

MONITORING POLICY

Effective Date: September 19, 2019

Background: Policy established herein results from guidance contained in WIOA Section 183.

The local WDB is required to conduct regular monitoring and oversight of their own activities and those activities of their sub-recipients in order to:

- A. Determine the expenditures are made against the cost categories and within the cost limitations specified by the WDB, WorkForce West Virginia, and the ACT;
- B. Determine whether there is compliance with administrative and programmatic provisions of contracts, Memorandums of Understanding, local policies, WorkForce West Virginia policies, and the ACT; and
- C. Provide technical assistance as needed and appropriate.
- D. Routine Equal Opportunity monitoring of service providers will be conducted by the respective WDB EO Officer no less than once a year.

The obligation to conduct monitoring and oversight activities requires recipients and sub-recipients to perform certain actions, including but not limited to:

- A. Developing monitoring tools and a schedule for on-site visits;
- B. Developing monitoring reports, requesting corrective action, conducting follow-up, and imposing sanctions (where permissible and appropriate); and
- C. Reviewing previous monitoring reports and other documentation as appropriate as part of monitoring and oversight responsibilities; and
- D. Provide training and assist agencies in developing corrective action plans to meet any deficient requirements.

Should applications of the WDB monitoring policy reveal issues requiring resolution the WDB will require prompt written corrective action to remedy any cited violation of the standards set forth in the local, state, and Federal regulations. If corrective action is requested and not implemented, the WDB may impose sanctions as prescribed by local, state, or Federal regulations.

In order to comply with the requirements of WIOA, the WDB has developed this monitoring protocol and tools contained herein to be used in reviewing all WIOA funded activities and/or sub-recipients.

Definition:

A sub-recipient shall be defined as follows:

A non-Federal entity that expends Federal awards received from a pass-through entity to carry out a Federal program but does not include an individual who is a beneficiary of such a

program. A sub-recipient may also be a recipient of other Federal awards directly from a Federal awarding agency.

Policy: The staff of the Region VII Workforce Development Board (WDB), as the appropriate administrative entity for the WDB and the Local Elected Officials, will conduct comprehensive on-site reviews of all WIOA funded sub-recipients no less than twice annually during each program year. Visits in local areas may include, but are not limited to, on-site reviews of training providers, comprehensive One-Stop Career Centers, and satellite centers, sub-recipients of WDB funds, and other locations or entities as deemed necessary and appropriate by the WDB. Resolution of any compliance issues shall be in accordance with the provisions of the Act, its regulations, and other applicable local and state laws or regulations.

Additional reviews will be conducted by the WDB as deemed necessary and appropriate. These additional reviews may include, but are not limited to, additional comprehensive on-site reviews, special on-site reviews to address specific issues or concerns, and paperwork reviews ("desk audits") of appropriate reports, documents, or other written or recorded materials.

For purpose of conducting its comprehensive on-site reviews, the WDB will utilize the attached monitoring tools. The attached instruments may be modified as needed by the WDB at any time, and may be used in whole or in part for the purpose of monitoring any WDB sub-recipient (including training providers). WIOA funded agencies are encouraged to utilize the tools contained herein to conduct self-analysis.

Scheduling: The WDB Director or designated representative will initially contact the agency for tentative monitoring dates. Once dates have been agreed upon by both agencies, a formal letter will be submitted to the agency addressing the upcoming monitoring. At this time, the agency director may request a review of any issue (s) not addressed in the attached monitoring instruments. This request must be in writing from the agency director to the WDB Director.

Confirmation: The agency director will receive written or electronic confirmation of the selected date, time, and location for commencement of the review. The same communication will include a request for documents to be provided to the WDB prior to the review (if any) and timelines for submission of such information. If applicable, the communication will confirm the agency director's request for review of any issue (s) outside the scope of the monitoring tools.

Review Team Composition: Where practicable, the WDB monitoring teams will consist of at least two WDB staff members. Local board members and Local Elected Officials may supplement the monitoring team. The WDB reserves the right to alter the configuration of the review team and the review time as deemed necessary and appropriate by the lead WDB review team leader.

Entrance Interview: On-site reviews will commence with an entrance interview between the monitoring team, the agency director or designee and any other local representatives deemed appropriate by the agency. The interview will include:

1. The lead reviewer's introduction of the review team, the scope of the review, and the estimated timeframe for completion;
2. Designation by the agency director or designee of local staff or representatives to serve as points of contact for the issues to be reviewed;
3. Arrangements for review of agency sub-recipients (if applicable); and
4. Questions, comments, or clarifications regarding the review.

The Review: On-site review will utilize, in whole or in part, the attached monitoring tools and other tools, as needed. Other issues regarding the review follow:

1. The review team will review previous reports, audits, etc. prior to commencement of the on-site review, including a review of previous findings and corrective actions (where applicable). A review will be made to determine if previous cited findings have been remedied.
2. During the review, issues that could be cited in a report will be noted to appropriate agency representatives and every possible opportunity given for correction prior to the conclusion of the review. If corrections are made and deemed acceptable, the WDB (at its discretion) may elect to omit the issue from the formal report, or report the issue with a notation that corrective action has already occurred and no further action is needed.
3. The review team will have access to and the right to copy any and all documents or records pertinent to awards of funds made by the WDB or other WIOA-related issues. No original documents will be removed from the review site unless approved by the appropriate local representative or permitted by legal authorization.

Exit Conference: On-site visits will conclude with an exit conference between the review team, the agency director or designee, and any other local representative deemed appropriate by the WDB. The conference will be led by the Team Leader and will include:

1. A review of findings;
2. A review of the timeframe for issuing a formal report on the review; and
3. Questions, comments, or clarifications of the review and its findings.

It should be noted that during the review, at the exit conference, and prior to the issuance of the formal report on the visit, the agency will have the opportunity to offer responses to all findings, including provision of documents as necessary or requested by the WDB. The WDB may conduct additional follow-up visits or utilize other means of review in response to information provided by the agency prior to the issuance of a formal report.

Prior to issuing a formal report, the WDB will not make public any findings without first notifying the agency director. Information regarding the reviews and findings will be made public in accordance with applicable federal, state, and local privacy laws.

Formal Report: The WDB will issue a written formal report regarding comprehensive on-site reviews within 30 calendar days of the date of the exit conference. The report will be addressed to the agency director, or designee. The report will clearly distinguish between *findings* (issues of non-compliance with the Act, its regulations, or other applicable laws or regulations) and *observations* (suggestions or recommendations for process improvement). Those items considered findings may or may not involve issues of costs that are questioned or recommended for disallowance. Findings are subject to corrective actions to be submitted, in writing, to the WDB. Where applicable, the report will provide references to the appropriate statute, regulation, policy, etc. that forms the basis for each finding.

Issue Resolution/Corrective Action: Where costs are questioned or recommended for disallowance, the agency will be notified of the process for addressing the resolution of such issues. Where corrective action is deemed necessary, the agency will be notified of the need to provide a Corrective Action Plan (CAP). The agency will have 30 calendar days from receipt of the CAP notification to submit such a plan. The CAP shall be signed by the agency director or designee, addressed to the WDB Director, and contains at least the following:

1. Document the entire finding as cited in the formal monitoring report;
2. An assessment of the current situation, including any actions already taken to address the problem;
3. A plan describing, in detail, the actions to be taken to correct the problem at issue;
4. A timetable for actions to be taken, including dates by which certain levels of progress will be achieved; and
5. A plan describing how reoccurrence of the cited deficiency will not occur in the future.

WDB staff will review the CAP, with recommendations regarding acceptance or rejection to be made to the WDB Director or other entity charged with acceptance/rejection of such plans. WDB staff will work with the agency and its staff to rectify issues preventing acceptance of the CAP. Upon acceptance of the plan, follow-up will occur as needed to review progress and provide technical assistance toward fulfillment of the CAP. Follow-up may be on-site or by other means as deemed necessary and appropriate by the WDB.

WDB staff will make every effort to work with the agency staff during each of the monitoring process, from scheduling on-site visits to addressing any and all corrective action/issue resolution situations. WDB staff is available to provide technical assistance whenever possible, whether related to monitoring issues or on other WIOA topics. The assistance of WDB staff will therefore be available during the development of CAPs by agencies prior to their submission to the WDB for approval as previously outlined in this policy. Requests for WDB staff technical assistance, outside the range of a formal monitoring, should be submitted in writing to the WDB Director. Staff will provide a briefing with recommendations to the WDB's Performance Measure Committee prior to issuance of a monitoring report to an agency. The committee can make further comments in the report.

Sanctions: In the event of the failure or non-implementation of CAPs during a negotiated timeframe, the WDB staff will make recommendations to the Region VII Workforce Development Board regarding the use of sanctions as permitted by the local WDB, WorkForce West Virginia, or WIOA. In the event sanctions are issued, the agency receiving such sanction will be given an opportunity to appeal the sanctions based on the WDB's

formal grievance policy. Sanctions can include the cancellation of contracts, recapture of funding, repayment of disallowed costs, and debarment from future WIOA activities.


Action: Agencies receiving WIOA funds should take whatever action is necessary to comply with this policy, including but not limited to designing and/or implementing appropriate local monitoring programs and protocols.

This policy should be placed with other policies promulgated by the WDB and/or its predecessors in the binder or other filing mechanism used to maintain an updated collection of local WDB policy issuances.

Equal Opportunity and Grievances: The Region VII Workforce Development Board prohibits discrimination in all aspects of the administration, management, and operation of Workforce Innovation and Opportunity Act programs and activities. Services offered at the Region VII WorkForce WV Career Centers will be provided universally without regard to race, color, religion, sex, national origin, age, disability, or political affiliation or belief. Individuals may file a complaint or grievance by following the Region VII Workforce Development Board Grievance Procedure Policy, a copy of which will be provided upon request.

Questions: Contact the Region VII Workforce Development Board Executive Director, 151 Robert C. Byrd Industrial Park Road, Suite 2, Moorefield, WV 26836. Telephone number is (304) 530-5258. Fax number is (304) 530-5107.

Expiration: Effective until rescinded, in writing, by the Region VII Workforce Development Board.



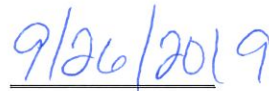
T.J. Van Meter, Executive Director



Date



Layne Diehl, Chairperson Region VII WDB



Date