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REPORT TO EMPLOYMENT AND TRAINING ADMINISTRATION



REVIEW OF JOB CORPS CENTER SAFETY AND SECURITY

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BRIEFLY...

March 31, 2017

REVIEW OF JOB CORPS CENTER SAFETY AND SECURITY

WHY OIG CONDUCTED THE REVIEW

In response to two student homicides at Job Corps centers in 2015, and as a follow-on to a prior audit, the Office of Audit (OA) and the Office of Investigations (OI) jointly initiated a review to examine how Job Corps was identifying and managing risks to the safety and security of students and staff at its 129 center campuses.

A 2015 audit by the U.S. Department of Labor, Office of Inspector General (OIG) identified systemic safety-related weaknesses at centers. Consistent with earlier audits we performed in 2009 and 2010, our 2015 audit identified serious deficiencies in center management's enforcement and Job Corps' oversight of student disciplinary policies. This follow-on review examined three additional areas of Job Corps operations that impact center safety and security.

WHAT OIG DID

We conducted this review to examine:

- Job Corps' actions in response to potentially serious criminal misconduct
- Physical security at Job Corps centers
- Job Corps' efforts to mitigate violence and other serious crimes at its centers

READ THE FULL REPORT

To view the report, including the scope, methodology, and full agency response, go to:

<http://www.oig.dol.gov/public/reports/oa/26-17-001-03-370.pdf>.

WHAT OIG FOUND

Job Corps did not respond effectively to potentially serious criminal misconduct. Eleven centers we reviewed did not contact law enforcement for 140 (40 percent) of the 348 potentially serious criminal misconduct incidents logged by Job Corps. Twelve centers did not report numerous significant incidents to Job Corps, and misclassified many of the significant incidents they did report to Job Corps. Furthermore, 41 (32 percent) of 129 centers and satellites did not establish cooperative agreements with law enforcement organizations. Seventy-five (85 percent) of the 88 centers that did establish agreements failed to include adequate descriptions of center and law enforcement roles and responsibilities. None included federal, state, and local law enforcement offices as required.

Physical security weaknesses related to campus access and monitoring existed at the 12 centers visited. These weaknesses included inadequate and unmonitored closed circuit television (CCTV) systems, security staff shortages, and compromised perimeters. Additionally, we found 31 (24 percent) of 129 centers and satellites provided physical security strategies that exceeded the minimal Job Corps requirements, but Job Corps had not developed effective processes to share the best practices or incorporate them into center guidance.

Job Corps' mitigation efforts lacked a continuous evaluation and improvement process. Job Corps has made efforts to mitigate violence and other serious crimes at its centers. However, these efforts occurred after our 2015 Job Corps Center Safety audit and the two student murders. OIG has reported on Job Corps not addressing violence and other student misconduct since 2009. Additionally, Job Corps' mitigation efforts did not address the need for a comprehensive policy defining the center employment positions that should be subject to background checks or how the results of such background checks would be evaluated.

WHAT OIG RECOMMENDED

In general, we recommended the Acting ETA Assistant Secretary establish, clarify, and/or enforce policy as needed for each of our three review areas. ETA said our recommended corrective actions had been implemented or will be implemented. ETA expressed concerns with some of the underlying premises in our report, but their comments did not result in any changes to the report.

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INSPECTOR GENERAL'S REPORT

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Two murders of Job Corps students in April and July 2015 significantly increased public and congressional concern about the safety and security of students and staff at Job Corps centers.¹ We initiated this review partly in response to the two murders and as a follow-on to a 2015 audit by the U.S. Department of Labor, Office of Inspector General (OIG).

Our 2015 audit identified serious deficiencies in center management's enforcement and Job Corps' oversight of student disciplinary policies. Subsequent to our report and the two student murders, ETA and Job Corps took several steps to mitigate violence and other crimes at centers. These steps included revising its "Zero-Tolerance" Student Conduct Policy to increase student accountability and clarifying center staff authority to address misconduct; establishing a new Job Corps division with risk management and center oversight responsibilities; performing on-site Center Culture and Safety Assessments; and implementing a new national criminal background check process for students (see page 17 for a detailed list of actions taken by ETA and Job Corps).

We conducted this review jointly with the OIG's Office of Investigations (OI) to examine three areas of Job Corps not covered by our 2015 audit:

- Job Corps' actions in response to potentially serious criminal misconduct;
- Physical security at Job Corps centers; and
- Job Corps' efforts to mitigate violence and other serious crimes at its centers.

We conducted fieldwork for this review from August 12, 2015, through February 18, 2017. We analyzed information provided by Job Corps and its center operators, and select law enforcement data covering the period January 1, 2014, through June 30, 2015, to determine if centers appropriately reported potentially serious criminal incidents to law enforcement and accurately reported misconduct infractions to Job Corps. We performed additional analysis of misconduct infractions reported to Job

¹ The murders occurred at or near the St. Louis (Missouri) and Homestead (Florida) centers, respectively. As criminal investigations are ongoing, we do not discuss any details related to these cases elsewhere in this report.

Corps during January and February 2017. We also reviewed physical security at 12 centers during visits conducted between September 2015 and December 2015.

RESULTS IN BRIEF

We found weaknesses in each of the three areas of our review. Job Corps could improve its response to potentially serious criminal misconduct, strengthen the physical security of its campuses, and enhance its mitigation efforts.

Ineffective Response to Potentially Serious Criminal Misconduct

Eleven of the twelve centers we visited failed to report 140 (40 percent) of the 348 potentially serious criminal misconduct incidents we identified in Job Corps information systems to law enforcement, with the number not reported ranging from 1 to 37 incidents per center.² The lack of law enforcement involvement could compromise center and community safety as students are not held legally accountable.³ All 12 centers we visited did not report significant incidents⁴ to Job Corps and misclassified significant incidents they did report to Job Corps. Deficient significant incident reporting negatively impacts Job Corps' ability to make sound management decisions and exercise appropriate oversight.

Furthermore, 41 (32 percent) of Job Corps' 129 centers and satellites in operation at the time of our review had not established cooperative agreements with law enforcement organizations (LEOs); and 75 (85 percent) of the 88 centers that had established agreements failed to include adequate descriptions of center and law enforcement roles and responsibilities. The established agreements also did not include federal, state, and local LEOs as required. Defining roles and responsibilities in a formal agreement helps to provide reasonable assurance that potentially criminal incidents will be addressed in an effective, efficient, and safe manner. It also reduces the potential for the mishandling of evidence, the mismanagement of crime scenes, and the inappropriate or prejudicial treatment of suspects and witnesses, which could affect law enforcement investigations and ultimately the outcome of criminal cases.

² For the purposes of this review, we considered all incidents identified in Job Corps' PRH as Level I zero tolerance and Level II infractions. These infractions included potentially criminal behavior, such as physical assault that causes or intends to cause bodily harm, sexual assault, possession of a gun or illegal weapon, robbery and extortion, illegal drug activity, threat of assault, sexual harassment, possession of an item that could be used as a weapon, fighting, theft or possession of stolen goods, bullying, loan sharking, and gang activity.

³ Our analysis to determine whether centers contacted law enforcement was limited to 11 of the 12 centers we visited because the law enforcement organization for one center did not provide call logs.

⁴ Job Corps' PRH lists the types of significant incidents center operators must report to Job Corps' National and Regional Offices. These incidents include, among other events, the death of a student or staff, serious injury or illness of active students or staff members, physical assault, and theft or damage to student, staff, or center property.

Physical Security Weaknesses at Job Corps Centers

We observed physical security weaknesses related to campus access and monitoring during our site visits to the 12 centers. These weaknesses included inadequate and unmonitored closed circuit television (CCTV) systems, security staff shortages, and compromised perimeters. Job Corps is responsible for ensuring students have a physically secure environment to achieve their educational goals and learn the necessary career technical skills that will lead to meaningful employment. The physical security weakness we observed could impact Job Corps' ability to achieve that goal.

Additionally, although we found 31 of Job Corps' 129 centers and satellites provided physical security strategies that exceeded the minimal PRH requirements, Job Corps had not developed effective processes to share the best practices or incorporate them into center guidance. As a result, Job Corps missed opportunities to share in real-time a means to effectively identify and address security challenges across all center campuses.

Mitigation Efforts Lack a Continuous Evaluation and Improvement Process

As noted, Job Corps has made recent program-wide efforts to mitigate violence and other serious crimes at its centers. However, these efforts generally occurred after our 2015 audit and the two student murders, and insufficient time has passed to determine if the efforts have been effective. We further note that OIG has reported on student violence since 2009. Moreover, numerous complaints alleging criminal activity and violence made to Job Corps since 2011 as well as the 2012 killing of a Job Corps counselor by a student at the Los Angeles Job Corps Center could have also triggered stronger systemic evaluation and mitigation efforts.

Finally, Job Corps' recent mitigation efforts did not address the need for a comprehensive policy defining the center employment positions that should be subject to background checks or how the results of such background checks should be evaluated. Only those individuals employed in child development services and volunteers were required to receive background checks. Policy addressing whether other center positions needed background checks had not been established. Job Corps also did not determine what criminal histories would disqualify individuals from employment. As a result, Job Corps may have placed students at increased risk of harm by allowing potentially dangerous prior criminal offenders on campus.

BACKGROUND

Job Corps is the nation's largest residential education and vocational training program for at-risk youth ages 16 to 24 and has an annual budget in excess of \$1.6 billion. The Employment and Training Administration's (ETA) Office of Job Corps administers the

program, serving up to 60,000 students annually. During our review period (January 1, 2014, through June 30, 2015), Job Corps was responsible for overseeing 129 center and satellite campuses.⁵ At the time of this report, Job Corps oversaw 130 centers and satellite campuses. Contractors operated 103 of them, while the U.S. Department of Agriculture's Forest Service (USDA-FS) operated 27. The USDA-FS centers are known as Civilian Conservation Centers (CCC) and are operated under an interagency agreement with DOL.

Students at most centers live on campus and depend on Job Corps to provide a safe residential and learning environment. Job Corps requires center operators to establish rules regulating the entry, exit, and conduct of persons who seek access to the center campuses, including students. Responsibility for investigating potentially criminal incidents can rest within federal, state, local or tribal (Native American) law enforcement jurisdictions, or a combination of these depending on the nature and location of suspected criminal activity.

Over the past 10 years, OIG has identified safety and health of Job Corps students and staff as a top management challenge for DOL. However, despite OIG audits in 2009 and 2010 that reported lax enforcement of the Office of Job Corps' (Job Corps) disciplinary policies, we continued to find deficiencies with center management's enforcement and Job Corps' oversight of the disciplinary policies. Our most recent audit in 2015 further identified systemic safety-related weaknesses at centers.⁶

RESULTS

We found weaknesses in each of the three areas of our review. Job Corps could improve its response to potentially serious criminal misconduct, strengthen the physical security of its campuses, and enhance its mitigation efforts.

INEFFECTIVE RESPONSE TO POTENTIALLY SERIOUS CRIMINAL MISCONDUCT

POTENTIALLY SERIOUS CRIMINAL MISCONDUCT AND SIGNIFICANT INCIDENTS NOT REPORTED

Centers failed to report potentially serious criminal misconduct to law enforcement and also failed to report significant incidents to Job Corps. To respond effectively to potentially serious criminal misconduct, Job Corps centers need to contact law enforcement to investigate. The lack of law enforcement involvement could compromise

⁵ During our review period, Job Corps had a total of 129 centers and satellite campuses nationwide; however, this total decreased to 128 with the 2014 closure of the Treasure Lake (OK) center. After our review period, Job Corps opened two new centers, New Hampshire (opened September 2015) and Wind River (Wyoming) (opened August 2015), bringing the total number of centers and satellite campuses up to 130.

⁶ U.S. Department of Labor, Office of Inspector General, *Job Corps Needs to Improve Enforcement and Oversight of Student Disciplinary Policies to Better Protect Students and Staff at Centers*, 26-15-001-03-370, (Washington, DC, February 27, 2015).

center and community safety as students are not held legally accountable. Not reporting significant incidents to Job Corps hinders the agency's ability to fully understand the security risks at centers and exercise appropriate oversight.

Our analysis of data from Job Corps' Center Information System (CIS) and Significant Incident Reporting System (SIRS), as well as call logs provided by LEOs, showed 11 of the 12 centers we visited failed to report potentially serious criminal misconduct to law enforcement as required.⁷ Additionally, all 12 centers we visited did not report significant incidents to Job Corps as required.

- Centers did not contact law enforcement for 140 (40 percent) of the 348 potentially serious criminal misconduct incidents we identified in the CIS and SIRS, with the number not reported ranging from 1 to 37 incidents per center.
- Centers did not submit SIRS reports to Job Corps for 488 (34 percent) of the 1,451 significant incidents we identified in the CIS.

Example of Unreported Potentially Serious Criminal Misconduct

Security staff at the center received a tip that a student was conducting drug deals out of a dorm room. Center security searched the student's room and found 3 full canisters of "spice" (illegal synthetic marijuana), 3 empty canisters with "spice" residue, rolling paper, pipe cleaners, and a hypodermic needle. The center did not report the incident to law enforcement and did not submit a SIR to Job Corps. Rather, the student was charged and found guilty by the center of a non-drug related infraction (pattern of inappropriate behavior) and allowed to remain at the center. This incident should have been reported to law enforcement so a criminal investigation could have occurred, and the center should have convened a fact finding board to determine if the student should have been removed from Job Corps under its zero tolerance policy.

Job Corps had no policies requiring centers to report potentially criminal student misconduct to law enforcement, except in instances of missing government-furnished property (at time of discovery) and sexual assaults (as required by state and local law). During our review, Job Corps issued Program Instruction Notice (PIN) 16-09. The PIN, issued in August 2016, instructed centers to contact law enforcement when they

⁷ We reviewed data covering 18 months, January 1, 2014, to June 30, 2015. Our analysis to determine whether centers contacted law enforcement was limited to 11 of the 12 centers we visited because the LEO for one center did not provide call logs.

suspect criminal behavior, or when serious incidents occur. However, our review of SIRs published by Job Corps in January and February 2017 indicated that some centers still did not report suspected criminal behavior to law enforcement. This included seven assaults that required hospital visits where the SIRs specifically noted law enforcement was not involved. In one incident, five students were involved in a videotaped assault involving claims of gang membership.

Despite the PIN guidance, ETA told us our conclusion that Job Corps centers need to contact law enforcement to investigate serious incidents was unrealistic and fundamentally misinterprets Job Corps' relationship with law enforcement. ETA said Job Corps is not in a position to dictate to law enforcement organizations when they should be contacted and what types of incidents they will respond to or investigate. We agree that Job Corps cannot dictate law enforcement's response. However, by not reporting potentially serious criminal misconduct, Job Corps assumes responsibility for determining whether a criminal investigation is warranted rather than allowing law enforcement to make that decision. We maintain our conclusion that law enforcement needs to be contacted for potentially serious criminal misconduct, with law enforcement determining its response. Situations where law enforcement has informed Job Corps that they will not respond to potentially serious criminal misconduct should be documented (e.g., in the center agreements with law enforcement). The need for policy and oversight in this area is particularly important considering the at-risk population of Job Corps' students.

SIGNIFICANT INCIDENTS NOT CLASSIFIED PROPERLY

Significant incidents reported to Job Corps that were misclassified included missing persons, assaults, sexual assaults and breaches of security/safety reported as "Property Incidents" and assaults reported as "Medical Incidents." Such misreported incidents could compromise and adversely impact Job Corps' ability to exercise appropriate oversight.

Example of Misclassified Significant Incident

The incident description provided in the SIR noted two students punched and attacked each other. One of the students involved in the incident and a victim attempting to calm the situation received minor injuries that did not require medical assistance. Police investigated the incident and arrested the two students for assault. The center misclassified the incident in SIR as a "Medical Incident" rather than an "Assault."

In some instances, differences between Job Corps' behavior management system in CIS and the SIR system contributed to the misclassification of incidents in SIRs. For example, while Job Corps policy required centers to report all thefts in both CIS and SIRS, we found a classification for theft in CIS, but no clear classification for theft in SIRS. Instead, Job Corps directed centers to report thefts as "Property Incidents," a classification that also included broken windows, failed electrical and plumbing systems, and damaged vehicles. As another example, Job Corps policy required centers to report arrests for either misdemeanors or felonies in both CIS and SIRS, but there is no classification in SIRS for arrest. Instead Job Corps expected centers to report an arrest under the classification of what the arrest was for. For example, centers classified students arrested for felony robbery as "Property Incidents."

Subsequent to our audit and the two murders in 2015, Job Corps' National Office told us they developed and began using a risk management summary analysis tool (the Risk Management Dashboard) to conduct trend analysis and prioritize oversight efforts, based upon data present in CIS and SIRS. While insufficient time has passed to fully evaluate the effectiveness of this tool, unreported or misreported incidents may skew the results reflected within the tool at the summary level, leading Job Corps away from actual problem areas and reducing the effectiveness of its risk-based oversight.

IMPROPER ACTIONS TAKEN BY CENTER MANAGEMENT

Instead of contacting LEOs for potentially serious criminal misconduct, center management in several cases performed the following law enforcement functions:

- student searches,
- searches for evidence of a crime,
- searches for narcotics and weapons,
- interviews of witnesses,
- surveillance operations, and
- use of confidential informants.

In taking these actions, center management risked compromising the integrity of the potential criminal investigations through mishandling of evidence, mismanagement of crime scenes, and inappropriate or prejudicial treatment of suspects and witnesses.

ETA disagreed with our assertion that centers performed law enforcement functions and said that we did not consider the overlap between criminal and Job Corps' Student Misconduct Policy. We recognize that Job Corps performs the noted functions when applying its Student Misconduct Policy. However, when centers performed these functions without or before providing law enforcement the opportunity, Job Corps took action that law enforcement may have determined to be their responsibility. As previously noted, Job Corps assumed responsibility for determining whether a criminal investigation was warranted rather than allowing law enforcement to make that decision. In situations where Job Corps' investigative actions occur before an actual law

enforcement investigation, the risk to the integrity of the law enforcement investigation could be substantial.

In many cases, center management only contacted LEOs if a student or staff victim wanted to file a criminal complaint, which was a commonly known practice to students and staff on many campuses. Placing the responsibility for filing a criminal complaint on victims could subject them to retaliation or danger, which could dissuade them from filing criminal charges.

ETA said that Job Corps' August 2016 PIN specifically defined when law enforcement was to be contacted (when criminal behavior is suspected) and a more prescriptive policy was not needed. We disagree as our review of SIRs published by Job Corps in January and February 2017 indicated that some centers still did not contact LEOs if a victim did not want to file a criminal complaint. This included three assaults that required hospital visits where the SIRs specifically noted the victims or their parents/guardians did not want to press charges and law enforcement was not involved.

Additionally, similar to the findings in our 2015 audit, all 12 centers did not take appropriate disciplinary action to address incidents of student misconduct or did not properly record the disciplinary actions taken. We reviewed CIS data for our review period and identified 2,911 cases involving serious misconduct. Serious misconduct includes potentially criminal behavior such as physical assault that causes bodily harm, sexual assault, possession of a gun or illegal weapon, drug activity, and robbery. The centers did not take appropriate disciplinary action or properly record the disciplinary action in 892 (31 percent) of 2,911 cases.

LACK OF AGREEMENTS WITH LAW ENFORCEMENT

Forty-one of 129 (32 percent) Job Corps centers and satellites had not established required cooperative agreements with LEOs during our review period. The agreements are critical for ensuring center safety and security because they define the differing roles and responsibilities between the center and federal, state, and local LEOs when a potentially criminal incident occurs. Defining roles and responsibilities in a formal agreement helps ensure the incident is addressed in an effective, efficient, and safe manner. It also reduces the potential for center staff to engage in the mishandling of evidence, the mismanagement of crime scenes, and the inappropriate or prejudicial treatment of suspects and witnesses, which could affect litigation and ultimately the outcome of criminal cases. A well-defined agreement would allow each party to review, comment, and advise the other parties on their capabilities and limitations prior to potential criminal incidents arising that require LEO involvement.

Federal regulation (20 CFR 670.940(b)) requires Job Corp centers located on property under concurrent Federal and State jurisdiction to establish cooperative agreements with Federal, State, and local law enforcement agencies to enforce criminal laws. Additionally, Job Corps policy (PRH Chapter 5.4, R2) expanded the requirement in the Federal regulation, and mandated center operators to establish written cooperative agreements with federal, state, and local law enforcement agencies. During our review

period (July 1, 2014, through June 30, 2015), Job Corps had a total of 129 centers and satellite campuses nationwide. We found 41 of the 129 (32 percent) had not established cooperative agreements during our review period as follows:⁸

- 16 centers provided agreements that were incomplete or that we were unable to validate (e.g., missing signatures, missing effective dates);
- 15 centers provided agreements that had been placed into effect after our review period;
- 6 centers had no evidence of an agreement or any attempt at an agreement (1 center closed);
- 3 centers had attempted to enter into agreements with local LEOs, but the LEOs declined; and
- 1 center provided an agreement that had expired prior to our review period.

INADEQUATE DELINEATION OF CENTER VERSUS LAW ENFORCEMENT ROLES AND RESPONSIBILITIES

Job Corps policy (PRH Chapter 5.4, R7, R8) included four critical requirements that delineated center and LEO roles and responsibilities for search and seizure and disposal of unauthorized goods. Considering the agreements document the understanding reached between the centers and LEOs, it is critical that the roles and responsibilities be adequately delineated in the agreements. Of the 88 centers that had agreements in effect during our review period, only 13 included all 4 of the critical requirements that delineate center versus LEO responsibilities. Established agreements did not include adequate descriptions of LEO roles and responsibilities related to search and seizure or disposal of unauthorized goods. As previously discussed, defining center and LEO roles and responsibilities in a formal agreement helps ensure potentially serious criminal incidents are addressed in an effective, efficient, and safe manner while reducing the potential for center staff to engage in the mishandling of evidence, the mismanagement of crime scenes, and the inappropriate or prejudicial treatment of suspects and witnesses.

We reviewed each of the 88 established agreements provided by centers and found centers' inclusion of the PRH requirements for search and seizure and disposal of unauthorized goods was inconsistent and only 13 (15 percent) included all 4 requirements. The remaining 75 (85 percent) were missing at least one requirement.

⁸ Seventeen of the 41 centers that had not established cooperative agreements during our review period were operated by the USDA-FS and 24 were operated by various contractors.

Table 1 shows each of the 4 requirements and the number of times they were missing from the 88 agreements.

Table 1: Critical PRH Requirements Were Missing From Agreements

PRH Topic	Requirement	Agreements Lacking Requirement
Search and Seizure	Law enforcement must be contacted to perform strip searches	69 (78 percent)
	Law enforcement must conduct evidence searches (with a search warrant), unless delay endangers students	71 (81 percent)
Disposal of Unauthorized Goods	Narcotics must be stored and disposed of according to agreements negotiated by the center and law enforcement	38 (43 percent)
	Confiscated weapons must be reported and disposed of according to agreements negotiated by the center and law enforcement	42 (48 percent)

Delineating roles and responsibilities in agreements as defined in the two PRH requirements for search and seizure is critical because the requirements explicitly state law enforcement must conduct strip and evidence searches. Instead, as previously noted, we identified several cases where center management:

- conducted its own searches for criminal evidence,
- interviewed witnesses,
- performed surveillance operations, and
- used confidential informants.

These practices increased the potential for the mishandling of evidence, the mismanagement of crime scenes, and the inappropriate or prejudicial treatment of suspects and witnesses, which could affect litigation and perhaps the outcome of criminal cases.

Similar delineation in agreements is also critical for the disposal of unauthorized goods. The two related PRH requirements explicitly state the storing and disposal of narcotics and the confiscation of weapons must be performed in accordance with agreements negotiated by the center and law enforcement. Table 1 above showed more than

40 percent of the 88 agreements we reviewed did not comply with the two PRH requirements. The lack of specific agreements for the disposal of narcotics and the confiscation of weapons could also contribute to the mishandling of evidence. Moreover, accountability for confiscated narcotics and weapons may be impacted, creating unsafe environments at centers.

Our review of Job Corps internal center assessments confirmed that some centers did not properly maintain confiscated narcotics and weapons. We examined all 61 of the Safety Site Visits, Unannounced Monitoring Trips, and Culture and Safety Assessments conducted by Job Corps nationwide from October, 2014, through February 2016. Job Corps reported 9 centers failed to properly maintain confiscated narcotics and weapons, including unreliable disposal processes (6 centers), failed to maintain logs (4 centers), and failed to maintain chain of custody (3 centers). One Job Corps inspector noted in his report, “The center failed to maintain accurate Unauthorized Goods logs detailing confiscations of drugs, unauthorized prescriptions, and paraphernalia which increased the risk of illegal items remaining on center and raised questions regarding their lawful disposal.”

In addition, Job Corps policy did not stipulate when and under what circumstances centers were to contact LEOs to report potentially criminal activity, except in instances of missing government-furnished property (at time of discovery) and sexual assaults (as required by state and local law). Sixty-seven (76 percent) of the 88 established agreements did not include the timeliness requirements for contacting LEOs for missing government-furnished property and sexual assaults.

JOB CORPS DID NOT PROVIDE ADEQUATE GUIDANCE AND OVERSIGHT

The missing and inadequate agreements occurred because Job Corps relied on center operators to enter into agreements with LEOs and determine the content. Job Corps did not provide adequate guidance and oversight to ensure agreements were established and contained sufficient and consistent content. Although Job Corps policy required the agreements, it did not require center operators to include the critical PRH language regarding center and LEO roles and responsibilities for strip searches, searches for evidence in a criminal prosecution, and the disposal of narcotics and weapons in the agreements. Additionally, Job Corps did not stipulate how soon and under what circumstances centers were to contact LEOs to report potentially criminal activity, except in instances of missing government-furnished property (at time of discovery) and sexual assaults (as required by state and local law).

Job Corps did not routinely or consistently ensure agreements existed or contained the critical PRH language defining roles and responsibilities. As noted, we examined all 61 of the Safety Site Visits, Unannounced Monitoring Trips, and Culture and Safety Assessments conducted by Job Corps nationwide from October, 2014, through February 2016. Job Corps did not determine whether center agreements existed during 24 (39 percent) of the 61 oversight visits. In no case was there evidence that Job Corps did a complete review for content that covered roles and responsibilities for strip

searches, evidence searches, narcotics storage and disposal, and weapons reporting and disposal.

CENTER AGREEMENTS FAILED TO INCLUDE FEDERAL, STATE, AND LOCAL LEOS

None of the 88 established agreements included federal, state, and local LEOs as required by federal regulation and Job Corps policy. Including each is critical because jurisdiction to respond to and investigate potentially serious criminal misconduct depends on the nature and location of the misconduct. The fact that centers can be located on federal, state, tribal, or private property and operated by the federal government or private contractors complicates law enforcement jurisdiction determinations. A lack of clarity regarding law enforcement jurisdiction could lead to confusion regarding which LEO to call and delayed responses to potentially serious criminal misconduct. For example, at Job Corps centers that are operated by private contractors on federal property, determining law enforcement jurisdiction and including the role and responsibilities for federal, state, and local LEOs in the center agreement is not only required, but could also eliminate any potential confusion regarding which LEO to call and the level of involvement by each.

Aside from centers operated by the USDA-FS, Job Corps had not determined which LEO or combination of LEOs had first-responder responsibility (primary jurisdiction) to enforce criminal laws on center campuses. Job Corps was able to provide OIG with an interagency agreement between DOL and USDA-FS that specifically states USDA-FS law enforcement personnel had primary law enforcement jurisdiction for potential criminal activities at center campuses operated by the USDA-FS. However, unlike these 27 federally-operated centers, Job Corps did not determine which LEOs or combination of LEOs had primary jurisdiction to enforce criminal laws on the 103 center campuses operated by contractors. Furthermore, DOL's Office of the Solicitor (SOL) was not able to provide OIG with information pertaining to primary criminal law enforcement jurisdiction for Job Corps' center campuses operated by contractors. SOL stated such a determination "would likely take several months of research" and may "depend on, among other issues, how the United States acquired the land." Unanswered questions regarding criminal law enforcement jurisdiction on center campuses operated by private contractors impacted the center's ability to define the federal, state, and local LEOs' roles and responsibilities and include them in their agreements. The matter of primary jurisdiction is critical to Job Corps because delay in appropriate action or inappropriate action may impede or defeat criminal investigations.

Additionally, critical gaps between federal regulations and Job Corps policy likely contributed to Job Corps' failure to include federal, state, and local LEOs and the lack of information in agreements regarding center and LEO roles and responsibilities. Federal regulations are explicit regarding the purpose of the agreements and responsibility for establishing the agreements. However, Job Corps policy, as provided in the PRH (Section 5.4, R2) and the August 2016 PIN, were not consistent with the federal regulations.

For example, Job Corps' August 2016 PIN excluded federal and state LEOs, only requiring agreements with local law enforcement. This lack of consistency may cause confusion and lead to further non-compliance. In another example, different entities are noted as the required party to establish the agreements. Federal regulations state that "centers" must establish the agreements. Job Corps' PRH and PIN state "center operators" and "Job Corps", respectively, must establish agreements. Individual centers, center operators (operating multiple centers), and Job Corps (the program) are different entities. Rather than maintaining the regulations' specificity, Job Corps broadens the requirement, leaving it open to interpretation. Table 2 shows critical inconsistencies between the federal regulations, Job Corps' PRH, and its August 2016 PIN.

**Table 2: Job Corps Policy for LEO Agreements
Not Consistent With Federal Regulations**

LEO Agreements	Federal Regulations	Job Corps PRH	Job Corps PIN
Required with	Federal, state, and local law enforcement agencies	Federal, state and local law enforcement agencies	Local law enforcement
Purpose	To enforce criminal laws	Management and jurisdiction for illegal activities	Emergency situations involving potential criminal activity or when need arises
Who must establish	Centers	Center Operators	Job Corps

Additionally, Job Corps' August 2016 PIN instructs centers to always promptly contact local law enforcement by dialing 911 or another emergency number when the need arises. During our review of center safety and security procedures, we identified several centers where center policy restricted staff and students from contacting law enforcement directly, even in an emergency. At these centers, staff and students were instructed to contact center management who would then contact law enforcement, if they deemed necessary. The OIG is concerned these restrictive center policies may result in unsafe center conditions due to delayed law enforcement responses.

The PIN also required each center to submit a self-certification and its current agreement with law enforcement (executed within the last 12 months) to Job Corps' Regional and National Offices within 30 days of the date of the directive. However, agreements expire and center operators and management change periodically. Job Corps needs to develop recurring oversight to ensure updated agreements are in place.

PHYSICAL SECURITY WEAKNESSES AT CENTERS

We observed physical security weaknesses related to campus access and monitoring during our site visits to 12 centers. Job Corps is responsible for ensuring students have a physically secure environment to achieve their educational goals and learn the necessary career technical skills that will lead to meaningful employment. The physical security weakness we observed could impact Job Corps' ability to achieve that goal. Our review revealed a number of areas where physical security could be improved.

For example, inoperable and inadequate closed circuit television (CCTV) cameras were found on several campuses. At one center, only 5 of 18 existing CCTV cameras were operable and 35 planned cameras had yet to be installed. This resulted in numerous areas on campus where inappropriate or criminal activity could occur unobserved.

Other weaknesses at the centers we visited included:

- Security staff shortages - Security staff shortages could lead to distraction of security personnel, potentially allowing individuals on center with no security screening.
- Compromised perimeters - Damaged fencing or no fencing along centers' perimeter increased the risk unauthorized individuals could gain access to center campuses or that a student could leave campus unnoticed.
- Blind Spots - Areas on campus where intervention was inhibited by lack of visibility.
- Lack of dedicated CCTV monitoring - Lack of dedicated CCTV monitoring diluted the purpose of installing cameras, such that if staff didn't monitor the feeds, potential criminal activity and safety/security violations could go unnoticed.
- Outdated CCTV systems - Outdated CCTV systems may not interface with a center's information technology architecture, resulting in loss of data that could be critical evidence for LEOs.

During our site visits, we found some centers had recently installed new security measures, including electronic campus entry gates and dorm locks, increased lighting, and additional CCTV cameras. Despite these security improvements, safety and

security vulnerabilities still remained. For example, at one center, security required each person entering campus to walk through a magnetometer (metal detector); however, even if it alarmed for students or staff, security staff allowed them access to the campus without further inspection. At another center, the campus acquired additional CCTV cameras, but lacked the security staff required to monitor the feeds.

In general, staff on centers we visited noted the need to improve physical security in certain areas, including, but not limited to the following:

- CCTV
- Lighting
- Fencing
- Gates
- Magnetometers
- Credentialed campus security staff

Job Corps told us budget limitations prevented centers from receiving the resources needed to address their physical security challenges and that they started a pilot program to review center physical security to better prioritize and allocate resources. However, more can be done to meet these challenges, including providing adequate guidance to assist centers in developing and implementing effective physical security activities. Job Corps had only minimal physical security-related policies. The PRH did not have a section dedicated to physical security. Instead, physical security requirements were included in Job Corps' PRH Chapter 5.4, "Personal Safety and Security," which noted that one of its primary purposes is to protect the personal safety and security of students, staff, and property on center at all times, but sufficient information was not provided to assist centers in achieving that goal. For example, the sole requirement for campus access (PRH Chapter 5.4, R1) was stated as follows:

Campus Access - Center operators shall establish rules regulating the entry, exit, and conduct of persons who seek access to the campus.

Campus security policies must be flexible, as each center's characteristics pose unique challenges and constraints. This need for flexibility makes it even more important that Job Corps provide policy guidance that clearly defines center security objectives, review center policies to determine if they are adequate to achieve stated objectives, and monitor compliance with those policies. For example, centers are located in urban and rural locations and may be enclosed by fencing or open with no fencing. Job Corps should require center operators to evaluate the specific access risks associated with the location and layout of each center and put in place security measures to mitigate those risks, such as perimeter controls and effective use of technology (e.g., CCTV, magnetometers, radios).

Although 31 (24 percent) of Job Corps' 129 center campuses provided physical security strategies that exceeded the minimal PRH requirements, Job Corps had not developed any processes to share these best practices or incorporate them into PRH guidance.

The following example illustrates a strategy used by a center that could have been shared more effectively and timely. In 2014, a center director proactively used a LEO to conduct a campus-wide security and threat assessment and notified the Job Corps Regional Office. The regional office emailed that information as a noted best practice to the National Director of Job Corps in 2015—nine months later. As a result, Job Corps missed an opportunity to enhance security across all center campuses by timely sharing this innovative approach.

Other examples of best practices included:

- a center established a student safety committee to assist staff in promoting and ensuring safety and security at the center;
- a center implemented a mass notification system to warn students and staff of inclement weather, bomb threats, shelter-in-place, evacuation of center, lightning in area, and a center-wide telephonic intercom for all-clears and emergency messaging; and
- a center designated a public transit stop as off limits due to its location in a high crime area.

MITIGATION EFFORTS LACKED A CONTINUOUS EVALUATION AND IMPROVEMENT PROCESS

ETA and Job Corps have made program-wide efforts to mitigate violence and other serious crimes at centers, such as developing a Risk Management Dashboard that allows for targeted interventions at centers with indications of safety or security concerns. However, because these efforts generally occurred after our 2015 audit and the two student murders in 2015, insufficient time has passed to determine the effectiveness of these efforts. We further note that OIG has reported on student violence since 2009. Moreover, numerous complaints alleging criminal activity and violence made to Job Corps since 2011 as well as the 2012 killing of a Job Corps counselor by a student at the Los Angeles Job Corps Center could have also triggered stronger systemic evaluation and mitigation efforts.

Prior to 2015, ETA and Job Corps had some requirements in place to mitigate violence and other serious crimes, and have taken additional actions since then. We reviewed ETA and Job Corps' mitigation efforts to determine whether the actions taken minimized violence and other serious crimes at its centers. Specifically, we determined whether ETA and Job Corps had a proactive approach to identify and address center specific and system-wide risks. Our review covered relevant policies and guidance, methodologies for data collection and analysis, and Job Corps' off and on-site center assessments and monitoring. We also reviewed selected elements of Job Corps' student enrollment and employee hiring processes. This included background checks to determine whether potential students or employees had criminal histories that could place other students and employees at risk.

Job Corps' PRH covered topics such as campus access, bullying and sexual harassment training, prohibiting firearms and unauthorized goods, sexual assault prevention and response, as well as student misconduct and zero tolerance for drugs and violence. Based on the results of our 2015 audit and this review, we concluded the PRH requirements alone were not sufficient to effectively mitigate violence and other crimes at Job Corps centers.

However, the information ETA and Job Corps provided indicated they took several steps after our 2015 audit and the two student murders to mitigate violence and other crimes, including:

- Establishing a Division of Regional Operations and Program Integrity in the Job Corps National Office. The division's oversight responsibilities include reviewing the results of all risk management data, center assessments, and responses to safety and security deficiencies at individual centers. The division is not yet fully staffed and fully operational.
- Hiring a physical security specialist that will serve as a subject matter expert on security policies and procedures.
- Developing a Risk Management Dashboard that allows for targeted interventions and resource allocation to centers with indications of safety or security concerns.
- Requiring all centers to complete a security self-assessment survey to assess risk and security vulnerabilities on their campuses.
- Conducting Center Culture and Safety Assessments and Unannounced Monitoring Trips that review center safety, security, and culture through direct observation and interviews with center staff and currently enrolled students.
- Revising its "Zero-Tolerance" Student Conduct Policy to increase student accountability and clarify center staff authority to address misconduct.
- Developing a new student-based safety and security awareness program.
- Implementing a new enrollment process for potential students that includes assessments of participation readiness and criminal background or court involvement. Job Corps is implementing a more thorough process for conducting criminal background checks of potential students that includes a national search, as opposed to previous local searches.
- Implementing a Toll-Free Student Safety Hotline. The hotline will handle calls of urgent nature or calls that relate to the safety and security of Job

Corps students and staff. Access to licensed professional staff skilled in the effective delivery of counseling, social work, behavioral health, psychology, conflict resolution and follow-up will be provided to the callers.

To ensure these actions are effective, ETA and Job Corps need to establish a process for continuously evaluating such mitigation efforts and process improvements.

Employee Background Checks Not Included in Mitigation Efforts

Job Corps' recent efforts to mitigate center violence and other serious crimes did not address the need for a comprehensive policy on the center employment positions that should be subject to background checks and how the results of such background checks should be evaluated. Only volunteers and individuals employed in center child development programs were required to receive background checks. Policy addressing whether other center positions needed background checks had not been established. As a result, Job Corps may have placed students at increased risk of harm from prior criminal offenders by allowing potentially dangerous offenders on campus. Job Corps may also be subject to legal liability and damages if employees with criminal histories that would disqualify them from center employment are hired and commit additional crimes on campus.

The need for Job Corps to establish policy addressing background checks for all center employees is underscored by past incidents, such as the following:

- News media reported a center security guard with a criminal history, including prostitution and credit card fraud, raped an adult Job Corps student on campus. The perpetrator pleaded guilty to first-degree rape and was sentenced to more than eight years in prison. The news report noted that the victim filed a lawsuit seeking \$7.5 million in damages against the perpetrator and the center operator. The victim blamed Job Corps for allegedly hiring the perpetrator without a security guard certification and believed his criminal history might have prevented him from attaining one.
- A criminal investigation conducted by our Office of Investigations found a center employee provided marijuana to a student in an attempted exchange for prescription pills. The student went on to share the marijuana with other students, including a minor. Further investigation by OIG revealed a criminal battery charge was pending against the employee at the time they were hired to work at the center. The charge was later dismissed, but not before the staff member had worked at the center for more than two months.

We also found an instance where an individual was hired after serving more than 10 years in prison based on a conviction for first-degree manslaughter.

Center officials told us they conducted background checks beyond the two employee groups required by policy, but the methodology used in performing these checks was inconsistent. Some centers reported completing background checks using the locale of a job applicant's self-reported address, while others reported running in-state only checks on all applicants. In these situations, the background checks would not disclose non-local or out-of-state crimes. According to Job Corps, the respective centers for the three center employees discussed above conducted background checks prior to employment and considered their criminal histories.

OIG acknowledges that having a criminal record does not preclude individuals from qualifying for employment at Job Corps centers. OIG's concern is that Job Corps policy does not address background checks for center staff beyond those employed in child development centers and center volunteers. Specifically, Job Corps had not established policy identifying the type and frequency of background checks needed for different employment positions within the center and the criminal histories that would disqualify individuals from employment. The policy should ensure background checks conducted by centers are consistent, thorough, and adequately screen applicants for prior criminal behavior that poses a threat to others.

OIG had similar concerns regarding criminal background checks for potential students. However, as previously noted, Job Corps is implementing a more thorough process for conducting student background checks that includes a national search, as opposed to previous local searches, and has expanded its criteria for criminal histories that would disqualify individuals from enrollment. We believe Job Corps needs to develop policy and practices that would similarly require consistent and appropriate background checks for center employees.

OIG RECOMMENDATIONS

We recommend the Assistant Secretary for Employment and Training establish, clarify, and enforce policies that:

1. Ensure Job Corps' centers report potentially serious criminal misconduct to law enforcement.
2. Ensure significant incidents are reported to Job Corps and correctly classified.
3. Define when law enforcement is to be contacted and the center staff authorized to contact law enforcement.
4. Define center authority to investigate potentially serious criminal activity, including conducting searches, interviewing suspects and witnesses, performing surveillance, and collecting evidence.

5. Establish jurisdictional agreements that cover applicable federal, state, and local law enforcement for each center, including a determination of which LEO or combination of LEOs has jurisdiction based on type of criminal activity that occurs.
6. Identify and address physical security challenges at centers.
7. Implement methods to share best physical security practices systematically and timely.
8. Require Job Corps to proactively and continuously evaluate and improve its efforts to mitigate violence and other serious crimes at its centers.
9. Define the types and frequency of background checks needed for the different employment positions within centers and the criminal histories that would disqualify individuals from employment.

MANAGEMENT RESPONSE

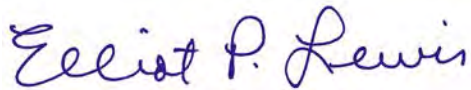
In response to our draft report, ETA stated many of our recommended corrective actions had already been implemented or the agency had plans to implement them. While taking or agreeing to implement our recommendations, ETA nonetheless expressed concerns with some of the underlying premises in our report. For example, ETA disagreed with our assertion that “students are not held legally accountable” for potentially serious criminal misconduct when the misconduct is not reported to law enforcement. We recognize that centers may take actions based on Job Corps’ student disciplinary policies, but maintain our assertion that students are not held legally accountable when law enforcement is not involved. We provided an example in our report in which a student was caught dealing illegal drugs. Instead of reporting the incident to law enforcement, the center downgraded the misconduct to a lesser infraction and allowed the student to remain on center. In this case, a criminal investigation by law enforcement should have occurred and the student held legally accountable for the suspected crime. Such legal accountability would have required an investigation by law enforcement, and prosecution and legal penalty (e.g., incarceration) as warranted.

ETA also said the report may well leave a reader with the incorrect impression that the Job Corps safety and security situation is significantly worse than at high schools, community colleges, technical schools, and other organizations and institutions that serve the same population as Job Corps. We did not perform a comparative analysis with other institutions and did not make any statements relating Job Corps to other institutions. Our intent was not to compare Job Corps to others, but to review the actions Job Corps has taken to protect the safety of students and staff at its centers. ETA has stated, “Many Job Corps students are brought into a structured environment for the first time in their lives. They must adjust to being held to high standards, and are often asked to alter their social behavior. As with many residential youth programs and

school systems, Job Corps is structured to help students who struggle to meet these new and challenging expectations.”⁹ Effective implementation of our recommendations will help improve that structure and, ultimately, safety and security at all Job Corps centers.

Management’s response to our draft report is included in its entirety in Appendix B.

We appreciate the cooperation and courtesies that ETA, OJC, and center operator personnel extended to the Office of Inspector General during this review. OIG personnel who made major contributions to this report are listed in Appendix C.



Elliot P. Lewis
Assistant Inspector General
for Audit

⁹ Letter from the ETA Assistant Secretary responding to an April 11, 2016 U.S. Senate letter regarding efforts to ensure the safety of students participating in the Job Corps program.

Appendices

APPENDIX A

REVIEW AREAS, SCOPE, METHODOLOGY, AND CRITERIA

REVIEW AREAS

We conducted this review to examine:

- Job Corps' actions in response to potentially serious criminal misconduct;
- Physical security at Job Corps centers; and
- Job Corps' efforts to mitigate violence and other serious crimes at its centers.

SCOPE

Our work covered the third and fourth quarters of PY 2013 (January 1, 2014, through June 30, 2014) and the entirety of PY 2014 (July 1, 2014, through June 30, 2015). We performed additional analysis of misconduct infractions reported to Job Corps during January and February 2017.

The purpose of this review was to identify and document risks that represent threats to the safety and security of Job Corps students, staff and management. The review methodology is based on the following guidance and standards:

- Government Accountability Office (GAO), *Designing Evaluations, 2012 Revision*, GAO-12-208G, (Washington, DC: January 2012).
- Council of the Inspectors General on Integrity and Efficiency (CIGIE), *Quality Standards for Inspection and Evaluation*, (Washington, DC: January 2012).

This review was conducted jointly by OIG's Office of Audit and Office of Investigations. This review was not a Generally Accepted Government Auditing Standards (GAGAS) project. As such, the review did not include certain GAGAS requirements, including detailed data reliability analysis, internal controls assessments, or risk assessments. This review was not conducted as a formal investigation and did not include the collection and processing of evidence related to one or more specific crimes.

METHODOLOGY

We obtained an understanding of applicable interagency agreements, laws, regulations, and Job Corps policies and procedures. We reviewed Job Corps' policies and notices issued to Job Corps center operators related to safety, security, and interaction with LEOs, as well as safety review and monitoring trips Job Corps conducted at all centers. As part of our work, we identified Job Corps safety and security-related initiatives.

INTERNAL CONTROLS AND DATA RELIABILITY—LIMITED SCOPE

We relied on the internal controls assessment of Job Corps' computer-processed CIS data conducted during the 2015 audit. During that audit, OIG considered the internal control elements of control environment, control activities, information and communication, and monitoring during the planning and substantive audit phases and evaluated relevant controls.

We relied on the data reliability and completeness assessment of Job Corps' computer-processed CIS data conducted during the 2015 audit.¹⁰

SITE VISITS AND DATA ANALYSIS

We judgmentally selected 12 centers for site visits and data analysis based on data Job Corps provided from CIS and SIRS, as well as Regional Office Center Assessments (ROCA), center geographic and student capacity profiles, and center operator Standard Operating Procedures (SOP). Selected centers included a representation of the following:

- Operators:
 - Centers operated by the federal government
 - Centers operated by Native American Tribes
 - Centers operated under contract with private companies
- Environments: Centers located in rural, suburban and urban environments
- Campus Type:
 - Residential and non-residential centers
 - Primary centers and satellite locations
- Campus Size:
 - Centers with populations of less than 200
 - Centers with populations between 200 and 1,000
 - Centers with populations in excess of 1,000
- Program Oversight: Centers located in each of Job Corps' six regions

We examined these centers' CIS and SIRS data provided by Job Corps, and LEO call logs provided by relevant LEOs to identify potential criminal activity and determine differences, if any, in center and LEO reporting of potential criminal activity. We also examined this data to identify reporting anomalies such as inconsistent CIS and SIRS reporting and incongruent CIS and SIRS reporting.

¹⁰ U.S. Department of Labor, Office of Inspector General, *Job Corps Needs to Improve Enforcement and Oversight of Student Disciplinary Policies to Better Protect Students and Staff at Centers*, 26-15-001-03-370, (Washington, DC: February 27, 2015).

On a nationwide level, we requested, obtained, and examined centers' policies related to safety and security, MOUs with LEOs, and documentation of Job Corps' regional and national oversight efforts. Our examination focused on compliance with relevant laws, regulations, and Job Corps policies for all Job Corps centers in operation during our scope period.

PHYSICAL SECURITY AND SITE VISITS

We conducted unannounced site visits to the 12 centers judgmentally selected for site visits and data analysis. We reviewed facility survey documentation, ROCAs and SIRs to make note of any Job Corps identified physical security concerns or areas with increased incidents of misconduct.

We toured center facilities for any obvious physical conditions that may impact the centers' ability to monitor misconduct (e.g., security cameras, lighting, unmonitored areas). For each center, we interviewed center management and staff responsible for security and observed security measure activities in operation.

MITIGATION EFFORTS AND STRATEGY ANALYSIS

We reviewed ETA and Job Corps' mitigation efforts to determine whether the actions taken minimized violence and other serious crimes at its centers. We determined whether ETA and Job Corps had a proactive approach to identifying and addressing center specific and system-wide risks. We reviewed relevant policies, guidance, and descriptions of Job Corps' off and on-site center assessments and monitoring. We also reviewed selected elements of Job Corps' student enrollment and employee hiring processes. This included the background checks conducted to determine whether potential students or employees had criminal histories that could place other students and employees at risk.

CRITERIA

- 20 CFR Part 670 and 20 CFR Part 10
- Job Corps' PRH
- Job Corps' Program Instruction Notices, Information Notices, and PRH Change Notices
- Job Corps' CIS User Manual
- DOL-USDA-FS Interagency Agreement

Limited-scope use of the following, as appropriate, for review methodology:

- GAO, *Standards for Internal Control in the Federal Government*, GAO-14-704G, (Washington, DC: September 10, 2014).
- GAO, *Assessing the Reliability of Computer-Processed Data*, GAO-09-680G, (Washington, DC: July 2009)

APPENDIX B

ETA's RESPONSE

U.S. Department of Labor		Employment and Training Administration 200 Constitution Avenue, N.W. Washington, D.C. 20210	
MAR 29 2017			
MEMORANDUM FOR:	ELLIOT P. LEWIS Assistant Inspector General for Audit		
FROM:	BYRON ZUIDEMA  Deputy Assistant Secretary for Employment and Training		
SUBJECT:	Response to the Office of Inspector General (OIG) Draft Report No. 26-17-001-03-370, <i>Review of Job Corps Center Safety and Security</i>		
Thank you for the opportunity to review this follow-on report on Job Corps safety and security and to provide a response to its recommendations. The safety and security of Job Corps' students and employees has been and remains one of the Employment and Training Administration's (ETA's) top priorities. In spite of our concerns with some of the underlying premises of the report with which we disagree — such as the contention that “students are not held legally accountable” — we appreciate the ongoing feedback from your office and demonstrate below how we have made substantial changes to the program as a result of your important work. Job Corps has made major improvements in safety and security in response to recommendations in the OIG's February 27, 2015 report.¹ We largely agreed with the February 2015 OIG report's findings. As a result, ETA and Job Corps leadership and staff have taken significant steps to strengthen the safety and security of Job Corps system-wide. Many of these steps were taken between late 2015 and January 2017 and prior to the draft issuance of the second review,² and were the subject of several Job Corps briefings for the OIG. They include: • A revised Zero Tolerance Student Conduct policy to support a safe, secure learning environment; • Center Culture and Safety Assessments that resulted in numerous contractual actions affecting center operators; • A new Job Corps division dedicated to reviewing and coordinating regional operations and activities; • A new safety and security hotline; • A new student-based safety and security awareness program; • Training for all regional staff on the new Student Conduct Policy and approaches for effective monitoring and oversight; and • A new national criminal background check process. ¹ OIG Report No. 26-15-001-03-370 ² OIG Report No. 26-17-001-03-370			

Job Corps has made major improvements in safety and security measures. Because of the intersecting timing of the first report issued in February 2015 and the follow-up field work, ending December 2015,³ much of what was pointed out or recommended in the follow-up draft report has been overtaken by Job Corps' actions. Unfortunately, the timing of the follow-up report (field work ending in December 2015) did not permit the OIG to acknowledge the many steps taken by Job Corps to improve the safety and security situation for its students and staff in the past 15 months. We will discuss many of the safety and health improvements we have undertaken in our responses to the specific OIG recommendations. Significantly, we have already implemented most of the recommendations presented in this follow-up report.

Additionally, the report may well leave a reader with the incorrect impression that the Job Corps safety and security situation is significantly worse than at high schools, community colleges, technical schools, and other organizations and institutions that also serve the same population as Job Corps. For example, a review of the Bureau of Justice Statistics and National Center for Education Statistics Annual Reports would have shown that serious incidents at Job Corps Centers are consistent with what occurs at schools across the country. To be clear, we do not tolerate unsafe conditions for our students in any form; however, we believe that the safety and security issues that arise at Job Corps are no different and on par with the issues that educators face in serving today's young people at comparable institutions.

Our responses to the individual OIG recommendations in the report follow.

Recommendation 1: Ensure Job Corps' centers report potentially serious criminal misconduct to law enforcement.

Response: Job Corps has implemented this recommendation. Job Corps requires all centers to report serious criminal misconduct to law enforcement. In August 2016, Job Corps issued Program Instruction Notice (PIN) 16-09 to remind centers of the requirement to contact law enforcement when they "suspect criminal behavior, or when serious incidents occur." The PIN further directs centers to "contact local law enforcement for all emergency situations involving potential criminal activity, and the threat to the safety and security of Job Corps students and staff."

We disagree with the OIG's characterization of the PIN as inconsistent with federal regulations. It appears the OIG audit team may not appreciate the complex legal relationship between Job Corps' regulations, guidance, and handbooks, which under basic principles of administrative law are not inconsistent with regulations if they interpret or address particular points and responsibilities described in the regulations. As the OIG's report notes, Section 5.4, R2, of the Policy and Requirements Handbook (PRH) expands on the regulatory requirement in sec. 686.925(b) to require agreements with the law enforcement agency responsible for overseeing the response to illegal activity on the center and conditions under which center operators are to call law enforcement. The August 2016 PIN reminded centers that they should call 911 or other appropriate law enforcement agencies in emergency situations. Job Corps has repeatedly and consistently communicated to center operators that all staff should be allowed to call 911 in

³ Most of the information upon which the OIG follow-on review report is based is field work whose scope covered January 1, 2014 through June 30, 2015.

emergency situations.

Recommendation 2: Ensure significant incidents are reported to Job Corps and correctly classified.

Response: Job Corps has implemented this recommendation. Job Corps requires significant incidents to be reported to the program and correctly classified. Its new Zero Tolerance Student Conduct Policy was issued on June 1, 2016, and became effective on July 1, 2016. It addresses the OIG's concerns about reporting and classification of significant incidents. This change revised PRH Exhibit 3-1 Infraction Levels, Definitions, and Appropriate Center Actions to clearly define behavior infractions, prescribe center actions, and specify reporting requirements for significant incidents. Each infraction is assigned as a Level I - Zero Tolerance Infraction (requiring immediate dismissal); a Level II Infraction; or a Minor Infraction, depending on the severity of the infraction. All Level I Infractions and many Level II Infractions require a Significant Incident Report (SIR).

Prior to the effective date of the new Zero Tolerance Student Conduct Policy, the Office of Job Corps conducted training for all components of the Job Corps system to ensure uniform understanding and enforcement of student conduct policies system wide. This effort included three in-person sessions for regional federal employees; web-based training for operators and contract staff; and specific training highlighting the changes in software applications necessitated by the change in the policy.

In addition, Job Corps' national and regional leadership monitors SIRs filed by centers in the program's ordinary course of business. Leadership often reaches out to gather more information to ensure Job Corps policy is consistently and appropriately applied. In March 2016, the OIG asked Job Corps to provide to it, on an ongoing basis, SIRs for seven categories of significant incidents. To date, the OIG has received reports on about 100 incidents. Job Corps has asked for feedback during quarterly meetings with the OIG leadership team, and it has received no concerns from the OIG about how Job Corps classifies incidents. Additionally, in the original findings discussed with ETA in December 2016, the OIG's analysis showed that centers correctly classified about 97 percent of the almost 1,000 incidents reviewed.

Recommendation 3: Define when law enforcement is to be contacted and the center staff authorized to contact law enforcement.

Response: Job Corps has implemented this recommendation. As fully described in response to Recommendation 1, Job Corps has established policy that specifically defines when law enforcement is to be contacted and addresses center staff authorized to contact law enforcement. ETA does not agree that a more prescriptive, one-size-fits-all policy would be feasible or practicable, and it raised this in meetings with the OIG audit team. While the report states that "Job Corps centers need to contact law enforcement to investigate serious incidents," this recommendation is impractical, misconstrues Job Corps Centers' relationship with law enforcement, and overstates its ability to assure investigations from those entities. Centers need to be able enter into an agreement with law enforcement and negotiate mutually agreeable provisions. Job Corps cannot dictate to local law enforcement agencies when it is appropriate to be contacted by a center, what types of incidents they will respond to or investigate, and what types of items they will remove from centers.

Job Corps has operated 126 centers in 126 different communities, and the kinds of incidents—serious and otherwise—to which Law Enforcement Officials (LEOs) will respond differ from community to community. In one major city, for example, police will not respond to calls from the center unless there is a life-threatening emergency. Many LEOs will not retrieve illegal drugs and controlled substances less than a felony amount in weight. Some LEOs will not come to a center to investigate an assault unless the victim wants to press charges. As of today, 94 percent of Job Corps Centers do have current agreements with local law enforcement, and efforts continue to obtain agreements for four percent of the centers. The remaining two percent of centers have LEOs that are unwilling to sign agreements. Some LEOs stated that they will provide similar services to Job Corps that they will provide for private citizens and organizations. When agreements are less detailed, it often is because LEOs do not want to be bound by parameters that may hinder their flexibility to respond as they deem appropriate.

