



RECOVERY OF WIOA TUITION AND TRAINING REFUNDS

PURPOSE

This policy provides the guidance and establishes the procedures regarding the recovery of Workforce Innovation and Opportunity Act (WIOA) tuition and training refunds. This policy applies to all subrecipients and service providers, and is effective immediately.

SCOPE

The Workforce Development Board of Ventura County (WDBVC) and its contractors and subrecipients.

REFERENCES

- WSD24-04 – WIOA Title I Eligibility Technical Assistance Guide (Dated September 26, 2024)
- WIOA Sections 134(c)(3)(F)(i) – (iv), and 185(c)(3)
- 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 Exceptions)
- Title 20 CFR, WIOA Final Rule, Sections 680.230, 680.300, and Section 683.410(a)(1)

POLICY

The WIOA Final Rule, Title 20 CFR 683.410(a)(1) states it is the responsibility of the recipient and each subrecipient to conduct regular oversight and monitoring of its WIOA activities and those of its subrecipients and contractors to determine whether expenditures have been made against the cost categories and within the cost limitations specified in WIOA and the regulations. A previous DOL audit found that some subrecipients do not have a process or procedure in place for the recovery of unused WIOA training monies and/or tuition refunds.

All participants who are enrolled in training must be covered by the training institution's tuition refund policy. In the absence of a refund policy established by the training institution, the service provider or subrecipient must negotiate a reasonable refund policy with the training site.

Service providers or subrecipients shall:

- Be responsible for acknowledging/determining a refund is due for early termination of a participant's training.
- Maintain, at minimum, monthly tracking to determine the participant is still receiving training and to ensure prompt return of any unused training monies.

- Be responsible for the collection process of any outstanding training and/or tuition refund.

In addition, prior to participants entering training, the service provider or subrecipient shall ensure that the refund policy must:

1. Establish general policy
2. Specify the circumstances in which require a refund for over-invoiced training, and
3. Must clearly define the recovery process used for over-invoicing or for services not provided.

Subrecipients or service providers shall 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. 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. Subrecipients or service providers shall negotiate any advanced payments with the training provider to minimize out of pocket expense prior to the start of training.

The subrecipient or service provider must also verify the refund policy of the training provider for early termination of the participant from the training program. Prior to participants entering training, subrecipients or service providers shall ensure the refund policy includes the following:

- 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.
- Requirement for the training provider to immediately notify the subrecipient if a WIOA participant drops out of a training program during the period when tuition can be refunded.

It is recommended to have these agreements in the form of a contract with the training provider to ensure prompt return of any unused WIOA funds for the early dropout of a participant.

Each month subrecipients shall check with training providers to ensure clients are still in the training program. If services are 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. The refund policy shall be reviewed and established prior to issuing any training agreements.

Failure to recover these costs will result in an audit finding and disallowed costs.

ACTION

Bring this policy to the attention of all affected staff.

INQUIRIES

Inquiries regarding this policy can be addressed to the WDBVC at 805-477-5306.

/S/ Rebecca Evans, Executive Director
Workforce Development Board of Ventura County