



**West Tennessee Workforce  
Development Board**  
[www.westtennesseecareers.org](http://www.westtennesseecareers.org)

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**Local Workforce Development Area 11 Policy Memorandum # 17-17**

**Subject:**

Electronic Case Files

**Purpose:**

The purpose of this memorandum is to provide guidance for uniform, paperless documentation of participant files for individuals enrolled in the Workforce Innovation and Opportunity Act (WIOA). This guidance also includes instructions to protect customer information.

**References:** 29 CFR 37.39; WIOA Section 308(2)(F)(ii); Workforce Services Guidance – Electronic Case Files – WIOA

**Background:** With the E-Government Act of 2002, Government Paperwork Elimination Act of 1988, Paperwork Reduction Act of 1995, State of Tennessee’s Paperwork Reduction and Simplification Act of 1976, and Tennessee Electronic Records Policy, necessitation of a “paperless” record-keeping system has evolved. WIOA requires that adequate records be maintained on individuals who are recipients of Title I funding. This is necessary in order to develop reports and track expenditures to ensure all funds are spent on allowable charges.

The Tennessee Department of Labor and Workforce Development (TDLWD) mandated that all WIOA record keeping be transitioned to a paperless system by using an electronic document imaging and storage system. TDLWD revised the documentation process for determining eligibility and the maintenance of pertinent records by electing to utilize electronic documents and requiring electronic verification of eligibility requirements. Jobs4TN allows both internal and external access to provide all servicing partners the means to efficiently administer services to their participants.



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**Policy:**

It shall be the policy of LWDB-11 to utilize Jobs4TN by uploading pertinent documentation into participant files for all individuals enrolled into WIOA Title I Programs. Electronic files shall be utilized for the following:

- Creating participant applications
- Providing services to individuals
- Uploading supporting documentation to verify eligibility
- Providing case notes regarding interactions with participants

By using an electronic system such as Jobs4TN provides, the following benefits will be gained:

- Elimination for the need of storage areas and storage costs associated with paper files
- Savings on supply costs and decreasing paper waste
- Easily accessible; single-point of access for file review
- Reducing staff time accessing hard copy documentation
- Ensuring more secure story of sensitive information
- Eliminating lost or misfiled paper documents
- Increasing consistency of file documentation
- Ensuring complete verification for program eligibility

Electronic information will be made available to any US Department of Labor or State auditor, or monitor who needs access in order to carry out their official duties by granting full access to the Virtual One-Stop (VOS) system or in paper format if requested.

*Medical Records:*

Participant records containing health information will be maintained in a paper file and locked in a secure place in order to comply with the HIPAA Act of 1996, Protected Health Information (PHI).

*Data Validation:*

The State has established procedures, consistent with the guidelines issued by the Secretaries of Labor and Education, to ensure information contained in WIOA federal reports is valid and reliable. Data validation is conducted in order to make sure participant files are accurate and in compliance. All required documentation for data element validation are uploaded into the VOS system.

Data Element Validation (DEV) is conducted annually by a review of a sample of participant records chosen from the federal report. Staff from TDLWD validate that each participant record reviewed denotes accurate information and supporting documentation.

### *Deleting Images:*

Staff of One-Stop Operator should not delete images that have already been saved in an applicant's electronic file. Should an image need to be deleted, One-Stop Operator staff should contact LWDB-11 Performance Specialist, and a request will be submitted to the state's Performance and Compliance Unit for deletion by email to ([ryan.allen@tn.gov](mailto:ryan.allen@tn.gov)). The email will be cc'd to the [workforce.board@tn.gov](mailto:workforce.board@tn.gov). If determined appropriate, the staff of Performance and Compliance Unit will delete the records from the individual's file.

