A Legal History of the Job Corps

Joseph E. Blackett
Andrews University

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A LEGAL HISTORY OF THE JOB CORPS

A dissertation
presented in partial fulfillment
of the requirements for the degree
Doctor of Education

by

Joseph E. A. Blackett

APPROVAL BY THE COMMITTEE:

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ABSTRACT

A LEGAL HISTORY OF THE JOB CORPS

by

Joseph E. A. Blackett

Chair: Lyndon Furst
ABSTRACT OF GRADUATE STUDENT RESEARCH

Dissertation

Andrews University

School of Education

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Name of researcher: Joseph E. A. Blackett

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Purpose

The purpose of this dissertation was to construct the legal history of the Job Corps. I focus on five basic questions that guide the study: (1) What were the statutes that created the Job Corps? (2) What was the mission of the Job Corps? (3) How did the Job Corps change over time? (4) What effect did legal challenges have on the Job Corps? and (5) What changes were brought about by recent legislation?

Method

This study involved three basic activities: review of available sources of data to secure information relevant to the five focus questions in the purpose of the study, application of consistent and appropriate methods of analysis of the information obtained,
and organization and interpretation of facts.

The historical method was employed to show that the present state of things is the consequence of the past. Therefore, the review sources included five statutory enactments; seven case laws; bibliographic materials; official documents and reports; personal conferences; phone interviews with selected officials of the Job Corps; and consultation with librarians and university staff at the Department of Labor Law Library, University of the District of Columbia, George Mason Law Library, and the Library of Congress.

Conclusion

Whereas, the Civilian Conservation Corps of the 1930s was a Depression-era job-creation program involving adult enrollees, the Job Corps model focused on youthful clientele and provided residential training programs with a support necessary for successful jobs as an adult. While the mission of the Job Corps did not change over time, the statutes did. For example, the responsibilities of the Job Corps were transferred from the Office of Economic Opportunity to the Department of Labor. Increasing the age limitation from 16 through 25 provided heightened levels of maturity and a longer period of preparation. The Department of Labor, through its operations, linked the Job Corps with businesses and industry, which allowed enrollees to experience the real work community. The Job Corps became more responsive to its geographic environment. The court decisions encouraged the management of the Job Corps to carry out its functions. It also changed the requirements of the Comprehensive Employment and Training Act for the selection of training sites. No longer was any contract awarded to religious and sectarian organizations.
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CHAPTER 1

INTRODUCTION

The Job Corps, a federally administered program operating twenty-four hours a day, seven days a week, focuses on removing the multiple barriers that disadvantaged youth encounter when seeking competitive employment. "Job Corps is America’s oldest, largest and most comprehensive national residential education and training program for unemployed and undereducated youth ages 16-25." The significant difference between the Job Corps and other programs, however, is that it was designed primarily to serve youths who needed a residential program rather than some other program in the home community. Enrolled students were provided a residential supportive environment that positively transformed their lives, leading to successful adulthood.

The program was created by Title 1, Part A, of the Economic Opportunity Act of 1964, as amended (Public Law 88-452) August 20, 1964, and continued by Title 4 of the National Job Corps Coalition, Job Corps FY 97-50/50 Plan Information Kit (Washington, D.C., 1994), 1.


National Job Corps Coalition 1994, 1.


Originally administered by the Office of Economic Opportunity, the Job Corps was transferred in July 1969 to the Department of Labor. Within the Department of Labor Employment and Training Administration, the Director of the Job Corps was responsible for providing leadership and overall direction and guidance for program administration.⁶

As a national, primarily residential, training program, the Job Corps’ mission is to:

Attract eligible young adults, teach them the skills they need to become employable and independent, and place them in meaningful jobs or further education.⁷

And its purpose as stated in FY-97 Job Corps 50-50 Plan is:

To assist young individuals who need and can benefit from an unusually intensive program, operated in a group setting, to become more responsible, employable, employable, and independent.

²General Accounting Office 1979, 4.
⁴Job Training Reform Amendments, P.L. 102-367.
⁶General Accounting Office 1979, 4.
and productive citizens.\textsuperscript{1}

The Constitution delegated certain powers to the federal government\textsuperscript{2} and reserved all other powers to state governments or to the people, believing that central authority could be combined successfully with local self-government. The 10th Amendment states, "The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people."\textsuperscript{3}

According to Sar A. Levitan and Benjamin H. Johnston,\textsuperscript{4} public education evolved slowly for some Americans. Traditionally Congress had been slow in creating and approving effective educational legislation necessary for all the public needs.

Although proponents and opponents of the Job Corps in the 1960s considered many critical issues to formulate a Job Corps program, there were four major issues that prevailed: the high cost entailed by such legislation, the multiple problems of high-risk youth, politicians who were interested in their constituent votes, and governmental priorities.\textsuperscript{5} This suggested that legislation relative to the Job Corps and provisions for the educational development of at-risk populations would be at the mercy of frequent changes.

\begin{flushright}
\textsuperscript{1}National Job Corps Coalition 1994, 1.
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\textsuperscript{2}In Article 1 Section 8 of the Constitution of the United States, the Federal government is responsible for the welfare of the nation. Hence, the Federal government is responsible for the Job Corps.
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\textsuperscript{3}U. S. Constitution, amend. 10. The original document is on display at the National Archives in Washington, D.C.
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\textsuperscript{5}Ibid., 2.
\end{flushright}
in Congress as well as indecision on the part of its leaders.

Although the Job Corps was still in the evolution process in the early 1960s, review of the research material shows a myriad of political maneuvers and personal decisions that revealed responses and political actions that fulfilled philosophical agendas during various administrations. The Job Corps, though clear-cut in concept and rationale, was not in agreement with the philosophical viewpoints of some political leaders during its critical formative phase. As with other social initiatives of the 1960s, the program was an outgrowth of various precedents and ideas going as far back as the New Deal.\(^1\) Much of the Job Corps' chronological perspective is available in Congressional records as well as in legal documents.

The legislation finally enacted reflected the inevitable compromises and trade off between various lobbies, administrative agencies, and congressional power blocks. Social reformers, labor lobbies, the military, the conservation lobby, vocational rehabilitation counselors, the "women's lobby," various federal departments, and many other fractions sought to mold the Job Corps while it was still on the drawing boards in Congress and in its first years of operation.\(^2\)

The legislative precursors of the Job Corps originated as early as 1958 when Senator Hubert H. Humphrey advanced the idea for a residential youth conservation corps patterned after the Civilian Conservation Corps (CCC) of the 1930s. The CCC was a Depression-era, job-creation program involving 1.5 million adult enrollees from a cross section of the country. This program lasted as long as there were people out of work and involved little or no training. The Job Corps model focused on youthful clientele and ______

\(^1\)Ibid., 3.

\(^2\)Ibid.
emphasized specific training in basic education and vocational training.

In 1959 the Senate passed such a bill, but the House failed to act on it. The proposal gained some support from the liberal members of the Democratic party and became a minor issue in the 1960 presidential campaign, but administration backing did not materialize until after John F. Kennedy's election.

By 1963, as the post-World War baby boom was entering the work force, youth unemployment was becoming recognized as a severe problem not ameliorated by the general improvement in economic conditions. A coalition of conservationists and welfare organizations promoted a bill which expanded the rural conservation proposal to include federal job-creation programs in urban areas. The bill, combining the basic features of what was to become the Job Corps and the Neighborhood Youth Corps, again was approved by the Senate.

However, this bill was strongly opposed in the House by a coalition of segregationists and welfare legislation opponents, and it died in the House Rules Committee.

In 1963 the President's Task Force on Manpower Conservation published a report titled One-Third of a Nation, which stated that the armed forces rejected one of every three potential draftees because of mental and physical deficiencies and that most of the enrollees came from impoverished homes. This single dramatic statistic gave important

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1See Appendix J, “Profile of Students as of 1998.” This appendix explains that 79.1 percent of the enrollees are high school dropouts, 52.9 percent are reading between grades 8.0-8.4, and 25.7 percent are reading between 0.0-4.9.

Basic education includes functional math, functional reading and writing skills, parenting, cultural awareness workforce skills, and health education.

2Levitan and Johnston, 3.

3Ibid.

impetus to the proposed program, "pigeonholed" the year before, and the Job Corps proposal was resubmitted as part of the Johnson administration anti-poverty bill.¹

America during the decade of the sixties "was a nation whose alarm clock had finally gone off."² Comfortable, quiet, with money in the bank, it was awakening from the sleepy fifties. Before his assassination, President Kennedy infused the country with energy and idealism. Growing awareness of the problems of poverty and unemployment, particularly the problems of minorities and youth, kept the idea of the Job Corps alive.

The President promised a New Frontier. Civil rights became an issue. With his life cut short, however, John Fitzgerald Kennedy left behind little more than a fresh outlook. Amidst expanding suburbia and growing commercialism, problems lurked deep in American society and in the economy. While a new middle class bought homes and the goods to fill them, 40 percent of Black males earned less than $2,000 per year. One fifth of Americans lived below the poverty line.³ Overcrowded urban areas resulted in pockets of depression.

With that backdrop, President Lyndon B. Johnson launched his self-proclaimed "War on Poverty." One of the elements became the Job Corps, aimed specially at training the most difficult-to-employ sector of the population. The program would play a part in forming the "Great Society" which, the President said, would bring "an end to poverty and racial injustice." The poverty theme played directly into the creation of the Job

¹Levitan and Johnston, 3.

²National Job Corps Coalition 1994, 4.

³General Accounting Office, 4.

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Four major enactments and one set of amendments constituted the historical antecedents of the Job Corps. They were (1) the Economic Opportunity Act of 1964; (2) the Comprehensive Employment and Training Act of 1973; (3) the Job Training Partnership Act of 1982, (4) the Job Training Reform Amendments of 1992, and (5) Workforce Investment Act of 1998.

**Statement of the Problem**

This study identified the major statutes that made possible and maintained a federally sponsored program of education for disadvantaged youth. Incorporated into the statutes are the mission and purpose of the Job Corps. The study shows how the Job Corps program changed with the introduction of each statute and the legal challenges that faced the Job Corps. The study concludes with the changes that were brought about by the current legislation: The Workforce Investment Act of 1998.

Therefore, this study focuses on five basic questions that are historical in nature:

1. What were the statutes that created the Job Corps?
2. What was the mission of the Job Corps?
3. How did the Job Corps change over time?
4. What effect did legal challenges have on the Job Corps?
5. What changes to the Job Corps were brought about by the current legislation?

No previous studies were found of the legal history of the Job Corps.

\(^1\)National Job Corps Coalition, 4-5.
Rationale for This Study

The Job Corps program was quite different from that of the public high school. It was a last resort for students who were unable to function successfully in the regular academic setting of the public school. In addition to offering basic reading and mathematics, workplace communications, parenting, health education, and cultural awareness, the Job Corps offered courses for obtaining the General Equivalency Diploma (GED).

The main goal of the Job Corps, however, was to train young people to get and keep a job. As a result, a number of trades were taught. Academic education functioned as an adjunct to the trade instruction. Mathematics and reading skills were taught with a Job Corps goal of having basic knowledge of mathematics and being functionally literate.

The Job Corps offered educational and vocational skills training to young people at the senior high-school level through a unique competency-based, individualized instructional approach. This combination of training with appropriate support services was designed to help each enrollee become a responsible and productive citizen. Upon completion of the Job Corps program, students were prepared to obtain a job in the competitive employment arena as well as continue their education and training.

Approximately 66.5 percent of the Job Corps enrollees participated in meaningful employment while another 16.4 percent continued their education in college and/or pursued additional training.¹ Some Job Corps graduates joined one of the various

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¹Levitan and Johnston, 18.
branches of the military. Support services included job placement, providing for all enrollees leaving the Job Corps program.

In developing a study of "The Legal History of the Job Corps," I realized that the successes of staff and students were documented outcomes of the history and struggles of the past thirty-four years.

**Review of Literature**

It was necessary to identify studies about the Job Corps as a source of information. These studies would also serve as materials from which to make inferences and draw conclusions. In the review of literature no historical or legal studies were identified. The Job Corps is a social program. Therefore, the collection of data was essential to justify the expenditure of funds based upon measurement of outcomes.

Levitan and Johnston's study employed Congressional records and reports from the Department of Labor, interviews with Job Corps personnel, and a review of all available documents, including statistics and photographs from the National Office of the Job Corps.

What actually emerged from this study was not a calculus of benefits and costs. Instead, scattered, evidence was pieced together with many value judgments. The authors found no unequivocal proof of the Job Corps' failure or success. However, the experience of a decade provided evidence that residential facilities, including education and some training, were a proper, indeed an essential, element in a comprehensive program to help those who had failed to acquire the necessary education and training to function effectively in a complex society.
Levitan and Johnston\textsuperscript{1} pointed out that the Job Corps was possibly the most controversial social program inaugurated by the Great Society. It was created as part of the anti-poverty legislation of 1964 and sought to remove young people from disadvantaged backgrounds to distant residential centers and there provided educational and vocational training to improve their employability. Levitan and Johnston traced the history of the Job Corps from its inception in 1964 to 1974, describing its facilities and programs and examining its successes and failures.

From its inception the Job Corps was caught up with the rhetoric of the anti-poverty movement. The designers of the program envisioned the residential centers as showcases for new techniques in teaching and training the disadvantaged. In practice, however, the program was pieced together in response to various pressures and interest groups, with the result that the program in reality did not match their vision of it. Later budget stringencies led to considerable reductions in the scope of the program.

Nonetheless, the Job Corps remained, in Levitan and Johnston's opinion, an important and unique program. In the final section they listed their recommendations for improvement and stressed the need to evaluate the Job Corps achievement in terms of its impact on human development.

Levitan and Johnston identified eight significant findings:

1. There was merit in the basic concept of separating youths from their home environments and providing them with a comprehensive package of support and services in addition to education and training.

2. The potential size of the hard-core disadvantaged population was much

\textsuperscript{1}Ibid.
smaller than originally projected when contrasted with the large numbers of youth still in poverty and lacking education and training. Few youths were attracted to enroll in the centers in order to benefit from the residential and training environment.

3. Better screening was required to ensure that those who could have benefitted from the training, received it.

4. The Job Corps itself did not fully resolve the question of whom it aimed to help.

5. The linkage to labor unions for screening, training, and placement has been a signal success whether that record had been a result of union control over jobs or of educational expertise.

6. The quality of training and the chances for enrollees' success depended less on the type or size of the centers, or the characteristics of enrollees, than on the quality of administration staff.

7. The value of the Job Corps training seemed to depend less on the specific skills or knowledge acquired than on a reorientation toward productive work or school roles.

8. The attempt to tailor center training to local labor markets and local supplies of recruits was not particularly successful.¹

In another study Claudia Wair² presented the Department of Labor’s view of the Job Corps in celebration of its thirtieth anniversary. She traced a brief history of the Job Corps, the changes it experienced, and plans for its future. This work was an outgrowth of the Job Corps’ thirtieth anniversary celebration in 1994. The author believed that with the present expansion of the Job Corps and the support the program received, many more young people would benefit from the comprehensive services the program offered.³ This

¹Ibid., 103-104.


³Ibid., 1-14.
internal review provided this researcher with significant information about the government’s participation, facilitation, contributions, and direction for establishing and maintaining the Job Corps. Although the Levitan and Johnston, an external study, and the Wair, an internal study were sociological documents, they contained historical information significant to this study. In my study, I have analyzed the statutes responsible for the evolution of the Job Corps program within a social context.

Research Methodology

I sought to provide a comprehensive examination of data collected from a number of sources in order to identify critical issues influencing the legal emergence of the Job Corps within the past thirty-four years. This study is an analysis of the legal documents.

Initial preparation for the study involved a preliminary review of possible sources of authentic data. These research and review sources included bibliographic material; official documents and reports; personal conferences and phone interviews with selected officials of the Job Corps; and consultation with librarians and university staff in the Metropolitan area of Washington, D.C. The study involved three basic activities: (1) review of available sources of data to secure information relevant to the five focus questions; (2) application of consistent and appropriate methods of analysis of the information obtained; and (3) interpretation and organization of facts. I employed the historical method in an attempt to show that “the present state of things is the consequence of the past.”¹ According to Lucey,

historical methodology is a systematic body of rules and procedures for collecting

all possible witnesses of a historical event or era, evaluating the testimony of those witnesses, for ordering the proven facts in their causal connection, and finally for presenting this ordered knowledge of events. This method involves two tasks, namely: (1) to collect all documents of the period or era or events selected for study and (2) to analyze the testimony found in the sources collected.¹

Hackett added a third task: “the presentation of fact, interpretations and conclusions in a readable form.”²

This study dealt mainly with the specific statutes that created and made possible the evolution of the Job Corps:

1. Economic Opportunity Act of 1964; Public Law 88-452; 78 STAT. 508; hereafter referred to as EOA³

2. Comprehensive Employment and Training Act of 1973; Public Law 93-203; 87 STAT. 839; hereafter referred to as CETA⁴

3. Job Training Partnership Act of 1982; Public Law 97-300; 96 STAT. 1370; hereafter referred to as JTPA⁵

4. Job Training Reform Amendments of 1992; Public Law 102-367 STAT. 2031; hereafter referred to as JTRA.⁶


³42 U.S.C. 2701.


⁶P.L. 102-367.
5. The Workforce Investment Act of 1998; Public Law 105-220; hereafter referred to as WIA.¹

In addition, the study examined related court decisions to show how these decisions affect the various statutes and the most recent legislation related to the Job Corps.

**Related Court Decisions**

In preliminary counsel to organize this study, I was advised to include research on related court decisions that added legal support to the Job Corps program and encouraged Congress to continue longitudinal authorizations. Seven related court decisions were identified. These decisions aided Congress in identifying weaknesses and making amendments to modify, improve, and strengthen operations, administration, policies, and procedures. This led to maintaining focus on participant outcomes in a more cost-effective arena.

I identified seven cases in five major areas: (1) termination of employment (three cases); (2) search and seizure (one case); (3) negligence (one case); (4) religious Issues (one case); (5) tax reimbursement (one case). The cases were:

2. *Louis J. Gooley et al. v. James Conway*, Mayor, 590 F.2d 744 (8th Cir. 1979)
3. *Alice Decker et al. v. United States Department of Labor et al.*, 473 F. Supp. 770 (E.D. Wis. 1979), 485 F. Supp. 837 (E.D. Wis. 1980) and 600 F.2d at 733 (9th Cir. 1979)

4. Dane R. Hayward v. Curtis L. Henderson et al., 623 F.2d 596, (9th Cir. 1980)

5. Anthea and Hung Vu v. The Singer Company, 538 F. Supp. 26 (N.D. Cal. 1981) and 706 F.2d 1027 (9th Cir. 1983)

6. United States v. State of Mississippi, 578 F. Supp. 348 (S.D. Miss. 1984); and


After these cases were located, I looked at each one in the Shepard's Federal Citations to observe whether the cases were appealed and what was the most recent decision and opinion of other courts. A detailed discussion of these seven related court decisions is provided with the chronological presentation of chapter 2 and chapter 3 in this study.

Organization of the Study

The organizational plan of this study was designed to provide a comprehensive examination of available bibliographic materials and authentic legal sources in order to develop a legal history of the Job Corps.

contain specific charts, tables, and demographic information pertinent to this legal study.

As this legal history of the Job Corps spans a period of approximately thirty-four years, it will become more evident that the need to focus the attention and resources of the national government on human deprivation and joblessness was recognized and tackled at the highest level of administration. Through each decade it became necessary for Congress (the federal government) to enact legislation in order to compel states and local government to provide education for at-risk youth.
CHAPTER 2
ECONOMIC OPPORTUNITY ACT OF 1964

Introduction

In this chapter, I present the philosophy behind the development of the Economic Opportunity Act (1964) in order to highlight the actions taken by President Lyndon B. Johnson. I also present statistics to show the number of youths who were unemployed during the 1960s.

President Johnson realized that America could no longer ignore evidences of human deprivation caused by poverty, increasing unemployment, and waste of youth potential through the debilitating influences of exposure to criminal activity, lawlessness, ignorance, illiteracy, and desecration of families.

Sensing that the federal government could take deliberate action, how did President Johnson move Congress to enact legislation with a longitudinal perspective focusing on his war on poverty and unemployment; giving high priority to helping young Americans who lack skills, who have not completed high school, and who are too poor to engage in competitive employment? He wanted to move America closer to the concept of the Great Society with everyone living in decency and dignity. The president empowered a Task Force in 1963 to make a comprehensive statutory design that would show both
organization, management, programs, implementation, and evaluation.

The President’s Task Force had to consider:

1. Who were the prime movers?
2. Was there gender preferences?
3. What would be the direct and indirect costs?
4. Would provisions be made for both urban and rural America?
5. Would programs be established to include all domains of youth: physical, mental, social character development?
6. Is there commitment from all the people, private organizations, communities, and the government at all levels?
7. How would America redistribute existing wealth and broaden opportunities for the poor to earn a decent living and adopt a more positive and productive life style?

As the legislation materialized establishing the Job Corps, it was enacted to achieve the mission “to attract eligible young adults, teach them the skills they need to become more employable and independent and place them in meaningful jobs or further education.”¹ This legislation compelled states and local communities to provide education for at-risk youth.

The EOA, drafted under the guidance of Senator Hubert Humphrey in 1960, met with great resistance. Even before the first draft, opposing members of Congress called the war on poverty “an election year gimmick, a cruel hoax, and a potpourri of stale ideas

previously rejected by Congress."¹ Shriver in response to the growing criticism answered,

For six months we had our signs out like a lawyer's shingle, begging for constructive ideas on how to wage this war. . . . For a half year I've been saying, if you've got a better mousetrap, show us, and you proposed nothing.²

Despite resistance, the task force went forward with its plans. The organizers had envisioned an all-male corps; however, Representative Edith Green (D-Ore.) took the issue of female unemployment to the committee members in March 1964. The planning committee had assumed that women would drop out of the Corps because of marriage and pregnancy. Representative Green was adamant about providing the same opportunities for young women as young men.

January 8, 1964, in his first State of the Union address to a joint session of Congress, President Lyndon B. Johnson "declared all out war on human poverty and unemployment in the United States." In a special message on March 16, 1964, the President asked Congress to support his Economic Opportunity Act³ (EOA), creating the Office of Economic Opportunity (OEO). The President said,

This Act . . . will give the entire nation the opportunity for a concerted attack on poverty through the establishment, under my directions, of the Office of Economic Opportunity, a national headquarters for the war against poverty. . . . We will give high priority to helping young Americans who lack skills, who have not completed their education or who cannot compete because they are too poor.⁴


²Ibid., 30.

³42 U.S.C. 2701.

⁴Lyndon Baines Johnson, Special Message to the Congress Proposing a Nationwide War on the Sources of Poverty (Washington, D.C., 16 March 1964).
This Office of Economic Opportunity was to include Volunteers in Service to America (VISTA), the Work Study and Work Training programs, and the Job Corps. The OEO office was led by Sargent Shriver, the president’s personal Chief of Staff on the war against poverty.\(^1\)

In May 1964, planning began for the development of the Job Corps women’s centers across America.\(^2\)

**Political Background of the Act**

The United States was the first nation in history which looked forward to victory over poverty. The nation’s wealth, income, technical know-how, and productive capacity seemed to put that goal within its grasp. Many believed as a nation that the United States clearly had the capacity to achieve that victory. What the nation needed most was a commitment on the part of the people, communities, private organizations, and all levels of government.\(^3\)

The purpose of the Economic Opportunity Act of 1964 was to state explicitly that the Congress and the Federal Government were committing this nation to a war designed to eliminate poverty. The legislation also proposed programs which, during the first year of that war, would,

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\(^1\)Ibid.

\(^2\)Levitan and Johnston, 4.


See Appendix M. “Organization Committed to the Job Corps.” This Appendix shows the name of all the organizations that are committed to the Job Corps.
Expand opportunities for youth to gain the education, skills, and experience they must have to become full participants in society and stable parents in years to come;

Stimulate the communities to initiate local action programs to attack the roots of poverty;

Help rural families, now destitute, to increase their income through a program of small capital grants and loans;

Provide a sounder base for the rehabilitation of poor areas of the great cities by deserving and expanding small business activities;

Provide special programs for undereducated adults and migratory agricultural workers;

Encourage more States to use public assistance as an instrument for helping families to lift themselves out of poverty;

Recruit and train volunteers to help carry out the war on poverty.¹

The visible cost of not adopting the program, in terms of direct public assistance payments alone, was $4 billion per year. In addition to these direct payments, the indirect costs of poverty to the United States which, showed up in juvenile delinquency, crime, health hazards, and higher police and fire protection costs, totaled billions more.² As was pointed out by Walter Reuther³ in his testimony before the committee, unemployment and underemployment of people denied to the United States the opportunity of accumulating greater wealth. This opportunity, once missed, was lost forever. These were the costs with which the United States was burdened because 35 million Americans lived in poverty.

The EOA reported by the committee, H.R. 11377, authorized programs to attack

²Ibid.
³Ibid.
the causes of poverty: lack of education, poor health, absence of a marketable skill, and unstable family life. Walter Reuther, a supporter of the bill and a member of the committee, pointed out in his statement to the committee that a large percentage of poor families had at least one income provider, while 23 percent had two or more income earners.¹ This meant that even with full employment some people remained poor.

In testimony presented to the committee, Thomas Nichols, chairman of the executive committee of Olin Matieson Co., stated:

The concept of government and the business community as disaster crews is hopefully obsolete. Neither government nor the business community ought to be viewed as a Red Cross task force speeding to the scene of each successive disaster area; rather, they should be partners joined in the prevention of disaster. . . .

This bill before you . . . outlines a reasonable beginning, a project that brings into appropriate posture . . . these problems that beset us . . . It can only succeed if the full resources of labor, business, and the agencies of federal, state, and local governments, form one mighty coordinated effort.²

That effort of which Mr. Thomas Nichols spoke was to rid the United States of poverty.

The philosophy behind the Economic Opportunity Act of 1964 was not that existing wealth should have been redistributed but that poor people could be provided with opportunities to earn a decent living and maintain for their families a comfortable living standard. Poor people in the United States were often set apart from society.³ Those poor people were living on the streets and on welfare. The Economic Opportunity Act of 1964 was also intended to encourage the poor people of the United States to

¹Ibid.
²Ibid., 2902.
³Ibid., 2901.
acquire skills and resources by their own exertions, thus helping them to earn their rightful place in society. The bill adopted a coordinated approach because poverty has multiple causes. For instance, Title 1 of the Economic Opportunity Act\(^1\) concentrated on problems of youth, and especially on the problems of youth who were trying to get the skills with which they could find a decent job.\(^2\)

This legislation and the congressional commitment were deemed necessary because poverty was a national problem. People were mobile, moving from state to state wherever opportunities existed. Some of the states which suffered from the worst conditions of poverty also suffered from a dearth of resources to attack their own problems. These were the reasons why the war on poverty was nationwide in scope. However, the federal government worked cooperatively with the local and state governments. This was done so that the treasured local-state-federal partnership was maintained.\(^3\)

**Congressional Hearings**

What could the country do to help 730,000 youths 16 to 21 years old who are out of school, looking for work, and could not find it? What would eventually happen to 600,000 youths each year whom the armed forces rejected because of their educational

\(^1\)42 U.S.C. 2711-2761.

\(^2\)Ibid., 2701.

deficiencies? Congressional hearings were held to address some critical questions. This section provides answers to these questions.

Title 1 - Youth Programs

The purpose of Title 1 was to create new opportunities and expand existing opportunities for young people to obtain work, education, and training. Part A authorized the establishment of a Job Corps and Part B provided financial assistance to state and local programs providing work and training opportunities for young people to obtain a higher education.¹

The committee received convincing evidence of the growing number of out-of-school and unemployed young people urgently requiring the type of program envisioned by Title 1. In October 1963, there were 730,000 youths 16 to 21 years old who was out of school and looking for work; yet no jobs were created for young workers in America.²

On August 5, 1964, House Resolution 806 was considered. The House submitted to the Senate for its consideration the bill (H.R. 11377) to mobilize the human and financial resources of the nation to combat poverty in the United States.³ A motion was made to strike out the enacting clause of the Senate bill (S. 2642) and insert in lieu of it the provisions of the House version (H.R. 11377).⁴

On August 7, after much discussion, the vote was taken, and there were 228 for

⁴Ibid., 18567-18568.
the bill, 190 against the bill, with 13 abstentions. On August 20, 1964, President Johnson signed the bill, dubbed the Economic Opportunity Act of 1964.\(^1\) During the signing ceremony President Johnson remarked:

> The measure before me this morning for signature offers the answer that its title implies—the answer of opportunity. For the purpose of the Economic Opportunity Act of 1964 is to offer opportunity not an opiate. For the million young men and young women who are out of school and who are out of work, this program will permit us to take them off the street, put them into work training programs, to prepare them for productive lives, not wasted lives.\(^2\)

### What Was Implemented?

Part A of Title 1 authorized the establishment of a Job Corps for low-income, disadvantaged young men and women. It set forth standards and procedures for selecting individuals as enrollees in the Job Corps, and authorized the establishment of residential and nonresidential centers in which enrollees participated in intensive programs of education, vocational training, and other work-related activities.\(^3\) It was also the purpose of this section to prepare young men and women for the responsibilities of citizenship and employment. The Job Corps was designed to serve the needs of hundreds of thousands of rural and urban young Americans who were out of school and out of work or who were employed in dead-end jobs. These were Americans who found the exit from a life of poverty blocked by lack of opportunity to improve their skills and capacities.\(^4\)

\(^{1}\)42 U.S.C. 2701.


\(^{3}\)42 U.S.C. 2711.

\(^{4}\)United States Codes Congressional and Administrative News, 1964, 2903.
This group included a substantial number of young women, and the committee made provision for their participation in the Job Corps. Statistics cited during the committee hearing on H.R. 11377 indicated that approximately 46 percent of all school dropouts were young women. Since women comprised approximately one third of the labor force, it was the committee's desire that at the very minimum the number of young women in the Job Corps should be as nearly as practicable in the same proportion.\(^1\)

The Job Corps targeted two groups of young people: (1) all disadvantaged out-of-school youth’s ages sixteen through twenty-one, for whom, according to the committee, the best prescription was a change in surroundings and associations; and (2) those of the above youth from broken homes and impoverished communities.\(^2\) In addition, high-school graduates could be enrolled in exceptional circumstances, such as failure to pass the selective service mental achievement test necessary for placement.\(^3\)

To those who volunteered and were selected, the Job Corps offered a rewarding opportunity for education, vocational training, useful work, recreation, and physical training. The Corps also offered other appropriate activities welded into a carefully designed program.\(^4\)

The enrollees in the Job Corps lived in either civilian conservation centers or residential manpower centers. The centers were located in rural or urban areas. Both types

\(^1\)Ibid.

\(^2\)Levitan and Johnston, 7.

\(^3\)United States Codes Congressional and Administrative News, 1964, 2903.

\(^4\)42 U.S.C. 2701.
of training centers were residential. The conservation centers, which housed approximately 100 to 200 youth each, offered healthy, out-of-doors life where the discipline of work and new skills was learned. At the same time, America’s parks, forests, and other natural resources were improved. The residential manpower centers were larger. They used excess government facilities no longer needed for their original purpose.¹

It must be noted that in keeping with its mission, the Job Corps provided educational and vocational training in three different ways. First, in some centers it was provided through local educational agencies and private vocational institutions receiving federal expenditures. Second, some institutions had resources to contribute to youth education and guidance programs. The Volunteers in Service to America (VISTA) became an additional resource that played an important role in the operation of the Job Corps.²

In the Job Corps centers, enrollees participated in well-rounded programs designed both to build new skills and to instill habits and attitudes essential to future employment. Through education, work, and skill training, enrollees learned the meaning of self-respect and self-confidence through their own achievements. New vocational goals never before open to those young men and women were opened in these training programs. The entire core of the program was based on building each individual’s employability in a job which would enable enrollees to maintain themselves and their

¹Levitan and Johnston, 26-27.

families at a decent living standard.

According to the House Education and Labor Committee, in addition to the education and training each enrollee received, that enrollee would also benefit from a new and wholesome environment, physical training, adequate medical service, and intensive guidance and counseling. Social responsibility, respect for others, and pride in personal achievement were encouraged through extracurricular programs, such as social skills, sports, and educational tours. These activities were tailored to the needs of the enrollees. The living, travel, leave, and readjustment allowance were likewise designed to instill thrift and responsibility.¹

The Job Corps program marked the first time in nearly thirty years that the United States dedicated itself to providing an opportunity for children of poverty, who needed a residential experience, in order to secure a new start.² For its enrollees, the Job Corps meant an opportunity to develop interests and abilities and to secure a job. For the country, the Job Corps was a resource where many of its disadvantaged youth learned to contribute to society rather than to take from it.

Work-Training Programs

The work-training program in Title 1, Part B (of which the Job Corps is a part), was designed to give unemployed young men and women ages sixteen to twenty-one (including both those in school and those out of school) a chance to break out of poverty by providing them with an opportunity to work, and, through work, a training experience

¹Ibid.
²Ibid.
that was not available to them in private employment or under any existing federal program.¹

These enrollees were from impoverished families who were:

1. out of school, unemployed, and who needed assistance and experience to resume and maintain school attendance.

2. out of school, unemployed, and not planning to return to school, who needed work experience in order to prepare for formal training for a job, or

3. in school, but who were identifiable as potential dropouts and for whom a work experience and financial assistance would provide the necessary incentive to continue in school and so increase their employability.²

The programs were sponsored by state and local agencies and by private nonprofit agencies. A private employer engaged in normal business with the public could not become a project sponsor.³

The kinds of jobs on which the enrollees worked varied. They worked in occupations where there was a great demand in the public and the private nonprofit sectors, such as auto mechanics, office workers, draftsmen’s trainees, cooks’ assistants, nurses’ aides, and hospital orderlies. They also worked in occupations related to the development of recreational facilities, the conservation of natural resources, and neighborhood improvement projects.⁴

All of the jobs provided important services and were designed to increase

²Ibid.
³Ibid.
⁴Ibid.
employability of the youth. The actual programs varied from state to state and locality to locality because they were tailored to meet local needs.

Places of employment were located in hospitals, playgrounds, libraries, local government departments (such as recreation, health, sanitation, public works), schools, state or county parks and forests, settlement houses, and other places where public services were performed. The number of work hours varied in different programs. Part-time daily employment was combined with school attendance. Full-time employment was offered to those who planned to resume their education or needed to increase their employability through work experience.1

The work intended for young men and women in this program would help to increase their employability by enabling them to acquire new skills and work habits. The work in these projects also gave them a chance to help their own communities to become part of what President Johnson called the “Great Society” by providing important public services that would not otherwise be provided.

The Job Corps program filled a gap and provided another tool to meet the growing problem of unemployed youth. Other programs then enacted or before Congress were providing other tools that would continue to help in gaining the victory over poverty.

Training under the Vocational Education Act of 19632 and the Manpower Development

1Ibid., 2906.

220 U.S.C. 12.1241. It was the purpose of this Act to enable the Commissioner of Education to provide appropriate assistance to state and local agencies in the development of curriculums for new and changing occupations, and to coordinate improvements in and dissemination of existing curriculum materials. However, this act was subsequently repealed by the Educational Amendments of 1976, PL 94-492 Title 11, 202a.
and Training Act of 1962\(^1\) was a curriculum-centered remedy for the development of skills. The Job Corps provided an “away from home” work and training experience for those who enrolled.\(^2\)

The federal share of the cost of projects during fiscal years 1965 and 1966 were 90 percent, with the sponsor contributing 10 percent either in cash or kind. The federal contribution thereafter was 50 percent. The costs shared by the federal government included the costs of wages for the youth, project administration, selection and job placement, supervision and training on the job, and counseling.\(^3\)

Section 2 of the Economic Opportunity Act of 1964 declared that although the economic well-being and prosperity of the United States have progressed to a level surpassing any achieved in world history, and although these benefits were widely shared throughout the nation, poverty continued to be the lot of a substantial number of the people. The United States could achieve its full economic and social potential as a nation only if every individual had the opportunity to contribute to the full extent of his or her capabilities and to participate in the workings of society.

**Divisions of the Act**

Public Law 88-452 was an act to mobilize the human and financial resources of the United States to combat poverty. This Act included seven titles of which the Job

\(^1\)42 U.S.C. 2572.822. This enactment directed the Secretary of the Department of Labor to develop job-related programs. It was repealed by PL 93-203 in 1973.


\(^3\)Ibid., 2902-2906.
Corps is a part. Each title is described briefly to give an overview of the Act. This study is limited to Title 1-Youth Programs, Part A-The Job Corps.

**Title 1-Youth Programs**

This title was subdivided into four parts, namely:

1. *Part A-The Job Corps*, which is the central focus of this research is discussed later.

2. *Part B-Work-Training Programs* provided useful work experience opportunities for unemployed young men and women, through participation in the state and community work-training programs, so that employability might be increased or their education resumed or continued. In addition, public agencies and private nonprofit organizations (other than political parties) would be able to carry out programs which permitted or contributed to an undertaking or service in the public interest that would not otherwise be provided, or contributed to the conservation and development of natural resources and recreational areas.¹

3. *Part C-Work-Study Programs* stimulated and promoted the part-time employment of students who were from low-income families and were in need of the earnings from such employment to pursue courses of study at institutions of higher learning.²

4. *Part D-Authorization of Appropriations* provided the Director with $412,500,000 from 1965 to 1966. Part D also made provision for any sum that would be

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¹Ibid., 2731-2736.

²Ibid., 2751-2756.
needed for the year 1967 to keep Title 1 in operation.1

**Title 2-Urban and Rural Community Action Programs.**

Title 2-Urban and Rural Community Action Program was also divided into four subsections or parts, namely:

1. **Part A-General Community Action Programs** provided stimulation and incentive for urban and rural communities to mobilize their resources to combat poverty through community action programs.2

2. **Part B-Adult Basic Education Programs** initiated instructional programs for individuals who attained the age of eighteen. Their inability to read and write English constituted a substantial impairment of their ability to get or retain employment commensurate with their real ability. Language proficiency would help to eliminate barriers and raise the level of education for individuals. This would make them less likely to become dependent on others. Their inability to benefit from occupational training would be eliminated and their opportunities for more productive and profitable employment would make them better able to meet their adult responsibilities.3

3. **Part C-Voluntary Assistance Program for Needy Children** permitted individual Americans to participate in a personal way in the war on poverty by voluntarily assisting in the support of one or more needy children in a program coordinated by city or county

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1Ibid., 2761.

2Ibid., 2781-2791.

3Ibid., 2801-2807.
social welfare agencies.¹

4. *Part D-Authorization of Appropriations* authorized the director to use the sum of $340,000,000 to implement this part for 1965 and 1966. This part also authorized any amount recommended by Congress for 1967.²

**Title 3-Special Programs to Combat Poverty in Rural Areas**

Title 3-Special Programs to Combat Poverty in Rural Areas met some of the special problems of rural poverty and thereby raised and maintained the income and living standards of low-income rural families and migrant agricultural employees and their families.³ Title 3 was divided into four parts, namely:

Part A dealt with the authority to make grants and loans.⁴ Part B dealt with assistance for migrant and other seasonally employed agricultural employees and their families.⁵ Part C authorized the director to spend $35,000,000 for the fiscal years 1965 and 1966, and for 1967 any amount that Congress authorized not to exceed $15,000,000 of the funds appropriated under this Act for the fiscal year ending 1965.⁶ Part D provided indemnity payments to dairy farmers.⁷

¹Ibid., 2821-2822.
²Ibid., 2831.
³Ibid., 2841.
⁴Ibid., 2851-2854.
⁵Ibid., 2861.
⁶Ibid., 2871.
⁷Ibid., 2881.
Title 4-Employment and Investment Incentives

Title 4-Employment and Investment Incentives provided assistance in the establishment, preservation, and strengthening of small business concerns and the improvement of managerial skills employed in such enterprises. It also helped to mobilize objectives for private as well as public managerial skills and resources.¹

Title 5-Work Experience Programs

Title 5-Work Experience Programs expanded the opportunities for constructive work experience and other needed training available to persons who were unable to support or care for themselves or their families. In carrying out the purpose of this title the Director made maximum use of the programs available under the Manpower Development and Training Act of 1962² as amended, and the Vocational Education Act of 1963.³ The director received $150,000,000 for fiscal years 1965 and 1966 and any amount authorized by Congress for fiscal 1967.⁴

Title 6-Administration and Coordination

Title 6-Administration and Coordination was divided into two parts, namely:

1. Part A dealt with administration, establishing the Office of Economic

¹Ibid., 2901-2907.


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Opportunity and spelling out the authority of the director.¹

2. Part B dealt with the coordination of anti-poverty programs. This part permitted the director to call on any federal agencies to supply him with any information such as data, program reports, and other materials that were necessary to discharge his responsibilities under the act, and to assist the president in coordinating the anti-poverty efforts of all federal agencies. To carry out his work Congress made available to him the sum of $10,000,000 for the fiscal years of 1965 and 1966, and any sum necessary for 1967.²

Title 7-Treatment of Income for Public Assistance

Title 7- examined the treatment of income for certain public assistance purposes.³

A Description of the Act Creating the Job Corps
Title 1-Youth Programs;
Part A

The purpose of Part A, section 101 of the Economic Opportunity Act,⁴ was to prepare for the responsibilities of citizenship and to increase the employability of young men and women ages sixteen through twenty-one by providing them in rural and urban

¹Ibid., 2941-2949.
²Ibid., 2961-2966.
³Ibid., 2981.
⁴See Appendix A, “Economic Opportunity Act at a Glance.” This Appendix gives a summary of Part A-Title 1: The Job Corps. It also shows the demographics and changes that occurred during the duration of the act.
residential centers with education, vocational training, useful work including work directed toward the conservation of natural resources, and other appropriate activities.¹

Section 102 established by Title I a Job Corps within the Office of Economic Opportunity.² The Job Corps would provide services for disadvantaged youth.

Section 103 authorized the Director of the Office of Economic Opportunity to enter into agreements with federal, state, and local agencies and private organizations for the establishment and operation of conservation camps and training centers in both rural and urban areas.³ The director was required to make provision for the educational and vocational training of the enrollees in the Corps. Where practicable, these programs were to be provided through local public educational agencies and by private educational agencies and technical institutes where such institutions or institutes could have provided substantially equivalent training with reduced federal expenditures. He was also directed to

1. Provide programs of useful work experience and other appropriate activities for the enrollees

2. Establish standards of safety and health for each enrollee, furnishing them with health services, and prescribe such rules and regulations, and make such arrangements as he deemed necessary to provide for the selection of enrollees, and to govern their conduct after enrollment.⁴


²Ibid., 2712.

³Ibid., 2713.

⁴Ibid.
Section 104 defined the Job Corps along with the composition of its members.

1. It was to be composed of members of both sexes who were permanent residents of the United States and who were between the ages of fourteen and twenty-two at the time of enrollment.

2. It was only in exceptional cases that graduates of accredited high schools were to be enrolled in the Job Corps.

3. No person was to be accepted for enrollment unless the local authorities concluded that his further school attendance in any regular academic, vocational, or training program was not practicable.

4. Upon enrollment all enrollees had to agree to comply with the rules and regulations of the Corps.1

5. Finally, the total period of enrollment for any enrollee was to be two years, except when the director determined otherwise.2

Enrollees under section 105 were to be provided with living, travel, leave allowances, room, subsistence, transportation, equipment, clothing, recreational services, medical, dental, hospital, other health services, and other expenses as were deemed necessary and appropriate. Transportation and travel allowances were to be provided for applicants from places of termination to their homes. Each enrollee was to be given a readjustment allowance at a rate which was not to exceed $50 for each month of satisfactory participation in the program.3

1Ibid., 2714.
2Ibid.
3Ibid., 2715.
Subsection A of section 106 stated that an enrollee was not considered to be a federal employee and therefore was not subject to the provisions of the law relating to federal employment, including those relating to hours of work, leave, and unemployment compensation.¹

Subsection B provided that enrollees would be employees of the United States for the purposes of the Internal Revenue Code of 1954² and of Title 2 of the Social Security Act of 1952,³ and provided that any service to be performed by an individual as an enrollee was considered to be performed by an employee of the United States for the purposes of those Acts.⁴

Section 107 protected enrollees of the Job Corps from discrimination on the basis of political affiliation. As a result, no officer or employee of the executive branch of the Federal Government could question any enrollee or applicant about political affiliations or beliefs.⁵

As well, no officer, employee, or enrollee of the Job Corps was allowed to take any active part in political management or in political campaigns, and no such officer,

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¹Ibid., 2716 (a).

²26 U.S.C. 1 et seq. (1954). This act explains that each person who is employed in the United States is an employee and will be taxed and must file a tax return under one of the following headings.
   1. Married individual filing joint returns and serving spouse
   2. Head of household
   3. Unmarried individual (other than surviving spouse and head of household)
   4. Married individual filing separate returns.

³42 U.S.C. 401 et seq.

⁴42 U.S.C. 2716 (b).

⁵Ibid., 2717(a).
employee, or enrollee was to use his official position or influence for the purpose of interfering with an election or affecting the result. All persons retained the right to vote as they chose and to express, in their private capacities, their opinions on all political subjects and candidates.\(^1\) Special instructions for disciplinary action and corrective measures were defined.\(^2\)

Section 108 permitted the Director to enter into agreements with states to assist in the operation and administration of state-operated programs.\(^3\) The state would pay part or all of the operative and administrative costs of those programs.\(^4\)

Section 109 stated that no conservation camp, training center, or other facility designed to carry out the purposes of this act would be established in any state without the submission of a plan to the Governor of that state and without such plan receiving his consent within thirty days of the submission.\(^5\)

Section 110 authorized a Youth Conservation Corps within the Job Corps. The main focus of this Youth Corps was to be directed toward conserving, developing, and managing the public natural resources of the Nation and protecting public recreational areas.\(^6\)

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\(^1\)Ibid., 2717(b).

\(^2\)Ibid., 2717(c).

\(^3\)Ibid., 2717 (d).

\(^4\)Ibid., 2718.

\(^5\)Ibid., 2719.

\(^6\)Ibid., 2720.
Implementation of the Act

On October 7, 1964, Congress appropriated $800 million to the Office of Economic Opportunity, $280 million of which was designated for the Job Corps.¹ These funds were to be used to open more than one hundred Job Corps centers and to serve 40,000 youth.²

Otis Singletary, Chancellor of the University of North Carolina at Greensboro, was named the Job Corps' Director on October 10, 1964. To him, along with the OEO Task Force planners, fell the responsibilities of approving center sites, hiring staff, encouraging corporate involvement, choosing curricula, and finding young people to fill the centers.³ Early recruitment efforts, conducted by the OEO, consisted of a (Peace Corps-style) mail postcard and public service announcements by celebrities. Churches, public schools, and the Armed Forces Examination Centers were given the Job Corps information packages to distribute to prospective applicants.

Most of the educational materials to be used in the Job Corps centers were off-the-shelf purchases of books not printed especially for the Job Corps students, but were geared toward the Job Corps population with the help of the University of California. Early center sites chosen were former Civilian Conservation Center facilities and unused military bases. By mid-November, several organizations, including General Electric


³Wair, 2-3.
Corp., Texas State Education Agency, and Alpha Kappa Sorority, the military, IBM, RCA, and Litton Industries expressed interest in operating the Job Corps Centers. The Park and Forest Services were expected to operate Conservation Centers. The Department of Defense offered to provide facilities, supplies, and training but their offer was rejected.\(^1\)

The first Job Corps center opened at Camp Catoctin, Maryland, on January 15, 1965, adjacent to the Presidential retreat at Camp David with thirty students and fourteen staff members. Within a month, Quachita, Ark., Winslow Base, Ariz., and Camp Kilmer, N.J., were opened. At the dedication ceremony at Camp Kilmer, Vice President Hubert Humphrey encouraged the new students:

> As a nation we are going to do everything possible to assure a healthy economy, so that there will be adequate job opportunities for all who wish to work and who have the training for it. Will you have that training? The answer is up to you. The eyes of all Americans are on you, as they will be on the thousands who follow you here and who will enter other Job Corps centers throughout the country. I extend to each of you my sincerest wishes for success. We are all counting on each of you to do his part. We will not fail you.\(^2\)

On January 15, 1965, Dr. Bennetta Washington, principal of Cardozo High School in Washington, D.C., and author of several books on effectively teaching disadvantaged youth, was named the Job Corps’ Director for Women’s Centers. In February, Dr. Washington announced the sites of the first three Women’s Centers: Cleveland, Ohio, St. Petersburg, Florida, and Los Angeles, California. Women in

\(^1\)Ibid., 3.

\(^2\)Hubert H. Humphrey, *Kilmer Job Corps Center Dedication* (Edison, N.J., 13 March 1965).
Community (WIC), representing the National Council of Jewish Women, the National Council of Catholic Women, the National Council of Negro Women, and the United Church Women, managed the recruitment efforts.¹

Cleveland, Ohio, was the sight of the first center for women to open on April 9, 1965. The centers for women provided basic education, classes in responsible citizenship and homemaking skills, job training in retail, food preparation, household service, and occupations in the health, education, and clothing industries. Collectively the four centers served 875 women. By the end of 1966, six centers were serving 1,500 students.

By the end of 1965, eighty-seven Job Corps centers were opened, serving 16,986 young people. The trades offered at the men’s centers were primarily in the construction fields. By 1967 about thirty vocational programs were offered, including offset printing, electronics, welding, auto body repair, and police training.

According to the Levitan and Johnston report, by 1968 the Job Corps was a smoothly operating organization with many of the early administrative tangles worked out. Growth continued, including the addition of centers in Puerto Rico. In 1968 the enrollment jumped to 33,013 students. Yet because of the war in Vietnam, the Job Corps soon lost approximately 40 percent of its budget.

During the presidential campaign in 1968, Richard Nixon, a major critic of the Job Corps, made it clear that he would eliminate the program.² By this time the Job Corps

¹Wair, 3. See Appendix M, “Organizations Committed to the Job Corps.”

²Levitan and Johnston, 9.
budget was $282.3 million and 106 centers were in operation. Congressional supporters such as Senators Ralph Yarborough (D-Tex.), Edward Kennedy (D-Mass.), Joseph Montoya (D-N.M.), and Representatives David Obey (D-Wis.), and William Clay (D-Mo.), and Patsy Mink (D-Hi.) made a firm stand in favor of supporting and preserving the Job Corps.

President Nixon contradicted his campaign message with a statement issued on February 19, 1969. He said:

The blight of poverty requires priority attention. It engages our hearts and challenges our intelligence. . . . At my direction, the Urban Affairs Council has been conducting an intensive study of the nation's anti-poverty programs of ways in which they might be made more effective.¹

The President went on to say that the administration of the Job Corps program would be transferred from the Office of Economic Opportunity to the Department of Labor, effective July 1, 1969. This transfer, the President assured, would not lead to any significant changes in the program, nor would the move reduce or eliminate the Job Corps.

Congressional advocates of the Job Corps were encouraged by the statement and Senator Gaylord Nelson (D-Wis.), Chairman of the Senate Subcommittee on Education, Manpower, and Poverty, sent a message of thanks to the White House:

I was particularly pleased at the decision to maintain the Job Corps program substantially as it has operated in the past, in sharp contrast to statements during the campaign to the effect that it would be abolished. . . . The Nixon

Administration seems to have set the stage for a working partnership with the Congress to attain (our) common goals.\(^1\)

The Job Corps supporters were unprepared for the events that followed the President's message. On April 10, 1969, the press released information indicating the Administration's decision to reduce the Job Corps' $282.3 million budget by $100 million and close 59 of the 106 centers, forcing more than 17,500 students to leave the program.\(^2\) President Nixon reduced the 1970 budget request for the Job Corps from $280 million to $180 million.\(^3\) In spite of this cut, the Job Corps supporters vigorously defended its effectiveness.\(^4\)

Congressional supporters of the Job Corps were upset at the Administration's reversal. On April 11, 1969, some twenty-seven leading members of Congress petitioned the Administration and sent a message to President Nixon:

As members of Congress, we were deeply disturbed to read in today's newspapers that the Administration plans to close a large number of Job Corps camps on short notice. This decision appears to have been reached without consulting those presently responsible for administering the Job Corps Camps. We would surely hope that the Administration would delay any final decision on closing Job Corps Camps until Congress has had an opportunity to make a contribution... We feel the course of action we suggest would be consistent with your February 19 message to Congress.\(^5\)

The Senate Subcommittee on Education, Manpower, and Poverty quickly

\(^1\)Ibid., 9.
\(^2\)Wair, 4.
\(^3\)Levitan and Johnston, 10.
\(^4\)Wair, 3-4.
\(^5\)Ibid., 10-11.
organized hearings to at least delay the closures or at best prevent them altogether. These hearings included testimony from such organizations and individuals as the National Congress of American Indians, the NAACP, the AFL-CIO, the National Wildlife Federation, Litton Industries, the Job Corps center directors and students, and others involved at many different levels of the Job Corps program. The testimony was overwhelmingly positive, and many supporters of the Job Corps felt that such glowing assessments of the Job Corps' effectiveness from industry and community leaders would certainly convince President Nixon to postpone the closure of centers until further study of the program had been completed. But the President was determined to close the centers.

As the hearings came to a close in May 1969, several Job Corps students and recent graduates testified before the Subcommittee. These students spoke with pride about the skills, both educational and social, they acquired; about the self-confidence they gained; and about the jobs they had or would be qualified to have once their training was complete. One student, Walter Francis from Camp Kilmer, eloquently testified:

You see, Job Corps is a place where you come in by yourself and say, "Well, I want to try to mature and be a man in society." So Job Corps starts to develop your mind in a sense of thinking positive, thinking more or less, "Well, I am going to go out and achieve something in life, where I have failed in society before I came to Job Corps."

In spite of the objections from Congress and the business community, President

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2Wair, 5.
3U. S. Congress, Senate 1969, 300.
Nixon closed more than half of the existing Job Corps centers. Those students who were unable to be transferred to the remaining centers were turned away. The President ordered William Mirengoff, Director of the Job Corps, in 1969 to phase out the program. But while Mirengoff was devising the best method to phase out the Job Corps, he saw the strengths and benefits of the program and he became one of its strongest proponents. The program, while never reaching its previous strength, was saved. During the final days of the Nixon Administration, the Job Corps had a budget of $151 million, with sixty-one centers in operation with the capability of serving only 19,322 students, marking the lowest level of service to disadvantaged youth in its history.

**Related Court Decisions**

After the Congressional battle to establish the Economic Opportunity Act, the battle changed its venue to the courts. One of the first court decisions testing the provisions of this act was the case of *United States v. Alvin Coles*. The Acadia Civilian Conservation Center was one of the Job Corps centers established and operated by the Office of Economic Opportunity. In order to promote proper moral and disciplinary conditions at the centers, standards of conduct and deportment were established, and the

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1. Levitan and Johnston, 10.
2. Wair, 5.
3. Ibid.
5. 42 U.S.C. 2701 et seq.
individual directors were given full authority to discipline the corps members.¹

On the morning of March 24, 1969, Alvin Coles, a student at the Acadia Center, was returning to the center by bus from Boston. In response to Coles' telephoned request, Gordon Stanley, an administrative assistant at the center, met the defendant. He had a small suitcase with him, which he placed on the floor in the rear of Stanley's car. Upon arrival at the center Coles was told that Anderson, the administrative officer, wanted to see him.

Once in the office, Coles was told that his suitcase would be checked. He opened his suitcase, and removed the contents. In the course of removing the contents, Coles withdrew a small plastic bag which was sufficiently closed so that its contents were not visible. At that juncture Stanley left the room and Claude Bodge, the center medical technician, entered. Anderson opened the bag and asked Coles to identify the substance. He said that it was tobacco. Anderson told Coles that it did not look like tobacco, and proceeded to ask him if he was sure that it was tobacco. Coles replied, "It's grass" (marijuana).

Following that disclosure, Anderson called Stanley. Coles was interrogated and implicated many Job Corps members as having financed the operation (bringing marijuana to the center). He claimed that he had no list of those involved, and volunteered to submit to a search of his person. He then requested a lawyer.²

¹Ibid., 2720. This section provided standards of conduct; discipline. See Appendix L, "Zero Tolerance at a Glance." This policy was introduced later into the program. However, the program had other disciplinary measures that were used.

Coles challenged the search as a violation of his rights, secured to him by the Fourth Amendment to the Constitution, to be free from unreasonable searches and seizures. In a subsequent case of *Keene v. Rodgers*\(^1\) the District Court ruled that the Fourth Amendment does not prohibit reasonable searches. In *Doe v. Renfrow*\(^2\) it was asserted that the Fourth Amendment recognizes that for each individual there is a sphere of privacy which that individual can justifiedly expect government officials not to invade. In *Coles* the government conceded that the search was conducted without a search warrant and did not attempt to support the search as an incident to a lawful arrest. But the government did defend the search as legally justified because Coles consented to it. The District Court, however, did not find it necessary to pass upon that issue, since it concluded that the search and seizure were reasonable and did not infringe on Coles’s Fourth Amendment rights.\(^3\)

As the administrative officer of the Acadia Center, Anderson was responsible for conditions at the center and for adequate supervision of the Corps members entrusted to his charge. The object of the search of Coles’s suitcase was to determine whether contraband was being brought into the center. The investigation was conducted solely for the purpose of ensuring proper moral and disciplinary conditions at the center.

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\(^2\)475 F. Supp. 1012 (N.D. Ind. 1979). The Fourth Amendment makes two demands of a government official wishing to carry out a search. First, the government official must have probable cause to believe that the law has been or is being violated. Second, the government official must obtain a warrant before carrying out the search.

This case was closely analogous to that of Moore v. Student Affairs Committee of Troy State University, in which a search by the dean of men and two narcotics agents of a university student's dormitory room was held to be constitutionally permissible as a reasonable exercise of the University's supervisory duty to maintain order and discipline on the campus. Another analogous case was United States v. Collins, in which a search of a Customs Service employee's work area and desk was held to be a constitutional exercise of the power of the government, as the defendant's employer, to supervise and investigate the performance of his duties. In the case of United States v. Grimsby, the search of a marine corporal's living quarters was upheld as a proper exercise of military authority. In the case of U.S. v. Kroll, the court ruled that Kroll never consented for his luggage to be searched. Therefore, his Fourth Amendment right was violated. However, the Government claimed that Kroll knew he would be subject to a search if he attempted to board the airplane with carry-on luggage and since he did make that attempt, he consented to the search.

The court held the view that Coles's case was entirely consistent with the rationale underlying the exclusionary rule first formulated by the Supreme Court in Weeks v.

1 284 F. Supp. 725 (M.D. Ala. 1968). The Court held the view that it was settled that the Fourth Amendment did not prohibit reasonable searches when the search was conducted by a superior charged with a responsibility of maintaining discipline and order or of maintaining security.


3 335 F.2d 652 (4th Cir. 1964).

United States. Although the scope of the rule had expanded considerably since 1914, its purpose remained the same: to discourage police misconduct. Evidence illegally obtained by a private citizen, without any government participation, was admissible.

In this case it was manifested that Anderson, as the administrative officer of the Acadia Center, possessed neither the status nor any powers of a law enforcement officer. It was not suggested that his search was conducted at the request of or in cooperation with any law enforcement officer. It could not be seriously maintained that the object of the search was to procure evidence of a crime or in any way to facilitate an anticipated federal prosecution. The investigation was conducted solely for the purpose of preventing the introduction of forbidden articles into the center.

The Court concluded that Anderson was exercising his statutory authority, as the administrative officer of the Acadia Center, to maintain proper standards of conduct and discipline at the center. Therefore, the search of Coles's suitcase was a reasonable exercise of Anderson's supervisory power, and did not infringe on the defendant's Fourth Amendment rights.

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1232 U.S. 383 (1914). The Supreme Court held that evidence illegally obtained by federal agents was inadmissible in a federal prosecution. The objective of the *Weeks* rule was to force law enforcement officers to observe Fourth Amendment rights.

2By subsequent extension, the *Weeks* rule had been progressively applied in federal court prosecutions where federal officers participate with state officers in an illegal search and seizure, Byars v. United States, 273 U.S. 28 (1927); where state officers conducted an illegal search solely on behalf of the United States, for the intended purpose of a federal prosecution, Gambino v. United States, 275 U.S. 310 (1927).


Amendment rights.¹

This case clearly shows that the law allows that all students coming on the Job Corps center may be searched by security. This is done in order to promote proper moral and disciplinary conditions, to maintain security, to prevent the entry of forbidden articles into the center, and to protect the residents. As a result, Anderson, the security officer on duty at the time when Cole entered the premises, was permitted to carry out a warrant-less search on him and any other Job Corps enrollee. The court ruled that Cole's, Fourth Amendment rights were not violated. Presently, students are still being searched when they return to the centers.

Summary

In the 1960s, the United States though economically prosperous had a large population of underprivileged, unemployed, and underemployed men, women, and youth. This was a national problem requiring federal resources to initiate, coordinate, and maintain a local-state-federal partnership.

It was the consensus that opportunities for education, training, and work must be made available to young people in order to combat poverty and improve life in America. In spite of the enormous financial expenditure required, the Job Corps became a legal instrument with a mission and an institutional system within a stormy political arena.

As a result, the Job Corps centers established guidelines and procedures critical to maintaining living standards for enrollees in a safe, secure learning environment.

¹Ibid.
Monitoring of center compliance by students in residence was the legal duty of the directors. As long as the legal process requirements were followed, students had no redress for the violation of their rights. This was clearly seen in the case of the *United States v. Coles* where the enrollee filed a complaint claiming that the search violated his Fourth Amendment right.

Information specific to standards of acceptable deportment and consequences of infractions were developed. This information was provided to each enrollee as well as appropriate action to be taken. These standards were necessary due to the diverse population assigned to residential centers and the scheduled school leavers. It was determined that the enrollees lacked skills to enable them to live in a formal life structure. These young people were taught the responsibilities of citizenship and how to apply life management skills. The Job Corps centers became small, specialized sites within the local community. The Economic Opportunity Act of 1964 provided an opportunity for approximately 20,000 young people to better themselves.
CHAPTER 3

COMPREHENSIVE EMPLOYMENT AND TRAINING

ACT OF 1973

Introduction

The Job Corps experienced many changes during its nine years of implementation. There were rapid expansion or residential centers with increased populations. Congress decided that it was necessary to place the programs in one act and provided the Job Corps a permanent home. Operations were streamlined in order to ensure more accountability, responsibility, and cost effectiveness at all levels of management.¹ Manpower training programs needed funding that would prevent duplication and waste thereby providing a more orderly transition between the provisions of EOA and CETA. CETA was enacted as a means of reforming the existing services at the same time making more provisions to achieve the mission of the Job Corps. Although, the Job Corps maintained its credibility, it became more stable and functional.

CETA transferred the Job Corps to Title 4 which provided more specific, detailed requirements, procedures, funding and expansion, systematic evaluation management, and services to enrollees. Government and administration responsibilities were

¹United States Code Congressional and Administrative News, 2936.
transferred from OEO to the Department of Labor. It was no longer at the mercy of who was president, the composition of Congress, and how much funding was required to properly administer the program.

Although, Job Corps endured many changes in concept, philosophy, training capacity, and funding, there were measurable outcomes within a very diverse population. Critical analysis and comparison of the EOA with seven titles and CETA with six titles showed direction for authorized Manpower services needed to reach maximum employment potential. CETA incorporated the existing programs and activities authorized under EOA and other legislation. Job Corps recovered from some of the devastation that occurred during the previous administration.

It was the purpose of House Rule 11010 to provide a new charter for manpower programs previously operated under the authority of the Manpower Development and Training Act, the Emergency Employment Act, and the Economic Opportunity Act (EOA). With this purpose in mind House Report No. 93-659 was submitted by the Committee on Education and Labor, which drew up the bill to assure opportunities for unemployed and underemployed persons. The Committee emphasized the need for comprehensive reform. At the same time H.R. 11010 maintained necessary federal supervision to ensure that the national purposes in enacting this legislation were properly

\begin{itemize}
  \item [1] 42 U.S.C. 822.
\end{itemize}
implemented.¹

H.R. 11010 eliminated the numerous categorical programs authorized under these separate Acts and substituted a decentralized and decategorized program that were more responsive to the diversity of local needs. Instead of operating manpower programs through 10,000 contracts with the Secretary of Labor, the bill operated programs through grants to about 500 local and state prime sponsors who planned and operated the programs to meet local needs.²

This bill also assured appropriate emphasis on programs for those groups that were not adequately served by manpower programs in the past. Finally, H.R. 11010 provided an orderly transition of all job training programs, including youth programs, identified in the EOA.³

**General Description**

The basic structure of the Comprehensive Employment and Training Act (CETA) of 1973⁴ was:

1. financial assistance given to State and local governments for planning and operating comprehensive manpower programs. Direct assistance given to local governments of a specified size and the state government given responsibility for the balance of the state.

2. financial assistance given to state and local governments for a program of

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¹*United States Code Congressional and Administrative News*, 2935.

²Ibid., 2936.

³Ibid.


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public service employment in areas of substantial unemployment.

(3) financial assistance given to specific groups for the management of manpower programs. Direct responsibility given to the Department of Labor for the operation of the Job Corps.

(4) establishment of a National Commission for Manpower Policy.¹

In this Act, the provisions of Title 1-Youth Programs Part-A Job Corps of the Economic Opportunity Act of 1964² were transferred to Title 4.³ This legislation was enacted by both the Senate and the House on December 28, 1973.

The Act⁴ contained a number of entitlements with Title 4 consisting of provisions for the Job Corps.⁵ Section 2 of the Act states its purpose:

To provide job training and employment opportunities for economically disadvantaged, unemployed, and underemployed persons, and to assure that training and other services lead to maximum employment opportunities and enhance self-sufficiency by establishing a flexible and decentralized system of federal, state, and local programs.⁶

In the Comprehensive Employment and Training Act of 1973 (CETA), section 3 provided an orderly transition for all job training programs identified in the EOA of 1964 which included:

1. Youth Programs

¹United States Code Congressional and Administrative News, 2937-2938.
²42 U.S.C. 2701.
⁵Ibid.
2. Urban and Rural Community Programs

3. Special Programs to Combat Poverty in Rural Areas

4. Work Experience Programs

Financial assistance was provided through July 1, 1974, with appropriations for three subsequent years.\(^1\)

Section 4 ensured that of the amount appropriated to carry out the implementation and management of CETA for any fiscal year, at least 20 percent of such amounts was to be made available for carrying out Title 4.\(^2\)

The Secretary of the Department of Labor was authorized under section 4 to use 360 million dollars for the fiscal year beginning June 30, 1974, and for each of the three succeeding fiscal years for carrying out the provisions of CETA.\(^3\) Of the amounts appropriated to carry out this Act, the Secretary was also authorized to make available $225,000,000 in the fiscal year ending June 30, 1974, and $350,000,000 in the fiscal year ending June 30, 1975.\(^4\)

**Title 4-The Job Corps**

There is a parallel between Section 102 of Title 1 of EOA and Section 401 of Title 4 of CETA. Section 401 is more specific and detailed in requirements, procedures, procedures,

\(^1\)Ibid.

\(^2\)29 U.S.C. 802.

\(^3\)Ibid. 801.

\(^4\)United States Code Congressional and Administrative News, 926.
authorizations of funds and expansion of services than Section 102 of Title 1.

Section 401, Title 4, of CETA maintained the Job Corps, and set standards and procedures for selecting individuals as enrollees. It authorized the establishment of residential and nonresidential centers in which enrollees participated in intensive programs of education, vocational training experience, counseling, and other activities. It prescribed various powers, duties, and responsibilities for the operation and continued development of the Job Corps.¹

The comprehensive purpose of Title 4 was to assist disadvantaged youth who needed and benefitted from an unusually intensive program operated in a group setting and its mission, to attract eligible young adults, teach them the skills they need to become more employable and independent, and place them in meaningful jobs or further education. Title 4 was also designed to help them become more responsive, employable, and productive citizens in a way that contributed to the development of national, state, and community resources. Finally, it was designed to develop and disseminate techniques for working with the disadvantaged youth that were widely utilized by public, private institutions, and agencies.²

Section 402 transferred the responsibilities of the Job Corps from the Office of

¹Ibid., 911. See Appendix B, “Comprehensive Employment and Training Act at a Glance.” This appendix provides a summary of the provisions of the act, the demographics and changes that occurred from the EOA, and changes that occurred during CETA.

²Ibid.
Economic Opportunity to the Department of Labor.¹

Section 403 stated eligibility for enrollment in the Job Corps:

1. Permanent residence in the United States between ages fourteen and twenty-two.
2. Low-income individual or family requiring additional education, training, or intensive counseling or satisfy the requirements for the Armed Forces.
3. Living in a deprived environment which impairs life and growth.
4. Could benefit from programs if potential after screening revealed capabilities and free from medical and behavioral impediments?
5. Compliance with all rules and regulations.²

Section 404 empowered the Secretary of the Department of Labor to set standards and procedures for the screening, selecting and assigning of applicants, securing the necessary background information, establishing enrollment quotas of students from rural areas, and providing residential facilities.

Section 405 required the enrolled to be capable of functioning in a group residential situation under proper supervision.³

Section 406 establishes length of enrollment and did not relieve any enrolled from

¹Ibid., 912. The Office of Economic Opportunity was an independent agency which was closed sometime between the period when the Equal Opportunity Act of 1964 was replaced by the Comprehensive Employment and Training Act of 1973.

²Ibid., 913.
³Ibid., 915.
the Selective Service. Each United States citizen was required to take this oath:

I do solemnly swear (or affirm) that I bear true faith and allegiance to the United States of America and will support and defend the Constitution and laws of the United States against all its enemies foreign and domestic.

The provisions of section 1001 of Title 18, United States Code,\(^1\) were also applicable to this oath or affirmation.\(^2\)

Section 407 gave the Secretary of the Department of Labor authority to establish and operate residential and nonresidential Job Corps centers through contractual agreements with federal, state, and local agencies and private organizations.\(^3\) These centers had to be located primarily in rural areas with provisions for both male and female enrollees.\(^4\)

Section 408 required that enrollees had to receive well-organized, fully supervised programs of instruction. Center programs included participation in center maintenance support and related work activity that were appropriate to assist enrollees in increasing their sense of contribution, responsibility, and discipline. Enrollees should be eligible for graduation with the equivalent of a GED.\(^5\)

\(^1\) 18 U.S.C. 1001 states that whoever, in any matter within the jurisdiction of any department or agency of the United States, knowingly and willfully falsifies, conceals or tricks, schemes, or devises a material fact, or makes any false, fictitious statements or representations, or makes or uses any false writing or documentation knowing the same to more than $10,000 or imprisoned not more than five years or both.

\(^2\) 29 U.S.C.

\(^3\) See Appendix F, "Job Corps Center Operators as of 1996."

\(^4\) 29 U.S.C. 917.

\(^5\) Ibid., 918.
Section 409 permitted the Secretary of the Department of Labor to provide enrollees with personal, travel, and leave allowances, quarters, subsistence, transportation, equipment, clothing, recreational services, and other expenses as necessary. This included specific provisions for leave accrual and readjustment allowance. Enrollees were required to use their own allowances for personal needs. Thirty-five dollars was the maximum allotment for each month for the first six months with an increase to $50 each additional month.

Section 410 recommended that each Job Corps center set standards of conduct and deportment and that these rules be stringently enforced. In the case of violations committed by enrollees, dismissals from the Corps or transfers to other locations were to be made in every instance where it was determined that retention in the Job Corps, or in the particular Job Corps center, would jeopardize the enforcement of such standards of conduct and deportment or diminish the opportunity of other enrollees. Disciplinary and appeal procedures were to be established by the directors of the Job Corps.

Section 411 authorized the Secretary of the Department of Labor to develop and

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1. Government Employees, Paid Administration Act, U. S. Code, vol. 5, sec. 5582 (1966). This section of the Act stated that any money that was due an enrollee at the time of his death shall be paid to the person or persons surviving at the date of his death, in the following order of precedence: (1) To the beneficiary designated by the enrolled in writing before his death. (2) To the widow or widower of the enrolled. (3) To the child or children of the enrolled. (4) To the parents of the enrolled. (5) To the duly appointed legal representative of the estate of the enrolled. (6) To the person entitled under the law of the domicile of the enrolled at the time of his death. Labor, Employment and Training Act, U. S. Code, vol. 29, sec. 919 (1978).


coordinate activities designed to establish mutually beneficial relationships between the
Job Corps centers and surrounding or nearby communities. These activities included the
establishment of community advisory councils to provide a mechanism for joint
discussion of common problems and for planning programs of mutual interest. Youth
participation in advisory council affairs was to be encouraged and, where feasible,
separate youth councils were to be established. These councils were to be composed of
representative enrollees and representative young people from the communities. The
objectives which the councils were to be given included:

(1) giving community officials advance notice of changes in center rules,
procedures, or activities that affected or were of interest to the community;

(2) affording the community a meaningful voice in center affairs of direct
concern, including policies governing the issuance and terms of passes
given to enrollees;

(3) providing center officials with full and rapid access to relevant community
groups and agencies, including law enforcement agencies and agencies
which worked with young people in the community;

(4) encouraging the fullest practicable participation of enrollees in programs
or projects for community improvements or betterment, with adequate
advance consultation with business, labor, professional, and other
interested community groups and organizations;

(5) arranging recreational, athletic, or similar events in which enrollees and
local residents participated together;

(6) providing community residents with opportunities to work with enrollees
directly, as part-time instructors, tutors, or advisers, either in the center or
in the community.¹

Section 412 made provision for counseling, testing, and placement. Upon
termination from the Job Corps all privileged enrollee information had to be submitted to

¹Ibid., 921.
the Department of Labor.¹

Section 413 provided for the careful and systematic evaluation of the Job Corps program, directly or by contracting with independent evaluators, to measure specific benefits, and to provide information needed to assess the effectiveness of program procedures, policies, and operations. This empirical evaluation would seek to determine the costs and benefits resulting from the use of residential as opposed to nonresidential components.²

Under section 414 advisory committees could be formed in connection with the operation of the Job Corps centers for identifying and solving problems, for program planning and center development, and for strengthening relationships between the Job Corps, agencies, institutions, and groups engaged in related activities.³

¹Ibid., 922.
²See Appendix E, "Job Corps Review Process." This appendix shows the three agencies that are responsible for evaluation of centers, how often the evaluation was done, and what actually was done.
Appendix G, "Job Corps Centers by Regions Through 1995." This appendix provides information about the 10 regions, the centers that are in each region, where the centers are located, the capacity of youth the centers have, and who are the operators of those centers.
Appendix D, "Job Corps Capacity to Serve Poverty Youth." This appendix provides information about the states, the total number of poverty youth in that state, the capacity of the Job Corps to serve poverty youth in that state, and the percentage of poverty youth served by the Job Corps. One may observe that some states are not serving any youth. One of the reasons for this is because those states did not have a center by 1993. However, youth from those states were served by other states. Another reason was that the Federal government had to work with the state government to implement a Job Corps program. Most probably those states have their own program to help their poverty youth.
³29 U.S.C. 924.
Section 415 authorized the Secretary of the Department of Labor to take action to facilitate the effective participation of states in the Job Corps program, including consultation with appropriate state agencies on matters pertaining to the enforcement of applicable state laws, standards of enrollee conduct, and discipline. The Secretary of Labor could facilitate the development of meaningful work experience and other activities for enrollees in coordination with state-operated programs and enter into agreements with states to assist in the operation and administration of state-operated programs which carried the purpose of section 415.1

Section 416 dictated the conditions under which an enrollee was to be considered as an employee of the United States. These conditions were:

(a) For purposes of the Internal Revenue Code of 19542 and Title 2 of the Social Security Act of 1935,3 enrollees were deemed employees of the United States and any service performed by the individual as an enrollee was deemed to be performed in the employ of the United States.

(b) For purposes of sub-chapter 1 of chapter 81 of Title 5 of the United States Code (relating to compensation to Federal employees for work injuries), enrollees were deemed civil employees of the United States within the meaning of the term "employee" as defined in section 8101 of Title 5, United States Code4, and the

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provisions of that sub-chapter were applied.\textsuperscript{1}

Section 417 authorized the Secretary to take the necessary action to assure that before June 30, 1968, of the total number of Job Corps enrollees receiving training at least 25 percent were women. He was also authorized to take steps to achieve an enrollment ratio of 50 percent women enrollees in training in the Job Corps consistent with (1) efficiency and economy in the operation of the program, (2) sound administrative practice, and (3) the socioeconomic, educational, and training needs of the population served.\textsuperscript{2}

Section 418 continued the same provisions outlined in Section 107 of EOA.\textsuperscript{3} Any officer, employee, or enrollee who solicited funds from members of the Job Corps for political purposes would be in violation of Section 602 of Title 18, United States Code.\textsuperscript{4}

Section 419 gave the Secretary of the Department of Labor the same powers as the Director of the Office of Economic Opportunity under section 602 of the Economic Opportunity Act of 1964.\textsuperscript{5} The Secretary's powers would include: (1) appointment in accordance with the civil service laws of such personnel as may be necessary to enable the office to carry out its functions, (2) employment of experts and consultants or

\textsuperscript{1}29 U.S.C. 926.
\textsuperscript{2}Ibid., 927.
\textsuperscript{3}42 U.S.C. 2717 (a).
\textsuperscript{4}18 U.S.C. 602 (1001).
\textsuperscript{5}42 U.S.C. 3211.
organizations as authorized by section 15 of the Administrative Expenses Act of 1946,\(^1\)

(3) appointment, without regard to the civil service laws, of one or more advisory committees composed of private citizens and officials of the federal, state, and local governments to advise him with respect to his functions under this act.\(^2\)

**Implementation of the Act**

Although established in 1964, the Job Corps program underwent the greatest expansion of its history during the Carter Administration between 1977 and 1981.

