

November 23, 2005

DIRECTIVE: JOB CORPS PROGRAM INSTRUCTION NO. 05-08

TO: ALL JOB CORPS NATIONAL OFFICE STAFF
 ALL JOB CORPS REGIONAL DIRECTORS
 ALL JOB CORPS CENTER DIRECTORS
 ALL JOB CORPS CENTER OPERATORS
 ALL NATIONAL TRAINING AND SUPPORT CONTRACTORS
 ALL OUTREACH, ADMISSIONS AND CTS CONTRACTORS

FROM: GRACE A. KILBANE
 National Director
 Office of Job Corps

SUBJECT: Use of LexisNexis Public Records Data Service

1. Purpose. To provide information on immediate background checks for expedited enrollments for hurricane victims.
2. Background. As a result of Hurricanes Katrina and Rita, thousands of Americans along the Gulf Coast region have been separated from their families and homes. Many of them will be without access to public education or permanent housing for months. This Instruction supplements Program Instruction No. 05-03, September 9, 2005, to provide the Job Corps community with an immediate step toward expedited enrollment of hurricane victims in order to help mitigate the impact of this disaster.

Admissions staff are required to screen all applicants for behavioral problems or criminal history that would exclude them from participation in Job Corps. Because of the urgency of the situation created in the aftermath of recent hurricanes, some of Job Corps' admissions policy requirements are **temporarily** suspended to expedite the enrollment process and to provide immediate relief to the victims and their families.

The National Office of Job Corps has established a partnership with LexisNexis to conduct background checks to screen hurricane applicants. Formal screening of behavioral records and criminal history will be streamlined through the use of this national tool. Please note that the use of LexisNexis is solely for victims of recent hurricanes, it is not intended for all enrollees. The partnership establishes a reduced rate for records access. However, for this extraordinary circumstance, LexisNexis contractually allows us to retrieve information on hurricane victims only.

As usual, admissions staff should observe behavior throughout the application process to determine whether any unsafe or troubling behavior is displayed.

3. Reference. Program Instruction No. 05-03.

4. Action. Admissions staff will complete an application for a user ID and password and fax it to the Office of Job Corps at (202) 693-2764, (Attention: Dennis Johnson.) The National Office of Job Corps staff will assign and distribute LexisNexis access usernames and passwords to Job Corps outreach and admissions staff who are working with hurricane victims. Since evacuees have relocated across the country, all regions will have the capability to apply for access.

The access is web-based and instructions will be provided on how to search and retrieve applicant information when ID and passwords are issued. Regional and National Office staff will have monitoring capability on all inquiries to ensure the database is being used for hurricane victims only.

LexisNexis requires applicants to complete a disclosure form authorizing Job Corps to obtain information on the applicant in order to be considered for the program. This is in addition to other forms which Job Corps requires during the application process.

Each background check conducted through LexisNexis is considered a "consumer report" under the Fair Credit Reporting Act (FCRA). Therefore, if a background check is used as grounds for denial, the Admissions Counselor (AC) is required to provide the applicant with the consumer report and a summary of the consumer's rights under the FCRA. These documents can be printed out through the LexisNexis system and included in the denial letter.

Attached is the User ID Request Form (Attachment A), the applicant Disclosure To Job Corps Applicant and Consent Regarding Procurement of a Consumer Report (Attachment B), and a Sample Letter (Attachment C) to applicants informing them of the adverse action taken against them.

NOTE: For students that may have been enrolled under the expedited procedure, and an adequate background check was **NOT** able to be performed, the AC is required to conduct a retroactive background check using this tool. If the student is found to be ineligible as a result of the background check, the AC should notify the center to separate the student as a fraudulent enrollment. The student should be given the consumer report and a summary of consumer rights mentioned above at the time of separation.

5. Expiration Date. February 25, 2006.

6. Inquiries. Inquiries should be directed to Maria Temiquel at (202) 693-3118, or e-mailed to temiquel.maria@dol.gov.

Attachments

- A – LexisNexis Screening Solutions User ID Request Form
- B – Disclosure to Job Corps Applicant and Consent Regarding Procurement of a Consumer Report
- C – Sample Letter