### *Record Maintenance:*

WIOA Section 185(a)(1) denotes that sub-recipients of funds must be maintained in a manner that enables staff to produce a tangible, paper copy immediately upon request. According to **29 CFR 38.43** each grant recipient must maintain records required under WIOA for a period of not less than three (3) years from the close of the applicable program year. **TDLWD requires the maintenance of records for a period of five (5) years** pursuant to Records Disposition Authorizations (RDAs 1586 and 2207 from the State of Tennessee Comptroller of the Treasury. Due to this requirement, **LWDB-11 will maintain records for a period of five (5) years.**

### *Confidentiality of Records:*

Any information acquired under a confidentiality agreement, will not be disclosed in an identifiable form unless to be used exclusively for statistical purposes. Use of this information is prohibited except with the informed consent of the respondent (**Public Law 107-347 Title V Section 512(b)(1)**).

LWDB-11 will utilize the attached "Release of Information" form, signed and dated by both the participant and Career Specialist. This form will be uploaded into the participant file in the VOS system to validate that the participant agrees to the release of information for reporting purposes.

### *Family Educational Rights and Privacy:*

Federal law, enacted in 1974, under the **Family Educational Rights and Privacy Act** protects the privacy of student education records. Student's education records may not be disclosed without the parent or student's prior written consent, unless (**34 CFR 99.31**):

- The disclosure is to other school officials, including teachers, within the agency or institution has determined to have legitimate educational interests
- A contractor, consultant, volunteer, or other party to whom an agency or institution has outsources institutional services or functions may be considered a school official under this paragraph provided that the outside party
  - Performs an institutional service or function for which the agency or institution would otherwise use employees;
  - Is under the direct control of the agency or institution with respect to the use and maintenance of education records; and
  - Is subject to the requirements of Section 99.33(a) governing the use and re-disclosure of personally identifiable information from education records.
- An educational agency or institution must use reasonable methods to ensure that school officials obtain access to only those education records in which they have legitimate educational interests. An educational agency or institution that does not use physical or technological access controls must ensure that its administrative policy for controlling access to education records is effective and that it remains in compliance with the legitimate educational interest requirement of this section.

- The disclosure is, subject to the requirements of Section 99.34, to officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll, or where the student is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer.

Participants attending training through WIOA will sign and date the Release of Information form in order for WIOA staff to obtain information or copies of certificates/diplomas from educational institutions for data validation and reporting purposes.

*Legal Status of Electronic Documents:*

Electronic records submitted or maintained in accordance with procedures developed under this title, or electronic signatures or other forms of electronic authentication used in accordance with such procedures, shall not be denied legal effect, validity, or enforceability because such records are in electronic form (**Public Law 105-277 Title XVII Section 1707**).

**Action:**

LWDB-11 staff will ensure the One-Stop Operator and Service Delivery staff is made aware of the above-mentioned policy items and that all policies are adhered to.

**Contact:**

Questions regarding this policy should be addressed to Jimmy Bell, LWDB-11 Director, at SWHRA, 1527 White Avenue, P.O. Box 264, Henderson, TN 38340. Phone: (731) 983-3688. Email: [jbelle@swhra.org](mailto:jbelle@swhra.org).

**Attachment:**

Release of Information Form

**Effective Date:** December 1, 2017

**Expiration Date:** Until further notice

Approved:   
Jimmy Bell, LWDB-11 Director

**Workforce Innovation & Opportunity Development  
Area 11  
Release of Information**

TO: **SWTDD - WIOA**

This Release of Information form serves to authorize the release of information regarding:

- Educational information, including but not limited to, attendance, grades, certifications and diplomas
- Medical information
- Social information
- Psychological information
- Employment, including but not limited to, hire date, salary, immediate supervisor's name
- Media, including but not limited to, pictures, videos, and interviews

I hereby authorize the release of any of the above-mentioned information to the staff of the Local Workforce Innovation & Opportunity Development Area -11 (WIOA) needed regarding my enrollment, duration, exit, and follow-up with the WIOA Program.

Please send requested information to:

\_\_\_\_\_  
WIOA Customer Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Parent's Signature For Youth Under 18

\_\_\_\_\_  
Date

\_\_\_\_\_  
WIOA Staff Person

\_\_\_\_\_  
Date