings to the Council. The Ethics Committee shall be comprised of the Current BSCC Chair, BSCC Immediate Past Chair, NAPBS Board Liaison or their respective designees.

Marketing & Communication Committee

The Marketing & Communication Committee shall be responsible for developing and implementing the marketing and communication plan associated with the introduction of the Accreditation Program and generating interest among the membership, the industry, public officials, and the general public.

Policies and Procedures Committee

The Policies and Procedures Committee will review the Policies and Procedures at least every three (3) years and make any recommendations to the Council.

Standard Committee

The Standard Committee will review the BSAAP Standard clauses and Audit Criteria at least every three (3) years and make any recommendations for revisions to the Council. The Standard Committee will be responsible for developing the interpretive guidance needed to explain a Clause or criteria to potential applicants or stakeholders.

III. Council Operations

A. Standard

The Council is responsible for developing and updating the BSAAP Standard and supporting documentation to achieve the goals of the accreditation program. The sections of the BSAAP Standard include the following:

- Consumer Protection
- Legal Compliance
- Client Education
- Researcher and Data Product Standards
- Verification Service Standards
- Miscellaneous Business Practices

Agencies must demonstrate conformity with all clauses in these sections to achieve and maintain accreditation.

The Council will review all of the Standard clauses and Audit Criteria at least every three (3) years with the review process commencing with the seating of the Council. The Council will consider the input of key stakeholders and other members of the community of interest in developing new clauses or revising existing ones.

The process for review and approval of any new or updated clauses is as follows:

1. Initial Review/Recommendations for Change - The Standard Committee will review the Standard and make suggestions for updates based on legislative concerns, industry standards, external feedback and applicability to the overall program. The Committee's suggestions will be submitted to the Council for review and approval; those of the Committee's suggestions which are approved by the Council will be presented to the NAPBS Board of Directors for approval and then prepared for public notice. The changes will be documented or identified in such a manner as to be easily recognizable by the reader as changes to the Standard.
2. Post for Public Review/Comments. Sufficient public notice will be provided for any new or updated clause(s), and a period of at least thirty (30) days will be required for public input on any proposed changes to the Standard or Audit Criteria ("Comment Period"). The primary contact for each NAPBS voting member in good standing, together with non-member companies in the industry generally known to the Council, will receive a letter via first class or electronic mail outlining the Comment Period, the process for submitting comments and the process by which the Council will review and address comments, as well as directions on where and how to locate accreditation materials on the NAPBS website.
3. Posting of Comments Received - Within five (5) business days of the close of the Comment Period, staff will publish all comments which have been received on the portion of the NAPBS Web site dedicated to the BSAAP. Any comments that are delivered to NAPBS after or outside of a Comment Period will be forwarded to the Council for review at the next scheduled Standard review cycle.
4. Response to Comments - Within thirty (30) days of the close of the Comment Period, the Council will publish a written response to the comments on the portion of the NAPBS website dedicated to the BSAAP. The response may include indication that specific clause(s) may be under review.
5. Council Vote and Board Recommendation - Following the response period the Council shall vote and make a recommendation to the NAPBS Board of Directors for final Standard Clauses. The

NAPBS Board of Directors shall review and execute a final vote on the matter.

6. Posting of New/Updated Standard - After preparing a final version of any of the clauses or associated Audit Criteria, the new Standard and Audit Criteria, if amended, will be posted on the NAPBS Website (www.napbs.com). Email notification of the posting will be made to each primary voting member of NAPBS in good standing and all current Accredited Agencies.

Upon approval by the Board of Directors, all Accredited Agencies will be notified of the changes. Accredited Agencies will have up to one (1) year, or as specifically defined by the Council, from the date of notice or publication on the NAPBS Website to conform and attest to conformity of the new Standard. Agencies in the process of seeking accreditation shall be given a specific amount of additional time to be defined by the Council to achieve conformity.

Interested agencies should refer to the NAPBS website for a current copy of the BSAAP Standard.

IV. Accreditation Policies & Procedures

A. Jurisdiction

The Accreditation Program as described herein is applicable to consumer reporting agencies subject to the Fair Credit Reporting Act who are primarily engaged in providing employment background screening to end users. Accredited Agencies which have a presence in other countries or Agencies which conduct other types of background screening may not publicize or otherwise imply that they are accredited in any other country than the United States or for any other type of screening other than Employment Background Screening.

B. Accreditation Process

The following steps are part of the BSCC accreditation process:

1. The agency desiring to be accredited should obtain and review the BSAAP Standard and Audit Criteria. A current version of the BSAAP Standard and Audit Criteria is available at www.napbs.com.
2. The agency determines if it is eligible to apply for accreditation. The eligibility requirements are as follows:
 - a. The agency must have been providing services under the BSAAP Standard for at least one (1) year in order to establish documented compliance with the BSAAP Standard.
 - b. The agency must agree to comply both with the BSAAP Accredited Agency Code of Conduct and, once accredited, with the BSAAP Standard.
 - c. The agency must currently and regularly be engaged in the business of providing employment screening services directly to qualified end-users, such as employers, or businesses.
 - d. The agency must agree to be subject to and to comply with these BSAAP Policies and Procedures and all other policies adopted by the Council, including without limitation

policies regarding the use of the Council's accreditation logo.

- e. The Agency must not have failed to adequately respond to any unresolved NAPBS or BSCC complaints or grievances of any kind.
 - f. The Agency must not be currently under any unresolved government sanction or unresolved government audit related to the BSAAP Standard.
3. The agency is encouraged to have its representatives attend NAPBS accreditation training sessions as they are available and/or review the training documentation available online in order to fully prepare for its application.
 4. The agency should conduct a readiness review prior to submitting its application. The agency should not submit its application until it believes it is in conformity with all of the BSAAP Standard Clauses and Audit Criteria and that it can document conformity in an acceptable fashion. Questions may be posed to the BSCC via email to staff or an online submission form regarding interpretations of standards. Questions should not be directed to individual BSCC members or to the Auditor. The BSCC will have discretion to determine whether or not they will respond to a question posed and whether they will post or make public their responses to questions.

The agency should complete and submit the Letter of Intent (LOI) to Apply for Accreditation Form, either electronically or in hard copy to the NAPBS staff, at least six (6) months prior to submitting its application materials. LOI's will expire six (6) months from submission.

5. The agency should then submit a completed application with the required fee (as defined in Exhibit X) to the Association Staff. See attached Form #1 – Application.
6. The Council's staff will review application materials to determine whether the applicant is eligible to apply for accreditation and whether the application is complete, and to confirm that the application fee has been paid. Each application will be assigned a unique identifying number containing a combination of letters and numbers which will be used on all subsequent audit letters, votes, discussions or other matters presented to the BSCC.
7. The Applicant agency will have a period of six (6) months to complete the self-evaluation process. Extensions may be granted for cause deemed acceptable by the Council. Once complete applications, self-evaluation materials and payment are received, the submission is sent to an Independent Auditor selected by the Council.
8. An Independent Auditor selected by the Council will conduct a thorough desk review of the application and self-evaluation materials submitted by the Applicant agency. The Auditor may request clarification of materials provided or additional information regarding the Applicant's conformity with specific clauses. This review may include, but shall not be limited to, the following documentation:
 - a. Required policies and procedures
 - b. Copies of cover pages of required documentation
 - c. Job descriptions and resumes
 - d. Required evidence of use of BSAAP Standard
 - e. Security plans
 - f. Sample conformity documents

- g. Client and vendor agreements
 - h. Training materials
 - i. Client education materials
 - j. Proof of insurance
9. After the Auditor has reviewed all submitted materials, a mutually agreed upon date will be determined for the site visit within sixty (60) days following completion of the desk audit unless so approved by the BSCC. In extenuating circumstances auditor and NAPBS staff may determine additional time is necessary.
10. The Auditor will conduct a one (1) - to two (2) - day onsite inspection at the Applicant agency's primary operating center and up to one (1) additional location determined at the discretion of the auditor and NAPBS staff, if other location(s) are providing services under the Standard*. The Auditor will validate conformity with the BSAAP Standard and Audit Criteria and verify the accuracy of materials submitted as part of the self-evaluation process.

*NOTE: Audit locations may include U.S. locations and outside U.S. locations providing services under the Standard. In extenuating circumstances auditor and NAPBS Staff may determine that additional site audits are necessary.

