

## ENROLLEES IN PROGRAM

Sec. 305. (a) Selection for enrollment in programs assisted under this part shall be made by participating school systems in accordance with agreements with the Secretary.

(b) No person may participate as an enrollee in programs under this part unless—

- (1) he is a student in ninth through twelfth grades;
- (2) his and his family's income does not exceed the standard established under section 304(a) (6);
- (3) he is in need of remunerative employment to resume or continue his secondary level education.

(c) Enrollees shall be deemed not to be Federal employees and shall not be subject to the provisions of laws relating to Federal employment, including those relating to hours of work, rates of compensation, leave, unemployment compensation, and Federal employee benefits.

(d) Where appropriate to carry out the purposes of this part, the Secretary may provide for testing, counseling, job development, and referral services to youths through public agencies or private, nonprofit organizations.

## QUALIFICATIONS OF WORK-STUDY PROGRAMS

Sec. 306. A work-study program shall be eligible for assistance under this part if—

(1) the program will enable students to resume or maintain school attendance;

(2) the program will permit or contribute to an undertaking or service in the public interest that would not otherwise be provided, or will contribute to the conservation, development, or management of the natural resources of the State or community or to the development, management, or protection of State or community recreational areas;

(3) the students will be employed either (A) on publicly owned and operated facilities or projects, or (B) on local projects sponsored by private, nonprofit organizations (other than political parties), other than projects involving the construction, operation, or maintenance of so much of any facility used or to be used for sectarian instruction or as a place of religious worship, or involving the conduct of any sectarian religious activity;

(4) the program will not result in the displacement of employed workers, jeopardize the potential employment of workers not aided under this part, or impair existing contracts for service;

(5) the rates of pay and other conditions of employment will be appropriate and reasonable in the light of such factors as the type of work performed, geographical area, and proficiency of the employee, and in no event shall exceed the rate of pay for regular employees performing similar services;

(6) the program will be coordinated to the maximum extent feasible, with vocational training and educational services adapted to the special needs of students in such program and sponsored by State or local public or private educational agencies: *Provided, however,* That where such services are inadequate or unavailable, the program may make provision for the enlargement, improvement, development, and coordination of such services with the cooperation of, or where appropriate, pursuant to agreement with, the Secretary of Health, Education, and Welfare;

(7) the employer shall pay at least 25 per centum of the student's wage; and

(8) in States in which participation of all nonpublic school students is permitted, students in such nonpublic schools are admitted to the program on an equitable basis.

## PAYMENTS TO STATES

Sec. 307. (a) From the amounts allotted to each State under section 303, the Commissioner shall pay to the State an amount equal to the amount expended by the State in carrying out its State plan. Such payments may be made in installments, and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments.