

Attachment A
FAQs regarding Job Corps' Strategy to Prevent Unwarranted Disciplinary Action Due to Residual THC Concentrations

1. When is the implementation date of this new policy?

This policy is effective for new students arriving to campus on or after February 13, 2024. This policy change does not apply to students returning from MSWR or readmitting to the program for a second time.

2. Is Job Corps still a drug-free program?

Yes, the changes to the ZT policy align with the Job Corps program's drug-free mandate. Students who use drugs after arriving at centers continue to be separated.

Job Corps upholds a commitment to maintaining a drug-free program, rooted in its mission to equip young individuals with the essential skills and education needed for successful entry into the workforce. This commitment is underscored by the program's emphasis on hands-on learning, where participants actively participate in skill development and vocational training. A drug-free environment is deemed essential to ensuring a secure and focused atmosphere for hands-on learning, safeguarding the well-being of participants and those in their vicinity.

Furthermore, Job Corps functions as a model workplace, aspiring to instill a robust work ethic and professional conduct among participants. The drug-free policy serves to reinforce the expectations of a real-world work environment, promoting traits such as responsibility, reliability, and discipline—qualities crucial for success in any career. This commitment not only supports the physical and mental well-being of participants but also fosters a culture prioritizing their overall welfare. Ultimately, the drug-free policy aligns with broader societal expectations and workplace norms, preparing Job Corps participants for professional environments where similar standards are upheld. It ensures that participants enter the job market equipped with the necessary skills, mindset, and habits to excel in drug-free workplaces, contributing to their sustained success and the program's overall effectiveness.

3. Who will be informing new applicants about the new ZT THC drug testing policy change?

The Admissions Services staff will continue to communicate program expectations related to drug use to new applicants (i.e., Job Corps is a drug-free program, applicants will test within 48 hours of arrival, participate in substance use support services if positive, and retest within 45 days). Health & Wellness staff will deliver detailed information about the drug testing policy to include the ZT THC policy to students during the Career Preparation Period, without making reference to previous testing policies, as such details are not pertinent to this specific audience.

4. Who will be informing existing students of the ZT THC drug testing policy change?

For existing students, all staff must use the messaging attached in Attachment B: Talking Points for Staff to Use with Students not Covered by Job Corp's Strategy to Prevent Unwarranted Disciplinary Action Due to Residual THC Concentrations.

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5. Will this new policy be applied retroactively to students presently enrolled in Job Corps who are currently receiving intervention services?

No. The new policy will not be applied retroactively as nanogram/milliliter (ng/mL) levels are required to determine the 50% reduction calculation. This policy is applicable to incoming, new students after February 13th.

6. Has the ZT policy changed for students who test positive on the follow-up test for one of the other nine drugs in Job Corps' ten-panel test?

No, the policy has not changed. Students who test positive on the follow-up drug screen for drugs other than marijuana will still be separated in accordance with the zero-tolerance conduct policy. (Those drugs are cocaine, opiates, amphetamines, PCP, barbiturates, benzodiazepines, fentanyl, hydrocodone, and oxycodone.) Drugs, other than THC, have shorter half-lives and are detected on the follow-up test when there has been current/active use while in the Job Corps program.

7. How was a 50% reduction for THC nanogram level determined as the cut-off? Does the 50% reduction cut-off take into consideration factors that slow the excretion of THC from the body?

The 50% reduction is based on the science of the half-life of THC. There is a standard metabolism rate for how THC is excreted from the body, called a half-life. The half-life is how long it takes half of the THC in the body to be excreted. Scientific studies show that this varies between 5 to 13 days. Job Corps chose the longest possible half-life at 13 days to reduce the risk of separating students who are slow metabolizers and have abstained from marijuana.¹

By choosing this longest scientifically determined half-life, other factors that impede excretion, such as dehydration, lack of activity, and body mass are taken into consideration.

8. Do other components of the drug testing program change?

No. Other components of the drug testing program have NOT changed.

There are still only four allowable drug tests at Job Corps (on entrance, at follow-up (for those testing positive on entrance), reasonable suspicion (based on observation of multiple/notable signs of use per the Policy and Requirements Handbook (PRH)) and DOT (for those trades that are part of the random drug testing pool through DOT)).

The process remains that students must be informed of the drug test within 24 hours of the receipt of the drug testing results. Students who are positive on the follow-up test due to current/active use of marijuana or positive for the other 9 drugs are still separated from the program by the 45th day of enrollment.

¹ See Chayasirisobhon, S. (2020). *Mechanisms of Action and Pharmacokinetics of Cannabis*. *The Permanente Journal*, 25, 1-3

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Questions related to ng/mL levels on the drug screen results.

9. What is the difference between the screening and the confirmatory drug tests?

Urine drug toxicology is a two-step laboratory process.

The first step is a screening test. The screening test is like a dipstick urine test which produces rapid results and is either positive or negative. This is similar process to a home Covid antigen test. If the screening test is negative, no further testing is required.

If the screening test is positive, then a confirmatory test (of the same urine sample) is necessary using a more sophisticated process. If the confirmatory test is negative, because this is a more accurate process the final result is reported as a negative urine drug test. If the confirmatory test is positive, then the urine drug test is reported as a positive result and nanogram/mL levels are provided.

10. Where will the TEAP specialist/designee locate the nanogram levels on positive marijuana test results?

The nationally contracted laboratory has added the nanogram levels to confirmatory marijuana test results on the entry and follow-up laboratory reports.

11. Will nanogram levels be provided for both the entry and follow-up drug tests for marijuana?

Yes, if the entry and follow-up tests are both positive for THC, the nanogram levels will be provided.

12. Which of the entry drug tests for marijuana, cocaine, opiates, amphetamines, PCP, barbiturates, benzodiazepines, fentanyl, hydrocodone, and oxycodone will have nanogram levels reported?

This policy change only applies to marijuana. Any confirmatory positive entry or follow-up marijuana test will have nanogram levels.

13. Will the contracted laboratory determine the reduction percentage?

No. the calculation of THC reduction will be conducted by the TEAP specialist within the center's H&W department or another designated medical specialist at the center.

14. Who obtains the nanogram level? How is the determination made if it is residual versus current/active use?

The TEAP specialist or designee is responsible for completing Form 2-07. This form walks through how to determine and document if there is a 50% or greater reduction (showing residual concentrations) of THC or if it is less than a 50% reduction or an increase of THC (reflecting current/active use).

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15. Why is the nanogram level reported on Form 2-07 provided to the Fact-Finding Board (FFB)?

The FFB requires information from Form 2-07 to make an informed decision, in accordance with 42 CFR, Part 2. This decision pertains to students who have incurred a Level I infraction for drug use and may face separation from the program if the FFB ultimately decides that the facts support the Level 1 charges, resulting in automatic separation.

16. Are there changes to the suspicion screen process related to the policy change?

No. The suspicion screen process remains the same. Nanogram levels will NOT be provided on the suspicion screen results.

Per the PRH, students who are reasonably suspected of using drugs at any point after arrival on center must be tested; this testing must take place as soon as possible after staff suspects use. (NOTE: Reasonable suspicion is context specific, supported by specific and articulable facts, and may include (1) direct observation of drug use or behavioral signs or symptoms suggestive of drug use, or (2) specific reliable information that a student recently used drugs.)

17. What obligations does the center have prior to the ZT separation for those students whose THC levels do not reduce by 50%?

There has always been an obligation per the PRH (2.3 R3 d3) to ensure a student is provided with a referral for services if they are separated because of substance use.

18. Can students participate in work-based learning activities that involve operation of heavy machinery or driving a vehicle if they have a 50% reduction in THC levels for the follow-up drug test?

A student with a 50% reduction in THC levels, which confirms no active or current drug use, is cleared to participate in all trades, including training on power tools and heavy machinery by day 60 of their enrollment, at the end of the Career Preparation Period.

As a reminder, designated licensed student drivers are subject to random testing under 49 CFR Part 382 DOT Federal Motor Carriers Safety Administration regulations. Other sites and employers may conduct biochemical testing according to their workplace drug testing procedures. Additionally, per the PRH, Job Corps performs drug testing when there is reasonable suspicion of drug use while enrolled in the program.

19. If licensed student drivers are randomly drug tested per DOT regulations, how does the program proceed if the test is positive for THC based on residual levels remaining in the students' system?

DOT drug testing for certain student drivers is a separate drug testing process. Per the PRH 2.3 R.5(e)(3)(c)-(d), student drivers who test positive for drug use under the DOT regulations must be retested on center using Job Corps' nationally contracted lab under the suspicion test procedures and separated from the program if positive.

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NOTE: The PRH specifies that student drivers who fall under DOT regulations are not permitted to drive during the intervention period (the period of time between the entry test, and—if positive—the follow-up test, within the first 45 days of enrollment).

20. Will the required minimum TEAP Specialist hours increase from 15 hours/100 students/week in response to this new policy?

No, not at this time. As we navigate the implementation of the new policy, Job Corps will monitor and assess the impact of the policy on existing resources.

21. Has the drug testing policy changed for readmitted students who were previously separated for drug use?

No. Per the PRH (2.3 R5 3(b): “Readmitted students previously separated for drug use (ZT separation code 05.2a) that test positive on entry or any time during their second enrollment at Job Corps must be separated immediately without an intervention period. Such students shall not be allowed to reapply to Job Corps.”

22. Will the new policy apply retroactively to students who are appealing a previous separation due to drug use?

No.

23. Are students who are separated because of the determination of current/active use allowed to reapply to the program?

Yes. They may also request to have the one-year waiting period partially waived by the Regional Director. However, they must test negative on entrance, or they will be immediately separated for a positive entry test.

24. For students retained because it was determined they had residual concentrations of THC, what kind of relapse prevention services should be provided?

Credentialed/licensed TEAP specialists should use their clinical judgment to determine what type of relapse prevention services best meet the needs of each individual student.

Previously, TEAP specialists offered extra relapse prevention services. However, the newly updated policy now mandates a minimum of five documented sessions. These sessions may encompass participation in intervention groups, individual sessions with a focus on relapse prevention, and attendance at self-help meetings.

25. May students continue with TEAP services after they complete relapse prevention?

All students are encouraged to continue with voluntary TEAP services. This is especially true for those students at risk for relapse or who need additional support.

26. What if a student who tests positive on entrance refused to participate in intervention services?

The response to this situation has not changed. Each center needs to have a center-specific procedure in place for this situation. TEAP specialists must work with the student to

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determine the nature and reasons for their refusal, and then develop a plan to address the student's concerns. If the refusal persists, then the TEAP specialist/designee needs to follow the center procedure.

27. Where is Form 2-07 and other key information located?

The form is accessible on the [Job Corps PRH Website](#) and the Job Corps Health and Wellness website.