11. Applicant must bring together either physically or by digital platform, at the location(s) to be visited by the Auditor, representatives from all of the Applicant agency's pertinent locations. Each representative must be authorized to certify, and must be able to demonstrate to the satisfaction of the Auditor, that the agency's policies, procedures and processes are in conformance with the BSAAP Standard and Audit Criteria.

The Auditor will make a diligent effort to review all necessary documentation while at the Applicant's location in order to avoid having to take the agency's proprietary information offsite. The agency is responsible for onsite visit fees for each site and travel expenses.

12. The Auditor will prepare an initial Audit Findings Report which will be made available to the agency within 2 weeks of the conclusion of the site visit. For Opportunity for Improvement(s) OFI(s), the agency has ten (10) business days to respond to the Auditor with any additional information or documentation which addresses any concerns raised by the Auditor. For any non-conformity(s), the agency shall have ten (10) business days to respond to and affirm its intent to continue with accreditation. Following review and consideration of any additional information provided by the agency, the Auditor will prepare a final Audit Findings Report.
13. A redacted version of the Auditor's Audit Findings Report, from which all agency identifying information has been removed, will be prepared by staff and submitted to the Council for review. The Council will review the redacted Audit Findings Report and render a decision regarding the application. In the event of an agency with one (1) or more non-conformities (including those non-conformities that may have been corrected) as determined by the Audit Report and review by the BSCC, the agency will either be granted a three (3) month grace period to demonstrate conformity or be subject to denial of accreditation as provided in Section IV.E.2 as determined by the BSCC. The decision to grant a grace period or to deny Accreditation will be at the sole discretion of the BSCC and will be based on the number and severity of any non-conformities. This grace period, if extended, will also apply to the re-Accreditation candidate and allow that CRA to continue to hold itself forth as Accredited until or unless a final decision to deny Accreditation is made. In the event that a grace period is granted the agency must successfully demonstrate conformance with all Sections of the BSAAP Standard, including those identified as

non-conforming in a manner prescribed by the Auditor in conjunction with the BSCC, which may include additional fees. Following the grace period and demonstrated conformance the auditor will prepare/update the Audit Findings Report for the BSCC to review and render a decision regarding the granting of accreditation. This decision will be forwarded to the agency via mail or email within ten (10) business days of the conclusion of the Council meeting at which the decision is rendered. No verbal response information will be provided by the Council or staff regarding Council accreditation decisions.

14. Accredited Agencies will be granted accredited status for a period of five (5) years, provided that they successfully complete an Interim Surveillance Audit during their third year of accreditation. Accredited Agencies will be provided with a certificate suitable for framing, an approved press release for media distribution, and graphics/art work with the BSCC accreditation logo, including an explanation of limitations and proper use of this mark. NAPBS may require an accredited agency to execute a limited use licensing agreement pertaining to use of the logo. Accredited Agencies which, subsequent to their on-site review by the Council undergo a change identified in Section P shall conform with all such requirements identified therein.
15. If accreditation is denied, the Applicant agency has the right to appeal. See Attachment 1 for a flowchart of the accreditation process.
16. Prior to the end of the third year of accreditation, the Accredited Agency must successfully complete an Interim Surveillance Audit. The agency must submit written information for the interim review in order to ensure ongoing conformity with the BSAAP Standard and Audit Criteria. The interim review will consist of a desk review emphasizing the provision of evidence that the Accredited Agency remains in conformity with the Standard and has achieved conformity with any updates to the BSAAP Standard and Audit Criteria, a review of progress on all recommendations from the initial decision, and identification of any material changes within the Accredited Agency's organization. Staff will send a reminder to the agency at the end of the second year of accreditation. Submission of an Interim Application and fees must be received approximately six (6) months prior but no later than 60 days prior to the end of the third year of the accreditation cycle. See Attachment #4 for a flowchart of the 3-Year Interim Surveillance process and Form #2 for the Interim Application.

C. Fees and Charges

NAPBS member and non-NAPBS member accreditation application fees are payable in amounts determined from time to time by the Council in consultation with the NAPBS Board of Directors represented on Attachment 2, *Fee Schedule*, included herein.

Should an agency pay the application fee and then notify the Council in writing, prior to the beginning of any work by the Auditor, that it is withdrawing its accreditation application, 75% of the fee is refundable. Should an agency pay the application fee and not complete the self-evaluation process within the six (6) month period, prior to the beginning of any work by the Auditor, the agency's application will be withdrawn and 75% of the fee refunded. Fees are not refundable for withdrawals received by the Council after the commencement of work by the Auditor.

1. During the third year of an agency's accreditation, the agency must undergo an Interim Surveillance Audit. Accredited Agencies must pay a non-refundable fee for this audit as provided on the attached Fee Schedule.
2. If at any time during an Accredited Agency's period of accreditation the Council determines that

an additional audit of the agency is necessary and appropriate the Council may require such an audit and may impose an appropriate fee.

3. All Accredited Agencies desiring to renew their accreditation shall apply during their fifth year of accreditation. A renewal fee will be payable at the outset of the renewal application process. The renewal application process will be similar to the initial accreditation application and review. Fee refunds will be available only as set forth in Section 1 above.
4. The fees described herein are payable to NAPBS and do not include the costs that any individual agency might incur in modifying its services or programs to comply with the BSAAP Standard and Audit Criteria.
5. Should an agency desire to appeal any decision of the Council, a non-refundable appeal fee, as defined in *fee schedule*, in an amount determined from time to time by the Council shall be payable in order for the appeal to be initiated. If the agency is found to be **approved the fee paid for an accreditation appeal will be refunded if the ruling of the appeal is in favor of the applicant.**
6. Unscheduled visits may be conducted in certain situations as described in Section G. No fees are charged to an Accredited Agency for unscheduled visits.
7. All fees are subject to change at the discretion of the Council. An agency may be subject to additional fees based upon the unique circumstances of the particular audit and/or the accrual of additional fees imposed by the Auditor. In such event, the agency will be notified in advance of the additional fee(s) being incurred. Once incurred, all additional fees charged will be invoiced separately and be due upon receipt. See Attachment 2, Fee Schedule.

D. BSCC Review Cycles

Council meetings will generally be held monthly via a telephone and/or Internet conference. Council meetings are not open to the public, with the exception of the meetings held at the NAPBS Annual Conference and Mid-Year Meeting. Should the Council be considering or discussing items specific to accreditation applicants, personnel matters, or legal matters, the Council shall enter “Executive Session,” which session shall be closed to all persons other than Council members and invited guests. Action on an Applicant agency’s application for accreditation will generally take place at the Council meeting immediately following the completion of the application and assessment processes and upon presentation of the redacted version of the Auditor’s final Audit Findings Report to the Council.

Applications are accepted in the chronological order of submission and will generally be acted upon in the order in which they are completed.

E. Accreditation Decisions

The following accreditation decisions may be rendered regarding an agency:

1. Accreditation - for five (5) years may be granted for agencies that have demonstrated conformity with all clauses of the current BSAAP Standard, provided that the Accredited Agency successfully completes its Interim Surveillance Audit during the third year of accreditation. An agency not providing all services described in all clauses of the BSAAP Standard may nevertheless be granted accreditation if it demonstrates that it has addressed all policies and procedures which would be necessary should it determine to provide all services covered by the BSAAP Standard.

2. Accreditation Denial - may be rendered for agencies that fail to demonstrate conformity with one (1) or more clauses of the BSAAP Standard. The agency will be provided with information describing the non-conformities. Agencies may re-apply for accreditation after a period of one (1) calendar year, at which time the Agency will be expected to pay fees as if this were the agency's first attempt at accreditation.

F. Renewal Process

BSAAP accreditation will be for five (5) years. In order to ensure ongoing conformity with existing clauses, new clauses, changes in business processes of the agency as well as confirmation on areas of recommended improvement from the initial audit, an Interim Surveillance Review will take place in the third year of the accreditation cycle. This review, which may be lesser in detail and intensity than the initial desk review and onsite audit, is designed to assist the Accredited Agency in maintaining conformity with the BSAAP Standard in an ever-changing background screening environment.

An Accredited Agency seeking renewal for an additional five (5) year term must do the following:

1. Letter of Intent to Renew – 5 Years

An Accredited Agency desiring to renew its accredited status must submit in writing a Letter of Intent/renewal application at least six (6) months prior to the expiration of its current accreditation. The audit material is due approximately six (6) months and no later than three (3) months prior to the expiration of the agency's current accreditation. The renewal application process will be similar to the initial accreditation application process and will involve a desk review and on-site audit by a Council Auditor. See Attachment #3 for a flowchart of the 5-Year Renewal process. The Fees and Process for renewal applications will be the then-current fees and processes for initial accreditation applicants.

2. Evidence of Non-Conformity and Opportunity for Improvement

If evidence of non-conformity with the BSAAP Standard is identified at the 3-year or 5-year assessment, the Accredited Agency will be provided an opportunity to submit a plan of correction with appropriate time lines (see Section IV.B.13).

3. Probationary Period for Identified Non-Conformity

Accredited Agencies found to be non-conforming with the BSAAP Standard will be placed on probation for a specified time period (see Section IV.B.13) or as determined by the Council. Prior to approving accreditation the agency must provide proof that any non-conformities are resolved to the satisfaction of the Council. Accredited Agencies that fail to resolve noted non-conformities may have their accreditation revoked.

G. Surveillance

The Council's surveillance process includes the following components:

1. Required interim review prior to the conclusion of the third year of accreditation;
2. Renewal audit prior to the conclusion of the five (5) year accreditation period;
3. Responsiveness to complaints and questions originating with the Council; and
4. Unscheduled onsite visits for cause.

H. Voluntary Withdrawal of Accreditation

Accredited Agencies may withdraw from accreditation at any time. A written letter signed by an authorized officer of the agency should be sent to the Council requesting withdrawal from the Accreditation Program. The withdrawal shall be effective upon the Council's receipt of the written request for same. No accreditation fees are refunded in conjunction with voluntary withdrawals of accreditation, and the agency shall remain liable to pay any fees due and owing to the Council as of the date of voluntary withdrawal. Any agency which is indebted to the Council at the time of voluntary withdrawal shall not be permitted to re-apply for accreditation until the amount of such indebtedness is first paid to the Council. All rights to use the Accreditation logo or any other positive claim of accreditation will cease immediately effective as of the date of the letter written and proof that such use has stopped will be provided in the form of a list of actions taken by the withdrawing organization to remove and or cease use of the logo. Said list will be submitted to the BSCC together with the letter notifying the BSCC of withdrawal from the accreditation program.

I. Use of Logo

1. Authorized Use of Logo

Only Accredited Agencies are authorized to use the BSCC Accreditation Logo. An Accredited Agency may only use the approved logo in the form and in the manner specified by the Council; the Council may require each Accredited Agency to enter into a formal license agreement with respect to the use of the logo. No colors and/or design elements may be altered in any way. Further, the logo may be used only by the Accredited Agency itself and may not be used by affiliated organizations, alliance partners or any other entity that has not been granted accreditation by the Council. In particular, an Accredited Agency may not use the BSCC Accreditation Logo in connection with or in a manner that suggests the accreditation of, as determined by the Council in its sole discretion, the agency's operations other than employment background screening within the scope of this accreditation program.

If an Accredited Agency chooses to utilize the BSCC Accreditation Logo electronically, whether on a website, for on-line advertising, or in an email signature, it must be hyperlinked as directed by NAPBS in order to permit viewers to verify the agency's accredited status.

2. Misuse of Logo

The BSCC Accreditation Logo is the sole and exclusive property of NAPBS and may be used only by NAPBS and Accredited Agencies. Misuse of the BSCC Accreditation Logo by any person or entity is unlawful and in violation of, inter alia, the Lanham Act. Those who or which misuse the BSCC Accreditation Logo will be subject to civil actions to the full extent of the law and further sanctions as prescribed by NAPBS.

J. Complaints Regarding Accredited Agencies

The Council does not intervene in disputes between Accredited Agencies and (a) their principle stakeholders, (b) their clients, or (c) other agencies. Council intervention is only considered when allegations raise a concern regarding an Accredited Agency's conformity with the current BSAAP Standard and/or violation of the Accredited Agency Code of Conduct.

1. Introduction

- a. All Accredited Agencies have agreed to comply with the Accredited Agency Code of Conduct and the BSAAP Standard and to be bound by and subject to these Policies and Procedures. Violations of the Accredited Agency Code of Conduct or the BSAAP Standard may result in sanctions imposed under these Policies and Procedures.
- b. The grounds for disciplinary action are one (1) or more material, demonstrable violations of any provision of the Accredited Agency Code of Conduct or the BSAAP Standard. Multiple alleged violations of the Accredited Agency Code of Conduct and/or the BSAAP Standard may be consolidated, at the discretion of the Chair of the Council's Ethics Committee, into a single complaint (as such term is defined below).
- c. These Policies and Procedures shall apply to all complaints, allegations, inquiries, or submissions involving a potential violation of the Accredited Agency Code of Conduct or the BSAAP Standard (Complaints) received by NAPBS or the Council about an Accredited Agency, whether initiated by another Accredited Agency, an officer, employee, or agent of NAPBS, or a current employee of an Accredited Agency. Information in the nature of a complaint received from other third parties (e.g., from an Accredited Agency's client or other third party) may be treated and investigated by the Council as evidence of a potential non-conformity under Section IV.L. of these Policies and Procedures, but such information shall not be considered a Complaint under this Section IV.I.
- d. The Council reserves the right to refer Accredited Agency conduct to federal, state or local government law enforcement agencies when such is deemed appropriate. Persons bringing Complaints to the Council are not entitled to any relief or damages by virtue of this process, although they will receive notice of the actions taken as provided herein. Complaints of a commercial nature (such as claims alleging defamation by or unfair business practices of a competitor), or primarily requesting judicial-type relief, will not be considered under these Policies and Procedures unless they also involve potential violations of the Accredited Agency Code of Conduct or the BSAAP Standard.

2. Development and Administration of Policies and Procedures

- a. The Council is responsible for the development and administration of these Policies and Procedures; however, the Council's Ethics Committee (the "Committee") is delegated to administer these Policies and Procedures on behalf of the Council.
- b. The Chair of the Committee (the "Chair") is specifically responsible for ensuring that these Policies and Procedures are implemented and followed consistently and objectively.
- c. All Committee members, Council members, NAPBS staff and other individuals engaged in investigations or involved in making decisions on behalf of the Council with respect to any Complaint under these Policies and Procedures shall be indemnified, held harmless and defended by NAPBS against any liability arising from such activities to the extent permitted by law, provided that such individuals (i) act in good faith, with reasonable care, without gross negligence or willful misconduct, and (ii) do not breach any fiduciary duty owed to NAPBS. No individual who (directly or through his or her family or business) has any personal or private business involvement in or connection to the alleged misconduct or any other conflict of interest shall be permitted to participate in the review and resolution of a Complaint. Any such involvement or connection shall be immediately disclosed by the affected individual to the Committee and to the Council.

3. Complaints

- a. Complaints shall be made to the Executive Director who shall acknowledge receipt and transmit to the Chair of the Ethics Committee or to any member of the Committee (collectively, “Complaint Recipients”). Complaints must be made in writing and shall identify the person alleging a violation of the Accredited Agency Code of Conduct or the BSAAP Standard (Complainant) if such person is willing to be identified. A Complaint shall contain a comprehensive description of the nature and scope of the alleged violation and a citation to the particular section(s) or clause(s) of the Accredited Agency Code of Conduct or the BSAAP Standard which was violated. Upon receipt of the Complaint, the Complaint Recipient shall promptly forward it to the Executive Director. Moreover, all credible evidence received by a Complaint Recipient or of which a Complaint Recipient becomes aware shall be subject to mandatory written referral by the Complaint Recipient to the Chair. Such referrals shall be subject to these Policies and Procedures.
- b. Direct or indirect retaliation of any kind by anyone, including without limitation NAPBS, its officers and directors, the Council, staff, members, or agents, against any Complainant is strictly prohibited. This prohibition on retaliation shall be enforced strictly by the Council and the NAPBS Board of Directors. Similarly, Complaints made with knowledge of their falsity or with reckless disregard as to their truth or falsity, in whole or in part, are strictly prohibited. This prohibition on the making of knowingly or recklessly false Complaints may be enforced by the Council to the fullest extent possible, through sanctions up to and including a recommendation to the NAPBS Board of expulsion of the Complainant or the Complainant’s agency from the Association.
- c. Upon receipt and preliminary review of each Complaint, an acknowledgement of receipt will be provided to the Complainant(s). The Chair of the Ethics Committee may conclude, in the Chair's sole discretion, that the Complaint: (1) contains facially unreliable or insufficient information, or (2) is patently frivolous or trivial. In such cases, the Chair may determine that the Complaint does not constitute a potentially actionable Complaint that would justify bringing it before the Committee for determination of whether there has been a material violation of the Accredited Agency Code of Conduct or the BSAAP Standard. In such cases, such Complaint shall be dismissed without prejudice by the Chair, and notice to the Complainant shall be provided by the Chair in writing. The Chair may defer to legal counsel for legal review prior to finalizing decisions of this matter. All such preliminary dispositions of Complaints by the Chair shall be immediately reported in writing to all members of the Committee, with a copy to the Council Chair and to the NAPBS’ Executive Director.
- d. If a Complaint is deemed by the Chair of the Ethics Committee on a preliminary basis to be a potentially actionable Complaint, the Chair shall see that written notice is provided to the Accredited Agency the conduct of which has been called into question, advising the Accredited Agency that an investigation is being initiated.

4. Review of Complaint

- a. For each Complaint that the Chair of the Ethics Committee believes is potentially actionable, the Chair shall authorize an investigation into its specific facts or circumstances to whatever extent is necessary in order to clarify, expand or corroborate the information provided by the Complainant, and in order to assist the Committee in making a determination as to whether charges (and, if so, what charges) against the Accredited Agency should be brought. The

Committee may be assisted in the conduct of its investigation by NAPBS staff and may defer any of its duties herein to legal counsel, and/or outside experts, provided that no such staff person, legal counsel, or outside expert has any actual or apparent conflict of interest with respect to the matter, and provided further that such individuals agree to maintain the complete confidentiality of the investigation. Both the Complainant and the Accredited Agency which is the subject of the charge also may be contacted by the Committee or its agents for additional information with respect to the Complaint; such persons and entities shall provide accurate and complete information in response to the Committee's requests for information. In addition, the Committee or its agents may contact such other individuals who may have knowledge of the facts and circumstances surrounding the Complaint.

- b. If a Complaint is deemed by the Chair of the Ethics Committee on a preliminary basis to be a potentially actionable Complaint, the Chair shall see that written notice is provided to the Accredited Agency the conduct of which has been called into question, advising the Accredited Agency that an investigation is being initiated.
- c. If after the review of the findings of the investigation and any legal advice, and the Committee recommends that charges be brought, the Chair of the Ethics Committee shall notify the Accredited Agency to be charged and send the Accredited Agency a copy of the charges and the Committee's report. The Chair shall advise the member that an investigation will be conducted and that if a hearing will be held, providing the Accredited Agency with the proposed date and time for such hearing. The Accredited Agency shall be advised that it may request the opportunity to submit information or arguments contesting the charge in person or in writing, by submitting such request to the Committee within thirty days of receipt of the notice (or such other period established by the Committee, if any). The Accredited Agency also shall be advised that it may have the right to review evidence to be presented at the hearing and that it may be represented by legal counsel. The Accredited Agency shall be sent a copy of these Policies and Procedures.
- d. All investigations and deliberations of the Committee are to be conducted in strict confidence to the extent possible, except that the Committee shall be permitted to disclose any relevant information when compelled by law or to parties essential to the review and investigation of the alleged misconduct. All investigations and deliberations of the Committee shall be conducted objectively, without prejudice of any kind. An investigation may be directed toward any aspect of a Complaint that is relevant or potentially relevant.
- e. The Committee hearing may be held by telephone, electronically or video conference at the discretion of the Committee. The Chair of the Ethics Committee shall preside and make evidentiary and other procedural rulings with the advice of NAPBS's general counsel. If a hearing is held with a representative of the Accredited Agency present, the Chair shall, in his or her discretion, determine the rules of evidence and for oral presentations by the parties, as advised and approved by NAPBS's general counsel. Written statements may be accepted as evidence. If witnesses appear, they shall be subject to cross-examination. The Accredited Agency representative may be accompanied and represented by legal counsel at all times, at the Accredited Agency's sole discretion and expense.
- f. Notwithstanding the above, at any time during this process, the Chair of the Ethics Committee may engage in discussions with the Accredited Agency for the purpose of achieving an acceptable agreed-upon resolution. Any such resolution would be subject to approval of the Committee.

5. Determination of Violation

- a. Upon completion of its investigation and the hearing, the Committee shall determine by majority vote, upon a preponderance of the evidence, whether there has been a violation of the Accredited Agency Code of Conduct and/or the BSAAP Standard, and whether the BSCC should impose sanctions.
 - When the Committee finds that there has been a violation, it also shall recommend imposition of an appropriate sanction. If the Committee so recommends, a written determination with a proposed sanction shall be prepared under the supervision of the Chair of the Ethics Committee, and shall be presented by a representative of the Committee to the Council, along with the record of the Committee's investigation and deliberation. Written notice of the Committee's determination, the proposed sanction, and the fact that the matter will be reviewed by the Council shall thereafter be provided to the Accredited Agency.
 - If the Committee determines that a violation has not occurred, the Complaint shall be dismissed with prejudice, with written notice thereof provided to the Accredited Agency. A summary report also shall be made in writing to the Council.
- b. Should the Complainant or a representative of the Accredited Agency charged with a violation, be a member of the Council, such person may not participate in the Council's consideration of or determination with respect to the Complaint.
- c. If a violation is found and sanctions are recommended by the Committee, the Council shall review the recommendations of the Committee based upon the record presented. The Accredited Agency charged may submit a written statement to the Council prior to the Council making its decision, but may not otherwise appear before or participate in the Council's deliberations. The Council may accept, reject or modify the Committee's determinations either with respect to the determination of a violation or the recommended sanction to be imposed, or may send the matter back to the Committee with instructions for further deliberations or actions. The Council's decision shall be made by a majority vote at a meeting at which a quorum is present. If the Council agrees that a violation has occurred, then the determination and imposition of a sanction shall be communicated in writing to the Accredited Agency; the Council's decision shall not be communicated to the Complainant. If the Council determines that a violation has not occurred or that a sanction should not be imposed, then the Complaint shall be dismissed without prejudice, with written notice thereof provided to the Accredited Agency.
- d. The Council may consider a recommendation from the Committee that the Accredited Agency found to be in violation of the Accredited Agency Code of Conduct or the BSAAP Standard should be offered the opportunity to submit a written assurance that the conduct in question has been terminated and will not recur. The decisions of the Committee to make such a recommendation and of the Council to accept it are within their respective discretionary powers. If such an offer is extended, the Accredited Agency must promptly submit the required written assurance to the BSCC, and the assurance must be submitted in terms that are acceptable to the Council, including but not limited to any probationary period, if required by the Council. If the Council accepts the assurance, then written notice thereof shall be provided to the Accredited Agency, as well as to the Complainant, if the Complainant agrees in advance and in writing to maintain in confidence whatever portion of such information is not made public by the Council. Complaints disposed of in this manner shall be deemed to have been disposed of without prejudice.

- e. All examinations of the record by and deliberations of the Council are to be conducted in strict confidence to the extent possible, except that the Council shall be permitted to disclose any relevant information when compelled by law. All examinations of the record and deliberations of the Council shall be conducted objectively, without prejudice of any kind.

6. Communication of Results to Agency

Agencies subject to complaints will receive written notification for the following:

- a. Findings-Written notice of the findings-determination and imposition of a sanction
- b. No Findings- Written notice that a violation has not occurred and the complaint is dismissed without prejudice

7. Sanctions

- a. The Council may impose such sanctions as it deems appropriate upon an Accredited Agency which the Council has determined to have violated the Accredited Agency Code of Conduct or the BSAAP Standard. The sanction applied must reasonably relate to the nature and severity of the violation, focusing on reformation of the conduct of the affected Agency and deterrence of the same or similar conduct by others.
- b. The potential sanctions include:
 - (1) Written reprimand to, or censure of, the Accredited Agency (combined with any probationary period, if desired);
 - (2) If the Accredited Agency receiving the sanction is represented on the Council, such representative's membership on the Council may be suspended for a designated period of time (combined with any probationary period, if desired);
 - (3) Suspension or revocation of accreditation for a designated period of time (combined with any probationary period, if desired);
 - (4) Recommendation by the Council to the NAPBS Board of suspension from membership in or permanent expulsion from NAPBS or from re-applying for accreditation.
- c. Sanctions shall not be imposed until the time for an appeal has expired or, in the event of an appeal, until the Agency has fully exhausted its appeal rights.
- d. Once one (1) or more of the above sanctions is imposed, the Complaint shall be deemed to have been disposed of with prejudice. When the sanction of suspension or revocation of accreditation is imposed, the Accredited Agency's name shall be removed from the publicly available list of accredited agencies, and such Agency shall cease using and/or displaying the BSCC Accreditation Logo in any manner and cease holding itself out as an Accredited Agency during the period of suspension or revocation.

