WORKFORCE SOLUTIONS TEXOMA POLICIES & PROCEDURES

CHAPTER 6 - MONITORING

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6.1 GUIDELINES

Workforce Solutions Texoma (WST) will monitor the delivery of workforce services, education, and training provided for employers and Texoma residents throughout the regional Texas Workforce Centers and the Texoma childcare network. Monitoring of these programs will include review of funding streams and programs encompassing workforce development activities. Programs described in Texas House Bill 1863, the WIA programs, Temporary Assistance to Needy Families (TANF), Employment Services, Welfare-to-Work, Food Stamp Employment and Training Program, and Child Care Management Services programs will be included in reviews. WST also will carry out all monitoring in compliance with the Texas Workforce Commission's (TWC) rules.

The Quality Assurance Manager, Quality Assurance Monitor, other WST staff members (accounting staff and internal program staff), and contracted consultants as needed, will carry out program and financial monitoring activities. The WST Executive Director will allocate resources to the monitoring function as determined necessary and reasonable to meet requirements established by the WST and the rules and regulations of each program administered.

All workforce development monitoring activities will be carried out through the direction of the Quality Assurance (QA) Manager, under the supervision of the Workforce Board Executive Director.

6.2 PURPOSE

The purpose of oversight and monitoring is to ensure that the WST and contractors are operating in compliance with all applicable laws, regulations, grant agreements with the State, and appropriate administrative directives. Monitoring will occur to ensure programs are designed and operating to achieve expected results, to ensure funds are being spent for authorized purposes, and to ensure reliable and timely information is captured, reported, and used to improve decision-making to meet continuous quality improvement objectives. Both financial and programmatic compliance will be evaluated on a periodic basis. WST will use results of monitoring to evaluate the consistency of program performance against contracted program goals. Results from monitoring reviews will be used by the Board and Board staff to analyze program performance and current and future program funding objectives.

6.3 INDEPENDENT OVERSIGHT

The WST, representing local elected officials, conducts oversight of the area's workforce related programs. WST will review operation of all workforce related programs under their authority, including a specific review of all program and contractor performance. Written reports will be provided to the Board outlining performance, operation, and monitoring of all workforce-related programs. WST's Total Quality Execution Committee will assist in these functions. WST will use this information in the decision-making process regarding program procurement, changing program direction, and in requiring corrective action to resolve concerns. Upon request, this written report will be provided

to the Chief Elected Officials, Board members, the contractor's board, TWC, and interested contractor staff.

6.3.1 OVERSIGHT OF PROGRAM PERFORMANCE PROCEDURES

WST will be provided regular reports concerning the performance and operation of workforce-related programs. These reports include:

1) Reports on actual program performance as compared to plan, expenditures; applicable performance standards and goals; fiscal systems, policies and procedures; separate funding streams; and contract/contractor compliance.
2) Board staff self-evaluation
3) TWC monitoring reports
4) Customer satisfaction
5) Workforce Center Activity flow through the centers by program/service/partner program.
6) Federal, State, and local audits of Board and contracted entities fiscal systems.

6.3.2 OVERSIGHT OF CONTRACTOR PERFORMANCE PROCEDURES

WST is provided regular reports concerning the performance of program contractors. These reports include:

1) Reports on contractor performance as compared to the plan, expenditures, and applicable performance standards or goals (annual and periodic reports).
2) Summaries of individual contractor monitoring reports, including corrective actions taken to resolve problems.
3) Contractor Federal, State and local audit reports and information.

6.4 MONITORING PLAN

6.4.1 MONITORING PLAN DEVELOPMENT

Workforce Solutions Texoma (WST) staff members and contract consultants, if needed, will monitor the delivery of workforce services, education, and training provided for customers throughout the regional Texas Workforce Centers and the Texoma childcare network. Monitoring of these programs will include review of funding streams and programs encompassing workforce development activities. Programs described in Texas House Bill 1863, the WIA programs, Temporary Assistance to Needy Families (TANF), Employment Services, Welfare-to-Work, Food Stamp Employment and Training Program, and Child Care Management Services programs will be included in reviews

WST will develop a yearly monitoring plan based on the results of a risk assessment. The monitoring plan will incorporate all of the following:

1) Schedule or timetable for monitoring all funded activities and subcontractors, including annual reviews.
2) Type of review planned for each subcontract.
3) Estimated time budgeted to perform each review.
4) Review methodology.

6.4.2 MONITORING INSTRUMENTS/TOOLS

WST staff members and/or contract consultants will use standard written monitoring instruments/tools for assessing the compliance of each contractor. The Quality Assurance Manager will ensure that instruments/tools are targeted to monitor specific local, state, and federal guidelines concerning programmatic performance, participation, eligibility, and other needed areas. Monitoring tools will be developed through coordination and liaison with members of the statewide Quality Assurance Network and TWC monitoring department. On-site and desk reviews will utilize monitoring instruments/tools that are developed with the goal of ensuring that subcontractors' program operation, accounting systems, physical and programmatic accessibility are in compliance with:

1) Federal/state/local laws, regulations, policies, procedures, and other authoritative directives.
2) Contractual and grant requirements.
3) Proper expenditure of, and accurate accounting for federal/state funds.
4) Overall goals of delivering quality services effectively and efficiently.

Monitors may expand review of a contractor beyond the scope of the standard monitoring program, as necessary, to insure program activities and systems are consistent with the intent of the applicable law.

6.4.3 MONITORING TIME-FRAME

Monitors will evaluate WST's administrative operations at least once every program year. Follow-up to the review will include a written description of deficiencies and recommend corrective action.

WST will review each and every workforce related program under the authority of the Board at least once each program year. Follow-up to the review will include a written description of deficiencies, recommended corrective action, and quality program enhancements.

Monitoring of summer youth employment projects will be accomplished during the summer months. Areas of concentration will include, but will not be limited to, monitoring of program activities, work sites, and training sites during the summer program. Monitoring programs, schedules and instruments will be specifically designed for summer youth program monitoring.

6.5 MONITORING PROCEDURES

All areas identified by the WST risk assessment will receive at least one monitoring per program year. Follow-up to the review will include a written description of deficiencies and recommended corrective action and quality program enhancements.

6.5.1 NEW CONTRACTORS

WST monitoring staff will review any new contractor as quickly as can be reasonably scheduled after funds are provided for program activities. Monitoring schedule thereafter will be based on Risk Assessment results.

6.5.2 SCHEDULING

Prior to the beginning of each program year, WST staff will perform a Risk Assessment to determine the order and amount of scheduling monitoring reviews. The QA Manager will schedule all monitoring visits. Reviews may be announced and scheduled with contractors prior to the review date, or they may be unannounced, unscheduled reviews.

6.5.3 DESK REVIEW

The QA Manager will review the status of the contract to be monitored with the Executive Director or other appropriate department staff members before a site visit. Desk reviews will include contracts, participant and program record, financial data, and policies and procedures.

6.5.4 SITE VISIT

WST monitoring staff and/or contracted monitors will carry out reviews in a professional manner and accommodate the special needs or schedules of contractor personnel and participants. WST monitors will not harass, intimidate, verbally abuse, or command contractor personnel or program participants for any reason. If a contractor is not, in the monitor's opinion, cooperating in the review process, the monitor will notify the WST Executive Director immediately.

6.5.5 ENTRANCE REVIEW

At the beginning of a site visit, WST monitors will conduct an entrance interview with the appropriate representative(s) of the contractor. In the interview, the monitor will describe the process of the review, the expected timetable for the review, and requirement for information and access to individuals and records. Logistics about appropriate work space, working hours, and access to office equipment and phones will also be included in the discussion.

6.5.6 MONITORING OF WORKFORCE CENTER PROGRAM CONTRACTORS

Program contractor monitoring will include desk reviews, on-site reviews and field reviews of all categorical program and fiscal activities. Specifics include, but are not limited to, the following:

1) Basic contract and grant requirements
2) Property
3) Intake and assessment procedures
4) Participant eligibility
5) Case management practices
6) MIS - reporting and records for both participant and fiscal information
7) Budgets, cost allowability, cost allocation, and cost limitations
8) Complaints, grievances, investigations, and hearings
9) Data entry accuracy and timeliness
10) Personnel records standards and practices, including Human Resources management
11) Fraud and abuse
12) OJT contracts (as applicable)
13) Classroom (occupational and vocational) training programs
14) Financial systems and administrative records
15) Worksite compliance
16) Compliance with WST and contractor policies and procedures
17) Subcontractors
18) EEO, physical, and programmatic accessibility
19) Internal monitoring
20) Customer satisfaction
21) Subcontractors

These evaluations may be made by desk reviews, on-site reviews, field (worksite) visitations, and monitoring of files and records.

6.5.7 MONITORING OF CHILD CARE PROGRAM CONTRACTORS

Program contractor monitoring will include desk reviews, on-site reviews and field reviews of all categorical fiscal and program activities. Specifics include, but are not limited to, the following:

1) Client files
   a) eligibility determination/redetermination & required accompanying paperwork
   b) income assessment
   c) parent fee assessment

2) Provider files
   a) initial and subsequent contracts
   b) provider rates
   c) license
   d) insurance
   e) billing
3) Internal Monitoring
4) Case Management practices
5) Fiscal systems
6) Children with Disabilities Program
7) Designated Vendor Program
8) Human Resources management
9) Early Childhood Development Resource Program
10) Procurement
11) MIS, reporting and records
12) Group and fund codes
13) Budgets, cost allowability, cost allocation, and cost limitations
14) Allowable costs
15) Classification of costs
16) Limitation on certain costs
17) Complaints, grievances, investigations and hearings
18) Client & provider tracking system (CCMS Automation System/MIS)
19) Data entry accuracy and timeliness
20) Personnel records, standards and practices, including Human Resources management
21) Compliance with WST and contractor policies and procedures
22) Fraud and abuse
23) Financial systems and administrative records
24) Subcontractors
25) EEO, physical and programmatic accessibility
26) Customer satisfaction

6.5.8 MONITORING OF BOARD PROCESSES

Monitoring of board processes will include desk reviews, on-site reviews and field reviews of all categorical fiscal and program activities. Specifics include, but are not limited to, the following:

1) Subcontractor contract and grant requirements
2) Procurement, including contract award processes
3) Property
4) Budgets, cost allowability, cost allocation, and cost limitations
5) Complaints, grievances, investigations, and hearings
6) Fiscal data entry accuracy and timeliness

7) Personnel records standards and practices, including Human Resources management
8) Fraud and abuse
9) OJT contracts (as applicable)
10) Classroom (occupational and vocational) training programs (TPCS)
11) Financial systems and administrative records
12) EEO, physical, and programmatic accessibility
13) Child Care Training Program
14) MOU's and Non-Financial Agreements

6.5.9 EXIT INTERVIEW

After completing a visit, and before leaving the site, a monitor will provide an exit interview with appropriate representative(s). In the exit interview, the monitor will identify all issues of non-compliance found as a result of the review and may offer comments and suggestions on program operation. Further technical assistance may be scheduled at this time. WST monitors have no authority to require action by any contractor and will not represent themselves as having this authority.

6.5.10 FRAUD AND CRIMINAL ACTIVITY

A monitor suspecting fraud or criminal activity on part of a contractor will notify the WST Executive Director immediately. The Executive Director will notify the Texas Workforce Commission and, if appropriate, the applicable funding source.

6.5.11 REPORTING

6.5.11.1 WRITTEN REPORT

The monitor will prepare a written report at the conclusion of each review. The report will identify at a minimum:

1) Name of the contractor reviewed
2) Dates of the review
3) Date the report is submitted
4) Site(s) and activities reviewed
5) Method of review
6) Findings from the review, including any findings of non-compliance with federal/state laws, regulations and other authoritative pronouncements or the WST contract
7) Recommendations for corrective actions
8) Observations that can assist in program enhancement
9) Recommendations for corrective actions on these observations
10) Any other areas of program performance or financial systems that may deserve special attention.

Monitors may make suggestions for improvements in program operation that are not related to compliance issues. In addition, reports can highlight contractor successes and accomplishments.

Initial Reports will be sent to the contractor in the form of a "Draft." Contractors will have the opportunity to respond to any deficiencies listed and submit a corrective action plan (see 6.5.11.3). A "Final" report will be issued when all deficiencies have been addressed. The "final" report will detail all responses from contractors and replies of WST, as well as dates of same.

6.5.11.2 REPORTING TIMEFRAMES

All initial, draft monitoring reports are due to the WST Executive Director and contractor reviewed no later than thirty (30) working days following the day of the exit interview. The WST Executive Director will make the final determination to accept the monitor's recommendations and if follow-up is required to verify corrective action or expand the review.

WST monitor will maintain a folder for each contract monitored that includes correspondence to the contractor, draft and final reports, review backup materials, contractor responses, and follow up information provided by WST and contractors.

6.5.11.3 CONTRACTOR RESPONSE TO REPORT

Contractors are required to respond to monitoring reports in writing within ten (10) working days of receipt of the report, unless otherwise notified. Contractor responses will describe plans for corrective action with a timetable for accomplishing the changes and the staff person and position responsible for carrying out this action. Monitoring reports, contractor replies, and corrective action plans will be maintained on file, for each contractor, for use in follow-up activities, future monitoring, and contract performance reviews.

6.5.12 CONTRACTOR CORRECTIVE ACTION

WST QA Manager, Executive Director, and other appropriate staff will review responses to monitoring findings, and planned corrective actions to determine the adequacy of the response. If necessary, WST management will consult with appropriate resource persons and department staff to analyze compliance problems and develop further recommendations. The QA Manager will be responsible for ensuring that the contractor has taken corrective action. If necessary, the QA Manager will schedule a follow-up visit to ensure issues have been resolved.

The resolution of monitoring findings and any decision regarding a response to the monitoring report are the joint responsibility of the WST Executive Director and the QA Manager. Decisions made by the WST Executive Director regarding monitoring responses are final.

6.5.13 TECHNICAL ASSISTANCE

One of the primary functions of the WST quality assurance monitoring department is to provide technical assistance to service providers in interpreting and applying components of local, state, and federal legislation, regulations, and procedures to ensure compliance. This technical assistance will be provided in the form of on-site staff trainings, phone contact, consultation(s), and through written documentation on an as-needed basis.

6.5.14 FOLLOW-UP AND CORRECTIVE ACTION

6.5.14.1 CONTRACTORS

When needed, the QA Manager will schedule follow-up visits by monitors for contractors whose initial review resulted in compliance findings. Follow-up visits will be scheduled at a specified time designed to allow the contractor to correct program deficiencies. After a follow-up visit, the QA Manager may schedule additional follow-up visits or reviews. WST will document all follow-up and corrective action in the initial monitoring report and will issue a “Final” report when all issues are resolved.

6.5.14.2 TWC MONITORING REPORTS

WST QA Manager and other appropriate staff are responsible for preparing responses to findings from reviews by the Texas Workforce Commission. The WST Executive Director will review the TWC monitoring report, the WST response, and planned corrective actions. The QA Manager is responsible for ensuring that the WST planned corrective actions are accomplished.

6.5.15 EQUAL EMPLOYMENT OPPORTUNITY (EEO) / ACCESSIBILITY MONITORING

WST Manager/EEO officer will conduct EEO/accessibility reviews at Workforce Centers and Board offices on an annual basis. Appropriate monitoring tools in accordance with guidelines issued by the applicable funding sources and TWC Rules will be used during this review. This review will include, but is not limited to, the following:

1) Assurances
2) Local workforce delivery area Equal Opportunity Officer and Workforce Center EO site representatives

3) Dissemination of policy
4) Physical and program accessibility
5) Corrective action / sanction policy
6) Data collection, record retention, and reporting
8) Complaint procedures
9) Equitable service delivery

Issues of non-compliance and any recommended corrective actions are reported as per Section 6.5.11 above.

6.5.16 SANCTIONS

Sanctions for failure to correct deficiencies are listed in WST contracts with sub-recipients and include, but are not limited to:

1) Withholding of funds/reimbursement until the deficiency is corrected.
2) Reduction in budget/contract amounts.
3) Termination of the contract.

Sanctions will be administered after follow-up reviews have documented failure to correct deficiencies and the WST Executive Director has approved the sanction. Sanction timelines will be determined on a case-by-case basis depending on the circumstances and severity of the findings