

## 1.4 CENTER RESPONSIBILITIES IN THE ADMISSIONS PROCESS

### PURPOSE

- P1. To establish procedures for applicant file review by centers.
- P2. To establish procedures for the review of applicant health information.
- P3. To ensure that all assigned students are contacted by the center prior to arrival.
- P4. To establish procedures for assignment of applicants to centers in accordance with Regional Office procedures.
- P5. To establish procedures for a Regional review process of applications recommended for denial.

### REQUIREMENTS

#### R1. *Overall Legal Requirements*

- a. A center is not permitted to revisit an AC's determination that an applicant meets the Essential Admission Requirements (EAR) and is qualified for Job Corps, even if the center disagrees with the AC's determination of the applicant's qualification(s) except in the following limited circumstance.
  1. The center receives **new information** that:
    - (a) Was **not reasonably available** to the AC at the time the applicant's qualifications were established; and
    - (b) Indicates that the applicant offered enrollment may no longer meet one of the EAR.
- b. Apart from the circumstance described in 1.a above, the center may review the information in the applicant's file, such as on the Job Corps Health Questionnaire (ETA 653), the accompanying documentation that is medically related to the information on the questionnaire, or that the applicant has otherwise voluntarily disclosed, to determine the health needs of the applicant and/or to determine whether the applicant has a disability, mental health, or medical condition that likely poses a significant risk of substantial harm to the health or safety of the individual or others.

Only the categories of persons identified in Appendix 607 may be permitted to review, or have access to the applicant's medical, health, or disability-related information.

#### R2. *Applicant File Review Process*

- a. Responsibilities of Records Staff

The records department is the gatekeeper of all applicant files. The records department must maintain a single ongoing log which documents:

  - The location of every applicant file;

- How long the file has been on center;
- Who the file was sent to;
- How long the file has been with a particular department or staff person; and
- The center's recommendation regarding enrollment and/or an explanation of any final movements or actions taken related to a file (i.e., for example, an applicant contacted center to request a withdrawal of application and file returned to OA since file is not in regional review).

For those files sent to the Regional Office for review, the records department must document the date the file was sent, to whom it was sent, and the final disposition of the record.

b. Responsibilities of Center File Review Team

The Health and Wellness Manager (HWM) completes a review of the Job Corps Health Questionnaire (ETA 653) and supporting documentation to determine which center staff is needed to conduct a review of each applicant's file. These staff comprise the center's File Review Team (FRT). The center FRT must include the HWM and the Disability Coordinator (if a student with a disability) and may include other staff such as the Center Mental Health Consultant, physician, Trainee Employee Assistance Program Specialist, and/or the dentist.

c. Center Procedure

Each center is required to have a written procedure describing the center's process for reviewing applicant files. This procedure should describe in detail how an applicant file is processed, from the time it arrives on center from the OA contractor, until the applicant is accepted into the program and assigned a start date, or recommended for denial and a final disposition is made by the Regional Office. The applicant's file must be processed within 30 calendar days from receipt by center. If the center reasonably can substantiate needing the file longer than 30 days to complete the file review process, then an extension request may be submitted to the respective Regional Office.

While each center file review procedure may have unique aspects, all center procedures must incorporate the following requirements:

- Location where files are sent and logged in upon arrival to the center and the method of tracking the movement of the file to include an explanation of the center's disposition of the file (see R2 a);
- Responsibilities and roles of applicant FRT members to include the HWM, the center clinicians, and the center's Disability Coordinator(s) which usually will include the center's HWM;
- Procedures for reviewing an applicant file to include the acceptable reasons for recommending denial of an application;
- Procedures for reviewing and determining reasonable accommodation;

- Procedures for processing application withdrawals both before and after submitting a file for regional review.
- Timeframe the center establishes to complete the file review process to ensure it meets the PRH required timeframe of 30 calendar days.
- Storage, transmission and maintenance of the applicant file information (see PRH Appendix 607).

See Appendix 107, “Standard Operating Procedure” for detailed descriptions of the requirements listed above.

### ***R3. Review of Health Information***

- a. The HWM conducts the initial review of the health documentation in the individual applicant’s folder, including Job Corps Health Questionnaire (ETA 653) and the medically related supporting documentation that has been submitted with it, to:
  1. Explain the health care needs of the applicant.
  2. Determine whether Job Corps can meet the health-care needs of the applicant.
  3. Determine if the applicant presents a direct threat to self or others.
  4. Obtain consent for required routine medical assessments and/or consent to receive basic health care services.

- b. Health-Care Needs Assessment

A health-care needs assessment may be conducted for an applicant if the center clinical staff believes that:

1. The health-care needs may not be manageable as defined by basic health care services in PRH Exhibit 6-4; or
2. The health care needs may be manageable but may require community support services which are not available near the center of assignment; the applicant should be assigned to a center where these needs can be met.

In the instance that a center has recommended the applicant’s health-care needs can be met in Job Corps if the individual were located at a center where needed resources and supports were available, the applicant’s file is routed through the typical regional review process with the following additional steps:

- (a) If the center’s recommendation is supported by the Regional Health Specialist (RHS) and approved by the Regional Director or his or her designee, then the Regional Office returns the file, including the completed Health-Care Needs Assessment from the initial center, to the AC to contact the applicant and assist in identifying the new center.

- (b) The new center completes a review of the documentation and confirms the current status of the applicant and then documents the contact and assessment in the progress notes narrative and includes in the medical file.
- (c) If the center's recommendation is to accept the applicant, the center notifies the AC and the Regional Office and schedules the individual for arrival. If the center's recommendation is to deny the applicant, then the center notifies the AC and forwards the file back to the Regional Office for a second clinical review by the appropriate RHS.
- (d) If the RHS recommends overturning the center's recommendation of denial and the Regional Director, or his or her designee, concurs, then the center is notified that the applicant must be scheduled for enrollment. If the RHS concurs with the center's recommendation and the Regional Director, or designee concurs, then the applicant is notified of the disposition of his or her file, the file is returned to the AC, and the center notified of the Region's decision.

See Appendix 610 for specific guidance on conducting a health care needs assessment. See Appendix 107, "Review of Applicant's Health Care Needs by the Alternate Center" and Appendix 108, "Review Process for Recommendations to Attend an Alternate Center" for detailed descriptions of the requirements listed above.

c. Direct Threat Assessment

In the case of an applicant, a direct threat assessment may be conducted:

1. Whenever Job Corps believes that a known or apparent disability or medical condition poses a direct threat to the health or safety of the individual or others. This typically will occur *after* the applicant has received conditional assignment to a Job Corps center and has completed the Job Corps Health Questionnaire (ETA 653).
2. If the specific information that has been received about that particular applicant indicates that he or she may have a medical condition or disability that:
  - (a) Poses a significant risk of substantial harm to the health or safety of the individual or others; and
  - (b) Cannot be eliminated or reduced by reasonable accommodation or modification.

If the specific information in the folder appears to meet the standards described above, the HWM will forward the applicant's information to the licensed health provider employed by the center for a detailed direct threat assessment.

For specific guidance on conducting a direct threat assessment, see Appendix 609.

**R4. New Information Review of Applicant Eligibility**

- a. The AC determines an applicant's initial eligibility (i.e., meets the EAR) to enroll in the Job Corps program. The files of eligible applicants are forwarded to the center in which the applicant has been conditionally assigned so that the center may complete a clinical review. The center FRT or its individual members only may revisit the determination that an applicant is qualified for admission (i.e., an applicant's eligibility status) if:
  1. There is new information presented that the AC could not have reasonably known at the time the applicant's qualification for admission was established; and
  2. The new information indicates that the applicant offered enrollment may no longer meet an EAR (See Section 1.4, R1 a).

If new information is present that indicates that an applicant may no longer be eligible to enroll in Job Corps, the center FRT must complete the following steps:

1. Identify the specific EAR that the applicant no longer is believed to meet as per the criteria listed in Exhibit 1-1.
2. Re-apply the listed criteria for each of the specific EAR in question. Ask the applicant any questions outlined within the guidance information in Exhibit 1-1 for the specific EAR. The questions must be stated in the same way they are written in Exhibit 1-1 and as they were originally asked by the AC. Their content may not be broadened or modified.
3. If the applicant provides a negative (e.g., "no") response to the specific questions previously asked by the AC from Exhibit 1-1, then the applicant is no longer eligible and the application process is stopped. If the applicant responds with a "yes" response, then the application process continues.

For example, in Exhibit 1-1 within the guidance for EAR J, Group Participation and Understanding of Rules, the AC was instructed to ask: "Do you understand that you will be living and working with members of various races, ethnic groups, political or religious affiliations or beliefs, sexual orientations, gender identities, and people with disabilities?" This question is informational only and is asked to confirm the applicant's understanding of the Job Corps environment before proceeding with the actual eligibility question specific to the EAR which is, "Knowing this about Job Corps, are you willing to go forward with your application?" The applicant would have responded with a "yes" to have been found eligible previously by the AC.

If new information surfaces or is provided during the center's review that the AC could not have reasonably known that may now indicate that this applicant is no longer eligible under the "Group Participation" EAR, then the center FRT must ask the exact same questions of the applicant as those originally asked by the AC for that specific EAR (i.e., "Do you understand that you will be living and working with members of various

racess, ethnic groups, political or religious affiliations or beliefs, sexual orientations, gender identities, and people with disabilities? Knowing this about Job Corps, are you willing to go forward with your application?")

4. If the applicant is determined to no longer be eligible, then the center completes the Center Recommendation of Denial Form and submits it, the applicant file and the supporting documentation to the Regional Office for review.

b. *New Information–Age (EAR A) and Income Eligibility (EAR D)/Disability Status*

In general, ACs may not ask whether an applicant is an individual with a disability or about the nature and severity of a disability prior to conditional enrollment in Job Corps. At two points in the process of determining eligibility, however, ACs may invite an applicant to disclose whether he or she has a disability:

1. If the applicant is, or will be, over 24 years old on the date of enrollment, the maximum age limit may be waived if he or she is a person with a disability (EAR A).
2. If the applicant would not meet the low-income requirement unless the applicant is considered a “family of one” because of disability (EAR D).

The AC does not determine whether or not an applicant is a person with a disability. Appropriate center staff will do this since the AC does not review health and medical information. The AC will gather the documentation and place it in a sealed envelope with the applicant file that is then forwarded to the center for review.

- The center reviews the documentation of disability. If the documentation supports that the applicant is a person with a disability, the applicant file review process continues.
- If the center determines that the applicant is not a person with a disability, then the center completes and submits the “Center Recommendation of Denial Form” along with the applicant’s file and submits to the Regional Office for review.

**R5. *Determination of Ineligibility or Failure to Meet Other Essential Admissions Requirements After Enrollment***

If, after an individual is enrolled in Job Corps, new information is received that is credible and reliable and that indicates that the individual does not meet the admissions criteria for the program, appropriate members of the FRT will review the new information and determine, based solely on that information, whether or not the individual remains qualified for the program. If the team determines that the individual has become unqualified and recommends that the individual be removed, the file, the Applicant File Review Form (see Appendices 107 and 108), and supporting documentation must be sent to the Regional Office for review prior to removing the individual. The individual should remain on center until he or she is officially separated, unless he or she poses a risk to himself/herself or others or would interfere with the

delivery of services to other students. See Section 1.5, R1 for information about the Regional Office's role in the process.

**R6. *Pre-Departure Center Contact***

Centers will contact assigned students prior to scheduled arrival to welcome them, and provide information about the center, reiterating behavioral standards.

**R7. *Arrival Scheduling***

Centers must:

- a. Accurately project arrival needs and issue arrival requests to the ACs in accordance with Regional Office procedure.
- b. Ensure that the application folder is complete and contains all required documentation upon arrival at center. The center will contact the AC to obtain missing or incomplete documentation.
- c. Schedule timely assignment, for first available opening on center, of applicants referred by ACs, to ensure maintaining center at capacity.
- d. Where reasonable accommodations will be provided, ensure that the accommodations are in place before arrival. However, failure to provide timely accommodations will not excuse undue delay in an applicant's arrival, and may be the basis for a discrimination complaint.
- e. Provide timely travel authorization and arrival information to ACs and other appropriate parties, as required.
- f. Meet and greet arrivals at the designated time on the center or at the determined travel termination point.

**QUALITY INDICATORS:**

- Q1. Center has a written procedure describing the center's process for reviewing applicant files.
- Q2. Records log data supports that applicant files are processed within 30 days of arrival on center.
- Q3. Students report that they were contacted by the center prior to scheduled arrival. If the student is a person with a disability, student reports that s/he also was contacted to discuss the need for reasonable accommodation.
- Q4. Arrival needs of the center are met in accordance with Regional Office GAP which identifies a target for the maximum percentage of students at each center who come from the state or region nearest the center, and the regions surrounding the center, in accordance with 20 C.F.R. 670.450.
- Q5. Centers are maintained at enrollment capacity.

## **1.5 REGIONAL OFFICE ROLE IN THE ADMISSIONS PROCESS**

### **PURPOSE**

- P1. To establish procedures for conducting an automatic quality review of applicant files in cases where the applicant has been denied admission by an admissions counselor.
- P2. To establish procedures for processing applicant recommendations for denial by the Job Corps centers.
- P3. To establish procedures for processing appeals from denials issued by the OA agency or the Job Corps center.
- P4. To establish procedures for processing appeals which have not been timely decided by the OA agency or Job Corps center.

### **REQUIREMENTS**

#### ***R1. Regional Office Process for Review of Applicant Files***

Each Regional Office must establish procedures

- To perform quality reviews of applicant files found to be ineligible by the AC;
- To review the files of applicants who have been recommended for denial by a center; and
- For the review of appeals filed by applicants who have been determined to not meet the EAR by the OA agency or Job Corps center, and where appeals have not been timely decided by the OA agency or Job Corps center.

The Regional Office designates a Regional Office File Review Coordinator who will record and track the movement of applicant files recommended for denial throughout the regional review process (see Appendix 108). All applicant folders are logged in as they are received at the Regional Office and the Regional Office File Review Coordinator initiates a Regional Applicant File Review Process Form (see Attachment A, Appendix 108) which is attached to the file to subsequently be completed by each respective reviewer, as indicated on the form.

All applications must be reviewed in a timely manner.

#### **a. Recommendation of Denial Due to New Information**

Applicant files recommended for denial under this category are reviewed and processed internally at the Regional Office except in the instance where the denial is based upon disability status related to age or income. Files requiring a review of disability status are forwarded to the Regional Administrative File Review Coordinator to review and provide a recommendation to the Regional Director, or designee.

#### **b. Recommendation of Denial Based Upon Health Care Needs, Direct Threat Assessment, or Disability Status**

The applicant's file is forwarded to the designated Regional Administrative File Review Coordinator to complete an administrative review to determine if all required file review procedures have been completed and if all required process documentation is included within the file. Once the administrative review is complete, the Regional Administrative File Review Coordinator forwards the file to the appropriate RHS for a clinical review, i.e., mental health, medical, dental, or TEAP. The RHS documents his/her findings return the file to the Regional Director, or designee for a final determination.

Applications in which a center has determined that the health care needs could be met if the applicant were to attend a center closer to the needed resources and supports may require a second review by the RHS and the Regional Director, or designee, if the second center also recommends denial of the application. In that instance, the file will be reviewed by the RHS again and a recommendation made to the Regional Director, or designee, for a final determination.

**R2. *Notifications of Application Disposition***

If the Regional Director, or his or her designee, upholds the center's recommendation of denial, the Regional Office notifies both the AC and the center of the final determination and issues a clear, documented, written decision to the applicant. The AC provides the appropriate referral information to the applicant.

*Denials based upon New Information (including disability status related to age and/or income)*

If the Regional Director, or his or her designee, does not uphold the center's recommendation to deny, the file is returned to the center and the center given the opportunity to determine whether or not they wish to complete a health care needs or direct threat assessment, as appropriate, or to enroll the applicant.

*Denials based upon Health Care Needs or Direct Threat,*

If the Regional Director, or his or her designee, does not uphold the center's recommendation to deny, the file is returned to the center with direction to enroll the applicant.

**R3. *Regional Office Procedures for Assignment of Applicants Determined Qualified Pursuant to its Quality Control Reviews***

Regional Offices must establish procedures for assignment of qualified applicants to centers, including waivers for applicants assigned to centers other than closest to home (see Section 1.2, R15).

**R4. *Appeals***

Regional Offices must identify personnel responsible for the automatic review process and the appeals process. Each of the appeals processes must be managed by separate personnel.

With the Regional Office's respect to deciding an appeal, the Regional Office must issue a clear, documented, written decision regarding review of a determination of ineligibility within 60 days of the date on which the appeal is filed.

**R5. Complaint Process**

If the applicant believes that he or she has been denied admission for enrollment as a result of discrimination on a protected basis (race, color, religion, sex/gender, national origin, age, disability, political affiliation or belief, citizenship, or participation in a program or activity financially assisted under WIA Title I), he or she may file a written complaint within 180 days of the decision, with either the recipient of the funds, as defined in 29 CFR 37.4, such as the OA agency or the Job Corps contractor, or center operator (if not federally operated), or the U.S. Department of Labor Civil Rights Center (DOL-CRC). Provide the applicant with the contact information of both the recipient and the Director of DOL-CRC. DOL-CRC's information is as follows:

Director, Civil Rights Center  
U.S. Department of Labor  
200 Constitution Avenue, NW  
Room N-4123  
Washington, DC 20210  
(202) 693-6502 (voice)  
TTY: (202) 693-6516  
[CivilRightsCenter@dol.gov](mailto:CivilRightsCenter@dol.gov)

For electronic versions of DOL-CRC's complaint form in English or Spanish (PDF or HTML format), please go to DOL-CRC's website at:  
<http://www.dol.gov/oasam/programs/crc/>.

**QUALITY INDICATORS**

- Q1. Each month, a quality review of at least 5 percent of files of applicants denied admission is completed.
- Q2. Applicant appeals are processed and decisions issued by the Regional Office within 60 days.