



**State of Tennessee  
State Workforce Development Board**

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# State Workforce Development Board Policy Local Governance

**Effective Date: November 4, 2022 \***

**Expiration Date: Automatic Annual Renewal Pending Statute Limitations**

## **Purpose**

This policy provides membership requirements to serve on the Local Workforce Development Board (Local Board), including how the members create the Local Board Bylaws to define the roles, responsibilities, and authority of the Local Board's oversight of workforce development programs in the Local Workforce Development Area (local area).

Additionally, this policy provides requirements for the Local Elected Officials (LEOs) to enter an Interlocal Agreement to select a Chief Local Elected Official (CLEO) to act as the signatory for the consortium. This agreement also defines how the LEOs, and the Local Board will jointly administer workforce development activities regarding the American Job Centers.

Finally, this policy provides transparency requirements regarding quarterly meeting minutes documenting the activities of the Local Board.

## **Scope**

- State Workforce Development Board
- Local Workforce Development Board
- Chief Local Elected Officials
- Local Elected Officials
- WIOA Required Partners

\*This policy was updated by resolution of the SWDB to correct an error 8/25/23.

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## Definitions

**Chief Local Elected Official (CLEO):** A county mayor designated as the signatory on behalf of the consortium of county mayors.

**Local Elected Official (LEO):** County mayors of a respective Local Workforce Development Area.

**Local Workforce Development Area (Local Area):** A geographical location of Tennessee, determined by county, so that programs can be allocated by location.

**Local Workforce Development Board (LWDB):** A board that administers and monitors workforce development activities in a local area,

**Local Workforce Development Board Chair (Chair):** The members of the Local Board shall elect a chairperson from among the business representatives. The Board Chair is tasked with leading activities, setting the agenda, and approving documentation on behalf of the full board.

**Workforce Innovation and Opportunity Act (WIOA):** Law designed to help job seekers access employment, education, training, and support services to succeed in the labor market and to match employers with the skilled workers they need to compete in the global economy.<sup>1</sup>

## 1. Local Board Nomination, Membership

The requirements for Local Board representation<sup>2</sup> must be considered by the CLEO when selecting individuals to serve on the board. The CLEO acts as the signatory on behalf of the other LEOs and has final authority to select members to serve on the LWDB.<sup>3</sup>

The CLEO must:

- Receive and sign the nomination form required for all Local Board nominees;
- Approve the removal of any member, who does not resign, if that member becomes ineligible to serve on the Local Board; and
- Make all reappointments of Local Board members by the end of the following quarter of the term of expiration (ex. if a board member's term ends in May, the reappointment is due by September 30<sup>th</sup>).

### 1.1 Documentation to Support Nomination

To appoint an individual to serve on the Local Board, the following documentation is required:

- A Nomination Form or signed by the CLEO; and

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<sup>1</sup><https://www.dol.gov/agencies/eta/wioa>

<sup>2</sup>WIOA Section 107(b)

<sup>3</sup>WIOA Section 107(c)(1)(A)

- A Conflict-of-Interest Form signed by the nominee to the Local Board

## 1.2 Conflict of Interest Form

Before taking office, Local Board members must provide a written declaration to the Local Board Chair to disclose all substantial business interests or relationships they, or their immediate families<sup>4</sup>, have with all businesses or organizations that have received, currently receive, or are likely to receive contracts or funding from the Local Board. Local Board members must sign an acknowledgment form to confirm that they will adhere to the following:

- Such declarations must be updated annually to reflect any changes in business interests or relationships
- Declarations must be maintained by the LWDB staff for five (5) years from the original signature date
- LWDB members must not vote or conduct a formal discussion on any matter that would provide direct financial benefit to the member or the member's immediate family, or on matters of the provision of services by the member, or the entity the member represents
- All abstentions must be recorded in the minutes of the Local Board and be maintained as part of the official record

The Local Board Chair must monitor for potential conflicts of interest and bring them to the Local Board's attention in the event the member does not make a self-declaration.

## 1.3 Nominee Certification by the State of Tennessee

Completed nomination forms must be submitted to the Workforce Services Division—at [Workforce.Board@tn.gov](mailto:Workforce.Board@tn.gov)—for review. Once the form has been reviewed, the LWDB will receive a follow-up letter of certification or denial within five (5) business days.

Nominees will not be approved until all supporting documentation is complete, accurate, and contained in one (1) submission.

The member must not be seated onto the Local Board until a certification letter has been received to affirm the nomination.

## 1.4 Compliance with Policy

Documentation for renewal of a Local Board member's nomination or their conflict-of-interest form must be received within one (1) full calendar quarters following expiration. If a member's term expires after January 1, 2022 (Q1 CY 2022) then all documentation must be submitted, approved, and confirmed between April and June 2022 (Q2 CY 2022).

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<sup>4</sup> Parents, siblings, spouses, partners, children, grandparents, grandchildren, aunts, uncles, siblings-in-law, half-siblings, cousins, adopted children and step-parents/step-children, and cohabiting partners

Updated documented must be submitted to the TDLWD Central Office at [Workforce.Board@tn.gov](mailto:Workforce.Board@tn.gov)

## 1.5 Term Renewal Documents

The CLEO will sign and submit a Renewal Form to extend the tenure of LWDB members in good standing. The Renewal Waiver must acknowledge:

- The member's organization that they indicated on the nomination form
- The member has a conflict-of-interest form signed within 365 days of membership renewal
- The member has not violated the Local Board's bylaws that would bring cause to the termination of their appointment
- The member's new begin and end dates of service, in compliance with the term limits of the Local Board's bylaws

All membership renewals due to change in employment must include anew nomination form and conflict of interest form signed by the LWDB member (if expired or not on file at the time of renewal).

## 1.6 Board Roster Availability to the Public

LWDBs must create, maintain, and present an updated board roster for their respective boards. This roster must be located on the LWDB's website and must be easily accessible and visible to the public. The comprehensive board roster must include the following information (in no standardized order) for each LWDB board member:

- Date Certified to Serve
- Board Member Name
- County Member Represents
- Board Member Employer, Organization

The State will maintain an internal comprehensive roster sheet for each of the LWDBs for monitoring purposes. Boards will be expected to send new and updated board member documentation to the Program Integrity Unit to assist with monitoring being conducted. Boards, and their staff, are responsible for ensuring that their comprehensive, public facing roster is updated by their next quarterly calendar board meeting. Failure to do so will result in technical assistance being conducted by the Program Integrity Unit to ensure documentation is updated by the proceeding quarterly calendar board meeting. Multiple offenses may result in a Corrective Action Plan or sanction explained in the State's *Sanctions for Failure to Meet Federal and State Standards* policy.

## 2. Local Workforce Development Board Bylaws

Bylaws establish the powers, duties, and grounds for the dissolution of an organization. Bylaws are the rules and regulations enacted by the Local Board to provide a framework for their operation and management. Bylaws must be reviewed every two years from the effective date of the bylaws. LWDBs must submit their bylaws **within fifteen 15 business days** of signing their updated Bylaws. Bylaws specify the qualifications, rights, and liabilities of membership. The LWDB must establish bylaws that include:

## 2.1 Purpose of the Bylaws

The bylaws must:

- State the name of the Local Board
- Identify the Local Board as an entity that oversees job training and placement programs within Tennessee's workforce development system

## 2.2 Local Board Chairperson

The bylaws must:

- Describe the process to elect the Local Board Chair from among the Local Board members representing business entities<sup>5</sup>
- Define term limits of the Local Board Chair's tenure.
- The LWDB Chair acts as the signatory on behalf of the entire LWDB regarding the following:
  - Local Board budget approval<sup>6</sup>
  - Regional and Local Plans<sup>7</sup>
  - Selection, Certification of One-Stop Operators and Career Service Providers<sup>8</sup>
  - Negotiated local performance measures<sup>9</sup>
  - Assessment of programmatic and physical accessibility<sup>10</sup>

## 2.3 Composition of the Local Workforce Development Board<sup>11</sup>

### Business Representation

A majority—defined as the greater sum of the whole (largest percentage)—of Local Board members must be representatives who are owners, other business executives, or employers with optimum policymaking or hiring authority.

### Workforce Representation

Not less than twenty percent (20%) of the members must be workforce representatives. Such representatives must include:

- Two (2) or more representatives of labor organizations; and

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<sup>5</sup> WIOA Section 107(b)(3)

<sup>6</sup> WIOA Section 107(d)(12)

<sup>7</sup> WIOA Section 107(d)(1)

<sup>8</sup> WIOA Section 107(d)(10)

<sup>9</sup> WIOA Section 107(d)(9)

<sup>10</sup> WIOA Section 107(d)(13)

<sup>11</sup> WIOA Section 107(b)(2)

- One (1) or more representatives of a joint labor-management registered apprenticeship program

### **Education Representation**

- At least one (1) member must be a representative of a provider of adult education and literacy activities under WIOA Title II; and
- At least one (1) member must be a representative of an institution of higher education that provides workforce training (including community colleges)

### **Government or Community Development Representation**

The members must include at least one (1) representative of each of the following:

- Economic or community development entities in the LWDA;
- The State Employment Service Office, under Wagner-Peyser, serving the LWDA; and
- Programs carried out under Title I of the Rehabilitation Act of 1973

## **2.4 Local Board Member Election**

The bylaws must include a description of:

- The process used to select Local Board members,
- Local Board member terms of appointment
- Local Board member removal
- Local Board member reappointments

The bylaws must acknowledge that LWDB members who no longer hold the position or status that made them eligible to serve must resign, or be removed by the CLEO, immediately as a representative of that entity.

## **2.5 Local Board Member Terms**

The bylaws must:

- Establish term limits to define when a Local Board member's service tenure expires.

## **2.6 Local Board Member Mid-Term Appointment**

Local Board member replacements made mid-term will serve the remainder of the out-going Local Board member's term. Local Board vacancies must be filled within one (1) full calendar quarters following expiration. If a member resigns or is removed between January and March 2022 (Q1 CY 2022) then all documentation must be submitted, approved, and confirmed between April and June 2022 (Q2 CY 2022).



Any action taken by an Local Board, with a vacancy or term expiration beyond the time period described in the Local Board bylaws, will be void unless the Local Board has an approved waiver from the Assistant Administrator of the Workforce Services Division—at [Workforce.Board@tn.gov](mailto:Workforce.Board@tn.gov)—with an explanation of why a vacancy was not filled in the defined timeframe and a description of the process underway to fill the vacancy.

## 2.7 Local Board Member Removal

Local Board members must be removed by the CLEO if any of the following occurs:

- Documented violation of conflict of interest;
- Failure to meet Local Board member representation requirements; or
- Documented proof of fraud and/or abuse

The agreement must define:

- The specific criteria that will be used to establish just cause for such removal
- The process required to document proof
- The steps to file an appeal or petition for arbitration

Local Board members may be removed for other factors outlined in the Local Board bylaws, such as attendance.

## 2.8 Local Board Member Roles and Responsibilities<sup>12</sup>

### Budget Approval<sup>13</sup>

The Local Board must develop a budget to provide workforce development services. The budget must be approved by the Local Board Chair prior to final approval by the CLEO. The final Local Board budget must be submitted to [Workforce.Board@tn.gov](mailto:Workforce.Board@tn.gov) prior to each program year. The agreement must describe how the Local Board will develop the local area budget, how the LEOs will participate in drafting the budget, and specify the process to obtain the CLEO's approval.

### Local Plan

The Local Board must develop the Local Plan consistent with WIOA and Tennessee Department of Labor and Workforce Development (TDLWD) requirements<sup>14</sup>, submitted to the Governor by the Local Board Chair. The agreement must define how the LEOs, CLEO, and the Local Board will collaborate to write and approve the Local Plan.

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<sup>12</sup> WIOA Section 107(d)

<sup>13</sup> WIOA Section 107(d)(12)

<sup>14</sup> WIOA Section 107(d)(1)

## Selection, Certification of OSO and CSP<sup>15</sup>

The Local Board must establish the guidelines to:

- Select the One-Stop Operator (OSO) and Career Service Provider (CSP)
- The process to obtain the CLEO's approval of the selection
- The process to terminate for cause the eligibility of the OSO and CSP
- The process to document determination to terminate for cause

## American Job Center (AJC) System Oversight

The Local Board must:

- Conduct oversight of the American Job Center system, including all WIOA activities<sup>16</sup>
- Negotiate local performance measures<sup>17</sup>
- Select the OSO and CSP<sup>18</sup>, subject to approval by the Chief Local Elected Official (CLEO)
- Maintain a list of eligible training providers<sup>19</sup>, including cost and performance data
- Select eligible CSPs to provide youth services<sup>20</sup> and adult and dislocated services<sup>21</sup> consistent with federal, state, and local procurement requirements; and
- Appoint a Youth Council to advise the LWDB on youth activities<sup>22</sup> (optional).

## Physical and Programmatic Accessibility (ADA) Oversight

The bylaws must describe the process of how the Local Board will assess or reassess the physical and programmatic accessibility on an annual basis or when physical and programmatic changes that may impact access are made.

## Local Board Policy

The bylaws must describe the process to draft, review, and approve Local Board policy. All policies must reflect the signature of the Local Board Chair to demonstrate that they have been formally reviewed and approved by the full Local Board.

## Other Local Board Roles and Responsibilities

- Elect a private-sector business representative as LWDB Chair<sup>23</sup>;

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<sup>15</sup> WIOA Section 107(d)(10)

<sup>16</sup> WIOA Section 107(d)(8)

<sup>17</sup> WIOA Section 107(d)(9)

<sup>18</sup> WIOA Section 107(d)(10)

<sup>19</sup> WIOA Section 107(d)(10)

<sup>20</sup> WIOA Section 107(d)(10)(B)

<sup>21</sup> WIOA Section 107(d)(10)(D)

<sup>22</sup> WIOA Section 107(b)(4)(C)

<sup>23</sup> WIOA Section 107(b)(3)

- Create an annual report that must be submitted to the TDLWD, per guidelines established by TDLWD
- Promote American Job Center programs and activities
- Assist the State to develop a statewide employment statistics system under the Wagner-Peyser Act;
- Coordinate with economic development strategies and establish employer links with workforce development activities<sup>24</sup>; and
- Carry out regional planning responsibilities, as required by the State.

## Relationship Between the Local Board and County Mayors

The bylaws must establish how the Local Board will collaborate with the CLEO, to include:

- How meeting agendas are set;
- How the CLEO and the Local Board will communicate to share the vision, goals, and workforce development needs of local communities; and
- How performance metrics will be reviewed, monitored, shared, and communicated, to include staff responsible for each task.

The bylaws must establish requirements for the Local Board to regularly inform the CLEOs and LEOs regarding activities, performance outcomes, and budgets a joint meeting held annually between CLEO/LEOs and the Local Board. LEOs must meet once a year with the Local Board.

## Local Board Meetings

The bylaws must include detailed information concerning meetings, to include:

- Information on how often LWDB and standing committee meetings are held
- Acknowledgment of compliance with open meeting requirements<sup>25</sup>
- Description of the process to announce regular and special meetings
- Description of the public-outreach process to encourage community engagement
- Acknowledgment that a quorum must consist of at least one-third (1/3, or 33%) of the currently appointed membership, and;
- Clarification as to whether phone and web-based meetings will be permitted
- Description on how meetings will ensure physical accessibility for members and the public

## Proxy Votes

The bylaws must include:

- Instruction on when a Local Board member may utilize a proxy to cast a vote
- The process that a Local Board member must follow to select a proxy to vote on their behalf

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<sup>24</sup> WIOA Sections 107(d)(4) and 107(d)(5)

<sup>25</sup> WIOA Section 107(e)

- Acknowledgement that this policy prohibits proxy voting more than one (1) time in a calendar year without written approval from the Local Board Chair

### **Local Board Standing Committees<sup>26</sup>**

The bylaws must include a list of standing committees, including descriptions and composition for each. Standing committees must meet the standards outlined in WIOA Section 107(b)(4). The primary purpose of standing committees shall be to consider and recommend actions—and propose policies—in the functional areas under their jurisdictions, subject to final approval by the Local Board.

### **Compensation and Reimbursement of Expenses**

The bylaws must outline Local Board member compensation and expense reimbursement.

### **Amendments to Bylaws**

The bylaws must include a description of the process to make amendments to the bylaws, to include the voting majority required to approve changes.

### **Compliance with Law**

The bylaws must acknowledge all applicable Tennessee statutes and regulations including, but not limited to, the governing procurement standards or regulations for the local area, the Sunshine Law, and state travel regulations. In the execution of its business, the Local Board must comply with WIOA regulations, to include adherence to all policies and directives approved by the State Workforce Development Board (State Board).

## **3. Local Workforce Development Board Certification<sup>27</sup>**

The State will certify that the composition of each Local Board, including the appointment process, complies with WIOA Section 107 and this policy. The composition of each Local Board will be evaluated quarterly by Program Integrity staff and will coincide with SWDB meetings.

### **3.1 Local Board Re-Certification**

Re-certification will be conducted by the State once every two (2) years to ensure the local workforce activities support meeting local performance measures, as outlined in the local grant agreement, to include Local Board composition requirements.

If a Local Board meets all membership requirements but fails to meet all performance measures (90% of target or higher), certification will be granted for review period of one (1) year instead of two (2) years. At the end of the one-year review period, the recertification process will be repeated with an

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<sup>26</sup> WIOA Section 107(b)(4)

<sup>27</sup> WIOA Section 107(c)(2)

updated review of performance and membership composition. If this review shows the LWDB is meeting all performance measures, the regular two-year certification will be continued.

### 3.2 Local Board Decertification<sup>28</sup>

The Governor shall have the authority to decertify a Local Board at any time after providing written notice and opportunity for comment, under the following conditions:

- Documentation of fraud and/or abuse
- Failure to meet the local performance accountability measures for three (3) consecutive program years
- Failure to meet all Local Board certification requirements or
- Failure to carry out the required functions of the Local Board

If the Governor decertifies a Local Board, the Governor may require that a new Local Board be appointed and certified for the local area. Certifying a new Local Board will take place pursuant to a reorganization plan developed by the Governor, in consultation with the LEOs, consistent with WIOA Section 107(b).

## 4. Interlocal Agreement

The chief executive officer of a county government can serve as the grant recipient and act as a LEO or CLEO. The county mayors are the LEOs of their serving area. Counties in Tennessee contain municipalities; however, the mayors of those municipalities are not considered to be the LEOs and are ineligible to serve as WIOA grant recipients. Interlocal Agreements will have a term limit of two years. The start of this term will **begin July 1 and end June 30** after every **two years** (ex. July 2022 - June 2024). LWDBs must submit their interlocal agreement **within fifteen 15 business days** of signing their updated interlocal agreement. The following must be included in the Interlocal Agreement:

### 4.1 Purpose of the Interlocal Agreement

The agreement must describe the purpose and the term of the Interlocal Agreement, to include a statement that the term of the agreement cannot exceed two (2) years, to include begin and end dates of the agreement.

### 4.2 Participating Local Elected Officials

The agreement must contain the name, representation, contact information, and signature of each LEO in the local area.

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<sup>28</sup> WIOA Section 107(c)(3)

### 4.3 Designation of a Chief Local Elected Official

The LEOs must select a CLEO who will act on behalf of the other LEOs. If the CLEO is not performing their function, then the LEOs may unseat the CLEO by a two-thirds (2/3 or 66%) majority vote. If this occurs, staff in the Program Integrity unit must be notified immediately by sending correspondence to [Workforce.Board@tn.gov](mailto:Workforce.Board@tn.gov).

Designation of a CLEO must include the following:

- The appointment process and term of the CLEO
- Designation of the CLEO to serve as the signatory for the LEOs
- Decisions that may be made by the CLEO on behalf of the LEOs
- Name, title, and contact information of the appointed CLEO

### 4.4 Grant Recipient and Signatory<sup>29</sup>

The agreement must acknowledge the CLEO, and their respective county, as the grant recipient for all local WIOA funds, or state that the CLEO has designated grant recipient authority to a Fiscal Agent. In either case, contracts related to the expenditure of WIOA funds must be signed by the CLEO as the signatory for the LEOs.

### 4.5 Liability of Funds<sup>30</sup>

The liability of individual jurisdictions must be included in the agreement if disbursed among all local units of government, including the method to define how liability was calculated. The agreement must outline the process to determine each county's share of responsibility for the expenditure of WIOA funds. This determination of liability could be based on allocation, population, expenditures, or other criteria determined by the CLEO.

### 4.6 Fiscal Agent, Grant Sub-Recipient Designation

The CLEO may designate an entity to serve as the Fiscal Agent or grant sub-recipient for WIOA funds. If the Fiscal Agent is competitively procured, the agreement must describe the competitive process used to designate the Fiscal Agent.

Such designation does not relieve the CLEO of the liability for any misuse of grant funds as apportioned in the Interlocal Agreement.

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<sup>29</sup> WIOA Section 107(d)(12)(B)(i)(I)

<sup>30</sup> 20 CFR 683.710(b)(2)

## 4.7 Resolving Disallowed Costs

Since the liability of funds rests with all counties within the local area, LEOs must outline the process used to negotiate contracts and correct disallowed costs. The Interlocal Agreement must contain:

- A detailed process to reconcile disallowed costs
- Acknowledgment that liability for costs rests with the entity responsible for incurring the cost, in most cases, which are recommended for disallowance, and which are not resolved
- In the event the entity responsible cannot or will not assume the liability, the agreement must provide the process on how funds will be reimbursed

## 4.8 Local Board Member Representation

All LEOs in the LWDA must:

- Enter into an agreement that determines how the Local Board nominees will be selected, appointed, removed, or reappointed<sup>31</sup>
- Outline the Local Board member nomination process within the agreement
- The CLEO acts as the signatory on behalf of the other LEOs and has final authority to select members to serve on the LWDB.<sup>32</sup>

The agreement must outline how LEOs will ensure Local Board representation is fair and equitable across the local area and is in accordance with WIOA policy through Local Board member nominations. An attempt must be made that each county within the local area is represented by at least one (1) Local Board member. The agreement must reflect that term limits have been established per Local Board bylaws, including replacement if a member's position becomes vacant mid-term.

## 4.9 Communication between Local Board and County Mayors

The agreement must include a description of how the LEOs will communicate with each other regarding Local Board activities, including how many times a year the LEOs will meet and how often a joint meeting with the Local Board will be held. The LEOs must meet at least one (1) time a year with the Local Board and one (1) time a year separately as LEOs to discuss the shared vision, goals, and strategy.

## 4.10 Local Board Budget Approval

The agreement must describe the process used by the LWDB to create the annual LWDA budget, to include the process used among the LEOs to review and approve the budget. All LWDA budgets are

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<sup>31</sup> TEGL 27-14

<sup>32</sup> WIOA Section 107(c)(1)(A)

subject to approval by the CLEO.<sup>33</sup> Fiscal oversight and fiscal performance reviews must take place throughout the year and should occur quarterly.

#### 4.11 Programmatic and Fiscal Performance

The agreement must determine how the CLEO and LEOs, in collaboration with the Local Board, will monitor and review the programmatic and fiscal performance of the local area and OSO to ensure each county's workforce goals and needs are addressed according to the Local Plan. More information regarding monitoring is available in the TDLWD Monitoring Guide.

#### 4.12 Dispute Resolution

The agreement must state how disputes among LEOs will be resolved regarding Local Board appointments, budget approval, and execution of other responsibilities under WIOA.

#### 4.13 Election of a New County Mayor

If a new county mayor is elected, the LWDB must inform the new LEO(s)—within sixty (60) business days—of their responsibilities and liabilities, as well as the need to review and update any written agreements among the LEOs.<sup>34</sup> Once the new LEO has had an opportunity to review the Interlocal Agreement they must submit an addendum to the Local Board acknowledging that they:

- Have read, understood, and will comply with the current Interlocal Agreement; and
- Reserve the option to request negotiations to amend the Interlocal Agreement at any time during the official's tenure as a LEO.

#### 4.14 Amendment to the Interlocal Agreement

The agreement must have a section that outlines the process for amendments or changes to the Interlocal Agreement. All amendments or changes must be submitted to The Program Integrity Unit by sending an attachment to [Workforce.Board@tn.gov](mailto:Workforce.Board@tn.gov).

Once completed with all LEO signatures recorded on the Interlocal Agreement, the agreement must be sent to [Workforce.Board@tn.gov](mailto:Workforce.Board@tn.gov).

#### 4.15 Agreement Between Board Chairperson and CLEO

At the end of the partnership agreement, there must be an additional clause that covers the relationship between the board chairperson and the respective LWDA CLEO. This clause must express that the board chairperson agrees with all aspects set fourth by the partnership agreement and adheres to organizing and facilitating a joint effort in collaborating with their respective consortium of LEOs. This clause must have a signature line for both the board chairperson and CLEO along with

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<sup>33</sup> WIOA Section 107(d)(12)(A)

<sup>34</sup> 20 CFR 683.710(b)(3)



a date of signature. This clause will be rendered non-compliant and expired if there is a change in board chairperson representation, a change in CLEO, or two (2) calendar years have elapsed since date of signature.

## 5. Local Board Meeting Minutes

WIOA Section 107(e)—along with 20 CFR 679.390—states that LWDBs must make available to the public, on a regular basis through electronic means and open meetings, certain information such as minutes of formal LWDB meetings. This information must be made available upon request and on the LWDA's website. Also, records must be open to the public.<sup>35</sup>

Local Boards must give the public adequate notice (30 calendar days) of these meetings.

### 5.1 Local Board Meeting Minutes Policy

Each Local Board must create a policy that complies with this Workforce Services Division policy, including all federal rules and regulations. Local policy must reflect the signature of the Local Board Chair to demonstrate that it has been formally reviewed and approved by the Local Board. This policy must outline the process and should highlight, at a minimum, the following points:

- Give adequate notice to the public about its upcoming meetings
- Conduct its business of those meetings in an open manner
- Arrange for all individuals, including those with disabilities, to have physical and electronic access to Local Board meetings, including appropriate accommodations
- Arrange for the public to have access to the LWDB meeting minutes and any other pertinent information related to Local Board business

### 5.2 Access to Minutes on Local Board Website

Meeting minutes must be on the Local Board's website within fifteen (15) business days of the Local Board's approval. For example, the Quarter 1 meeting minutes must be approved and uploaded to the LWDB website within fifteen (15) business days of the Quarter 2 Local Board meeting. Only the formal minutes must be posted on the website; no attachments of presentations at the board meeting are needed unless the Local Board believes that these attachments are necessary.

### 5.3 Access to Minutes for Those with Disabilities

Public records must be open to public scrutiny.<sup>36</sup> Transparency and accountability must be a part of the function and duties of the Local Board; business conducted in an open manner and with appropriate accommodations ensures that the public, including people with disabilities, can access information concerning board meetings.

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<sup>35</sup> TCA 10-7-503(a)(2)(A)-(B)

<sup>36</sup> TCA 10-7-503

Each Local Board must ensure that appropriate accommodation—such as documents in Braille and large print, sign language interpreters, wheelchair accessibility, and closed captioning—are made so that those with disabilities have access to all its public meetings and pertinent records.

## 6. Monitoring, Enforcement

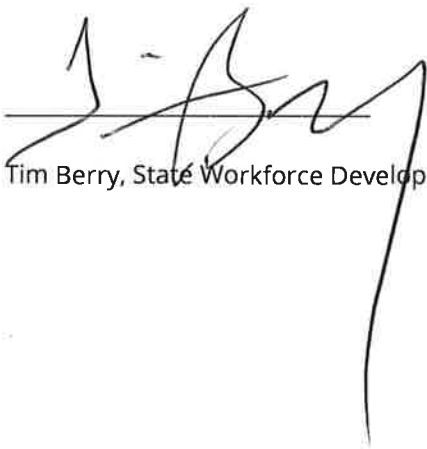
State monitoring of compliance of local governance activities conducted by the Local Board and CLEO will be conducted by the Program Integrity unit of the Workforce Services Division. Monitoring will be conducted throughout the year. Compliance status can be requested through [Workforce.Board@tn.gov](mailto:Workforce.Board@tn.gov) and a response will be issued within five (5) business days.

## 7. Automatic Renewal Process

All policies approved by the State Workforce Development Board will be automatically renewed on July 1 of every year unless the statute of limitations for the policy expires or changes. A list of policies that will be automatically renewed are submitted to the State Workforce Development Board during the meeting prior to July 1 every year. If a policy requires any type of substantial change, the policy will be resubmitted to the State Workforce Development Board for a new approval and will not be subject to the annual renewal process.

## Contact

For any questions related to this policy, please contact the **Program Integrity Unit** at [Workforce.Board@tn.gov](mailto:Workforce.Board@tn.gov).

A handwritten signature in black ink, appearing to read 'Tim Berry', is written over a horizontal line. The signature is stylized and extends downwards with a long, thin stroke.

Tim Berry, State Workforce Development Board Chair