



DIRECTIVE: JOB CORPS PROGRAM INSTRUCTION NOTICE NO. 25-01

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

FROM: ERIN MCGEE
 Acting Administrator
 Office of Job Corps

SUBJECT: Job Corps Eligibility Requirements for Non-Citizen Students Authorized to Work in the United States.

1. Purpose. Provide guidance and remind Centers and Operators of Job Corps program eligibility requirements for students who are lawfully admitted permanent resident aliens, refugees, asylees or parolees, or other aliens who have been authorized by the Department of Homeland Security to work in the United States.¹
2. Background. The Office of Job Corps is aware that Job Corps students have received notices from the Department of Homeland Security (DHS) announcing the termination (or forthcoming termination) of the student’s immigration status (including parole) and/or the revocation of their work authorization, which, in either circumstance, could render the student no longer eligible for the Job Corps program.

Per the Policy & Requirements Handbook (PRH), Exhibit 1-1 Job Corps Eligibility Requirements, in order to enroll in the program, an applicant must be a (1) United States citizen or national, including naturalized citizen; or (2) lawfully admitted permanent resident alien, refugee, asylee or parolee, or other alien who has been authorized by the Department of Homeland Security to work in the United States; or (3) resident of a U.S. territory.

Applicants/students must remain in legal status and have valid work authorization throughout their length of their stay in Job Corps, as well as during the period allotted for the receipt of graduate services. If the student no longer has valid work authorization, then the student cannot be enrolled in Job Corps and cannot receive services through the program.

¹ Office of Job Corps, Policy & Requirements Handbook (PRH), Exhibit 1-1 Job Corps Eligibility Requirements, Criterion 1. U.S. Citizen/Legal Resident/Deferred Action Status, available at <https://prh.jobcorps.gov/Exhibits/Exhibit%201-1%20Job%20Corps%20Eligibility%20Requirements.pdf>.

Students who receive any notice from DHS **revoking** their immigration status and/or work authorization can only remain enrolled if they have another form of work authorization. For example, it is possible that a student was initially granted parole into the country but then filed for asylum and obtained work authorization via that process. ***Before separation, Job Corps centers should verify, pursuant to the below outlined procedure, that students receiving any notices that announce a revocation of work authorization do not have any other form of work authorization.***

As center operators conduct verification of work authorization, they must ensure they comply with the nondiscrimination provisions at Section 188 of WIOA and its implementing regulations at 29 C.F.R. part 38. To ensure equal treatment, **all applicants/students** must provide, and centers must keep copies in case files, proof of authorization to work in the United States.

3. **Action.** All centers must take the following steps immediately:
 - a. *Policy and Procedure Review:* Update center-level policies and procedures to ensure compliance with PRH eligibility requirements for all students, including those who are non-citizens. Within 15 business days submit to the assigned Contracting Officer's Representative documentation of the updated center policy or procedure to comply with the PIN directive.
 - b. *Initial Verification:* Ensure that valid work authorization documentation is verified at entry and dates of validity are accurately entered and maintained in CIS or other designated systems.
 - i. *Documentation Requirements:* Work authorization must be verified by submission of documentation with a unique identifier (also called a "verifiable enumerator"). To verify work authorization, individuals can choose from acceptable types of documents that are on either List A or List C of Form I-9 Acceptable Documents (for purposes of enrolling in Job Corps, individuals are **not** required to complete Form I-9).² Some examples of acceptable documents include an unrestricted Social Security card; a Form I-551, Permanent Resident Card (informally called a "green card"); Form I-766, Employment Authorization Document; a U.S. birth certificate; and a U.S. passport. Several other documents might be specifically held by refugees, asylees, parolees, and other aliens who are authorized to work.³ A PRH Change Notice is forthcoming to make updates to PRH Exhibit 1-1 to reflect these requirements.
 - c. *Ongoing Monitoring:* Implement center procedures (e.g. standard operating procedures) to periodically review and monitor the status of students who have temporary work authorization to ensure continued eligibility. This includes ensuring that students' files are appropriately updated in CIS (e.g. the Alien Registration Report).
 - d. *Responding to DHS Notices:*
 - i. If a center operator or center staff is made aware that a student or graduate receives a DHS notice indicating loss of immigration status or work authorization, before separating the student or ceasing graduate services, centers **must ask the student and obtain through documentation** another valid form of work authorization.

² The List A and List C of Form I-9 Acceptable Documents are located at <https://www.uscis.gov/i-9-central/form-i-9-acceptable-documents>.

³ For guidelines on which documents on Form I-9 are issued to which categories of individuals, see USCIS I-9 Central at <https://www.uscis.gov/i-9-central/form-i-9-acceptable-documents/who-is-issued-this-document>. For specific guidance on evidence of employment authorization for refugees and asylees, see the USCIS Handbook for Employers at <https://www.uscis.gov/i-9-central/form-i-9-resources/handbook-for-employers-m-274/70-evidence-ofemployment-authorization-for-certain-categories/73-refugees-and-asylees>.

- ii. If no alternative form of work authorization can be demonstrated by the student or graduate, the student must be separated from the program (or in the case of a graduate, cessation of services must be) no later than the effective date of revocation as indicated on the DHS notice.
- e. *Separation Process*: For students who lose work authorization while they are enrolled in Job Corps, centers are authorized to use Administrative Separation with Reinstatement (ASWR). Centers must reinstate students pursuant to PRH Chapter 6.2 R6.a. if they demonstrate requisite work authorization, and are otherwise eligible, for the program.
- f. *Graduate Services*: Effective immediately, Job Corps graduates must maintain valid legal work authorization to receive Career Transition Services (CTS) under the Job Corps program. CTS providers are required to verify work authorization status prior to delivering employment-related services, including job placement services. This policy directive ensures that Job Corps resources are directed only toward participants who are legally authorized to work in the United States. A PRH Change Notice is forthcoming to make updates to PRH Chapter 4.1 R2 to reflect these requirements.

4. Effective Date. Immediately

5. Expiration Date: Until rescinded or superseded

6. Inquiries. Inquiries about this notice should be sent to JobCorps-DPCP@dol.gov.