



COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF SOCIAL SERVICES
WORKFORCE DEVELOPMENT BOARD

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POLICY NO: 21-19
TO: Service Providers
FROM: Department of Social Services
EFFECTIVE: January 01, 2020
SUBJECT: Monitoring and Oversight

REFERENCES:

- Public Law 128, the Workforce Innovation and Opportunity, Sec 184, Fiscal Controls; sanctions
- Office of Management and Budget (OMB) Uniform Guidance 2 CFR Part 200 et.al (including 200.328)
- 20CFR Final Rule Subpart D – Oversight and Resolution of Findings
- WIA Directive WIAD00-7, Subject: Standards for Oversight and Instructions for Substate Monitoring (April 10, 2001)

PURPOSE:

This policy provides guidance regarding oversight and monitoring of WIOA funded programs to ensure compliance with the stated requirements of WIOA, the Uniform Guidance at 2 CFR part 200 and the exceptions to the Uniform Administrative Requirements at 2 CFR part 2900.

This policy is based on SLOWDB's interpretation of WIOA law, regulations and policies and federal, state and local laws, regulations and policies. This policy will be reviewed and updated based on any additional federal or state guidance.

BACKGROUND:

As outlined in WIOA section 184, each State (including the Governor of the State), local area (including the chief local elected official (CLEO)), and provider receiving funds under WIOA shall comply with the appropriate uniform administrative requirements for grants and agreements applicable for the type of entity receiving the funds, as promulgate in circulars of rules of the Office of Management and Budget.

The non-Federal entity is responsible for oversight of the operations of the Federal award supported activities. The non-Federal entity must monitor its activities under Federal awards to ensure compliance with applicable Federal requirements and performance expectations are being achieved. Monitoring by the non-Federal entity must cover each program, function or activity.

Title 20 CFR Subpart D, section 683.410 (a) requires that each recipient and subrecipient of title I WIOA funds conduct regular oversight and monitoring of its WIOA funded programs to ensure compliance with the stated requirements of WIOA, the Uniform Guidance at 2 CFR part 200 and the exceptions to the Uniform Administrative Requirements at 2 CFR part 2900. The Department of Labor has placed significant emphasis on monitoring as a tool in providing effective grants managements and the emphasis is further supported by the inclusion of monitoring in the Uniform Guidance. Monitoring and oversight also helps to identify technical assistance needs, areas for improvement, and best practices.

The oversight roles and responsibilities of recipients and subrecipients of WIOA are as follows:

Each recipient and subrecipient of funds under WIOA must conduct regular oversight and monitoring of its WIOA and those of its subrecipients and contractors as required under WIOA, as well as under 2 CFR part 200, including 2 CFR 200.327, 200.328, 200.330, 200.331, and Department exceptions at 2 CFR part 2900, in order to determine the following:

1. Identify procedures for monitoring of all subrecipients at least once each program year.
2. Require that the onsite review of each subrecipient is both fiscal and programmatic. If the subrecipient's administrative office/fiscal department is separately located at an inaccessible site (i.e., out-of-state or not within a reasonable commute outside of the workforce investment area), the WIOA administrative entity must require that copies of fiscal records of a sufficient nature and sample size be sent to the subrecipient's local office or directly to the WIOA administrative entity for review.
3. Determine expenditures have been made against the proper cost categories and within the cost limitations specified in the WIOA.
4. Require that monitoring of subrecipients follow a standardized review methodology that will result in written reports which record findings, any needed corrective actions, and due dates for the accomplishment of corrective actions.
5. Require systematic follow-up to ensure that necessary corrective action has been taken.
6. Identify procedures for the oversight of the AJCC one-stop delivery system.
7. Describe procedures to assure that the procurement, receipt, and payment for goods and services received from vendors, including on-the-job training employers, are in accordance with laws, regulations, and the provisions of contracts or agreements. While contractors are not subject to the scope of the monitoring requirements for subrecipients, LWDA's are responsible for ensuring compliance regarding contractor transactions. The procurement of goods and services from contractors must comply with Federal and State requirements.
8. Require that a system is in place to ensure that the LWDA and its subrecipients are in compliance with the nondiscrimination, disability, and equal opportunity requirements of section 188 of WIOA, including the Assistive Technology Act of 1998 (29 U.S.C. 3003)

9. Require that all written reports and other documentation pertaining to monitoring and other oversight activities must be made available for review by Federal and State officials.
10. Require that reports and other records of monitoring activities must be retained for three 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-year period, the records must be retained until completion and resolution of all such actions or until the end of the three-year period, whichever is later.

POLICY:

It is the policy of the Department of Social Services (DSS), as the Administrative Entity, to monitor and conduct oversight of its AJCC one-stop delivery system, WIOA Youth provider and any contracted service providers who administer funds under the Workforce Innovation and Opportunity Act. Monitoring and oversight will be designed to comply with State and Federal standards.

In accordance with State policy, DSS will conduct on-site visits of the AJCC one-stop system and WIOA Youth providers, at a minimum of once each program year. Monitoring will cover both programmatic and fiscal activities of the organization and ensure that programs are operated in compliance with applicable Federal and State regulations, and the contract with San Luis Obispo County DSS.

Monitoring shall verify that WIOA funds are being used for allowable and budgeted activities, and that applicable fiscal records are maintained and those records provide an adequate audit trail.

Monitoring shall also ensure that the AJCC one-stop system, WIOA Youth program and any contracted WIOA service providers are in compliance with WIOA. Subrecipient service providers shall monitor and conduct the oversight activities described above for sub-contractors who are also subrecipients.

ACTION:

All DSS WDB staff and service providers shall comply with this policy. This policy will remain in effect from the date of issue until such time that a revision is required.

INQUIRIES:

Any questions regarding this policy may be directed to the DSS WIOA Program Manager at 805-781-1838.

Workforce Development Board (WDB) Approval Required? Yes No X

Initial approval date: N/A

WDB revision approval date: