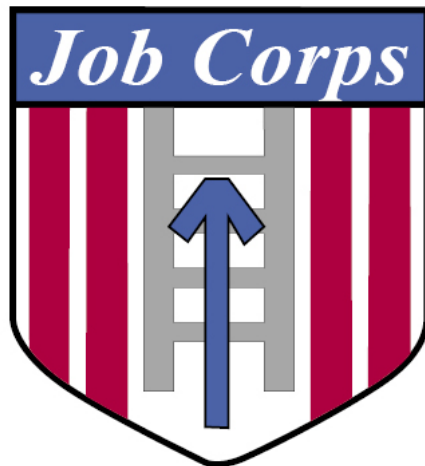


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# POLICY AND REQUIREMENTS HANDBOOK

## CHAPTER 1: OUTREACH / ADMISSIONS

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October 25, 2012

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**1.0 OBJECTIVES**

To ensure that the Job Corps program maintains a positive public image, strong community and employer partnerships, a pool of qualified and committed applicants who meet the requirements for enrollment in Job Corps, and full utilization of Job Corps training opportunities. To make certain that applicants of the program are provided with professional and personalized services throughout the admissions process that maintain the applicants' rights, and follow applicable laws..

## 1.1 OUTREACH

### PURPOSE

- P1. To foster and maintain a positive public image of the program by:
- Educating the public about the training opportunities the Job Corps program provides for at-risk youth;
  - Ensuring that Job Corps is an active member/partner in the state and local workforce training community, including One-Stop Centers, local Workforce Investment Boards, and Youth Councils.
- P2. To attract youth who are able to qualify for admission to and completion of the program, and ensure universal access to all potentially qualified youth.
- P3. To ensure the center is viewed as an asset and partner within the community by:
- Involving employers with the Job Corps program in local and distant labor markets where students seek employment;
  - Actively involving the community with the center and the students.
- P4. To comply with applicable legal requirements.

To qualify for enrollment in Job Corps, potential students must meet specific eligibility requirements set forth in 20 C.F.R. 670.400 and other requirements set forth in 20 C.F.R. 670.410. Except when necessary to distinguish between these factors, the PRH will collectively refer to them as eligibility or admissions requirements, or qualifications, and to students who meet them as eligible, qualified, or admissible.

### REQUIREMENTS

#### ***R1. Outreach/Public Education Plan***

Outreach and Admissions/Career Transition Services (OA/CTS) contractors and centers must develop and implement outreach/public education plans, as part of an overall Career Development Services System (CDSS) Plan. The plan must demonstrate collaboration and consultation between OA/CTS contractors and centers, and must comply with the outreach requirements of the Workforce Investment Act (WIA) nondiscrimination requirements at 29 CFR 37.42. The plan must be submitted to the Regional Office for review and approval, in accordance with PRH Chapter 5, Section 5.1, R3.c, Career Development Services System Plan, and must include, as applicable:

- a. Outreach strategies to achieve and maintain overall design capacity;
- b. Strategies to ensure coordination of efforts between OA/CTS contractors and center business and community liaisons, including liaisons with community organizations that serve specific targeted groups referred to in c.4 below;
- c. A description of the public education and outreach methods, activities, events, and linkages that will be developed to:

1. Foster referrals of eligible youth from various targeted groups referred to in c.4 below;
  2. Promote positive public awareness of student and center achievements;
  3. Respond to media and public inquiries with consistent and factual Information;
  4. Reach potential applicants who represent the diversity of the community in which the Job Corps center is located in terms of the following characteristics:
    - Gender
    - Race and ethnicity, including status as Limited English Proficient (LEP)/English Language Learner (ELL)
    - Disability status
  5. Publicize the Job Corps program and the center in media that specifically target various populations referred to in Section 1.1, R1.c.4, such as newspapers, television and radio programs, and websites with streaming audio and video. Ensure that the selected outreach tools include media in languages appropriate to the population served by the center.
- d. A description of outreach methods and materials to be distributed to, and maintained at, American Job Centers, Youth Councils, schools, social service agencies including those that serve foster care and homeless youth, organizations, communities, youths, general public, youth programs, employers, other employment and training programs, vocational rehabilitation agencies, and other organizations or entities that serve specific targeted populations referred to in Section 1.1, R1.c.4, such as members of both sexes, individuals with disabilities, or various racial or ethnic groups. Such materials must:
1. Include center-specific information including available career technical training, certification, credentialing, and licensure opportunities;
  2. Be designed to reach a diverse audience. Selected materials should be translated into languages appropriate to the population served by the center;
  3. Be available in alternate formats for persons with disabilities (e.g., large print, audio tape, open captioning, Braille);
  4. Include the exact language of the following tag lines, as required by 29 CFR 37.34(a): “Equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities;”
  5. Provide phone numbers for TTY/TDD or relay service contact for people whose disabilities prevent them from using voice telephones, where voice telephone numbers are provided for telephone contact;
  6. Be distributed to schools; social service agencies, including those that serve foster care and homeless youth; youth programs; and other employment and training programs.

- e. Be a direct referral system that provides unions, business/industry organizations, and individual employers a mechanism for referring youth who may be qualified to participate in Job Corps. Applicants recruited through direct referrals must meet all Job Corps eligibility and other requirements for enrollment and fully participate in all career preparation activities. Direct referral applicants do not have priority over those waiting to enter Job Corps, nor do they have priority over those who are on a waiting list for a specific training program.
- f. Provide a system to ensure timely follow-up on all referrals.
- g. Have a system to document and monitor the effectiveness of outreach efforts, including efforts to collaborate with American Job Centers.
- h. Have a LEP/ELL Readiness Plan that outlines the steps that will be taken to meet the needs of LEP/ELL applicants. This plan should comply with the U.S. Department of Labor Policy Guidance entitled "Policy Guidance to Federal Financial Assistance Recipients Regarding the Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons," 68 Federal Register 32289 (May 29, 2003) (available at <http://www.dol.gov/oasam/regs/fedreg/notices/2003013125.htm>).

## ***R2. Center Information***

Centers must:

- a. Provide Admissions Counselors (AC) and American Job Centers with current information, including a video where possible, about all aspects of center life, including the center's Career Development Services System (CDSS); the availability of career technical training, on-center certification, credentialing, and licensure opportunities; dorm life; center standards of conduct; recreation; and support services.
- b. Provide ACs with copies of current career technical Training Achievement Records (TAR).
- c. Offer-center tours to prospective applicants, parents, school counselors, employers, etc., whenever possible.
- d. Assign staff and students to participate in outreach activities as needed.

## ***R3. Use of Applicant and Student Photos and Moving Images***

- a. All contractors and centers must ensure that photos and moving images of Job Corps applicants and students are not taken, used on printed materials, or posted on the Internet, except when proper releases have been obtained, as specified in Appendix 601 (Student Rights to Privacy and Disclosure of Information).
- b. Job Corps centers will ensure that candidates for public office will neither be permitted to film or take photographic images on center property within 60 days of an election, nor conduct any campaign activities during a center visit.



**R4. Notification of Newsworthy Events**

OA/CTS contractors and centers must:

- a. Notify the Regional Office of newsworthy events, press, or media coverage, to include all visits by elected officials.
- b. Immediately notify and consult with the Regional Office for guidance and approval of news releases regarding any adverse or negative information.

**R5. Notification of Discrimination Complaints**

OA/CTS contractors and centers must promptly notify the Regional Office of any administrative actions or lawsuits that are filed against the contractor or center that allege discrimination on the ground of race, color, religion, sex/gender, national origin, age, disability, political affiliation or belief, citizenship, or participation in a program or activity financially assisted under WIA Title I, including those filed by students and applicants. The notification must include:

1. Names of the parties to the action or lawsuit;
2. Forum (court or administrative agency) in which each case was filed; and
3. Relevant case numbers.

The Regional Office will convey the information to the Office of Job Corps, which is responsible for promptly conveying this information to the U.S. Department of Labor Civil Rights Center (DOL-CRC), as described in 29 CFR 37.38(a).

