

Rockland BOCES Youth Connections Program

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Sub-recipient Monitoring Policy

Rockland BOCES (RBOCES) serves as the youth sub-recipient of the Workforce Innovation and Opportunity Act (WIOA) Title I funds. As outlined in the agreement between Rockland Community College (RCC) and RBOCES, RBOCES shall operate programs as consistent with WIOA and the rules and regulations promulgated to carry out WIOA as well as other applicable federal, state and local laws, rules and regulations.

Further, the aforementioned agreement provides that RBOCES will operate in accordance with rules and responsibilities as required by the New York Department of Labor (NYS DOL). These responsibilities include the monitoring and evaluation of program and fiscal operations pursuant to the guiding regulations.

The monitoring process, as required in 20 CFR §683.410(a) of the WIOA final rule states:

“Each recipient and sub-recipient of funds under Title I of WIOA must conduct regular oversight and monitoring of its program(s) and those of its sub-recipients and contractors as required under Title I of WIOA, as well as under 2 CFR §200 in order to:”

1. Determine that expenditures have been made against the cost categories and within cost limitations specified in the Act and these regulations;
2. Determine whether or not there is compliance with other provisions of the Act and these regulations and other applicable laws and regulations;
3. Assure compliance with CFR §200; AND
4. Determine compliance with the nondiscrimination, disability, and equal opportunity requirements of sec. 188 of WIOA, including the Assistive Technology Act of 1998 (29 U.S.C. 3003).”

Scope

RBOCES or its designee is responsible for financial and programmatic monitoring of funds awarded to RBOCES that are subcontracted to another institution, organization, or individual (herein referred to as “Sub-recipient”).

As per 2 CFR §200.330(a), a Sub-recipient is generally responsible for one or more of the following:

- Determines who is eligible to receive program services
- Has its performance measured in relation to whether the objectives of the federal programs are met
- Has responsibility for programmatic decision-making

- Has responsibility for adherence to applicable federal program compliance requirements
- Uses federal funds to carry out a program of the organization as compared to providing goods and services for a program of the pass-through entity

Monitoring allows RBOCES or its designee, to fulfill its responsibility for monitoring sub-recipient activities to ensure that federal awards are used for authorized purposes in compliance with the federal program laws, regulations and grant agreements and that performance goals are achieved. Program and fiscal monitoring will take place formally through planned site visits and informally at meetings and during desk review. RBOCES or its designee will perform, at minimum, one onsite visit per year.

Program Monitoring

RBOCES, or its designee and any other staff as needed, will conduct oversight and program monitoring of Sub-recipients that oversee and/or operate federally funded WIOA youth program services.

RBOCES will provide training to all contractors prior to program start dates on the monitoring process and its requirements. All on site visits will include a review of customer files to ensure compliance with eligibility and to review progress on meeting required performance measures. Failure to meet performance measures may result in monthly monitoring visits and may require program design changes.

Continued failure to meet performance may result in contract cancellation and RBOCES may bar the Sub-recipient from further contract awards for services for a minimum of two years.

Fiscal Monitoring

RBOCES, or its designee and any other staff as needed, will conduct oversight and fiscal monitoring of Sub-recipients that oversee and/or operate federally funded WIOA youth program services.

The review process will include a financial desk review that will occur on a quarterly basis. Also, monitoring of the Sub-recipient's financial reporting practices will be conducted annually. The purpose of the reviews is to ensure compliance with all Federal, State and local laws and regulations and the provisions of the contract. RBOCES or its designee will review expenditures to ensure they meet the provisions of CFR §200. The review is also conducted to ensure that: the recorded amounts are accurate; adequate support documentation exists; and that the costs are related to the activities of the program. Additionally, the reviews will cover internal controls and cost allocation.

In the event that disallowed costs are found, costs are not properly supported by documentation, not included in the contract's budget or not clearly linked to program activities, future reimbursement will be offset by the respective amounts or a return of funds

requested. The Sub-recipient will be promptly notified of any deficiencies and provided the rationale for the disallowances. In the event that an audit report identifies a weakness, exposure or other significant problem the Sub-recipient will be promptly notified and will provide a corrective action plan to RBOCES.

Should a deficiency and/or disallowed costs have a material impact on the program; the Sub-recipient will be requested to prepare a corrective action plan. Subsequent to the receipt of the plan, RBOCES or its designee will perform a follow-up review to ensure that the steps detailed in the RBOCES plan have been properly implemented. NYSDOL representatives will be promptly notified of all findings.

Reports

RBOCES or its designee will utilize monitoring tools provided by NYSDOL Division of Employment and Workforce Solutions and, when appropriate, will customize monitoring tools that align with the Local Workforce Development Area's goals and/or contracts.

Each monitoring visit will begin with a brief entrance interview, each will conclude with a brief exit interview and will be followed up by a written report which will transmit the findings to the Sub-recipient and identify any necessary corrective action.

RBOCES or its designee will issue a written report no later than 30 days after the conclusion of the program and fiscal monitoring to Sub-recipient authorized personnel and distributed in copy to parties directly involved with the monitoring process and NYSDOL representatives. This report may contain observations, findings (including questioned or potentially disallowed costs) and required actions. The report may also contain responses from Sub-recipient authorized personnel in regards to the observations, findings, and required actions that were provided during the review or afterward. The report will note if the required actions, already taken, have resolved the findings, or if additional action is needed.

In the event RBOCES or its designee begins to monitor a Sub-recipient, but does not conclude the process RBOCES or its designee will issue a written report stating the circumstances and the report will be distributed, no later than thirty (30) calendar days after the conclusion of the monitoring, to Sub-recipient authorized personal and distributed in copy to Sub-recipient parties involved directly in the monitoring process and NYSDOL representatives. This exception may occur in the instance that an item under review is not part of the Sub-recipient current contract.

Responses/Corrective Action Plans

Sub-recipients will have thirty (30) days from date of issuance of the findings report to respond in writing, provide a corrective action plan or documentation as requested and/or request technical assistance from RBOCES or its designee. In the event RBOCES or its designee identifies a significant finding as a result of the monitoring or the Sub- recipient willfully fails to take the necessary corrective action, NYSDOL will be consulted and appropriate follow-up will be taken. Action includes, but is not limited to, consultation, technical assistance, frequent monitoring or termination of contract.

In the event RBOCES or its designee identifies a significant finding as a result of the monitoring or the Sub-recipient willfully fails to take the necessary corrective action, NYSDOL will be consulted and appropriate follow-up will be taken. Action includes, but is not limited to, consultation, technical assistance, frequent monitoring or termination of contract.

Once requested, technical assistance will be provided by RBOCES or its designee in the form of a meeting, training, conference call, email, written document(s) or other as advised by NYSDOL.

Monitoring will not conclude until all findings are adequately and substantially addressed.

RBOCES or its designee will maintain all monitoring records, backup documentation and written reports and responses in accordance with federal, state and local regulations. Sub-recipients will also ensure that their monitoring records are retained and readily available for USDOL and NYSDOL representatives.