

1.2 ELIGIBILITY

REQUIREMENTS

R1. Interacting with the Applicant

- a. Admissions Services staff must:
 1. Direct all applicants to complete the Job Corps Express Interest Tool.
 2. Contact all prospects within 1 business day of receipt of prospect information.
 3. Attempt first to reach prospects using the individual prospect's preferred communication method. If unsuccessful, use other methods based on information provided by prospect.
 4. Promptly respond and track resolution of reported customer issues, including those forwarded by Regional Office, National Office, or other sources.
 5. Not use personal devices, personal e-mail addresses, or personal social media when communicating with Job Corps prospects, applicants, or students.
- b. Admissions Services staff must interview each applicant to discern pertinent data to make a determination of eligibility based on the Workforce Innovation and Opportunity Act (WIOA) <https://www.congress.gov/113/bills/hr803/BILLS-113hr803enr.pdf> and Job Corps eligibility requirements referenced in Exhibit 1-1, Job Corps Eligibility Requirements. Admissions Services must recruit and interview applicants to maintain the designated Job Corps center(s) at an average on-board strength of 100 percent design capacity regardless of monthly arrival or annual arrival schedule.
- c. Admissions Services 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 obligation to provide reasonable accommodation, reasonable modification in policies, programs or procedures, and auxiliary aids and services (RA/RM/AAS) for qualified individuals with disabilities, is described in detail in Appendix 201 (Communicating with Individuals with Disabilities). Even before taking the actions described in that appendix, Admissions Services needs 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
 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 services is being requested
- d. A qualified applicant with a disability is entitled to request and receive reasonable accommodation, reasonable modification in policies, programs or procedures, and auxiliary aids and services (RA/RM/AAS) at any time during the admissions process.

This request is different from establishing communication as in Chapter 1, Section 1.2, R.1.c. If the applicant is requesting RA/RM/AAS to participate in the admissions process, Admissions Services:

1. Must address the applicant's RA/RM/AAS needs immediately.
2. Must not begin, or continue with, any part of the admissions process for which the applicant has requested RA/RM/AAS until the RA/RM/AAS 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 they do not need RA/RM/AAS for those parts.

Requirements for providing RA/RM/AAS to participate in the admissions process, including the circumstances under which Admissions Services may ask for documentation of the need for the RA/RM/AAS, are explained in Form 1-05 (Job Corps Reasonable Accommodation, Reasonable Modification in Policies, Practices, or Procedures and Auxiliary Aids and Services (RA/RM/AAS) Request Form - Admissions).

Even if the applicant requests RA/RM/AAS for the admissions process, Admissions Services:

1. Must not ask whether the applicant will need RA/RM/AAS to actually participate in Job Corps
2. Must not assume that the applicant will need RA/RM/AAS 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 they meet the eligibility requirements or other factors for enrollment in Job Corps, except as described in Chapter 1, Section 1.2, R3.b.
5. Must document the request for RA/RM/AAS in accordance with Job Corps disability accommodation guidelines as described in Form 1-05, Job Corps Reasonable Accommodation, Reasonable Modification in Policies, Practices or Procedures and Auxiliary Aids and Services - Admissions.

Admissions Services will inform each applicant of the right to request and receive RA/RM/AASs at any time during the admissions process and then review Form 1-05, Job Corps Reasonable Accommodation, Reasonable Modification in Policies, Practices, or Procedures, and Auxiliary Aids and Services (RA/RM/AAS) Request Form-Admissions with the applicant. If the applicant wants to request RA/RM/AAS to participate in the admissions process, although the request may be

communicated in any form, the request must be documented on the Job Corps Reasonable Accommodation, Reasonable Modification in Policies, Practices or Procedures and Auxiliary Aids and Services (RA/RM/AAS) Request Form-Admissions. Admissions Services may assist with the completion of the form, as necessary.

- e. Admissions Services 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 Limited English Proficient (LEP). The steps that must be taken should be described in the Admissions Services provider's LEP Language Assistance Plan, as described in Chapter 5, Section 5.1, R6. Admissions Services must document within the application platform if the applicant is learning English. One of the following criteria should be used to determine if a student is considered LEP:
 1. English is not the applicant's primary language and they cannot communicate clearly in English.
 2. The initial interview requires an interpreter.
 3. The applicant will need language support in order to fully participate in the program.
 4. The applicant self-identifies as needing language assistance or instruction.

R2. Provision of Accurate Information about Enrollment Process and Rights

Admissions Services must provide every applicant with accurate information about the Job Corps enrollment process, and their rights in that process. That information must include, at a minimum:

- a. The process for admissions determination and assignment to a center 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 RA/RM/AASs for persons with disabilities (see Appendices 601-Students Rights to Privacy and Disclosure of Information, 602-Civil Rights and Nondiscrimination, Form 2-03-Procedures for Providing Reasonable Accommodation, Reasonable Modification in Policies, Practices, or Procedures and Auxiliary Aids and Services for

- Participation in the Job Corps Program, and Appendix 201-Communicating with Individuals with Disabilities)
- (b) Information and services in languages other than English for LEP individuals as described in the Admissions Services provider's LEP Language Assistance Plan referred to in Chapter 5, Section 5.1, R6
 - (c) Religious accommodation
- c. Admissions Services staff will familiarize themselves with the established center SOP for center file review and will inform applicants of these procedures (see Chapter 1, Section 1.5, R2).
- d. A copy of the "Equal Opportunity is the Law" notice that contains accurate information about where the applicant may file a discrimination complaint (see Form 1-07, Equal Opportunity Notice)

The notice must be:

1. Signed and dated by the applicant, and a copy uploaded to the applicant's electronic record.
 2. Provided in alternate formats to applicants with visual impairments and other disabilities (see Appendix 201, Communicating with Individuals with Disabilities). Where notice has been provided in an alternate format, a note that an alternate-format notice has been given must also be a part of the applicant's electronic record. This note should indicate the format in which the notice was provided.
 3. Provided in appropriate languages for LEP individuals, as described in the Admissions Services provider's LEP Language Assistance Plan referred to in Chapter 5, Section 5.1, R6.
 4. Posted prominently, in reasonable numbers and places, in the Admissions Services provider's facilities.
- e. That enrollment in Job Corps is voluntary for each individual.

R3. Eligibility Requirements

To determine if each Job Corps applicant meets the eligibility requirements necessary to provide a conditional offer of enrollment, refer to Exhibit 1-1, Job Corps Eligibility Requirements, which contains a detailed explanation of how to make these determinations.

- a. Before beginning the eligibility requirements process, Admissions Services must explain to *every* applicant, and their parent, guardian if a minor, or other representative, that two of the eligibility requirements questions (those related to age and low-income status) may result in answers disclosing that the applicant has a

disability. The Admissions Services staff must also explain the four principles that apply to all medical and disability-related questions in Job Corps. See Section 1.2, R3.b.

b. Asking About Disability

In general, Admissions Services 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 Admissions Services determines that the applicant has met the eligibility requirements of Exhibit 1-1.) At two points in the process of determining eligibility; however, Admissions Services may invite an applicant to disclose whether they have 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 the applicant 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 a disability.

Admissions Services should explain to the applicant that under the law, they may be considered a “person with a disability” if:

- (a) They have a physical or mental impairment.
- (b) The impairment affects one or more of their 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, learning, and working; and operation of a major bodily function such as the immune system, respiratory, circulatory, and other systems); and
- (c) The effect of the impairment is substantial.

Before inviting the applicant to disclose whether they fall into this category, the Admissions Services staff must explain to the applicant that:

- (a) Providing disability-related information is voluntary – in other words, the applicant is not required to disclose whether they have a disability.
- (b) The information will be kept confidential as required by law.
- (c) Declining to disclose whether they have 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 they will not be found to meet the age requirements and/or qualify as low income).
- (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 may lead to disclosure of a disability.

The Admissions Services staff should explain to the applicant that when they are asked whether they fall 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 Admissions Services staff:

- (a) Must not use this information to determine the applicant's eligibility under any factors other than age or low-income status
- (b) 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 they have been determined eligible and selected for enrollment in Job Corps or unless the applicant asks for RA/RM/AAS for the admissions process

After the applicant is notified that they have been determined eligible and selected for enrollment in Job Corps, the Admissions Services staff will secure any corresponding supporting medical and/or educational documentation. The Admissions Services staff must not review the contents of this information and must upload all medical documents and/or all special education and/or disability documentation to the Wellness and Accommodation E-Folders (see Appendix 202, Transmission, Storage, and Confidentiality of Medical, Health, and Disability-Related Information). The health and wellness center shall maintain hard copies of the medical records for the student health record; medical documents should be printed from the applicant's electronic record for this purpose.

As part of the E-Folder review process, the center will verify that the applicant has a disability, and therefore meets the applicability of waivers for age and/or income eligibility. If the center determines that the applicant does not have a disability, the center File Review Team will recommend denial of enrollment to the Regional Office for final disposition (see Chapter 1, Form 1-06, Applicant File Review Center Recommendation of Denial Form for Age or Income Due to Disability Status).

- c. If there are any eligibility requirements that the applicant does not meet, stop the application process at that point because the applicant is not eligible for admission to Job Corps. Admissions Services must provide a written explanation of the denial to the applicant (see Appendix 103, Denial Letter Template for Admissions Services staff). This explanation must inform the applicant about their right to file an appeal with the Admissions Services provider 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 38.4, such as the Admissions Services provider 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 they were discriminated against during the application process.
- d. The list of the eligibility requirements for Job Corps is located in Exhibit 1-1.
- e. Once the eligibility requirements process is completed, if Admissions Services makes a decision that the applicant meets the eligibility requirements, a conditional offer of

enrollment will be made and the applicant will be assigned to a center. Admissions Services will then:

Ask the applicant to complete the Job Corps Health Questionnaire (ETA Form 653) with Admissions Services staff in an interview format, making sure to clarify that the disclosure of medical history is voluntary and the applicant is not required to answer the questions. Parent/guardians or other representatives may also assist the applicant as needed. If the applicant is a minor, parent/guardians or other representatives must participate. RA/RM/AAS must be provided for applicants with a disability if needed to complete the Job Corps Health Questionnaire (ETA Form 653).

1. Inform each applicant of their right to request RA/RM/AAS and review the RA/RM/AAS Request Form with the applicant (see Form 2-03, Procedures for Providing Reasonable Accommodation, Reasonable Modification in Policies, Practices or Procedures and Auxiliary Aids and Services for Participation in the Job Corps Program). If the applicant wants to request RA/RM/AAS, the request form should be completed. Admissions Services may assist with the completion of the request form, as necessary.
2. Secure any corresponding supporting relevant medical and/or educational documentation. Admissions Services must not review the contents of this information and must upload all medical documents and/or all special education and/or disability documentation to the applicant's Wellness and Accommodation E-Folder (see Appendix 202, Transmission, Storage and Confidentiality of Medical, Health and Disability-Related Information). The center's health and wellness center staff will maintain hard copies of the medical records for the student health record; and for this purpose, such medical documents, should be printed from the applicant's electronic record.

R4. Establishment of Child Care Arrangements

- a. Prior to enrollment, a program applicant with dependent children who provides primary or custodial care must certify that suitable arrangements for child care have been established for the proposed period of enrollment.
- b. Job Corps centers are responsible for coordinating with Admissions Services providers to assist applicants, whenever feasible, with making arrangements for child care.

R5. Expedited Enrollment

Expedited enrollment accelerates the application and eligibility criteria review prior to arrival on center for certain categories of applicants who are experiencing hardships and barriers to obtaining the documentation ordinarily required prior to enrollment. Certain aspects of the program's eligibility criteria may be temporarily satisfied through an individual applicant's self-attestation until verified by an admissions staff. As a result, an individual applicant may be enrolled within 10 business days of passing a background

check.

An applicant who is homeless, a victim of a severe forms of trafficking in persons, or a victim of natural and/or man-made disasters, and who meets all eligibility requirements listed in Chapter 1, Section 1.2 R3 and Exhibit 1-3 will have their application expedited for enrollment at Job Corps centers.

As directed, Admissions Services providers should follow the procedures outlined in Exhibit 1-3, Office of Job Corps Expedited Applicant Enrollment

R6. Priority Enrollment

An applicant who meets all of the eligibility requirements listed in Chapter 1, Section 1.2 R3, and who is a veteran of the armed forces of the United States or an eligible spouse of a veteran (as specified in Exhibit 1-2, Factors for Priority Enrollment), will receive priority in enrollment at Job Corps centers. Those applicants who qualify for priority enrollment who meet eligibility requirements listed in Chapter 1, Section 1.2 R3 will be offered the immediate opportunity to enroll in the program at a center where the applicant's desired trade is available.

R7. Readmission Criteria

Admissions Services staff must assess, determine, and verify that applicants for readmission:

- a. Meet all eligibility requirements (see Chapter 1, Section 1.2 R3 and R5, Exhibit 1-1, Eligibility Requirements, Exhibit 1-2, Priority Enrollment, and Exhibit 1-3, Expedited Enrollment). The applicant applying for readmission will complete the full application process as if they were a new Job Corps applicant.
- b. Have not been readmitted before, unless the most recent separation was the result of a medical separation or was precipitated as a result of a natural or man-made disaster; and the student is able to meet the eligibility requirements of the program with or without RA/RM/AAS.
- c. Are 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 disability accommodation or to complete advanced career training.
- d. Have been out of Job Corps a minimum of 1 year. This may be waived at the discretion of the Regional Director, and may be waived as part of a disability accommodation.
- e. Have not previously received mandatory separations for Level I disciplinary reasons (refer to Exhibit 2-1, Infraction Levels, Definitions, and Appropriate Center Actions) except for applicants previously separated for Level I drug use or Level I alcohol-related infractions (possession, consumption, or distribution of alcohol while on center

or under center supervision; or abuse of alcohol). Such applicants are eligible to reapply after 1 year. If applicants separated for a Level 1 drug use infraction test positive for drug use upon readmission, they will be separated immediately and not allowed to reapply to Job Corps.

R8. Application Procedures for Readmission

Admissions Services staff must:

- a. Help the applicant applying 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 the applicant not be readmitted to the previous center the applicant 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. Such applicants must provide Admissions Services with documentation of how they have made positive improvements since leaving the program (e.g., letter attesting to participation in volunteer activities, certificate of completion of vocational/educational classes). Documentation must be included in the applicant E-Folder.
- d. Where applicable, original centers must provide student files to the receiving center in the case of readmitted students.