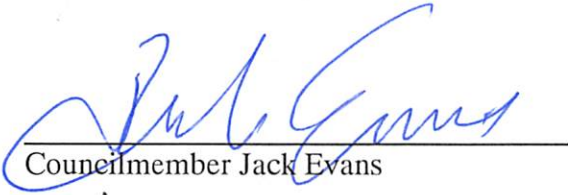


1 

2 Councilmember David Grosso



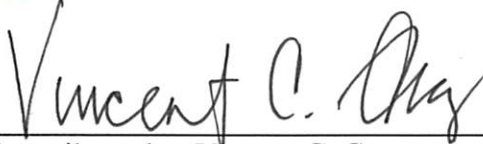
Councilmember Elissa Silverman

3
4
5
6 

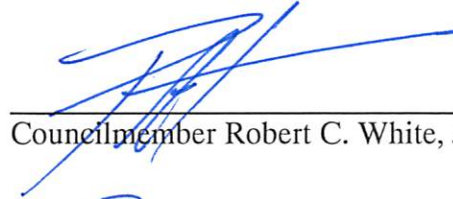
7 Councilmember Jack Evans



Councilmember Brianne K. Nadeau

8
9
10 

11 Councilmember Vincent C. Gray



Councilmember Robert C. White, Jr.

12
13
14
15 

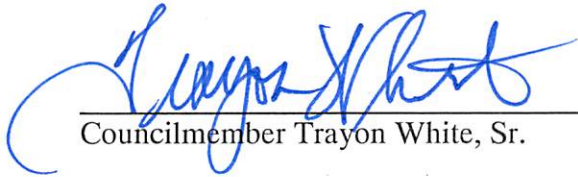
16 Councilmember Anita Bonds



Councilmember Mary M. Cheh

17
18
19
20
21 

22 Councilmember Charles Allen



Councilmember Trayon White, Sr.

23
24
25 A BILL

26
27
28
29 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

30
31
32 To amend the Youth Employment Act of 1979 to provide a streamlined certification process,
33 age-appropriate program placements, additional program management, soft skills training
34 for all participants, and comprehensive reporting requirements.

35
36 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
37 act may be cited as the "Marion S. Barry Summer Youth Employment Program Enhancement
38 Amendment Act of 2017."

39
40 Sec. 2. The Youth Employment Act of 1979, effective January 5, 1980 (D.C. Law 3-46;

41 D.C. Official Code § 32-241 *et seq.*), is amended as follows:

42 (a) Section 2 (D.C. Official Code § 32-241), 2a (D.C. Official Code § 32-242), 2b (D.C.
43 Official Code § 32-243), and 2c (D.C. Official Code § 32-244) are redesignated as sections 2a,
44 2b, 2c, and 2d, respectively.

45 (b) A new section 2 is added to read as follows:

46 “Sec. 2. Definitions.

47 “For the purposes of this act, the term:

48 “(1) “Date of enrollment” means the date on which a participant enrolls in the
49 MBSYEP.

50 “(2) “District of Columbia-funded education program” includes District of
51 Columbia Public Schools, District of Columbia public charter schools, the University of the
52 District of Columbia Community College, and the University of the District of Columbia.

53 “(3) “DOES” means the Department of Employment Services.

54 “(4) “Employer type” includes the following categories of employers: District
55 agencies, federal agencies, non-profit organizations, private sector organizations, private schools,
56 public schools, charter schools, and unknown.

57 “(5) “Expectations for the first day” includes dress code, schedule of hours, and a
58 clear explanation of the participant’s duties and responsibilities.

59 “(6) “Final finding of unsuitable” means a designation given to a host site by
60 DOES that failed to correct issues identified by DOES in its preliminary unsuitability finding
61 that results in the closure of the host site.

62 “(7) “Host employer” means a public or private employer that employs an
63 MBSYEP participant.

64 “(8) “Host site” means the physical location, controlled by a host employer, at
65 which MBSYEP participants perform work for the host employer.

66 “(9) “MBSYEP” means the Mayor Marion S. Barry Summer Youth Employment
67 Program established pursuant to section 2a(a)(1).

68 “(10) “Opportunity Youth” means out-of-school individuals, 16 to 24 years of age
69 at the date of enrollment, not regularly employed, whose level of educational attainment is less
70 than an associate’s degree.

71 “(11) “Out-of-school” shall have the same meaning provided in section 2(46) of
72 the Workforce Innovation and Opportunity Act, approved July 22, 2014 (128 Stat. 1429; 29
73 U.S.C. § 3102(46)).

74 “(12) “Physically compatible host site” means a host site that is able to
75 accommodate a participant’s physical disabilities.

76 “(13) “Public school” means a District of Columbia Public Schools system school
77 or a District of Columbia public charter school.

78 “(14) “Soft skills training” means age-appropriate, non-technical skills training
79 that helps individuals succeed in the workplace and includes communication, time management,
80 appropriate work attire, conflict resolution, and education on employers’ right to conduct drug
81 tests.

82 “(15) “Supportive services” shall have the same meaning provided in section
83 2(59) of the Workforce Innovation and Opportunity Act, approved July 22, 2014 (128 Stat. 1429;
84 29 U.S.C. § 3102(59))

85 “(16) “Work experience” means hands-on experience in a traditional work
86 environment and does not include arts, camps, or academic programs.

87 “(17) “Work training/readiness” means basic skills training and enrichment in a
88 non-traditional work environment.”.

89 (b) Newly designated section 2a is amended as follows:

90 (1) Subsection (a)(1) is amended by striking the phrase “Summer youth jobs.” and
91 inserting the phrase “Mayor Marion S. Barry Summer Youth Employment Program.” in its place.

92 (2) Subsection (g) is repealed.

93 (c) New sections 2c-1 through 2c-4 are added to read as follows:

94 “Sec. 2c-1. Certification for MBSYEP.

95 “(a) In order to receive a placement in MBSYEP, applicants must be certified by DOES.

96 “(b) DOES shall certify MBSYEP applicants whose age and District residency it has
97 verified and for whom it has received any other information it requires.

98 “(c)(1) DOES shall utilize administrative records or other information from District
99 agencies, where available, to certify applicants to ensure that as few applicants as possible have
100 to attend in-person certification events.

101 “(2) Beginning in program year 2019, DOES shall use school records to
102 automatically certify the age and residency of all eligible applicants that are enrolled in a public
103 school at the time of application.

104 “(d) When DOES successfully certifies an applicant, the Department shall notify the
105 individual.

106 “(e) If DOES extends the application deadline, it shall extend the certification deadline by
107 the same amount of time.

108 “(f) Beginning in program year 2019, as a condition of certification, DOES shall require
109 all Opportunity Youth, who are 22-24 years of age and that re-enroll in school or become

110 employed prior to the placement deadline described in Sec. 2c-2(a)(2), to attest that they will
111 inform DOES of their re-enrollment or employment.”.

112 “Sec. 2c-2. Placements in and Program Management of MBSYEP.

113 “(a)(1) DOES shall finalize all host employers and host sites before May 15 of each year.

114 “(2) DOES shall notify all participants and host employers of their placements at
115 least 4 weeks before the start of the program.

116 “(3) DOES shall ensure that host employers utilize the 4 weeks between notice of
117 placement and the start of the program to contact their participants and introduce the participants
118 to the host site and supervisor and provide participants with the host employer’s expectations for
119 the first day.

120 “(b) DOES shall prioritize its host employer recruitment and retention efforts on
121 employers that the Workforce Investment Council determines are from in-demand industry
122 sectors, as defined by section 2(23) of the Workforce Innovation and Opportunity Act, approved
123 July 22, 2014 (128 Stat. 1429; 29 U.S.C. § 3102(23)).

124 “(c) DOES shall provide additional support for applicants and participants with
125 disabilities. It shall:

126 “(1) Require host employers to designate whether or not their worksite is Metro
127 accessible and ADA compliant on the host employer application;

128 “(2) Beginning in program year 2019, place certified applicants only at a
129 physically compatible host sites; and

130 “(3) Include on the parental consent form for applicants under the age of 18 an
131 option for parents or guardians to opt-in to receive copies of electronic communications that are
132 sent to the participant.

133 “(d) Beginning in program year 2019, host employers that previously had a final finding
134 of unsuitable under the DOES host site monitoring process shall not be permitted to participate
135 as a host employer until:

136 “(1) The host employer receives technical assistance from DOES aimed at helping
137 to resolve the issues giving rise to the finding of unsuitability; and

138 “(2) DOES certifies that the issues giving rise to the finding of unsuitability have
139 been corrected.

140 “(e) Beginning in program year 2019, DOES shall classify host employers’ available
141 positions as work experience or work training/readiness according to the predominant daily
142 duties or responsibilities of the position.

143 “(f)(1) Beginning in program year 2019:

144 “(A) No participants 16 years or older at the date of enrollment shall be placed in
145 work training/readiness positions.

146 “(B) A participant who has served 3 or more consecutive summers with the same
147 host employer shall not be placed with that host employer.

148 “(2) Paragraph (1) of this subsection shall not apply to individuals participating in a year-
149 round youth, Summer Bridge, special needs, or Upward Bound programs.

150 “(g) Beginning in program year 2019, DOES shall take the following actions with regard
151 to participants ages 22-24 at the date of enrollment:

152 “(1) Half of all slots shall be filled with 22-24 year-old Opportunity Youth.

153 “(2) If there are an insufficient number of slots for all certified applicants ages 22-
154 24 at the date of enrollment, DOES shall fill the other half of slots in the following order of
155 priority:

156 “(I) Certified applicants who are Opportunity Youth;
157 “(II) Certified applicants not enrolled in school that have less than an
158 associate’s degree;
159 “(III) Certified applicants enrolled in a District of Columbia-funded
160 education program;
161 “(IV) Certified applicants enrolled in non-District of Columbia-funded
162 education program;
163 “(V) Certified applicants who do not meet the criteria set forth in
164 subparagraphs (I) through (IV).

165 “(h) Beginning in program year 2019, DOES shall:

166 “(1) Assess all Opportunity Youth for education, training, and supportive services
167 needs and use the assessment to refer Opportunity Youth to these services.

168 “(2) Inform host employers of their participants’ SYEP-related events and
169 requirements;

170 “(3) Record participant absences from host sites and when a participant reaches 3
171 consecutive absences, attempt to contact the participant at least three times to reengage them in
172 the program.”.

173 “Sec. 2c-3. Soft skills training requirement for MBSYEP.

174 Beginning in program year 2019, DOES shall:

175 “(1)(A) Establish a process for all participants to be assessed for soft skills, which
176 shall be conducted by the host employer during the first week of the program and again during
177 the last week of the program;

178 “(B) If a participant transfers to another host employer, ensure that the
179 first assessment is sent to the new supervisor;

180 “(2) Arrange for all participants to receive soft skills training, which may include
181 modules of District of Columbia Public Schools’ *Tenacity* curriculum;

182 “(3) Objectively compare the first and second assessments to determine skills
183 gains and report the comparison findings pursuant to Sec. 2c-4(b)(7)”.

184 “Sec. 2c-4. Reporting requirements for the MBSYEP.

185 “(a) By December 1 of each year, DOES shall publish on its website and transmit to the
186 Council a report containing information on the previous summer’s MBSYEP participants, which
187 shall include information on:

188 “(1) The demographics of participants;

189 “(2) Participants’ activities in the program; and

190 “(3) Participants’ employment following the end of the program.

191 “(b) Beginning in program year 2018, the report required by subsection (a) of this section
192 shall include:

193 (1) Disaggregated by age and whether a participant is an Opportunity Youth, the
194 number of:

195 “(A) Applicants;

196 “(B) Applicants determined to be eligible;

197 “(C) Total certified applicants;

198 “(D) Applicants certified in person;

199 “(E) Applicants certified by automatic certification per Sec. 2c-1(c)(2);

200 “(F) Applicants certified by other methods DOES uses for certification,
201 disaggregated by other method; and

202 “(G) Participants:

203 “(i) Given a worksite assignment less than 4 weeks before the start
204 of the program;

205 “(ii) Who started working;

206 “(iii) Paid week one;

207 “(iv) Paid week two;

208 “(v) Paid week three;

209 “(vi) Paid week four;

210 “(vii) Paid week five;

211 “(viii) Paid week six;

212 “(ix) Referred to other programs or supportive services (such as
213 child care) at DOES or other agencies;

214 “(x) With three consecutive unexcused absences, and, of these, the
215 number that:

216 “(I) Returned to their original host employer;

217 “(II) Were transferred to another host employer;

218 “(III) DOES was unable to make contact with after three
219 attempts; and

220 “(IV) Did not return to the program.

221 “(xi) Extended beyond 6 weeks, including cost, the source of funds,
222 and how many were enrolled in a year-round youth program as a result (and which program);

223 “(xii) Who are parents as well as any other demographic
224 information the Department of Employment Services tracks, including violent crime victims,
225 TANF-eligible, and those placed via other District agencies such as the Department of
226 Disabilities Services/Rehabilitative Services Agency;

227 “(xiii) Who received soft skills training during the program;

228 “(xiv) Who completed soft skills training during the program; and

229 “(xv) Provided with individual case management during the
230 program.

