



MONITORING AND OVERSIGHT SUBRECIPIENTS [d1]

Policy No. 7BA

PURPOSE:

- To provide the general standards by which for the Local Workforce Development Investment Board (LWDB) will overseeight the responsibilityes of monitoring regarding the Workforce Innovation and Opportunity vestment Act (WIOA) Title I formula fund programs and the one-stop service delivery system in the local area. [d2]
- To outline the process and procedure for monitoring recipients of WIOA formula funds. provide instructions for the development of monitoring plans to implement those standards. [d3]

BACKGROUND:

The WIOA Law Sections 107 (d)(8), 184 – 185, and the Office of Management and Budget’s Uniform Guidance 2 CFR Section 200.330 orkforce Investment Act Section 117(d)(4) requires that the LWDBocal Board, in partnership with the Chief Elected Official (CEO), shall conduct oversight of the WIOA programs and the One-Stop delivery system in the local area. [d4]

DEFINITIONS:

Subrecipient means a nonfederal entity that expends federal awards received from a pass-through entity to carry out a federal program, but does not include an individual that is a beneficiary of such a program. A subrecipient may also be a recipient of other federal awards directly from a federal awarding agency (OMB Circular A-133). [d5]

Subrecipient means a non-Federal entity that receives a subaward from a pass-through entity to carry out part of a Federal program; but does not include an individual that is a beneficiary of such program. A subrecipient may also be a recipient of other Federal awards directly from a Federal awarding agency. [d6]

Contract means a legal instrument by which a non-Federal entity purchases property or services needed to carry out the project or program under a Federal award. The term as used in this Part does not include a legal instrument, even if the non-Federal entity considers it a contract, when the substance of the transaction meets the definition of a Federal award or subaward

Contractor means an entity that receives a contract as defined in the definition of Contract.^[d7]

Vendor means a dealer, distributor, merchant, or other seller providing goods or services that are required for the conduct of the federal program. These goods or services may be for an organization's own use or for the use of beneficiaries of the federal program (OMB Circular A-133).

REFERENCES:

- WIA Directive WIAD00-7, Subject: Standards for Oversight and Instructions for Substate Monitoring (April 10, 2001)^[d8]
- Title 20 Code of Federal Regulations (CFR) Sections 667.400 (c)(1), 667.410 (a), and 667.410 (f)(6)^[d9]
- WIOA Law Sections 107 (d)(8), 184 – 185^[d10]
- WIA Directive WIAD03-7, Subject: Audit Requirements (September 9, 2003)
- WIA Directive WIAD05-16, Audit Requirements (May 25, 2006)
- OMB Uniform Guidance, 2 CFR Part 200

^[d11]

POLICY:

- A. It is the policy of Mendocino County Workforce DevelopmentInvestment Board (WDIB) that each service provider contract will be monitored onsite at least once during the program year for fiscal integrity and programmatic compliance.
- B. Monitoring shall assure fiscal integrity. Such monitoring shall verify that WIOA Title I funds are being utilized for allowable activities, that appropriate cost allocations are being utilized, and that proper fiscal records are being maintained.
- C. Monitoring shall assure that the procurement, receipt, and payment for goods and services received from contractorsvenders comply with laws, regulations, and the provisions of vendor contracts and agreements.
- D. Programs shall be monitored to assure that the training environment is safe and healthful for participants and staff.^[d12]
- D. Programs shall be monitored to assure that an effective system is in place to handle nondiscrimination and equal employment opportunity issues.
- E. Monitoring shall follow a standardized review methodology that will result in written reports.

- F. Written reports will record the outcomes of each monitoring visit, including areas of concern and any findings which require and required corrective actions, and the due dates for accomplishment of the corrective actions.
- Concerns are issues, policies or practices observed during the review that are negatively impacting the contractor's ability to effectively manage the grant or provide services to participants. These areas of concern may be considered "red flags" or "risk areas" that, if not corrected, could lead to an area of non-compliance in future monitoring reviews. Each area of concern will have a corresponding suggestion for improving the issue/practice. The contractor is requested, but not required to address these concerns.
 - Findings are identified issues, policies, or practices that are non-compliant with program standards, other Federal regulations and policy, or the terms of the grant agreement. Findings are required to be responded to with a corrective action plan by the due date.^[d13]
- G. Written reports and other documentation pertaining to monitoring and other oversight activities must be made available for review by Federal and State officials.
- H. Reports and other records of monitoring activities must be retained for ~~three~~four years from the date of submission of the final expenditure reports regarding the funding sources monitored. If any litigation, claim, audit or other action involving the records has been started before the expiration of the ~~three~~four year period, the records must be retained until completion and resolution of all such actions or until the end of the ~~three~~four-year period, whichever is later.

[d14]

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