



WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA) POLICY NOTICE NO. 16 Rev.6

EFFECTIVE DATE: September 14, 2026

SUBJECT: Individual Training Accounts (ITAs)

I. PURPOSE

This policy establishes a comprehensive framework for administering Individual Training Accounts (ITAs) under the Workforce Innovation and Opportunity Act (WIOA). This policy establishes the requirements governing participant eligibility, training provider selection, funding determinations, payment procedures, fiscal accountability, documentation, and oversight to ensure that training services are delivered in accordance with applicable federal and state laws, regulations, and guidance, as well as Northern Area Local Workforce Development Board (NALWDB) policies.

This policy promotes informed customer choice, supports participant success through high-quality training services, safeguards public funds through sound fiscal management and internal controls, and ensures consistent administration of ITAs across the Northern Area Local Workforce Development Board service area.

II. AUTHORITY

This policy is issued pursuant to the following legal authorities:

- Workforce Innovation and Opportunity Act (WIOA), Pub. L. 113-128, including Sections **3, 116, 122, 129, 134(c)(3), and 188.20 CFR Part 680, Subparts A-E (Adult and Dislocated Worker Training Services, Individual Training Accounts, and Eligible Training Providers).**
- 20 CFR Part 681 (Youth Activities Under Title I of WIOA).
- 20 CFR Part 683 (Administrative Provisions Under Title I of WIOA), including financial management and oversight requirements.
- 29 CFR Part 38 (Implementation of the Nondiscrimination and Equal Opportunity Provisions of WIOA Section 188).
- 2 CFR Part 200 (Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards), including but not limited to:
 -
 - §200.302 – Financial Management;
 - §200.303 – Internal Controls;
 - §200.403 – Factors Affecting Allowability of Costs;
 - §200.404 – Reasonable Costs;



- \$200.405 – Allocable Costs; and
 - \$200.334 – Record Retention Requirements.
-
- Training and Employment Guidance Letter (TEGL) No. 19-16, *Guidance on Services Provided through the Adult and Dislocated Worker Programs under WIOA and the Wagner-Peyser Act Employment Service*.
 - Training and Employment Guidance Letter (TEGL) No. 21-16, Third Workforce Innovation and Opportunity Act (WIOA) Youth Program Transition Guidance.
 - Applicable New Mexico Department of Workforce Solutions (NMDWS) policies and guidance governing Individual Training Accounts (ITAs), Eligible Training Providers (ETPL), Adult, Dislocated Worker, and Youth programs. Adult, Dislocated Worker, and Youth programs.
 - Northern Area Local Workforce Development Board (NALWDB) Financial Policies and Procedures.
 - Northern Area Local Workforce Development Board (NALWDB) Supportive Services and Needs-Related Payments Policy.
 - Northern Area Local Workforce Development Board (NALWDB) Eligible Training Provider List (ETPL) Policy, if applicable.

III. POLICY STATEMENT

The Northern Area Local Workforce Development Board (NALWDB) shall administer Individual Training Accounts (ITAs) to promote participant success, support informed customer choice, ensure fiscal accountability, and maximize the effective use of Workforce Innovation and Opportunity Act (WIOA) funds.

ITAs shall provide eligible Adult, Dislocated Worker, and Youth participants, as applicable, with access to training services directly linked to in-demand occupations, industry-recognized credentials, and career pathways that lead to employment and economic self-sufficiency.

Training services funded through an ITA shall be provided by training providers listed on the New Mexico Eligible Training Provider List (ETPL), unless otherwise permitted by federal regulation.

The NALWDB shall administer ITAs in accordance with applicable federal and state laws, regulations, and guidance, while maintaining sound fiscal management practices, effective internal controls, and consistent documentation standards. Payment for training costs shall be supported by sufficient documentation showing that allowable services were provided and that all applicable programmatic and fiscal requirements were met.

IV. GENERAL ITA REQUIREMENTS

Individual Training Accounts (ITAs) shall be used to purchase occupational skills training for eligible participants in accordance with WIOA, applicable federal regulations, guidance from the New Mexico Department of Workforce Solutions (NMDWS), and policies of the Northern Area Local Workforce Development Board (NALWDB).



An ITA shall be approved only when the Local Board or its designated service provider determines that:

- A. The participant has been determined eligible for WIOA Adult, Dislocated Worker, or Youth services, as applicable.
- B. Occupational skills training is appropriate based on the participant's objective assessment, employment goals, knowledge, skills, abilities, interests, supportive service needs, and barriers to employment.
- C. The selected training is necessary to assist the participant in obtaining or retaining unsubsidized employment leading to economic self-sufficiency.
- D. The training is directly linked to an in-demand industry sector or occupation, or another occupation determined to be appropriate based on documented labor market information and participant employment goals.
- E. The training is provided by a training provider listed on the New Mexico Eligible Training Provider List (ETPL), unless otherwise authorized under applicable federal or state requirements.
- F. The participant has received information necessary to make an informed choice regarding available training providers, program costs, performance outcomes, credential attainment rates, labor market demand, and employment opportunities.
- G. The cost of training has been evaluated in accordance with this policy. All available financial assistance has been considered, and WIOA funds are the appropriate funding source for the participant's unmet training need.
- H. Sufficient funding is available, and the ITA's approval represents a reasonable and prudent investment of public funds.

V. ELIGIBILITY FOR INDIVIDUAL TRAINING ACCOUNTS

An Individual Training Account (ITA) may be authorized only for participants who have been determined eligible for the Workforce Innovation and Opportunity Act (WIOA) Adult, Dislocated Worker, or Youth programs, as applicable, and for whom occupational skills training has been determined to be an appropriate service.

Before approving an ITA, the service provider shall document that:

- A. The participant has met all applicable eligibility requirements for the WIOA funding stream under which services will be provided.
- B. The participant has completed an objective assessment of academic levels, skill levels, interests, aptitudes, supportive service needs, developmental needs, and barriers to employment, as applicable.
- C. An Individual Employment Plan (IEP) for Adult and Dislocated Worker participants, or an Individual Service Strategy (ISS) for Youth participants, has been developed and identifies occupational skills training as an appropriate service necessary to achieve the participant's employment goals.



- D. The selected training is consistent with the participant's employment objectives and is reasonably expected to improve the participant's opportunity for obtaining unsubsidized employment leading to economic self-sufficiency.
- E. The participant has the skills, qualifications, and ability to complete the proposed training program successfully or has been determined to require concurrent services necessary to support successful completion.
- F. The participant has been informed of available training options, training provider performance information, program costs, and applicable financial assistance to support informed customer choice.

An ITA shall not be approved solely at a participant's request. Approval shall be based upon documented case management, assessment, career planning, and a determination that occupational skills training is appropriate and consistent with WIOA requirements and this policy.

VI. PARTICIPANT CHOICE AND TRAINING PROVIDER SELECTION

The Northern Area Local Workforce Development Board (NALWDB) shall ensure eligible participants have informed customer choice in selecting occupational skills training and training providers, consistent with the requirements of the Workforce Innovation and Opportunity Act (WIOA).

Before approving an Individual Training Account (ITA), the service provider shall provide the participant with sufficient information to make an informed training decision, including, at a minimum:

- A. Available training programs and providers listed on the New Mexico Eligible Training Provider List (ETPL);
- B. Program costs, including tuition, fees, books, supplies, equipment, licensing, testing, and other required training expenses;
- C. Training provider performance information, including completion rates, credential attainment rates, measurable skill gains, and employment outcomes, when available;
- D. Labor market information, including occupations in demand, projected employment opportunities, wage information, and career pathway opportunities; and
- E. Information regarding available financial aid and other resources that may reduce or eliminate the participant's training costs.

Participants shall be allowed to select the training provider and training program that best meet their employment goals, provided the selected program is consistent with the participant's Individual Employment Plan (IEP) or Individual Service Strategy (ISS), as applicable, and meets the requirements of this policy.

Occupational skills training funded through an ITA shall be provided by a training provider listed on the New Mexico Eligible Training Provider List (ETPL), unless an exception is authorized under applicable federal or state law, regulation, or guidance.



Selection of a training provider shall not be based solely on participant preference. The service provider shall consider the participant's employment goals, assessment results, ability to benefit from training, local labor market demand, provider performance, total training costs, and the prudent stewardship of public funds when recommending approval of an ITA.

VII. INDIVIDUAL TRAINING ACCOUNT FUNDING AND COST DETERMINATION

The Northern Area Local Workforce Development Board (NALWDB) shall administer Individual Training Account (ITA) funds to maximize participant access to training while ensuring the prudent stewardship of public resources and compliance with all applicable federal, state, and local fiscal requirements.

ITA approval is contingent upon the availability of funding. It shall be based upon the participant's documented training needs, employment goals, and the reasonableness and allowability of the proposed training costs.

Before approving an ITA, the service provider shall:

- A.** Determine the total cost of the proposed training program, including tuition, mandatory fees, books, supplies, equipment, licensing fees, examinations, and other costs required for successful completion of the training program.
- B.** Determine the participant's eligibility for all available financial assistance, including Pell Grants, scholarships, grants, employer assistance, Veterans' educational benefits, and other non-WIOA funding sources.
- C.** Coordinate available financial assistance to ensure that WIOA funds are used only for allowable costs not otherwise covered by another funding source, consistent with federal cost coordination requirements.
- D.** Document the participant's unmet training need and the basis for the amount authorized under the Individual Training Account.
- E.** Ensure that the approved training costs are reasonable, necessary, allocable, and allowable in accordance with applicable federal cost principles and Board financial policies.

The amount authorized for an Individual Training Account shall be based upon the participant's documented unmet training need, the availability of program funds, established local funding limitations, and the Board's responsibility to maximize services to eligible participants. Approval of an ITA does not constitute an entitlement to the maximum amount of funding available.

The Board may establish maximum funding levels for Individual Training Accounts based upon available funding, local labor market conditions, anticipated training costs, and other fiscal considerations. The Board may modify maximum funding levels as necessary to ensure the effective and equitable administration of WIOA funds.

The service provider shall maintain complete documentation supporting all funding determinations within the participant's electronic case file. Documentation shall include, at a minimum, cost



calculations, financial aid coordination, documentation of other funding sources considered, participant contributions, if applicable, the determination of unmet training need, the basis for the final ITA award, and any approvals, modifications, or supporting documentation necessary to demonstrate compliance with this policy. NALWDB shall maintain all documentation in accordance with the Board's Electronic File Policy, record retention requirements, and applicable federal and state laws, regulations, and guidance.

VIII. TRAINING PROVIDER PAYMENT AND REIMBURSEMENT

The Northern Area Local Workforce Development Board (NALWDB) shall reimburse training providers for allowable training costs in accordance with approved Individual Training Account (ITA) agreements, applicable federal and state laws, Board Financial Policies and Procedures, and this policy's requirements.

Approval of an Individual Training Account authorizes funding up to the approved amount for allowable training costs. Funding authorization does not guarantee payment of any specific invoice. Reimbursement shall be contingent upon submission of required documentation, verification that allowable training services have been provided, compliance with applicable contract requirements, and the availability of program funds.

Training providers shall submit invoices and supporting documentation in the manner and timeframe established by the Board. Required documentation shall include, as applicable:

- A.** Itemized invoices identifying the participant, training program, billing period, and costs being requested.
- B.** Documentation verifying participant enrollment and attendance.
- C.** Documentation demonstrating satisfactory participant progress, including Measurable Skill Gains (MSGs), when applicable.
- D.** Documentation of completed milestones, examinations, licenses, certifications, or credentials, when payment is contingent upon their completion.
- E.** Any additional documentation required by the Board to verify that billed costs are allowable, reasonable, necessary, allocable, and supported.

Before authorizing payment, the service provider shall verify that:

- A.** The participant remains actively enrolled in the approved training program, unless payment is authorized under an approved exception.
- B.** The services billed have been provided in accordance with the approved ITA and training agreement.
- C.** The invoiced costs are supported by required documentation.
- D.** The requested costs are allowable under WIOA, Uniform Guidance, Board Financial Policies and Procedures, and this policy.
- E.** All required approvals have been obtained.



The Board may establish incremental payment schedules based on documented participant progress, completion of identified training milestones, attainment of Measurable Skill Gains (MSGs), completion of academic terms, credential attainment, or other documented performance measures, provided the applicable training agreement outlines such payment schedules, and the Board applies them consistently.

Payment schedules shall be designed to promote participant success, protect public funds, encourage provider accountability, and ensure that reimbursement is supported by sufficient programmatic and fiscal documentation.

Contract Modifications

If changes to the approved training program, cost of attendance, training duration, participant status, payment schedule, or other material terms of the Individual Training Account (ITA) become necessary, the ITA and any associated training agreement shall be modified and approved before payment is authorized for the revised costs, whenever practicable.

All modifications shall be supported by appropriate documentation demonstrating the reason for the change and shall receive all required approvals before implementation, unless otherwise permitted by applicable law, regulation, or Board policy.

Documentation of all approved modifications, including supporting documentation and required approvals, shall be maintained in the participant's electronic case file in accordance with the Board's Electronic File Policy. Service providers shall document each modification in detailed case notes, including the reason for the modification, the effective date, the specific changes made, any impact on participant services or funding, and the justification supporting the determination that the modification was necessary and appropriate.

Participant Withdrawal, Non-Completion, and Enrollment Status Changes

Training providers shall maintain written policies and procedures governing participant withdrawals, dismissals, attendance requirements, satisfactory academic progress, leaves of absence, refunds, and other changes in enrollment status, as applicable. When required as part of the New Mexico Eligible Training Provider List (ETPL) application or renewal process, providers shall submit these policies to the Board or the New Mexico Department of Workforce Solutions (NMDWS), as applicable.

Training providers serving WIOA participants shall administer participant withdrawals and enrollment status changes in accordance with their published institutional policies, applicable federal and state laws, ETPL requirements, contractual obligations, and this policy. The provider's actions regarding WIOA-funded participants shall be consistent with the policies and attestations submitted during the ETPL approval process.

Training providers shall promptly notify the service provider of participant withdrawals, dismissals, extended absences, leaves of absence, changes in enrollment status, or other events that may affect the



participant's successful completion of training, continued eligibility, or the allowability of WIOA-funded costs.

If a participant withdraws from training, fails to complete the program, or otherwise becomes ineligible to continue receiving WIOA-funded training services, reimbursement shall be limited to allowable costs incurred in accordance with the approved Individual Training Account (ITA), applicable training agreement, Board Financial Policies and Procedures, and this policy.

The service provider shall document all participant withdrawals, enrollment status changes, and actions taken in response within the participant's electronic case file, including detailed case notes describing the circumstances, communications with the training provider and participant, any modifications to the ITA, and the final disposition of WIOA-funded services.

Refunds and Recovery of Funds

Training providers shall apply their published tuition refund, withdrawal, cancellation, and reimbursement policies consistently to WIOA-funded participants and all other students enrolled in the same program. Providers shall not apply refund practices that are less favorable to WIOA participants than those applied to non-WIOA participants.

Any tuition, fees, or other allowable training costs refunded, credited, canceled, or otherwise returned to the training provider because of a participant's withdrawal, dismissal, change in enrollment status, reduction in training costs, receipt of other financial assistance, administrative adjustment, or other event affecting the cost of attendance shall be promptly reported to the service provider.

The training provider shall reimburse the Northern Area Local Workforce Development Board for any WIOA funds that are no longer allowable or that exceed the participant's actual allowable training costs, consistent with the provider's published refund policy, the applicable training agreement, 20 CFR §§ 680.230 and 680.300, 2 CFR Part 200, applicable New Mexico Department of Workforce Solutions policies, and the Board's Financial Policies and Procedures.

Failure to report refunds, credits, overpayments, or other adjustments affecting WIOA-funded training costs promptly may result in delayed reimbursement, recovery of questioned costs, suspension of future payments, termination of the training agreement, removal from future contracting opportunities with the Board, or other corrective action permitted by law or contract.

Fiscal Responsibility

Nothing in this policy shall be construed as creating an entitlement to payment for unsupported, unallowable, unreasonable, or undocumented costs. The Board reserves the right to deny, reduce, delay, or recover payments that do not comply with federal or state requirements, Board policies, contractual provisions, or applicable fiscal controls.

IX. PARTICIPANT PROGRESS, CASE MANAGEMENT, AND ONGOING OVERSIGHT



The Northern Area Local Workforce Development Board (NALWDB) and its designated service providers shall provide ongoing case management throughout an Individual Training Account (ITA) to promote participant success, ensure compliance with Workforce Innovation and Opportunity Act (WIOA) requirements, and safeguard public funds.

Service providers shall maintain regular contact with participants and, as appropriate, training providers to monitor participants' progress, identify barriers to successful completion, coordinate supportive services, and ensure that training remains consistent with participants' Individual Employment Plan (IEP) or Individual Service Strategy (ISS), as applicable.

At a minimum, service providers shall:

- A. Monitor participant attendance, enrollment status, academic progress, and satisfactory completion of training milestones.
- B. Verify and document participant progress toward the attainment of measurable skill gains, credentials, licenses, certifications, and other applicable program outcomes.
- C. Evaluate the ongoing appropriateness of the approved training program and determine whether modifications to the Individual Training Account (ITA) or related services are needed.
- D. Coordinate supportive services, needs-related payments, and other available resources necessary to promote successful completion of training.
- E. Maintain communication with the participant and training provider regarding issues that may affect successful completion of training.
- F. Take appropriate action when a participant experiences academic difficulty, excessive absences, changes in enrollment status, withdrawal, dismissal, or other circumstances that may affect continued eligibility or successful completion.

Documentation Requirements

All case management activities, participant contacts, progress reviews, monitoring activities, determinations, modifications, supportive service coordination, and actions taken shall be documented in detailed case notes and maintained in the participant's electronic case file in accordance with the Board's Electronic File Policy and applicable record retention requirements.

Documentation shall clearly demonstrate the participant's progress, significant events affecting participation, decisions made by the service provider, and the basis for those decisions.

Measurable Skill Gains and Credential Attainment

Service providers shall make reasonable efforts to obtain and document Measurable Skill Gains (MSGs), credential attainment, licenses, certifications, transcripts, grade reports, employment information, and other documentation necessary to demonstrate participant progress and support federal performance reporting requirements under the Workforce Innovation and Opportunity Act (WIOA).

As part of ongoing case management, service providers and case managers may request documentation from participants and training providers necessary to verify participant enrollment, attendance,



academic progress, Measurable Skill Gains, credential attainment, employment status, wages, and other information required for WIOA program administration, performance accountability, fiscal oversight, and monitoring.

Training providers shall cooperate with reasonable requests for information related to WIOA-funded participants. They shall provide documentation within established timeframes, to the extent permitted by applicable law, including the Family Educational Rights and Privacy Act (FERPA), contractual agreements, and applicable state and federal requirements. This cooperation supports WIOA performance reporting and program administration. It shall not be construed as a transfer of the Board's or the service provider's case management responsibilities to the training provider.

Service providers remain responsible for participant case management, performance reporting, documentation, and all WIOA administrative responsibilities. Training provider assistance in supplying documentation or employment-related information shall supplement, but not replace, the service provider's responsibility to maintain participant contact, document services, verify outcomes, and meet federal performance accountability requirements.

Failure to immediately obtain a Measurable Skill Gain (MSG), credential, or employment documentation shall not automatically result in termination of training services. Service providers shall evaluate each participant's circumstances individually and determine appropriate next steps based upon documented case management, participant progress, and applicable program requirements.

Early Intervention

The Northern Area Local Workforce Development Board (NALWDB) recognizes that early identification and resolution of barriers to participation are essential to achieving successful training outcomes and responsibly stewarding WIOA funds.

When circumstances arise that may jeopardize a participant's successful completion of training, including poor attendance, unsatisfactory academic progress, financial hardship, personal barriers, disciplinary concerns, extended absences, or other issues affecting participation, the service provider shall make reasonable efforts to intervene through case management, coordination of supportive services, referrals to partner agencies, modification of the participant's service strategy, or other appropriate measures before considering termination of WIOA-funded training services.

Training providers shall promptly communicate concerns about a WIOA-funded participant's attendance, academic performance, satisfactory progress, conduct, enrollment status, potential withdrawal, or other circumstances that may adversely affect successful completion of training to the designated service provider or case manager. Early notification enables the service provider to assess the participant's needs, provide additional case management, coordinate supportive services, or implement other appropriate interventions to promote successful completion of the training program.

Service providers shall document all communications, interventions, referrals, supportive services, and actions taken in response to identified concerns in the participant's electronic case file, including



detailed case notes describing the issue, actions taken, the participant's response, and the intervention outcome.

Training providers' communication of participant concerns is intended to facilitate timely intervention and participant success. It shall not be construed as transferring responsibility for participant case management or for WIOA program administration to the training provider.

X. DOCUMENTATION, RECORDKEEPING, AND ELECTRONIC CASE FILE REQUIREMENTS

The service provider shall maintain a complete, accurate, and auditable electronic case file for each participant receiving WIOA-funded training services through an Individual Training Account (ITA). The electronic case file shall document all eligibility determinations, assessments, case management activities, approvals, funding determinations, expenditures, participant progress, and outcomes required to demonstrate compliance with applicable federal and state laws, regulations, guidance, and Board policies.

After executing the Individual Training Account (ITA) and completing all required supporting documentation, the service provider shall submit a complete ITA packet, including all required forms, approvals, supporting documentation, and funding determinations, to the Northern Area Local Workforce Development Board within two (2) business days.

The Board shall review and process complete ITA packets in accordance with established fiscal and administrative procedures. If additional information or documentation is required to complete the review, the Board shall promptly notify the service provider of the outstanding requirements. Processing timeframes may be extended when packets are incomplete, require clarification, or are otherwise delayed due to circumstances beyond the Board's control.

Any delays in the submission, review, approval, or processing of an ITA resulting from incomplete documentation, outstanding requirements, participant actions, provider actions, or other circumstances shall be documented in the participant's electronic case file. The documentation shall include the reason for the delay, actions taken to resolve the issue, communications with the participant or training provider, and, as applicable, the date the issue was resolved.

Documentation shall be maintained in accordance with the Board's Electronic File Policy, applicable record retention requirements, and 2 CFR § 200.334.

At a minimum, the participant's electronic case file shall contain, as applicable:

- A.** Documentation supporting WIOA eligibility.
- B.** Objective assessment.
- C.** Individual Employment Plan (IEP) or Individual Service Strategy (ISS).
- D.** Labor market information supporting the selected training.
- E.** Documentation of participant choice and ETPL selection.
- F.** Financial aid documentation and coordination of benefits.