231 “(2) Employers that provided unsubsidized placements, by company;

232 “(3) Pre-program site visits completed, including how many sites were ready to
233 host and how many were not;

234 “(4) In-program site visits completed, including the number of sites:

235 “(A) Deemed unsuitable; and

236 “(B) With a final finding of unsuitable, delineated by host employer;

237 “(5) SmarTrip cards distributed;

238 “(6) A list of:

239 “(A) Participating employers (disaggregated by employer type), which

240 shall indicate whether a host employer was a first-time host employer in a particular program

241 year, whether a host employer employed any participants after the program, and if so, how many;

242 “(B) Soft skills training providers; and

243 “(C) All spending by MBSYEP on grants, contracts, and Memoranda of

244 Understanding, which shall include cost and recipient of each.

245 “(7) Outcomes of the soft skills training provided;

246 “(8) Any evaluations performed by DOES, including of grants issued for the
247 program; and

248 “(9) For each participant referred to other programs or supportive services (such
249 as child care) at DOES or other agencies, specific information about the program, program
250 provider, and source of funding.

251 “(c) Beginning in program year 2019, the report required by subsection (a) of this section
252 shall include:

253 “(1) Disaggregated by age and whether a participant is an Opportunity Youth, the
254 number of participants:

255 “(A) By type of job, as defined in Sec. 2(16-17);

256 “(B) Who are 22-24 years of age at the date of enrollment, disaggregated
257 by the categories listed in Sec. 2c-2(g); and

258 “(C) Who received beginning and end soft skills assessments during the
259 program.

260 “(2) An update on efforts to implement the requirement that all participants
261 receive soft skills training.”.

262 “(d) It is the sense of the Council that DOES shall consult with the Council on revising
263 existing evaluation requirements for the MBSYEP to focus on program outcomes and program
264 effectiveness.”.

265 (d) Newly designated section 2d (D.C. Official Code § 32-244) is amended as follows:

266 (a) Subsection (a) is amended by striking the date “June 1, 2011” and inserting the date
267 “April 1, 2018” in its place.

268 (b) Paragraph (b)(1) is amended by striking the phrase “employers” and inserting the
269 phrase “employers, including of employer liaisons” in its place.

270 Sec. 3. Section 2082 of the Department of Employment Services Local Job Training
271 Quarterly Outcome Report Act of 2012, effective September 20, 2012 (D.C. Law 19-168; D.C.
272 Official Code § 32-771), is amended by adding a new subsection (d) to read as follows:

273 “(d)(1) Beginning in October 2018, the report shall also include follow-up information on
274 participants in the Marion S. Barry Summer Youth Employment Program (“program”),
275 established pursuant to section 2a(a)(1)(A) of the Youth Employment Act of 1979, effective
276 January 5, 1980 (D.C. Law 3-46; D.C. Official Code § 32-241(a)(1)(A)), for the three quarters
277 following a participant’s completion of the program. The information shall include:

278 “(A) The number of participants:

279 “(i) In unsubsidized employment;

280 “(ii) In a subsidized employment program, delineated by program or
281 subprogram;

282 “(iii) In year-round youth programming, not covered in sub-subparagraphs
283 (i) and (ii) of this subsection, delineated by program; and

284 “(B) The number of participants not included in the reporting requirements in sub-
285 subparagraphs (i) through (iii) of subparagraph (A) of this paragraph, and shall provide an
286 explanation of the barriers that prevented the Department from connecting those youth to
287 programming.

288 “(2) The information shall be disaggregated by age and Opportunity Youth, which
289 shall have the same meaning provided in section 2(h) of the Youth Employment Act of 1979,
290 effective January 5, 1980 (D.C. Law 3-46; D.C. Official Code § 32-241(h)).”

291 Sec. 4. Fiscal impact statement.

292 The Council adopts the fiscal impact statement in the committee report as the fiscal
293 impact statement required by section 4a of the General Legislative Procedures Act of 1975,
294 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

295 Sec. 5. Effective date.

296 This act shall take effect following approval by the Mayor (or in the event of a veto by
297 the Mayor, action by Council to override the veto), a 30-day period of congressional review as
298 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
299 24, 1973, (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
300 Columbia Register.