

§ 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.).

(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 3198(c) of this title would require an individual to participate in the Job Corps for not more than one additional year;

(2) in the case of an individual with a disability who would reasonably be expected to meet the standards for a Job Corps graduate, as defined under section 3192(5) of this title, if allowed to participate in the Job Corps for not more than 1 additional year;

(3) in the case of an individual who participates in national service, as authorized by a Civilian Conservation Center program, who would be granted an enrollment extension in the Job Corps for the amount of time equal to the period of national service; or

(4) as the Secretary may authorize in a special case.

(Pub. L. 113–128, title I, § 146, July 22, 2014, 128 Stat. 1542.)

REFERENCES IN TEXT

The Military Selective Service Act, referred to in subsec. (a), is act June 24, 1948, ch. 625, 62 Stat. 604, which is classified principally to section 451 et seq. of Title 50, Appendix, War and National Defense. For complete classification of this Act to the Code, see References in Text note set out under section 451 of Title 50, Appendix and Tables.

EFFECTIVE DATE

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

§ 3197. Job Corps centers**(a) Operators and service providers****(1) Eligible entities****(A) Operators**

The Secretary shall enter into an agreement with a Federal, State, or local agency, an area career and technical education school, a residential career and technical education school, or a private organization, for the operation of each Job Corps center.

(B) Providers

The Secretary may enter into an agreement with a local entity, or other entity with the necessary capacity, to provide activities described in this part to a Job Corps center.

(2) Selection process**(A) Competitive basis**

Except as provided in subsections (a) and (b) of section 3304 of title 41, the Secretary shall select on a competitive basis an entity

to operate a Job Corps center and entities to provide activities described in this part to the Job Corps center. In developing a solicitation for an operator or service provider, the Secretary shall consult with the Governor of the State in which the center is located, the workforce council for the Job Corps center (if established), and the applicable local board regarding the contents of such solicitation, including elements that will promote the consistency of the activities carried out through the center with the objectives set forth in the State plan or in a local plan.

(B) Recommendations and considerations**(i) Operators**

In selecting an entity to operate a Job Corps center, the Secretary shall consider—

(I) the ability of the entity to coordinate the activities carried out through the Job Corps center with activities carried out under the appropriate State plan and local plans;

(II) the ability of the entity to offer career and technical education and training that has been proposed by the workforce council under section 3204(c) of this title, and the degree to which such education and training reflects employment opportunities in the local areas in which enrollees at the center intend to seek employment;

(III) the degree to which the entity demonstrates relationships with the surrounding communities, employers, labor organizations, State boards, local boards, applicable one-stop centers, and the State and region in which the center is located;

(IV) the performance of the entity, if any, relating to operating or providing activities described in this part to a Job Corps center, including information regarding the entity in any reports developed by the Office of Inspector General of the Department of Labor and the entity's demonstrated effectiveness in assisting individuals in achieving the primary indicators of performance for eligible youth described in section 3141(b)(2)(A)(ii) of this title; and

(V) the ability of the entity to demonstrate a record of successfully assisting at-risk youth to connect to the workforce, including providing them with intensive academics and career and technical education and training.

(ii) Providers

In selecting a service provider for a Job Corps center, the Secretary shall consider the factors described in clause (i).

(3) Additional selection factors

To be eligible to operate a Job Corps center, an entity shall submit to the Secretary, at such time and in such manner as the Secretary may require, information related to additional selection factors, which shall include the following:

(A) A description of the program activities that will be offered at the center and how the academics and career and technical education and training reflect State and local employment opportunities, including opportunities in in-demand industry sectors and occupations recommended by the workforce council under section 3204(c)(2)(A) of this title.

(B) A description of the counseling, placement, and support activities that will be offered at the center, including a description of the strategies and procedures the entity will use to place graduates into unsubsidized employment or education leading to a recognized postsecondary credential upon completion of the program.

(C) A description of the demonstrated record of effectiveness that the entity has in placing at-risk youth into employment and postsecondary education, including past performance of operating a Job Corps center under this part or subtitle C of title I of the Workforce Investment Act of 1998, and as appropriate, the entity's demonstrated effectiveness in assisting individuals in achieving the indicators of performance for eligible youth described in section 3141(b)(2)(A)(ii) of this title.

(D) A description of the relationships that the entity has developed with State boards, local boards, applicable one-stop centers, employers, labor organizations, State and local educational agencies, and the surrounding communities in which the center is located, in an effort to promote a comprehensive statewide workforce development system.

(E) A description of the entity's ability to coordinate the activities carried out through the Job Corps center with activities carried out under the appropriate State plan and local plans.

(F) A description of the strong fiscal controls the entity has in place to ensure proper accounting of Federal funds, and a description of how the entity will meet the requirements of section 3209(a) of this title.

(G) A description of the steps to be taken to control costs in accordance with section 3209(a)(3) of this title.

(H) A detailed budget of the activities that will be supported using funds under this part and non-Federal resources.

(I) An assurance the entity is licensed to operate in the State in which the center is located.

(J) An assurance the entity will comply with basic health and safety codes, which shall include the disciplinary measures described in section 3202(b) of this title.

(K) Any other information on additional selection factors that the Secretary may require.

(b) High-performing centers

(1) In general

If an entity meets the requirements described in paragraph (2) as applied to a particular Job Corps center, such entity shall be allowed to compete in any competitive selec-

tion process carried out for an award to operate such center.

(2) High performance

An entity shall be considered to be an operator of a high-performing center if the Job Corps center operated by the entity—

(A) is ranked among the top 20 percent of Job Corps centers for the most recent preceding program year; and

(B) meets the expected levels of performance established under section 3209(c)(1) of this title and, with respect to each of the primary indicators of performance for eligible youth described in section 3141(b)(2)(A)(ii) of this title—

(i) for the period of the most recent preceding 3 program years for which information is available at the time the determination is made, achieved an average of 100 percent, or higher, of the expected level of performance established under section 3209(c)(1) of this title for the indicator; and

(ii) for the most recent preceding program year for which information is available at the time the determination is made, achieved 100 percent, or higher, of the expected level of performance established under such section for the indicator.

(3) Transition

If any of the program years described in paragraph (2)(B) precedes the implementation of the establishment of expected levels of performance under section 3209(c) of this title and the application of the primary indicators of performance for eligible youth described in section 3141(b)(2)(A)(ii) of this title, an entity shall be considered an operator of a high-performing center during that period if the Job Corps center operated by the entity—

(A) meets the requirements of paragraph (2)(B) with respect to such preceding program years using the performance of the Job Corps center regarding the national goals or targets established by the Office of the Job Corps under the previous performance accountability system for—

(i) the 6-month follow-up placement rate of graduates in employment, the military, education, or training;

(ii) the 12-month follow-up placement rate of graduates in employment, the military, education, or training;

(iii) the 6-month follow-up average weekly earnings of graduates;

(iv) the rate of attainment of secondary school diplomas or their recognized equivalent;

(v) the rate of attainment of completion certificates for career and technical training;

(vi) average literacy gains; and

(vii) average numeracy gains; or

(B) is ranked among the top 5 percent of Job Corps centers for the most recent preceding program year.

(c) Character and activities

Job Corps centers may be residential or non-residential in character, and shall be designed and operated so as to provide enrollees, in a

well-supervised setting, with access to activities described in this part. In any year, no more than 20 percent of the individuals enrolled in the Job Corps may be nonresidential participants in the Job Corps.

(d) Civilian Conservation Centers

(1) In general

The Job Corps centers may include Civilian Conservation Centers, operated under an agreement between the Secretary of Labor and the Secretary of Agriculture, that are located primarily in rural areas. Such centers shall provide, in addition to academics, career and technical education and training, and workforce preparation skills training, programs of work experience to conserve, develop, or manage public natural resources or public recreational areas or to develop community projects in the public interest.

(2) Assistance during disasters

Enrollees in Civilian Conservation Centers may provide assistance in addressing national, State, and local disasters, consistent with current child labor laws (including regulations). The Secretary of Agriculture shall ensure that with respect to the provision of such assistance the enrollees are properly trained, equipped, supervised, and dispatched consistent with standards for the conservation and rehabilitation of wildlife established under the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.).

(3) National liaison

The Secretary of Agriculture shall designate a Job Corps National Liaison to support the agreement under this section between the Departments of Labor and Agriculture.

(e) Indian tribes

(1) General authority

The Secretary may enter into agreements with Indian tribes to operate Job Corps centers for Indians.

(2) Definitions

In this subsection, the terms “Indian” and “Indian tribe” have the meanings given such terms in subsections (d) and (e), respectively, of section 450b of title 25.

(f) Length of agreement

The agreement described in subsection (a)(1)(A) shall be for not more than a 2-year period. The Secretary may exercise any contractual option to renew the agreement in 1-year increments for not more than 3 additional years, consistent with the requirements of subsection (g).

(g) Renewal conditions

(1) In general

Subject to paragraph (2), the Secretary shall not renew the terms of an agreement for any 1-year additional period described in subsection (f) for an entity to operate a particular Job Corps center if, for both of the 2 most recent preceding program years for which information is available at the time the determination is made, or if a second program year is

not available, the preceding year for which information is available, such center—

(A) has been ranked in the lowest 10 percent of Job Corps centers; and

(B) failed to achieve an average of 50 percent or higher of the expected level of performance under section 3209(c)(1) of this title with respect to each of the primary indicators of performance for eligible youth described in section 3141(b)(2)(A)(ii) of this title.

(2) Exception

Notwithstanding paragraph (1), the Secretary may exercise an option to renew the agreement for no more than 2 additional years if the Secretary determines such renewal would be in the best interest of the Job Corps program, taking into account factors including—

(A) significant improvements in program performance in carrying out a performance improvement plan under section 3209(f)(2) of this title;

(B) that the performance is due to circumstances beyond the control of the entity, such as an emergency or disaster, as defined in section 3225(a)(1) of this title;

(C) a significant disruption in the operations of the center, including in the ability to continue to provide services to students, or significant increase in the cost of such operations; or

(D) a significant disruption in the procurement process with respect to carrying out a competition for the selection of a center operator.

(3) Detailed explanation

If the Secretary exercises an option under paragraph (2), the Secretary shall provide, to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate, a detailed explanation of the rationale for exercising such option.

(4) Additional considerations

The Secretary shall only renew the agreement of an entity to operate a Job Corps center if the entity—

(A) has a satisfactory record of integrity and business ethics;

(B) has adequate financial resources to perform the agreement;

(C) has the necessary organization, experience, accounting and operational controls, and technical skills; and

(D) is otherwise qualified and eligible under applicable laws and regulations, including that the contractor is not under suspension or debarred from eligibility for Federal contracts.

(Pub. L. 113–128, title I, §147, July 22, 2014, 128 Stat. 1542.)

REFERENCES IN TEXT

The Workforce Investment Act of 1998, referred to in subsec. (a)(3)(C), is Pub. L. 105–220, Aug. 7, 1998, 112 Stat. 936, and was repealed by Pub. L. 113–128, title V, §§506, 511(a), July 22, 2014, 128 Stat. 1703, 1705, effective July 1, 2015. Subtitle C of title I of the Act was classi-

fied generally to subchapter III (§2881 et seq.) of chapter 30 of this title. Pursuant to section 3361(a) of this title, references to a provision of the Workforce Investment Act of 1998 are deemed to refer to the corresponding provision of the Workforce Innovation and Opportunity Act, Pub. L. 113-128, July 22, 2014, 128 Stat. 1425. For complete classification of the Workforce Investment Act of 1998 to the Code, see Tables. For complete classification of the Workforce Innovation and Opportunity Act to the Code, see Short Title note set out under section 3101 of this title and Tables.

The Fish and Wildlife Coordination Act, referred to in subsec. (d)(2), is act Mar. 10, 1934, ch. 55, 48 Stat. 401, which is classified generally to sections 661 to 666c of Title 16, Conservation. For complete classification of this Act to the Code, see Short Title note set out under section 661 of Title 16 and Tables.

EFFECTIVE DATE

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

§ 3198. Program activities

(a) Activities provided by Job Corps centers

(1) In general

Each Job Corps center shall provide enrollees with an intensive, well organized, and fully supervised program of education, including English language acquisition programs, career and technical education and training, work experience, work-based learning, recreational activities, physical rehabilitation and development, driver's education, and counseling, which may include information about financial literacy. Each Job Corps center shall provide enrollees assigned to the center with access to career services described in clauses (i) through (xi) of section 3174(c)(2)(A) of this title.

(2) Relationship to opportunities

The activities provided under this subsection shall be targeted to helping enrollees, on completion of their enrollment—

(A) secure and maintain meaningful unsubsidized employment;

(B) enroll in and complete secondary education or postsecondary education or training programs, including other suitable career and technical education and training, and apprenticeship programs; or

(C) satisfy Armed Forces requirements.

(3) Link to employment opportunities

The career and technical education and training provided shall be linked to employment opportunities in in-demand industry sectors and occupations in the State or local area in which the Job Corps center is located and, to the extent practicable, in the State or local area in which the enrollee intends to seek employment after graduation.

(b) Academic and career and technical education and training

The Secretary may arrange for career and technical education and training of enrollees through local public or private educational agencies, career and technical educational institutions, technical institutes, or national service providers, whenever such entities provide edu-

cation and training substantially equivalent in cost and quality to that which the Secretary could provide through other means.

(c) Advanced career training programs

(1) In general

The Secretary may arrange for programs of advanced career training for selected enrollees in which the enrollees may continue to participate for a period of not to exceed 1 year in addition to the period of participation to which the enrollees would otherwise be limited. The advanced career training may be provided through the eligible providers of training services identified under section 3152 of this title.

(2) Benefits

During the period of participation in an advanced career training program, an enrollee shall be eligible for full Job Corps benefits, or a monthly stipend equal to the average value of the residential support, food, allowances, and other benefits provided to enrollees assigned to residential Job Corps centers.

(3) Demonstration

The Secretary shall develop standards by which any operator seeking to enroll additional enrollees in an advanced career training program shall demonstrate, before the operator may carry out such additional enrollment, that—

(A) participants in such program have achieved a satisfactory rate of completion and placement in training-related jobs; and

(B) for the most recently preceding 2 program years, such operator has, on average, met or exceeded the expected levels of performance under section 3209(c)(1) of this title for each of the primary indicators of performance for eligible youth described in section 3141(b)(2)(A)(ii) of this title.

(d) Graduate services

In order to promote the retention of graduates in employment or postsecondary education, the Secretary shall arrange for the provision of job placement and support services to graduates for up to 12 months after the date of graduation. Multiple resources, including one-stop partners, may support the provision of these services, including services from the State vocational rehabilitation agency, to supplement job placement and job development efforts for Job Corps graduates who are individuals with disabilities.

(e) Child care

The Secretary shall, to the extent practicable, provide child care at or near Job Corps centers, for individuals who require child care for their children in order to participate in the Job Corps.

(Pub. L. 113-128, title I, §148, July 22, 2014, 128 Stat. 1547.)

EFFECTIVE DATE

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