

(2) does not meet the requirement of subsection (a)(2) because the military income earned by such individual within the 6-month period prior to the individual's application for Job¹ Corps prevents the individual from meeting such requirement.

(Pub. L. 113-128, title I, §144, July 22, 2014, 128 Stat. 1539; Pub. L. 114-22, title VI, §604, May 29, 2015, 129 Stat. 260.)

Editorial Notes

AMENDMENTS

2015—Subsec. (a)(3)(F). Pub. L. 114-22 added subpar. (F).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective on the first day of the first full program year after July 22, 2014 (July 1, 2015), see section 506 of Pub. L. 113-128, set out as a note under section 3101 of this title.

JOB CORPS FLEXIBILITIES DURING QUALIFYING EMERGENCY

Pub. L. 116-260, div. N, title VI, §601, Dec. 27, 2020, 134 Stat. 2091, provided that:

“(a) ENROLLMENT.—During the period beginning on the date of enactment of this Act [Dec. 27, 2020] and ending when all qualifying emergencies have expired, notwithstanding any other provision of law, the requirements described in sections 145(a)(2)(A) and 152(b)(2)(B) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3195(a)(2)(A), 3202(b)(2)(B)) shall be applicable only for enrollees in the Job Corps—

“(1) participating on-site at a Job Corps center; or

“(2) returning to on-site participation at a Job Corps center after participating in distance learning.

“(b) ELIGIBILITY.—During a qualifying emergency or the 1-year period immediately following the expiration of the qualifying emergency, an individual who would be older than the age of 24 on the date the individual enrolls in the Job Corps is eligible to enroll in the Job Corps, notwithstanding section 144(a)(1)(A) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3194(a)(1)(A)), as long as—

“(1) the individual applies for enrollment by the date that is 6 months after the date of enactment of this Act, and is not older than age 24 on the date of application; and

“(2) the individual attains the age of 25 during the qualifying emergency or the 1-year period immediately following the expiration of the qualifying emergency.

“(c) QUALIFYING EMERGENCY DEFINED.—In this section, the term ‘qualifying emergency’ has the meaning given the term in section 3502(a)(4) of the Coronavirus Aid, Relief, and Economic Security Act (Public Law 116-136 [20 U.S.C. 1001 note]).”

§ 3195. Recruitment, screening, selection, and assignment of enrollees

(a) Standards and procedures

(1) In general

The Secretary shall prescribe specific standards and procedures for the recruitment, screening, and selection of eligible applicants for the Job Corps, after considering recommendations from Governors of States, local boards, and other interested parties.

(2) Methods

In prescribing standards and procedures under paragraph (1), the Secretary, at a minimum, shall—

(A) prescribe procedures for informing enrollees that drug tests will be administered to the enrollees and the results received within 45 days after the enrollees enroll in the Job Corps;

(B) establish standards for recruitment of Job Corps applicants;

(C) establish standards and procedures for—

(i) determining, for each applicant, whether the educational and career and technical education and training needs of the applicant can best be met through the Job Corps program or an alternative program in the community in which the applicant resides; and

(ii) obtaining from each applicant pertinent data relating to background, needs, and interests for determining eligibility and potential assignment;

(D) where appropriate, take measures to improve the professional capability of the individuals conducting screening of the applicants; and

(E) assure appropriate representation of enrollees from urban areas and from rural areas.

(3) Implementation

The standards and procedures shall be implemented through arrangements with—

(A) applicable one-stop centers;

(B) organizations that have a demonstrated record of effectiveness in serving at-risk youth and placing such youth into employment, including community action agencies, business organizations, or labor organizations; and

(C) child welfare agencies that are responsible for children and youth eligible for benefits and services under section 677 of title 42.

(4) Consultation

The standards and procedures shall provide for necessary consultation with individuals and organizations, including court, probation, parole, law enforcement, education, welfare, and medical authorities and advisers.

(5) Reimbursement

The Secretary is authorized to enter into contracts with and make payments to individuals and organizations for the cost of conducting recruitment, screening, and selection of eligible applicants for the Job Corps, as provided for in this section. The Secretary shall make no payment to any individual or organization solely as compensation for referring the names of applicants for the Job Corps.

(b) Special limitations on selection

(1) In general

No individual shall be selected as an enrollee unless the individual or organization implementing the standards and procedures described in subsection (a) determines that—

¹ So in original. Probably should be preceded by “the”.

(A) there is a reasonable expectation that the individual considered for selection can participate successfully in group situations and activities, and is not likely to engage in behavior that would prevent other enrollees from receiving the benefit of the Job Corps program or be incompatible with the maintenance of sound discipline and satisfactory relationships between the Job Corps center to which the individual might be assigned and communities surrounding the Job Corps center;

(B) the individual manifests a basic understanding of both the rules to which the individual will be subject and of the consequences of failure to observe the rules, and agrees to comply with such rules; and

(C) the individual has passed a background check conducted in accordance with procedures established by the Secretary and with applicable State and local laws.

(2) Individuals on probation, parole, or supervised release

An individual on probation, parole, or supervised release may be selected as an enrollee only if release from the supervision of the probation or parole official involved is satisfactory to the official and the Secretary and does not violate applicable laws (including regulations). No individual shall be denied a position in the Job Corps solely on the basis of individual contact with the criminal justice system except for a disqualifying conviction as specified in paragraph (3).

(3) Individuals convicted of certain crimes

An individual shall not be selected as an enrollee if the individual has been convicted of a felony consisting of murder (as described in section 1111 of title 18), child abuse, or a crime involving rape or sexual assault.

(c) Assignment plan

(1) In general

Every 2 years, the Secretary shall develop and implement a plan for assigning enrollees to Job Corps centers. In developing the plan, the Secretary shall, based on the analysis described in paragraph (2), establish targets, applicable to each Job Corps center, for—

(A) the maximum attainable percentage of enrollees at the Job Corps center that reside in the State in which the center is located; and

(B) the maximum attainable percentage of enrollees at the Job Corps center that reside in the region in which the center is located, and in surrounding regions.

(2) Analysis

In order to develop the plan described in paragraph (1), every 2 years the Secretary, in consultation with operators of Job Corps centers, shall analyze relevant factors relating to each Job Corps center, including—

(A) the size of the population of individuals eligible to participate in Job¹ Corps in the State and region in which the Job Corps

center is located, and in surrounding regions;

(B) the relative demand for participation in the Job Corps in the State and region, and in surrounding regions;

(C) the capacity and utilization of the Job Corps center, including the education, training, and supportive services provided through the center; and

(D) the performance of the Job Corps center relating to the expected levels of performance for the indicators described in section 3209(c)(1) of this title, and whether any actions have been taken with respect to such center pursuant to paragraphs (2) and (3) of section 3209(f) of this title.

(d) Assignment of individual enrollees

(1) In general

After an individual has been selected for the Job Corps in accordance with the standards and procedures of the Secretary under subsection (a), the enrollee shall be assigned to the Job Corps center that offers the type of career and technical education and training selected by the individual and, among the centers that offer such education and training, is closest to the home of the individual. The Secretary may waive this requirement if—

(A) the enrollee would be unduly delayed in participating in the Job Corps program because the closest center is operating at full capacity; or

(B) the parent or guardian of the enrollee requests assignment of the enrollee to another Job Corps center due to circumstances in the community of the enrollee that would impair prospects for successful participation in the Job Corps program.

(2) Enrollees who are younger than 18

An enrollee who is younger than 18 shall not be assigned to a Job Corps center other than the center closest to the home that offers the career and technical education and training desired by the enrollee pursuant to paragraph (1) if the parent or guardian of the enrollee objects to the assignment.

(Pub. L. 113–128, title I, §145, July 22, 2014, 128 Stat. 1539.)

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective on the first day of the first full program year after July 22, 2014 (July 1, 2015), see section 506 of Pub. L. 113–128, set out as a note under section 3101 of this title.

§ 3196. Enrollment

(a) Relationship between enrollment and military obligations

Enrollment in the Job Corps shall not relieve any individual of obligations under the Military Selective Service Act (50 U.S.C. App. 451 et seq.) [now 50 U.S.C. 3801 et seq.].

(b) Period of enrollment

No individual may be enrolled in the Job Corps for more than 2 years, except—

(1) in a case in which completion of an advanced career training program under section

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