

April 24, 2007

DIRECTIVE:	JOB CORPS PROGRAM INSTRUCTION NO. 06-27
------------	-----------------------------------------

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

FROM: ESTHER R. JOHNSON, Ed.D.
National Director
Office of Job Corps

SUBJECT: Reasonable Accommodation

1. Purpose. To remind Job Corps staff of the obligation to provide reasonable accommodation to applicants or students with disabilities.
2. Background. The Policy and Requirements Handbook (PRH) requires that all applicants and students with disabilities be provided the opportunity to request and receive reasonable accommodation in accordance with Section 188 of the Workforce Investment Act of 1998, Section 504 of the Rehabilitation Act of 1973, and their implementing regulations.

Reasonable accommodations are any changes to the environment, or in the way things are customarily done, that give a person with a disability¹ an opportunity to participate in the application process, job, program, or activity that is equal to the opportunity given to similarly situated people without disabilities. Many people with disabilities can (and do) apply for and participate in the Job Corps program without any reasonable accommodations. However, barriers do exist that keep other potential applicants or students with disabilities from applying or

¹ The regulations implementing Section 188 of the Workforce Investment Act of 1998 (WIA) and Section 504 of the Rehabilitation Act of 1973 (Section 504) define such a disability as “a physical or mental impairment that substantially limits one or more of [a person’s] major life activities.” Whether a particular person has an impairment that satisfies this definition, and whether a specific accommodation is appropriate for a particular person, must be determined on a case-by-case basis.

participating, and these barriers could be overcome with some form of accommodation. Reasonable accommodation may involve providing an appropriate service or product; modifying or adjusting a job, work/academic environment, policy, program, or procedure; or any other action that removes those barriers for the person with a disability.

Any qualified person with a disability who applies to, or enrolls in, the Job Corps program is entitled to reasonable accommodation. A request for an accommodation takes place when an applicant or student with a disability, or his or her representative, makes it known that he or she may need an adjustment or change to the admissions process or Job Corps program for a reason related to a disability. The applicant, student, or representative may make this need known by requesting an accommodation or providing information that indicates that reasonable accommodation may be necessary. Under federal law, this request does not need to contain the word “accommodation,” and it may be made verbally or in writing. At this point an applicant or student must be engaged in an interactive process to determine what accommodations are appropriate.

3. Guidance and Reminders about Reasonable Accommodation.

- a. An applicant or student with a disability can request accommodation at any time during his or her enrollment and participation in the program.
- b. All requests for accommodation should be documented on the Job Corps Reasonable Accommodation Request Form. This is a required form and the only form that can be used.
- c. **No accommodation can be denied during the admissions process or on center.** If the admissions counselor (AC) or center believes that providing the accommodation would be an undue hardship or a fundamental alteration to the nature or operation of the program, and no alternate accommodation can be agreed upon, the issue must be forwarded to the Regional Office for a final decision.
- d. The entire accommodation process should be well documented. If an applicant or student with a disability decides he or she does not need accommodation, the discussion should be documented. The applicant or student should be informed that a request can be made at any time if accommodation becomes necessary.
- e. Each outreach and admissions contractor and center should have a reasonable accommodation policy that describes the process for providing an applicant or student with reasonable accommodation.
- f. When possible, an accommodation plan should be in place prior to the student’s arrival on center.
- g. Assistance for funding high-cost accommodations is available from the National Office of Job Corps. See Program Instruction 06-21 for more information.

- h. A sample policy, tools for documenting the process, and other reasonable accommodation information are available on the Job Corps Disability Website at <http://jcdisability.jobcorps.gov>.
- i. Technical assistance related to providing reasonable accommodation is available from your regional disability coordinator, or Michelle Day at (301) 608-3290, ext. 409, or michelle.day@humanitas.com.

4. References. This directive serves to remind staff about reasonable accommodation processes already required by the PRH. Current PRH citations related to reasonable accommodation include:

- a. PRH Chapter 1: Section 1.2, R1.b.—Requires ACs to provide reasonable accommodation information to all applicants.
- b. PRH Chapter 1: Section 1.2, R5.—Outlines the process by which ACs should collect reasonable accommodation information, and discusses the requirement to provide reasonable accommodation for participation in the admissions process.
- c. Appendix 103—Requires centers to engage applicants who provide information indicating that reasonable accommodation may be necessary in an interactive process to determine what accommodations are appropriate.
- d. PRH Chapter 6: Section 6.11, R7.b.—Requires centers to develop written reasonable accommodation policies and procedures.
- e. Appendix 605—Provides definitions and documentation requirements related to reasonable accommodations for applicants and students with disabilities.

5. Action. The National Office is currently revising reasonable accommodation guidelines released previously in Program Instruction 00-08. Until new guidelines are released, all Job Corps staff should use the information provided in the reasonable accommodation guidelines section of the Job Corps Disability Website (http://jcdisability.jobcorps.gov/html/ra_jc.htm) to ensure that reasonable accommodation obligations are being met. This information does not create new requirements, beyond those currently in the PRH or Program Instruction 00-08; rather, it provides additional tools, clarification, and guidance.

Addressees are to ensure that this Program Instruction is distributed to all appropriate staff, especially disability coordinators, equal opportunity officers, and outreach and admissions counselors.

6. Expiration Date. Until superseded.

7. Inquiries. Inquiries should be directed to Barbara Grove, RN, at (202) 693-3116 or grove.barbara@dol.gov, or Carol Abnathy at (202) 693-3283 or abnathy.carol@dol.gov.