



Workforce Services Guidance – Eligible Training Provider

Effective Date: September 1, 2020

Duration: June 30, 2022

Purpose:

To provide information and direction required under the Workforce Innovation and Opportunity Act of 2014 (WIOA) for training providers on Tennessee's statewide Eligible Training Provider List (ETPL). This guidance also builds upon and enhances the Tennessee Department of Labor and Workforce Development's Combined Strategic Plan.

Scope:

Office of the Governor, Tennessee Department of Labor and Workforce Development (TDLWD); Division of Workforce Services (WFS); Tennessee Department of Economic and Community Development (ECD); Tennessee Department of Education (TDOE); Tennessee Department of Human Services (DHS); State Workforce Development Board (SWDB); Title I – Adult, Dislocated Worker, and Youth Programs, Title II – Adult Education and Family Literacy Act Program(AE); Title III – Wagner-Peyser Act Program (WP); Title IV – Vocational Rehabilitation Program (VR); Regional Planning Council (RPC); Local Workforce Development Boards (LWDB); Local Workforce Development Areas (LWDA); American Job Center (AJC); One-Stop Operator (OSO); Workforce System Sub-Recipients (Sub-Recipients); Workforce System Partners (Partners)

I. Eligible Training Provider Access:

A. How to Apply to Become an Eligible Training Provider:

The following are the steps for ETPL placement in the State of Tennessee:

- ETPs must submit initial eligibility criteria, including training services to be offered, information addressing alignment of the training services with in-demand industry sectors and occupations, performance and cost information, and annually performance met levels on specified performance measures as required (except Registered Apprenticeships).
- The State establishes minimum performance levels; however, the Local Workforce Development Board (LWDB) may require higher levels of specified performance measures or may require additional steps and corresponding scales.
- The State receives the information on approved ETPs by LWDBs. The State then compiles a single ETPL and disseminates it with performance and cost information to the LWDBs.

B. Training Provider Eligibility:

To be eligible to receive funds, the training provider must meet at least one of the following requirements:

- A post-secondary educational institution that is eligible to receive Federal funds under Title IV of the Higher Education Act of 1965¹; and provides a program that leads to an associate degree, baccalaureate degree, diploma or certificate.

¹ 20 U.S.C. 1070 et. seq.

- An entity that carries out programs under the National Apprenticeship Act of August 16, 1937; 50 Stat. 664, Chapter 663; 29 U.S.C. 50 et. seq.
- A public or private provider of a program of training services directly associated with the Division of Rehabilitation Services, Tennessee Department of Human Services
- Another public or private provider with demonstrated effectiveness with providing training populations that face multiple barriers to employment². These populations can include:
 - Displaced homemakers
 - Low-income individuals
 - Indians, Alaskan natives, and native Hawaiians³
 - Individuals with disabilities, including youth who are individuals with disabilities
 - Older individuals
 - Ex-offenders
 - Homeless individuals⁴ or homeless children and youths⁵.
 - Youth who are in or have aged out of the foster care system
 - Individuals who are English language learners, including individuals who have low levels of literacy and individuals facing substantial cultural barriers
 - Eligible migrant farmworkers⁶ and services to other low-income individuals
 - Individuals within two (2) years of exhausting lifetime eligibility under Part A of Title IV of the Social Security Act⁷
 - Single parents (including single pregnant women)
 - Long-term unemployed individuals
 - Other groups the Governor determines to have barriers to employment⁸

C. ETPL Exceptions:

The following training activities are exempt from utilizing the ETPL process.

- On-the-Job Training and Customized Training (as defined by WIOA)
- Skill enhancement and workplace literacy are short-term pre-vocational, and therefore are not defined as training services for this policy.
- Short-term prevocational services not tied to a specific occupation and include course-like services such as literacy and Adult Basic Education, workplace literacy, introductory computer classes; as well as the development of learning skills, communication skills, interviewing skills, punctuality training, personal maintenance skills, and professional conduct to prepare individuals for unsubsidized employment or training.
- Community-based organizations and other private organizations providing training.

II. Initial Eligibility and Application Procedures:

A. Initial Eligibility:

The initial Eligibility process for inclusion on the ETPL is designed to ensure that WIOA participants are using Individual Training Accounts for in-demand training occupations.

² WIOA Section 3(24)

³ WIOA Section 166(b)

⁴ WIOA Section (3)(24)(G)

⁵ WIOA Section (3)(24)(G)

⁶ WIOA Section 167(i)

⁷ WIOA Section 3(24)(K)

⁸ WIOA Section 134(c)(3)(E)

B. ETPL Application Procedure for All Prospective Eligible Training Providers (Except Registered Apprenticeship Programs):

The training provider must submit the proper paperwork for initial eligibility by completing an online New Provider Application (need a link/URL)

- The online application is first submitted to the area LWDB for verification of completeness.
- The LWDB must verify that the training provider complies with all Tennessee regulations about training authorization.
- The LWDB is required to verify all the data elements necessary for the ETP are complete before the applications are submitted for consideration.
 - If the ETP is not compliant or the application is incomplete, the LWDB must notify the training provider within fifteen (15) days of receiving the application.
 - If the ETP is compliant and its application is complete, the LWDB must review the application within five (5) days of receiving the necessary information.
- New training providers must be approved before the LWDA can send new participants to the training.
- The LWDB will ensure that the ETP meets their local eligibility criteria and then will vote to decide if the ETP and the associated programs will be added to the ETPL.
- ETPs must supply any supplemental information requested by the LWDB to assist in the initial eligibility decision.
- Applications must be presented in the time and manner determined by the LWDB (i.e. some LWDBs may require a formal presentation before voting on the training provider and the associated programs). New training provider program applications may be submitted via Jobs4TN.
- After the LWDB votes on the ETP's application, written notification must be submitted to the State within thirty (30) days of their decision.

C. Out-of-State Providers (Except Registered Apprenticeship Programs):

- ETPs that are headquartered outside of Tennessee, and do not have in- state training facilities, may apply to the LWDB where services will be provided. Applications must include all information required by this policy.
- The use of an out-of-state provider as part of a reciprocal agreement does not assure the ETP placement on the Tennessee ETPL.
 - If the ETP wants to appear on the ETPL, it must complete the process to become an approved Tennessee ETP.
 - If the LWDB utilizes a training provider that does not appear on the Tennessee ETPL, it is the responsibility of the LWDB to track and report the necessary performance information needed subsequent eligibility determinations. To fulfill this obligation, the LWDB must ensure that verification of enrollment, completion, and subsequent placement for ETPs are recorded in the State performance tracking system (Jobs4TN).

D. Out-of-Area Providers (Except Registered Apprenticeship Programs):

- If an ETP has a physical presence in Tennessee, the ETPL application must be submitted to the LWDB where the training provider's headquarters, or central campus, is located.
- Any LWDB can approve a satellite site for a training program as long as the training provider and program have been first approved by the LWDB in which the provider is headquartered.
- LWDBs can approve training providers for the State ETPL when the training provider does not have a permanent training facility in Tennessee; in such a case, the providers are considered as out-of-state training providers.

III. Dissemination of the Eligible Training Provider List:

A. Statewide Dissemination and Customer Access:

- The State will ensure that the ETPL is accurate and current. The State must ensure that the updated list is available to all LWDBs⁹ and the general public through the State website.
- The LWDB is responsible for ensuring that all American Job Center (AJC) staff members in the respective LWDBAs have access to the ETPL and are knowledgeable about utilizing the ETPL; the LWDB is also to ensure local access to the ETPL for customers within the AJCs¹⁰.
- The LWDB is responsible for ensuring that all Title I staff in the respective LWDBAs do not allow WIOA participants to enroll in programs that do not appear on the ETPL.

IV. Registered Apprenticeship Programs:

- All active and existing Registered Apprenticeships (RA) are automatically eligible to be included on the statewide ETPL.
- In collaboration with the State Director of Apprenticeship, the State will continue to contact all current program sponsors to elicit their interest in being part of the ETPL.
- The State will work in collaboration with the LWDB to develop a simplified process for new Registered Apprenticeship programs to become part of the ETPL.
- Minimal information is required for Registered Apprenticeship programs for ETPL placement. The information requested is outlined below:
 - Occupation(s) included within the registered apprenticeship program;
 - Name and address of the Registered Apprenticeship Program Sponsor;
 - Name and address of the provider of related instruction, including the location of instruction if different from the program sponsor's address;
 - Method and length of instruction; and
 - Number of active apprentices.

Program sponsors that do not provide the related technical instruction component of a Registered Apprenticeship program may be required to provide additional information about their education provider, including the cost of instruction. This is the only time that cost information will be required for Registered Apprenticeship programs.

- Registered Apprenticeship programs are exempt from performance and reporting-related requirements. This will enable these work-based learning programs to be placed on the ETPL with a minimum burden.
- Registered Apprenticeship program on the ETPL will be available to every Local Workforce Development Area (LWDA) in the State.
- Under this policy, an apprenticeship program must be registered with the U.S. Department of Labor's (USDOL) Office of Apprenticeship.
- Registered Apprenticeships will remain on the ETPL as long as the program is in good standing with the USDOL's Office of Apprenticeship or until the sponsor notifies the State that it no longer wants to be included on the ETPL.
- The State may remove a Registered Apprenticeship program after investigation if the intermediaries determine that the Registered Apprenticeship sponsor has intentionally supplied inaccurate information or has substantially violated any WIOA requirements.
- Registered Apprenticeship program sponsors will have the opportunity of an appeal hearing, as described in Section XI of this policy.

⁹ WIOA Section 122(d)(1)

¹⁰ WIOA Section 122(d)(1)

V. Programs:

A. Program of Training:

A program of training services should consist of one (1) of the following:

- One (1) or more courses, classes, or a structured regimen that provides job-driven training services and leads to a recognized post-secondary credential that, upon successful completion, leads to a certificate of completion, license recognized by the state or Federal Government;
 - a postsecondary credential, secondary school diploma or its equivalent, employment, or measurable skill gains toward a recognized postsecondary or secondary school diploma or its equivalent credential or employment
- A training regimen that leads to competitive integrated employment for individuals with disabilities that provides them with additional occupational skills or competencies generally recognized by employers; or
- Identical programs offered in different locations by the same eligible training provider as one program, which will not require separate applications unless the regulatory agency uses location as a factor in defining a unique program.

B. Adding New Programs (Except Registered Apprenticeship Programs):

- The ETP must submit the program using the online web application for addition to the ETPL.
- The application materials are received electronically by the LWDA and reviewed.
 - All new programs must have prior authorization by the appropriate State authorizing agency before they can be added to the ETPL.
- After verification of completeness, the application materials are forwarded to the LWDB for review and a subsequent vote.
- After the LWDB has rendered a vote about the application materials, the decision must be communicated in writing to the State.

C. Adding New Registered Apprenticeship Programs:

Registered Apprenticeship sponsors adding new programs to the ETPL must indicate their interest in being included on the list and must use the online web application to submit their programs.

D. Making Changes to Program Information:

- Revision(s) to already approved and existing program curriculums must first be approved by the appropriate State authorizing agency.
- The ETP must submit the proper forms using the online web application to make changes on the ETPL.
- Changes submitted by the ETP are subject to review by the LWDA and the State.
- Changes in program cost or length that are beyond twenty-five percent (25%) must be resubmitted to the LWDB for approval as a new program. It is the responsibility of the ETP to ensure that information displayed on the ETPL is accurate.
 - ETPs with inaccurate information on the ETPL as discovered in conjunction with a Data Validation review or a Data Accuracy Report, will be required to make corrections as soon as possible or face removal from the ETPL.

E. Removing Programs from the ETPL:

- Any time after approval by the LWDB, the ETP, including RA programs, can request to have their program removed from the ETPL.
- If a program is removed from the ETPL, except for Registered Apprenticeship programs, the ETP is still required to submit yearly performance reports until the last WIOA training participant

completes or withdraws from the program.

- Failure to submit the remaining yearly performance reports will subject the ETP to the penalties detailed in Section IX of this policy.
- If, at any point, after initial approval for training is temporarily not offered or is permanently deleted from the ETP's selection of offered programs, the program must be removed from the ETPL within thirty (30) days of the institutional decision.

F. Provision of Training through a Third-Party

The approval of an authorized and accredited higher education institution to provide training through a third-party is allowable. However, the approved higher education training provider must:

- Be determined as approved or exempted for postsecondary operations in the state by the Tennessee Higher Education Commission;
- Be accredited by one of the seven accrediting agencies in the United States or the Council on Occupational Education. The seven regional accrediting agencies in the United States are as follow:
 - Accrediting Commission for Community and Junior Colleges Western Association of Schools and Colleges
 - Higher Learning Commission
 - Middle States Commission on Higher Education
 - New England Commission of Higher Education
 - Northwest Commission on Colleges and Universities
 - Southern Association of Colleges and Schools Commission on Colleges
 - Western Association of Schools and Colleges, Senior College and University Commission;
- Comply with all WIOA and ETPL procedures; and
- Be evaluated individually for successful program results

Based on the above requirements, postsecondary institutions that partner with third-party training providers are eligible for review and approval by local workforce boards within the state. To assist in the review and approval process, all local workforce boards are required to verify and document the following:

- Training service has a physical presence in the United States
- Ensure the programs lead to a recognized credential (refer to the U.S. Department of Labor's Training & Employment Guidance Letter 10-16)
- Postsecondary institution will collect, and report all required student-level data; and
- Training service's eligibility and authorization status in origination state

VI. Performance Data (Except Registered Apprenticeship Programs):

A. Provider Requirements for Annual Reporting:

- ETPs must provide the information necessary to determine program performance and to meet requirements per WIOA. The ETP must agree to make their data available to validate the information submitted for reporting¹¹.
- The annual performance reports must contain individual-level data for all participants in programs offered by the ETP that include at least one (1) student receiving WIOA funding.
- The reports are due to the State on July 15 of every year. Performance information must also be entered in the online web application.

VII. WIOA State Performance Measures:

¹¹ WIOA Section 122(d)(1)

The WIOA Participant Program Completion Rate measure is outlined below in Table 1. The performance measures will be reviewed annually (for the prior July 1 – June 30 period) for all providers and programs.

Table 1: WIOA Eligible Training Provider State Performance Measures

Performance Measure	Description
All Students Credential Attainment Rate	Total number of students who obtain a recognized postsecondary credential, or a secondary school diploma or its recognized equivalent during participation or one (1) year after exit divided by the total number of students exiting the program (both completers and non-completers) within the 12-month reporting period
All Student* Employment Rate During 2nd Quarter After Exit	Total number of students exiting (both completers and non-completers) from the applicable program that was working in unsubsidized employment during the 2nd quarter subsequent to the exit quarter (the calendar quarter containing the Exit or completion date), divided by the total number of students exiting the program.
All Student* Employment during 4th Quarter After Exit	Total number of students exiting (both completers and non-completers) from the applicable program that was working in unsubsidized employment during the 4th quarter subsequent to the exit quarter (the calendar quarter containing the exit or completion date), divided by the total number of students exiting the program.
All Student* Median Earnings in Employment during 2nd Quarter After Exit	Median earnings expressed as an hourly rate for all students exiting the applicable program and working in unsubsidized employment during the 2nd quarter subsequent to the exit quarter (the calendar quarter containing the exit or completion date).
WIOA Participant Credential Attainment Rate	Total number of WIOA participants who obtain a recognized postsecondary credential, or a secondary school diploma or its recognized equivalent during participation or 1 year after Exit divided by the total number of WIOA participants exiting the program (both completers and non-completers) within the 12-month reporting period.
WIOA Participant Employment Rate During 2nd Quarter After Exit	Total number of WIOA participants exiting (both completers and non-completers) from the applicable program that were working in unsubsidized employment during the 2nd quarter subsequent to the exit quarter (the calendar quarter containing the exit or completion date), divided by the total number of WIOA participants exiting the program.
WIOA Participant Employment Rate During 4th Quarter After Exit	Total number of WIOA participants exiting (both completers and non-completers) from the applicable program that was working in unsubsidized employment during the 4th quarter subsequent to the exit quarter (the calendar quarter containing the Exit or completion date), divided by the total number of WIOA participants exiting the program.
WIOA Participant Median Earnings in Employment during 2nd Quarter After Exit	Median earnings expressed as an hourly rate for WIOA participants exiting the applicable program and working in unsubsidized employment during the 2nd quarter subsequent to the exit quarter (the calendar quarter containing the exit or the completion date).

*Applies to all students within a WIOA-eligible program

VIII. Subsequent Eligibility Determination:

A. Subsequent Eligibility:

- All programs approved for initial eligibility must be reviewed annually by the submitting LWDB to

determine continued eligibility to remain on the ETPL. This determination is called "Subsequent Eligibility."

- a. Subsequent eligibility determinations are made on an annual basis using the performance data supplied by the ETP.
- Any program that fails to meet the minimum performance standards, as established by the State, will be removed from the ETPL for a minimum period of one (1) program year. Those minimum performance standards are:
 - WIOA student completion rate for each Program must be greater than or equal to 40%.
 - All student completion rate for each Program must be greater than or equal to 40%.
 - WIOA student placement rate for each Program must be greater than or equal to 70%
 - All student placement rate for each Program must be greater than or equal to 70%
 - If the LWDB determines that the program has not served a large enough number of students to accurately reflect the program's performance, the LWDB may elect to approve the program's subsequent eligibility for a sufficient period of time, up to one additional year, to allow for additional performance information to be gathered
 - The State compiles and disseminates an annual Subsequent Eligibility Report. The report is posted online through the ETPL website.
 - ETPs can review and correct their performance information before subsequent eligibility decisions and public dissemination of the report.
 - The State adheres to the following guidelines when displaying performance data for each provider:
 - All programs with a minimum of one (1) WIOA participant during the reporting year will appear in the report.
 - For confidentiality purposes, only those programs with a minimum of ten (10) WIOA students enrolled during the reporting year have their performance data published on the website.

B. Failure to Meet Subsequent Eligibility:

- The State must remove a program if, as a result of the subsequent eligibility determination process, the program is found not to have met the minimum levels of performance set by the State¹².
 - If the State removes a program from the ETPL for subsequent eligibility reasons, the State must, within ten (10) days of its decision, inform the LWDB in writing and include the reason(s) for the removal.
- Before removal by the State, the LWDB must have the opportunity to submit supplemental performance data in efforts to keep the program on the ETPL¹³.
 - The specific economic, geographic, and demographic factors in the local areas in which training providers seeking Eligibility are located; and
 - The characteristics of those served by the eligible training providers seeking Eligibility, including the demonstrated difficulties in serving such populations, where applicable.

The performance population size, including the effects of smaller cohorts and / or number of students on the program's performance.

- Any program removed from the ETPL for subsequent eligibility reasons must remain off the ETPL for a minimum of one (1) full program year.
- For the program to be added back to the ETPL, the ETP must re-apply through the LWDB
- While a program is removed from the ETPL for subsequent eligibility reasons, the ETP cannot receive new training participants utilizing ITA funds for the removed programs.

¹² WIOA Section 122(b)(1)(A)

¹³ WIOA Sections 122(b)(2) through (b)(4)(D) and 20 CFR 680.490

IX. Consequences for Noncompliance of ETPL Requirements:

A. Removal of a Provider or Program on the ETPL:

- The State may remove a program if the ETP fails to submit all the data required for subsequent eligibility determination within the required time frames¹⁴.
- The State may remove a program if an ETP fails to notify the State of any program changes, including but not limited to costs, location of training, or change in state authorization status.
- The State may remove a program that does not meet the minimum criteria for the initial listing specified in this procedure. For example, a program can be removed if its eligibility depended on accreditation, and the accreditation was lost¹⁵.
- The State may remove a program if it is determined that the applicant intentionally supplied inaccurate information.
- The State may remove a program if the ETP is found to have violated any WIOA requirements.
- The State may remove a program or ETP if it loses its accreditation after an appeal process.
- The State may remove a program or ETP, at the request of the LWDB, for any of the following reasons:
 - Unethical/illegal billing practices
 - Violations of Title VI of the Civil Rights Act of 1964; Title IX of the Education Amendments of 1972; Section 504 of the Rehabilitation Act of 1973; or the Act Discrimination Act 1975.
 - Lack of qualified training personnel or building infrastructure.
- The State must investigate before removing an ETP at the request of the LWDB.
- The State may remove a program or ETP at the request of the institution if:
 - An eligible training provider requests removal from the ETPL for a particular program or the institution as a whole.
 - An ETP whose self-requested removal is of the ETPL for some time greater than one (1) year, that training provider must re- apply for placement on the ETPL to the LWDB.
 - A training provider can be reactivated on the ETPL within one (1) year assuming that it was in good standing when it was removed, and no changes occurred in their program demographics during the removal period.

B. Suspension from the ETPL:

- ETP may be suspended from the ETPL for any of the following actions:
 - Failure to submit yearly performance reports or the exemption claim sheet by the deadlines.
 - Failure to keep current the eligible training provider and program demographic information displayed on the ETPL.
 - Failure to respond to a State request for a data validation visit.
 - Poor performance during a data validation visit.
 - Failure to submit corrections needed following yearly report validation by the specified deadline.
 - Failure to comply with State requests for information.
- During any State or Federal criminal investigation launched against the institution or key personnel at the institution, the ETP may be removed from the ETPL until a final resolution is reached. Depending on the final resolution, the provider may be permanently removed from the ETPL.

X. Financial Reimbursement:

¹⁴ WIOA Section 122(b)(2)

¹⁵ WIOA Section 122(b)(1)(E)

An ETP whose eligibility is terminated as a result of the reasons specified above in Section VIII and IX of the current policy for a program shall be liable for repayment of all funds received during any period of noncompliance.

XI. Appeals:

A. Provider Application Denial:

If an LWDB denies an ETP's initial application for listing on the ETPL, the LWDB must, within thirty (30) days from the date of determination, inform the ETP in writing of the reason(s) for the denial and detailed information on the appeal process.

B. Reasons for Denial of Application for Initial Eligibility:

- The LWDB or the State may deny eligibility if the application from an ETP is not complete or submitted within the required time frame.
- The LWDB or the State may deny eligibility if an applicant fails to meet the minimum criteria for the initial listing specified in this policy.
- The LWDB may deny eligibility if the training programs offered by the ETP do not lead to gainful employment in-demand occupations as determined by a labor market analysis.
- The LWDB may deny eligibility if the training program demographics (i.e., cost and length) are substantially higher (beyond fifty percent (50%)) than previously approved programs offering the same credential (within the past two (2) program years).
- The LWDB or the State may deny eligibility if it is determined that the applicant intentionally supplied inaccurate information.
- The LWDB or the State may deny eligibility to a training provider who has been found to have substantially violated any WIOA requirements.

C. Appeals to the Local Workforce Development:

This procedure applies to appeals by ETPs to the LWDBs based on the denial of an ETP's application for the initial listing on the ETPL. The LWDB must establish an appeal procedure for providers of training to appeal a denial of eligibility that meets the requirements¹⁶. The LWDB must have a written appeal process that includes the following provisions:

- A training provider wishing to appeal a decision by the LWDB must submit an appeal to the LWDB within thirty (30) days of the issuance of the denial notice. The appeal must be in writing and include a statement of the desire to appeal, specification of the program(s) in question, the reason(s) for the appeal (i.e., grounds), and the signature of the appropriate provider official.
- The LWDB appeal process must grant the training provider the opportunity to address the reasons for their denial directly and submit it either in writing or through an appeal hearing.
- The LWDB must have one to three (1-3), impartial appeal officers who is responsible for re-evaluating the supplemental materials supplied by the ETP in addressing the initial reasons for the denial. An impartial appeal officer may be any staff member not involved in the initial denial.
- The LWDB will notify the ETP of the final decision made by the LWDB on an appeal within thirty (30) days of receipt of the appeal.
- The LWDB appeal notification to the ETP must reference the process for filing a next-level appeal to the State if the ETP does not agree with the outcome of the local decision.

D. Appeals to the State:

This procedure applies only to ETPs who have completed the first level appeal process and want to contest the LWDB's decision.

¹⁶ 20 CFR 683.630(b)

- A training provider wanting to appeal to the State must submit an appeal request to the State within thirty (30) days from the LWDB's notification to the training provider of its final decision on an appeal. The request for an appeal to the State must be in writing and include a statement of their desire to appeal, specifications of the program (s) in question, the reason(s) for the appeal (i.e., grounds), and the signature of the appropriate provider official.
- The State will promptly notify the appropriate LWDB when it receives a request for appeal. The State will also notify the appropriate LWDB when it makes the final decision on an appeal.
- The State appeal process includes the opportunity for the appealing ETP to have a hearing. The hearing officer must be impartial. The hearing officer must provide written notice to the concerned parties of the date, time, and place of the hearing at least ten (10) calendar days before the scheduled hearing. Both parties must have the opportunity to present oral and written arguments under oath, to call and question witnesses, request documents relevant to the issue(s), and to be represented by a competent authority if desired.
- The State appeals committee, chaired by the hearing officer, will administratively review the appeal, make a preliminary decision, and notify the ETP and the LWDB. The committee may either uphold or reverse the LWDB decision.
- The State appeals committee must conduct the appeal and render a decision within sixty (60) days from receiving the training provider's initial state-appeal request.

References:

20 CFR 680.490; 20 CFR 683.630(b); 20 U.S.C. 1070 et. seq; WIOA Section 3(24)(G); WIOA Section 3(24); WIOA Section 3(24)(K); WIOA Section 122(b)(1)(A); WIOA Section 122(b)(1)(E); WIOA Section 122(b)(2); WIOA Sections 122(b)(2) through (b)(4)(D); WIOA Section 122(d)(1); WIOA Section 134(c)(3)(E); WIOA Section 166(b); WIOA Section 167(i); TEGL 10-16 change 1; TEGL3-18; TEGL 8-19

Contact:

For any questions related to this policy, please contact the Program Integrity Unit at Workforce.Board@tn.gov.


.. (Sep 15, 2020 16:45 CDT)

Kenyatta Lovett, Workforce Services Assistant Commissioner