8. Resignation

If an Accredited Agency which is the subject of a Complaint voluntarily resigns (in writing) its accreditation while a Complaint under these Policies and Procedures, the Complaint shall be dismissed without prejudice and without any further action by the Committee or the Council. The Agency may

not re-apply for accreditation for a period of five (5) years from the effective date of its resignation. However, the Council may communicate the fact and date of the Agency's resignation, and the fact and at the time of resignation, to or at the request of one (1) or more law enforcement agencies, if the Council deems it appropriate to do so. See Attachment #5 for the Complaint/Grievance Process.

K. Appeals of Council Decisions

1. Appealable Decisions

Appealable Decisions include the following:

- a. Denial of eligibility for accreditation
- b. Denial of accreditation
- c. Denial of renewal of accreditation
- d. Sanctions related to accreditation
- e. Revocation of accreditation

2. Written Request Required

NAPBS staff must receive from an Agency desiring to appeal from a decision of the Council written documentation requesting an appeal or, in the case of revocation of accreditation, a Letter of Intent to Appeal, within thirty (30) days of the Agency's receipt of the written decision of Council. With respect to appeals from Council decisions to revoke accreditation, an Accredited Agency which timely files a Letter of Intent to Appeal shall have an additional thirty (30) days to submit appeal documentation. The written documentation should specify the grounds on which the appeal is based. A nonrefundable fee as defined in the *Fee Schedule* must be submitted in U.S. dollars with the letter of appeal for all appeals except those for denial of eligibility for accreditation.

3. Appeals Process

A standard appeals process shall be followed for all appeals. See Attachment #6 for a flowchart of the Appeal Process.

- a. Appeals Panel – The Council will appoint an Appeals Panel consisting of three (3) individuals. This Panel shall consist of one (1) current member of the NAPBS Board of Directors not currently on the Council, and two (2) former members of the Council. None of these individuals may have had any affiliation with the Agency filing the appeal, and the Appeals Panel may not include the Council member responsible for the initial review of the Audit Findings Report. The Appeals Panel will conduct its work and render a written decision within 60 days of its appointment.
- b. Grounds for Appeal - Appeals may assert procedural error by the Committee or the Council or that the decision of the Council is not supported by sufficient evidence. Appeals regarding the structure of the BSAAP Standard are not accepted; however, appeals regarding conformity with the BSAAP Standard are acceptable.
- c. Appeal Decisions - The Appeals Panel may render a decision to uphold the Council decision or may refer the matter back to the Council for reconsideration in light of the Panel's findings regarding procedural or substantive error. A written copy of the Appeals Panel decision shall be sent from the Council to the appealing Agency. Decisions of the Appeal Panel upholding the Council's determination are final and not subject to further appeal.

L. Non-Conformity

Any Accredited Agency determined to be out of conformity with required clauses of the BSAAP Standard will be contacted by the Council regarding the submission of an acceptable plan of correction to address the deficiencies. Allegations of non-conformity may also require an unannounced visit to the Accredited Agency's facility. Agencies determined to be non-compliant with the BSAAP Standard may be placed on probation for a specified period of time. Agencies that fail to implement an acceptable plan of correction risk losing accreditation. Revocation of accreditation will occur only after an Agency has been given an opportunity to respond to the allegations or other basis for determining non-conformity. The Council will be responsible for making determinations regarding non-conformity and for proposing an appropriate probation period and/or sanction depending upon the severity of the issue at hand. While on probation, an Agency is deemed to still be accredited.

M. Records

1. Ownership of Records

All information submitted by an Agency during the accreditation process becomes the property of the BSAAP Council.

2. Retention of Records

The NAPBS Staff will maintain the following Accreditation Program records for accredited agencies for the period of accreditation plus seven (7) years, and for records relating to a denial of accreditation retain such records for seven (7) years following a decision to withdraw, deny or revoke accreditation:

- Initial applications and self-evaluation materials
- Renewal applications and self-evaluation materials
- Records of probation decisions
- Records of revocation of accreditation decisions or withdrawal of accreditation
- Appeals records
- Archives of the BSAAP Standard and Audit Criteria with effective dates

All hard copies will be destroyed upon the award of the accreditation and only electronic copies maintained on the secure web server by NAPBS staff. In addition, administrative records will be kept including the following:

- Minutes of Council meetings
- Copies of all policies and procedures
- Copies of Council annual reports
- Documentation of development and editing of clauses of the BSAAP Standard

All Council members, Auditors and staff shall be required to signed statements agreeing to keep all information reviewed as part of the accreditation process confidential. All accreditation records will be kept in a secure and locked location under the control of or within the purview of NAPBS. Staff or volunteers who are not working on the Accreditation Program will not have access to the accreditation application materials. Official materials may not be maintained solely at a Council or Committee member's location. Upon conclusion of a Council or Committee member's term, all copies of official documents not directly relating to that individual member shall be destroyed, deleted or returned to the designated NAPBS record retention location. Council members will return all application materials and review records to NAPBS staff at the conclusion of any meetings at which review work is conducted.

N. Release/Disclosure of Accreditation Information

1. Status of Accreditation

NAPBS staff will provide to any inquiring parties the names of all Agencies that currently maintain accreditation status. All other levels of involvement in the accreditation process are considered to be confidential and shall be kept accordingly. Neither Council nor NAPBS staff will confirm nor deny that a specific Agency is involved in any phase of the accreditation process prior to its achieving accreditation.

The content of accreditation reviews is also confidential. This information will only be disclosed to the Agency to which such information relates, provided, however, that if the Council is directed to release specific accreditation review information by a court order or subpoena and otherwise to the extent required by law, the Council will attempt to provide prior notice to the affected Agency in order to permit the Agency to intervene with an appropriate court in an effort to block the disclosures.

2. Redaction of Proprietary Information

Documents submitted to the Council in connection with an Agency's accreditation should, if deemed appropriate by the Agency, be marked by the Agency as Proprietary and Confidential. The Agency may redact any proprietary information it deems necessary from all documentation. However, the redaction of information may not be of such magnitude as to alter the Council's ability to utilize the documentation to properly review and assess the Agency's preparedness for accreditation. Documents which are overly redacted and deemed unusable by the Auditor and/or the Council may be rejected and may result in an adverse accreditation decision.

O. Assistance during the Accreditation Process

The Audit Criteria to the clauses of the BSAAP Standard have been designed to minimize the questions associated with the accreditation requirements. However, should an Agency require assistance, all questions should be directed to NAPBS Staff and shall not be directed to individual Council members.

P. Circumstances Requiring Notice by Accredited Agencies

In the following situations where notice is required to be provided by an Accredited Agency, additional fees may be required to be paid by the Accredited Agency as further provided on Attachment 2, *Fee Schedule*, which may require a response from the Auditor, BSCC Ethics Committee and or Legal Counsel.

1. Change of Legal Name, or Ownership

In the event of a change of legal name or d/b/a filing for an Accredited Agency or change in ownership such that there is a change in controlling interests for privately held organizations, the Accredited Agency is required to provide written notice of the same to NAPBS staff within 90 days of the effective date of the change. Upon receipt of written notice, NAPBS staff will forward documentation to the Auditor for appropriate inquiry. Such written notice shall include a detailed description of the change, review and confirmation of compliance with each BSAAP Standard noting any distinctions or changes that have occurred due to the aforementioned change. Failure to provide such notice may result in automatic suspension of the accreditation of the Agency, which may result

in revocation if not resolved.

2. Change due to Merger, Acquisition, or Asset Sale

In the event of a change due to Merger, Acquisition or Asset Sale of or by an Accredited Agency, the Accredited Agency is required to provide written notice of the same to NAPBS staff within 90 days of the effective date of the change. Upon receipt of written notice, NAPBS staff will forward documentation to the Auditor for appropriate inquiry. Such written notice shall include a detailed description of the change, review and confirmation of compliance with each BSAAP Standard noting any distinctions or changes that have occurred due to the aforementioned change. Failure to provide such notice may result in automatic suspension of the accreditation of the Agency, which may result in revocation if not resolved.

Upon receipt of notice, Auditor shall review, schedule an on-site audit if appropriate and submit a written report to the Council. The final decision of the Council will be provided to the Accredited Agency which shall be required to comply with any directives made in the same. The Council has the authority to suspend, revoke or grant a continuation of the accreditation status for the original accreditation period of the Accredited Agency at any time during the proceedings. The Council has the authority to require a surveillance audit or on-site audit any time after the proceedings prescribed in this section up to one (1) year from the change.

3. Notice of Legal Actions

In the event that an Accredited Agency has been the subject of litigation or a governmental investigation which includes allegations which, if proven, would constitute a violation of the BSAAP Standard, the Accredited Agency is required to provide written notice of the same to NAPBS staff within 30 days of the resolution. Such written notice shall include a detailed description of the allegation as it applies to the BSAAP Standard, review and confirmation of compliance with each BSAAP Standard noting any distinctions or changes that have occurred due to the aforementioned allegation. Failure to provide such notice may result in suspension of the accreditation of the Agency, which may result in revocation if not resolved.

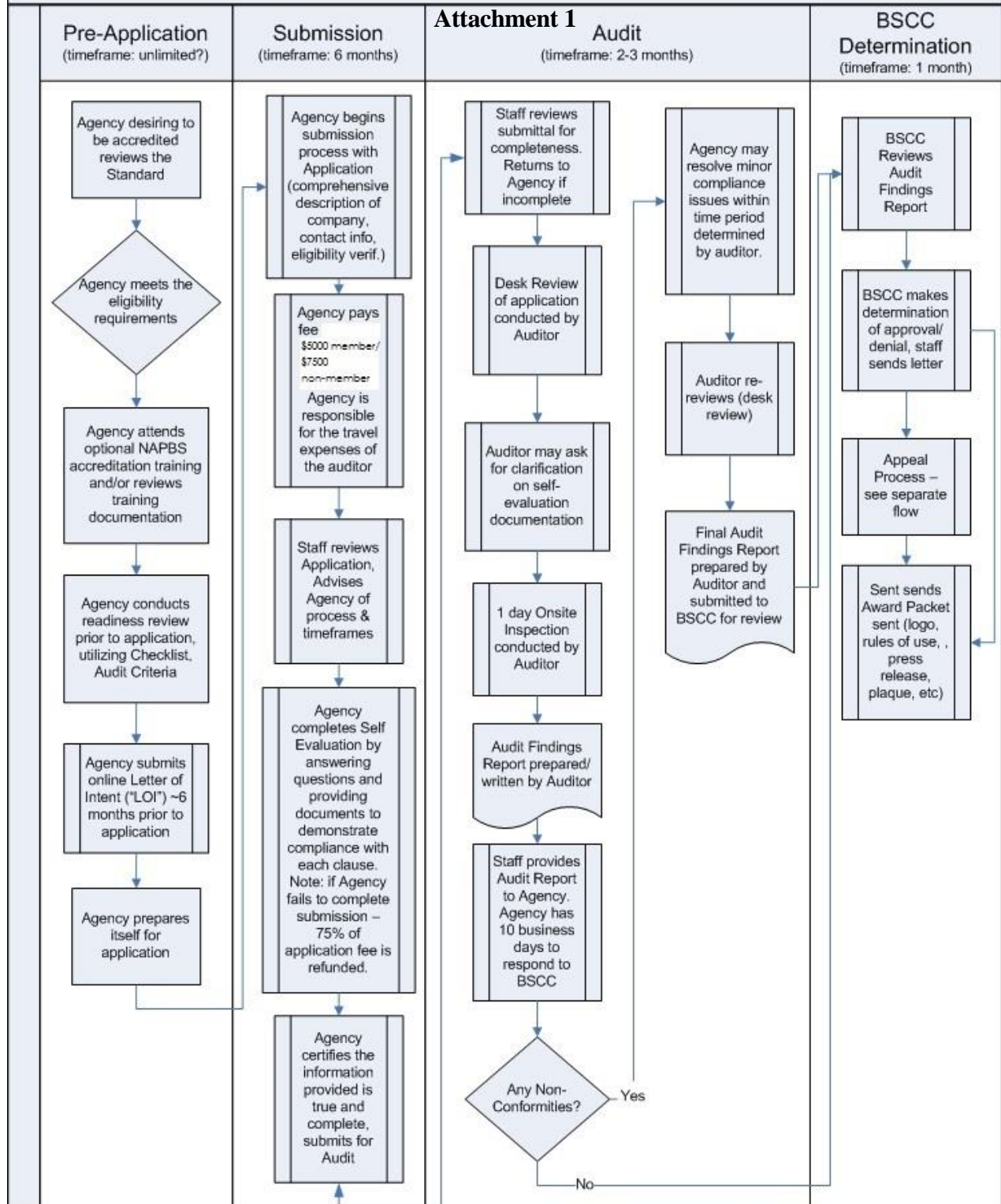
Q. Glossary of Terms

1. Accreditation - A conformity assessment process through which an organization or agency uses experts in a particular field of interest or discipline to define or recognize standards of acceptable operation/performance for organizations/entities and measure conformity with those standards.
2. Agency or Agencies – A consumer reporting agency which is seeking accreditation from the Council; once accreditation is received, the Agency becomes an Accredited Agency.
3. Agency Code - The Accredited Agency Code of Conduct with which all Accredited Agencies must abide.
4. Audit Criteria - The criteria used to determine conformity with a clause of the BSAAP Standard.
5. Board - NAPBS Board of Directors.
6. BSAAP - Background Screening Agency Accreditation Program.

7. BSCC - Background Screening Credentialing Council - The governing body for the accreditation program.
8. Clause - Each component of the BSAAP Standard describing criteria with which to conform in order to achieve accreditation.
9. Council - BSCC or Background Screening Credentialing Council - The governing body for the accreditation program.
10. Letter of Intent - Letter to be submitted by an Agency as the first step and indication of its intent to apply for accreditation.
11. Staff - NAPBS Staff shall include Executive Director and management company staff.
12. Standard - BSAAP Accreditation Standard.
13. Surveillance - As it relates to accreditation, the process of monitoring and review of an Accredited Agency for ongoing conformity with the BSAAP Accreditation Standard.

These Policies and Procedures were approved on April 24, 2019.

Background Screening Agency Accreditation Program (BSAAP) – 02/01/2017



**Attachment 2
FEE SCHEDULE**

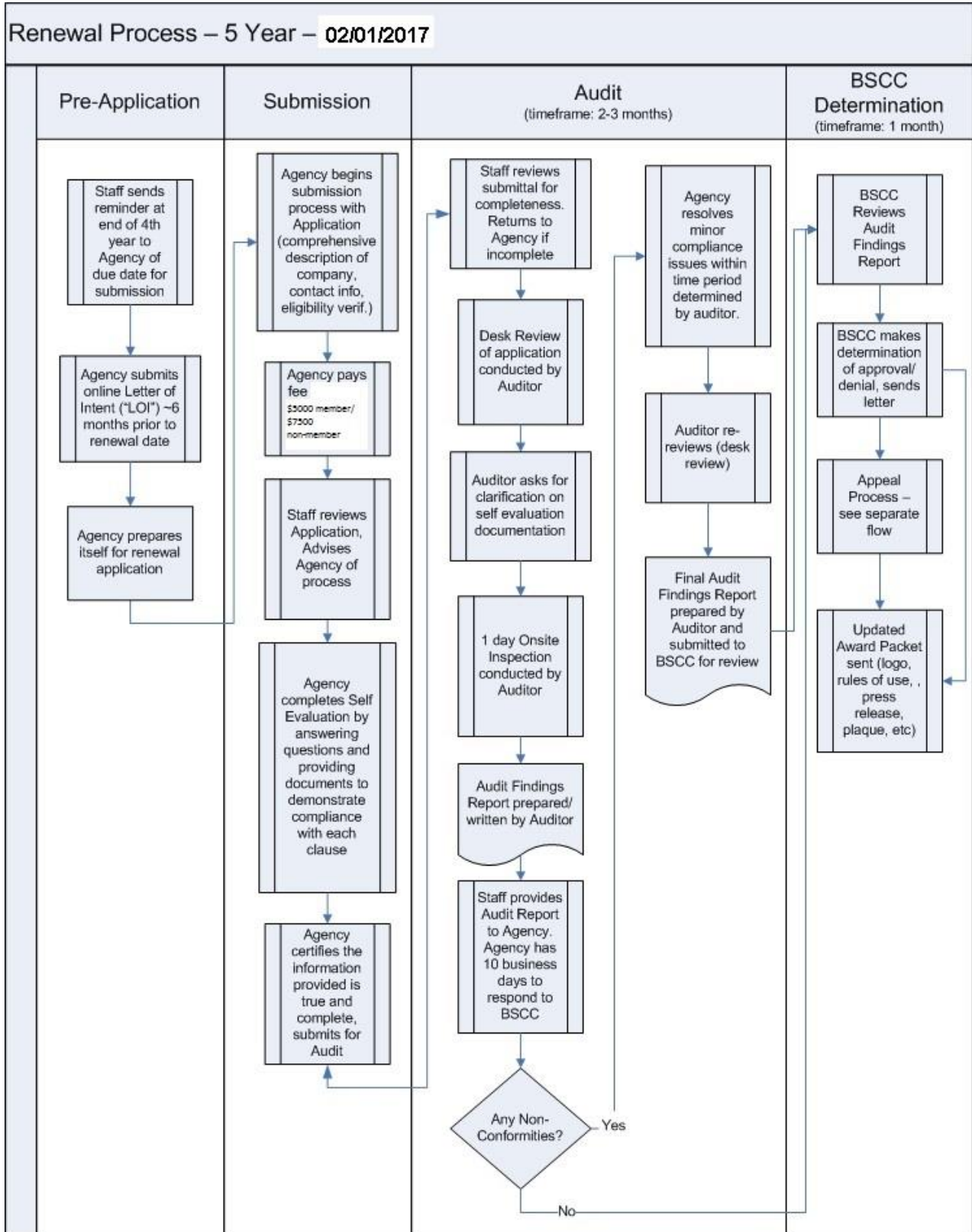
***all fees subject to change at the discretion of the Council**

Service	NAPBS Member Rate	Non-Member	Date Due	Notes
5 Year Accreditation Application- Standard (Initial and Renewal)	\$5,000.00 US*	\$7500.00 US*	With application	Includes application fee, desk review, and one day of on-site audit. Auditor travel (transportation, lodging, per diem) for on-site audit is separate and shall be paid directly by the agency applying for accreditation.
5 Year Accreditation Application- Additional Location(s) (Initial and Renewal)	\$5000.00 plus \$2000 US for each additional location*	\$7500.00 plus \$2700.00 US for each additional location*	With application	Same as “Initial 5 Year Accreditation Application – Standard”. Plus, at the discretion of the auditor and/or BSCC if additional site visit(s) are required, additional fee per location will be added. Auditor and BSCC will make every effort to advise of additional fee(s) as soon as practicable.
*Locations outside the U.S. subject to audit at the discretion of the auditor and NAPBS Staff will be reviewed separately for fee structure. NAPBS staff will work with agency to determine locations and fees.				
5 Year Accreditation Application- Additional Complexity (Initial and Renewal)	\$5000.00 plus \$2000.00 US	\$7500.00 plus \$2700.00 US	With application	Same as “Initial 5 Year Accreditation Application – Standard”. Plus, at the discretion of the auditor and/or BSCC the agency’s structure is complex or a change occurs during the accreditation process the additional fee will be added. Auditor and BSCC will make every effort to advise of additional fee(s) as soon as practicable.
Year 3 Interim Surveillance Audit	\$2000.00 US	\$3000.00 US	With renewal application	Includes desk review of submitted materials. At the discretion of the auditor and/or BSCC, if auditor is required to travel for an on-site review, additional \$1500.00 will be added for each location. Auditor travel (transportation, lodging, per diem), if required, is separate and shall be paid directly by the agency seeking continued accreditation.
Periodic Surveillance Audit	\$2000.00 US	\$3000.00 US	Within 30 days of notice	A periodic surveillance audit may be required at the discretion of the auditor and/or BSCC. May include desk review and/or on-site audit. Auditor travel (transportation, lodging, per diem) for on-site review is separate and shall be paid directly by the agency.
Appeals	\$1000.00 US	\$1500.00 US	Upon submission of appeal	See Section IV(C)(6) In some instances additional fees may be incurred (for example in instances where the appeals panel determines that additional resources such as audit or legal services are necessary). Any travel (transportation, lodging, per diem) for on-site review is separate and shall be paid directly by the agency. BSCC will make every effort to advise of additional fee(s) as soon as practicable.

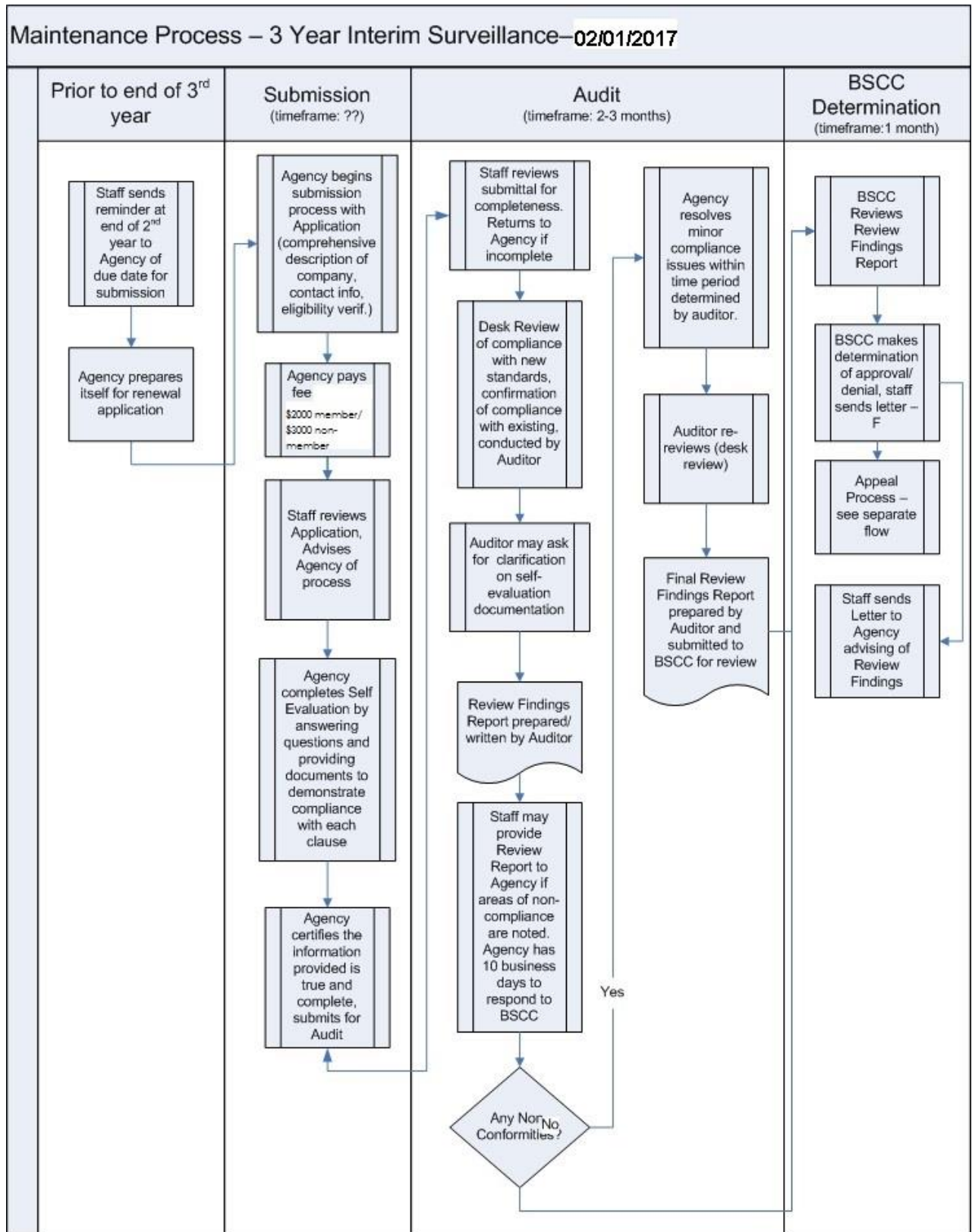
* In rare circumstances auditor and/or BSCC may require engagement of outside counsel, in such instances fees for outside counsel will be passed through to agency.

Fee increases will apply to all agencies. Exceptions may be made for agencies who have submitted their application and desk audit material, however, no exceptions will be made for agencies who have only submitted a Letter of Intent (LOI)

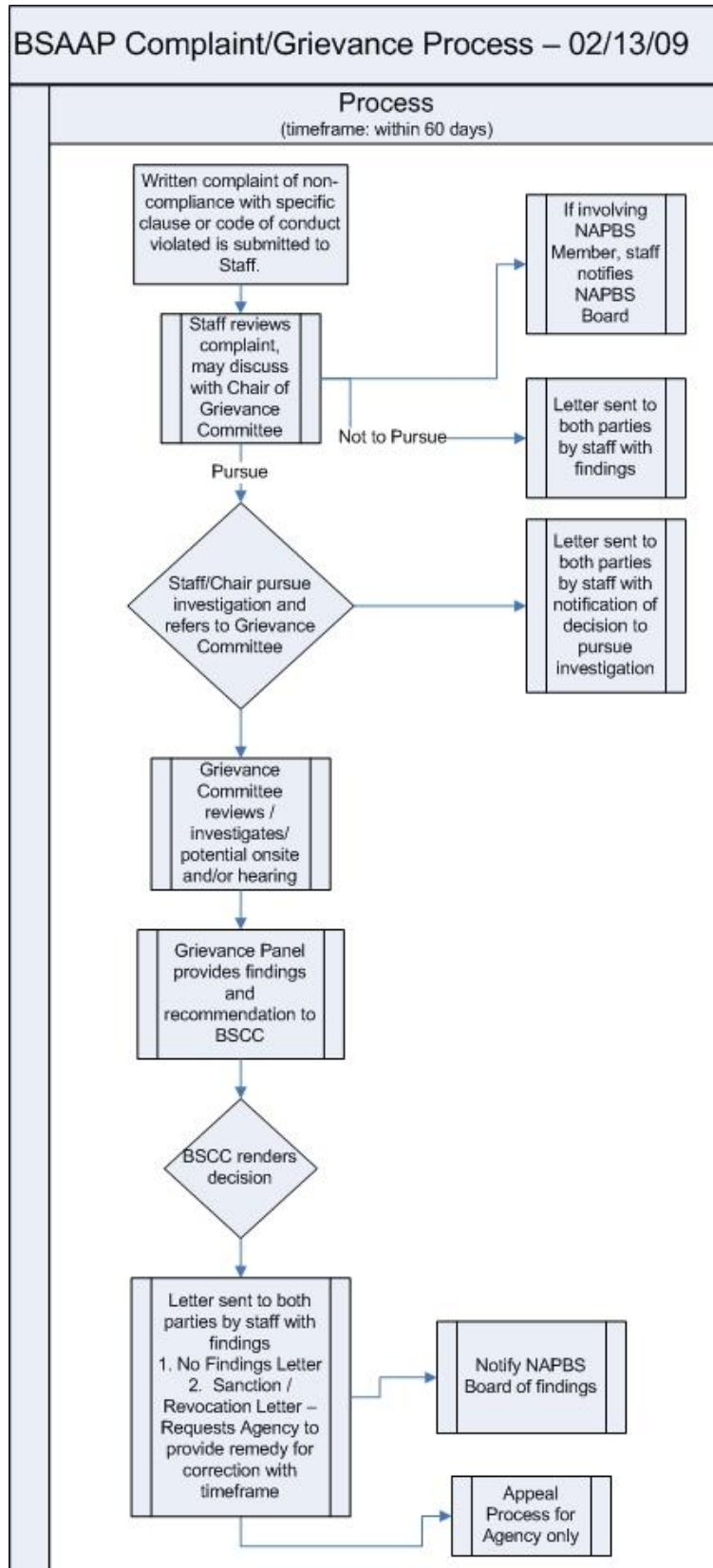
Attachment 3



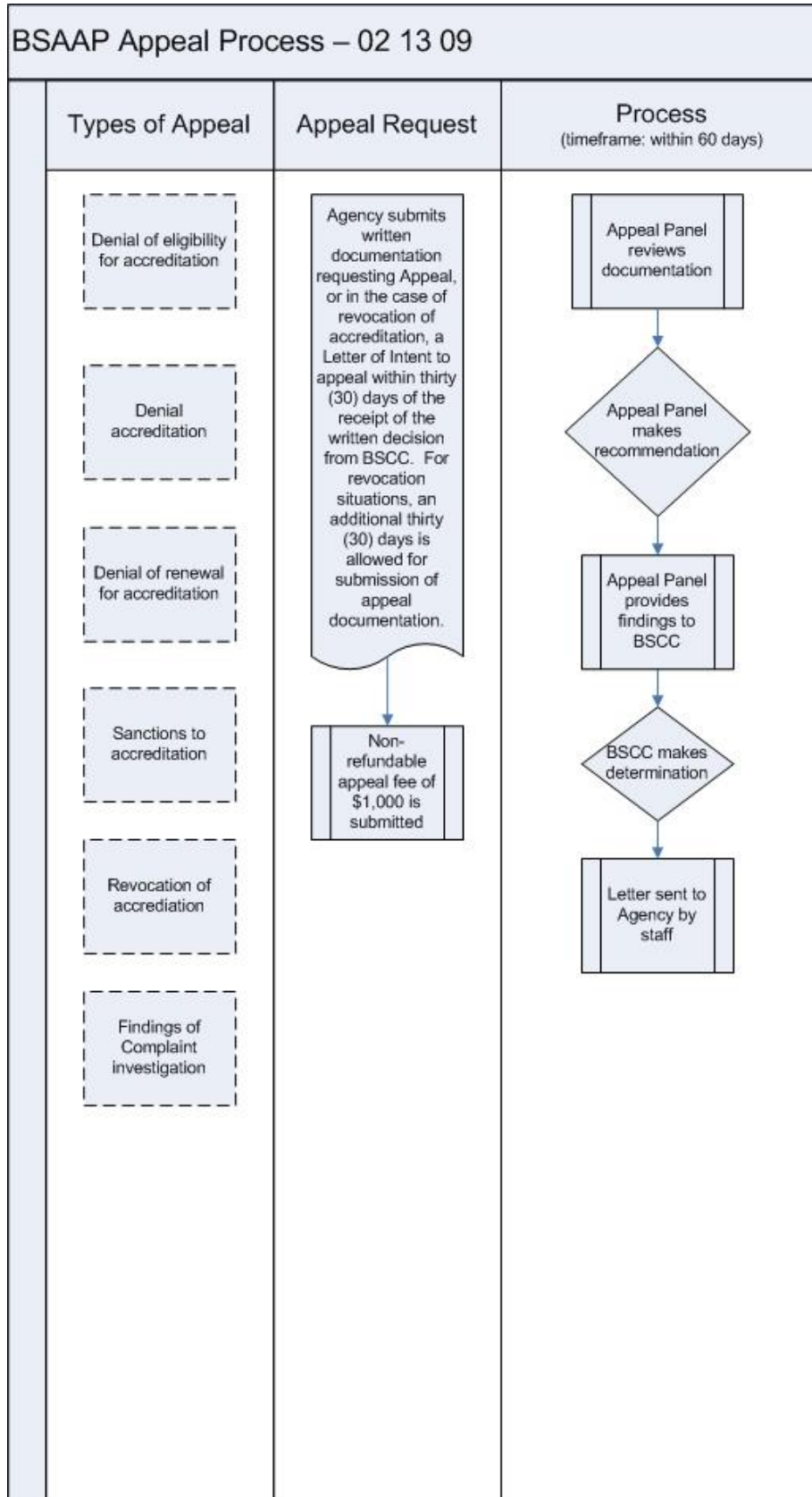
Attachment 4



Attachment 5



Attachment 6



LIST OF APPROVED FORMS

Form 1.0 - Application Packet

Form 2.0 - Accreditation Approval Letter

Form 3.0 - Interim Surveillance Process
Reminder Letter

Form 4.0 - Renewal Process Reminder
Letter