

## **90 Calendar Days Appeal Process**

Our state implemented the 90 calendar days appeal after the TEGl 16-20, Change 1 was implemented on February 20, 2024.

Please note that there are three different letters that you may see in association to your applications.

1. **Submission Letter/Initial Denial Pending More Information (Needs Letter)** – is automatically generated upon submittal of an application.
  - a. ALL supporting documentation to be considered for the eligibility of the target group(s) selected on the ICF ETA Form 9061 should be uploaded with application in the Kansas CertLink System. Refer to the State of Kansas Required Documentation by Target Group and the Authorized Forms of Documentation for the required and authorized forms of documentation.
2. **Denial Letter** - is generated when it is determined that an applicant does not meet the requirements for a specified target group, or we have not received complete supporting documentation that was requested within the designated time frame.
  - a. Any appeal would need to be submitted per the guidelines outlined below.
3. **Certification Letter** – is generated when it is determined that an applicant does meet the requirements for a specified target group.

**An application can only be appealed to the State once by the Employer/Consultant and must be received within 90 calendar days of the original denial letter date, include all the following documents, and meet the following guidelines:**

1. Request for an employer appeal must be electronically appealed and uploaded to the application on the Kansas CertLink System within 90 calendar days of the original denial letter date. **AND**
2. Employer/Consultant **must** provide an official letter of appeal on their letter head stating the **specific** reason of appeal.
  - a. Refer to the State of Kansas Required Documentation by Target Group and the Authorized Forms of Documentation found on the Kansas Department of Commerce website for required and authorized forms of documentation. **AND**
3. Employer appeal **must** contain a copy of the original denial letter with **“Appeal”** written or stamped on letter. **AND**
4. Request must have **NEW** and/or additional documentation to support the target group(s) that was/were selected on the original application.
  - a. The documentation that was originally submitted with the original application that supports the certification. **AND**
5. Employer/Consultant **must** select the “Appeal Denial” button for the application to change status from Denial to Appeal Denial. If this step is missed, the application will automatically close on the 91<sup>st</sup> calendar day from the original denial letter date. **AND**
6. Upload **ALL** of the above required letters and the (original and new) supporting documentation for the target group that is being appealed into **one** pdf file into the Kansas CertLink System.

**Note:** If Box 22 on ICF ETA Form 9061 was marked ‘forthcoming’ and the application was denied. The denial determination will be final and ineligible for an employer appeal.