



APPROVED ETLWDB CHAIR

## **SUBJECT: REVIEW and APPEAL PROCESSES for ELIGIBLE TRAINING PROVIDERS**

**POLICY STATEMENT:** Institutions providing occupational skills training and post-secondary training may petition to be included on the East Tennessee Local Workforce Development Area Eligible Training Provider List (ETPL). Providers included in the listing will be subject to ongoing and regularly-scheduled review of success metrics. An appeals process is established for providers whose petition for inclusion on the ETPL is rejected.

**Introduction:** The Workforce Innovation and Opportunities Act (WIOA) requires that post-secondary training and education enterprises be identified and selected to and Eligible Training Provider List (ETPL) in order to participate in the Individual Training Account (ITA) program.

**Purpose:** Establish a standard operating procedure to review and approve training providers

**Eligible WIOA Customer:** Eligible Training Providers for the East Tennessee Local Workforce Development Area

### **Process:**

1. ETLWDB will utilize a process for approving training programs in accordance with Title I of the Workforce Innovation and Opportunity Act, WIOA Regulations 20 CFR Section 680.400 and Tennessee Department of Labor and Workforce Development Workforce Services Policy Number 5.0.
2. Training providers seeking to be included on the Eligible Training Provider List (ETPL) should register as a Provider on Jobs4TN.gov.
3. ETLWDB staff will review the application and will contact the provider to collect needed additional information (see Attachment A).
4. Applications will be reviewed by members of the Local Workforce Development Board Executive Committee. Executive Committee members reviewing applications will consider information submitted including a) length and cost of training, b) credentials earned as a result of training completion, c) training provider history and experience, and d) likelihood of job placement and average wages for program completers. The review shall take into account whether or not the training is in a demand occupation and if it meets any industry/training priorities currently established by the Local Workforce Development Board.
5. For requested programs that are not associated with demand occupations, the board may consider supplemental information submitted by the training provider from area employers verifying that they would employ an individual who completes training.
6. The board may consider the training provider's past efforts in providing services to customers. Success in achieving the appropriate Local Workforce Development Board performance measures may also be reviewed and used as a determining factor.
7. A Local Workforce Board Committee and/or WIOA staff may conduct an on-site review of the training institution if the organization has not previously provided services in the ETLWDA.
8. Based on the results of the above steps, the Local Workforce Development Board will either recommend approval for the statewide ETPL or disapprove the request. Reasons for denial may include any of the items

outlined in Section 3.B. of Workforce Services Policy Number 5.0, as well as a history of poor performance, poor customer service, or failure of programs to address local WDB industry / training priorities.

9. The Workforce Board, or its designee, will notify the training provider in writing within 30 days of the decision to add or deny the provider placement onto the ETPL. In cases of denial, detailed reasons for the denial and information on the WDB's appeal process will be provided.
10. Appeals: A provider wishing to appeal a decision made by the ETLWDB must submit an appeal to the Board staff within 30 days of the issuance of the denial notice. The appeal must be in writing and include a statement of the desire to appeal, the specific program in question, the reason for the appeal, and the signature of the appropriate provider official. In this document, the provider should address the specific reasons for denial.
11. A group of up to 3 ETLWDB members who did not participate in the initial review process will convene as an appeals board in order to review the appeal submitted by the provider. At the discretion of the appeals board, the provider may be invited to meet with the appeals board to discuss the submitted appeal.
12. The ETLWDB will notify the provider of its final decision on an appeal within 30 days of receipt of the appeal.
13. Other Recourse: A provider who has been denied based on either insufficient information or poor performance history may choose to reapply to the ETLWDB and include supplemental information with its subsequent application. A second application should be submitted no sooner than 3 months following the initial application.
14. Providers who have exhausted the appeals process for ETLWDB and are dissatisfied with the Board's final decision may appeal to the State as outlined in Section 3.D. of Workforce Services Policy 5.0.
15. Providers approved by the ETLWDB and included on the Eligible Training Provider List shall be subject to all reporting requirements as outlined in Workforce Services Policy 5.0 and on the ETPL located on [Jobs4TN.gov](http://Jobs4TN.gov).

ATTACHMENT A

ETLWDA TRAINING PROVIDER APPLICATION REVIEW FORM

TRAINING PROVIDER: \_\_\_\_\_

TRAINING PROGRAM: \_\_\_\_\_

Staff Person: \_\_\_\_\_

Date: \_\_\_\_\_

Is the training in a demand occupation as identified by the ETLWDB? \_\_\_\_\_ Yes \_\_\_\_\_ No

If not, is there employer verification that employment opportunities exist? \_\_\_\_\_ Yes \_\_\_\_\_ No

Length of training: \_\_\_\_\_

Reasonable duration compared to similar training providers? Explain:

Any other comparable training programs available in area? \_\_\_\_\_ Yes \_\_\_\_\_ No

List:

Program Costs: \_\_\_\_\_

How do these costs compare with similar training providers?

Average starting wage: \_\_\_\_\_

Are there opportunities for wage progression? \_\_\_\_\_ Yes \_\_\_\_\_ No (Please Explain):

Is the training provider accredited? \_\_\_\_\_ Yes \_\_\_\_\_ No

By whom?

What credential does the training provide?

Is this a new program offered by the training provider?

If yes, what experience does the provider have in the area?

How long has the training operator been in existence?

Date on-site review conducted: \_\_\_\_\_ Review conducted by: \_\_\_\_\_

Additional information: