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Date: June 15, 2018

To: Program Managers, SETA-Funded Service Providers, Site Supervisors, and Sacramento Works Job Centers (SWAJCC's)

From: Kathy Kossick, SETA Executive Director

RE: Monitoring Policy for WIOA Youth Program

WIOA Directive WDD 18-4

Purpose

To establish procedures that will guide SETA in conducting effective program monitoring, providing technical assistance to ensure program quality and fiscal integrity, and rendering accurate and comprehensive reports of monitoring activities.

Background

SETA is required by federal regulations to establish monitoring policies to ensure the following:

1. Compliance with uniform cost principles described in Office of Management and Budget (OMB) circulars.
2. Compliance with appropriate uniform administrative requirements for grants and agreements applicable for the type of entity receiving funds.
3. Compliance with Workforce Innovation and Opportunity Act (WIOA) and applicable federal, state, and local regulations.
4. Procurement, receipt, and payment for goods and services from vendors in compliance with federal, state and local requirements.
5. Fiscal integrity.
6. Compliance with all subgrant stipulations and assurances.

Policy: Staff will monitor funded programs in accordance with the provisions contained herein.

Service providers will be monitored on-site no less than once a year during the term of the contract. Staff will conduct a monitoring review of contractual, programmatic and/or fiscal areas.

The monitoring review will provide service providers with an objective evaluation of the program that informs service providers of areas where there are deficiencies and areas where improvements can be made. The desired result is to enhance program services to the customer by coordination and collaboration with the service provider and SETA. Specific information to be provided includes:

1. Provision of or connection to technical assistance regarding contractual, fiscal, and/or programmatic requirements.
2. Significant areas of noncompliance and recommended corrective action plans.
3. Assurance that subrecipients comply with federal and state requirements regarding non-discrimination and equal opportunity.
4. Identification of timelines when corrective action plans will be in place.

Follow-up timelines and information

This policy establishes procedures for monitoring SETA subgrantees. Currently fiscal monitoring is completed by SETA's Fiscal Department and WIOA Youth program monitoring is completed by SETA's Workforce Development Department. The fiscal and program monitors will work cooperatively to share program information and identify fiscal/program deficiencies.

MONITORING PROTOCOL

Scheduling

Notification of the visit and/or review will be included in a confirmation email with the agreed upon date and time of visit. The confirmation letter will be sent to the service provider approximately two weeks prior to the visit and identify the following:

- Date(s)
- Time(s)
- Location(s) of review
- Programs, components and/or areas and materials of review
- Documents to be completed by the service provider before the on-site visit

Desk Review

Prior to the monitoring visit, a Desk Review will be conducted. The Desk Review will consist of a comprehensive review of current program information and reports on file including the subgrantee agreement and any performance information.

The Desk Review may include, but is not limited to, a review of fiscal data, previous monitoring reports, corrective action, contract information, correspondence, CalJOBS case management data and the self-reported subgrantee information. The data will be analyzed to determine areas of strengths and weaknesses that will be reviewed in the field during the on-site monitoring visit. Information obtained because of the Desk Review will also assist in focusing and, if necessary, expanding the scope of review in specific areas.

Review of the contract will be conducted with special attention to the Work Schedule, Program Standards, Program Performance Overview (PPO), Outcome Goals and Objectives, and Budget and Cost Allocation.

Performance summaries will be reviewed for planned versus actual performance and compared for consistency and accuracy with the data obtained from the PPO, Outcome Goals and Objectives, SETA Management Information System (MIS), or from the service provider during the on-site visit.

On-Site Visit

The on-site visit will permit staff to verify data and information obtained from the Desk Review that may lead to identification of areas of non-compliance. The Review will be conducted using a standard review guide. The process and major areas of focus during the on-site review are:

- A. Entrance Interview – Staff will conduct an entrance conference with the service provider’s program administrator or designee to convey the purpose and focus of the visit and to inform the service provider of specific tasks to be completed during the visit.
- B. Evaluation of Performance – Staff will review and determine the degree of contractual compliance in meeting program performance goals and identify the causes in those areas where noncompliance has occurred.
- C. Records Review – Validation of information from the Desk Review will be completed by review of administrative records, contract files, fiscal records, participant files, and other records deemed to be pertinent to the review.
- D. Interviews – Interviews may be conducted with the service provider staff, participants and employers to obtain information about program administration, operations, and the quality of service.
- E. Exit Conference/Interview – An exit conference will be conducted with the service provider’s program administrator or designee to discuss the results of the monitoring review, identify required corrective actions, determine time-line for completion and offer technical assistance.

Technical Assistance

Needs identified during the on-site visit will be addressed and scheduled as soon as possible with the appropriate SETA staff. Service providers shall be advised technical assistance is available on an ongoing basis. Methods of providing technical assistance may include the following:

- Immediate assistance: monitor provides brief clarification to the subgrantee on contracted services
- System wide: individual or staff with expertise in the subject area will provide assistance in utilizing or understanding a system-wide requirement such as CalJOBS, MIS, Case management, etc.
- Specialized: team develops or procures workshops for subgrantees on specific operational requirements

Review Summaries and Reports

A monitoring report will be developed reflecting the analysis of the data and information gathered through the desk review and the on-site monitoring visit. The report will identify areas needing improvement or areas where technical assistance is needed, and provide the service provider with an opportunity to amend, modify or correct any problem area identified by the monitor. The Deputy Director and Workforce Development Manager will receive copies of Monitoring Reports. The service provider must report the corrective action taken within the designated period. This may necessitate subsequent on-site visits to verify action taken.

The monitoring report will consist of information specific to the program/contract and will be retained for three years from the date of submission of the final expenditure reports regarding funding sources monitored. The report may identify review results including, but not limited to, the following:

- Fiscal Management - Evaluation of appropriate actions and documentation of all fiscal matters relating to the contract.
- Program Management - Assessment of the overall management of the program and systems.
- Program Performance - Assessment of planned performance or provision of services to date.
- Findings – Areas requiring corrective action or process and a specific date for implementation
- Corrective Actions Required - Corrective actions are stipulated immediately following a finding of obvious or evident violations.
- Recommendations – Included to assist the provider's resolution, performance improvement or service enhancement for program participants

Corrective Action

Corrective action requests should immediately follow a finding of obvious violation of law, regulation or policy or a breach of contract. The corrective action request will identify areas of non-compliance noted with the required corrective actions. The corrective action request will be forwarded to the Workforce Development Manager for review/discussion with the subgrantee monitor five days prior to submission to the service provider.

Upon receipt of the corrective action request, the service provider has approximately 10 working days to respond with a corrective action plan that includes action that will be taken and the timeline indicated when corrective action would be completed. The Workforce Development Manager and the WIOA Youth Supervisor will determine if the corrective action is sufficient. Service provider's responses will be included as part of the monitoring file.

If the service provider's response is determined insufficient to remedy deficiencies, Monitoring Staff will identify additional recommended actions and communicate them to the service provider. The service provider will provide an updated corrective action plan for follow-up. Staff will notify the service provider of the corrective action plan approval/denial and copy for file.

A service provider's failure to respond to the corrective action request may result in additional action including the following:

- Withholding of payments or reimbursements until provision of required documentation of corrective actions has been implemented and reviewed by monitoring staff
- Notification of unresolved performance deficiencies and questions or disallowed costs
- Termination of contract

Follow-up

Follow-up will be conducted following receipt of the corrective action response to ensure the service providers have initiated appropriate action. This may necessitate subsequent on-site visits. The Monitoring Staff will inform Managers of progress made since the last review. Once a service provider is placed on formal corrective action, the corrective action plan is continued for the duration of the program year. Corrective action will be closed, either as resolved or unresolved, at the end of the program year.

Please direct any questions or concerns regarding this policy and procedure to:

Terri Carpenter – Terri.Carpenter@seta.net – 916-263-7891
Joshua Woodson – JoshuaWoodson@seta.net – 916-263-3864

REFERENCES

- WIOA (Public Law 113-128)
- Title 2 Code of Federal Regulations (CFR) Part 200: "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards" (Uniform Guidance)
- Title 2 CFR Part 2900: "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards" (Department of Labor [DOL] Exceptions)
- Title 20 CFR Part 681: "Youth Activities under Title I of the WIOA"
- Title 20 United States Code (U.S.C.) Section 1401: "Definitions"
- Training and Employment Guidance Letter (TEGL) 21-16, Third WIOA Title I Youth Formula Program Guidance (March 2, 2017)
- TEGL 8-15, Subject: Second Title I WIOA Youth Program Transition Guidance (November 17, 2015)
- TEGL 23-14, Subject: WIOA Youth Program Transition (March 26, 2015)
- TEGL 19-14, Subject: Vision for the Workforce System and Initial Implementation of the WIOA (February 19, 2015)
- TEGL 12-14, Subject: Allowable Uses and Funding Limits of Workforce Investment Act (WIA) Program Year (PY) 2014 funds for WIOA Transitional Activities (October 28, 2014)
- TEGL 13-09, Subject: Contracting Strategies That Facilitate Serving the Youth Most in Need (February 16, 2010)
- California Education Code (EC) Sections 47612.1, 58500, and 66010
- California Unemployment Insurance Code Section 14209
- Workforce Services Directive