Hearings on the effectiveness of the Comprehensive Employment and Training Act of 1973\(^3\) (CETA) were held in late 1976. CETA gave state and local government the authority to develop and manage job training programs. The hearings featured the report and testimony of Robert Brown, the Region Administrator of the Job Corps Region 8.\(^4\)

Brown's statement recommended an expansion of the program. He stated:

> While Job Corps is our best program for school "drop outs," it has not been able to keep up with the increased needs to serve dropouts and disadvantaged youth due to the center closings which occurred in 1969/70, and due to "hold the line" budgets that the program has been exposed to since that time.\(^5\)

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\(^1\) 5 U.S.C. 55a.

\(^2\) 42 U.S.C. 3211(a.b.c.).

\(^3\) 29 U.S.C. 801.

\(^4\) See Appendix G, "Job Corps Centers by Regions through 1998."

Mr. Brown's report focused on the success of the Job Corps program in his region in spite of the deficiencies in CETA. The numbers he presented demonstrated a "loss of total productivity and showed that placement for youth by (CETA) prime sponsors' leaves something to be desired."\(^1\)

In January 1977, President Carter requested $1.5 billion for new youth employment programs.\(^2\) At that time the Job Corps had 59 centers in operation, serving 20,500 students. On March 9, 1977, the President, in a message to Congress, announced which programs he intended to fund.\(^3\) The plan included a further increase for the Job Corps which doubled its funding to $417 million.

In late 1976 and early 1977 the House and Senate conducted hearings on the suggested amendments to CETA. Secretary of Labor Roy Marshall submitted a statement including comments on the proposed expansion of the Job Corps. The Administration's plans, he reported, entailed an increase of 44,000 students in the program by the end of Program Year (FY) 1978.\(^4\)

There was criticism suggesting that the project would not be completed on time, but by November 1977 expansion was underway and ahead of schedule. Within the Job Corps, several programs were initiated including advanced training programs, allowing

\(^1\)Ibid., 1037.
\(^2\)Wair, 6.
\(^3\)Ibid.

students to further their academic and vocational skills with associated universities; modifications of the rural centers to more closely follow the urban centers’ model; and efforts to make all centers coeducational.

On December 9, 1977, President Carter signed Public Law 95-205, the Economic Stimulus Appropriations Act of 1977. This law appropriated more funds to the Job Corps, further expanding the program by 14,000 positions. As of September 30, 1978, training was being provided to about 26,000 youth at 66 centers with capacities ranging from 64 to 2,600 participants. The centers were located in 32 states and Puerto Rico. This included 28 civilian conservation centers operated by the Departments of Agriculture and the Interior; 36 centers operated under contract with business firms, non-profit organizations, and state and local government agencies; and two extension centers operated by labor unions.

On July 9, 1979, the Comptroller General reported to Congress that the Job Corps should strengthen eligibility requirements and fully disclose its performance. In essence, the report stated that the Department of Labor’s Job Corps program had these serious problems:

1. Little assurance existed that Job Corps was serving only youths who needed to be removed from their environment as the Congress intended.

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3U. S. General Accounting Office 1979, 5.

See Appendix G, "Job Corps Centers by Regions Through 1998."
2. Inadequate criteria for determining a placement rate and questionable placement data allowed Job Corps to depict the program in a very favorable light, but the rate did not provide adequate information to properly assess effectiveness.

3. Initial steps taken to determine Job Corps's long-term impact on earnings revealed that graduates, while earning more than non-graduates did not earn enough to break the poverty cycle.\(^1\)

This report pointed out some serious problems in the Job Corps recruiting process as well as in its preparation and reporting of job placement information. In addition, it questioned the program's long-term economic impact on youth. At this time the Job Corps program was being administered by the Department of Labor under the Comprehensive Employment and Training Act of 1973.\(^2\) The report concluded with the following recommendations to the Secretary of Labor for the improvement of the program and the Secretary's response.

1. Establish specific guidelines in accordance with congressional intent to enable recruiters to identify youth who needed a residential program in order to successfully participate in training. [This was made subject to consideration].

2. Monitors to ensure that recruiters: a) make proper eligibility determinations and b) give applicants a full understanding of the program and information on what was expected of them. [This recommendation was to be adopted.]

3. Determine the feasibility of a uniform intake program to serve all employment needs and training programs for youth if monitoring was effective. [The Secretary agreed.]

4. Revise the placement definition to:
   a) count a placement only for those who spend a minimum amount

\(^1\)Ibid., 1-2.

\(^2\)29 U.S.C. 801.
of time in the Job Corps. [This was not adopted.]

b) require that the Job Corps validate reported placements. [The Secretary agreed to adopt this point.]

c) evaluate the Job Corps's impact on terminus long-term earnings. [This recommendation was to be adopted.]¹

It must be pointed out that the enrollees are given incentives based on a number of fulfilled requirements. For example, if an enrollee finds employment in his trade, that enrollee is paid an extra $250.00. The program also helped the enrollee to get a job upon termination.²

Review of Changes in Program

I will present a review of the changes that occurred to the Job Corps from 1967 to 1978. The Job Corps program had undergone many changes since it began. For example, in 1967 a nonresidential (commuter) segment was authorized, primarily to reduce the program’s high cost. As of September 30, 1977, nonresidential training slots represented 6 percent of the program’s total capacity.³ Concepts in the operation of the Job Corps centers also changed. During the 1960s, centers were gender specific and generally provided training themselves. During the 1970s, centers became coeducational and began to contract with outside programs to train some of the Job Corps participants from other

¹U. S. General Accounting Office 1979, 3-4.

²See Appendix K, “The Job Corps Performance Summary For Program Years: PY 1991-PY 1995.” This appendix shows the extent that students’ performance increased or decreased over that period.

³Ibid.
programs.¹

The Job Corps' training capacity fluctuated widely. In fiscal year 1967, the program had the capacity to serve about 43,000 participants. By fiscal year 1970 the capacity had been reduced to around 20,000 because of the Nixon Administration.

During the final days of the Nixon Administration, the Job Corps had a budget of $151 million with 61 centers in operation serving only 19,322 students. This was the lowest level of service that was given to disadvantaged youth in the program's history.

With the inception of the Comprehensive Employment and Training Act of 1973² the Job Corps began its greatest expansion. In 1977, President Carter requested $1.5 billion for new youth employment programs. At that time the Job Corps had 59 centers in operation servicing 20,500 students. In March 1977, the President announced an increase of funds to the Job Corps which actually doubled its funding from January 1977, to $417 million.

The program remained slightly above this level until Congress, under the leadership of President Carter, passed the Economic Stimulus Appropriations Act of 1977³ (Public Law 95-29, May 13, 1977), which authorized the Job Corps to begin

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¹Levitan and Johnston, 8-13.


³18 U.S.C. 1001. This legislation stated that whosoever, in any matter within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up by any trick, scheme, or device a material fact, or makes any false, fictitious or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false fictitious or fraudulent statements shall be fined not more than $10,000 or imprisoned not more than five years or
expanding the program to 44,000 training slots. As a result, the Job Corps expanded the capacity of some existing centers and opened about 50 new ones. On December 9, 1977, President Carter signed Public Law 95-205 appropriating more funds to the Job Corps, thus further expanding the program by 14,000 positions.¹

Between 1966 and 1978, the Job Corps's funding ranged from $151 million in fiscal year 1974 to $487 million in fiscal year 1978.² By the time Carter had been in office three and a half year, the Job Corps budget had grown from $175 to $560.7 million, with 99 centers serving 43,981 students.³

Differences and Similarities
Between the EOA and CETA

During the 1950s and the early 1960s many poor families in the United States were suffering from poverty. A large percentage of poor families had only one income and 23 percent had two or more income providers. This meant that even with full employment families would still be poor. What then could the United States have done to eliminate this poverty?

Congress and the federal government committed themselves to fight a war both.

¹Wair, 6.
²Levitan and Johnston, 5.
designed to eliminate poverty. In order to fight that war, the Economic Opportunity Act of 1964\(^1\) was signed. The purpose of this legislation was to:

1. expand opportunities for youth to gain skills, and experience they needed to become full participants in their society and stable parents in the years to come;

2. provide special programs for uneducated adults and migratory agricultural workers; and

3. recruit and train volunteers to carry out the war on poverty.\(^2\)

This legislation authorized programs to attack the causes of poverty: lack of education, poor health, absence of a marketable skill, and unstable family life. Title 1 concentrated on problems of youth, and especially on the problems of those youths who were trying to get the skills with which they could find a decent job.\(^3\)

The Office of Economic Opportunity was selected to implement this legislation under the Directorship of Sargent Shiver in EOA. This office included Volunteers in Service to America, the Work Study and Work Training Programs, and the Job Corps.\(^4\) This responsibility was transferred to the Department of Labor under CETA.

The legislation was divided into seven titles. Title 1 created new opportunities for young people to obtain work, education, and training. Part A authorized the establishment of the Job Corps and Part B provided financial assistance to State and local programs and

\(^1\)42 U.S.C. 2701.

\(^2\)Ibid.

\(^3\)Ibid., 2710-2761.

\(^4\)Ibid., 2941-2949.
work and training opportunities for young people to obtain a higher education.\footnote{United States Code Congressional and Administrative News, 2936.}

The Comprehensive Employment and Training Act of 1973 provided a new and up-to-date charter for the manpower programs operated under the authority of three previous pieces of legislation:\footnote{Ibid., 2710-2736.} the Emergency Employment Act,\footnote{Ibid., 801.} the Manpower Development and Training Act,\footnote{42 U.S.C. 4871.} and the Economic Opportunity Act.\footnote{42 U.S.C. 2572.} The Comprehensive Employment and Training Act eliminated the numerous categorical programs and substituted a decentralized and decategorized program that were more responsive to the diversity of local needs.\footnote{42 U.S.C. 2701.}

CETA operated through grants to about 500 local and State prime sponsors who planned and operated their programs to meet their local needs. On the other hand, the Manpower Programs, of which the Economic Opportunity Act was a part, operated manpower programs through more than 10,000 contracts with the Secretary of Labor.\footnote{29 U.S.C. 801.} However, while providing for decentralization, CETA reaffirmed the federal government’s role of ensuring that the manpower programs were operated in accordance with federal policy. CETA stressed that the purpose of the manpower programs was to

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secure economic independence through employment. Furthermore, the function of the manpower programs was not only to train but also to provide employment.¹

CETA was special in four ways: (1) financial assistance was given to state and local governments for planning and operating comprehensive manpower programs; (2) financial assistance was given to state and local governments for a program of public service employment in areas of substantial unemployment; (3) the Department of Labor was given responsibility for providing financial assistance for manpower programs for specified groups as well as direct responsibility for the Job Corps, research, training and technical assistance, labor market information, job bank programs, and related activities; and (4) the legislation established a National Commission for Manpower Policy.²

The EOA was divided into seven titles, CETA into six. These titles are arranged differently: Title 1 of CETA- Comprehensive Manpower Service established a program of financial assistance to state and local prime sponsors to enable them to provide comprehensive manpower services. These manpower services included all services needed to enable individuals to secure and retain employment at their maximum capacities. Included among these authorized services were all programs and activities authorized under existing legislation.³

Title 2-Public Employment Programs provided a program of financial aid to prime sponsors qualified under Title 1 and to Indian tribes for programs of transitional public

²Ibid.
³Ibid., 811-822.
service employment in areas which had a rate of unemployment of 7 percent or more. Priority was given to those unemployed persons who were the most severely disadvantaged.¹

Title 3-Special Federal Responsibility authorized the Secretary of Labor to provide manpower services to certain segments of the population with particular needs. In addition, this title also provided special federal manpower programs for Indians, migrant and seasonal farm workers, authorized youth programs and other special programs, and provided for the continuation of the Job Corps under the Secretary of Labor. Finally, the title authorized the Secretary of Labor to conduct programs of research, training, and evaluation, labor market information and a computerized job bank.²

Title 4-Job Corps consisted of the provisions of Title 1-A, “Job Corps,” of the Economic Opportunity Act which was transferred to CETA.³

Title 5-National Commission for Manpower Policy established such a commission composed of administration officials and representatives of interested groups. The Commission’s function was to conduct a variety of studies concerning manpower programs, including a study of how various manpower related programs were best coordinated.⁴

Title 6-General Provision contained definitions applicable to all programs, such as

¹Ibid., 841-851.
²Ibid., 871-885.
³Ibid., 911-929.
⁴Ibid., 951-956.
prohibitions against discrimination and political activities and other provisions regulating conditions of work and training.¹

The amount appropriated to carry out the provisions of CETA for the fiscal year 1973 was $2.8 billion and any amount authorized by Congress for the remaining years. It also provided that, of the sums appropriated in fiscal year 1974, $250,000,000 in fiscal year 1974 and $500,000,000 in fiscal year 1975 were reserved to carry out the public employment programs authorized under Title 2. On the other hand, in 1965, $412,500,000 was appropriated to carry out Title 1, $35,000,000 for Title 3, and $10,000,000 for Title 6, and any other amount authorized by Congress for the next two years.

Related Court Decisions

There were seven related court decisions identified in this research. Six of these decisions were identified under the CETA administration. These related court decisions help to solidify the authority of the Job Corps between 1973 and 1981.

The Comprehensive Employment and Training Act of 1973 was submitted for enactment to assure that employed and underemployed persons would have opportunities for better employment responsive to local community needs. This legislation was to improve the scope and effectiveness of the Manpower Development and Training Act, the Emergency Employment Act, and the Economic Opportunity Act. The operations were decentralized to better meet the diverse needs of the local community without sacrificing

¹Ibid., 981-992.
the necessary federal supervision. Under this provision money was given to the state and local agencies to plan and operate these employment preparation programs with the Department of Labor maintaining operation of the Job Corps. Contained in Title Four of CETA were the provisions for operation of the Job Corps by the Department of Labor.

There were several complaints filed in court that challenged the scope and implementation of CETA Programs. These cases are:

1. *Decker v. U.S.* (employment at religious institutions)
2. *Gooley et al. v. Conway; Hayward v. Henderson; City of Ann Arbor v United States Department of Labor*, (termination of employment);
3. *United States v. State of Mississippi* (tax reimbursement) and

**Employment at Religious Institutions**

In 1979 CETA grants and contracts were awarded to the Archdiocese of Milwaukee, a private, nonprofit corporation, and the Dioceses of Madison, Green Bay, La Crosse, and Superior to employ Job Corps staff in parochial schools.¹

Alice Decker, Patricia Haynes, and Marilyn Hempstead, residents of Wisconsin, challenged the use of the funds in religious institutions.² They sought an order to terminate existing positions, reimbursement of funds expended in 1978, and transfer of

¹*Decker v. United States Department of Labor, 473 F. Supp. 770 (E.D. Wis. 1979).*

²*29 U.S.C. 813 (a) 12.*
incumbents under contract to other public schools in that jurisdiction. ¹

Decker claimed that the Department of Labor funded various employee positions at elementary and secondary schools operated by, or for, sectarian organizations, and that this funding violated the Establishment Clause of the First Amendment to the United States Constitution. ² The Department of Labor argued that while any substantial deprivation of a constitutional right constituted irreparable harm, ³ Decker had failed to show the threatened injury to herself and her colleagues. They argued that, had the injunction not been denied, it would have outweighed the threatened harm to the Department of Labor and to the public interest. ⁴ The Department of Labor also argued that at least some of the CETA-funded positions in parochial schools were permissible under the First Amendment. ⁵

The District Court in Wisconsin found that the Department of Labor and the Archdiocese’s objections to the proposed preliminary injunction were without merit. Therefore, the motion by Decker was granted.


²The Establishment Clause states that, Congress shall not make any laws respecting an establishment of religion.

³Wright & Miller’s Federal Practice and Procedure 2948 at 440.

⁴Fox Valley Harvestore, Inc. v. A. O. Smith Harvestore Products, Inc., 401 F.2d at 1096, 1097 (7th Cir. 1976).

In *Lemon v. Kurtzman*, the U. S. Supreme Court had issued a ruling which applied in evaluating the constitutionality of a statute challenged under the First Amendment:

First, the statute must have a secular legislative purpose; second, its principal or primary effect must be one that neither advances nor inhibits religion; finally, the statute must not foster "an excessive government entanglement with religion."

Based on *Lemon*, the court in *Decker* was persuaded that the funding of CETA employees in elementary and secondary sectarian schools, as it was presently carried out by the Department of Labor, caused "an excessive government entanglement with religion" and was therefore unconstitutional.

First, the CETA Act provided for substantial state involvement with the Archdiocese, subgrantees, through supervision and auditing of the program by O'Donnell, prime sponsor and ultimately by the Department of Labor.

Second, under the current law as interpreted by the Supreme Court, certain of the employees' positions which had been funded by the CETA grants led to an excessive entanglement of church and state and constituted unlawful subsidization by the state of

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1403 U.S. 602, 612-613 (1971).


4403 U.S. 612-613 (1971).


church-related activities. For example, the Archdiocese of Milwaukee had employed CETA workers as “reading, mathematics, music and art teachers, aides, and tutors.”

In *Lemon*, the Supreme Court struck down two statutes providing for subsidization of teachers’ salaries because of the potential created for the fostering of religion and the extent of involvement by the state which would be required to ensure that the teachers played a strictly nonideological role. The District Court therefore concluded that the Department of Labor’s actions in providing grants and contracts to sectarian organizations created an excessive government entanglement with religion and would therefore be enjoined.

The preliminary injunction was stayed by Judge Reynolds pending further order of the Court. In the meantime, the Department of Labor and the Archdiocese of Milwaukee moved for reconsideration and amendment of the injunction. The court granted the Archdiocese’s request to present further evidence, and an evidentiary hearing was subsequently held.

The Archdiocese argued that under the new Department of Labor rules, CETA workers in sectarian schools were limited to jobs which did not in themselves present any danger of church-state entanglement. Second, they produced testimony and argued that the monitoring and audit provisions of the CETA program did

1Darnieder’s affidavit filed December 6, 1978, paragraph 5.


3[Decker v. United States Department of Labor, 485 F. Supp. 843 (E.D. Wis. 1980).]
not, in practice, lead to excessive government interference in church affairs.¹

The court rebutted by saying that although the new rules of the Department of Labor prohibited CETA workers from performing many job functions which clearly had a potential for excessive entanglement, such as those of teachers and teachers' aides, many of the new jobs permitted by the rules shared a similar defect. In *Meek v. Pittenger*² the Supreme Court held that the out-stationing of remedial education teachers in parochial schools were specifically prohibited.

The testimony presented at the hearing showed that the monitoring actually performed by Milwaukee County had little impact on the operation of the sectarian schools administered by them. According to a memorandum issued by the Department of Labor, prime sponsors who placed CETA workers in such programs were required to ensure that program contents were the same as programs administered by the public schools. The memorandum also stated that educational materials used in such programs were the same as those commonly used in the public schools, and that the facilities used for such programs were free from “sectarian influence or appearance.” In order to comply with the Department of Labor’s directives, a prime sponsor had to engage in the “comprehensive, discriminating, and continuous state surveillance” of religious institutions which was prohibited by the establishment clause of the First Amendment.³

The auditing and review procedures were not the only aspects of the CETA

¹Ibid.


program that led to excessive entanglement of church and state. Judge Reynolds explained that the very structure of the program led to state subsidization of religion. CETA workers employed in the archdiocesan schools were employees of the Archdiocese of Milwaukee. They received their paychecks from the archdiocese, they were hired and fired at the pleasure of the archdiocese, and they received their day-to-day supervision from archdiocesan officials. In no way could CETA workers in archdiocesan schools be thought of as government employees. Yet it was the government that was ultimately responsible for their salaries. When such benefits were conferred out of public funds, the result was a violation of the First Amendment.  

The court also held the view that the method by which CETA funding was allocated was highly susceptible to what was known as political entanglement. This occurred when a government program had the potential to engender division along political or sectarian lines. The danger that was guarded against was the competition among religious groups to maintain the support of the government. This danger was intensified when a funding program involved “successive and very likely permanent annual appropriations that benefitted relatively few religious groups.”

The Archdiocese requested that the injunction be modified so as to apply only to

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the CETA program as administered by Milwaukee County. The court reasoned that the unconstitutionality of the CETA program, as applied to parochial schools, did not depend upon how the program was operated in Milwaukee County, but rather depended upon the inherent defects in the types of positions that the Department of Labor allowed to be funded and upon the potential for political entanglement that lay with the statutorily mandated allocation procedure. Therefore, the court denied the request to limit the geographical scope of the preliminary injunction.¹

The court ordered that the motions by the Archdiocese of Milwaukee for amendment and reconsideration of the decision and order be denied. It further ordered that the stay issued be dissolved, and that the Department of Labor comply with the provisions of the original order.² The court also ordered the Department of Labor to cease from funding CETA positions in sectarian elementary and secondary schools.

The Department of Labor was not satisfied with the decision of the court. It therefore moved for a stay of the court’s decision. When an appeal was taken from an interlocutory or final judgment granting . . . an injunction, the court, in its discretion may suspend [or] modify . . . an injunction during the pendency of the appeal.³

Once an injunction was granted, the party seeking the stay had to show: (1) that he was likely to prevail on the merits of the appeal, (2) that he suffered irreparable injury if the stay was denied, (3) that other parties were not substantially harmed by the stay, and

²Ibid.
(4) that a stay was for the public interest.¹

The Department of Labor and the Archdiocese did not convince the court that they were likely to prevail on appeal. They restated their former arguments which were discussed in the court’s earlier decision. They also relied on the case of Committee for Public Education and Religious Liberty v. Regan.² In that case, the United States Supreme Court upheld the constitutionality of the New York statute, authorizing the use of public funds, to reimburse sectarian schools for performing, testing, and reporting services mandated by the state law. In that case, however, the funds were used for a specific, narrowly-drawn, nonsectarian purpose which would be audited without any danger of excessive entanglement with the schools’ day-to-day operations. None of those safeguards were present in the CETA program as applied to sectarian schools. Furthermore, the CETA program presented a grave risk of “political entanglement,” a risk not present in the New York statute at issue in Regan.

In short, Regan did not stand for the proposition that all direct government payments to sectarian schools were constitutionally permissible. Regan merely held that in certain carefully defined circumstances, the government might have reimbursed sectarian schools for expenses which the government itself had necessitated.³

Judge Reynolds concluded that: (1) although new rules advanced by the

²444 U.S. 646 (1980).
Department of Labor prohibited CETA workers from performing many job functions which clearly had a potential for excessive church-state entanglement, many of the new jobs permitted by the rules shared a similar defect, and (2) auditing and review procedures under CETA led to excessive entanglement of church and state, and the very structure of the CETA program, as applied to sectarian employees, led to state subsidization of religion. The court ordered that the Department of Labor’s motion for a stay of its February 12, 1980, decision be denied.¹

The U. S. Supreme Court erected three “signposts”² that guided its analysis of alleged contravention of the Establishment Clause: “[A] legislative enactment did not contravene the Establishment Clause if it had a secular purpose, if its principal or primary effect neither advances nor inhibits religion, and if it did not foster an excessive government entanglement.”³.

These tests, which were designed to protect against the primary evils of government “sponsorship, financial support, and active involvement of the sovereign in religious activity,”⁴ have been applied principally in cases considering the constitutionality of state statutes directed at prevailing various kinds of aid to non-public schools. Yet it was clear that the tests were “a product of considerations derived from the

¹Ibid.
full sweep of the Establishment Clause cases,"¹ and that they were to apply in all
Establishment Clause cases. In making its decision, the court in Decker² considered the
three signposts erected by the Supreme Court that guided its analysis of alleged
contravention of the Establishment Clause.

The evil of excessive entanglement with religion consists of both the excessive
supervision of religious institutions by government, sometimes needed to ensure that
public funds were not used for religious purposes,³ and the potential for political division
along religious lines with respect to governmental aid programs.⁴ The factors that were
considered in determining whether an impermissibly high degree of government
supervision existed were three: "(1) the character and purposes of the benefitted
institutions, (2) the nature of the aid provided, and (3) the resulting relationship between
the state and the religious activity."⁵

The above discussion showed that the schools involved were pervasively
sectarian. They were not religiously affiliated colleges, but instead Roman Catholic
elementary and secondary schools of the character described in Lemon v. Kurtzman.⁶ In
Milwaukee County, the schools functioned under the direction of the Archdiocese School

² 600 F.2d at 733 (9th Cir. 1979).
⁶ 403 U.S. 602 (1971).
Administration. At the major high school, a significant portion of the staff, including the principal, were members of the Catholic religious orders; daily mass was offered and a crucifix was displayed in nearly every classroom. The schools had chosen to make religious indoctrination an essential part of their students' educational experience.¹

Based on these reasons, the Court of Appeal upheld the district court's order. Further, the district court was directed to make its injunction permanent and the case was remanded for further proceedings consistent with that opinion.²

Several procedural issues as well as substantive issues were illuminated here. This case had several arguments that were procedurally based and it was easy to focus attention on procedure and not remember the issues that were being challenged. At issue here was whether the use of federal dollars to operate the CETA program in sectarian schools was constitutional.

It was specifically prohibited by the Supreme Court in Meek³ for remedial education teachers in parochial schools to be paid from state funds. In Lemon,⁴ the court

¹The defendants contended that the schools in this case were not pervasively sectarian under Lemon v. Kurtzman, 403 U.S. 602 (1971), but instead resembled the schools in Wolman v. Walter, 433 U.S. 229 (1977). Even assuming that the schools here resembled those in Wolman more than those in Lemon, the court did not note any significant difference in the analysis applied in Wolman, neither did the Justices of the Supreme Court.

²Decker v. United States Department of Labor, 600 F.2d at 773 (9th Cir. 1979).


also struck down two statutes providing for subsidization of teachers' salaries because of the potential created for the fostering of religion and the extent of involvement by the state which would be required to ensure that the teachers played a strictly nonideological role. The program contents and the educational materials of the sectarian schools had to be the same as those used by the public schools. Finally, the facilities used for the program had to be free from sectarian influence or appearance.

In the case of Decker,¹ the Department of Labor's directives were not followed. The prime sponsor—the Archdiocese of Milwaukee—did not engage in the comprehensive, discriminating, and continuous state surveillance as pointed out in Lemon. CETA employees received their paycheck from the archdiocese. They were hired and fired and received their day-to-day supervision from the archdiocesan officials. This showed that CETA employees were not considered as state employees. It was therefore, unconstitutional to use state funds to support CETA workers who were performing jobs which had the potential for excessive entanglement.

The principle of separation of church and state needs careful study and interpretation especially in the area of education. The organization of the education system in Milwaukee made it very difficult to separate church from state. CETA law provided for state involvement in the form of supervision and auditing. However, this case did not preclude Job Corps employees from being employed by churches if the workers' salaries were paid from church funds.

This case also revealed that separation of church and state in education is a valid

¹Decker v. United States Department of Labor, 600 F.2d at 773 (9th Cir. 1979).
issue in the courts when sectarian schools are involved in receipt of funding from
government programs. The injunction had a national effect since CETA is a national
program. CETA had to re-evaluate how the employment programs were being
implemented and make sure nationally that the programs in sectarian schools did not
violate the test the Court applied to see if First Amendment rights were at risk.

As a result of this ruling, funding for all CETA programs in Milwaukee is now
administered by the Governor. Also, there is no program in sectarian schools that is still
funded from CETA funds. The Job Corps does not have a center in the State of
Milwaukee; however, the enrollees from that state attend centers in other states. These
enrollees are still being screened by private contractors who are employed by CETA in
the State of Milwaukee. Also, this ruling limited the sponsors of the Job Corps Program.

Termination of Employment

Louis Gooley, Earl Hemphill, and Steven Casey, three discharged CETA
employees, brought suit against their former municipal employer, claiming that they had a
constitutional right to notice and hearing prior to discharge. The United States Circuit
Court for the Eastern District of Missouri\(^1\) in 1978 dismissed the complaint. Gooley,
Hemphill, and Casey appealed.

One of the men was hired as a trash hauler; another was hired as a laborer in the
parks owned and operated by the city of St. Louis; and the third was employed as a street

\(^1\)Gooley v. Conway, 590 F.2d at 746 (8th Cir. 1979). Gooley, Hemphill, and Casey
were seeking reinstatement with back pay from the date of their termination.
sweeper supplied with a machine to use in his work. One of the men was discharged for failure to report for work without excuse; another was fired for repeated absenteeism; and the third because of his alleged negligent management of his machine which caused it to sustain damage.

Each of them was given a written notice of termination, which stated the reason for the discharge. However, each one was advised that he had no recourse with respect to the summary action taken by the city.\footnote{Ibid.}

The plaintiffs charged that the city and its officials had failed to establish a grievance procedure for the protection of CETA employees threatened with discharge as required by applicable CETA regulations. The District Court held that Gooley, Hemphill, and Casey had no constitutional right in the circumstances to pre-termination notice and hearing. However, the district judge considered that the men had an adequate administrative remedy by proceeding against the city by means of complaints to the Department of Labor, and that they should be required to exhaust that remedy, which they had not done. That complaint was also dismissed.\footnote{Ibid., 747.}

The plaintiffs contended that the District Court erred in saying that they had exhausted the Department of Labor's established required administrative remedies.\footnote{29 C.F.R. 98.40 (1976).} The Court of Appeal agreed with the District Court that Gooley and his companions had no
constitutional right to pre-termination notice and hearing.\textsuperscript{1}

In holding that Gooley and his companions had failed to exhaust their administrative remedies, it appeared that the trial judge may have assumed that the procedures appearing in 29 C.F.R. 98.40 et seq. was available to them and was adequate to afford any relief to which they were entitled.\textsuperscript{2} The District Court said:

Department of Labor regulations at 29 C.F.R. 98.40, 98.49 provided for a review by the Department actions by a prime sponsor. Plaintiffs did not seek to employ those procedures. They claimed that the procedures are “wholly inadequate for treating the issues raised.”\textsuperscript{3}

The Court of Appeal agreed that the opinion of the District Court should stand.

In a similar case Hayward\textsuperscript{4} claimed that as an employee of a CETA-funded program,\textsuperscript{5} he enjoyed a “property” interest\textsuperscript{6} in being afforded notice and the opportunity to be heard before he was discharged.\textsuperscript{7} Hayward based his claim of a property interest on the CETA regulation which required written notice and an opportunity to respond to charges before termination. He argued that the regulation gave him the right to continued

\begin{itemize}
\item \textsuperscript{1}Gooley v. Conway, 590 F.2d at 744 (8th Cir. 1979).
\item \textsuperscript{2}29 C.F.R. 98.40 (1976).
\item \textsuperscript{3}Gudlis v. Califano, 452 F. Supp. 401 (N.D. Ill. 1978).
\item \textsuperscript{4}Hayward v. Henderson, 623 F.2d at 596 (9th Cir. 1980).
\item \textsuperscript{5}29 U.S.C. 801-992.
\item \textsuperscript{6}Property Interest is coming out of the 5th and 14th Amendments which requires that before an individual’s life, liberty, or property is taken by the government or the state the individual must be given due process. Due process has been interpreted to mean that the individual is being afforded notice and had an opportunity to be heard.
\item \textsuperscript{7}29 C.F.R. 98.26 (1976).
\end{itemize}
employment until those procedures were followed. This argument lost sight of "the
decisive distinction between procedure and substance," according to Shirch v. Thomas. ¹

In Arnett v. Kennedy, ² it was held that a law established a property interest in
employment if it restricted the grounds on which an employee may be discharged. For
example, if discharge can only be for "just cause," an employee had the right to continued
employment until there was just cause to dismiss him. In a similar case, Skeete, ³ an
employee with the Arkansas State Highway Commission, was discharged from his job for
dereliction of duty. One month after his discharge he was still drawing vacation pay. The
court found that Skeete had invoked his rights under the procedures. However, Skeete
was not given an impartial hearing or a thorough investigation prior to notification of his
termination, nor was he advised to submit his complaint in writing. Based on those facts
the Court concluded that Skeete had a protective property interest in his continued
employment. The Court held that since Skeete sought the equitable remedy of
reinstatement with back pay, it was not necessary to inquire into the merits of the
underlining dispute and ordered that he be reinstated with full back pay. In Cleveland
Board of Education v. Laundermill ⁴ the Court ruled that due process requires that an
employee who had a property interest in continued employment be given a hearing prior

¹486 F.2d at 691, 692 (7th Cir. 1973).
³Skeete v. Johnson, 805 F.2d at 767 (8th Cir. 1986).
⁴470 U.S. 532, 542 (1988). Laundermill emphasized that due process requires
some kind of hearing prior to the discharge of an employee who has a constitutional
protected property interest in his employment.
to his termination.

In *Brewer v. Parkman*\(^1\) the court upheld the view of *Laundermill* that a hearing be held as a remedy for a public employee terminated in violation of due process. A court may order the equitable relief of back pay from the date of termination and reinstatement until such time as is held. In the case of *Hayward*,\(^2\) CETA regulations allowed an employer to discharge an employee for any reason or for no reason at all.

In *Lake Michigan College Federation of Teachers v. Lake Michigan Community College*,\(^3\) the court ruled that a guarantee of procedural fairness did not establish a property interest. CETA regulations allowed employers to discharge any employee for any reason or for no reason and that the requirement of notice and opportunity to be heard did not establish a property interest, deprivation of which would entitle the employee to damages.\(^4\) In the case of *Maloney v. Sheehan*,\(^5\) the court ruled that to confer on CETA participants an ongoing right to continued CETA employment would be fundamentally at odds with the overall scheme of the act, which looks to the training of unemployed individuals with an eye toward their eventual assimilation into the unsubsidized labor force.\(^6\)

\(^{1}\)918 F.2d at 1336 (8th Cir. 1990).

\(^{2}\)623 F.2d at 596 (9th Cir. 1980).

\(^{3}\)518 F.2d at 1091, 1095-96 (6th Cir. 1975), cert. denied, 427 U.S. 904 (1976).


\(^{6}\)29 U.S.C. 823(f); 29 C.F.R. 94.1(a). In 1978, Congress amended CETA to limit the benefits any individual may receive under CETA to a minimum of eighteen months of
The District Court held that Gooley and his companions had no constitutional right to pre-termination notice and hearing. They also charged that the City did not provide for a grievance process for CETA employees who are discharged as required by CETA regulations. The Court concluded that even though these men had no pre-termination notice and hearing, they did have adequate administrative remedy by proceeding against the city by means of complaints to the Department of Labor. The Plaintiffs were required to exhaust this remedy first. The Court dismissed their complaint.

In another case, the Secretary of Labor issued an order instructing the City of Ann Arbor to compensate Hodges, a former employee who had been hired according to the Comprehensive Employment and Training Act of 1973 for 13 months of wages, on the grounds that the city failed to conduct an informal hearing prior to the employee's termination. The city petitioned for a review.

Ann Arbor was a prime sponsor under the federal job training/employment program established by the Comprehensive Employment and Training Act of 1973 (CETA). Richard Hodges had been employed by the Ann Arbor City Comptroller's public service employment in any given five-year period. 29 U.S.C. 824(h).

1CETA was originally enacted in 1973 and has been amended several times. The procedural aspects of this case were controlled by the 1978 amendments while the substantive issues arose primarily under the 1976 version of CETA, 29 U.S.C. 801 et seq. The statutes at 801 et seq. were repealed in 1982 (Pub. L. 97-300, Title 1, 184(a)(1), Oct. 13, 1982, 96 Stat. 1357), and repealed by the Job Training Partnership Act. 29 U.S.C. 1501 et seq. (JTPA). Under 1591(d) of the JTPA, the previously adopted regulations covering the CETA programs remain in effect under 1591(f) of the new act; the provisions of the JTPA did not affect CETA actions pending before agencies and courts on October 13, 1982.
Office from July 18, 1977, until November 25, 1977, when he was terminated for alleged poor performance.

Hodges's position as Accounting Clerk entailed "specialized clerical work involving the application of basic bookkeeping principles and practices." On October 4, 7, 14, and 25, 1977 Hodges was notified of serious mathematical errors he had entered into the appropriation ledgers. On November 15, 1977, John Bentley, the Acting City Comptroller, informed Hodges that due to his "unsatisfactory performance during probation," he would be dismissed effective November 25. On November 21, Hodges requested a meeting with Bentley and other management officials to discuss the reasons for his termination. The meeting was conducted on November 25, 1977, Hodges's last day at work. This meeting confirmed his termination.

Previously, on November 21, Hodges had filed a state civil rights complaint against the city. The complaint was dismissed on July 26, 1979, subsequent to an investigation which failed to develop any evidence of racial discrimination.

On February 26, 1980, again Hodges filed a complaint with the Department of Labor. The Department's civil rights division determined that he was discharged for poor performance. Hodges immediately requested an administrative evidentiary hearing. At that hearing, Steven Handel a Deputy Comptroller and Hodges immediate supervisor, testified that Hodges "did not apparently understand the nature of his job, that his attitude was one of not too much interest in learning, and that he was regularly careless, uninterested, and inaccurate." Bentley confirmed Handel's testimony.

The Administrative Law Judge concluded that Hodges had been discharged in
violation of CETA regulations because he had not been provided an informal hearing as required by the law.\(^1\) The Administrative Law Judge determined that Hodges's original complaint alleged racial discrimination; however, after an adverse disposition of that claim, he amended his complaint to include a charge of unlawful termination.\(^2\)

Accordingly, the Administrative Law Judge held that the prime sponsor was obligated to conduct an informal hearing on the allegation that Hodges was unjustly discharged.\(^3\)

In *Carey v. Piphus*,\(^4\) students were expelled without procedural due process. On appeal, the Supreme Court\(^5\) concluded that, unless it was shown that the students would not have been suspended had due process been accorded them, they would be entitled only to nominal damages for the due process violations. Under *Carey v. Piphus*, damages from a procedural error may not be presumed but must be proved at trial.

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\(^1\)29 C.F.R. 98.26 (1976) mandates procedures for resolving issues between prime sponsors in the CETA program and employees thereunder hired. In relevant portion, 98.26 provided:

(a) Each prime sponsor . . . would establish a procedure for resolving any issue arising between it . . . and a participant. . . . Such procedures would include an opportunity for an informal hearing.

\(^2\)29 C.F.R. 98.219 (a) (1976) provided, in subsection (c), for the right of an employee to pursue inter alia racial discrimination complaints against an employer under the Act. Section 98.21(d) established that the election to challenge a discharge under 98.21(d) did not cancel the employee's right to procedural processes of 98.26(a).

\(^3\)City of Ann Arbor v. United States Department of Labor, 733 F.2d at 429 (6th Cir. 1984).

\(^4\)435 U.S. 247 (1978). Carey required a discharged public employee who is seeking reinstatement or back pay to prove that he would not have been discharged if he had been given a due process hearing.

\(^5\)Ibid.
Carey v. Piphus was applied in the case of Florida v. Department of Labor, involving a worker who was discharged. The employee in that case “had not been afforded a prompt hearing on his grievance of wrongful dismissal.” In reversing the award the Eleventh Circuit Court persuasively argued that allowing back pay for a procedural error where a discharge was otherwise appropriate would not make the employee whole, but would be a windfall. Thus, the Court stated:

Carey v. Piphus was controlling here. . . . While the employee had been deprived of his procedural rights, he had lost nothing because of it. He would have been terminated even if all procedures and regulations had been followed.

In that case the Department of Labor stated that the purpose of the remedy of back pay was to make the aggrieved party whole. The Court did not understand how a complainant who was properly discharged in a procedurally imperfect way was made-whole by the payment of a year’s pay for which he did not work. Hence, they believed that the payment of back pay would be a windfall, not a make whole compensation. In fact the Department of Labor’s regulations contained the following guidelines: “If the termination was improper on procedural grounds substantively proper . . . back pay would be awarded.”

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2690 F.2d at 1359 (11th Cir. 1982).

3A windfall is a sudden unexpected increase in profit. It is not an equitable increase.

4City of Ann Arbor v. United States Dept. of Labor, 733 F.2d at 429 (6th Cir. 1984).
not normally be appropriate.¹

Under the principle enunciated in *Carey v. Piphus*, and explicated by the foregoing cases, Hodges was not entitled to pay merely because his discharge was procedurally defective. Because the Administrative Law Judge explicitly held the contrary, the Court denied the award of back pay.² CETA regulations required that any employee can be discharged for any reason or for no reason and that the requirement of notice and opportunity to be heard do not establish a "property" interest. Also, the requirement of notice and opportunity to be heard did not give rise to a constitutionally protected "property" interest. Gooley and his friends were terminated for different reasons. Each employee was given a written notice of termination. They were told that they had no recourse with respect to the action taken by the city.

The judge ruled that the plaintiffs had adequate administrative remedy for proceeding against the city by means of complaints to the Department of Labor. They did not exhaust that remedy. Plaintiffs responded by claiming constitutional rights. The Appeals Court ruled that they had no constitutional rights to pre-termination notice and hearing.

In a similar case, *Hayward v. Henderson*³ claimed that he enjoyed a "property" interest. Hayward based his claim of a property interest on the CETA regulation which

¹ U.S. Department of Labor, Employment and Training Administration, *Field Memorandum No. 188-80* (March 14, 1980).

² City of Ann Arbor v. United States Dept. of Labor, 733 F.2d at 429 (6th 1984).

³ 623 F.2d at 596 (9th Cir. 1980).
required written notice and an opportunity to respond to charges before termination. However, the plaintiff forgot the regulation that stated CETA allowed an employer to discharge any employee for any reason or for no reason at all.

Based on other court rulings, a guarantee of procedural fairness did not establish a property interest. Also, to confer on CETA employees that right would fundamentally be at odds with the overall scheme of the Act, which looks to the training of unemployed individuals with the intention toward their eventual assimilation into the unsubsidized labor force. As a result, Hayward had no constitutional right to pre-termination notice and hearing.

Various court decisions show that the Job Corps has the right to terminate any employee whose work is not satisfactory. The employee may be provided with notice and hearing prior to being discharged. However, the Job Corps has established a grievance procedure for the protection of its employees threatened with discharge as required by the regulations of the Department of Labor through CETA.

Based on these due process cases, the Job Corps amended its policies and procedures in application of its Rules of Conduct. The policy now provides for notice of termination to all employees.¹

It is the right and responsibility of each employee to exhaust all pre-termination procedures which include available administrative remedies. After the Gooley² and


²590 F.2d at 744 (8th Cir. 1979).
Hayward cases Congress amended CETA in 1978 to limit the benefits any individual may receive under the law to a maximum of eighteen months of public service employment in any given two-year period.  

The Hodges case suggested that any CETA employee whose work is considered unsatisfactory during probation can be terminated at the end of that period. Moreover, the evidence also suggested that even if Richard Hodges had an informal hearing that would not have guaranteed his job.

Finally, Job Corps employees had no right to notice because they do not enjoy a property interest. However, a manual was provided to all administrators and employees providing them with information on all personnel policies, procedures, and employment practices. This manual served as a guide to the administrators in making such administrative decisions that will affect an employee's job.

**Tax Reimbursement Decision**

Res-Care, Inc. was a private for-profit contractor operating a Job Corps center at Crystal Springs, Mississippi, under a contract with the United States Department of Labor. Under the contract, Res-Care Inc. was reimbursed for its costs by the United States

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1. 623 F.2d at 596 (9th Cir. 1980).
2. Ibid., 824 (h).
3. 590 F.2d at 744 (8th Cir. 1979).
4. **MTC Policy Manual**, April 1, 1998. This manual is the most updated version. Each sponsor has written its own manual based on the general operation instruction given by the Department of Labor.
Department of Labor. This reimbursement was as a result of taxes the State of Mississippi charged against Res-Care.

The State of Mississippi, through the State Tax Commission, assessed Res-Care, Inc. for use taxes less than two separate assessments. The first assessment covered the period October 1, 1977, through July 31, 1980, and totaled $63,609.11. The major portion of that assessment was settled, leaving at issue the sum of $4,822.88 for the period covered by the month of July 1980. The second assessment covered the period of August 1, 1980, through December 31, 1980, and totaled $13,035.99. Both assessments included penalties and interest.

Res-Care paid both the portion of the first assessment and all of the second under protest. The Department of Labor, under its contract, reimbursed Res-Care for both amounts. The Department of Labor sued the State of Mississippi to recover those amounts.

The Department of Labor claimed that private for-profit Job Corps contractors were exempted by Congress from state sales and use taxes under Title 29 U.S.C. 939(c). ²

²9 U.S.C. 939 (c) was re-codified as Title 29 U.S.C. 1707 (c). This sub-section stated: “Transaction conducted by private for profit contractors for Job Corps centers which were operating on behalf of the Secretary would not be considered as generating gross receipts.”

This language originally appeared as Section 466 (c) of the 1978 Amendments to the Comprehensive Employment and Training Act and was codified as 29 U.S.C. 939 (c). CETA was repealed in October 1983, and replaced by the Job Training Partnership Act. Section 466 (c) codified as Section 939 (c) of the former Act was transferred verbatim to the Job Training Partnership Act as Section 437 (c) thereof and codified as 29 U.S.C. 1707 (c).
The State of Mississippi imposed a sales tax upon tangible personal property sold within that state. Section 27-65-17 of the Mississippi Code of 1972 as amended read in part as followed:

"Upon every person engaging within this state in the business of selling any tangible personal property whatsoever there is hereby levied, assessed and will be collected a tax equal to five percent of the gross proceeds of the retail sales of the business, except as otherwise provided."\(^1\)

The State of Mississippi also imposed a sales tax on personal property which was purchased outside of the State of Mississippi and used within the state.\(^2\) The State of Mississippi, in making its assessment, audited the books of Res-Care and totaled all the purchases, both in-state and out-of-state, made by Res-Care during the pertinent periods. It then applied the 5 percent tax rate, which was the same under both sales and use taxes, to the total of purchased and assessed taxes, interest, and penalties on the resulting sums. The parties, however, filed a stipulation stating that of the $71,428.00 of purchases made by Res-Care during the month of July 1980, $51,752, or 72.5 percent, was purchased outside the State of Mississippi and $19,676, or 27.5%, was purchased within the state. It was stipulated that of the $255,606 of purchases made by Res-Care during the period

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\(^1\)Section 27-67-5 of the Mississippi Code of 1972.

\(^2\)Section 27-67-5 of the Mississippi Code of 1972, as Amended, stated in part as followed: "There was hereby levied, assessed, from every person a tax for the privilege of using, storing, or consuming within the State of Mississippi any personal property possession of which was acquired in any manner."

(a) The use tax imposed and levied against the seller would be collected at the same rate as imposed under Section 27-65-17, 27-65-19 of the sale tax law, Mississippi Code of 1972.
August 1, 1980, through December 31, 1980, $136,905, or 53.6 percent, was purchased outside the state and $118,701, or 46.4 percent was purchased within the state.¹

The Court decided that the used taxes assessed by the State of Mississippi on the out-of-state purchases were proper and not exempt. Therefore, the State of Mississippi’s motion for Summary Judgment was granted. The United States was entitled to judgment against the State of Mississippi in the amount of $7,374.99.²

Mississippi had established its tax code. Since Res-Care was doing business in Mississippi as a private-for-profit organization, it had to conform to the tax code governing non-profiting organization. The District Court ruled in favor of Mississippi.

Negligence Decision

Anthea Vu and her husband Hung sued the Singer Company which operated the Job Corps center in San Jose, California, for damages sustained when corps members entered their house, raped Mrs. Vu, who was alone, and stole many of the family’s belongings. Singers moved for summary judgment on the issue of whether it owed a legal duty to the plaintiffs to exercise due care.³

The enrollees in the Job Corps centers were youths with disadvantaged backgrounds who were provided with room and board at a Job Corps center while attending vocational training classes. The United States Department of Labor contracted


²Ibid.

out the operation of its local centers to private corporations, and Singer operated the San Jose center in California.

On December 17, 1978, six male and several female corps members consumed alcohol in nearby Williams Street Park and then entered the plaintiffs' house, attacked Mrs. Vu, took many of the Vus' possessions and carried them back to the center. On December 18, a roommate of one of the female participants in the robbery reported the incident to a security guard. The security guard passed the information onto the Center's security supervisor, Mr. Haynie, who investigated the incident at the plaintiffs' home and sought information from the police.

The Vus claimed that Singer owed a duty to the residents in the surrounding community to exercise reasonable care in supervising and controlling the corps members. It was alleged that Singer placed a group of high-risk youths with histories of instability, criminal activity, and substance abuse in the middle of a residential community. The suit also claimed that Singer breached its duty by failing to enforce its own disciplinary rules and those set out by the Department of Labor. At no time did Singer effectively expel any of the attackers or confine them to the center despite their violation of regulations prohibiting alcohol, drug use, and fighting. They further asserted that Singer breached its duty to immediately report to the San Jose police that corps members were involved in the attack and robbery. Due to Mr. Haynie's failure to report the information he had received, the Vus asserted that many of their possessions were not recovered.¹ The Court

of Appeal\(^1\) addressed the question whether, under California law, Singer, as the operator of a Job Corps Center, owed the Vus a duty of care in the supervising of the Job Corps members. Singer, under contract with OEO, operated the center at San Jose. The Appellate Court ruled California law as eliminating any duty on the part of Singer to warn the Vus with respect to possible injury by corps members. A finding of liability on the part of Singer to victims would jeopardize the Job Corps program and its efforts toward the rehabilitation of disadvantaged young people. Faced with such potential liability an operator with any concern for its economic survival could be expected to terminate from the corps any person whose conduct suggests that he might pose a risk, whether it was otherwise justified termination or not. This, the Court claimed, would deprive them of the program's benefits, those most in need of rehabilitation.

Further, the Court found that in the light of California's policy of providing support to rehabilitate programs, California Courts would hold that *Beauchene*\(^2\) should be taken into consideration to cover such programs as the Job Corps. The Appellate Court agreed with the District Court that no duty was created by the statute as regulations

\(^1\)Vu v. Singer Co., 706 F.2d 1027 (9th Cir. 1983).

\(^2\)Beauchene v. Synanon Foundation, Inc. 88 Cal. App. 3d at 342, 348, Cal. Rptr. 796 (1979). A prisoner was released from confinement to take part in a rehabilitation program. The California courts have recognized that the act of release was immunized and refused to exercise tighter control over the released person where such an act would served to jeopardize the rehabilitation program. Finally, the Court held that to hold the Foundation civilly responsible or liable would deter the development of innovative criminal offender release and rehabilitation programs, in contravention of public policy. In Gibson v. United States 567 F.2d at 1245 (3rd Cir. 1978), the court ruled that the Office of Economic Opportunity (OEO) cannot be held to have been negligent for selecting and enrolling drug users, former criminal offenders, and ghetto youth, since those are previously the people the program was designed to help. 42 U.S.C. 2715.

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creating and implementing the Job Corps. Accordingly, Singer owed no duty to the Vus to warn of or to control the conduct of Corps members.

The court applied the standard found in *Beauchene v. Synanon Foundation, Inc.*\(^1\) Here the court held that a private rehabilitation program had no duty to a person shot by one of its participants. The court further said that the Job Corps was designed to rehabilitate former criminal offenders, drug users, and ghetto youths. A finding of liability against the Singer Company to victims of Job Corps participants would jeopardize the program, which was designed to produce citizens who could develop meaningful skills, not end up committing a crime as was perpetrated on the Vus. The court further ruled that the statute did not impose a duty on the Job Corps to control or supervise Corps participants.

The court decided that even if the Job Corps had failed to discipline participants in the past, this violation did not amount to a breach of duty because the Vus were not members of the class the statute and regulations intended to protect. Maintenance of good relationships with the community was the intent of the regulations and statutes. In applying California law, the rule did not apply under these circumstances. The court ruled:

1. That Singer did not breach any duty to the Vus in light of the foreseeability that the Vus would be victims of Job Corps members’ conduct and in light of the imposition of liability could jeopardize the Job Corps program

2. Duty to control or supervise Job Corps members did not arise from the

\(^1\)Ibid.
provisions of the statute creating the Job Corps program and implementing regulations

3. No duty arose from the fact that Singer had undertaken to patrol the park where the assailants had been drinking prior to the attack.

4. Singer did not owe the Vus duty to promptly notify police that Job Corps members had been involved in committing crimes.

The Court of Appeals upheld the ruling of the District Court.

In spite of the decision being made in the Job Corps' favor, this legal challenge against the Job Corps did affect policies and procedures. For example, section 2994 in the Workforce Investment Act of 1998\(^1\) required that the Job Corps centers have a business and community liaison to help bond the resources of the community with the Job Corps.

**Summary**

Although the Economic Opportunity Act of 1964 was the foundation legislation for establishing the Job Corps, the Comprehensive Employment and Training Act of 1973 was the "glue" that brought other manpower programs together with the Job Corps. From 1964 to 1983, the Job Corps changed rapidly in its structure, personnel, and administration. The administration of the Job Corps was permanently placed within the Department of Labor. Community linkages were established as a part of the thrust to place enrollees in gainful employment.

Females were enrolled in programs, and local community linkages were established. Counseling, testing, and job placements were added to the program.

\(^1\) 29 U.S.C. 2994.
Assessment of program accountability both internal and external were instituted. The Job Corps received its highest appropriation and programs as the Centers increased to double the Job Corps population. Now the federal administration could focus its attention on providing programs and resources more responsive to local needs.

Several court decisions presented legal challenges to the operation of the Job Corps. The *Decker* case\(^1\) involving religious affiliation with the CETA programs changed CETA’s requirements for selecting training sites. The ruling brought programs that were in progress at sectarian schools to a halt. It limited the sponsors of the Job Corps program. Agencies that were implementing the programs had to scramble for other sites to keep the programs available to the students who were enrolled. The injunction had a national effect.

As a result of the court decision all of Job Corps programs had to be properly monitored, audited, reviewed, and supervised by the Secretary of the Department of Labor to see if they were following the Department’s rules and regulations. Careful evaluation and legal analysis had to be made before contracts were awarded to religious and sectarian organizations. The ruling from this case disrupted and abruptly stopped the CETA programs in sectarian schools. It also reorganized the way contracts were awarded and the CETA program sites were chosen. This ruling cost the CETA program many lost hours and dollars that could have been used to further its congressionally mandated mission, which was to provide employment skills to the unemployed and underemployed youth of the country.

\(^1\)600 F.2d at 733 (9th Cir. 1979).
In the *Gooley* case,¹ the plaintiffs claimed that they had a constitutional right to notice and hearing prior to discharge. Each plaintiff was given a written notice of termination, which stated the reason for the discharge. The plaintiffs claimed that the city and its officials had failed to establish a grievance procedure for the protection of CETA employees threatened with discharge as required by CETA regulation. Both the District Court Judge and the Appeals Court Judge agreed that the plaintiffs had adequate administrative remedy. Therefore, they had no constitutional right to pre-termination notice and hearing. In a similar Job Corps case Hayward claimed that he enjoyed a property interest in being afforded notice and hearing before he was discharged. Hayward also claimed that the CETA regulation gave him the right to continued employment. The judge based his ruling on the same CETA regulation saying that the regulations allowed employers to discharge any employee for any reason or for no reason and that the requirement of notice and opportunity to be heard did not establish a property interest. Hayward's claim was denied.

These cases regarding notice and hearing did not negatively affect the Job Corps. However, Congress in 1978 amended CETA by limiting benefits a participant could receive to a maximum of eighteen months of public service employment in a two-year period. Subsequent to these decisions a manual was developed to give administrative guidance.

In the Hodges's decision,² the plaintiff was warned repeatedly that his work was

¹590 F.2d at 744 (8th Cir. 1979).
²733 F.2d at 429 (6th Cir. 1984).
unsatisfactory during his probation period. He was terminated for alleged poor performance. Hodges requested a meeting to discuss his termination. After a series of meetings with administration, he was still terminated. He appealed to the Department of Labor. The City of Ann Arbor, his employer, was directed to compensate him. Ann Arbor appealed and won on the grounds that Hodges’s work was unsatisfactory; he was discharged on procedural grounds even if he had an informal hearing that would not have guaranteed him his job.

These decisions established that employees had no right to notice because they had no property interest. However, employees whose work was considered unsatisfactory during probation may be terminated at the end of that period. Job Corps contractors and prime sponsors are now mandated to evaluate all employees quarterly or yearly with opportunity to improve performance. After this, an informal hearing giving the employee the opportunity to respond to issues of performance before consideration of termination is made. Manuals are now provided to administrators and employees outlining all personnel policies and procedures and employment practices.

The State of Mississippi Tax Commission assessed Res-Care, Inc., a private for-profit contractor operating a Job Corps center at Crystal Springs, for use taxes. Res-Care was reimbursed for its costs by the Department of Labor. Department of Labor sued Mississippi to recover the amount. The Court decided that the use taxes assessed by Mississippi were proper and not exempt.

The Mississippi taxes’ case did affect the Job Corps by increasing the budget costs in Mississippi. The reality is, the state of Mississippi taxed the federal government
for bringing a program to improve the skills of Mississippi’s workforce. In spite of this setback, the Job Corps continued to expand.

In a final case, Anthea Vu and her husband sued the Singer Company which operated the Job Corps center in San Jose, California, for damages sustained when Corps members entered their house, raped Mrs. Vu, and stole many of their belongings. Singers moved for summary judgment on the issue of whether it owed a legal duty to the plaintiffs to exercise due care. The court ruled that Singer did not breach any duty in light of the foreseeability that the Vus would be victims of the Job Corps members’ conduct and in light of the imposition of liability which could jeopardize the Job Corps program.

It seems to me that a ruling against Singer in this assault case would have tremendously affected the Job Corps program. Singer was a contractual sponsor of the program. If liability had been found against Singer, it may have reduced the number of entities volunteering to be sponsors in the Job Corps program and/or it may have increased the budget of the Job Corps by providing expensive insurance for such liability. Furthermore, an operator faced with such potential liability, with concerns for his economic survival, may have terminated from the program anyone who appeared to have the potential to propose such a risk, even when termination would not be justified. This may have prevented the Job Corps from maintaining its mission and purpose which is to “attract eligible young adults, teach them the skills they need to become more employable and independent, and place them in jobs or further education” and “to assist young individuals who need and can benefit from an unusually intensive program operated in a
group setting, to become more responsible, employable, and productive citizens. Finally, this case prevented the community from charges of negligence against the Job Corps.

The decisions of these cases added legal support to the Job Corps program and encouraged management to carry out the functions of the Job Corps. Was the Job Corps here to stay? Careful screening, selection, and assignment of participants are being improved. The contractors and sponsors of the Job Corps program are supervised for fulfillment of all areas of responsibility and management and operation under the Department of Labor regulations. The Job Corps has adopted and is maintaining a zero-tolerance policy for use of mind-altering substances. As well, the changes in CETA mandated inclusion of provisions for special need's populations.

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1National Job Corps Coalition 1994, 1.

CHAPTER 4

JOB TRAINING PARTNERSHIP ACT OF 1982 AND JOB TRAINING REFORM AMENDMENT OF 1992

Introduction

This chapter deals with the legislative history of the Job Training Partnership Act of 1982. I present a review of the House and Senate bills, a summary of Title 4-Federally Administered Program, Part B-The Job Corps, a comparison between JTPA and CETA, and implementation of the act. I also discuss the Job Training Reform Amendments of 1992, a synopsis of Title 11, and end with a summary.

From 1972 through 1982 CETA was the “glue” that bonded the previous legislative enactments into a functioning workable model. CETA’s limitations and restrictions over the ten-year period also heighten the need for legislation to target dropout youth, welfare recipients, and the economically underemployed, dislocated workers, and the disadvantaged. There was critical debate over needed modifications and re-authorization essential to maintaining job training programs. The Job Training Partnership Act of 1982 (JTPA) was needed to coordinate the multiplicity of existing employment and training programs. The House and Senate developed bills and amendments with their specific agendas and focus.
One crucial decision by both the Senate and the House was to prevent the demise of the Job Corps Program at the expiration of CETA. JTPA retained the Job Corps as a national program permanently placed in the Department of Labor.

There were several issues that surfaced during each decade of legislation:

1. Was the Job Corps Program improved through repeated changes and legislation?

2. Was the Job Corps successful in achieving its mission?

3. Was governmental contracting with non-governmental agencies to expand services involving social issues such as drug and alcohol counseling services, child care for coeducational centers, and nonresidential participants productive?

Authorization for the Comprehensive Employment and Training Act of 1974\(^1\) expired in 1982. The United States needed a new job training program for the dropout youth who were not prepared for employment, for welfare recipients who needed training to escape from dependency, and the economically disadvantaged who could not compete in the labor market without help. A training program was needed for the dislocated worker who needed new skills for the new jobs that were created by the changing economy. The federal government had a responsibility to help meet these training needs.\(^2\)

The Job Training Partnership Act of 1982 (JTPA) was based upon four basic principles which were essential for an effective job training program:

First, the new legislation provided for the involvement of the private sector in the

\(^1\)29 U.S.C. 801.

design and administration of training programs. Under the Comprehensive Employment and Training Act of 1974, business involvement was limited to Title 7 programs and there was no requirement for the involvement of the private sector in all aspects of the program. Such involvement was essential because those employed the graduates who could have defined the kinds of training programs that were needed.

Second, the Comprehensive Employment and Training Act of 1973 limited the state Governors to balance state and special statewide programs, and bypassed them altogether in other cases which provided for a direct federal-to-local government relationship. This job training legislation would recognize the role of the state in all local programs and end the excessive involvement of the federal government.

Third, CETA provided education and training. This education and training did result in mandatory allowances and public service employment.

Fourth, CETA did not have any effective means of measuring program results, coordinating programs, or penalizing nonperformance. The new legislation insisted on performance and provided standards for judging programs by their accomplishments and by employment of trainees.


5Ibid.

6Ibid.
JTPA addressed two additional major concerns: (1) the need to provide training for dislocated workers and (2) JTPA had to provide for coordination between the multiplicity of existing employment and training programs.\(^1\) Hundreds of thousands of workers in the automobile industry and other basic industries could not return to their lifetime work. The United States identified these workers and provided training for new and expanding occupations existing at that time.

**Legislative History**

Congress deliberated many sessions in the debate over modifications and re-authorizations necessary to maintain the job training program. The Senate bill titled “Training for Jobs Act” was amended by the House to the “Job Training Partnership Act.” The purpose of the Senate bill was to establish job training programs which emphasized private sector involvement, state and local planning and operation, training rather than income maintenance, and performance rather than process. The House amendment was intended to increase productivity by improving skills and preparing youth and unskilled adults for entry into the labor force; enhancing skills of unemployed and underemployed; and establishing a community-based employment and training system built on a partnership between state and local governments and the private sector.\(^2\)

The Senate bill extended the current authority for the Job Corps (CETA, Title 4-B), making only technical changes to accommodate the repeal and replacement of related

\(^1\)Ibid.

\(^2\)Ibid., 2705.
provisions of CETA. Provisions of the House amendment re-authorizing the Job Corps made similar technical changes. The House amendment added language to the statement of purpose, emphasizing that the Job Corps should remain a distinct national program.¹

The Senate bill maintained that the existing age limitations for the Job Corps eligibility are 14 through 21. The House amendment established a new age limitation of 16 through 25, except that the Secretary of the Department of Labor was authorized to form regulations permitting nonresidential services for 14-and 15-year-old youth and allowed the participation of young adults ages 22 through 24, according to their different needs and characteristics. The House amendment authorized pilot projects that determined the value of the Job Corps participation for young adults ages 22 to 24.²

The House amendment added prime sponsors to the list of agencies considered appropriate for screening and selecting the Job Corps applicants, and it authorized the Secretary to reimburse individuals or organizations for the cost of proper recruiting, screening, and selecting participants. The Senate did not accept all these provisions.³

The Senate bill maintained the existing limitation on enrollment in the Job Corps for two years. The House amendment allowed an exception for individuals enrolled in advanced career training programs.⁴

The Senate bill extended the provisions which permitted the Job Corps centers to

¹Ibid., 2753.
²Ibid.
³Ibid.
⁴Ibid.
The House amendment required all centers to be residential, although they could have nonresidential components.\footnote{Ibid., 2754.}

The House amendment also required that the aggregate nonresidential enrollment could not exceed 10 percent of the total Job Corps enrollment in any fiscal year. The conferees believed that it was important to emphasize that the purpose of this nonresidential limitation was not to diminish existing nonresidential activities, but only to ensure that the overall residential provisions of the program are maintained. They recognized that the Job Corps, in recruiting and training youth of similar economic and age characteristics, also served youth of widely varying learning capacities, frequently creating the need for flexible training strategies. Some specially developed programs required unique facilities, training sites, and supportive services which were not typically available at the Job Corps Centers. The House amendment required each Job Corps Center Director or his designee to serve as liaison officer to the various State and local employment and training councils authorized under other provisions of the bill.\footnote{Ibid.}

The House amendment authorized the establishment of advanced career training programs in which corps members who had attained a high-school diploma or its equivalent and demonstrated special ability, commitment, and direction continued their participation for an additional year in post-secondary programs or intensive, company-sponsored training programs which included work-site internships. The Senate bill had no separate authorization for these programs, but permitted advanced career training...
activities.\footnote{Ibid.}

The Senate amendment permitted the reduction of the Job Corps payments for participants in Advanced Career Training (ACT) programs by the amounts which such participants received through any education grant-in-aid program. The Senate bill extended the current authority for the payment of allowance and support stipends during participation. The House amendment made those payments mandatory. The Senate did not agree.\footnote{Ibid., 2755.}

The Senate bill maintained the current maximum monthly allowance limitations of $60 for the first six months of participation and $100 thereafter, as well as the current readjustment allowance limitation of $100 for each month of satisfactory participation. The House amendment increased the limits to $70, $100, and $125, respectively, and indexed those limitations to the cost of living. The Senate amendment raised participation and readjustment allowance maximums to $65, $100, and $110 respectively.\footnote{Ibid.}

The House amendment authorized the development of special activities to disseminate information gained from the Job Corps experience which may be of use in the innovation and improvement of related programs. The Senate bill had no comparable provisions specifically authorizing these activities.\footnote{Ibid.}

This amendment provided for the development of the Job Corps programs to field

\footnotesize{\begin{itemize}
\item \footnote{Ibid.}
\item \footnote{Ibid., 2755.}
\item \footnote{Ibid.}
\item \footnote{Ibid.}
\end{itemize}}
tests selected education and training activities. The Senate bill made no provisions to include this section.¹

The amendment of the House authorized the Secretary to arrange for pilot programs with the Secretary of Defense to prepare youth to qualify for the military service, and to expand such activities into permanent programs if the Secretary of Defense agreed to provide 90 percent of the cost of the programs. The Senate bill had no separate provision for pre-military programs, but permitted these activities.²

It also permitted authorized pilot projects to determine whether Center operation by community-based organizations of demonstrated effectiveness did improve community participation in the Job Corps. The Senate bill had no similar provision.³

The House amendment permitted the Secretary to accept charitable donations of cash or other assistance on behalf of the Job Corps or individual Job Corps Centers. There were no comparable provisions in the Senate bill.⁴

Title 4-Federally Administered Programs
Part B-The Job Corps

In order to prevent the demise of the Job Corps's program at the expiration of CETA in 1982, the Job Corps was distinctly retained as a national program. The program was permanently placed in the Department of Labor by the Job Training Partnership Act

¹Ibid.
²Ibid.
³Ibid.
⁴Ibid.
Section 421 maintained the Job Corps for economically disadvantaged young men and women which operated exclusively as a distinct national program, and set standards and procedures for selecting individuals as enrollees in the Job Corps. It authorized the establishment of residential and nonresidential centers in which enrollees participated in an intensive program of education, vocational training, work experience, counseling and other activities, and prescribed various other powers, duties, and responsibilities incident to the operation and continuing development of the Job Corps.\(^2\)

The purpose of Part B\(^3\) was to assist young individuals who needed and benefitted from an unusually intensive program, operated in a group setting, to become more responsible, employable, and productive citizens, and, to do so in a way that contributed, where feasible, to the development and dissemination of techniques for working with the disadvantaged both widely utilized by public and private institutions and agencies.\(^4\)

It was necessary to amend certain provisions of Public Law 97-300 (1982) in order to extend the age limits, clarify provisions, refine the language, identify participants to include treatment for special populations, change demographics, and adjust costs to

\(^1\)See Appendix C, “Job Training Partnership Act at a Glance.” This appendix shows the purpose of the act, the provisions, the demographics and changes that occurred since CETA was repealed. The appendix also shows the changes that were made during the implementation of JTPA.

\(^2\)29 U.S.C. 1691.

\(^3\)Part A of this act dealt with Employment and Training Programs for Native Americans and Migrant and Seasonal Farm Workers.

\(^4\)29 U.S.C. 1691.
meet contemporary nationwide needs. According to Title 4-Federally Administered Programs Part B-Job Corps some provisions of section 400 of JTPA remained the same, others were expanded upon, and some were comparable to CETA.

Since authorization for CETA expired in 1982 it was possible for the legislature to reexamine the positive and negative outcomes of the past eight years (1974-1982). At the same time the need to include additional unserved segments of the population surfaced. Careful review of the provisions of CETA enabled the law makers to assess what should remain and be expanded to meet the current situation.

The stability and fate of the Job Corps as a national program were secured upon placement in JTPA. The criteria for eligibility, application, screening, selection, and assignment were also established and redefined in JTPA. It was imperative to include female enrollees in the Job Corps.

Provisions were made for centers to become more viable and visible in community linkages. Job counseling and job placement were included in the legislation to make possible matching of enrollee completers with appropriate competitive jobs. Also, provisions were made for enrollees to be employed by the Federal government. The Federal and local government was authorized to form contractual agreements with private industry to expedite center operations.

Legislation expanded provisions for more product and process evaluation by forming a research database through programs and pilot projects. The Federal government


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encouraged more state responsibilities and participation in achieving the purpose of the legislation, the mission of the center, and the employing community.\textsuperscript{1}

\textbf{Implementation of the Act}

In 1982 the results of a study of the Job Corps conducted by Mathematica Policy Research, Inc., were reported. This research was initiated by the Labor, Health and Human Services and Education Appropriations Subcommittee, chaired by Congressman William Natcher (D-Ky.), in response to the Job Corps critics who claimed that the program was not cost effective. The results were positive, and supporters of the Job Corps were given new evidence of the validity of the program. The evaluation’s major findings included the following statistics:

1. The Job Corps students earned an average 15 percent more than comparable nonparticipant.

2. Members of the Job Corps obtained high-school diplomas or GED’s 27 percent more often than nonparticipants of the same age and economic circumstances.

3. For every dollar expended for the Job Corps students, $1.46 is returned to society.\textsuperscript{2}

The results of the Mathematica study did not stop opponents’ attempts to close the Job Corps. The Reagan Administration’s 1983 budget request reduced the Job Corps to

\textsuperscript{1}See Appendix P, “Comparison Between the Provisions in JTPA and that of CETA.”

$387 million, down $202.6 million from 1982. Congress did not support the Administration’s reduction proposal and appropriated $585.6 million to the Job Corps for Program year 1983.¹

The Administration effectively eliminated CETA² by drastically cutting the program’s budget, and proposed to do away with the federally managed job training programs. Senator Dan Quayle (R. Ind.), a supporter of the Job Corps program, said,

OK, I agree, we’ve got to cut these programs. But what are they going to put in their place? That’s what they’ve got to decide. They are so preoccupied with the budget, they aren’t thinking about it. I hope this doesn’t put me at odds with the administration. But there’s an employment problem out there and the question is: What are they going to do about it? It’s Gary’s problem. I get more people coming in here from that part of the state than from any other part. They want to tell me about their problems. And they’ve got them.³

When Senator Dan Quayle made this statement, he was representing Indiana in the Senate. At that time unemployment was a national problem. In Gary, Indiana, about 40 percent of Black teenagers were low income workers.

David Stockman, Director of the Office of Management and Budget (OMB), also launched an attack on the Job Corps, releasing a report on February 4, 1985, stating that the cost of sending a student through the Job Corps “nearly equals the annual cost of sending a student to Harvard or Stanford Universities which is far beyond the reach of

¹Office of Management and Budget, “Terminate the Job Corps,” Background on Major Spending Reforms and Reductions in the FY 86 Budget (Washington, D.C., 1985), 60.


most American families.”

President Ronald Reagan, in two separate press conferences in early 1985, attempted to discredit the Job Corps by saying that each slot cost the government the equivalent of the tuition to Harvard. Total elimination of the Job Corps was requested in his 1986 administration budget. The Secretary of Labor’s plan to eliminate the Job Corps was placed before the House Subcommittee on the Departments of Labor, Health and Human Services. Education and Relocated Agencies were requested during the Appropriation hearing for FY 1986.

Chairman William Natcher (D-Ky.), a long time supporter of the Job Corps, responded to that plan by saying:

... When Mr. Conte and I take this bill to the floor and we say to the members in 50 states, there are 107 Job Corps centers scattered throughout the United States, and we want each one of you to stand up and in a loud and clear voice vote to eliminate your Job Corps Center. ... That may not happen.

Natcher’s tireless effort to defend the Job Corps was joined by his colleague Congressman Dave Obey (D-Wis.), Chairman of the Joint Economic Committee, who took a leadership role in collaborating and substantiating research that showed Job Corps cost-effectiveness. His full support of the Mathematica Study confirmed the cost issue

1Office of Management and Budget 1985, 61.


and proved the long-lasting effects the Job Corps had on students' lives. He aggressively informed the media and American public about the Job Corps's effectiveness through high visibility editorials and public appearances.

On March 23, 1985, the Committee of Government Operations held its hearing on whether the Job Corps benefits outweighed the cost. Representative Frank Barney in his opening address to the committee commended the Job Corps program as a successful example of the Federal government tackling a very difficult problem and that problem was providing employment training opportunities for young people who had lived very disadvantaged lives and needed a great deal of help in reaching the goal of employability.  

He further explained that there was a consensus between President Reagan and Secretary of Labor Donovan that the Job Corps was doing an excellent job. Barney said,

As I recollect President Reagan sent a telegram to a celebration of the 20th Anniversary of the Job Corps, which called it, a vital program in keeping with the American spirit of helping others to reach their full potential. A spirit that has sustained our Nation from it's very foundation. The President ended the telegram with the following phrase: “Nancy and I send everyone present our best wishes for future success.”

Was President Reagan really committed to the Job Corps? The hearing held April 4, 1985, to reaffirm the commitment of the Job Corps program resulted in three resolutions:

1. Finds that the Job Corps program has been a cost-effective and successful effort to assist disadvantaged young men and women in obtaining and holding

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1U. S. Congress, House 1985, 1.

2Ibid., 1.
employment;

2. Hereby reaffirms its commitment to the Job Corps program; and

3. Will seek to maintain the current level of funding for the Job Corps program.¹

The Committee on Education and Labor found that the Job Corps program was cost-effective and offered quality education and training to many of the nation’s very disadvantaged youths. This residential program provided poor youths an opportunity for a new start and a chance to become productive citizens. The committee expressed the sense of the House of Representatives that the Job Corps was a viable and productive program and that funding should be maintained at the current level.²

Once again Congressional, labor, and business supporters came forward to protect the program and $638 million was appropriated to the Job Corps, thwarting the attempts of the Administration to eliminate it. At the end of the Reagan Administration, the budget was $716.1 million.³

There was also the benefit that the Job Corps centers had on many surrounding communities. Corps members from Gary center in Texas did voluntary work for the surrounding communities of San Marcus, Buda, Caldwell County, Wimberly, Navarro School District in Geronimo, Laling, Kingsberry, Staples, Kyle, Southwest Texas State University, the city of Austin, and many local churches. Officials at Gary estimated that it

²Wair, 6.
³Ibid., 7.
amounted to approximately $2 million worth of volunteer labor over the last twenty years.¹

Beside the Gary center, corpsmen provided many other social services while they were in training. These services included blood donation drives conducted in many centers in cooperation with the local Red Cross chapters. The Job Corps members and center staff members contributed thousands of pints of blood annually on a voluntary basis. Corps members were also involved in local clean up campaigns, United Funds drives, emergency services in cases of disaster, repair of housing for the elderly, and other projects which had a value to society that never seemed to be taken into consideration when the cost of the Job Corps was totaled.²

Mr. Matthew Martinez, a member of the Committee on Government Operations, spoke well of the program. He said,

There is no doubt in my mind that over the past 20 years the Job Corps has really made a lasting and profound contribution to the lives of more than a million Job Corps recipients. It is likely that these youths might have led a different kind of life, one of poverty and crime. Instead they are viable tax paying citizens. I do not often agree with the President. I did agree with him when he said in his State of the Union message: "We can help teenagers who have the highest unemployment rate, find jobs so they can know that private work can give them confidence in their future."³

In his concluding remark, he emphasized the importance of the Job Corps program by saying that the program enjoyed widespread bipartisan support. It was cost-

¹Ibid., 21.
²Ibid., 25.
³Ibid.
effective. It returned $1.46 for every $1.00 spent by the Federal Government.\textsuperscript{1}

Congressman Pickle (D. Tex.) had this to say about the program.

One program that we know works is the Job Corps. I know from experience that this is a worthwhile program because I have seen what it does for the young people who participate. It teaches them discipline and the desire to become a better person. . . . They receive quality instruction from teachers who care . . . What the OMB does not understand is that the Job Corps is an investment in these people and subsequently in our society, not just an expense to taxpayers. While there are other programs that benefit these young people, none of them do what the Job Corps does.\textsuperscript{2}

Representative Jim Lightfoot (D. Ia.) believed that one area many representatives would agree on was the need to continue the Job Corps program, and that the Administration Budget proposal to eliminate the Job Corps program was short sighted and should be rejected.\textsuperscript{3}

Mr. Richard F. Schubert, former Under Secretary of Labor during the Nixon Administration, said:

The Job Corps is a cost-effective deficit reducing program for the Government rather than a tax consuming one. History does not have a way of repeating and I recall at least two occasions when I was with the Labor Department that OMB attempted to either spin off the Job Corps from the Federal Secretary to Individual State or actually eliminate it. I received the reasons pro and conned and found that the facts do not support the recommendations.\textsuperscript{4}

The Job Corps, which had been in existence since 1964, had been at the center of controversy for as many years. The program was established to provide intensive training,

\textsuperscript{1}Ibid.
\textsuperscript{2}Ibid., 21.
\textsuperscript{3}Ibid., 24.
\textsuperscript{4}Ibid.
employment, and educational services to economically disadvantaged youth between the ages of 16-21. About 60,000 youth received training in the program each year. At least 90 percent of them were in residential centers located in 42 states, the District of Columbia, and Puerto Rico.

Severely disadvantaged youth were the target group. Services were usually provided in a residential setting, although nonresidential programs were also authorized. The Job Corps was a total service program that, in addition to remedial education, skills training, and work experience, provided subsistence, clothing, health care, and recreation. Corps members receive allowances for pocket money and earned money for relocation and/or readjustment allowances upon termination.

There were 107 Job Corps centers in operation as of 1985. Of these, 77 were managed by contractors to the Department of Labor, and the remaining 30 were operated as conservation centers by the Departments of Agriculture and Interior. The Job Corps capacity was effectively doubled between 1983 and 1985. Annual appropriation for the program was about 40,500 service years, or “slots.” Because the average stay in the Job Corps

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1See Appendix J, “Profile of Students.” This appendix shows the sex of the students, the race or ethnic group, the age groups, entry reading level, high-school dropouts, those who never held a full-time job, the family size, and families on public assistance. The appendix also shows the percentages for each section. This appendix shows some troubling statistics, 79 percent of Job Corps enrollees are high school dropouts, 51 percent are African-American, 69 percent never held a job, and 61 percent are male.

2See Appendix D, “Job Corps Capacity to Serve Poverty Youth.”

3See Appendix F, “Job Corps Center Operators.”

4See Appendix D, “Job Corps Capacity to Serve Poverty Youth.”
Corps was less than one year, approximately 100,000 persons were served annually.

During the Program year, 1985, costs were calculated as $15,000 per service year, $6,000 per participant, or $13,000 per placement. The Administration’s requested funding for program FY 1987 was $351 million, which did support about 22,500 service years, although in past years the Congress had continued funding at about the $600 million level.¹

The Job Corps has been a subject of intensive study and evaluation over the last 22 years by the General Accounting Office in response to a request from Senator Orrin G. Hatch of Utah. Evaluators were in agreement that the program was cost-effective, with a small but positive benefit-cost ratio.²

The United States National Commission for Employment Policy believed that the Job Corps program was very effective in assisting young people who are severely disadvantaged. At the same time, the Commission acknowledged that the program was expensive, that the funds spent on it could buy many “slots” in a less costly program, and that some of the centers appeared to be less efficiently run than others. Having considered all of this information, the Commission deferred any specific recommendations about the Job Corps until after its work on Youth-At-Risk was completed and it had developed its

¹U. S. National Commission for Employment Policy 1987, 104. See Appendix H, “Job Corps Appropriations Funding History.” This appendix shows the year, administration request, and the final appropriation received. It must be observed that the only year that the administration received less than it requested was in 1981. During this period the Federal government closed a number of centers and was trying to eliminate the program.

²Ibid., 106.
own concept of a national youth strategy for the year 2000.¹

The Job Corps has made great progress under the ten-year guidance of Peter Rell, who had become the longest standing national director. New staff programs were initiated and innovative curricula enhancements were made. Most notable was the mandatory inclusion of parenting classes for all students in 1990. Equally important was the training and implementation of Social Skills Training (SST) in 1991.² The development of emerging vocational trades including water waste management, computer technology, medical coding, culinary arts, and paramedics made possible additional work opportunities to help students make successful transitions into society through the world of work.

There were enhancements in the classroom, too. Computer Managed Instruction (CMI) designed to simplify student testing and scoring was implemented in 1991. The following year, the Student Pay and Allotment Management Information System (SPAMIS) was created to permit incentive-based payment to students.

The Job Corps Expansion

In 1991 Barbara Bush visited the Potomac Job Corps Center in Southwest Washington, D.C., where she observed both academic and vocational classes. Ms. Bush was so impressed with the program that she declared, "This is one of the most exciting

¹Ibid., 127.

²Wair, 8.
programs I've seen. I wish there were a thousand of these programs around the country.'

During the Bush Administration, the most extensive expansion since the Carter Administration was proposed. In 1990, more than 80 organizations such as labor unions, businesses, advisory groups, academic and research institutions, education and training associations, government agencies, and volunteer/community services groups committed to the Job Corps launched the 50-50 Plan in response to the House and Senate Appropriations Committees report calling for the "continued expansion" and "long-term expansion" of the program, respectively. The aim of the plan was to enrich the program and provide for incremental growth to reach more youth. The 50-50 Plan focused on improving existing services, while opening 50 new centers to serve 50 percent more youth by the year 2000.

The House Subcommittee on Employment Opportunities held a hearing on the Job Corps 50-50 Plan in May 1991. Chairman Carl Perkins (D-Ky.) opened the hearing by saying:

Job Corps has a proven track record of placing more than 90 percent of its graduates in a job, post secondary education, or the military. The Job Corps works. It is one of the few federal anti-poverty programs which has had bipartisan support since its creation. . . . What's the cost of not funding the program? How much do we spend on our prisons, or on treating drug abuse? How much do companies spend on remedial training for new workers? . . . America needs the

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1Ibid., 9.

2See Appendix M, "Organization Committed to the Job Corps."

3U.S. Department of Labor, Employment and Training Administration, Job Corps; Job Corps Annual Report, Program Year July 1, 1995-June 30, 1996, 19.
Job Corps 50-50 Plan, now more than ever.\textsuperscript{1}

Statements given at the 50-50 Plan hearing included those of Congressional supporters, organizations in the Job Corps community, and representatives of the Job Corps centers. An electrical wiring graduate of the program, Aaron Payne from the Old Dominion Job Corps Center in Monroe, Virginia, presented this testimony:

Before enrolling in the Job Corps in 1990, I was a member of a street gang in Philadelphia, which was heavily involved in drug trafficking, theft and vandalism. I served time in prison because of my gang's violence. I had very negative values and little respect for society or other people. ... Today I am an electrical apprentice. ... I have a beautiful wife and a little boy. I have a positive lifestyle that keeps getting better and better. I work hard at my job so that someday my family and I will be able to own our own home, and maybe send our children to college. Without the Job Corps I wouldn't have any of this.\textsuperscript{2}

These words reached the ears and the hearts of those who were involved with the Job Corps, and the 50-50 Plan was on its way to becoming a reality. The Plan received endorsements from members of the House and Senate Budget and Appropriations Committees and many committed supporters.

Since 1989 Congress had allocated funds to implement the Job Corps expansion. In 1993 President Bill Clinton called for full funding of the 50-50 Plan. His 1994 budget included funding for maintaining the existing centers at peak condition, investing in the backlog of needed repairs, as well as continuing the expansion effort.\textsuperscript{3} In 1994, more than 80 sites were proposed by different communities. These proposals were carefully reviewed by panels of program staff. Comprehensive on-site facility utilization studies

\textsuperscript{1}Congress, House, Subcommittee on Employment Opportunities, \textit{Hearing on the Job Corps 50-50 Plan: Hearing before the Subcommittee on Employment Opportunities, 102\textsuperscript{nd} Cong., 1\textsuperscript{st} Sess., 1991}, 2.

\textsuperscript{2}Ibid., 60-61.

\textsuperscript{3}See Appendix H, "Job Corps Appropriations Funding History."

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were conducted by a team of architects and engineers on those sites which were the most promising. In March 1994, the Secretary of Labor made the final site decisions, selecting eight new centers in San Francisco, California; Caribou, Maine; Ayer, Massachusetts; Flint, Michigan; Chicago, Illinois; Memphis, Tennessee; Montgomery, Alabama, and Homestead, Florida. A ninth site in Long Beach, California, was also selected to replace a site in Laguna Mountain, California, elected in a previous round of expansion and was disqualified due to environmental assessments. Five of these nine new sites were former military bases.¹

Secretary Reich of the Department of Labor and President Clinton’s investment in the 50-50 Plan represented a historic milestone for the Job Corps. Never in the history of the Job Corps has an administration so extensively embraced the program.²

The Job Training Reform Amendments of 1992

The Job Training Partnership Act³ completed eight years (1992-1998) and had generally been viewed as a successful, outcome-oriented, public-private partnership that trained and placed disadvantaged individuals into permanent, unsubsidized jobs. On


²See Appendix O, “Job Corps Achievement 1964-1997.” This appendix shows some of the achievements of the Job Corps from its inception to 1993 when President Clinton called for full funding of the 50-50 Plan.

³See Appendix N, “Job Training Reform Amendments of 1992; Public Law 102-367 (H.R. 3033).” This appendix shows the changes/amendments that were made to JTPA.
September 14, 1992, Congress amended JTPA with the Job Training Reform Amendments of 1992 (P.L. 102-367). These amendments were introduced by the Committee on Education and Labor after a number of hearings. The committee also received reports from the Department of Labor’s Office of Inspector General, the General Accounting Office, the National Commission for Employment Policy, and a number of commissions.

It was the belief of the committee that H.R. 3033 would have strengthened one of the country’s foremost job training programs for disadvantaged individuals and dislocated workers. In addition to its economic benefits, a reformed JTPA had the potential to significantly improve social conditions by giving hope to people who had despaired of finding a decent job, and by helping to reduce crime.

The committee focused most of its attention on changes to Title 11 of JTPA, which targeted the economically disadvantaged. The same week H.R. 3033 was reported, the *Washington Post* headlined that “poverty in the United States rose sharply last year...”
for the first time since 1983,”¹ the height of the 1980s’ recession. Another report by the Joint Center for Political and Economic Studies found that “global labor market changes led to increases in poverty throughout the Western industrialized nations in the 1980’s, but the United States stood in ignominious isolation in its failure to lift its least well-off citizens out of poverty.”² The report explained that the effects of technological advances, increased global trade, and a relative decrease in the manufacturing workforce left many poor and near-poor either jobless or underemployed. It concluded that families with children suffered the most.³

The unemployed and dislocated worker would benefit from an improved JTPA system. Therefore, Job Training Reform Amendments of 1992 would retain the Federal, State, and local partnership that formed the basic delivery system for JTPA, and preserved the emphasis on program outcomes through the use of revised performance standards. In general the legislation stressed reaching hard-to-serve youth, with barriers to employment in addition to their poverty.⁴ Also, basic skills training were strongly encouraged.⁵


³See Appendix J, “Profile of Students.”


⁵See Appendix K, “The Job Corps Performance Summary for Program Years: PY 1991-PY 1998.” This appendix shows student outcomes. It must be noted that the average
A Synopsis of Title II

Title II of the Job Training Reform Amendments (JTPA) is divided into six sections:

1. **Adult and youth programs**: H.R. 3033 separated the year-round youth services provided in the existing Title II-A - adult and youth programs into a new Title II-C, Youth Program. To be eligible for services under Title II-A, individuals had to be economically disadvantaged adults, ages 22 or older. The proposed Title II-C program, for youth ages 16 through 21, required that these youth must be disadvantaged and 60 percent must be out of school.¹

2. **Funding and State set-asides**: This bill included an increase of funds for the expansion of Title II programs by 10 percent.²

3. **Cost categories**: The legislation proposed that a minimum of 50 percent be spent on direct training activities, a maximum of 20 percent on administration, and the remaining 30 percent on support services and training-related services. The Secretary was given the responsibility of over seeing that there were no fraud, waste, and abuse in the programs.³

Placement wage, the total reported placements, students who obtained their GED and entered employment have increased over the years.

¹ *United States Code Congressional and Administrative News*, 1992, 916. Appendix J shows that 79 percent of the students were high-school dropouts.

² Ibid.

³ Ibid.
4. **On-the-job training**: The bill limited this training to six months. It prohibited service delivery areas (SDA) from contracting with employers who have exhibited a pattern of failing to promote on-job training (OJT) participants with continued long-term employment with wages and benefits at the same level as regular employees.¹

5. **Performance standards**: H.R. 3033 amended adult and youth performance standards to include employability competencies, such as a high-school diploma or its equivalent. The bill also amended the incentive grants to emphasize exceeding performance in services to the hard-to-serve, or those with additional barriers to employment.²

6. **The Job Corps**: The bill amended the Job Corps program to increase the ceiling on the proportion of nonresidential slots in the program from 10 percent to 20 percent, with priority given to parents with dependent children. The bill also prohibited private contractors from managing a Civilian Conservation Center.³ This section is explained in more detailed in Title IV.

**Title IV: Federally Administered Programs**: JTRA amended JTPA Title IV part B provisions for the Job Corps. It revised the age limits for participation in the Job Corps to allow not more than 20 percent of the enrollees to be from ages 22 through 24. This title also allowed participants to participate concurrently or sequentially in both the Job Corps

¹Ibid., 917.
²Ibid.
³Ibid.
and training services for the disadvantaged.¹

The bill increased from 10 to 20 percent the allowable number of nonresidential participants enrolled in the Job Corps in any year. The bill required that, in enrolling nonresident participants, priority be given to those eligible individuals who are single parents with dependent children. However, the bill prohibited the Secretary from reducing the number of residential participants in the Job Corps programs during any program year below the number during 1991 in order to increase the number of nonresidential participants.²

This title prohibited the use of the Department of Labor funds to contract with a non-governmental agency to administer or manage a Civilian Conservation Center of the Job Corps on public land. The title also directed the Secretary to provide child care at or

In addition to meeting the age requirements, (between 16-24) to be eligible for Job Corps, applicants must:
1. Be economically disadvantaged
2. Be a high school dropout, or if graduated, in need of additional education or training to obtain and hold meaningful employment.
3. Be a United States citizen, U.S. national, legal resident, permanent resident alien or other lawfully admitted alien.
4. Not be on probation or parole, unless the court does not require personal supervision.
5. Be living in an environment which is so disruptive that the prospects of participation in a nonresidential program are substantially impaired.
6. Have signed consent from a parent or guardian if the applicant is under 18 years of age.
7. Be free of serious medical or behavioral problems.
8. Have the motivation and capacity to succeed in the Job Corps.

²Ibid., 1076.
near the Job Corps centers for individuals who required such care for their children in order to participate in the Job Corps. In addition, it required each Job Corps center to provide alcohol and drug counseling and referral to participants who needed such services. The Amendments also provided a Zero Tolerance Policy for drug, alcohol, and violence.\footnote{See Appendix L, “Zero Tolerance at a Glance.”} Finally, the legislation directed the Secretary to provide all nonprofit Job Corps contractors with an equitable and negotiated management fee.\footnote{Ibid., 1077.}

Finally, the Job Training Reform Amendments did strengthen a proven system. Without appropriate long-term services which required long-term investments, JTRA would not have provided a long term solution to poverty and unemployment.\footnote{\textit{United States Code Congressional and Administrative News}, 1993, 917.} JTRA pulled many different agencies and program services together, encouraging cooperation and pooling resources.

\textbf{Summary}

Authorization for the Comprehensive Employment (EOA) and Training Act of 1973 expired in 1982. Congress needed a new job training program for the drop out youth who were not prepared for employment, for welfare recipients who would benefit from training, and the economically disadvantaged who could not compete in the local job market without the necessary skills. Also, Congress needed a program for the dislocated worker who would benefit from new skills to properly function in the new jobs that were
created by the changing economy. The Job Training Partnership Act of 1982 and the Job Training Reform Amendment of 1992 attempted to address those needs. This Act provided the opportunities for the private sector and business to be more involved with the Job Corps and limited the powers of the State Governors to balance special statewide programs, and bypassed them altogether in other cases which provided for a direct federal-to-local government relationship. The Act also provided education and training for the disadvantaged youth. Finally, the Act recommended that enrollees should perform at a certain standard, and provisions were made to judge the standards of the programs.

Demonstrative changes were evident in the provisions and demographics of the legislation. In 1982 the budget was $589.6 million and decreased in 1983 by $2 million. Between 1983 and 1985 the Job Corps capacity was doubled. The eligibility requirements for enrollment were expanded. An extensive interview process was added to standards and procedures for selecting and screening applicants. The supervised program of education was intensified by enhancing work experience, counseling, and providing child care which facilitated an increased in the enrollment of women.

In 1980 many critics were in favor of closing the Job Corps program. This sparked a study on the cost effectiveness of the program and its operation by the Mathematica Policy Research Inc. Even though the results showed that the program was cost effective, the Reagan administration reduced the Job Corps budget. In spite of this set back the program remained intact under JTPA and the Amendment. The program had great impact on many communities. These communities include, Navarro School District in Geronimo, the City of Austin, San Marcus, Buda Staples, and Kyle. The services provided by the
enrollees of the Job Corps included donation of blood, and building and repairing homes for the elderly. These were voluntary services.

Despite its failures, the Job Corps program continued to expand. In 1990, more than 80 organizations launched the 50-50 Plan which focused on program enrichment and incremental growth to reach more youth. The Job Corps program continued to experience changes in the education and training of the economically disadvantaged youth in this country.

On September 14, 1992, H.R. 3033, the “Job Training Reform Amendments of 1992” was signed into law. This legislation maintained local flexibility and system of performance standards that were the cornerstones of the JTPA program. It also targeted services to youth and adults who were most at risk of failure in the job market, including those who lack basic skills, were high-school dropouts, or were dependent on welfare.

The law also focused on program quality by providing more intensive and comprehensive services to participants. Those services included an assessment of each individual’s skill level and service need. In addition, participants received basic and occupational skills training tied to labor market opportunities that promoted long-term employability, job placement, and job retention.

See Appendix M, “Organizations Committed to the Job Corps as of 1997.”
CHAPTER 5
RECENT LEGISLATION

Introduction

This chapter presents the evolution of the Workforce Investment Act of 1998. The Act is traced from the time it became a bill in the House and the Senate in 1997. Next, the legislation that was addressed by both bills is discussed. This study focuses on the major job-training features of the bills. The chapter ends with a summary of the Workforce Investment Act of 1998.

It would appear that the legislative enactments and recurring authorizations created a cycle or pattern of activity approximately every ten years. The term of this study showed the legal evolution of the Job Corps which began in 1964 with the EOA and continued through 1998.

The emphasis was continually improving to incorporate more training needs and different types of recipients who needed training. As time passed, the target population increased. There was rapid expansion of technology with continued demands for skilled workers as determined through bonding with business and industry. The government and Congress could not relax their efforts to continue the Job Corps program and the federal and state responsibility for educating all of its citizens.

In keeping with the historical pattern of the legislative process, Congress passed
laws, amended laws, and rescinded previous enactments for the Job Corps. This practice made provisions for careful study of program management, program cost-effectiveness with program process, and product evaluation.

On August 7, 1998, the Workforce Investment Act of 1997 passed the House and Senate and became P.L. 105-220. This Act provided a variety of activities which prepare youth for academic and employment success.

The House of Representatives Bill-H.R. 1385
The Senate Bill-S. 1186

The House passed the Employment, Training, and Literary Act of 1997 (H.R. 1385). This measure was introduced with bipartisan sponsorship from Representatives McKeon, Gooding, and Kilee. Many provisions in H.R. 1385 amended the Job Training Partnership Act (JTPA), the country's chief legislation under which employment and training services were provided to low income youth and adults and to dislocated workers. JTPA was re-titled the Employment, Training and Literacy Enactment Act (ETLEA). Other provisions would address adult education and vocational rehabilitation

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programs.¹

The Senate voted the Workforce Investment Partnership Act (S. 1186),² a measure which was introduced September 17, 1997, with bipartisan sponsorship from Senators DeWine, Jeffords, Kennedy, and Wellstone.³ Like the House-passed bill, many of the provisions would address job training, although JTPA⁴ would be repealed in the Senate (rather than amended) and replaced by Title 3 of this Act (Workforce Investment and Related Activities Act). Other provisions would address vocational education and adult education programs. A separate Bill (S. 1579), approved by the Senate Labor and Human Resources Committee, would address vocational rehabilitation.⁵

Major Job Training Features of H.R. 1385 and S. 1186

Statewide decision-making for workforce development would occur through a


⁵See Appendix Q, “Legislation Addressed by H.R. 1385 and S. 1186.” This Appendix explains which act was repealed, amended, addressed and not addressed.
"collaborative process" in H.R. 1385 or through a "statewide partnership." In either case, participants would include the Governor, relevant state agencies, and representatives of parents, business, employees, education, locally elected officials, and the state legislature, among others. The chairperson and most of the participants would be from the business sector.

One responsibility of the "collaborative process" or the "statewide partnership" would be the development of the state plan. They required that each state develop a single comprehensive state plan that gives policy guidance with respect to employment and training programs including the adult education and literacy program and programs written under the Wagner-Peyser Act. The partnership could develop a plan for adult, dislocated worker, employment and training activities, and for youth activities authorized under Title 3 of the Bill. It could also develop a "unified plan" covering two or more programs authorized in the Bill (i.e., vocational education or adult education) or a program related to the Bill (e.g., vocational rehabilitation). They would give states developing unified plans a priority in receiving incentive grants from the Secretary of Labor for exceeding performance measures.

2U. S. Congress, Senate, 1997, 241; 303; 308 (d).
3U. S. Congress, Senate, 1997, 303 (c) and U. S. Congress, House, 1997, 121(b).
4U. S. Congress, Senate, 1997, 308(d), Wagner-Peyser Act, Statute at Large, 48, sec. 49, 113 (1933).
5U. S. Congress, Senate, 1997, 303(d).
6Ibid., 303(d).
The Governor through either the collaborative process or the statewide partnership would designate local areas, called workforce development areas in the House Bill\(^1\) and as workforce investment areas in the Senate Bill.\(^2\) These areas would be similar in structure to the service areas established under JTPA.\(^3\) The collaborative process or the statewide partnership would also determine criteria for the establishment of local boards, referred to as local workforce development boards in the House Bill\(^4\) and as local workforce investment partnerships in the Senate Bill.\(^5\) These local boards or partnerships would be similar in functions to the Private Industry Counsel (PICs) established under JTPA, but would have broader responsibility for developing a local workforce development system.\(^6\) In addition, under S. 1186, the workforce investment partnership would appoint a youth partnership to develop the youth portion of the local plan, award grants to providers of youth activities, and to coordinate youth activities in the local area.\(^7\)

There were four state-administered programs under JTPA: adult training, summer youth employment and training, youth training, and economic dislocation and worker adjustment assistance (i.e., a dislocated worker program), each with its own funding

\(^{1}\)U. S. Congress, House, 1997, 121(a).

\(^{2}\)U. S. Congress, Senate, 1997, 303(b).

\(^{3}\)29 U.S.C. 1531 et seq.


\(^{5}\)U. S. Congress, Senate, 1997, 308(b).

\(^{6}\)Ibid., S. 308(e); H. 122(d).

\(^{7}\)Ibid., S. 308(I); 314: H. 123(b)(B)(I).
stream.¹ The summer youth program would be eliminated as a separately funded program, but local areas would be required to provide summer employment opportunities under the new youth program.² Separate funding streams would remain for adult training and dislocated worker training.³

Allocations to states would be made in a manner similar to the way they made them under JTPA.⁴ Both bills would allocate funds to states for adult and youth training using the same JTPA three-part formula based on substantial unemployment (more than 6.5 percent), excess unemployment (more than 4.5 percent), and poverty.⁵ The bills would allocate funds to states for dislocated workers using the same JTPA three-part formula based on unemployment, excess unemployment, and unemployment of 15 weeks or longer.⁶

The board of each area or partnership would develop a “one-stop” system to provide individuals and employers a single point of access to employment and job training services.⁷ This system is referred to as a “full service employment and training services.”

¹29 U.S.C. 1601 et seq.
⁴29 U.S.C. 1502: 311; 312; 313 (a)). Differences from JTPA would be in the provisions related to small minimums, and minimum and maximum allocations for all states.
⁶Ibid., S. 306(b): H. 313(b).
⁷Ibid., S. 311.
delivery system" in the House Bill and as a "one-stop customer service delivery system" in the Senate Bill. Training services to adults would be available through the one-stops and would be provided by "eligible providers." Adult training would be provided primarily through the use of vouchers, referred to as "skill grants." This training would be provided primarily through the "individual training accounts." The purpose of both skill grants and individual training accounts is to provide individuals with the opportunity to choose training courses and providers. No mechanism for payment was mandated. Under both bills, services to youth would be provided through grants to providers made on a competitive basis. Low-income youth could receive services to those authorized currently under JTPA, such as tutoring and study skills training, alternative high-school services, summer youth opportunities, and adult mentoring. Under H.R. 1385, of the funds allocated to the state for youth programs, the Governor could reserve not more than 25 percent for state activities, e.g., capacity building and technical assistance to local development boards. From the Governor's reserve, not less than 10 percent of the total allotment would be

1 Ibid., S. 312: H. 201.


4 29 U.S.C. 1601 et seq.

5 Under both bills, funds for state administrative costs would come from the amounts reserved for state activities under each of the three state funding streams, and could be nor more than 5 percent of the total state allotment. Under S.1186, the administrative funds from each of the funding streams could be pooled into one account for state administration.

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used for programs that serve out-of-school youth, leaving up to 15 percent of the total allotment for other state activity. The remainder of the funds would be allocated to the local workforce development areas.¹ The Governor would reserve not more than 15 percent of the funds for state activities, according to the Senate bill. The rest of the funds would be allocated to the local workforce development areas, of which at least 5 percent would have to be spent on youth services to out-of-school youth.² The goal of the program would be to increase the long-term employment of youth living in empowerment zones, enterprise communities, and high-poverty areas.

One set of services and one delivery system would be authorized for “adults.”³ Another set of services and one delivery system would be authorized for “dislocated workers.”⁴ Funds would be appropriated separately for the two groups. Under JTPA, there was one list of authorized services under the adult training program and another list under the dislocated worker program, and there could be separate delivery systems. Services would include “core services” such as job search assistance; “intensive services,” such as comprehensive and specialized assessments; and “training,” including occupational training and on-the-job training.

¹U. S. Congress, Senate, 1997, 308(1): U. S. Congress, House, 1997, 203. Under this section, not more than 10 percent of funds allocated to local areas under each of the funding streams could be used for administrative costs.

²U. S. Congress, Senate, 1997, 306. Under this section not more than 15 percent of funds allocated to local areas under each of the funding streams could be used for administrative costs. The administrative funds from each of the funding streams could be pooled into one account for local administration.


⁴Ibid., 313(b)(2)(c).
Major components of an accountability system for programs authorized under the bills would be goals and benchmarks to assess state performance; incentive grants to reward achievement; and sanctions in the form of reduced state allotments to penalize poor performance.¹

Both bills continued most federally administered programs, including the Job Corps, Native American migrant and seasonal farm workers, and veterans’ employment.² Minor changes would be made to these programs. However, the Senate bill would make more extensive changes to the Job Corps.³ Under the Job Corps program, S. 1186 required:

1. The Secretary of the Department of Labor to develop and implement a plan for assigning enrollees to the Job Corps Centers closest to their homes

2. Each center to have a business and community liaison

3. Each center to develop an industry council to recommend to the Secretary of Labor appropriate vocational training for the center

4. Specify the areas in which the Secretary would establish performance measures and expected performance levels for enrollees

5. Enter into agreements with Indian tribes to operate Job Corps centers for Indians

6. The establishment of a zero tolerance policy for violence; the use, sale, and/or

¹Ibid., H. 112(a)(b): S. 321.


³U. S. Congress, Senate, 1997, 331-351.
possession of a controlled substance

7. Provide continued service to graduates
8. Establish measures of performance for centers
9. Each center to provide a report on the center’s statistical performance
10. Maintain a national Job Corps program, in partnership with states and communities.

States would be allowed to continue certain job training reforms enacted by state statutes before July 1, 1997, even if they conflicted with the provisions of the bill as enacted for a period of three years after the date of enactment. Both bills would allow states to continue operating under the statutes of the Secretary of Education or Labor, as appropriate, and determine that the state was meeting its performance measures. State reforms would be in areas such as reorganization or restructuring of the job training agencies, programs, or delivery systems.

Authorization levels for programs would be for funds as necessary for each of the fiscal years 1999 through 2003. The current authorization for most JTPA programs is

1See Appendix L, “Zero Tolerance at a Glance.” This appendix explains what kind of offence an employee may not commit. Should the employee commit any of these offenses, the appendix explains the penalty. The penalty ranges from no readmission to readmission after 1 year.

2U.S. Congress, Senate, 1997, 331-351.

3Ibid., 170.


funds as necessary. However, both bills permanently authorize most programs.  

Summary of the Workforce Investment Act of 1998

The youth programs authorized under the Workforce Investment Act of 1998 were designed to create youth systems that were closely linked to the labor market. It also authorized programs that were designed to provide participants with a comprehensive set of service strategies.

This law also required an individual assessment of skill level and service needs and the development of a service strategy for each participant. The Act also outlined the required elements of the youth program. These elements included such activities as: tutoring, study skills training, and instruction.

The Act contained several changes designed to strengthen the Job Corps program and to ensure that it functioned as an integral part of the workforce investment system. The new provisions ensured strong linkages among Job Corps centers, state workforce investment systems, employers, and the local communities. It also assured that applicants were assigned to centers closest to their homes.

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1 Ibid., S. 322; 351; 370(a).
2 Ibid., 151; 171; 246.
7 29 U.S.C. 2994.
The Act identified core indicators of performance including vocational completion and placement rates of students, earnings and retention in employment. It also required the provision of continued services to graduates for one year after completion of the program.¹

Finally, the act required that the Job Corps centers have a business and community liaison and an industry council to enhance cooperation with business.² These requirements ensure connections between local labor markets and the Job Corps centers, that the vocational training offered is relevant to labor market needs, and that participants learn occupational skills that are in demand in their home communities.³

This bill was signed by President Bill Clinton into law as the Workforce Investment Act of 1998, on August 7, 1998.

CHAPTER 6

SUMMARY AND CONCLUSION

Introduction

The history of the Job Corps began as early as 1958. During that year Senator Hubert Humphrey advanced the idea of a residential youth conservation corps patterned after the Civilian Conservation Corps (CCC) of the 1930s. The CCC was a Depression-era job-creation program involving adult enrollees. The Job Corps model focused on youthful clientele and residential training programs with a supportive environment necessary for successful adulthood. Many of the youth were from impoverished homes, with no role models or proper guidance.

The Job Corps is a national training and employment program administered by the Department of Labor to address the multiple barriers to employment faced by disadvantaged youth throughout the United States. It is primarily the residential aspect and holistic approach of integrating academic, vocational, and life skills, that distinguishes the Job Corps from other employment and training programs.

There was a gap in the American society between the rich and the poor. That gap

\(^{1}\)National Job Corps Coalition, 1994, 3.
existed because too many of our citizens were living in poverty. President Johnson realized that America could no longer ignore the evidence of human deprivation caused by poverty, increasing unemployment, and the waste of youth potential through the debilitating influences and conditions leading to criminal activity, lawlessness, and illiteracy. He wanted a “Great Society” where all citizens could develop a sense of dignity and pride. In other words, the President was willing to declare an all-out war on human poverty. He empowered a Task Force in 1963 to develop a comprehensive statutory design that showed organization, management of programs, implementation, and a rubric for assessment. The statutory design was the Economic Opportunity Act of 1964. The war against poverty is envisioned through job training programs.

Growing awareness of the problems of minorities and youth kept the evolution of the Job Corps alive. In spite of governmental priorities, political maneuvers, philosophical agendas during various administrations, personal decisions were made during frequent changes of leaders in Congress.\(^1\) The Job Corps continued to survive due to the political organization of the government. There was a continued need for legislative enactments, to ensure basic education\(^2\) for all citizens at all levels. Through legal enactments the Job Corps became more responsive to the intent of the legislation by providing opportunities to develop a prepared and productive citizenship for a larger population of young people who were undereducated, undertrained, and unemployed.

\(^1\)Levitan and Johnston, 5.

\(^2\)See page 6. Basic education includes, mathematics, reading and writing at a functional level.
Importance of the Study

This study is significant not only because it is the first research about the legal history of the Job Corps, but because it compiles most of the fragmented legal documents into a single study. This study may be used as a pilot for further longitudinal studies involving legislation of the Job Corps.

There is an important history portrayed in the evolution, benefits and outcomes of this social program from its inception in 1964 to 1998, depicting its successes and failures. The positive outcomes include: GED attainment, vocational training, employment, and enrollment in full-time advanced education or training. Additional benefits include improvements in motivation, attitude, social skills, and other employable skills. As a result, the enrollees are better prepared to contribute to their communities.

My personal interest in the Job Corps began in 1991 when I accepted a teaching assignment at the Potomac Job Corps Center in Washington, D.C. and was assigned to the Academic Department where I taught basic mathematics, writing skills, basic reading, social skills, and team building. My curiosity was aroused after speaking with a number of enrollees who were displaying behavioral problems. They contended that they were in the wrong program. These enrollees made different claims: Some claimed that they were forced into the program by the judicial system, others claimed that they were sent there by their parents, still others claimed that they needed a second chance in life. Later, I discovered that about three out of ten enrollees leave the program within the first thirty to sixty days of enrollment. These are enrollees who experience difficulty in adjusting to the institutional setting, the disciplined environment, became homesick, or had other personal
reasons. Those who choose to leave forfeit the training, cash incentives, and other benefits offered in the program.

**Research Methodology**

Ms. Mary Silver, the National Director of the program, became a source by sending me the names of the statutes that created the Job Corps program. In checking the ERIC data base I discovered that no dissertation had ever been recorded with the history of the Job Corps or the legal history of the Job Corps. The George Mason Law Library, the University of the District of Columbia Law Library, the Department of Labor Law Library, the Library of Congress, and the National Office of the Job Corps became resources for collecting and reviewing relevant sources of authentic data for this study. The review sources included bibliographic material; official documents and reports; personal conferences and phone interviews with selected officials of the Job Corps; and consultation with the above librarians and university staff. The research necessary for this study made the historical method of analysis the appropriate process for this presentation. The historical method involved three tasks: the first was the collection of all documents for the studied period; the second was to analyze the information found in the sources; and finally, the presentation of the facts, interpretations, and conclusions.

Research was also done on related court decisions that added legal support to the Job Corps program. Seven related court decisions were selected in five major areas: (1) termination of employment (three cases); (2) search and seizure (one case); (3) negligence (one case); (4) religious issues (determine whether one case); and (5) tax reimbursement. The Shepard's Federal Citations was used to determine whether or not the cases were
appealed and what constituted the most recent decisions and opinions of other courts.

**Evolution of the Job Corps**

The evolution of the Job Corps was made possible through the Economic Opportunity Act of 1964,\(^1\) and continued under the Comprehensive Employment and Training Act of 1973,\(^2\) the Job Training Partnership Act of 1982,\(^3\) and the Job Training Reform Amendments of 1992.\(^4\) The current authorization for the program is under the Workforce Investment Act of 1998.\(^5\) These acts enabled the federally administered program to become more refined in its operation.

These legislative acts set up standards, policies, guideline program information, and criteria for enrollees. They spelled out standards and procedures for operation. They provided administrative leadership and extended population. They created business and industry involvement relative to the management of the Corps. Finally, these statutes formed the foundation and cap stones of this social program.

**Comprehensive Employment and Training Act**

The main purpose of the Comprehensive Employment and Training Act\(^6\) was to

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\(^4\)*Job Training Reform Amendments*, P.L. 102-367.


provide a new charter for manpower programs previously operated under the authority of the Manpower Development and Training Act,\(^1\) the Emergency Employment Act,\(^2\) and the Economic Opportunity Act.\(^3\) As a result, CETA eliminated numerous categorical programs authorized under those Acts and substituted a diversified program that was more responsive to the local needs. Instead of operating manpower programs through 10,000 contracts with the Secretary of Labor, the bill operated programs through grants to about 500 local and state prime sponsors who planned and operated the programs. Thus CETA was the glue that held them together.

CETA stipulated that enrollees must participate in an intensive educational program, vocational training, work experience, counseling, and other activities. Historically, approximately three out of ten new Job Corps students leave the program within the first ninety days of enrollment. In my personal experience I have found that these are generally students who cannot adjust to the instructional setting or the disciplined environment, who become homesick, or who have personal or family issues that need to be resolved before they are able to focus on their future. These enrollees generally do not gain any significant increase in education or skill levels as a result of their enrollment in the Job Corps. Based on my findings, about 82 percent of the enrollees who remained in the program entered employment or enrolled in further schooling. Seventy-three percent entered employment at an average hourly wage of $6.87; 9 percent

\(^{1}\text{42 U.S.C. 822.}\)

\(^{2}\text{42 U.S.C. 4871.}\)

\(^{3}\text{42 U.S.C. 2701.}\)
entered further education.¹

In spite of these statistics, in 1974 Congress realized that some enrollees would
not be able to participate in an intensive program; consequently, Congress created the
need for flexible training strategies.² For example, some specially developed programs
required unique facilities, training sites, and support services which were not typically
available at some Job Corps centers. One of these programs is Demeter House.³ This is a
residential treatment program for chemically addicted persons. In the 1980s, the program
addressed the barriers that have traditionally interfered with the performance of the
chemically addicted. The treatment process includes individual and group counseling, as
well as education. Along with education on addiction and its treatment, the program
focuses on specific issues, such as parenting education, communication techniques,
nutrition, counseling, and life skills training. This approach is designed to empower the
enrollees to re-enter the community as responsible citizens.

Eventually, the Job Corps became supervised for fulfillment of all areas of
responsibility, management, and operation under the Department of Labor’s regulations
in the 1990s. These statutes helped to refine the application of law to the management of
the Corps. They aided Congress in identifying weaknesses in the Job Corps program,
thereby making amendments to modify, improve, and strengthen operations, resulting in

¹See Appendix K, “The Job Corps Performance Summary for Program Years PY
1991 - PY 1998.”


³Demeter House, Vanguard Services Unlimited, “A Non-Profit Corporation
Dedicated to Treatment of the Chemically Addicted” (Revised in July 2001), 3.
administration, policies, and procedures. This led to maintaining focus on participant outcomes in a more cost-effective arena.

The Mission of the Job Corps

As a national and primarily training program, the Job Corps’ mission is to “attract eligible young adults, teach them the skills they need to become employable and independent, and place them in meaningful jobs or further education.” The intent of this mission was to target the most severely disadvantaged youth facing multiple barriers to productive citizenship.

Job Corps Changed Lives

The Job Corps has and will continue to touch the lives of its enrollees. One such youth whose life was touched is Brenda Walker.

Brenda grew up as the sixth of seven children. Her community was secure, and her childhood was happy until she changed schools. “Growing up I was unhappy and as my grades fell, I felt like a failure,” she said. Through peer pressure, she began to skip school, smoke, and hang out with gang members. Brenda, like 80 percent of Job Corps students, dropped out of high school and worked at odd jobs. At twenty, she found herself unskilled, uneducated, and without strong job prospects. While at the unemployment office, she heard about the Job Corps. In August 1981, Brenda arrived on the Atlanta Job Corps campus.

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During her first week, Brenda broke rules and was called into her Residential Advisor's office. Brenda described her encounter, "She took me aside, told me to look myself in the mirror and asked if I liked what I saw. I said, 'not always.' She then told me it was up to me to change it. I walked out knowing I would never be the same."

Brenda completed her clerical training, obtained her GED, and after graduation joined the U.S. Army Reserve. She became a dental clerk at the Atlanta Job Corps Center, entered St. Leo College, and while juggling all her responsibilities, rose to staff sergeant. In 1991 Brenda was called to active duty in Operation Desert Storm. After that she was promoted to manager of Safety and Security, received her Master’s degree in Business Administration, and participated in many community activities.

Another enrollee was Aaron Payne, an electrical wiring graduate of the program. He testified to the fact that the Job Corps program turned his life around. He said that before he enrolled in 1990, he was a member of a street gang in Philadelphia, which was heavily involved in drug trafficking, theft, and vandalism. He served time in prison because of his gang's violence. He had very negative values and little respect for people or society. Today he is an electrical apprentice, married, and has one son. He claimed that he has a positive lifestyle that keeps getting better every day because of his training at the Job Corps. Finally, Aaron plans to own a home and send his children to college.

These are just two examples of how the Job Corps impacted young peoples' lives. Space will not permit enumerating more examples. There are documented evidences to

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show that the Job Corps does turn a high percentage of its enrollees' situations around.

Program Changes in the Job Corps

Over the past thirty-four years, the Job Corps program has experienced many changes. One of the major changes is a shift from residential to nonresidential centers. This shift allowed many more enrollees to be involved in the program.

By mid-1975, there were sixty Job Corps centers in operation. These included four men's centers, twenty-seven civilian conservation centers, fifteen manpower centers, and four extensions and state-related centers. These centers varied not only in clientele and location but also in types of training and residential programs. Some were run by private contractors, while others were the responsibility of the state or federal agencies.

All centers, however, shared a similar routine; for example, medical and dental checkups, orientation, and counseling before settling into organized training schedules. Weekdays were segmented into basic classroom education periods, vocational training, individual and group counseling sessions, and planned recreational programs. The enrollees lived in dormitories and performed maintenance and cleanup tasks of facilities on a regular basis.

This general pattern of regimented living and learning varied considerably among centers. At some centers, greater freedom was allowed, while disciplinary problems at larger centers required stricter control, leading to a center life often referred to as paramilitary.

In order to serve a larger population of single-parent families and to rid the states
of welfare dependency, Congress recommended that services be given in both residential and nonresidential settings. The inclusion of residential facilities allowed the Corps to cater primarily to the youthful population, providing early intervention in education, training, and employment opportunities in a controlled environment. The nonresidential component enabled the program to benefit a wider population. This inclusion of nonresidential did affect the operation of the Job Corps over a time in some areas. For example, enrollees who have children and have to care for them after school are placed in the nonresidential program. This led to the introduction of the day-care program which encouraged this population.

This shift has expanded the program in terms of employment. At the same time smaller centers were being opened. More employees were required to address the needs of this population. For example, the nonresidential enrollees have their own counselors, residential advisors, and Women in Community Service guidance counselors whose job it is to advise and help them find Section 8 housing. These are either one-, two-, or three-bedroom apartments or houses rented to the enrollees at a cost of not less than $35 or more than $85 per month and other benefits provided for them through other programs.

The cost of running the program was minimized in some areas, for example, boarding and lodging, and recreational needs. There was an increase in enrollment. With this increase, more funds were poured into the program. As a result, more services were provided to the enrollees. Eventually, the unique placement of the Job Corps residential and nonresidential centers has brought about more local, state, and federal collaboration, involvement, communication, and cooperation with surrounding communities in the use of resources.
The Secretary of Labor discovered a more cost-effective and efficient method for the delivery of services to the Job Corps centers through private sector contractors. As a result, the operations of the centers changed from government-run centers to independent contractors delivering educational and vocational training. During the 1960s the Department of Defense offered to provide facilities, supplies, administration, and training for the enrollees, but the offer was rejected because some Congressional liberals believed that all the training should be done by civilians. By this time, the role of private businesses was an issue, with some planners advocating private contractors for the operation of the centers, while others argued that government agencies should oversee them.

The compromise solution was to rely upon a variety of administrative agents ranging from large companies such as IBM, RCA, General Electric, and Litton Industries operating men's and women's centers, to federal bureaucracies such as the Park and Forest Services operating conservation centers.\(^1\) There was the decision as to which federal department should have overall program authority. Though the Department of Labor had a strong claim to the program since it is a training program, the OEO was given initial control over the program because it was an economic program. Eventually, by 1973, this program was transferred to the Department of Labor which provided the Job Corps with a more stable and permanent home.\(^2\)

From 1970-1995, another major change to the Job Corps program involved the

\(^{1}\text{See Appendix M, “Organizations Committed to the Job Corps.”}\)

\(^{2}\text{29 U.S.C. 912.}\)
age limit. The age of the enrollees also presented some problems. Throughout the program the majority of enrollees have been 17 years old or younger. In 1974 about two-thirds of enrollees were of this age. For example, in 1973 the average length of stay for those enrollees less than 18 years at enrollment was 5.3 months compared with 6.3 months for those ages 19 or older. Nearly half of the youngest enrollees left the program within ninety days of arriving, compared to 40 percent of the older enrollees. Moreover, these younger enrollees did not qualify for many jobs because of age barriers and, even when employed, they earned lower wages.

By 1995, the program was opened to enrollees from 16 to 24, but about 40 percent of enrollees were 16 or 17 years old. This age changed the focus on two points. First, job placement is a more difficult issue for the younger enrollees. Second, an older population, on average, may add to the stability and maturity of the program. I would recommend that centers be designed to keep, as well as educate, train, and place younger enrollees as close to their homes as possible.

By 1998, the program had increased the age limitation from 16 through 25. This change provided heightened levels of maturity and a longer period of preparation. It also revised the age limits for participation to allow not more than 20 percent of the enrollees to be from age 22 through 24.³


Finally, in the 1980s, the Job Corps training focus shifted from general skills to become more job specific to meet the needs of the local labor force. Various unions, including the International Brotherhood of Painters and Allied Trades and the Home Builders Institute, conduct hands-on training in such areas as carpentry, cement masonry and plastering, painting, tile setting, plumbing, advanced automotive training, electrical, and building and maintenance. These groups, contracted by the Department of Labor, coordinate their activities with each center through a memorandum of understanding. This training helps the enrollees to become more qualified for a specific job.

Together, these changes are making the Job Corps program better in terms of enrollees' responsibilities, job placement, and job preparation. The Job Corps has spent more than thirty-four years establishing a record of success in working with at-risk youth. Today's climate of reform and improvement can only make that record even brighter.

Zero Tolerance Policy

Society is searching for answers to violence and drug abuse. In keeping with that emphasis, the Job Corps has focused on keeping its centers free from violence and drugs. The centers were challenged with the introduction and the implementation of the zero-tolerance policy in the use of drug and alcohol. The purpose of this policy is to promote a positive learning and living environment for all enrollees, by ensuring safety and security on all Job Corps centers. This policy is achieving its purpose. Statistics have shown that

See Appendix L, "Zero Tolerance at a Glance."
the number of enrollees who are terminated from the program is declining.¹

Soundness of the Program

America needs well-trained, skilled workers even for entry-level jobs, and meeting that need is one of the great economic challenges today. While political, business, and education leaders search for solutions, the Job Corps continues to be one of the best answers available. Its comprehensive program of vocational training and basic education gives students a jump on the competition. By keeping up with changes in the labor market, the Job Corps retains its edge as a leader in job-training. As shown in Appendix K, the proof of the program's success is a job placement rate of 80 percent.

By maintaining ties with national training contractors, Job Corps gives its students the advantage of being taught by experts in the field. These experts include instructors from the unions and Home Builders Institute. They conduct hands-on training in many of the Job Corps' programs, such as cement masonry, carpentry, automobile training, paramedical, and others. These groups, contracted by the Department of Labor, coordinate their training activities with the Job Corps centers.

I believe that there is room for more linkage, but with new initiatives. For example, efforts should be made to enlist large corporations to establish training programs. Such corporations may include AT&T, Sprint, Verizon, and others. The importance of establishing programs run by such companies would be the strong possibilities of immediate placement with the firms. Although the individual effort by any

one company might be small, probably only one or two sites training 100 enrollees annually, the effect of enlisting a number of companies and unions might be considerable.

Program's Reduction

Both the Nixon and Reagan administrations claimed that the Job Corps program was too expensive. In 1969 President Nixon authorized the Urban Affairs Council to conduct an intensive study of the program. Based on the results of their findings, the President decided to eliminate the program. President Nixon announced on April 11, 1969, the closing of 50 of the 82 conservation centers, two of the six men's urban centers, and 7 of the 17 women's centers. In the process of closing centers, the overall enrollment was reduced from 32,000 to 22,000. Nixon also reduced the Job Corps budget from President Johnson's $280 million to $180 million.

President Reagan claimed that each slot cost the government the equivalent of the tuition to Harvard. In addition, David Stockman, Director of the Office of Management and Budget, released a report in February 1985 stating that the program was very expensive and that it nearly equaled the annual cost of sending a student to Harvard or Stanford University. The merit of these claims is in dispute.

On March 23, 1985, the Committee of Government Operations found that the program was a success and cost effective. The committee claimed that both President Reagan and Secretary of Labor Donovan agreed that the Job Corps was doing an excellent job. The Mathematica Study confirmed the cost issue and proved the long-
lasting effects the Job Corps has on the lives of the students. On April 4, 1985, the House of Representatives found that the program had been cost effective and successful and gave its full support to maintain its funding.

The program also got a boost from the U.S. Department of Education’s Digest of 1998 Education Statistics which reported that in the 1995-1996 school year, the per student cost at private four-year institutions averaged $28,623 per year. At four-year public institutions, the per student cost averaged $20,579. Based on 32 weeks of class during the year, the average daily cost per student was $128 at the private institutions and $92 at the public institutions. In contrast, the Job Corps daily cost per student averaged only $72 during that same time.

The cost of tuition is only a part of the total cost of an institution. Harvard, for example, has several billion-dollar endowments that pay costs not included in tuition. The actual cost of the Job Corps is in reality much lower than Harvard. Further, Harvard has not demonstrated success in teaching at-risk students such as those who enroll in the Job Corps. In addition, the community colleges and trade schools also have not


demonstrated success with such students. Therefore, the supporters of the Job Corps have rallied successfully to save the program from elimination twice.

**Job Corps Expansion**

In fiscal year 1994, President Clinton asked Congress for authority and funds to implement the “Job Corps 50-50 Plans,” which calls for an expansion of the Job Corps by 50 centers and a 50 percent increase in enrollment over a period of years. As of Program Year 1994, funds had been appropriated by Congress to initiate eight additional centers. These sites were selected through a competitive process. Selection criteria included an assessment of need based on state poverty youth population, unemployment, the availability of suitable, low-cost facilities, and commitments for linkages with State and local programs to enhance services to the Job Corps enrollees and/or reduce the cost of operating the Job Corps centers.

Proposals for sites for this phase of the 50-50 Plan were solicited through an announcement in the *Federal Register*. More than 80 sites were proposed by 69 different communities. These proposals were carefully reviewed.

In March 1994, nine new centers were selected. Five of these sites were former military bases. By 1998 there were 108 centers that were in operation serving about 35,188 enrollees. Implementation of the 50-50 Plan began another successful decade to the Job Corps.

Administration of the Job Corps Program

The program is administered by the Department of Labor through a national office and ten regional offices. The Job Corps' National Office establishes policies and requirements, develops standardized curricula, and oversees major program initiatives, while Job Corps regional offices procure and administer contracts and perform oversight activities which include comprehensive annual or biannual on-site Job Corps center reviews, and ongoing monitoring of centers and outreach/admissions and placement contractors.¹

Job Corps regional offices award cost reimbursement plus fixed fee contractors for the operation of centers for a two-year base period with three potential additional one year option periods. Decisions regarding the award of option years are made by Regional Directors based on an assessment of center performance. Job Corps centers have performance standards for student outcomes.

In Program Year 98, measures included program and placement accomplishments, attainment of basic reading and mathematics skills, GED attainment, vocational completion and placement outcomes (placements in jobs or full-time education, training-related job placement, and average wages), and quality/compliance measures average length of stay, compliance/quality ratings from on-site reviews, and student satisfaction surveys. Performance against these standards weighs heavily in making contracting decisions to award option years under current contracts or in competition for new

contracts. When a process is begun, proposals are solicited, received, and evaluated, and a new contract is awarded.\footnote{See Appendix G, "Job Corps Centers By Region Through 1998."} This administrative monitoring system utilizes a business approach to manage a social service program.\footnote{U.S. Department of Labor, Employment and Training Administration, \textit{Job Corps Annual Report-Program Year 1998} (Washington, D.C., 1998), 16.}

This national program is directed by administrators most of whom are certificated instructors who were promoted through the ranks from instructors to program directors. These program directors attended classes for a period of one year where they receive specialized training in center management, human resource, financial management, and other duties related to the success of the program.

Evidence\footnote{This evidence is based on my experience as an instructor with the Job Corps for nine years. Management at this level delegates more authority and responsibility to frontline workers. A group of staff members are trained regularly to teach both staff and enrollees team building and social skills. Students are no longer called students but are called enrollees as is suggested by Lunenburg and Ornstein.} leads me to believe that the Job Corps applies “total quality management” (TQM).\footnote{Fred C. Lunenburg and Allan C. Ornstein, \textit{Educational Administration: Concepts and Practices}, 3\textsuperscript{rd} ed. (Belmont, CT: Wadsworth/Thompson Learning, 1999), 37.} This kind of management is based on the assumption that employees want to do their best and that management’s job is to enable them to do so by constantly improving the system in which they work. Thus management not only delegates, but seriously assigns more authority and responsibility to front-line workers. W. Edwards Deming,\footnote{Ibid., 37-38.} the founder of “TQM,” suggests a number of principles which he
considers to be the framework for transforming schools such as the Job Corps. Two of these principles are discussed in regard to how they are applied by the Job Corps.

First, adopt a new philosophy. Deming claims those existing materials, methods, and environments may be replaced by new teaching and learning strategies where success for every student is the goal. Individual differences among students are addressed.

The Job Corps over the studied period has undergone a complete revision of its program. With the introduction of Computer Management Instruction (CMI), each enrollee now takes charge of his or her learning. This system helps instructors to focus on concepts, not lectures, and to escape the burden of excessive paperwork. A computer system grades tests, tracks progress, and maintains a complete profile on each enrollee. For instructors, CMI means a chance to spend more time with each enrollee and less time grading tests, filling out paperwork, and milling through file drawers. The instructor is free for classroom instruction; for the enrollees, the system means independence, self-motivation, and instant results.1

Second, create constancy of purpose for improvement of product and service. Deming claims that the purpose of the system must be clear and shared by all stakeholder groups. Customer needs must be the focus in establishing educational aims. The aims of the system must be to improve the quality of education for all enrollees.2

In order to improve the quality of education that enrollees receive and the kind of enrollees needed, the Job Corps invited a number of employers’ involvements. These

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2Lunenburg and Ornstein, 38.
employers are involved in curriculum design, customized training, internships, mentoring programs, and joining a Regional Advisory Council. This council is employer dominated and gives centers in the region direct input on the job market.

Management and instructional staff are certificated employees who regularly attend workshops and seminars geared to meet the needs of the enrollees. At these sessions, staff receive training in curriculum development, social skills, behavioral modification, team building, and the extensive collection and analysis of data. Lunenburg and Ornstein claim that TQM requires teamwork, training, and extensive collection and analysis of data.¹

This kind of training has helped the management of the Job Corps to become more specific in achieving its mission "to attract eligible young adults, teach them the skills they need to become employable and independent and place them in meaningful jobs or further education."² Also management has become more specific in achieving its purpose "to assist young individuals who need and can benefit from an unusually intensive program, operated in a group setting, to become more responsible, employable, and productive citizens,"³ and more cost-effective in its implementation.

The Effect of Legal Challenges

As aforementioned, the legal challenges brought about several changes to the Job

¹Ibid., 37.


³National Job Corps Coalition, 1994, 3.
Corps program. There was one case identified as search and seizure.¹ In this case Coles claimed that his 4th Amendment right was violated when marijuana was found in his suitcase. The rule states that when evidence has been obtained in violation of the search and seizure protections guaranteed by the U.S. Constitution, the illegally obtained evidence cannot be used at the trial of the defendant.

The search and seizure rules apply differently in a criminal case than from other types of cases. In this case, the administrator was not acting as a government agent for purposes of a criminal investigation, so the exclusionary rules did not apply. Therefore, the court concluded that the defendant’s 4th Amendment rights were not violated since the administrator was exercising his statutory authority to maintain proper standards of discipline at the center.

The next case discussed dealt with religious issues.² In this case Decker and two other residents from Wisconsin challenged the use of funds issued through the Department of Labor to pay teachers in elementary and secondary sectarian schools. Decker claimed that the funding violated the Establishment Clause of the 1st Amendment to the U.S. Constitution. The clause in question stated that Congress will not make any laws respecting an establishment of religion.

In Lemon v. Kurtzman,³ the U.S. Supreme Court issued a ruling which applied in evaluating the constitutionality of a statute challenged under the 1st Amendment:

First, the statute must have a secular legislative purpose; second, its principal or primary effect must be one that neither advances nor inhibits religion;\(^1\) finally the statute must not foster "an excessive government entanglement with religion."\(^2\)

Based on *Lemon*,\(^3\) the court in *Decker* was persuaded that the funding of CETA employees in elementary and secondary sectarian schools, as was carried out by the Department of Labor, caused "an excessive government entanglement with religion" and was therefore unconstitutional.

The court's decision involving the religious affiliation with CETA programs changed CETA's requirements for the selection of training sites. No longer was any contract awarded to religious and sectarian organizations. Also, this decision narrowed the Job Corps program in that it excluded the religious structure.

Another area of court decisions was termination of employment.\(^4\) In these cases, Gooley and two companions claimed that they had a constitutional right to notice and hearing prior to being discharged. The U.S. Circuit Court for the eastern District of Missouri in 1978 dismissed their complaint on the grounds that they did not proceed against their employer by means of complaints to the Department of Labor and that they should be required to exhaust that remedy, which they had not done. Therefore, they had no right to pre-termination notice and hearing.

\(^3\)Lemon v. Kurtzman, 403 U.S. 612-613 (1971).
\(^4\)Gooley v. Conway, 590 F.2d at 746 (8th Cir. 1979).
In another case, the Secretary of the Department of Labor issued an order instructing the City of Ann Arbor to compensate Hodges for 13 months of wages on the grounds that the city failed to conduct an informal hearing prior to his termination. In deciding this case, the court concluded that allowing back pay for the Plaintiff for a procedural error where the discharge was otherwise appropriate would not make the employee whole, but would be a windfall. Thus, Hodges's claim was denied.

In a similar case, Hayward claimed that he enjoyed a property interest in being afforded notice and an opportunity to be heard before he was discharged. The 5th and 14th Amendments require that, before an individual's life, liberty, or property is taken by the government, the individual is given due process. In this case, due process has been interpreted to mean that the individual is being afforded notice and an opportunity to be heard. The plaintiff based his claim of a property interest on the CETA regulation which required written notice and an opportunity to respond to charges before termination.

The court responded by saying that a guarantee of procedural fairness did not establish a property interest. Also, the court declared that to confer on CETA employees that right would fundamentally be at odds with the overall scheme of the Act, which is to train unemployed individuals with intention toward their eventual assimilation into unsubsidized employment.

The decision involving termination of employment and property interest did not

1City of Ann Arbor v. United States Department of Labor, 733 F.2d at 429 (6th Cir. 1984).

2Hayward v. Henderson, 623 F.2d at 596 (9th Cir. 1980).
negatively affect the Job Corps. However, Congress in 1978 amended CETA by limiting
the benefits a participant could receive in a two-year period. The decision resulted in the
Job Corps's contractors and prime sponsors evaluating all employees quarterly and yearly
with opportunities to improve performance. Consequently, all managers, directors,
supervisors, and employees have been provided with guidelines outlining personnel
policies, procedures, and employment practices.

In the tax reimbursement decision\(^1\) the Department of Labor sued the State of
Mississippi to recover an amount of money the State charged Res-Care, a contractor with
the Department of Labor for use taxes less than two assessments. The court ruled that the
use taxes assessed by the State were proper and not exempt.

The tax reimbursement decision did affect the Job Corps program by increasing
the budget costs in Mississippi. The Job Corps was subject to state tax since the company
Res-Care was a for-profit provider.

The final case involved a negligence decision\(^2\) in which the Vus sued the Singer
Company, a contractor with the Department of Labor, for damages sustained when Corps
members entered their house. The court ruled that a finding of liability on the part of
Singer to victims would jeopardize the Job Corps program and its efforts toward the
rehabilitation of disadvantaged young people. Faced with such potential liability, an
operator with any concern for its economic survival could be expected to terminate from
the Corps any person whose conduct suggests a risk, whether it otherwise justified

\(^2\)Vu v. Singer Co., 706 F.2d 1027 (9th Cir. 1983).
termination or not. This, the Court also claimed, would deprive those most in need of rehabilitation and program's benefits.

The negligence case indicated that the Job Corps owed no duty to the defendants to warn the community or to control the conduct of the students. However, the Job Corps administrators maintained a good relationship with the citizens in the community through the business and community liaison. This council is responsible for establishing and developing relationships and networks with local and distant employers and with members of the community. For example, students and staff members helped residents in Dayton, Ohio, learn the value of everyday life skills by working with elementary school students and senior citizens. The residents with whom they shared their interests and abilities were impressed by the proactive attitude and actions of the Job Corps students. ¹ This relationship is necessary because the enrollees are expected to be employed by members of their communities.

An analysis of the provisions of the Economic Opportunity Act² and the Comprehensive Employment and Training Act³ revealed that these related court decisions challenged the scope and implementation of the Job Corps program. For example, in the Decker⁴ decision the District Court concluded that the Department of Labor's actions in providing grants and contracts to sectarian organizations created an

excessive government entanglement with religion. The court also found that the method by which CETA funding was allocated was highly susceptible to what was known as political entanglement. As a result, the Department of Labor was ordered to cease from funding CETA positions in sectarian elementary and secondary schools. Another example is found in the Gooley decision where Congress amended CETA to limit the benefits any individual may receive under CETA to a minimum of eighteen months of public service employment in any given five-year period.\(^1\)

Finally, in the Tax Reimbursement decision, the Department of Labor claimed that private for-profit Job Corps contractors were exempted by Congress from State sales and use taxes under Title 29 U.S.C. 939 (c). This subsection stated: “Transaction conducted by private for-profit contractors for Job Corps centers which were operating on behalf of the Secretary would not be considered as generating gross receipts.” CETA was repealed in 1983, and replaced by JTPA. The above subjection was transferred verbatim as Section 437 (c) and codified as 29 U.S.C. 1707.

**Changes Implemented by Workforce Improvement Act of 1998**

The Workforce Investment Act of 1998\(^2\) incorporated several changes specifically designed to strengthen the Job Corps program and to ensure that it functioned as an integral part of the workforce investment system. This change made possible strong linkages that bonded the Job Corps centers, state workforce systems, employers, and the local communities.

\(^1\)29 U.S.C. 824 (h).

This act identified core indicators of performance including vocational completion and placement rates of enrollees' earnings and retention in employment. Therefore, each center is required to submit yearly the following:

1. The number of graduates who entered employment related to the vocational training received through the Job Corps program and the number who entered employment not related to the vocational training received, analyzed by whether the training was provided by a local or national provider

2. The average wage received by graduates who entered employment related to their vocation and the number of graduates who entered employment not related to their vocation

3. The average wage received by graduates placed in employment after completion of the Job Corps program: (a) on the first day of the employment; (b) six months after the first day of the employment; and (c) 12 months after the first day of the employment

4. The number of graduates who entered employment and were retained in the employment: (a) six months after the first day of the employment; (b) 12 months after the employment; (c) for 32 hours per week or more; (d) for not less than 20 or more than 32 hours of work per week; and (e) for less than 20 hours per week

5. The number of graduates who entered post-secondary education or advanced training programs, including apprenticeship programs

6. The number of graduates who attained job readiness and employment skills.1

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In accordance with WIA, each center had to establish a business and community liaison. This council is responsible for establishing and developing relationships and networks with local and distant employers and with members of the community. The council was also responsible for keeping the community informed about changes in the rules, procedures, or activities of the center that may affect the community and the Job Corps center.

In addition to the business and community liaison, each center was required to have an Industry Council. This council consisted of local and distant business owners, private sector employees, and chief operating officers of non-governmental employers. These employers must have substantial management, hiring, or policy responsibility and represent businesses with employment opportunities that reflect the employment opportunities of the local area. The council consisted of representatives of labor unions and enrollees and graduates of the Job Corps.

This council is responsible to: (1) work with all boards in order to determine and recommend to the Secretary appropriate vocational training for the center; (2) review labor market information to determine the employment opportunities in the areas where the enrollees seek employment after graduation; determine the skills and education that are necessary to obtain the employment opportunities; and recommend to the Secretary the type of vocational training that should be implemented at the center to enable the enrollees to obtain the employment opportunities; and (3) meet once every six months to reevaluate the labor market information, and to recommend to the Secretary any

1018-1020.
necessary changes in the vocational training provided at the center. The major purpose of these councils was to enhance cooperation with businesses.

Finally, the act assured that enrollees were assigned to the centers closest to their homes, with the following exceptions: if (1) the enrollee chooses a vocational training program or requires an English literacy program that is not available at such centers; (2) the enrollee would be unduly delayed in participating in the Job Corps program because the closest center is operating at full capacity; or (3) the parent 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. These changes ensure that the training offered the enrollees is relevant to local labor market needs, and that the enrollees learn occupational skills that are in demand in their home communities.

Faith-Based Initiatives

As in the past leadership of this country, certain Presidents have announced unique, humanitarian (social services) programs initiated through the office of the President. For example, Presidents Kennedy and Johnson championed the war on poverty and unemployment. President Carter campaigned and won one of the greatest expansions of the war on poverty. During President George Bush's administration the most extensive expansion since President Carter's administration was proposed. President Clinton proposed the 50-50 Plan which included improving existing services, while opening 50 new centers to serve 50 percent more youth over a period of time.

In January 2001, President George W. Bush unveiled his administration's
signature social services effort, known as the President's "faith-based initiative." As part of the Bush campaign, the President had proposed a broad expansion of federal funding to support social services being provided by religious groups. Because of the President's confidence in this social service effort, he has created the White House Office of Faith-Based and Community Initiatives.

Under this plan, religious groups are eligible to seek grants through federal funds to provide a plethora of social services. Included in these services are adult care for the elderly, day care for infants, early arrivals and late departure programs for children, after-school programs for children, job training for young adults, drug treatment for those with addictions, prison rehabilitation programs for the incarcerated, and substance and abstinence programs for citizens.

This initiative will give perpetuation to the services offered by the Job Corps program. It is the President's way to tie in with the Job Corps. In other words, President Bush is offering federal funds to provide a plethora of social services to the citizens of this country. However, based on Decker,\(^1\) would the court allow this program?

**Viability of the Job Corps Program**

I have concluded that the Job Corps program is a viable one. This program is distinguished from other employment and training programs because of the residential aspect and holistic approach of integrating academic, vocational, and life skills. The statistics revealed that in 1992, 57 percent of enrollees were placed in employment and in

education, 44 percent entered employment, whereas 13 percent enrolled in education. Over the period, 35 percent of enrollees were placed in jobs for which they had received training. During the same period 10,802 enrollees obtained a GED. These percentages increased gradually over the next nine years. In 1998, 82 percent of enrollees entered employment upon termination from the program, 70 percent were placed in jobs trained for, and 18,133 received their GED. These statistics suggest to me that the Job Corps program is providing opportunities to develop more prepared and productive citizenship for a larger population of young people who were uneducated, undertrained, and unemployed. These opportunities are being provided because Congress has seen the need to address the multiple barriers to employment faced by disadvantaged youth throughout the United States. The Job Corps program is achieving its mission and objectives.

**Recommendations**

The identified time period of this study encompasses thirty-four years (1964-1998) and the specific purpose of the research cannot bring closure to the Job Corps program's continued impact on the lives of past, present, and future enrollees within its ranks. Social programs by their very nature imply a longitudinal, educational influence upon consumers, recipients, and benefactors of these services. There is a need to establish a data bank for social programs that will provide documentation for program assessment. Also needed is a plan for improving student enrollment and student participation.

In order to continue both the product evaluation (expected outcomes) and the process evaluation (how to achieve these outcomes) of the Job Corps, it is recommended that further research be done by the significantly involved agencies, organizations, and
individuals. Specific areas of research may be pursued by future doctoral candidates to gather data on some of the continuing issues:

1. Under the Economic Opportunity Act, the Youth Program is divided into four parts. Each part is coordinated by a different administrator with a different curriculum. The work-training programs provide useful work experience opportunities for youth, whereas the work-study programs provide part-time employment for students who are in need of the earning from such employment to pursue courses of study at institutions of higher learning. Should the work-study programs and the work-training programs be combined for more cohesiveness?

2. More and more communities have a diverse population of youth and adults seeking seasonal residence and employment. These mobile families heighten the need for education and housing. By 1973 programs for migrant and other seasonally employed agricultural employees were incorporated into CETA. Should migrant and other economically employed agricultural employees become a part of the Job Corps program?

3. The Job Corps program endured many changes in concepts, philosophy, training capacity, and funding. Do these changes affect students' success in the Job Corps program?

4. The Job Corps program has experienced many organizational changes over the past thirty-four years. How have these changes affected the efficiency and effectiveness of Job Corps programs?

5. Students are retained in the Job Corps program until age 25 and are monitored for an additional three years during transitional employment. Is there a need to extend
enrollees' participation in the program?

6) Documented evidence shows that the Job Corps program does turn a high percentage of its enrollees' life situations around. What is the relationship between student attitude and student outcomes in the Job Corps program?

7) Due to rapid societal challenges and longitudinal patterns of social issues over an extended period of time, many young people have multifaceted educational needs in order to be ready for successful citizenship and productive employment. Since the Job Corps was designed to serve the needs of young Americans who were out of school and out of work, or who were employed in dead-end jobs, how could the Job Corps better meet the needs of a growing number of individuals who are delayed performers?

8) The Job Corps program operates both residential centers and nonresidential centers. These centers vary in size and curriculum. What are the quality and unique characteristics of the centers? Does the administrative staff influence enrollees' success? Do enrollees' attitudes influence performance? Is there a correlation between positive attitude and progressive performance versus negative attitude and delayed performance?

9) The Job Corps program is directed by administrators most of whom are certified instructors. Do these teachers make better administrators? What are the unique training requirements for individuals who would like to become administrators of the Job Corps?

10) President George W. Bush has proposed a broad expansion of federal funding to support social services being provided by religious groups. He named it "Faith-based Initiative." Since the Job Corps is a social service program, what are the programs in this
initiative and who are the implementors in this humanitarian effort?

These observations and questions address the changing issues that may challenge the legal history of the Job Corps beyond the studied period. It is anticipated that future graduate students will be encouraged to seek more information about the Job Corps program.
APPENDIX
### TABLE 1

#### ECONOMIC OPPORTUNITY ACT OF 1964 AT A GLANCE

<table>
<thead>
<tr>
<th>Historical Foundation</th>
<th>Purpose</th>
<th>Provisions</th>
<th>Demographics</th>
<th>Changes</th>
</tr>
</thead>
</table>

| Title 1-A The Job Corps | 2. Establishment of the Job Corps work study and training program. | Sect. 103(a)-Set standards and procedures for selection of enrollees. b) Establishment of residential and nonresidential centers. c) Creation of CCC/residential manpower center. | Target group 16-21 years. *The CCC accommodated 100 - 200 students. 280 million designated for this program by President Johnson in 1964. | Sect. 103(a) was changed to the new section 103(b). *Budget reduced to 180 million by President Nixon. Sect. 103(c) was changed to the new section 103? |

| 3. Provided financial assistance to states and local programs | Sect. 103 (b) Entered agreements with federal, state, local agencies, and provide organizations for establishment and organization of Conservation Camps and training centers. | Projected to open 100 centers serving 40,000 youth. | Sargent Shiver was made 1st Director of the Corps, followed by Otis Singletary, on 8/10/1964. By the end of President Nixon’s administration William Mirenoff was the new Director. |
Table 1—Continued.

<table>
<thead>
<tr>
<th>Historical Foundation</th>
<th>Purpose</th>
<th>Provisions</th>
<th>Demographics</th>
<th>Changes</th>
</tr>
</thead>
<tbody>
<tr>
<td>4. Defined the Job Corps.</td>
<td>Sect. 104 - Defined the Job Corps composition</td>
<td>4th Job Corps center opened in Camp Catoctin, MD, Jan. 15, 1965 with 30 enrollees and 14 staffs.</td>
<td>In Jan., 1965, 1st center opened with 30 enrollees by the end of 1969 there were 61 centers serving 19,322 enrollees.</td>
<td></td>
</tr>
<tr>
<td>6. Prepared young people for the responsibility of citizenship and employment.</td>
<td>Sect. 106 (a) - The Job Corps enrollees were not considered as employees of the US. *Application of provision of Federal Law.</td>
<td>1st women's center opened in Cleveland, Ohio, 4/9/65. 4 women's centers serving 875 enrollees by end of 1965.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Historical Foundation</td>
<td>Purpose</td>
<td>Provisions</td>
<td>Demographics</td>
<td>Changes</td>
</tr>
<tr>
<td>-----------------------</td>
<td>---------</td>
<td>------------</td>
<td>--------------</td>
<td>---------</td>
</tr>
<tr>
<td>Sect. 107-</td>
<td></td>
<td>Discrimination on the basis of political preference prohibited.</td>
<td>President Nixon reduced budget from 280 to 180 million.</td>
<td>In 1968 budget was 282.3 million serving 106 centers.</td>
</tr>
<tr>
<td>Sect. 108-</td>
<td></td>
<td>Agreements with states-operation and administration of programs.</td>
<td>April 18, 1969, budget reduced from 282.3 to 182.3 and 59 centers closed forcing more than 17,500 enrollees to leave.</td>
<td></td>
</tr>
<tr>
<td>Sect. 109-</td>
<td></td>
<td>Submission of plans to Governor of states.</td>
<td>Final days of President Nixon’s administration the Job Corps budget was 151 million and 61 centers, serving 19,322 enrollees.</td>
<td></td>
</tr>
</tbody>
</table>
APPENDIX B

COMPREHENSIVE EMPLOYMENT AND TRAINING ACT
OF 1973 AT A GLANCE
**TABLE 2**

**COMPREHENSIVE EMPLOYMENT AND TRAINING ACT OF 1973 AT A GLANCE**

<table>
<thead>
<tr>
<th>Historical</th>
<th>Purpose</th>
<th>Provisions</th>
<th>Demographics</th>
<th>Changes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Comprehensive</td>
<td>1. Established decentralized/decategorical manpower program responsive</td>
<td>Sec. 401-Maintained the Job Corps. * maintained standards and procedures for selecting enrollees. * authorized</td>
<td>Greatest expansion during the Carter’s administration.</td>
<td>Responsibilities transferred from EOA to CETA.</td>
</tr>
<tr>
<td>Employment</td>
<td>to diversity of local needs.</td>
<td>establishment of residential and nonresidential centers.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>and Training Act</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>of 1973</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Sec. 402-Transferred responsibilities of the Job Corps from the Office of Economic Opportunity to the Department</td>
<td>Sept. 30, 1978 66 centers serving 26,000 youth. Centers located in 32 states</td>
<td>Between 1966 and 1978 the budget increased about 300 percent. Sec. 102-Established the Job Corps.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>of Labor.</td>
<td>including Puerto Rico.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Sec. 403-Identified enrollees.</td>
<td>Budget received in 1978 was 487 million.</td>
<td>Instead of living in CCC or residential manpower centers, enrollees were now living in</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>residential centers.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Sec. 401-Maintained the Job Corps. * maintained standards and procedures for selecting enrollees. * authorized</td>
<td>59 centers serving 20,500 students.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>establishment of residential and nonresidential centers.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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Table 2-Continued.

<table>
<thead>
<tr>
<th>Historical Foundation</th>
<th>Purpose</th>
<th>Provisions</th>
<th>Demographics</th>
<th>Changes</th>
</tr>
</thead>
<tbody>
<tr>
<td>4. Provided job training and employment opportunities for the economically disadvantaged unemployed and underemployed youth.</td>
<td>Sect. 404- Secretary of Dept. of Labor authorized to prescribe specific standards and procedures for screening/selecting applicants.</td>
<td>Allowance changed from $25 a month to $35 during the 1st six months and not more than $50 thereafter for personal allowance.</td>
<td>After 3½ years of Carter’s administration budget rose from 175 to 560.7 million dollars.</td>
<td></td>
</tr>
<tr>
<td>5. Provided a new and updated charter for manpower programs.</td>
<td>Sect. 405- Screening or selecting applications - special limitations - Secretary of Labor.</td>
<td>Adjustment allowance did not change.</td>
<td>Sect. 104 (a) identified enrollees.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Sect. 407- Secretary authorized to establish and operate residential and nonresidential Job Corps centers.</td>
<td></td>
<td>Name changes of centers included men and women training centers.</td>
<td></td>
</tr>
</tbody>
</table>
### Table 2—Continued.

<table>
<thead>
<tr>
<th>Historical Foundation</th>
<th>Purpose</th>
<th>Provisions</th>
<th>Demographics</th>
<th>Changes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sect. 408- Job Corps centers operated to provide enrollees with supervised comprehensive education and vocation programs.</td>
<td></td>
<td></td>
<td>Sect. 103(b) arranged for provisions, education and vocation training.</td>
<td></td>
</tr>
<tr>
<td>Sect. 409-Enrollees provided personal, travel, and leave expenses.</td>
<td></td>
<td></td>
<td></td>
<td>Expounded in detailed the various activities.</td>
</tr>
<tr>
<td>Sect. 410- Established standards of conduct and deportment.</td>
<td></td>
<td></td>
<td>Sect. 103(d) dealt with standards of conduct, safety and health.</td>
<td></td>
</tr>
<tr>
<td>Sect. 411- Established community linkages.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sect. 412-Provision for counseling, testing, and job placement.</td>
<td></td>
<td></td>
<td></td>
<td>New section</td>
</tr>
</tbody>
</table>

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<table>
<thead>
<tr>
<th>Historical Foundation</th>
<th>Purpose</th>
<th>Provisions</th>
<th>Demographics</th>
<th>Changes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sect. 413-General cost/effective program evaluation.</td>
<td></td>
<td></td>
<td></td>
<td>New section</td>
</tr>
<tr>
<td>Sect. 414-Established advisory communities and boards.</td>
<td></td>
<td></td>
<td></td>
<td>New section</td>
</tr>
<tr>
<td>Sect. 415-Agreements with states operated Job Corps programs.</td>
<td></td>
<td></td>
<td></td>
<td>No change from section 103(a).</td>
</tr>
<tr>
<td>Sect. 416-The Job Corps enrollees considered as employees of the U.S.</td>
<td></td>
<td></td>
<td></td>
<td>No change from section 106.</td>
</tr>
<tr>
<td>Sect. 417-Allocated funds limited to residential capacity 25 percent must be female.</td>
<td></td>
<td></td>
<td></td>
<td>New section</td>
</tr>
<tr>
<td>Sect. 418-Discrimination on basis of political preference prohibited.</td>
<td></td>
<td></td>
<td></td>
<td>No change from section 107.</td>
</tr>
<tr>
<td>Sect. 419-Secretary of Labor - same powers as the director of OEO under section 602 of the EOA of 1964.</td>
<td></td>
<td></td>
<td></td>
<td>No change from section 602.</td>
</tr>
</tbody>
</table>
APPENDIX C

JOB TRAINING PARTNERSHIP ACT OF 1984 AT A GLANCE
### TABLE 3

**JOB TRAINING PARTNERSHIP ACT OF 1984 AT A GLANCE**

<table>
<thead>
<tr>
<th>Historical</th>
<th>Purpose</th>
<th>Provisions</th>
<th>Demographics</th>
<th>Changes</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Job Training Partnership Act of 1984</strong></td>
<td>1. Established programs to prepare youth and unskilled adults for entry into the labor force.</td>
<td>Sect. 3 (d) $600 million appropriated for year 1983.</td>
<td>1982 budget was $589.6 million. 1983 budget was $387 million.</td>
<td>Budget decreased in 1983, over $2 million.</td>
</tr>
<tr>
<td><strong>Title 4 Part B - The Job Corps</strong></td>
<td>2. Afford job training to economically disadvantaged individual facing serious barriers to employment, and were in special need of training to obtain productive employment.</td>
<td>Sect. 421 - Maintain the Job Corps as a national program. *authorized establishment of residential and nonresidential centers. *participation in program of education, vocational training, work experience, and counseling.</td>
<td>Students at Gary center did voluntary work estimated at $2 million over a 2-year period. Enrollees and staff at the centers donated thousands of pints of blood annually.</td>
<td>Same as section 401 in CETA.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>*responsibilities incident to operation and development of the Job Corps.</td>
<td></td>
<td>Addition to section 401 in CETA.</td>
</tr>
</tbody>
</table>
Table 3-Continued.

<table>
<thead>
<tr>
<th>Historical Foundation</th>
<th>Purpose</th>
<th>Provisions</th>
<th>Demographics</th>
<th>Changes</th>
</tr>
</thead>
<tbody>
<tr>
<td>3. Assigned young people who needed and benefitted from an unusually extensive program, operated in a group setting.</td>
<td>Sect. 422-Maintained that the Job Corps remains in the Dept. of Labor.</td>
<td></td>
<td>Same as section 402 in CETA.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Sect. 423-Eligibility of enrollee.</td>
<td></td>
<td></td>
<td>Amended by inserting part of section 423 (1)</td>
</tr>
<tr>
<td></td>
<td>Sect. 424- Standards and procedures for screening and selecting applicants. *all enrollees were to be interviewed.</td>
<td></td>
<td></td>
<td>Expounded on section 404-405 in CETA.</td>
</tr>
<tr>
<td></td>
<td>Sect. 425- Selection of enrollees.</td>
<td></td>
<td></td>
<td>Expounded on section 401 in CETA.</td>
</tr>
<tr>
<td></td>
<td>Sect. 426- Length of stay. *Oath of affirmation.</td>
<td></td>
<td></td>
<td>Same as section 406 in CETA.</td>
</tr>
</tbody>
</table>
Table 3-Continued.

<table>
<thead>
<tr>
<th>Historical Foundation</th>
<th>Purpose</th>
<th>Provisions</th>
<th>Demographics</th>
<th>Changes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sect. 427- Made agreements with Federal, state and local agencies to develop facilities for the establishment and operation of the Job Corps.</td>
<td>Personal allowances at rate of $65 for the 1st six months and did not exceed $110 thereafter.</td>
<td>Amended by inserting 20 percent and striking 10 percent in section 427 (a) (2).</td>
<td></td>
<td></td>
</tr>
<tr>
<td>*offered educational and vocational training opportunity.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

| Sect. 428-Provided intensive, well organized, fully supervised program of education and vocation training, work experience, planned recreational activities, physical rehabilitation and development, and counseling. | Upon termination readjustment allowance of $100 for each month of good work. The Job Corps students earned 5 percent more than nonparticipant. | Amended by adding sections (e) and (f). Expounded on section 408 in CETA. |
Table 3-Continued.

<table>
<thead>
<tr>
<th>Historical Foundation</th>
<th>Purpose</th>
<th>Provisions</th>
<th>Demographics</th>
<th>Changes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sect. 429-Provided enrollees with travel, leave allowance, equipment, clothing, recreational services and other expenses.</td>
<td></td>
<td>Enrollees obtained High School diplomas or GED's 27 percent more than enrollees of the same age group.</td>
<td>Expounded on section 409 in CETA.</td>
<td></td>
</tr>
<tr>
<td>Sect. 430- Standards of conduct provided and stringently enforced.</td>
<td>Every $1.00 spends on the Job Corps enrollees $1.46 returned to society.</td>
<td></td>
<td>Expounded on section 410 in CETA.</td>
<td></td>
</tr>
<tr>
<td>Sect. 432- Counseling and job placement.</td>
<td></td>
<td></td>
<td>Same as section 412 CETA.</td>
<td></td>
</tr>
<tr>
<td>Sect. 433(a)- Research, experiment and demonstration projects. *Pilot projects.</td>
<td>100,000 youths were served annually. PY 1983 funding $351 million.</td>
<td></td>
<td>Expounded on section 413 in CETA.</td>
<td></td>
</tr>
<tr>
<td>Sect. 433(b) Centers for homeless families.</td>
<td></td>
<td></td>
<td>New section.</td>
<td></td>
</tr>
</tbody>
</table>
### Table 3—Continued.

<table>
<thead>
<tr>
<th>Historical Foundation</th>
<th>Purpose</th>
<th>Provisions</th>
<th>Demographics</th>
<th>Changes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sect. 434- The use of advisory committees.</td>
<td>PY 1985 cost was $15,000 per year. $6,000 per each enrolled or $13,000 per placement.</td>
<td>Same as section 414 in CETA.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sect. 435-States to participate in the Job Corps program.</td>
<td>In 1994, nine-new Job Corps center located.</td>
<td>Same as section 415 in CETA.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sect. 436-Enrollees were not considered federal employees but were subjected to the same laws that governed federal employees.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sect. 437(a)-Steps took to achieve 50 percent women enrollments. (b) All studies, evaluations, proposals, and data produced with federal funds became the property of the USA.</td>
<td></td>
<td>Amended by adding section (d). Increased enrollment of women by 25 percent. Expounded on section 417 in CETA.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Table 3-Continued.

<table>
<thead>
<tr>
<th>Historical Foundation</th>
<th>Purpose</th>
<th>Provisions</th>
<th>Demographics</th>
<th>Changes</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Sect. 438- Disseminate, collect or compromised all obligation.</td>
<td></td>
<td>New section.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Sect. 439- Donations accepted by the Department of Labor.</td>
<td></td>
<td>New section.</td>
</tr>
</tbody>
</table>

There was a ten-year period of time between the Job Training Partnership Act of 1982 and the Job Training Reform Amendment of 1992. Demonstrative changes were evident in the provisions and demographics of the legislation. The budget was increased by more than $2 million with an increase of nine centers, serving about 100,000 youth. Eligibility requirements for enrollment were expanded, an extensive interview process was added to standards and procedures for selecting and screening applicants, and the supervised program of education was intensified by enhancing work experience, counseling and providing child care which facilitated an increased in the enrollment of women.
APPENDIX D

JOB CORPS' CAPACITY TO SERVE POVERTY YOUTH AS OF 1998
## TABLE 4

**THE JOB CORPS’ CAPACITY TO SERVE POVERTY YOUTH AS OF 1998**

<table>
<thead>
<tr>
<th>State</th>
<th>Total Number of Poverty Youth</th>
<th>Capacity to Serve Poverty Youth</th>
<th>Percentage of Poverty Youth Served by the Corps</th>
</tr>
</thead>
<tbody>
<tr>
<td>ALASKA</td>
<td>7,976</td>
<td>400</td>
<td>5.0%</td>
</tr>
<tr>
<td>ALABAMA</td>
<td>120,055</td>
<td>842</td>
<td>0.7%</td>
</tr>
<tr>
<td>ARKANSAS</td>
<td>65,483</td>
<td>978</td>
<td>1.5%</td>
</tr>
<tr>
<td>ARIZONA</td>
<td>110,121</td>
<td>1,096</td>
<td>1.0%</td>
</tr>
<tr>
<td>CALIFORNIA</td>
<td>729,799</td>
<td>4,267</td>
<td>0.6%</td>
</tr>
<tr>
<td>COLORADO</td>
<td>77,286</td>
<td>320</td>
<td>0.4%</td>
</tr>
<tr>
<td>CONNECTICUT</td>
<td>35,354</td>
<td>320</td>
<td>0.9%</td>
</tr>
<tr>
<td>DISTRICT OF COLUMBIA</td>
<td>18,824</td>
<td>784</td>
<td>4.2%</td>
</tr>
<tr>
<td>DELAWARE</td>
<td>10,888</td>
<td>-</td>
<td>0.0%</td>
</tr>
<tr>
<td>FLORIDA</td>
<td>255,262</td>
<td>1,440</td>
<td>0.6%</td>
</tr>
<tr>
<td>GEORGIA</td>
<td>154,057</td>
<td>3,112</td>
<td>2.0%</td>
</tr>
<tr>
<td>HAWAII</td>
<td>13,669</td>
<td>563</td>
<td>4.1%</td>
</tr>
<tr>
<td>IDAHO</td>
<td>26,153</td>
<td>336</td>
<td>1.3%</td>
</tr>
<tr>
<td>ILLINOIS</td>
<td>237,839</td>
<td>944</td>
<td>0.4%</td>
</tr>
<tr>
<td>INDIANA</td>
<td>108,990</td>
<td>1,200</td>
<td>1.1%</td>
</tr>
<tr>
<td>IOWA</td>
<td>61,701</td>
<td>480</td>
<td>0.8%</td>
</tr>
<tr>
<td>KANSAS</td>
<td>54,112</td>
<td>400</td>
<td>0.7%</td>
</tr>
<tr>
<td>KENTUCKY</td>
<td>107,034</td>
<td>5,576</td>
<td>5.2%</td>
</tr>
<tr>
<td>LOUISIANA</td>
<td>156,839</td>
<td>1,024</td>
<td>0.7%</td>
</tr>
<tr>
<td>MAINE</td>
<td>20,260</td>
<td>536</td>
<td>2.7%</td>
</tr>
<tr>
<td>MARYLAND</td>
<td>67,730</td>
<td>1,288</td>
<td>1.9%</td>
</tr>
</tbody>
</table>

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Table 4-Continued

<table>
<thead>
<tr>
<th>State</th>
<th>Total Number of Poverty Youth</th>
<th>Capacity to Serve Poverty Youth</th>
<th>Percentage of Poverty Youth Served by the Job Corps</th>
</tr>
</thead>
<tbody>
<tr>
<td>MASSACHUSETTS</td>
<td>93,535</td>
<td>1,368</td>
<td>1.5%</td>
</tr>
<tr>
<td>MICHIGAN</td>
<td>220,993</td>
<td>1,016</td>
<td>0.5%</td>
</tr>
<tr>
<td>MINNESOTA</td>
<td>88,774</td>
<td>464</td>
<td>0.5%</td>
</tr>
<tr>
<td>MISSOURI</td>
<td>11,203</td>
<td>2,117</td>
<td>1.9%</td>
</tr>
<tr>
<td>MISSISSIPPI</td>
<td>100,123</td>
<td>1,576</td>
<td>1.6%</td>
</tr>
<tr>
<td>MONTANA</td>
<td>21,747</td>
<td>1,075</td>
<td>4.9%</td>
</tr>
<tr>
<td>NEBRASKA</td>
<td>31,975</td>
<td>358</td>
<td>1.1%</td>
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<tr>
<td>NEW HAMPSHIRE</td>
<td>12,889</td>
<td>-</td>
<td>0.0%</td>
</tr>
<tr>
<td>NEW JERSEY</td>
<td>85,020</td>
<td>848</td>
<td>1.0%</td>
</tr>
<tr>
<td>NEW MEXICO</td>
<td>49,512</td>
<td>1,024</td>
<td>2.0%</td>
</tr>
<tr>
<td>NEVADA</td>
<td>20,812</td>
<td>960</td>
<td>4.6%</td>
</tr>
<tr>
<td>NEW YORK</td>
<td>368,401</td>
<td>3,302</td>
<td>0.9%</td>
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<tr>
<td>NORTH CAROLINA</td>
<td>137,041</td>
<td>1,582</td>
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</tr>
<tr>
<td>NORTH DAKOTA</td>
<td>17,081</td>
<td>400</td>
<td>2.3%</td>
</tr>
<tr>
<td>OHIO</td>
<td>239,060</td>
<td>1,592</td>
<td>0.7%</td>
</tr>
<tr>
<td>OKLAHOMA</td>
<td>83,513</td>
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<td>2.7%</td>
</tr>
<tr>
<td>OREGON</td>
<td>67,182</td>
<td>2,234</td>
<td>3.3%</td>
</tr>
<tr>
<td>PENNSYLVANIA</td>
<td>220,890</td>
<td>3,109</td>
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</tr>
<tr>
<td>PUERTO RICO</td>
<td>342,363</td>
<td>1,176</td>
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Table 4-Continued.

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<tr>
<th>State</th>
<th>Total Number of Poverty Youth</th>
<th>Capacity to Serve Poverty Youth</th>
<th>Percentage of Poverty Youth Served by the Job Corps</th>
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<td>RHODE ISLAND</td>
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<tr>
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<td>80,239</td>
<td>352</td>
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<tr>
<td>SOUTH DAKOTA</td>
<td>17,820</td>
<td>333</td>
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<td>TENNESSEE</td>
<td>113,484</td>
<td>963</td>
<td>0.9%</td>
</tr>
<tr>
<td>TEXAS</td>
<td>540,850</td>
<td>5,626</td>
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</tr>
<tr>
<td>UTAH</td>
<td>47,289</td>
<td>2,470</td>
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</tr>
<tr>
<td>VIRGINIA</td>
<td>118,814</td>
<td>1,238</td>
<td>1.0%</td>
</tr>
<tr>
<td>VERMONT</td>
<td>10,480</td>
<td>448</td>
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</tr>
<tr>
<td>WASHINGTON</td>
<td>102,649</td>
<td>1,598</td>
<td>1.6%</td>
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<tr>
<td>WISCONSIN</td>
<td>106,473</td>
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<tr>
<td>WEST VIRGINIA</td>
<td>57,799</td>
<td>1,024</td>
<td>1.8%</td>
</tr>
<tr>
<td>WYOMING</td>
<td>10,254</td>
<td>-</td>
<td>0.0%</td>
</tr>
<tr>
<td><strong>TOTALS</strong></td>
<td><strong>5,973,833</strong></td>
<td><strong>66,753</strong></td>
<td><strong>1.1%</strong></td>
</tr>
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</table>

APPENDIX E

JOB CORPS REVIEW PROCESS
### TABLE 5

**JOB CORPS REVIEW PROCESS**

<table>
<thead>
<tr>
<th></th>
<th>REVIEW BY</th>
<th>HOW OFTEN</th>
<th>REVIEWS</th>
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<td><strong>NATIONAL OFFICE</strong></td>
<td>IG/GAO</td>
<td>Anytime</td>
<td>Performance Financial audit</td>
</tr>
<tr>
<td></td>
<td>Congress</td>
<td>Annually</td>
<td>Performance Efficiency results</td>
</tr>
<tr>
<td><strong>REGIONAL OFFICES</strong></td>
<td>National Office of the</td>
<td>Annually</td>
<td>Systems</td>
</tr>
<tr>
<td></td>
<td>Job Corps</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>CENTER CONTRACTORS</strong></td>
<td>Regional Office(s) of the Job Corps</td>
<td>Once or twice annually</td>
<td>Contract- compliance Proposal-adherence Performance-quality</td>
</tr>
</tbody>
</table>


Over the years, the Job Corps has requested audits by the Department of Labor’s Office of the Inspector General (OIG) to assist in assessing and refining program management and services. Since 1989, the OIG has issued more than 200 reports on Job Corps. In addition, general oversight of the program is conducted by the Congress and the Government Accounting Office (GAO).
APPENDIX F

JOB CORPS CENTER OPERATIONS AS OF 1998
TABLE 6

JOB CORPS CENTER OPERATORS AS OF 1998

<table>
<thead>
<tr>
<th>A &amp; A</th>
<th>Adams and Associates</th>
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<tr>
<td>ACE</td>
<td>Advanced Concepts in Education, Inc.</td>
</tr>
<tr>
<td>Burred</td>
<td>Bureau of Reclamation</td>
</tr>
<tr>
<td>CHEROKEE NATION</td>
<td>Cherokee Nation of Oklahoma</td>
</tr>
<tr>
<td>CONFEDERATED TRIBES</td>
<td>Tribal Council of the Confederated tribes of the Flathead Indian Reservation</td>
</tr>
<tr>
<td>CSDC</td>
<td>Career Systems Development Corporation</td>
</tr>
<tr>
<td>DEL-JEN</td>
<td>DEL-JEN, Inc.</td>
</tr>
<tr>
<td>DESI</td>
<td>Dynamic Education Systems, Inc.</td>
</tr>
<tr>
<td>EC, corp.</td>
<td>E.C., Inc.</td>
</tr>
<tr>
<td>F&amp;WL</td>
<td>Fish and Wildlife Service</td>
</tr>
<tr>
<td>GA</td>
<td>Global Associates</td>
</tr>
<tr>
<td>ITT</td>
<td>ITT Federal Services Corporation</td>
</tr>
<tr>
<td>MINACT</td>
<td>Minact, Inc.</td>
</tr>
<tr>
<td>MTC</td>
<td>Management and Training Corporation</td>
</tr>
<tr>
<td>NPS</td>
<td>National Park Service</td>
</tr>
<tr>
<td>PacEdFound</td>
<td>Pacific Education Foundation</td>
</tr>
<tr>
<td>PRVY</td>
<td>Puerto Rico Volunteer Youth Corps</td>
</tr>
<tr>
<td>RES-CARE</td>
<td>Res-Care, Inc.</td>
</tr>
<tr>
<td>TDC</td>
<td>Training and Development Corporation</td>
</tr>
<tr>
<td>TEF</td>
<td>Texas Education Foundation</td>
</tr>
<tr>
<td>SATELLITE SERVICE</td>
<td>Satellite Service</td>
</tr>
<tr>
<td>U of NEV</td>
<td>University of Nevada - Reno</td>
</tr>
<tr>
<td>USDA</td>
<td>United States Department of Agriculture</td>
</tr>
<tr>
<td>USDI</td>
<td>United States Department of Interior</td>
</tr>
<tr>
<td>VINNELL</td>
<td>Vinnell Corporation</td>
</tr>
<tr>
<td>NPS</td>
<td>National Park Services</td>
</tr>
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</table>
APPENDIX G

JOB CORPS CENTERS BY REGIONS THROUGH 1998
### TABLE 7

**JOB CORPS CENTERS BY REGIONS THROUGH 1998**

<table>
<thead>
<tr>
<th>Region</th>
<th>Center</th>
<th>Location</th>
<th>Capacity</th>
<th>Operator</th>
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</thead>
<tbody>
<tr>
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<td>Connecticut</td>
<td>New Haven, CT</td>
<td>200</td>
<td>Global Assoc</td>
</tr>
<tr>
<td>1</td>
<td>Grafton</td>
<td>North Grafton, MA</td>
<td>300</td>
<td>Adams &amp; Assoc</td>
</tr>
<tr>
<td>1</td>
<td>Loring</td>
<td>Limestone, ME</td>
<td>380</td>
<td>TDC</td>
</tr>
<tr>
<td>1</td>
<td>North lands</td>
<td>Vergennes, VT</td>
<td>280</td>
<td>CSDC</td>
</tr>
<tr>
<td>1</td>
<td>Penobscot</td>
<td>Bangor, ME</td>
<td>346</td>
<td>TDC</td>
</tr>
<tr>
<td>1</td>
<td>Shriver</td>
<td>Devens, MA</td>
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<td>Adams &amp; Assoc</td>
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<td>EC</td>
</tr>
<tr>
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<td>Arecibo</td>
<td>Garrochales, PR</td>
<td>200</td>
<td>ResCare/CoPR</td>
</tr>
<tr>
<td>2</td>
<td>Barranquitas</td>
<td>Barranquitas, PR</td>
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</tr>
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<td>2</td>
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<td>Ramey</td>
<td>Aguadilla, PR</td>
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</tr>
<tr>
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<tr>
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<td>Clements, E</td>
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</table>
Table 7-Continued.

<table>
<thead>
<tr>
<th>Region</th>
<th>Center</th>
<th>Location</th>
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<th>Operator</th>
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</table>
### Table 7-Continued.

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<thead>
<tr>
<th>Region</th>
<th>Center</th>
<th>Location</th>
<th>Capacity</th>
<th>Operator</th>
</tr>
</thead>
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<td>6</td>
<td>Albuquerque</td>
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<td>Del-Jen</td>
</tr>
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<tr>
<td>6</td>
<td>Cass</td>
<td>Ozark, AR</td>
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<td>USDA, FS</td>
</tr>
<tr>
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<td>Gary</td>
<td>San Marcos, TX</td>
<td>1,900</td>
<td>TEF</td>
</tr>
<tr>
<td>6</td>
<td>Guthrie</td>
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<td>Res-Care</td>
</tr>
<tr>
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<td>Laredo</td>
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<td>250</td>
<td>Vinnell</td>
</tr>
<tr>
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<td>Little Rock</td>
<td>Little Rock, AR</td>
<td>200</td>
<td>Del-Jen</td>
</tr>
<tr>
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<td>New Orleans</td>
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<td>CSDC</td>
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<td>650</td>
<td>Vinnell</td>
</tr>
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<td>Quachita</td>
<td>Royal, AR</td>
<td>224</td>
<td>USDA, FS</td>
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<td>Roswell</td>
<td>Roswell, NM</td>
<td>225</td>
<td>Vinnell</td>
</tr>
<tr>
<td>6</td>
<td>Shreveport</td>
<td>Shreveport, LA</td>
<td>350</td>
<td>Minact</td>
</tr>
<tr>
<td>6</td>
<td>Talking Leave</td>
<td>Tahlequah, OK</td>
<td>250</td>
<td>Cherokee Na</td>
</tr>
<tr>
<td>6</td>
<td>Treasure Lake</td>
<td>Tulsa, OK</td>
<td>240</td>
<td>USDFI, F&amp;WL</td>
</tr>
<tr>
<td>7</td>
<td>Denison</td>
<td>Denison, IA</td>
<td>300</td>
<td>MTC</td>
</tr>
<tr>
<td>7</td>
<td>Excelsior Spr.</td>
<td>Excelsior Spr., MO</td>
<td>495</td>
<td>Minact</td>
</tr>
<tr>
<td>7</td>
<td>Flint Hills</td>
<td>Manhattan, KS</td>
<td>250</td>
<td>MTC</td>
</tr>
<tr>
<td>7</td>
<td>Mingo</td>
<td>Puxico, MO</td>
<td>224</td>
<td>USDA, F&amp;WL</td>
</tr>
<tr>
<td>7</td>
<td>Pine Ridge</td>
<td>Chadron, NE</td>
<td>224</td>
<td>USDA, FS</td>
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<tr>
<td>7</td>
<td>St. Louis</td>
<td>St. Louis, MO</td>
<td>604</td>
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</tr>
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<td>8</td>
<td>Anaconda</td>
<td>Anaconda, MT</td>
<td>236</td>
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<td>8</td>
<td>Boxelder</td>
<td>Nemo, SD</td>
<td>208</td>
<td>USDA, FS</td>
</tr>
<tr>
<td>8</td>
<td>Burdick, Quentin</td>
<td>Minot, ND</td>
<td>250</td>
<td>Minact</td>
</tr>
<tr>
<td>8</td>
<td>Clearfield</td>
<td>Clearfield, UT</td>
<td>1,320</td>
<td>MTC</td>
</tr>
<tr>
<td>8</td>
<td>Collbran</td>
<td>Collbran, CO</td>
<td>200</td>
<td>USDI, BurRe</td>
</tr>
<tr>
<td>8</td>
<td>Kicking Horse</td>
<td>Ronan, MT</td>
<td>224</td>
<td>Confed.Trib</td>
</tr>
<tr>
<td>8</td>
<td>Trapper Creek</td>
<td>Darby, MT</td>
<td>224</td>
<td>USDA, FS</td>
</tr>
<tr>
<td>8</td>
<td>Weber Basin</td>
<td>Ogden, UT</td>
<td>224</td>
<td>USDI, BurRe</td>
</tr>
<tr>
<td>9</td>
<td>Acosta, Fred</td>
<td>Tucson, AZ</td>
<td>300</td>
<td>ResCare</td>
</tr>
<tr>
<td>9</td>
<td>Hawaii</td>
<td>Honolulu, HI</td>
<td>362</td>
<td>PacEdFound</td>
</tr>
<tr>
<td>9</td>
<td>Inland Empire</td>
<td>San Bernardino, CA</td>
<td>310</td>
<td>MTC</td>
</tr>
<tr>
<td>9</td>
<td>Long Beach</td>
<td>Long Beach, CA</td>
<td>300</td>
<td>CSDC</td>
</tr>
<tr>
<td>9</td>
<td>Los Angles</td>
<td>Los Angeles, CA</td>
<td>735</td>
<td>YWCA</td>
</tr>
<tr>
<td>9</td>
<td>Phoenix</td>
<td>Phoenix, AZ</td>
<td>415</td>
<td>ResCare</td>
</tr>
<tr>
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<td>Sacramento</td>
<td>Sacramento, CA</td>
<td>412</td>
<td>CSDC</td>
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<tr>
<td>9</td>
<td>San Diego</td>
<td>Imperial Beach, CA</td>
<td>650</td>
<td>CSDC</td>
</tr>
<tr>
<td>9</td>
<td>San Jose</td>
<td>San Jose, CA</td>
<td>440</td>
<td>CSDC</td>
</tr>
<tr>
<td>9</td>
<td>Sierra Nevada</td>
<td>Reno, NV</td>
<td>600</td>
<td>Unev</td>
</tr>
<tr>
<td>9</td>
<td>Treasure Island*</td>
<td>San Francisco, CA</td>
<td>850</td>
<td>ResCare</td>
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Table 7-Continued.

<table>
<thead>
<tr>
<th>Region</th>
<th>Center</th>
<th>Location</th>
<th>Capacity</th>
<th>Operator</th>
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<tr>
<td>10</td>
<td>Alaska</td>
<td>Palmer, AK</td>
<td>250</td>
<td>ACE</td>
</tr>
<tr>
<td>10</td>
<td>Angell</td>
<td>Yachats, OR</td>
<td>216</td>
<td>USDA, FS</td>
</tr>
<tr>
<td>10</td>
<td>Cascades</td>
<td>Sedro Woolley, WA</td>
<td>327</td>
<td>MTC</td>
</tr>
<tr>
<td>10</td>
<td>Centennial</td>
<td>Nampa, ID</td>
<td>300</td>
<td>USDA, FS</td>
</tr>
<tr>
<td>10</td>
<td>Columbia Basin</td>
<td>Moses Lake, WA</td>
<td>250</td>
<td>USDI, BurRe</td>
</tr>
<tr>
<td>10</td>
<td>Curlew</td>
<td>Curlew, WA</td>
<td>198</td>
<td>USDI, BurRe</td>
</tr>
<tr>
<td>10</td>
<td>Fort Simcoe</td>
<td>White Swan, WA</td>
<td>224</td>
<td>USDI, BurRe</td>
</tr>
<tr>
<td>10</td>
<td>Springdale/PIVOT</td>
<td>Troutdale, OR</td>
<td>215</td>
<td>MTC</td>
</tr>
<tr>
<td>10</td>
<td>Timber Lake</td>
<td>Estacada, OR</td>
<td>234</td>
<td>USDA, FS</td>
</tr>
<tr>
<td>10</td>
<td>Tongue Point</td>
<td>Astoria, OR</td>
<td>540</td>
<td>MTC</td>
</tr>
<tr>
<td>10</td>
<td>Wolf Creek</td>
<td>Glide, OR</td>
<td>231</td>
<td>USDA, FS</td>
</tr>
</tbody>
</table>


*Homestead received their first student input in early 2000. Treasure Island was opened in late 1999.

Center operators are as of the end of Program Year 1998. Current capacity may vary due to construction/renovation projects.
APPENDIX H

JOB CORPS APPROPRIATIONS FUNDING HISTORY FROM 1980 THROUGH 1998
TABLE 8
JOB CORPS APPROPRIATIONS FUNDING HISTORY FROM 1980 THROUGH 1998

<table>
<thead>
<tr>
<th>Year</th>
<th>Administration Request (In Millions)</th>
<th>Final Appropriation (In Millions)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1980</td>
<td>$415.7</td>
<td>$415.7</td>
</tr>
<tr>
<td>1981</td>
<td>566.8</td>
<td>560.7</td>
</tr>
<tr>
<td>1982</td>
<td>552.8</td>
<td>585.6</td>
</tr>
<tr>
<td>1983</td>
<td>387.0</td>
<td>585.6</td>
</tr>
<tr>
<td>1984*</td>
<td>585.6</td>
<td>607.3</td>
</tr>
<tr>
<td>1985</td>
<td>600.0</td>
<td>617.0</td>
</tr>
<tr>
<td>1986**</td>
<td>0</td>
<td>638.0</td>
</tr>
<tr>
<td>1987</td>
<td>351.7</td>
<td>656.3</td>
</tr>
<tr>
<td>1988</td>
<td>651.7</td>
<td>716.1</td>
</tr>
<tr>
<td>1989</td>
<td>710.6</td>
<td>741.8</td>
</tr>
<tr>
<td>1990</td>
<td>761.6</td>
<td>802.6</td>
</tr>
<tr>
<td>1991</td>
<td>818.0</td>
<td>867.5</td>
</tr>
<tr>
<td>1992</td>
<td>867.5</td>
<td>919.5</td>
</tr>
<tr>
<td>1993</td>
<td>900.8</td>
<td>966.1</td>
</tr>
<tr>
<td>1994</td>
<td>1,153.0</td>
<td>1,040.0</td>
</tr>
<tr>
<td>1995</td>
<td>1,156.8</td>
<td>1,053.1</td>
</tr>
<tr>
<td>1996</td>
<td>1,227.7</td>
<td>1,044.7</td>
</tr>
<tr>
<td>1997</td>
<td>1,153.5</td>
<td>1,153.5</td>
</tr>
<tr>
<td>1998</td>
<td>1,246.2</td>
<td>1,242.2</td>
</tr>
</tbody>
</table>


* 9-month funding level due to transition from Fiscal Year to Program Year funding for the Job Corps.

** The Administration proposed to eliminate the program.
APPENDIX I

PY 1998 SERVICE LEVELS
## Table 9

**PY 1989-1998 Service Levels**

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
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</thead>
<tbody>
<tr>
<td>Number of Job Corps Centers at Year End</td>
<td>107</td>
<td>106</td>
<td>108</td>
<td>108</td>
<td>109</td>
</tr>
<tr>
<td>Students Service Years *</td>
<td>38,100</td>
<td>38,754</td>
<td>39,433</td>
<td>40,271</td>
<td>39,387</td>
</tr>
<tr>
<td>New Students Served</td>
<td>62,550</td>
<td>61,453</td>
<td>62,205</td>
<td>61,762</td>
<td>62,749</td>
</tr>
<tr>
<td>Total Participants</td>
<td>101,253</td>
<td>99,703</td>
<td>101,052</td>
<td>100,926</td>
<td>102,098</td>
</tr>
<tr>
<td>Total Terminations</td>
<td>63,003</td>
<td>60,856</td>
<td>61,888</td>
<td>61,577</td>
<td>63,117</td>
</tr>
<tr>
<td>Average Length of Stay (Months)</td>
<td>7.3</td>
<td>7.6</td>
<td>7.6</td>
<td>7.8</td>
<td>7.5</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of Job Corps Centers at Year End</td>
<td>110</td>
<td>110</td>
<td>110</td>
<td>112</td>
<td>118</td>
</tr>
<tr>
<td>Students Service Years *</td>
<td>36,643</td>
<td>68,540</td>
<td>39,315</td>
<td>50,594</td>
<td>67,425</td>
</tr>
<tr>
<td>New Students Served</td>
<td>58,460</td>
<td>35,391</td>
<td>67,774</td>
<td>40,245</td>
<td>39,889</td>
</tr>
<tr>
<td>Total Participants</td>
<td>97,441</td>
<td>100,188</td>
<td>110,1201</td>
<td>116,973</td>
<td>133,188</td>
</tr>
<tr>
<td>Total Terminations</td>
<td>66,103</td>
<td>60,757</td>
<td>68,873</td>
<td>62,346</td>
<td>68,105</td>
</tr>
<tr>
<td>Average Length of stay (Months)</td>
<td>7.5</td>
<td>6.9</td>
<td>6.9</td>
<td>7.4</td>
<td>7.3</td>
</tr>
</tbody>
</table>


*This is below the normal level. A temporary decline in enrollment levels occurred as a result of the implementation of the zero tolerance policy against drugs and violence immediately prior to the start of*
PY 1995. Student's enrollments recovered to normal levels by the end of PY 1995.

When compared with other residential training and education programs and institutions, including colleges and universities, Job Corps is located on the low end of the scale. For example, The U.S. Department of Education's *Digest of 1998 Education Statistics* reports that, in the 1995-1996 school year, the per student cost at private 4-year institutions averaged $28,623. At 4-year public institutions, the per student cost averaged $20,579. Based on 32 weeks of class during the year, the average daily cost per student was $128 at the private institutions and $92 at the public institutions. In contrast, the Job Corps daily cost per student averaged only $72 during that same time.
APPENDIX J

PROFILE OF STUDENTS AS OF 1998
TABLE 10
PROFILE OF STUDENTS From 1989 TO 1998

<table>
<thead>
<tr>
<th>SEX</th>
<th>Male</th>
<th>Female</th>
</tr>
</thead>
<tbody>
<tr>
<td>Male</td>
<td>64.6%</td>
<td>63.6%</td>
</tr>
<tr>
<td>Female</td>
<td>35.4%</td>
<td>36.4%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>African-American</td>
<td>47.6%</td>
<td>51.6%</td>
<td>49.4%</td>
</tr>
<tr>
<td>White</td>
<td>32.7%</td>
<td>31.0%</td>
<td>32.0%</td>
</tr>
<tr>
<td>Hispanic</td>
<td>14.4%</td>
<td>11.8%</td>
<td>12.8%</td>
</tr>
<tr>
<td>Native American</td>
<td>3.0%</td>
<td>3.3%</td>
<td>3.2%</td>
</tr>
<tr>
<td>Asian-Pacific</td>
<td>2.8%</td>
<td>2.3%</td>
<td>2.6%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th></th>
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</thead>
<tbody>
<tr>
<td>Less than 17</td>
<td>15.2%</td>
<td>21.0%</td>
<td>14.8%</td>
</tr>
<tr>
<td>17</td>
<td>18.8%</td>
<td>20.4%</td>
<td>35.2%</td>
</tr>
<tr>
<td>18-19</td>
<td>34.3%</td>
<td>36.0%</td>
<td>40.0%</td>
</tr>
<tr>
<td>20-21</td>
<td>20.4%</td>
<td>12.3%</td>
<td>14.6%</td>
</tr>
<tr>
<td>22 and over</td>
<td>11.3%</td>
<td>10.3%</td>
<td>6.4%</td>
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</table>

<table>
<thead>
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<th>ENTRY READING LEVEL</th>
<th>1989</th>
<th>1990</th>
<th>1991</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grade 0.0-4.9</td>
<td>32.4%</td>
<td>16.7%</td>
<td>15.4%</td>
</tr>
<tr>
<td>Grade 5.0-8.4</td>
<td>40.6%</td>
<td>57.0%</td>
<td>29.5%</td>
</tr>
<tr>
<td>Grade 8.5-9.9</td>
<td>16.2%</td>
<td>21.7%</td>
<td>28.2%</td>
</tr>
<tr>
<td>Grade 10 and above</td>
<td>10.8%</td>
<td>4.6%</td>
<td>26.6%</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
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<tbody>
<tr>
<td></td>
<td>88.2%</td>
<td>82.3%</td>
<td>80.6%</td>
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<table>
<thead>
<tr>
<th></th>
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</thead>
<tbody>
<tr>
<td></td>
<td>80.8%</td>
<td>72.8%</td>
<td>73.4%</td>
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<table>
<thead>
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<th></th>
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<tbody>
<tr>
<td>1</td>
<td>32.2%</td>
<td>33.2%</td>
<td>33.5%</td>
</tr>
<tr>
<td>2-4</td>
<td>40.2%</td>
<td>39.7%</td>
<td>40.0%</td>
</tr>
<tr>
<td>5 and more than</td>
<td>37.6%</td>
<td>27.1%</td>
<td>26.6%</td>
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<table>
<thead>
<tr>
<th>FAMILIES ON PUBLIC ASSISTANCE</th>
<th>1989</th>
<th>1990</th>
<th>1991</th>
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<tbody>
<tr>
<td></td>
<td>38.8%</td>
<td>40.2%</td>
<td>42.1%</td>
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<table>
<thead>
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<th>Program Year</th>
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<th>1993</th>
<th>1994</th>
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<td></td>
<td></td>
</tr>
<tr>
<td>Male</td>
<td>61.1%</td>
<td>60%</td>
<td>61%</td>
</tr>
<tr>
<td>Female</td>
<td>38.9%</td>
<td>40%</td>
<td>39%</td>
</tr>
<tr>
<td><strong>RACE-ETHNIC GROUP</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>African-American</td>
<td>49.5%</td>
<td>50%</td>
<td>51%</td>
</tr>
<tr>
<td>White</td>
<td>31.2%</td>
<td>30%</td>
<td>28%</td>
</tr>
<tr>
<td>Hispanic</td>
<td>13.4%</td>
<td>14%</td>
<td>15%</td>
</tr>
<tr>
<td>Native American</td>
<td>3.3%</td>
<td>3%</td>
<td>4%</td>
</tr>
<tr>
<td>Asian-Pacific Islanders</td>
<td>2.6%</td>
<td>3%</td>
<td>3%</td>
</tr>
<tr>
<td><strong>AGE GROUP</strong></td>
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</tr>
<tr>
<td>(average age is 18)</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Under 17</td>
<td>9%</td>
<td>18%</td>
<td>8%</td>
</tr>
<tr>
<td>17</td>
<td>19%</td>
<td>20%</td>
<td>25%</td>
</tr>
<tr>
<td>18-19</td>
<td>40%</td>
<td>38%</td>
<td>40%</td>
</tr>
<tr>
<td>20-21</td>
<td>20%</td>
<td>14%</td>
<td>17%</td>
</tr>
<tr>
<td>22 and over</td>
<td>12</td>
<td>10%</td>
<td>10%</td>
</tr>
<tr>
<td><strong>ENTRY READING LEVEL</strong></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>(average level is 8.1)</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Grade 0.0-4.9</td>
<td>16.0%</td>
<td>15%</td>
<td>15%</td>
</tr>
<tr>
<td>Grade 5.0-8.4</td>
<td>29.3%</td>
<td>28%</td>
<td>28%</td>
</tr>
<tr>
<td>Grade 8.5-9.9</td>
<td>27.5%</td>
<td>28%</td>
<td>29%</td>
</tr>
<tr>
<td>Grade 10 and above</td>
<td>27.3%</td>
<td>29%</td>
<td>29%</td>
</tr>
<tr>
<td><strong>HIGH SCHOOL DROPOUTS</strong></td>
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<tr>
<td></td>
<td>80.3%</td>
<td>79%</td>
<td>79%</td>
</tr>
<tr>
<td><strong>NEVER HELD A FULL-TIME JOB</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>72.1%</td>
<td>29%</td>
<td>31%</td>
</tr>
<tr>
<td><strong>FAMILY SIZE</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>33.1%</td>
<td>32%</td>
<td>31%</td>
</tr>
<tr>
<td>2-4</td>
<td>40.2%</td>
<td>41%</td>
<td>43%</td>
</tr>
<tr>
<td>5 and over</td>
<td>26.7%</td>
<td>27%</td>
<td>26%</td>
</tr>
<tr>
<td><strong>FAMILIES ON PUBLIC ASSISTANCE</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>42.3%</td>
<td>43%</td>
<td>43%</td>
</tr>
</tbody>
</table>
Table 10-Continued

<table>
<thead>
<tr>
<th>Program Year</th>
<th>1995</th>
<th>1996</th>
<th>1997</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>SEX</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Male</td>
<td>60%</td>
<td>60%</td>
<td>65%</td>
</tr>
<tr>
<td>Female</td>
<td>40%</td>
<td>40%</td>
<td>35%</td>
</tr>
<tr>
<td><strong>RACE-ETHNIC GROUP</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>African-American</td>
<td>49%</td>
<td>50%</td>
<td>50%</td>
</tr>
<tr>
<td>White</td>
<td>29%</td>
<td>28%</td>
<td>32%</td>
</tr>
<tr>
<td>Hispanic</td>
<td>16%</td>
<td>16%</td>
<td>10%</td>
</tr>
<tr>
<td>Native American</td>
<td>4%</td>
<td>4%</td>
<td>4.5%</td>
</tr>
<tr>
<td>Asian-Pacific Islanders</td>
<td>3%</td>
<td>2%</td>
<td>3.5%</td>
</tr>
<tr>
<td><strong>AGE GROUPS</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(average age is 18)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Under 17</td>
<td>10%</td>
<td>10%</td>
<td>20%</td>
</tr>
<tr>
<td>17</td>
<td>20%</td>
<td>14%</td>
<td>21.4%</td>
</tr>
<tr>
<td>18-19</td>
<td>38%</td>
<td>36%</td>
<td>30.5%</td>
</tr>
<tr>
<td>20-21</td>
<td>20%</td>
<td>30%</td>
<td>15.9%</td>
</tr>
<tr>
<td>22 and over</td>
<td>12%</td>
<td>10%</td>
<td>13.2%</td>
</tr>
<tr>
<td>(average level is 7.1)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Grade 0.0-4.9</td>
<td>18%</td>
<td>24.4%</td>
<td>21%</td>
</tr>
<tr>
<td>Grade 5.0-8.4</td>
<td>31%</td>
<td>40.5%</td>
<td>33%</td>
</tr>
<tr>
<td>Grade 8.5-9.9</td>
<td>16%</td>
<td>14.5%</td>
<td>23%</td>
</tr>
<tr>
<td>Grade 10 and above</td>
<td>34%</td>
<td>20.6%</td>
<td>23%</td>
</tr>
<tr>
<td><strong>HIGH SCHOOL DROPOUTS</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>78%</td>
<td>78%</td>
<td>75%</td>
</tr>
<tr>
<td><strong>NEVER HELD A FULL-TIME JOB</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>64%</td>
<td>66%</td>
<td>62%</td>
</tr>
<tr>
<td><strong>FAMILY SIZE</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>30%</td>
<td>31%</td>
<td>32%</td>
</tr>
<tr>
<td>2-4</td>
<td>50%</td>
<td>43%</td>
<td>38%</td>
</tr>
<tr>
<td>5 and over</td>
<td>20%</td>
<td>26%</td>
<td>30%</td>
</tr>
<tr>
<td><strong>FAMILIES ON PUBLIC ASSISTANCE</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>40%</td>
<td>37%</td>
<td>35%</td>
</tr>
</tbody>
</table>
Table 10-Continued

<table>
<thead>
<tr>
<th>Program Year</th>
<th>1998</th>
</tr>
</thead>
<tbody>
<tr>
<td>RACE-ETHNIC GROUP</td>
<td></td>
</tr>
<tr>
<td>African-American</td>
<td>49.8%</td>
</tr>
<tr>
<td>White</td>
<td>26.9%</td>
</tr>
<tr>
<td>Hispanic</td>
<td>17.2%</td>
</tr>
<tr>
<td>Native American</td>
<td>4.0%</td>
</tr>
<tr>
<td>Asian-Pacific Islander</td>
<td>2.2%</td>
</tr>
<tr>
<td>AGE GROUPS</td>
<td></td>
</tr>
<tr>
<td>(average age is 18)</td>
<td></td>
</tr>
<tr>
<td>Under 17</td>
<td>20.1%</td>
</tr>
<tr>
<td>17</td>
<td>20.8%</td>
</tr>
<tr>
<td>18-19</td>
<td>33.9%</td>
</tr>
<tr>
<td>20-21</td>
<td>16.9%</td>
</tr>
<tr>
<td>22 and over</td>
<td>9.1%</td>
</tr>
<tr>
<td>ENTRY READING LEVEL</td>
<td></td>
</tr>
<tr>
<td>(average level is 8.1)</td>
<td></td>
</tr>
<tr>
<td>Grade 0.0-4.9</td>
<td>25.7%</td>
</tr>
<tr>
<td>Grade 5.0-8.4</td>
<td>52.9%</td>
</tr>
<tr>
<td>Grade 8.5-9.9</td>
<td>8.4%</td>
</tr>
<tr>
<td>Grade 10 and above</td>
<td>13.0%</td>
</tr>
<tr>
<td>HIGH SCHOOL DROPOUTS</td>
<td>79.1%</td>
</tr>
<tr>
<td>NEVER HELD A FULL-TIME JOB</td>
<td>61.5%</td>
</tr>
<tr>
<td>FAMILY SIZE</td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>37.5%</td>
</tr>
<tr>
<td>2-4</td>
<td>39.1%</td>
</tr>
<tr>
<td>5 and over</td>
<td>23.4%</td>
</tr>
<tr>
<td>FAMILIES ON PUBLIC ASSISTANCE</td>
<td>26.3%</td>
</tr>
</tbody>
</table>


Total minority enrollment in the Job Corps approximates 69%, and the average student enters the Job Corps with an eighth grade reading ability. The unemployment rate of disadvantaged minority youth is considerably above that of the general population. Job Corps provides intensive training to help students improve their educational levels and vocational skills, thereby improving their chances of finding full-time employment.
In summary, the typical Job Corps student is an economically disadvantaged 18-year-olds high school drop out who reads at the eighth grade level. He is a minority group member and has never held a regular job. He was living in an environment characterized by a disruptive home life, or other disorienting conditions which impair his ability to successfully participate in other educational or training programs.
APPENDIX K

THE JOB CORPS PERFORMANCE SUMMARY

FOR PROGRAM YEARS: PY 1989 - PY 1998
TABLE 11
THE JOB CORPS PERFORMANCE SUMMARY
FOR PROGRAM YEARS: PY 1989 - PY 1998

<table>
<thead>
<tr>
<th>STUDENT OUTCOMES</th>
<th>PY 89</th>
<th>PY 90</th>
<th>PY 91</th>
<th>PY 92</th>
<th>PY 93</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>PLACEMENTS:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Entered Employment</td>
<td>46%</td>
<td>47%</td>
<td>48%</td>
<td>48%</td>
<td>5%</td>
</tr>
<tr>
<td>Enrolled in Education</td>
<td>9%</td>
<td>10%</td>
<td>8%</td>
<td>9%</td>
<td>10%</td>
</tr>
<tr>
<td><strong>TOTAL REPORTED PLACEMENTS</strong></td>
<td>55%</td>
<td>56%</td>
<td>56%</td>
<td>57%</td>
<td>64%</td>
</tr>
<tr>
<td>Terminus with Status Unknown</td>
<td>18%</td>
<td>18%</td>
<td>20%</td>
<td>19%</td>
<td>16%</td>
</tr>
<tr>
<td>Average Placement Wage</td>
<td>$5.00</td>
<td>$5.30</td>
<td>$5.30</td>
<td>$5.33</td>
<td>$5.40</td>
</tr>
<tr>
<td><strong>JOB TRAINING MATCH:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>% of job placements</td>
<td>35%</td>
<td>36%</td>
<td>36%</td>
<td>37%</td>
<td>36%</td>
</tr>
<tr>
<td>Average Placement Wage</td>
<td>$5.25</td>
<td>$5.75</td>
<td>$5.85</td>
<td>$5.93</td>
<td>$6.25</td>
</tr>
<tr>
<td><strong>AVERAGE LENGTH OF STAY</strong></td>
<td>7.5</td>
<td>7.5</td>
<td>7.4</td>
<td>7.8</td>
<td>7.5</td>
</tr>
<tr>
<td>(months)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>LEARNING GAINS</strong> (grade levels):</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reading</td>
<td>1.2%</td>
<td>1.3%</td>
<td>1.3</td>
<td>1.2</td>
<td>1.2</td>
</tr>
<tr>
<td>Math</td>
<td>1.7%</td>
<td>1.7%</td>
<td>1.8</td>
<td>1.8</td>
<td>1.8</td>
</tr>
<tr>
<td><strong>GED's:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Students who obtained GED</td>
<td>11,400</td>
<td>11,475</td>
<td>11,550</td>
<td>11,850</td>
<td>12,289</td>
</tr>
<tr>
<td>Percent of all Terminus</td>
<td>34%</td>
<td>34%</td>
<td>34%</td>
<td>32%</td>
<td>36%</td>
</tr>
</tbody>
</table>

*Assumes that all terminus who were not contacted did not obtain jobs or enroll in education.

Placement rate for Program Year 1995 excludes students not eligible for placement services (those terminated in the first 30 days under the zero tolerance for violence and drug policy).
Table 11-Continued

<table>
<thead>
<tr>
<th>STUDENT OUTCOMES</th>
<th>PY 94</th>
<th>PY 95</th>
<th>PY 96</th>
<th>PY 97</th>
<th>PY 98</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>PLACEMENTS:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Entered Employment</td>
<td>63%</td>
<td>65%</td>
<td>67%</td>
<td>69%</td>
<td>80%</td>
</tr>
<tr>
<td>Enrolled in Education</td>
<td>10%</td>
<td>10%</td>
<td>10%</td>
<td>12%</td>
<td>13%</td>
</tr>
<tr>
<td><strong>TOTAL REPORTED PLACEMENTS:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Terminus with Status Unknown</td>
<td>10%</td>
<td>10%</td>
<td>9%</td>
<td>10%</td>
<td>9%</td>
</tr>
<tr>
<td>Average Placement Wage</td>
<td>$5.90</td>
<td>$5.98</td>
<td>$6.21</td>
<td>$6.58</td>
<td>$6.87</td>
</tr>
<tr>
<td><strong>JOB TRAINING MATCH:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>% of Job Placements</td>
<td>47%</td>
<td>53%</td>
<td>62%</td>
<td>68%</td>
<td>70%</td>
</tr>
<tr>
<td>Average Placement Wage</td>
<td>$6.16</td>
<td>$6.44</td>
<td>$6.55</td>
<td>$6.87</td>
<td>$7.13</td>
</tr>
<tr>
<td><strong>AVERAGE LENGTH OF STAY:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(months)</td>
<td>7.5</td>
<td>6.9*</td>
<td>7.0</td>
<td>7.2</td>
<td>7.3</td>
</tr>
<tr>
<td><strong>LEARNING GAINS</strong> (grade levels):</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reading</td>
<td>1.8</td>
<td>2.2</td>
<td>2.3</td>
<td>2.5</td>
<td>2.4</td>
</tr>
<tr>
<td>Math</td>
<td>2.1</td>
<td>2.4</td>
<td>2.5</td>
<td>2.1</td>
<td>2.3</td>
</tr>
<tr>
<td><strong>GED'S:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Students who obtained GED</td>
<td>13,136</td>
<td>13,394</td>
<td>16,394</td>
<td>16,212</td>
<td>18,133</td>
</tr>
<tr>
<td>Percent of all Terminus</td>
<td>43%</td>
<td>43%</td>
<td>48%</td>
<td>51%</td>
<td>51%</td>
</tr>
</tbody>
</table>


*Includes early terminations resulting from implementation of zero tolerance policy. Average length of stay excluding zero tolerance terminations in first 30 days was 7.4 months.
APPENDIX L

ZERO TOLERANCE AT A GLANCE
TABLE 12

ZERO TOLERANCE AT A GLANCE

<table>
<thead>
<tr>
<th><strong>Automatic Termination. Board is fact finding, if CD finds guilty? Student goes home.</strong></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Weapons</td>
<td></td>
</tr>
<tr>
<td>Assault</td>
<td></td>
</tr>
<tr>
<td>Sexual Assault</td>
<td></td>
</tr>
<tr>
<td>Robbery and extortion</td>
<td></td>
</tr>
<tr>
<td>Arson</td>
<td></td>
</tr>
<tr>
<td>Arrest for a felony <strong>Term: 5.1A</strong></td>
<td>(No Readmission)</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Possession or sale of Drugs</td>
<td></td>
</tr>
<tr>
<td>Conviction of drug use, possession or sale <strong>Term: 5.2B</strong></td>
<td>(No Readmission)</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Positive drug test <strong>Term: 5.2A</strong></td>
<td>(Readmission after six months)</td>
</tr>
</tbody>
</table>

**Automatic CRB Board may recommend, presumption of termination, CD has latitude**

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>fighting</td>
<td></td>
</tr>
<tr>
<td>theft or possession of stolen goods</td>
<td></td>
</tr>
<tr>
<td>inciting a disturbance</td>
<td></td>
</tr>
<tr>
<td>hazing</td>
<td></td>
</tr>
<tr>
<td>loan sharking</td>
<td></td>
</tr>
<tr>
<td>destruction of government or private property</td>
<td></td>
</tr>
<tr>
<td>arrest for a misdemeanor</td>
<td></td>
</tr>
<tr>
<td>gang activity <strong>Term: 5.1B</strong></td>
<td>(Readmission after 1 year)</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>arrest (off the center) for drugs <strong>Term: 5.2C</strong></td>
<td>(Readmission after 1 year)</td>
</tr>
<tr>
<td>inhalant’s</td>
<td></td>
</tr>
<tr>
<td>possession or sale of alcohol on center <strong>Term: 5.2D</strong></td>
<td>(Readmission after 1 year)</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>pattern of inappropriate behavior <strong>Term: 5.1B</strong></td>
<td>(Readmission after 1 year)</td>
</tr>
</tbody>
</table>

**Other Offenses... Center Behavior Management System**

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>gambling</td>
<td>overt sexual behavior</td>
</tr>
<tr>
<td>profanity</td>
<td>cutting lines</td>
</tr>
<tr>
<td>ethnic agitation</td>
<td>smoking violation</td>
</tr>
<tr>
<td>refusal to perform</td>
<td>hitchhiking</td>
</tr>
<tr>
<td>absences</td>
<td>private vehicle</td>
</tr>
<tr>
<td>disruptive behavior</td>
<td>vandalism</td>
</tr>
<tr>
<td>unauthorized area</td>
<td>dress and appearance <strong>Term: 5.3A</strong></td>
</tr>
<tr>
<td>safety rules</td>
<td></td>
</tr>
<tr>
<td>alcohol intoxication <strong>Term: 5.3B</strong></td>
<td>(Readmission after six months)</td>
</tr>
</tbody>
</table>


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The purpose of the Zero Tolerance Policy is to promote a positive learning and living environment for all students by ensuring safety and security on all Job Corps centers through consistent implementation of this policy for violence and drug. The policy stated that all students have the right to participate in the Job Corps program without being subjected to violence or drug abuse. Therefore, all acts of violence or threats of violence, harassment or intimidation will be immediately confronted and addressed by center staff.

Table 12-Continued
APPENDIX M

ORGANIZATIONS COMMITTED TO THE JOB CORPS
<table>
<thead>
<tr>
<th>ACADEMIC AND RESEARCH INSTITUTION</th>
<th>ADVOCACY GROUPS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Center for Law and Social Policy</td>
<td>Bread for the World</td>
</tr>
<tr>
<td>Grand Rapid Public Schools</td>
<td>Child Welfare League of America, Inc.</td>
</tr>
<tr>
<td>University of Nevada-Reno</td>
<td>Children's Defense Funds</td>
</tr>
<tr>
<td></td>
<td>Coalition on Human Needs</td>
</tr>
<tr>
<td></td>
<td>National Child Labor Committee</td>
</tr>
<tr>
<td></td>
<td>National Puerto Rican Coalition, Inc.</td>
</tr>
<tr>
<td></td>
<td>National Urban League</td>
</tr>
<tr>
<td></td>
<td>U.S. Conference of Mayors</td>
</tr>
<tr>
<td>Adams and Associates</td>
<td>Alpha Kappa Alpha Sorority, Inc.</td>
</tr>
<tr>
<td>Advanced Concepts in Education, Inc.</td>
<td>American Youth Policy Forum</td>
</tr>
<tr>
<td>Calvillo and Associates</td>
<td>Association of Jewish Family of Children's Agencies</td>
</tr>
<tr>
<td>Career Systems Development Cooperation</td>
<td>Center for Adult Learning and Educational</td>
</tr>
<tr>
<td>Coyne American Institute</td>
<td>Credentials of the American Council on Education</td>
</tr>
<tr>
<td>Dau, Walker and Associates</td>
<td>Council of Jewish Federations</td>
</tr>
<tr>
<td>Dynamic Educational Systems, Inc.</td>
<td>Empire State Organization of Youth Employment Services</td>
</tr>
<tr>
<td>BMJM/HTB</td>
<td>F.E.G.S.</td>
</tr>
<tr>
<td>Del-Jen</td>
<td>Home Builders Institute, the educational arm of the National Association of Home Builders</td>
</tr>
<tr>
<td>Education Management Corporation</td>
<td>International Center for Residential Education</td>
</tr>
<tr>
<td>Global Associates</td>
<td></td>
</tr>
<tr>
<td>ITT Job Training Services, Inc.</td>
<td></td>
</tr>
<tr>
<td>Lisboa Associates, Inc.</td>
<td></td>
</tr>
<tr>
<td>Management Training Corporation</td>
<td></td>
</tr>
<tr>
<td>The MAXIMA Corporation</td>
<td></td>
</tr>
<tr>
<td>MINACT, Inc.</td>
<td></td>
</tr>
<tr>
<td>Res-Care, Inc.</td>
<td></td>
</tr>
<tr>
<td>Research and Evaluation Associates, Inc.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>ACADEMIC AND RESEARCH INSTITUTION</th>
<th>ADVOCACY GROUPS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Satellite Services, Inc.</td>
<td>National Youth Employment Coalition</td>
</tr>
<tr>
<td>State Farm Insurance Companies</td>
<td>Pacific Education Foundation (TEF)</td>
</tr>
<tr>
<td>Teledyne Economic Development</td>
<td></td>
</tr>
<tr>
<td>The E.C. Corporation</td>
<td></td>
</tr>
<tr>
<td>Vinnell Corporation</td>
<td></td>
</tr>
<tr>
<td>BUSINESS</td>
<td>EDUCATION AND TRAINING</td>
</tr>
<tr>
<td>----------</td>
<td>------------------------</td>
</tr>
</tbody>
</table>
| Wackenhut Educational Services, Inc. | Training and Development Corporation  
Utah Youth Employment Coalition  
YouthBuild USA  
Women Construction Owners and Executives, USA |

<table>
<thead>
<tr>
<th>GOVERNMENT AGENCIES</th>
<th>NATIVE AMERICAN ORGANIZATIONS</th>
</tr>
</thead>
</table>
| U.S. Department of Labor  
U.S. Forest Service  
U.S. Bureau of Reclamation  
U.S. Fish and Wildlife Service  
National Park Service | Cherokee Nation  
Tribal Council of the Confederated Salish and Kootenai  
Tribes of the Flathead Indian Reservation |

<table>
<thead>
<tr>
<th>LABOR UNIONS</th>
<th>VOLUNTEER/COMMUNITY SERVICE</th>
</tr>
</thead>
</table>
| Appalachian Council AFL-CIO  
International Brotherhood of Painters and Allied Trades AFL-CIO  
International Masonry Institute  
International Union of Operating Engineers AFL-CIO  
National Maritime Union of America AFL-CIO  
Operative Plasterers and Cement Masons International  
Transportation Communications International Union  
United Auto Workers AFL-CIO  
United Brotherhood of Carpenters and Joiners of America | Joint Action in Community Service  
National Job Corps Alumni Association  
Opportunities Industrialization Centers of America  
Puerto Rico Volunteer Youth Corps  
Women in Community Service  
American GI Forum Women  
Church Women United  
National Council of Catholic Women  
National Council of Jewish Women  
National Council of Negro Women  
YMCA of Greater Los Angles |

APPENDIX N

JOB TRAINING REFORM AMENDMENTS OF 1992
PUBLIC LAW 102 - 367 [H.H. 3033]
JOB TRAINING REFORM AMENDMENTS OF 1992
PUBLIC LAW 102 - 367 [H.R. 3033]

JTRA is an Act to amend the Job Training Partnership Act. Its purpose is to improve the delivery services to hard-to-serve youth and adults, and for other purposes.

SECTION 1-SHORT TITLE

This Act was cited as the "Job Training Reform Amendments of 1992."

TITLE 4-FEDERALLY ADMINISTERED PROGRAMS

"GRANT PROCEDURES"

"Sec. 403. Grants under sections 401 and 402 would be subjected to the Single Audit Act of 1984 (31 U.S.C. 7501 et seq.) and charging of costs under such sections would be subjected to appropriate circulars issued by the Office of Management and Budget."

Sec. 402. JOB CORPS

(A) eligibility - Section 423(1) of the Act (29 U.S.C. 1693(1) is amended by inserting after "except that," the following: "not more than 20 percent of the individuals enrolled maybe age 22 through 24, and that either."

(B) CLARIFICATION OF AUTHORITY TO TRANSFER PARTICIPANTS TO AND FROM PROGRAMS UNDER TITLE 2-Section 426 of the Act (29 U.S.C. 1696) is amended by adding at the end the following new subsection:

"(D) Nothing in this Act would be construed to prohibit an individual who has been a participant in the Job Corps from concurrently or subsequently participating in programs under Title 2, or to prohibit an individual who has been a participant in programs under Title 2 from concurrently or subsequently participating in the Job Corps."

(C) NONRESIDENTIAL PARTICIPANTS - Section 427(a) (2) of the Act U.S.C. 1697(a) (2) is amended by - (1) striking "10 percent" and inserting "20 percent," and (2) adding at the end the following new sentences: "In enrolling individuals who are to be nonresidential participants, priority would be given to those eligible individuals who are single parents with dependent children. The secretary would not reduce the number of residential participants in the Job Corps program under this part during any program year below the number of residential participants during program year 1991 in order to increase the number of

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individuals who are nonresidential participants in the Job Corps."

(D) CONSERVATION CENTERS - Section 427 of the Act (29 U.S.C. 1697) is amended by adding at the end the following new subsections:

"(C) No funds appropriated to the Department of Labor for any fiscal year may be used to carry out any contract with a non-governmental entity to administer or manage a Civilian Conservation Center of the Job Corps."

(D) ADDITIONAL SUPPORT SERVICES REQUIRED - Section 428 of the Act (29 U.S.C. 1698) is amended by adding at the end the following new subsections:

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

"(F) Each Job Corps center will provide to enrolles who are dependent on, or who have a history of abuse of, alcohol or drugs, with counseling and referral to related services necessary to prevent the continuance or recurrence of such dependency or abuse."

(F) MANAGEMENT FEES - Section 437 of the Act (29 U.S.C. 1701) is amended by adding at the end the following new subsection: (D) The Secretary would provide all the Job corps contractors within equitable and a negotiated management fee of not less than 1 percent of the contract amount.”

<table>
<thead>
<tr>
<th>YEAR</th>
<th>MONTH/DAY</th>
<th>EVENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1964</td>
<td>January 8</td>
<td>President Johnson declared war on poverty.</td>
</tr>
<tr>
<td></td>
<td>February 1</td>
<td>Sargent Shriver appointed director of the Office of Economic Opportunity.</td>
</tr>
<tr>
<td></td>
<td>March 16</td>
<td>President Johnson speech first mentions the Job Corps concept.</td>
</tr>
<tr>
<td></td>
<td>May</td>
<td>Plans began for development of women's centers at the behest of Congresswomen Edith Green (D-Or.).</td>
</tr>
<tr>
<td></td>
<td>August 20</td>
<td>E.O. Act passed and signed.</td>
</tr>
<tr>
<td></td>
<td>October 7</td>
<td>Office of Economic Opportunity funded $800 million. Job Corps officially authorized under law.</td>
</tr>
<tr>
<td>1965</td>
<td>January 15</td>
<td>First Job Corps Center opened at Camp Catoctin, Md. serving 30 students.</td>
</tr>
<tr>
<td></td>
<td>February 6</td>
<td>Quachita, Ark. and Winslow Base, Ariz. opened.</td>
</tr>
<tr>
<td></td>
<td>February 11</td>
<td>Camp Kilmer, N.J. opened.</td>
</tr>
<tr>
<td></td>
<td>February 13</td>
<td>Dr. Benetta Washington announced the first three women's center sites: Cleveland, St. Petersburg, and Los Angeles.</td>
</tr>
<tr>
<td></td>
<td>March 13</td>
<td>Vice President Hubert H. Humphrey spoke at the Kilmer, N.J. dedication.</td>
</tr>
<tr>
<td></td>
<td>April 9</td>
<td>First women's center opened in Cleveland, Ohio.</td>
</tr>
<tr>
<td></td>
<td>April 10</td>
<td>Gary Center, Texas opened.</td>
</tr>
<tr>
<td></td>
<td>November</td>
<td>Job Corps announced a new placement program; had almost 30 vocational training programs.</td>
</tr>
<tr>
<td></td>
<td>December 17</td>
<td>Dr. Benetta Washington named first Director of the Women's Training Centers of the Job Corps.</td>
</tr>
<tr>
<td>1966</td>
<td>January 24</td>
<td>First Puerto Rico center opened at Vieques.</td>
</tr>
<tr>
<td></td>
<td>October 1</td>
<td>Union Construction Trades began to provide vocational training in the Job Corps starting with International Union of Operating Engineers. Other union trades gradually opened programs over the next several years.</td>
</tr>
<tr>
<td>1967</td>
<td>June 7</td>
<td>First All-Job Corps Conservation Center National Conference.</td>
</tr>
<tr>
<td>Year</td>
<td>Month/Day</td>
<td>Events</td>
</tr>
<tr>
<td>------</td>
<td>-----------</td>
<td>--------</td>
</tr>
<tr>
<td>1982</td>
<td></td>
<td>Alcohol and other Drug of Abuse program (AODA) started at the Job Corps centers.</td>
</tr>
<tr>
<td>1989</td>
<td>November</td>
<td>National Job Corps Essay Writing Contest started.</td>
</tr>
<tr>
<td>1990</td>
<td>December</td>
<td>Congress called for long-term expansion of the Job Corps and the Job Corps 50/50 Plan emerged.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Social Skills Training started at Atterbury, Ind., Columbia Basin, Wash., and Phoenix, Ariz.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Parenting program became a mandatory part of the curricula.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Labor Secretary Elizabeth Dole announced new centers in Glasden (Ala.), Flint Hills (Kan.), Minot (ND), New Haven (CT), and Palmer (AK).</td>
</tr>
<tr>
<td>1991</td>
<td>February</td>
<td>Computer managed Instruction started at Gary, Texas, Clearfield, UT., Schenke, NC. and Pittsburgh, Penn.</td>
</tr>
<tr>
<td></td>
<td>August</td>
<td>Gadsden Job Corps Center opened in Alabama.</td>
</tr>
<tr>
<td></td>
<td>October</td>
<td>First Annual National Academic Olympics.</td>
</tr>
<tr>
<td>1993</td>
<td></td>
<td>President Clinton called for full funding of the Job Corps 50/50 Plan.</td>
</tr>
<tr>
<td>1994</td>
<td>March</td>
<td>The Department of Labor announced nine new Job Corps Centers locations: San Francisco (Calif.); Long Beach (Calif.); Dade County ( Fla.); Ayer (Mass.); Caribou (Maine); Montgomery (Ala.); Chicago ( Ill.); Flint (Mich.). Memphs (Tenn.).</td>
</tr>
<tr>
<td></td>
<td>April</td>
<td>Alaska Job Corps Center opened in Palmer.</td>
</tr>
<tr>
<td></td>
<td>May</td>
<td>Initial launching of the Job Corps' pilot program to provide mainstream education/training and job placement to mentally retarded youth at the Old Dominion Center in Virginia.</td>
</tr>
<tr>
<td></td>
<td>September</td>
<td>North Dakota Job Corps Center opened.</td>
</tr>
<tr>
<td>1997</td>
<td></td>
<td>Harper’s Ferry Memorial Scholarship Fund started.</td>
</tr>
</tbody>
</table>
APPENDIX P

COMPARISON BETWEEN PROVISIONS IN JTPA AND CETA
TABLE 15

COMPARISON BETWEEN PROVISIONS IN JTPA AND CETA

<table>
<thead>
<tr>
<th>JTPA - Sections</th>
<th>CETA - Sections</th>
<th>PROVISIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>421</td>
<td>401</td>
<td>Maintained the Job Corps.</td>
</tr>
<tr>
<td>422</td>
<td>402</td>
<td>Placed the Job Corps.</td>
</tr>
<tr>
<td>423</td>
<td>404</td>
<td>Established eligibility.</td>
</tr>
<tr>
<td>424</td>
<td>405</td>
<td>Provided screening and selection.</td>
</tr>
<tr>
<td>425</td>
<td>401</td>
<td>Outlined special provisions.</td>
</tr>
<tr>
<td>426</td>
<td>406</td>
<td>Defined length of enrollment and Oath of Affirmation.</td>
</tr>
<tr>
<td>427</td>
<td>415</td>
<td>Posted contractual agreements.</td>
</tr>
<tr>
<td>428</td>
<td>408</td>
<td>Identified well-organized programs.</td>
</tr>
<tr>
<td>429</td>
<td>409</td>
<td>Outlined requirements for travel, leave, other expenses.</td>
</tr>
<tr>
<td>430</td>
<td>410</td>
<td>Informed of standards of conduct.</td>
</tr>
<tr>
<td>431</td>
<td>411</td>
<td>Authorized community participation.</td>
</tr>
<tr>
<td>432</td>
<td>412</td>
<td>Provided counseling and job placement.</td>
</tr>
<tr>
<td>433</td>
<td>413</td>
<td>Dealt with participation, empirical research, homeless provisions and pilot projects.</td>
</tr>
<tr>
<td>434</td>
<td>414</td>
<td>Formed advisory committees.</td>
</tr>
<tr>
<td>435</td>
<td>415</td>
<td>Outlined state participation.</td>
</tr>
<tr>
<td>436</td>
<td>416</td>
<td>Dealt with federal law and federal employment.</td>
</tr>
<tr>
<td>437</td>
<td>417</td>
<td>Increased female enrollment.</td>
</tr>
<tr>
<td>438</td>
<td>---</td>
<td>Disseminate, collect or compromised all obligation.</td>
</tr>
<tr>
<td>439</td>
<td>---</td>
<td>Donations accepted by the Department of Labor.</td>
</tr>
</tbody>
</table>

With the expanded provisions for enrollment of more females in Job Corps, JTPA made possible more opportunities for employment. Provisions for child care assisted parents with early childhood education and removed barriers to work placement.
APPENDIX Q

LEGISLATION ADDRESSED BY H.R. 1385 AND S. 1186
<table>
<thead>
<tr>
<th>Legislation</th>
<th>H.R. 1385</th>
<th>S. 1186</th>
</tr>
</thead>
<tbody>
<tr>
<td>Job Training Partnership Act</td>
<td>Amends</td>
<td>Repeals; replaces with Title 3</td>
</tr>
<tr>
<td>Adult Education Act</td>
<td>Amends</td>
<td>Repeals; replaces with Title 2</td>
</tr>
<tr>
<td>Carl Perkins Vocational and Applied Technical Education Act (Vocational Education)</td>
<td>Not Addressed; Re-authorized in H.R. 1853</td>
<td>Repeals; replaces with Title 1</td>
</tr>
<tr>
<td>Rehabilitation Act of 1973 (Vocational Rehabilitation)</td>
<td>Amends</td>
<td>Not addressed; Re-authorized in S. 1579</td>
</tr>
<tr>
<td>Wagner-Peyser Act (Employment Services)</td>
<td>Amends</td>
<td>Amends</td>
</tr>
</tbody>
</table>

This table explains the different legislation that are addressed by H.R. 1385 and S. 1186. The table also explains which act was repealed, amended, addressed and not addressed.

This table also shows the current legislation that is addressed by H.R. 1385 and S. 1186 either through amendments or new provisions. Both H.R. 1385 and S. 1186 did amend the Wagner-Peyser Act to more fully integrate employment services into the state’s workforce system.
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Florida v. Department of Labor, 690 F.2d 1359 (11th Cir. 1982).

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Gooley v. Conway, 452 F.2d. 399 (8th Cir. 1978) and 590 F.2d. 744 (8th Cir. 1979).


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National Association of Regional Medical Programs v. Matthews, 551 F.2d 340 (9th Cir. 1980).


________ Job Corps in Action. Volume 4, Number 3, Summer 1996.


________ Job Corps in Action. Volume 4, Number 4, Fall 1996.


Rauschenberg v. Williamson, 785 F.2d 985, 987 (11th Cir. 1986).


Shirck v. Thomas, 486 F.2d 691 - 692 (7th Cir. 1973).

Silver, Mary. Director of the Job Corps. Telephone interview by author, April 1995, Washington, D.C.

Skeete v. Johnson, 805 F.2d 767 (8th Cir. 1986).


Tarasoff v. Regents of University of California, 551 F.2d 334 (6th Cir. 1976).


United States v. Butler, 156 F.2d 897 (10th Cir. 1946).


United States v. Collins, 349 F.2d 863 (2nd Cir. 1965)

United States v. Grimsby, 335 F.2d 652 (4th Cir. 1964).


Watson v. United States, 391 F.2d 927 (5th Cir. 1968).


VITA

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  West Indies College, Jamaica
  Andrews University, Berrien Springs, Michigan

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  Bachelors of Arts, West Indies College, 1982
  Bachelors of Science, West Indies College, 1983
  Master of Arts, Andrews University, 1988
  Education Specialist, Andrews University, 1989

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  Postgraduate Professional License, Virginia, English, History, Social Studies

  Professional Education Certificate, Michigan, English, Social Studies

  Professional Certificate, Columbia Union of SDA, Maryland, English, Social Studies, Administrative Certificate, K-12

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Graduate Assistant, Andrews University, Berrien Springs, Michigan, USA, 1988-1989


Middle School Teacher, Prince George’s County, Maryland, USA, 1999-

Coordinator and Instructor, After-school Tutoring Program (Title 1), Benjamin Stoddert Middle School, Prince George’s County, Maryland, USA, 2000-