



Monterey County Workforce Investment Board (WIB)
LOCAL POLICY BULLETIN #2004-02

Effective Date: December 7, 2004
Full WIB Adopted: December 7, 2004 WIB meeting

TO: All County of Monterey Providers of Workforce Investment Act (WIA) Services

SUBJECT: Recovery of WIA Tuition and Training Refunds

PURPOSE: This policy restates the requirement to have policies and procedures in place to recover Workforce Investment Act (WIA) tuition refunds.

REFERENCE: WIA §185(c)(3); 667.410(a)(1); 20CFR Part 663, Subpart D; 29CFR Part 97.37; Technical Assistance Guide (TAG), DOL, July 2002, Chapters II-6-9

POLICY:

Program operators in receipt of WIA funds must produce and maintain a written policy/procedure to ensure the recovery of unused WIA tuition monies. The policy/procedure should include but not be limited to:

- Who the responsible party is for acknowledging/determining a refund is due for early termination of a participant's training;
- How often the participant is tracked to determine the participant is still receiving training and to ensure prompt return of any unused tuition monies; and
- Who is responsible for the collection process of any outstanding tuition refund.

PROCEDURES:

Program operators must obtain the designated training provider's standard policy regarding the amount of tuition that must be paid in advance to enroll or accept a participant. The TAG, Chapter II-6-9 states that "unless specifically required as a condition of attendance, as in a tuition payment required before beginning a formal training course, payment should not be made in advance of the receipt of services." Program operators should negotiate any advanced payments with the training provider in order to minimize out of pocket expense prior to the start of training.

Program operators must also verify the refund policy of the training provider for early termination of the participant from the training program. Items to research and consider are:

- Percentage of the advanced payment to be returned upon non-completion of courses;
- Turnaround time of refund;
- Time spent in training before a refund will no longer be honored; and
- Requirement for the training provider to notify the program operator of early participant dropout.

These agreements must be in the form of a contract with the training provider to ensure prompt return of any unused WIA funds for early participant dropout.

Each month program operators should check with training providers to ensure participants are still in the training program. If not able to check monthly, the program operator must request an extension in writing from the WIB to perform this check less frequently, but at least quarterly. These extension requests will be reviewed and approved by the WIB staff.

If training is no longer being rendered within the refund time line agreed upon in the training provider's contract, then a refund for the portion of services not received must be recovered. Failure to recover these costs by the program operator will result in an audit finding and disallowed costs.

Program operators authorized by the WIB to use WIA funds for tuition must submit a written policy addressing the requirements in this policy. WIB staff will review and approve these submitted policies.

Background Information:

The WIA Final Rule, Title 20 CFR 667.410(a)(1) states it is the responsibility of subrecipients to



conduct regular oversight and monitoring of their WIA activities and those of its contractors in order to determine expenditures have been made against the cost categories and within the cost limitations specified in WIA and the regulations.

The Workforce Investment Board Oversight and Evaluation Committee, through its assigned staff, will be responsible for assurance of compliance to these requirements.

INQUIRIES: For questions or assistance related to this policy, please contact the Monterey County Workforce Investment Board staff at (831) 796-6434.

This policy is posted on the WIB website located at: www.montereycountywib.org/policies/