**R6. Partnerships and Linkages**

- a. OA/CTS contractors and centers will, as applicable:
  1. Work cooperatively with schools, social service agencies including those that serve foster care and homeless youth, centers, youth councils, youth programs, other employment and training programs, state vocational rehabilitation agencies, associations, and other appropriate organizations, including organizations and other entities that serve the targeted populations referred to in Section 1.1, R1.c.4, to promote referral of applicants who are eligible to participate in the Job Corps program. In this regard, close cooperation between the National Training Contractors (NTC) and OA/CTS contractors is essential in assisting potential enrollees who have been referred to Job Corps by unions/employers that work with the NTCs.
  2. Establish working relationships and partnerships, including membership where appropriate, with One-Stop Centers, state and local workforce investment boards, youth councils that operate as part of local boards, and other local employment and training programs for youth.
  3. Ensure that Job Corps services are included on the menu of services found on the Internet that are available through the b centers.

4. Develop linkages and relationships that enhance the quality of services to students and the community, such as work-based learning; leisure-time employment; high school, college, and other career technical training programs; on-the-job training; One-Stop Centers; career services; and job placement.

**R7. *Business and Community Liaison Staff***

Centers will have staff designated by the Center Director to carry out the Business and Community Liaison (BCL) functions. Liaisons may represent more than one center, with Regional Office approval, where it is more effective and practical to do so.

Responsibilities of the liaison are to:

- a. Establish and develop meaningful relationships and networks with local and distant employers, education partners, applicable American Systems job centers, local Workforce Investment Boards (WIB), and other Workforce Investment Act (WIA) partners to promote and provide job opportunities for graduates.
- b. Establish and develop meaningful relationships with members of the local community to keep them informed about the projects of the Job Corps center and changes to the rules, procedures, or activities of the center that may affect the community, and planning events of mutual interest to the community and the Job Corps center.
- c. Provide support to the Center Industry Council (CIC) and Community Relations Council (CRC).

**R8. *Industry Councils***

- a. Establish Industry Councils
  1. Each Job Corps center must establish an Industry Council. Members of the council will be appointed by the Center Director, in consultation with the staff who performs the BCL functions.
  2. Where it can be justified that a single Industry Council can more effectively represent employers for more than one center and/or represent multiple labor markets to which students will return, the Regional Office may approve such an arrangement.
- b. Composition
  1. A majority of the council must be local and distant employers who have substantial management, hiring, or policy responsibility, and represent businesses with employment opportunities that reflect the employment opportunities in the communities where students seek employment.
  2. Other members must include representatives of labor organizations (where present) and/or other organizations representing employees, education partners, and students and graduates of Job Corps. Efforts should be made to include representatives from local WIBs as well.

- c. Responsibilities
  - 1. The CIC will work closely with all applicable local boards to identify and recommend to the Center Director appropriate career technical training for the center, and will meet at least once every 6 months to:
    - (a) Review relevant labor market information to identify employment opportunities in communities where graduates will seek employment, and the skills and education necessary for those employment opportunities.
    - (b) Re-evaluate labor market information and recommend appropriate changes in center career technical training offerings and/or curricula.
  - 2. Center Directors must:
    - (a) Maintain regular contact and share information with council members.
    - (b) Provide recommendations made by the council to the Regional Office at a minimum of once every 6 months.
    - (c) Document attendance and recommendations of the Industry Council.

***R9. Community Relations Council***

Centers will establish a Community Relations Council to serve as a liaison between the center and the surrounding communities. The council will have the following features:

- a. Be representative of business, civic, and educational organizations, elected officials; law enforcement agencies; and other service providers, including organizations and entities that serve targeted populations.
- b. Include student and staff representatives.
- c. Meet at least once per quarter to consider issues of mutual interest to the center and the community.
- d. Records of CRC meetings will document attendance and recommendations.

***R10. Community Projects***

Centers will:

- a. Participate in projects that benefit the community and provide a positive public image.
- b. Provide opportunities for staff and students to participate in community service projects on a regular basis.
- c. Ensure that all such projects and opportunities are accessible and available to individuals with disabilities.

**QUALITY INDICATORS**

- Q1. Job Corps is viewed as a positive alternative for youth by schools and the employment and training community.
- Q2. Job Corps is known and recognized as an integral part of state and local workforce systems.
- Q3. The local community supports and endorses the Job Corps center.
- Q4. Employer input is sought and used by the Job Corps center.
- Q5. Media coverage portrays a positive and fair image of the program.
- Q6. The pool of applicants to the Job Corps center reflects the diversity of the community in which the center is located in terms of gender, race, ethnicity, and disability status.

## **1.2 OUTREACH AND ADMISSIONS PROVIDER RESPONSIBILITIES IN THE ADMISSIONS PROCESS**

### **PURPOSE**

- P1. To assess, verify, and document applicant eligibility for the Job Corps program.
- P2. To enroll eligible youth who can benefit from the Job Corps program.
- P3. To establish procedures for assignment of applicants to centers in accordance with the specifications outlined in the Outreach and Admissions (OA) contractor's Statement of Work.
- P4. To ensure a regular flow of applicants for assignment to centers that meets or exceeds the contractual goals.
- P5. To provide applicants with accurate information about the Job Corps program.
- P6. To ensure that assigned applicants are fully prepared for successful enrollment.
- P7. To comply with applicable legal requirements.
- P8. To ensure that Personally Identifiable Information (PII) collected during the admissions process is securely safeguarded.

### **REQUIREMENTS**

#### ***R1. Interacting With the Applicant***

- a. Admissions Counselors (AC) must communicate by telephone, e-mail, or mail with each applicant referred by the National Call Center within **3** business days of receipt of either the prospect list, constituent issues, or voice-mail message.
- b. ACs must obtain, through a face-to-face interview (whenever feasible) with each applicant, pertinent data to make a determination of admissibility. Essential Admissions Requirements (EAR) are the basic requirements necessary for participation in the Job Corps program as enacted in the WIA, and in the federal regulations interpreting that Act. The OA staff will be responsible for determining whether an applicant meets each EAR. The EAR, as described in detail in Exhibit 1-1 of the PRH, must be applied equitably to all individuals who apply to the Job Corps program and may not be replaced, revised, or changed, except for policy changes issued by the Office of Job Corps through the official process. The AC must recruit and screen enough applicants to generate a sufficient number of arrivals to maintain the designated Job Corps center(s) at an average on-board strength of 100 percent of the design capacity, in accordance with the delivery schedule outlined in the OA contract.
- c. ACs must take appropriate steps to ensure their communications with applicants (and/or applicants' parents, guardians, or other representatives) who have disabilities are as effective as communications with others. This obligation, which is separate from the *reasonable accommodation* obligation, is described in

detail in Appendix 606. Even before taking the actions described in that appendix, ACs need to know that if they receive a request for auxiliary aids and services (communication aids) for a person with a disability, they:

1. Must address the request immediately; and
  2. Must not begin, or continue with, any part of the admissions process until some sort of communication aid has been provided *that is acceptable to the person* for whom the auxiliary aid and/or service is being requested.
- d. A qualified applicant with a disability is entitled to request and receive reasonable accommodation at any time during the admissions process. If the applicant is requesting reasonable accommodation to participate in the admissions process, the AC:
1. Must address the applicant's accommodation needs immediately; and
  2. Must not begin, or continue with, any part of the admissions process for which the applicant has requested accommodation until the accommodation has been provided. Other parts of the admissions process may go forward if they do not directly involve the applicant's participation, or if the applicant states that he or she does not need accommodations for those parts.

Requirements for providing reasonable accommodation to participate in the admissions process, including the circumstances under which the AC may ask for documentation of the need for the accommodation, are explained in Appendix 106.

Even if the applicant requests accommodation for the admissions process, the AC:

1. Must not ask whether the applicant will need accommodation to actually participate in Job Corps;
2. Must not assume that the applicant will need accommodation to participate in Job Corps;
3. Must not ask for any disability-related information except at the times, and under the circumstances, that are described elsewhere in this chapter;
4. Must not take the applicant's disability into consideration in determining whether he or she meets the eligibility requirements or other factors for enrollment in Job Corps, except as described in Section 1.2, R7.b; and
5. Must document the request for reasonable accommodations in accordance with Job Corps reasonable accommodation guidelines (See Appendix 106).

The AC will inform each applicant of his or her right to request and receive reasonable accommodation at any time during the admissions process and then review the Job Corps Reasonable Accommodation Request Form-Admissions

(see Appendix 106) with the applicant. If the applicant wants to request an accommodation to participate in the admissions process, the Job Corps Reasonable Accommodation Request Form-Admissions should be completed. The AC may assist with the completion of the form as necessary.

- e. The Application Process for LEP/ELL Persons. ACs must take reasonable steps to provide meaningful access to the application process for persons who have a limited ability to read, write, speak, or understand English. These persons are referred to as English Language Learners (ELL) or Limited English proficient (LEP). The steps that must be taken should be described in the OA contractor's LEP/ELL Readiness Plan, as described in Section 1.1 R1.h.

**R2. *Provision of Accurate Information About Enrollment Process and Rights***

ACs must provide every applicant with accurate information about the Job Corps enrollment process, and his or her rights in that process. That information must include, at a minimum:

- a. The process for admissions determination and assignment to a center of qualified applicants for enrollment;
- b. The rights of students to:
  1. Privacy;
  2. Confidentiality of personal information, including medical and disability-related information;
  3. Nondiscrimination and equal opportunity, including:
    - (a) Communication aids and reasonable accommodations for persons with disabilities. See Appendices 601, 602, 605, and 606.
    - (b) Information and services in languages other than English for LEP/ELL individuals as described in the OA contractor's LEP/ELL Readiness Plan referred to in Section 1.1, R1.h; and
    - (c) Religious accommodation.
- c. A copy of the WIA "Equal Opportunity is the Law" notice that contains accurate information about where the applicant may file a discrimination complaint. (See Exhibit 6-11.) The notice must be:
  1. Signed and dated by the applicant, and a copy placed in the applicant's file;
  2. Provided in alternate formats to applicants with visual impairments and other disabilities. (See Appendix 606.) Where notice has been provided in an alternate format, a record that an alternate-format notice has been given must also be a part of the applicant's file. This record should indicate the format in which the notice was provided;

3. Provided in appropriate languages for LEP/ELL individuals, as described in the OA contractor's LEP/ELL Readiness Plan referred to in Section 1.1, R1.h; and
  4. Posted prominently, in reasonable numbers and places, in the OA Agency's facilities.
- d. That enrollment in Job Corps is voluntary for each individual.

**R3. *Information on Center Life***

ACs must provide applicants with accurate information about:

- a. Living arrangements;
- b. Student conduct standards and expectations, including Job Corps' drug testing policy;
- c. CSSs, including center expectations for student behavior and information on regular evaluation of student progress;
- d. Center life, including community service activities, recreational activities, Student Government Association (SGA), and other center-supported activities;
- e. Allotment information to applicants with dependent children and child care information, as applicable (see Exhibit 6-2).

**R4. *Career Development Services System***

ACs must inform applicants about the Job Corps CDSS describing, at a minimum, the CDSS components, including:

- a. Personalized career planning assistance;
- b. Preparation for career development;
- c. Career development combining academic, career technical training, social, and employability skills training in both center-based and work-based settings to meet each student's individual needs;
- d. Career transition support; and
- e. Program expectations and graduation requirements.

**R5. *Personal Career Development Assistance***

ACs must assist applicants in initiating career planning by:

- a. Discussing available career technical offerings, trade requirements, and waiting lists.
- b. Identifying certification, accreditation, and licensure opportunities and, if applicable, associated training and experience requirements or other prerequisites.



- c. Providing accurate information about (1) the requirements to achieve the expectations of each TAR such as the length of stay, and (2) the increased salary opportunities associated with certificates, credentials, and licenses.
- d. Using labor-market information to advise applicants regarding the career outlook for his or her expressed career technical training interests and to assist applicants in selecting career technical training preferences.
- e. Explaining the use of the Personal Career Development Plan (PCDP) as a personalized blueprint, which will be used throughout enrollment and the Career Transition Period (CTP) to assist students in meeting their career goals. (See Appendix 102.)

**R6. *Safeguarding Personally Identifiable Information (PII)***

OA agencies must ensure that PII gathered during the admissions process must protect PII at all times. ACs must adhere to the following guidelines:

- ACs must not use personally owned or public computers to download or store protected PII.
- ACs must only access and store student protected PII using the CDSS Suite of Applications.
- E-mail containing any PII is not allowed outside the jobcorps.org domain.
- Approved encryption must be used to encrypt data that is moved to a portable device like a thumb drive, CD or floppy disk.
- Any missing documents or equipment that contains Protected PII must be immediately reported to the IT POC and the Job Corps Technical Assistance Center
- When not in use, documents containing PII must be stored in locked file drawers or a secured room.
- All documents containing PII must be immediately retrieved from printers, copiers and fax machines as soon as they are printed or received, including the originals.
- Sensitive documents must be properly disposed of by shredding or placing them in a locked recycling bin, and never placed intact in a trash can or open recycling bin.
- Any kind of PII that may have been left by others, or any PII incidents that staff observe should be reported immediately

Should circumstances necessitate that PII is taken outside of the OA office, ACs must adhere to the following guidelines:

1. ACs must not take any personally identifiable information belonging to Job Corps applicants, students or graduates off-site unless explicit approval is received from the OA manager. This applies to all forms of PII, whether in paper form such as student documents and files, or electronic form such as CDs, thumb drives, portable hard-drives or laptops.
2. ACs must keep PII in his/her possession at all times during transit.

3. PII must not be left unattended in a vehicle; this includes any papers, briefcase, and any information on a CD, hard-drive or laptop.
4. PII must not be stored off-site (for example, at home) unless it can be stored securely such as in a locked filing cabinet or safe.

***R7. Collection and Handling of Education-Related Information and Documents***

ACs must:

- a. Collect, maintain, and transmit education-related information and documents as follows:
  1. Include copies of one or more of the records in the list below, if available, in the applicant's file.
    - (a) An official school transcript with the school's seal affixed. If the applicant states that he or she has a GED, a copy of the GED certificate or official GED test scores.
    - (b) A copy of an acceptable High School Diploma (HSD) or official high school transcripts indicating graduation, if the applicant states that he or she completed the 12th grade **and** obtained a diploma. An acceptable diploma is one described in Criteria E, Documentation Requirements for Education/Training/Family Needs in Exhibit 1-1.
    - (c) May indicate in an applicant's records that the applicant has an HSD only after receiving a copy of one or more of the following documents:
      - (1) A regular/standard HSD;
      - (2) An honors diploma;
      - (3) An Individual Education Plan (IEP)/special education diploma;
      - (4) Official transcripts indicating graduation from a school that meets the guidelines set in PRH Appendix 304; and/or
      - (5) A foreign diploma.
  2. When filing, storing, and transmitting IEP, Section 504 plans, IEP/special education diplomas, similar documents, or any documents indicating that a particular applicant has such documents, strictly comply with the following legal requirements related to medical and disability-related information, as explained in Appendix 607.

- (a) Place these records in separate “health records” files that are kept and stored separately from all other information about the individual applicant until the records are sent to the center.
  - (b) Carefully limit access to these documents. For example, keep hard copies of the documents in locked files; ensure that electronic copies of the documents are password-protected. Be vigilant about who is permitted to know the password, or allowed to have access to the key or combination that opens the lock. Appendix 607 explains what categories of persons are legally authorized to have access to the documents.
  - (c) Transmit hard copies of the documents in sealed envelopes in accordance with Appendix 607. Make the best effort to ensure that the copies are delivered only to persons who are authorized to have access to those specific types of documents.
- b. If the applicant has not provided copies of the required official records, contact the appropriate state GED Administrator (see Exhibit 1-1, Section E: Education, Training, Family Needs), or the last high school the applicant attended; **and** send the administrator or school a Records Release Authorization (Exhibit 1-5), signed by the applicant or his or her parent or guardian, requesting that the required official records be delivered to the OA office or Job Corps center.
  - c. Before an applicant departs for his or her center of assignment, ensure that the center has received either the official records listed above, or documentation of the official request. This documentation must include contact information for the GED Administrator or school from which the records have been requested.

### ***R8. Essential Admissions Requirements***

Use Exhibit 1-1 to determine if each applicant to Job Corps meets the Essential Admissions Requirements (EAR) necessary to provide a conditional offer of enrollment. Start with item A and determine if the applicant has met that EAR. Continue in sequential order through Exhibit 1-1. ***Exhibit 1-1 was revised effective August 5, 2011, and all OA staff must ensure that the current version of Exhibit 1-1 is being used.***

- a. Before beginning the EAR process, the AC must explain to *every* applicant, and his or her parent, guardian if a minor, or other representative, that two of the EAR questions (those related to age and low-income status) may result in answers disclosing that the applicant has a disability. The AC must also explain the four principles that apply to all medical and disability-related questions in Job Corps. See Section 1.2, R7.b below.
- b. Asking About Disability

In general, ACs may not ask whether an applicant is an individual with a disability or about the nature and severity of a disability prior to conditional enrollment in Job Corps. (An applicant is conditionally enrolled in Job Corps when additional documentation or information is needed to confirm that the applicant meets all the admissibility requirements.) At two points in the process of determining eligibility, however, ACs may invite an applicant to disclose whether he or she has a disability:

1. If the applicant is or will be older than 24 years old on the date of enrollment, the maximum age limit may be waived if he or she is a person with a disability;
2. If the applicant would not meet the low-income requirement unless the applicant is considered a “family of one” because of disability.

The AC should explain to the applicant that under the law, he or she may be considered a “person with a disability” if:

- (a) He or she has a physical or mental impairment; and
  - (b) The impairment affects one or more of his or her major life activities. The term “major life activities” refers to activities that are of central importance to daily life, e.g., caring for one’s self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working; and
  - (c) The effect of the impairment is substantial.
3. Before inviting the applicant to disclose whether he or she falls into this category, the AC must explain to the applicant that:
    - (a) Providing disability-related information is voluntary – in other words, the applicant is not required to disclose whether he or she has a disability; and
    - (b) The information will be kept confidential as required by law; and
    - (c) Declining to disclose whether he or she has a disability will not cause the applicant to receive unfavorable treatment (except that if the applicant decides not to disclose, there is a possibility that he or she will not be found to meet the age requirements and/or qualify as low income); and
    - (d) The information will be used only in accordance with the law.

The same four pieces of information, (a) through (d) above, must be provided whenever an applicant is about to be asked a question and the answer to the question is likely to lead to disclosure of a disability.

The AC should explain to the applicant that when he or she is asked whether he or she falls into the category of an *individual with a disability*, the applicant should select only one of three possible answers: yes, no, or do not wish to answer. If the applicant’s response is yes, the AC:

- Must not use this information to determine the applicant's admissibility under any factors other than age or low-income status;
- Will continue with the admissions process and no other information regarding the disability will be requested or collected until and unless the applicant is notified that he or she has been determined eligible and selected for enrollment in Job Corps or unless the applicant asks for reasonable accommodation for the admissions process.

After the applicant is notified that he or she has been determined eligible and selected for enrollment in Job Corps, the AC will secure any corresponding supporting medical and/or educational documentation. The AC must not review the contents of this information, and must place all medical documents and/or all special education and/or disability documentation in a separate envelope. The envelope must be sealed and included with the applicant file that is forwarded to the center for review. (see Appendix 607). As part of the file review process, the center will then ensure that the applicant has a disability, and therefore meets the age EAR or can be considered as a family of one for the low-income EAR. If a center determines that the applicant has a disability, the center review of the applicant file will continue. If the center determines that the applicant does not have a disability, the applicant file will be forwarded to the Regional Office for final disposition.

- c. If there are any EAR that the applicant does not meet, stop the application process at that point because the applicant is not qualified for admission to Job Corps. The AC must provide a written explanation of the denial to the applicant (see Appendix 104). This explanation must inform the applicant about his or her right to file an appeal with the OA agency or the Job Corps center. The explanation must also inform the individual of his or her right to file a discrimination complaint with either the recipient of the funds as defined in 29 CFR 37.4, such as the OA agency or the Job Corps contractor, or Center Operator, if not federally operated, or the Director of the U.S. Department of Labor Civil Rights Center (DOL-CRC) if the applicant feels he or she was discriminated against during the application process.
- d. Following is a list of the EAR for Job Corps. This list provides only a brief outline of each requirement; it does not contain all of the information an AC must have in order to properly make a determination about whether a particular applicant meets each requirement. That information is found in Exhibit 1-1.
- To be determined qualified for Job Corps, each applicant must:
1. Be at least 16 years of age and not more than 24 years of age on the date of enrollment (i.e., date of departure for a center). For an individual with a

- disability who is otherwise eligible, the maximum age limit may be waived (minimum age is still 16). Therefore, this EAR will require the AC to invite an applicant older than 24 to disclose whether he or she has a disability (see Appendix 606).
2. Meet the Selective Service Registration requirement, if applicable. If the applicant is male, he must sign a consent form for automatic Selective Service Registration.
  3. Be a:
    - (a) United States citizen or national, including a naturalized citizen; or
    - (b) Lawfully admitted permanent resident alien, refugee, asylee or parolee, or other immigrant who has been authorized by the Attorney General to work in the United States; or
    - (c) Resident of a U.S. territory.
  4. Qualify as “low income” as described in Exhibit 1-1. **Documentation must be collected verifying that the applicant meets the low income criterion.** This EAR will require the AC to invite an applicant who does not meet the standard low-income requirement to disclose whether he or she is a person with a disability who would meet the requirement under the disability waiver (see Appendix 606).
  5. Be an individual who has one or more of the following barriers to education and employment:
    - (a) Is a school dropout;
    - (b) Requires additional education, career technical training, or intensive career counseling and related assistance, in order to participate successfully in regular schoolwork or to secure and hold employment;
    - (c) Is basic-skills deficient: has English reading, writing, or numeracy skills at or below the 8<sup>th</sup>-grade level on a generally accepted standardized test, or a comparable score on a criterion-referenced test;
    - (d) Is homeless: an individual who lacks a fixed, regular, adequate nighttime residence; any adult or youth who has a primary nighttime residence that is a public or privately operated shelter for temporary accommodation, an establishment providing temporary residence for individuals intended to be institutionalized, or a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
    - (e) Is considered a runaway or foster child;

- (f) Is a parent: an individual who, in law, has custody, guardianship, or access rights in regard to a child and who may have corollary obligations to financially support a minor, typically by way of child support.
6. Sign, or have a parent, guardian if a minor, or other representative sign, the “Authorization for Use and Disclosure of Your Health Information;”
  7. Receive parental consent, if applicable. If the applicant is an unemancipated minor, his or her parent or legal guardian must provide consent for him/her to participate in Job Corps. Exhibit 1-1 describes how to determine whether the applicant is an *emancipated* minor.
  8. Have child care, if applicable. If the applicant is a parent, he or she must certify that he or she has made suitable arrangements for child care.
  9. Meet program suitability requirements. The Job Corps program must be the program that can best meet the applicant’s education and training needs, as described below. Exhibit 1-1 contains a detailed explanation about how to make these determinations.
    - (a) If the applicant has not graduated from high school:
      1. The applicant wants to earn a high school diploma or GED and participate in career technical training (the applicant must indicate a desire to obtain both academic and career technical training); and
      2. After graduation from Job Corps, the applicant intends to:
        - Obtain employment; or
        - Enter the military; or
        - Continue his or her education.
    - (b) If the applicant is a high school graduate:
      1. The applicant wishes to obtain career technical training; and
      2. After graduation from Job Corps, the applicant intends to:
        - Obtain employment; or
        - Enter the military; or
        - Continue his or her education.
  10. Meet the requirements related to group participation and understanding of rules. The criteria that the applicant must meet, and the questions that the AC must ask the applicant in order to determine whether he or she meets these requirements, are described in detail in Exhibit 1-1.
  11. Meet the requirements related to interference with other students’ participation. The assessment of the applicant’s behavior that the AC must make in order to

determine whether he or she meets these requirements is described in detail in Exhibit 1-1.

12. Meet the requirements related to community relations. The specific requirements, and the questions the AC must ask the applicant in order to determine whether he or she meets these requirements, are described in detail in Exhibit 1-1.
13. Not have court involvement or be under agency supervision. Applicant is not on probation or parole, under a suspended sentence, or under the supervision of any agency as a result of court action or institutionalization, to the extent that he or she will be prohibited from participating in the program. The steps that the AC must take to determine whether the applicant meets these requirements are described in detail in Exhibit 1-1 and Appendix 103. Following is a brief description of the determinations the AC must make.

**If the applicant is:**

- On probation; or
- On parole; or
- Under a suspended sentence; or
- Under the supervision of any agency as a result of court action or institutionalization,

then, all of the following must be certified by the appropriate court or agency:

- The court or agency will approve of the applicant's release from its supervision; and
- The applicant's release does not violate applicable statutes and regulations; and
- The applicant has responded positively to supervision; and
- The court or agency will permit the applicant to leave the local area or state while he or she is enrolled in Job Corps.

If the applicant has court fines or court-ordered restitution in excess of \$500, then one of the following requirements must be met:

- The applicant must settle the court fine or court-ordered restitution prior to enrollment; or
- The court must agree to suspend the obligation during the applicant's enrollment in Job Corps; or
- The Regional Office of Job Corps grants a waiver and permits entry.

14. Meet the requirements related to maintenance of sound discipline. The background checks that must be conducted, and the documentation the AC must review to determine whether the applicant meets these requirements, are described in detail in Exhibit 1-1.



Once the AC has completed the EAR process, if the AC makes a decision that the applicant meets the essential admissions requirements, a conditional offer of enrollment will be made and the applicant will be assigned to a center. The AC will then:

- Ask the applicant to complete the Health Information Form ETA 653.
- Inform each applicant of his or her right to request reasonable accommodation and review the Reasonable Accommodation Request Form with the applicant (see Appendix 605). If the applicant wants to request accommodation, the request form should be completed. The AC may assist with the completion of the request form as necessary.
- Secure any corresponding supporting medical and/or educational documentation. The AC must not review the contents of this information, and must place all medical documents and/or all special education and/or disability documentation in a separate envelope. That envelope must be sealed and included with the applicant file that is forwarded to the center for review (see Appendix 607).

***R9. Priority Enrollment***

An applicant who meets all of the EAR listed above, and who is a veteran of the armed forces of the United States or an eligible spouse of a veteran (as specified in Exhibit 1-6), will receive priority in enrollment at Job Corps centers. Those applicants who qualify for priority enrollment will be offered the opportunity to enroll in the program before all other applicants.

As warranted, the National Director of Job Corps may initiate an “expedited enrollment” policy for victims of natural and man-made disasters. As directed, Outreach and Admissions agencies serving affected areas should follow the procedures outlined in Exhibit 1-8.

***R10. Documentation***

ACs must:

- a. Enter all information involving applicant admissions criteria in the Outreach and Admissions Student Input System (OASIS) in accordance with the procedures specified in the OASIS documentation and Regional Office procedures.
- b. Use the procedures described in Exhibit 1-1 to verify, assess, and document information relating to applicant admissions criteria.
- c. Use the procedures described in Exhibit 1-2 to provide documentation to Job Corps centers for their use in assessing applicants’ health needs.

***R11. Admissions Notification***

ACs must advise all applicants of the results of the admissions determination.

- a. If the applicant **is qualified** for enrollment, offer conditional enrollment to the applicant and advise the applicant that:
  1. He or she will be assigned to a Job Corps center.
  2. The AC will collect medical information about the applicant and transmit it to the Job Corps center, along with the applicant's file.
  3. If the applicant offered enrollment has an apparent or known disability, the AC may ask whether he or she will need a reasonable accommodation to participate in Job Corps. Before the applicant responds, the AC must explain that:
    - (a) Providing disability-related information is voluntary – in other words, the applicant is not required to disclose whether he or she has a disability; and
    - (b) Choosing not to disclose a disability, or to ask for a reasonable accommodation at this point, does not preclude him or her from asking for an accommodation at any point later in the enrollment process or during his or her participation in Job Corps; and
    - (c) Disability-related information will be kept confidential as required by law; and
    - (d) Disclosing whether he or she has a disability will not cause the applicant to receive unfavorable treatment; and
    - (e) The information will be used only in accordance with the law.
- b. To request a reasonable accommodation, the applicant offered enrollment must complete the Reasonable Accommodation Request Form (see Appendix 605). Responses to questions on the form must be provided by the applicant offered enrollment and/or his or her parent, guardian, or other representative, although the AC may help in filling out the form. The AC must place the completed form in a separate file for medical and disability-related information about the applicant. This file must be stored separately from other information about the applicant, and must be kept confidential, as explained in Appendix 607.
- c. If the applicant **is not** qualified for enrollment, take the following steps:
  1. Inform the applicant that he or she has been determined not to meet the specific admission requirement(s). Provide the applicant with a clear, documented, written explanation for the determination (see Appendix 104).
  2. Inform the applicant of his or her rights, as follows:
    - (a) If the applicant believes that he or she has been denied admission as a result of discrimination on a protected basis (race, color, religion, sex/gender, national origin, age, disability, political affiliation or belief, citizenship, or participation in a program or activity financially assisted under WIA Title I), he or she may file a written complaint within 180 days, either with the recipient of

the funds as defined in 29 CFR 37.4, such as the OA agency or the Job Corps contractor, or center operator (if not federally operated) or with the director of the U.S. Department of Labor Civil Rights Center (DOL-CRC). Provide the applicant with the contact information of both the recipient and the Director of DOL-CRC. DOL-CRC's information is as follows:

Director, Civil Rights Center  
U.S. Department of Labor  
200 Constitution Avenue, NW  
Room N-4123  
Washington, DC 20210  
Phone: (202) 693-6502  
TTY: (202) 693-6516  
CivilRightsCenter@dol.gov

If the applicant files with the recipient of the funds as defined in 29 CFR 37.4 and is dissatisfied with the result, he or she has 30 days to file a new complaint with DOL-CRC. Likewise, if the applicant fails to receive a written Notice of Final Action from the recipient within 90 days of filing a complaint, then the applicant need not wait for the recipient to issue that notice before filing with DOL-CRC. However, the applicant must file with DOL-CRC within 30 days of the 90-day deadline.

- (b) If the applicant believes that he or she has been wrongfully found unqualified for reasons unrelated to discrimination, he or she may file an appeal with the OA agency or the Job Corps center within 60 days of the determination. Provide the applicant with the name and address of the OA agency and the appropriate Job Corps center with whom the appeal must be filed, and explain the time frame and deadline for appealing. A hearing must be conducted within 30 days of when the appeal was filed.

The OA agency must establish procedures for the review of appeals. The procedures must include at a minimum the following steps:

- Designate a Point of Contact at the OA corporate office
- Create an appeal review panel consisting of at least one corporate staff member and one contract staff member
- Conduct a verification call with applicant
- Review final determination with Admissions Counselor and Quality Assurance Manager
- Submit written decision to applicant and send copy to Regional Office

The OA agency or Job Corps center must issue a decision on the appeal within 60 days of when the appeal was filed. If the OA agency or Job Corps center denies the appeal within 60 days of when the appeal was filed, the applicant may appeal the denial to the Job Corps Regional Director within 60 days of the date of the denial. If the OA agency or Job Corps center does not issue a decision on the appeal within 60 days of when the appeal was filed, the applicant may file an appeal with the Job Corps Regional Director within 120 days from the date that he or she filed the original appeal.

Also notify the applicant that if the OA agency, Job Corps center, or Regional Office rejects the appeal, and the applicant believes that the agency, center, or Regional Office rejected his or her appeal for reasons of discrimination, he or she has 180 days from receipt of the determination letter to file a complaint with the DOL-CRC.

3. Refer the applicant to an appropriate One-Stop Centers, or other training/educational resource in his or her home community.
4. On a monthly basis, submit no fewer than 5 percent of files of applicants denied admission to the Regional Office for a quality review. The quality review does not take place before the applicant is notified of the denial.
5. Regardless of whether the applicant is admitted or not admitted, copies of his or her records must be kept for a period of no less than 3 years from the close of the program year in which the determination was made. If the applicant files an appeal, or a complaint alleging that the admissions process was affected by discrimination or that the Workforce Investment Act (WIA) nondiscrimination requirements were violated during the process, copies of the records must be kept for a period of no less than 3 years from the date on which the complaint or appeal was resolved.

## ***R12. Collection and Handling of Health-Related Information and Documents***

ACs must:

- a. Use the ETA 653 Job Corps Health Questionnaire to collect health information about the applicant offered enrollment, along with any medically connected documentation, as described in the instructions for the ETA 653.
- b. Forward the originals of the ETA 653 of the applicant offered enrollment, and all documentation that has been collected, to the center of assignment. These documents must be forwarded in envelopes or files that are sealed and kept separate from any other information about the applicant offered enrollment.
- c. For applicants who are not offered enrollment, retain copies of the ETA 653, and all related documentation that has been collected, in a file that is stored separately from any other information about the applicant. The ETA 653, the related

documentation, and all other medical or disability-related information about the applicant must be kept confidential, and access to this information must be strictly limited to persons with a need to know, as described in Appendix 607.

OA agencies may retain copies of the ETA 652, Job Corps Reasonable Accommodation Request Form-Admissions (Appendix 106), applicant folder cover sheet, folder inventory, alternate contact sheet and a copy of documentation showing proof of low income eligibility. With the exception of Appendix 106, copies of these documents may be filed electronically.

***R13. Collection and Handling of Other Types of Required Documents***

ACs must help the applicant offered enrollment to make copies of the documents in the list below for use on center. The AC should either send these documents to the center or ensure that the applicant offered enrollment takes them with him or her when he/she departs for the center. Applicants need:

- a. Social Security card or official document containing Social Security Number (e.g., state ID, school record, tax record, W-2)
- b. Driver license, if applicable and available
- c. U. S. Citizenship and Immigration Services (USCIS) alien registration card, if applicable
- d. Public assistance documentation, if applicable; e.g., records of Temporary Assistance for Needy Families (TANF) or food stamps. If this documentation discloses that the applicant offered enrollment has a disability, and the AC plans to send the documentation to the center rather than having the applicant take it with him or her, the following requirements apply:
  1. It must be placed in a separate “health records file,” and until it is sent, it must be stored separately from all other documents related to the applicant.
  2. Hard copies of the documentation must be transmitted in sealed envelopes.
  3. Access to the documentation must be strictly limited, as explained in Appendix 607.
- e. Medical insurance card, if applicable
- f. Immunization records. The transmission, storage, and confidentiality requirements described in Appendix 607 apply to these records.
- g. Release entitled “Right to Use Photographic Likeness or Moving Images,” signed by the applicant offered enrollment, or by a parent or legal guardian if applicant is a minor (see Appendix 601, Student Rights to Privacy and Disclosure of Information)
- h. Form entitled, “Job Corps Informed Consent to Receive Mental Health and Wellness Treatment” signed by the applicant offered enrollment, or by a parent or legal guardian if the applicant is an unemancipated minor (see Exhibit 1-4).

**R14. Assignment and Scheduling Procedures**

A note about accessibility considerations: Because all Job Corps centers are required to comply with applicable accessibility requirements, it is unlawful to assign an applicant to a particular center, or to steer such an applicant away from a center, based solely on accessibility concerns. Even if the law does not require a specific center to comply with federal architectural accessibility guidelines, the center may be required to provide reasonable accommodations for the needs of a particular individual's disabilities if the accommodations are not an undue hardship.

If an applicant offered enrollment has disclosed a mobility-related disability, or has such a disability that is obvious (for example, if he or she uses a wheelchair), and the AC has concerns about the accessibility of the most suitable center, the AC may raise those concerns with the applicant and/or his or her parent, guardian, or other representative. In these cases, three points must be kept in mind:

- The AC should inform the applicant and/or his or her parent, guardian, or other representative that the applicant is entitled to ask for a reasonable accommodation, which may include a request for modifications to the center at issue.
- Job Corps' Reasonable Accommodation Committee (RAC) is required to consult with the applicant to identify possible accommodations and must give consideration to the applicant's choice of accommodation, but Job Corps is not required to implement an accommodation that would impose an undue hardship.
- The ultimate decision about whether the applicant will or will not accept a reasonable accommodation must be left up to the applicant and/or his or her parent, guardian, or other representative.

OA contractors must:

- a. Assign applicants offered enrollment to the center closest to home except under the following conditions:
  1. The applicant chooses a career technical training program that is not available at such center.
  2. The applicant would be unduly delayed in participating in the Job Corps program because the closest center is operating at full capacity.
  3. The applicant, or the parent or guardian of an applicant requests assignment to another Job Corps center due to circumstances in the home community of the applicant that would impair prospects for his or her successful participation in the Job Corps program.
- b. Give priority in assignments of open slots to applicants offered enrollment who are veterans of the armed forces of the United States or spouses of veterans, as specified in Exhibit 1-6.

**R15. Applicant Files**

OA contractors shall ensure that OASIS files are available to the center of assignment and that hard copy documents are available to the center at least 7 working days prior to each applicant's scheduled arrival at the center, or departure to the center, if using government-furnished transportation.

***R16. Withdrawal of Application***

If an applicant withdraws his or her application, or an applicant offered enrollment chooses not to enroll, all supporting documentation should be maintained with the central file, and returned to the OA agency. Files must be maintained for a minimum of 3 years from the end of the applicable program year. Health and disability-related documentation must be maintained in a separate file to which access is strictly limited, as described in Appendix 607.

**QUALITY INDICATORS**

- Q1. Quality assurance systems are in place to ensure that students admitted to Job Corps meet the essential admissions requirements for participation in the program.
- Q2. Applicants are assigned to centers in accordance with the specifications outlined in the OA contractor's Statement of Work.
- Q3. The AC has recruited and screened enough applicants to generate a sufficient number of arrivals to maintain the Job Corps center(s) at full design capacity.
- Q4. There is a regular flow of applicants for assignment to centers.
- Q5. Applicants have been provided accurate information about the Job Corps program.
- Q6. New arrivals have a basic understanding of Job Corps' career development focus, how Labor Market Information can be used, and the career development services available to them through Job Corps.
- Q7. Applicants can accurately describe the process for filing discrimination complaints and/or appeals if they are not accepted into the program or they believe they have been subjected to discrimination during the application process.
- Q8. New arrivals have a basic understanding of their rights to nondiscrimination and equal opportunity, and know where and when to file complaints of discrimination.
- Q9. Applicant files are properly handled and maintained; and that PII is safeguarded at all times.

## **1.3 DEPARTURE PREPARATION AND ENROLLMENT READINESS**

### **PURPOSE**

P1. To ensure that assigned applicants depart safely for centers.

### **REQUIREMENTS**

#### ***R1. Pre-Departure Activity***

a. ACs must:

1. Provide each assigned applicant with specific, current information about the center of assignment, including location, rules, career technical training waiting lists, and program expectations.
2. Provide the assigned applicant with a travel packet to include itinerary, e-ticket information, meal money (if applicable), emergency phone numbers, and written guidance on acceptable behavior and expectations while on travel to the center (see Chapter 6, Section 6.6, Student Transportation).
3. Send all required documents to the center and ensure that the applicant takes the documents with him or her when he or she departs for the center. See Section 1.2, R12.
4. Notify each applicant of his or her assignment date, or departure date if using government-furnished transportation, and the process for departure.
5. Verify with the applicant that there has been no change to the applicant's admission status that would alter any of his or her answers to the EAR since the completion of the original application.

#### ***R2. Departure Scheduling and Procedures***

ACs must:

1. Contact the assigned applicant to provide travel information and answer any last-minute questions.
2. Whenever possible, accompany the applicant to the scheduled departure site or arrange for another responsible escort, and see that the applicant departs safely as scheduled.
3. As required in Section 1.1., R.3., request that the applicant sign a release of "Right to Use Photographic Likeness or Moving Images" and forward it to the center of assignment (see Appendix 601, Student Rights to Privacy and Disclosure of Information).



**R3. Delays****a. Travel Delay**

In the event that an assigned applicant asks for a delay in the assigned day for travel to the center of assignment, the AC must take the following steps.

1. Determine whether the request for the delay is valid and reasonable, e.g., due to illness or death of an immediate family member.

If the request is related to a disability, the AC should contact the center and ask that the appropriate center staff persons determine whether the delay is a reasonable accommodation for the disability, as explained in Appendix 605.

2. If the reason is unrelated to a disability, and the AC determines that the reason is valid and reasonable, notify the center, and obtain instructions and a future date of travel. This notification must take place either before or on the assigned travel date.

**b. Delayed Assignment**

Under the following circumstances, the AC may ask the center for a delayed assignment for assigned applicants who fail to depart as originally scheduled and who did not request a travel delay:

1. The AC determines that the reason for the failure to depart is valid and reasonable.
  - (a) If the failure to depart is related to a disability, the AC should contact the center and ask that the appropriate staff persons determine whether the delay is a reasonable accommodation for the disability, as explained in Appendix 605.
2. The assigned applicant requests a delayed assignment date within 90 days of the original interview date. If the request is made after the 90-day period expires, all of the admissions documentation for the applicant must be re-verified.
3. The AC must verify with the assigned applicant that he or she continues to meet all the Job Corps admissions criteria as of the rescheduled date of enrollment.