It is also important to reiterate that Job Corps has repeatedly and consistently communicated to center operators that all staff should be allowed to call 911 in emergency situations.

Recommendation 4: Define center authority to investigate potentially serious criminal activity, including conducting searches, interviewing suspects and witnesses, performing surveillance, and collecting evidence.

Response: Job Corps has implemented this recommendation. The Job Corps' PRH defines center authority to investigate potentially serious criminal activity, including conducting searches, interviewing suspects and witnesses, performing surveillance, and collecting evidence. Job Corps has an unambiguous policy describing the limited situations where center staff may conduct searches, and when law enforcement must do so. PRH 5.4, R7, sets forth documentation and situational requirements before conducting searches for unauthorized goods on campus; flatly prohibits strip searches; and states that searches for evidence to support criminal prosecution "must always be done by a law enforcement officer with a search warrant, except when delay would endanger the physical well-being of students."

ETA also contends that we must distinguish between center enforcement of the Zero Tolerance Student Conduct Policy and investigation of alleged criminal activity for law enforcement purposes, which is the responsibility of law enforcement agencies. Job Corps' behavioral policy, like those of many schools and universities, prohibits conduct that also may violate criminal law in some or all states. Centers must investigate activities that violate the disciplinary code regardless of whether or not those activities also might violate applicable criminal law. Depending on the severity of incidents, this can include conducting investigations and holding Fact-Finding Boards within a few days of an alleged incident. These center investigations and Fact-Finding Boards—which may include searches, interviewing witnesses, reviewing videotape, and collecting evidence—are not criminal investigations, nor are they meant to replace, supplement, or duplicate the role of law enforcement in investigating alleged criminal misconduct. In other words, centers do not act as law enforcement agencies or as agents of the police.

Rather, under the Fifth Amendment of the Constitution, Job Corps is required to provide students appropriate due process prior to behavioral separation or imposition of any other sanction. To fulfill this obligation, centers conduct investigative activities and hold Fact-Finding Boards. A center's failure to investigate thoroughly a student's alleged violation of Job Corps' behavior

management system before conducting a Fact-Finding Board and separating a student would violate the student's constitutional right to due process. Center investigations and Fact-Finding Boards are thus an integral component of the Job Corps behavior management system rather than part of or intended to affect criminal investigation.

Job Corps has requested examples from the OIG audit team about where center actions taken in accordance with their responsibility to enforce the Zero Tolerance Student Conduct Policy negatively affected criminal investigations or prosecution of crimes; as of this writing, the OIG audit team has not provided such examples. We look forward to additional conversations about this subject.

Recommendation 5: Establish jurisdictional agreements that cover applicable Federal, State and local law enforcement for each center, including a determination of which LEO or combination of LEOs based on type of criminal activity that occurs.

Response: While more than 90 percent of Job Corps Centers have agreements with local law enforcement agencies, it is not within the authority of Job Corps to require local law enforcement agencies to establish such agreements. A few key enforcement agencies, such as the Metropolitan Police Department of the District of Columbia, are not willing to enter into such agreements.

The OIG follow-on review report suggests that Job Corps students' safety and security is jeopardized by a lack of detail in law enforcement agreements regarding jurisdiction. ETA disagrees with this premise, and the OIG did not identify incidents where this occurred in its report or during its review. Still, Job Corps students' safety and security is first and foremost to ETA, and the program requires centers to contact law enforcement in all emergency situations and in response to serious criminal activity—even in the absence of an agreement with local law enforcement or where the existing agreement does not contain the level of detail suggested by the OIG.

Where local law enforcement enters into an agreement to define its relationship with a center, these agreements necessarily vary in detail based on the specific circumstances of each center, local law enforcement agencies' priorities, and their willingness to include specific details in such agreements. These agreements primarily set out the circumstances in which local police will respond to an incident at the Job Corps Center; they also can memorialize Job Corps Centers' responsibility to contact the closest law enforcement organization to respond to emergencies and serious criminal activity. Where law enforcement does not wish to define its relationship with the center, the center still maintains a relationship with local law enforcement, albeit one that is not formalized, to ensure that agencies can respond on short notice to emergencies and serious criminal activity.

The OIG report suggests that "[t]he matter of jurisdiction is a cornerstone of criminal law as it relates to Job Corps." However, criminal law jurisdiction, as discussed in the report, is distinct from law enforcement's ability to respond to emergencies and investigate crimes on a Job Corps Center. As used in the report, the term "jurisdiction" refers to which entity has authority to prosecute a suspect accused of a crime on a Job Corps campus — not to the geographic area in which law enforcement will respond to crimes and emergencies.

Establishing jurisdiction for criminal law prosecution is complicated for Job Corps Centers, and such jurisdictional issues have only arisen a few times in recent years. While questions about the proper court with criminal law jurisdiction over incidents at Job Corps Centers can arise during prosecution of alleged criminal activity, those issues have no relation to Job Corps students' safety and security. Thus, because jurisdiction is relevant to the prosecution rather than investigation by law enforcement of an alleged crime, we disagree with the report's contention that not establishing the jurisdiction of each center could "impede or defeat criminal investigations."

The report also asserts that (a) a "lack of clarity regarding jurisdiction could lead to confusion and delayed LEO responses to potentially serious criminal activity," and (b) determining the criminal law jurisdiction at each center would "eliminate any potential confusion regarding which LEO to call and the level of involvement by each." Job Corps is not aware of any instance where a law enforcement organization has refused or delayed a response to a request for assistance from a Job Corps Center over jurisdictional concerns. Because Job Corps continues to explore ways to improve the safety and security of Job Corps' students and employees, we would appreciate receiving any specific examples that the OIG audit team has found of past situations where a "lack of clarity" about jurisdiction prevented a timely response to serious criminal activity or an emergency situation.

In addition, contrary to the report's suggestion that jurisdiction simply "depends on the nature and location of the misconduct," determining prosecutorial jurisdiction is a complex question under the constitutional and statutory provisions governing federal lands and their interactions with states. Its answer can depend on information such as how and when the federal government acquired the property (if it is owned by the government) and whether the state has ceded certain jurisdictional rights to the federal government as a consequence of its occupancy. How these rights are ceded varies by state; some states require state legislation, others delegate this authority to governors or allow the decision to be handled administratively. States may cede jurisdiction for parts of a property, but not others. Because many Job Corps Centers are located on second- or third-use federal properties, complete records of how the federal government first acquired the facility may not be in the possession of Job Corps or the Department of Labor. Thus, a definitive determination of jurisdiction would likely require significant research and resources—and still not be definitive because of disputed issues of law and fact that would require resolution by a court of competent jurisdiction. That resolution could only be obtained as part of a criminal prosecution.

Job Corps will require that all center operators submit annually to ETA Regional Offices and the Job Corps Division of Regional Operations and Program Integrity their written cooperative agreements with local law enforcement agencies – or an explanation about why such agreement could not be accomplished. Job Corps staff will review the agreements to determine whether they are complete, current, executed by appropriate officials, and contain minimum PRH requirements. While Job Corps cannot require law enforcement to include specific details in the agreements, it will provide assistance to those centers that do not have agreements in place or where agreements are lacking in detail.

Recommendation 6: Identify and address physical security challenges at centers.

Response: ETA agrees with the basic premise of this recommendation that physical security challenges at centers must be identified and addressed and is implementing this recommendation. In its Request for Proposal (RFP) to potential center contractors, Job Corps establishes its broad requirements for contractors to develop and implement procedures to ensure students feel safe and secure on center. Contractors must describe how they will tailor safety and security procedures to the unique features of the center, which are specified to include whether the center is an open campus with or without fencing, whether the campus is in a high crime area; a rural location, and so on. Offerors respond to the RFP, and Job Corps program experts on the technical evaluation panel determine whether the applicant's detailed solution for safety and security meet the requirements in the RFP. The contractor selected must perform according to the terms and conditions of the contract, which were originally identified in the RFP.

Job Corps holds contractors accountable, using a risk-management process that identifies key indicators and is designed to predict the emergence of student misconduct and safety issues at Job Corps Centers. This process considers many risk factors such as significant increases in reported serious student misconduct, and identifies leading indicators of potential security and safety issues at centers. The process helps Job Corps' staff to identify specific centers that are not providing a safe and secure environment for students and employees and focus attention and resources on those centers before more serious concerns surface.

Focused on continued improvement, Job Corps is proactively improving physical security as funding permits, including implementation of a \$12 million physical security pilot at 14 centers selected using criteria based upon comparative risk and areas of greatest need. The physical security system, put in place at each center, leverages existing technology to improve center safety; this includes physical access controls and video surveillance to detect and respond to incidents (video analytics, lockdowns, visitor management, panic messages, and partnerships with local police.) One center is complete, three are in progress, and 10 centers have completed initial surveys. Job Corps anticipates that all center work will be completed by September 30, 2017. Depending on funding levels, Job Corps will roll out the physical security system to 14 additional centers and then continue this phased approach until all centers have the new technology.

In addition to the physical security pilot, Job Corps also continues to conduct Job Corps Center Safety and Security Vulnerabilities Assessments of 12 centers. These centers were selected using criteria based upon the crime statistics in the designated center's commuting area, data captured from the Job Corps Security Needs Survey, and the incidents occurring on center. These assessments include, but are not limited to, the following security elements: (a) access control of buildings; (b) access control of campus; (c) campus-wide emergency notifications; (d) closed-circuit television; (e) campus lighting; (f) security operations; (g) campus signage; (h) grounds maintenance; and (i) other issues related to the overall security of the campus. As of this writing, all planned center assessments have been completed. Remediation of the findings from these assessments depends upon the availability of additional Construction, Rehabilitation and Acquisition (CRA) funding.

Recommendation 7: Implement methods to share best physical security practices systematically and in a timely way.

Response: Job Corps will continue to inform its center operators about best practices on physical security, including the many new physical security practices being instituted under the physical security pilot program discussed above. However, there are legal limitations on what information Job Corps may share. Some contractors' security techniques may be considered confidential proprietary information which may be protected from disclosure under applicable law, such as the Trade Secrets Act, 18 U.S.C. § 1905.

As a way to improve the sharing of best physical security practices with all center operators, Job Corps intends to hire a physical security specialist as part of its new Division of Regional Operations and Program Integrity. This will provide Job Corps with a source of physical security expertise to be provided to all Job Corps Centers.

Recommendation 8: Require Job Corps to proactively and continuously evaluate and improve its efforts to mitigate violence and other serious crimes at its centers.

Response: Job Corps has implemented this recommendation. Job Corps has established several integrated policies and practices across multiple divisions to proactively and continuously evaluate and improve its efforts to mitigate violence and other serious crimes at its centers. For example, Job Corps has developed a comprehensive, strategic, risk-based approach to identify centers with high levels of programmatic risk. In addition, it has undertaken several national initiatives to strengthen Job Corps safety posture and institutionalize a culture of mutual accountability. Looking forward, Job Corps established the Division of Regional Operations and Program Integrity to coordinate regional operations and activities by improving communications between the national and regional offices, strengthening quality assurance, and working to promote continuous improvement. The following summarizes Job Corps and the Division's efforts to date to improve center safety and security.

Job Corps has established a dedicated toll-free student safety hotline, 844-JC1-SAFE. This number is for calls of urgent nature or calls that relate to the safety and security of Job Corps students and staff. The hotline, employing telephone, text, and email/internet, is serviced by licensed professional staff skilled in the effective delivery of counseling, social work, behavioral health, psychology, conflict resolution and follow-up, as well as possessing an extensive knowledge of laws, law enforcement, and community-based services. Operational in the Chicago region, Job Corps anticipates expanding access to the entire Job Corps program in 2017.

Job Corps is implementing a new National Criminal Background Check process for applicants who request enrollment into the Job Corps program. The new process will obtain any existing criminal background information about an individual through a national search, as opposed to previous local searches. This will improve the scope, accuracy, and timeliness of information to fulfill the background eligibility requirement and provide a consistent and uniform process. National Criminal Background Checks started in the Atlanta region in the fall of 2016. They were rolled out in the Philadelphia region in February 2017, and will be rolled out to all regions by June 30, 2017.

Job Corps currently is developing and testing a comprehensive new student enrollment process to better provide that young people admitted to Job Corps not only meet the minimum program requirements, but that they can benefit from what Job Corps offers. The new admissions process includes two tools: (a) an updated tool for admissions staff to review any criminal background or court involvement, and (b) a tool to help assess readiness for Job Corps participation. The latter tool includes readiness indicators such as motivation and positive work attitude. Other enrollment process improvements include new quality assurance checks for all applications. Implementation of the comprehensive new student enrollment process is ongoing, with full, program-wide implementation by December 30, 2017.

Early in 2016, Job Corps introduced extensive changes to its behavior management policies in response to center assessments, recommendations from the OIG's February 2015 Student Conduct audit, and other events which raised concerns about center safety and operators' interpretation and adherence to Job Corps' behavior management requirements. Job Corps' revisions clearly define misconduct infraction categories. They provide specific definitions or examples for serious infractions and a crosswalk that identifies the previous infraction title and its corresponding new title, provides an explanation of any change, and a definition of the new infraction along with examples to provide a common understanding and proper classification by center personnel. The revisions also add a column to PRH Exhibit 3-1 to help centers determine whether the cited infraction requires that a SIR be entered into the SIR system. A Menu of Progressive Discipline Interventions and Sanctions was added to standardize these actions, set limitations, and provide progressive consequences for emerging patterns of minor infractions. Job Corps conducted training for center personnel prior to the effective date of the new policy, encouraging feedback from operators and experts for possible refinements.

Job Corps uses a risk-management based approach to schedule Regional Office Center Assessments, or ROCAs. Each center has two comprehensive assessments during the life of a contract, ideally during years two and five. However, Job Corps Regional Offices make adjustments to scheduling based on center performance and emerging problems at a Job Corps Center based upon information tracked through a Risk Management Dashboard (RMD) and other triggers.

Job Corps also employs targeted assessments focusing on specific program areas in response to Significant Incidents, whistleblower allegations, and other deficiencies identified during ongoing monitoring at the regional and national levels. Targeted assessments also verify the status of a contractor's corrective actions taken in response to violations communicated through formal correspondence, such as a Letter of Concern, or Cure Notice. These targeted assessments typically are unannounced. Examples of triggers that could initiate an adjusted full or targeted assessment (outlined in PRH Change Notice 15-08) include:

- Unfavorable results of performance, operational, or financial audits;
- Constituent issues (including email, telephone calls, and hotline reports);
- Whistleblower allegations;
- Unsatisfactory center progress in response to a PIP;
- Element of performance that is significantly below par;
- Failure to address initially cited ROCA weaknesses;
- Need to verify contractor's progress on Corrective Action Plan;

- Significant Incident Reports (either a very serious single incident or a negative trend);
- Sharp decline in Student Satisfaction Survey results;
- Significant facility issues; and
- Significant findings and concerns on operator annual assessments.

The implementation of targeted assessments – for example, the Center Culture and Safety Assessment (CCSA) – allow Job Corps to be more agile and responsive to data-driven, risk management tools that identify program weaknesses, inconsistencies, and non-compliance particularly in the area of center safety and security. The CCSAs are performed using a standardized, targeted assessment tool that focuses on 10 PRH sections; these sections comprise 18 requirements pertaining to the specific operational and compliance areas that have the highest impact on center safety, culture, and risk based upon in-depth analysis of critical breaches that occurred previously. From September 2015 to December 2016, 43 CCSAs were conducted, resulting in contractual actions including Letters of Notification, Letters of Concern, Cure Notices, and Show Cause Letters. (The CCSAs may be augmented by a Job Corps Center Safety and Security Vulnerabilities Assessment of the pilot centers mentioned previously.)

Job Corps also introduced a Corrective Action Tracker (CAT) to monitor issues uncovered during assessments that were serious enough to warrant contractual action and follow-up. Job Corps' Contracting Officer's Representatives (COR) in the Regional Offices use the CAT to document center corrective actions and their monitoring efforts to ensure that contract deficiencies are addressed. As part of its oversight function, the Division of Regional Operations and Program Integrity monitors completeness and accuracy of Regional Office documentation around "open issues," and it maintains a bird's eye view of compliance issues program wide. Through review of regional activities, the Division serves as a quality control function and provides real-time assistance and guidance so that program wide oversight activities are timely, consistent, and effective.

Job Corps also engaged students in violence mitigation efforts. At the 2015 National Job Corps Association (NJCA) Training Conference, about 90 Job Corps student ambassadors approached the National Director seeking to leverage the power of Job Corps students to reach other students within their communities for the purpose of addressing violence, aggression, and bullying. Job Corps developed a student-organized and student-led campaign called Youth 2 Youth: Partners 4 Peace (Y2Y) for Job Corps Centers across the nation. Y2Y Student Ambassadors' efforts culminated during Y2Y Week 2015, where the Job Corps National Director visited the Long Beach and Detroit Job Corps Centers to address the students, participate in some planned activities, and obtain student feedback on safety and security.

In 2016, Y2Y Student Ambassadors took their engagement into the communities where they live, learn, train, and work. Through events such as the Listening & Learning Session in Washington, D.C. with the National Director; community engagement pilot programs in Louisiana, Maine, and North Carolina; and webinars with student leaders, Job Corps' Ambassadors continued the conversation about ending youth violence. Y2Y Week 2016 marked the culmination of a year's worth of nonviolence efforts by 630-plus Y2Y Student Ambassadors at 100-plus Job Corps Centers across the nation. Throughout the week, the Y2Y Student Ambassadors encouraged more than 37,000 Job Corps students to take their message of peace into their communities by inspiring others to share stories of nonviolence, meet with law

enforcement, coordinate peace walks, and engage in other community events. More than 100 centers hosted peace walks on September 21, 2016, the International Day of Peace, to symbolize the unity and strength of their ongoing commitment to ending violence in the community. Job Corps has made Y2Y a permanent part of its ongoing efforts to promote safe centers. The results of Job Corps' dedicated focus on violence mitigation efforts and increased student involvement in center safety initiatives are reflected in improvement in Job Corps' Student Satisfaction Survey. The survey is conducted twice a year in March and September. The safety rating, as of September 2016 was 88.2, the highest level since March 2014.

Recommendation 9: Define the types and frequency of background checks needed for the different employment positions within centers and the criminal histories that would disqualify individuals from employment.

Response: ETA agrees that we must define the types and frequency of background checks needed for the different employment positions within Job Corps Centers, as well the criminal histories that would disqualify individuals from employment and is implementing this recommendation. Because background checks implicate several federal and state laws, including civil rights laws, Job Corps carefully and mindfully is developing a new, written background check policy for staff.

We appreciate the opportunity to review this OIG follow-on review report. ETA takes seriously its responsibility for the safety and security of Job Corps students and staff, and we remain committed to working with the OIG on ways to improve the program.

APPENDIX C

ACKNOWLEDGEMENTS

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