- c. Under no circumstances may an AC send an assigned applicant to the center on a day other than the departure date entered on the applicant's travel itinerary without obtaining center and/or Regional Office approval.

**R4. No-Shows**

In the event that the applicant fails to depart for the center and does not communicate with the AC 24 hours prior to the scheduled arrival time, or 24 hours prior to the scheduled departure time if using government-furnished transportation, he or she will be determined to be a no show, and the AC must:

- a. Contact the assigned applicant promptly to determine the reason he or she did not arrive at the assigned center.
- b. If appropriate, request a delayed assignment and reschedule the applicant in accordance with Section 1.3, R4.
- c. Notify the center of assignment of any delay.

**QUALITY INDICATORS**

- Q1. Assigned applicants arrive at the center of assignment as scheduled.
- Q2. New arrivals know what to expect upon arrival and enrollment at the center.

## 1.4 CENTER RESPONSIBILITIES IN THE ADMISSIONS PROCESS

### PURPOSE

- P1. To establish procedures for applicant file review by centers.
- P2. To establish procedures for the review of applicant health information.
- P3. To ensure that all assigned students are contacted by the center prior to arrival.
- P4. To establish procedures for assignment of applicants to centers in accordance with Regional Office procedures.

### REQUIREMENTS

#### R1. *Overall Legal Requirements*

- a. A center is not permitted to revisit an AC's determination that an applicant meets the EAR and is qualified for Job Corps, except in the following limited circumstances.
  - 1. The information in the applicant's file, such as on the Health Questionnaire (ETA 653) or the accompanying documentation that is medically related to the information on the questionnaire, indicates that the applicant has a disability, mental health, or medical condition that likely poses a significant risk of substantial harm to the health or safety of the individual or others.
  - 2. The center receives *new information* that:
    - (a) Was *not reasonably available* to the AC at the time the applicant's qualifications were established; and
    - (b) Indicates that the applicant offered enrollment may not meet one of the EAR.
- b. Apart from the circumstances described in a.1 and a.2 above, the center may only review the ETA 653 and corresponding documentation to determine the health needs of the applicant, *even if the center disagrees* with the AC's determination of the applicant's qualifications.

Only the categories of persons identified in Appendix 607 may be permitted to review, or have access to the applicant's medical, health, or disability-related information.

#### R2. *Applicant File Review Process*

- a. Responsibilities of Records Staff

When the center has received the applicant's file, the records staff should forward the sealed medical, health, or disability-related information *unopened* to the appropriate staff (see Appendix 607).
- b. Responsibilities of Center File Review Team

The appropriate center staff will conduct a review of each applicant's file. The center file review team must include the HWM and the disability coordinator (if a student with a disability) and may include the Center Mental Health Consultant (CMHC), physician, Trainee Employee Assistance Program Specialist, and/or the dentist.

1. The center file review team may not revisit the admissions determination unless new information has been provided from a credible source that may disclose that the applicant is not actually qualified under one or more of the EAR. The center will only be able to revisit the relevant EAR if new information is presented that the AC could not have reasonably known at the time that the applicant's qualifications were established.
2. Each center is required to have a written procedure describing the center's process for reviewing applicant files. This procedure should describe in detail how an applicant file is processed, from the time it arrives on center from the OA contractor, until the applicant is accepted into the program and assigned a start date, or recommended for denial and a final disposition is made by the Regional Office.

c. Center Procedure

While each center file review procedure may have unique aspects, all center procedures must address the following requirements.

1. All applicant files should come from the OA contractor to the center records department where the applicant file review process begins. The records department is the gatekeeper of all applicant files. The records department should document the location of every applicant file, how long the file has been on center, who the file was sent to, and how long the file has been with a particular department or staff person. For those files sent to the Regional Office for review, the records department should document the date the file and the Applicant File Review Form (see Appendix 107) was sent, to whom it was sent, and the final disposition of the record.
2. The file must be processed within 30 calendar days from receipt by center.
3. The procedure must require that all files be forwarded to the HWM or his or her designee for a health documentation review and initial direct threat review, as described below.
4. The procedure will require, in cases where an applicant requests reasonable accommodation or information/documentation in the applicant file indicates accommodation may be necessary, that the applicant is engaged in an interactive process to determine reasonable accommodation needs (see Appendix 605) prior to assigning the applicant a start date.

5. If the applicant withdraws his or her application or chooses not to enroll, all supporting documentation, including all medical, health, and disability-related documentation, must be returned to the AC. Medical, health, and disability-related documentation must be returned to the AC by being placed in a sealed envelope by a person who is authorized to have access to that information, and included with the rest of the information about the applicant (see Appendix 607).
6. Centers can only recommend denial of enrollment because of direct threat, new information demonstrating that the applicant does not meet one of the EAR, or if the center cannot meet the health-care needs of the applicant. All files that are recommended for denial by the center must be forwarded to the Regional Office for final disposition. Centers must follow the appropriate regional procedure for preparing and submitting files and the Applicant File Review form (see Appendix 107) recommended for denial.
7. If a center's recommendation that an application be denied is overturned by the region and the applicant's file is returned to the center for his or her enrollment, that applicant must be scheduled for arrival based on the date when the application arrived on center, not the date when it was returned from the region.

### **R3. *Review of Health Information***

- a. The Health and Wellness Manager will conduct an initial review of the health documentation in the individual applicant's folder, including ETA Form 653 and the medically related supporting documentation that has been submitted with it, to:
  1. Explain the healthcare needs of the applicant.
  2. Determine whether Job Corps can meet the health care needs of the applicant.
  3. Determine if the applicant presents a direct threat to self or others.
  4. Obtain consent for required routine medical assessments and/or consent to receive basic healthcare services.

- b. Health-Care Needs Assessment

A health care needs assessment may be conducted for an applicant if the center clinical staff believes that:

1. The health-care needs may not be manageable as defined by basic health-care services in PRH Exhibit 6-4; or
2. The health-care needs may be manageable but may require community support services which are not available near the center of assignment; the applicant should be assigned to a center where these needs can be met.

c. Direct Threat Assessment

In the case of an applicant, a direct threat assessment may be conducted:

1. Whenever Job Corps believes that a known or apparent disability or medical condition poses a direct threat to the health or safety of the individual or others. This typically will occur *after* the applicant has received conditional assignment to a Job Corps center and has completed the ETA 653 Health Questionnaire.
2. If the specific information that has been received about that particular applicant indicates that he or she may have a medical condition or disability that:
  - (a) Poses a significant risk of substantial harm to the health or safety of the individual or others; *and*
  - (b) Cannot be eliminated or reduced by reasonable accommodation or modification.

If the specific information in the folder appears to meet the standards described above, the health and wellness manager will forward the applicant's information to the licensed health provider employed by the center for a detailed direct threat assessment.

For specific guidance on conducting a direct threat assessment, see Appendix 609.

**R4. *Determination of Ineligibility or Failure to Meet Other Essential Admissions Requirements After Enrollment***

If, after an individual is enrolled in Job Corps, new information is received that is credible and reliable and that indicates that the individual does not meet the admissions criteria for the program, appropriate members of the file review team will review the new information and determine, based solely on that information, whether or not the individual remains qualified for the program. If the team determines that the individual has become unqualified and recommends that the individual be removed, the file, the Applicant File Review Form (see Appendix 107), and supporting documentation must be sent to the Regional Office for review prior to removing the individual. The individual should remain on center until he or she is officially separated, unless he or she poses a risk to himself/herself or others as determined under the direct threat guidance described in Appendix 609, or would interfere with the delivery of services to other students. See Section 1.5, R1 for information about the Regional Office's role in the process.

**R5. *Pre-Departure Center Contact***

Centers will contact assigned students prior to scheduled arrival to welcome them, and provide information about the center, reiterating behavioral standards.

**R6. *Arrival Scheduling***

Centers must:

- a. Accurately project arrival needs and issue arrival requests to the ACs in accordance with Regional Office procedure.
- b. Ensure that the application folder is complete and contains all required documentation upon arrival at center. The center will contact the AC to obtain missing or incomplete documentation.
- c. Schedule timely assignment, for first available opening on center, of applicants referred by ACs, to ensure maintaining center at capacity.
- d. Where reasonable accommodations will be provided, ensure that the accommodations are in place before arrival. However, failure to provide timely accommodations will not excuse undue delay in an applicant's arrival, and may be the basis for a discrimination complaint.
- e. Provide timely travel authorization and arrival information to ACs and other appropriate parties, as required.
- f. Meet and greet arrivals at the designated time on the center or at the determined travel termination point.

**QUALITY INDICATORS:**

- Q1. Center revisits admissions determination only in cases where an initial review by the health and wellness manager indicates possible direct threat, or where credible, reliable new information is presented that indicates that the applicant does not meet the essential admissions requirements.
- Q2. Center has a written procedure describing the center's process for reviewing applicant files.
- Q3. Applicant files are processed within 30 days.
- Q4. Students report that they were contacted by the center prior to scheduled arrival.
- Q5. Arrival needs of the center are met in accordance with Regional Office GAP which identifies a target for the maximum percentage of students at each center who come from the state or region nearest the center, and the regions surrounding the center, in accordance with 20 C.F.R. 670.450.
- Q6. Centers are maintained at enrollment capacity.

## **1.5 REGIONAL OFFICE ROLE IN THE ADMISSIONS PROCESS**

### **PURPOSE**

P1. To conduct an automatic quality review of applicant files in cases where the applicant has been denied admission by an admissions counselor to review recommendations for denial by the Job Corps centers; to decide appeals from denials issued by the OA agency or the Job Corps center; to decide appeals which have not been timely decided by the OA agency or Job Corps center; to make a final determination on whether the applicant meets the essential admissions requirements.

### **REQUIREMENTS**

#### ***R1. Regional Office Procedures for Review of Applicant Files***

- The appropriate Regional Office automatically reviews:
- Determination of applicant ineligibility by performing a quality review
- Recommendation for denial of enrollment by center file review team
- Appeals filed by applicants who have been determined to not meet the EAR by the OA agency or Job Corps center, or where appeals have not been timely decided by the OA agency or Job Corps center.

Regional Offices must establish procedures to review the files of these applicants. The procedures must ensure that different personnel are responsible for the automatic review process and appeals process.

With respect to deciding an appeal, the Regional Office must issue a clear, documented, written decision using the Regional Applicant File Review Process Form (see Appendix 108) regarding review of a determination of ineligibility within 60 days of the date on which the appeal is filed.

If the Regional Office overturns the AC or center's determination, and finds the applicant to be qualified under the specific EAR the AC or center used as a basis for rejecting the applicant, the Regional Office will provide the AC (and center if applicable) with a copy of its written decision using the Regional Applicant File Review Process Form (see Appendix 108) and will direct the AC or center to complete the admissions and enrollment process for that applicant. If the applicant then meets all of the remaining admissions criteria, as applicable, then a conditional offer of enrollment will be made, and the admissions process will continue.

If the applicant believes that he or she has been denied admission for enrollment as a result of discrimination on a protected basis (race, color, religion, sex/gender, national origin, age, disability, political affiliation or belief, citizenship, or participation in a program or activity financially assisted under WIA Title I), he or she may file a written complaint within 180 days of the decision, with either the recipient of the funds, as defined in 29 CFR 37.4, such as the OA agency or the Job Corps contractor, or center operator (if not federally operated), or the U.S. Department of Labor Civil Rights Center



(DOL-CRC). Provide the applicant with the contact information of both the recipient and the Director of DOL-CRC. DOL-CRC's information is as follows:

Director, Civil Rights Center  
U.S. Department of Labor  
200 Constitution Avenue, NW  
Room N-4123  
Washington, DC 20210  
(202) 693-6502 (voice)  
TTY: (202) 693-6516  
[CivilRightsCenter@dol.gov](mailto:CivilRightsCenter@dol.gov)

For electronic versions of DOL-CRC's complaint form in English or Spanish (PDF or HTML format), please go to DOL-CRC's website at:  
<http://www.dol.gov/oasam/programs/crc/>

## ***R2. Regional Office Procedures for Review of Centers' Recommendations for Denial***

The Regional Office will designate a Regional Application Review Coordinator who will be responsible for processing applications that have been denied by centers. (See Appendix 108) All applications must be reviewed in a timely manner.

Applicant folders will be logged in at the Regional Office and a Regional File Review Process Form will be initiated (see Appendix 108). The form will be forwarded to the designated administrative file review coordinator who will ensure that all the required procedures have been completed and that all required documentation is included in the file.

### **Recommendation of Denial Due to New Information**

The ineligibility determination will be reviewed by a designated Regional Office staff member.

### **Recommendation of Denial Based Upon Health Care Needs, Direct Threat Assessment, or Disability Status**

Once the administrative review is complete, the Regional administrative file review coordinator will forward the file to the appropriate Regional health specialists for a clinical review, i.e., mental health, medical, dental, or TEAP). The Regional Health Specialist will document his/her support or disagreement with the center's recommendation, and then submit the file to the Regional Director for a final determination.

The Regional Director will issue a clear, documented, written decision to the applicant regarding review of a determination of ineligibility. The Regional Office will notify the AC and the center of the final determination.

***R3. Regional Office Procedures for Assignment of Applicants Determined Qualified Pursuant to its Quality Control Review***

Regional Offices must establish procedures for assignment of qualified applicants to centers, including waivers for applicants assigned to centers other than closest to home (see Section 1.2, R15).

**QUALITY INDICATORS**

- Q1. Students admitted to Job Corps meet the EAR and are qualified to participate in the program.
- Q2. Applicant appeals and admission counselors' or (centers') recommendations for denial are reviewed, and written decisions completed and issued, by the Regional Office within 60 days.

## **1.6 READMISSION**

### **PURPOSE**

- P1. To establish criteria to verify an individual's qualifications and to assess his or her appropriateness for re-entry to Job Corps.

### **REQUIREMENTS**

#### ***R1. Readmission Criteria***

ACs must assess, determine, and verify that applicants for readmission:

- a. Meet all EAR (see Exhibit 1-1).
- b. Have not been readmitted before, unless the most recent separation was the result of a medical separation; and the student is able to meet the essential admissions requirements of the program with or without reasonable accommodation.
- c. Have no more than 18 months of previous, paid Job Corps training and can be expected to complete training within a period of time which, when added to the initial stay, will total no more than 24 months, unless the period is extended as part of a reasonable accommodation of a disability.
- d. Have been out of Job Corps a minimum of 1 year. This may be waived at the discretion of the Regional Director.
- e. Have not previously received mandatory separations for Level I disciplinary reasons (refer to Exhibit 3-1, Infraction Levels and Appropriate Center Actions) except for applicants previously separated for Level I drug use (i.e., positive drug test prior to the 45th day after entry, or on second suspicion test). Such applicants are eligible to reapply in 1 year. If such applicants test positive for drug use upon readmission, they will be separated immediately and not allowed to reapply to Job Corps.

#### ***R2. Application Procedures for Readmission***

ACs must:

- a. Help the applicant for readmission complete all required application forms.
- b. Verify the applicant's entry and separation dates, previous center of assignment, reason for separation, and center recommendation regarding readmission. Centers may recommend that the applicant be readmitted to Job Corps, but may recommend that he or she not be readmitted to the previous center he or she attended, in cases where rejoining the original center would decrease the applicant's likelihood to succeed in the program.
- c. Provide justification for readmission that clearly demonstrates a motivational change as well as behavioral improvement by the applicant who previously received an unfavorable center recommendation or a disciplinary discharge. The applicant must provide the AC with documentation of how he or she has made positive improvements since leaving the program, e.g., letter attesting to

participation in volunteer activities, certificate of completion of vocational/educational classes. Documentation may be included in the applicant folder.

**R3. *Readmission Denials***

ACs must:

- a. Refer readmission applicants determined not to meet the essential admissions, to an appropriate One-Stop Centers, or other training/educational resource in his or her home community.
- b. Keep clear documentation on file about the steps that were taken to inform, counsel, and refer the readmission applicant who was determined not to meet the EAR.

**QUALITY INDICATOR**

- Q1. OA agencies have established procedures for identifying and evaluating applicants for readmission.
- Q2. Students selected for readmission meet the applicable criteria and are successful in the program.