- G. Cost calculations and ITA funding determination.
- H. Approved ITA and all amendments or modifications.
- I. Training agreements and related contractual documents.
- J. Invoices and documentation supporting reimbursement.
- K. Participant attendance, progress reports, transcripts, grade reports, Measurable Skill Gains (MSGs), credentials, licenses, certifications, and employment outcomes, as applicable.
- L. Documentation of supportive services and needs-related payments, when applicable.
- M. Case notes documenting participant contacts, provider communications, decisions, interventions, approvals, monitoring activities, and significant events affecting participation.
- N. Documentation of participant withdrawals, dismissals, refunds, credits, overpayments, and recovery actions, when applicable.
- O. Any additional documentation required to demonstrate compliance with WIOA, Uniform Guidance, NMDWS policies, Board policies, or contractual requirements.

Case notes shall be entered promptly and be sufficiently detailed to allow an independent reviewer to understand the services provided, participant progress, significant decisions, expenditures of WIOA funds, and the basis for those decisions without requiring additional explanation from the case manager.

The service provider shall ensure that documentation is complete, accurate, and legible, and that it is maintained in the participant's electronic case file throughout the participant's period of participation and for the applicable record retention period.

XI. MONITORING, OVERSIGHT, AND QUALITY ASSURANCE

The Northern Area Local Workforce Development Board (NALWDB) shall monitor Individual Training Account (ITA) activities to ensure compliance with the Workforce Innovation and Opportunity Act (WIOA), applicable federal and state laws, regulations, guidance, Board policies, and the terms of applicable training agreements.

Monitoring activities are intended to promote program integrity, fiscal accountability, continuous improvement, participant success, and the effective stewardship of public funds.

Monitoring may include, but is not limited to, reviews of:

- A. Participant eligibility.
- B. Objective assessments, Individual Employment Plans (IEPs), and Individual Service Strategies (ISSs).
- C. Individual Training Account (ITA) approvals and funding determinations.
- D. Training provider eligibility and compliance with ETPL requirements.
- E. Financial aid coordination and cost determinations.
- F. Training agreements, invoices, payment documentation, and fiscal records.
- G. Participant attendance, progress, Measurable Skill Gains (MSGs), credential attainment, employment outcomes, and performance documentation.



- H. Case notes, participant contacts, supportive service documentation, and electronic case file documentation.
- I. Compliance with applicable Board policies, internal controls, contract requirements, and record retention requirements.

Cooperation with Monitoring

Service and training providers shall fully cooperate with monitoring activities conducted by the Board, the New Mexico Department of Workforce Solutions (NMDWS), the U.S. Department of Labor (USDOL), auditors, or other authorized oversight entities.

Upon request, service and training providers shall provide timely access to records, documentation, personnel, facilities, electronic records, and other information necessary to verify compliance with applicable requirements, subject to applicable confidentiality and privacy laws.

Corrective Actions

When monitoring identifies deficiencies, questioned costs, noncompliance, or opportunities for improvement, the Board may require corrective action, technical assistance, additional documentation, staff training, repayment of disallowed costs, procedure modifications, or other actions necessary to achieve compliance.

Corrective action plans shall identify the finding, required corrective action, responsible party, completion timeframe, and documentation needed to demonstrate that the corrective actions have been fully implemented.

Failure to implement required corrective actions within established timeframes may result in additional monitoring, delayed reimbursement, recovery of questioned costs, suspension of payments, contract modification, contract termination, or other remedies authorized by law, regulation, contract, or Board policy.

Continuous Quality Improvement

Monitoring conducted under this policy shall not be limited to identifying deficiencies. The Board shall use monitoring results to identify best practices, strengthen internal controls, improve program performance, enhance customer service, and promote the consistent administration of Individual Training Accounts across the Northern Area Local Workforce Development Board service area.

XII. EQUAL OPPORTUNITY, NONDISCRIMINATION AND ACCESSIBILITY

The Northern Area Local Workforce Development Board (NALWDB), its service and training providers participating in the Workforce Innovation and Opportunity Act (WIOA) Individual Training Account (ITA) program, shall administer all services in accordance with the nondiscrimination and equal opportunity requirements of WIOA Section 188, 29 CFR Part 38, and all other applicable federal and state civil rights laws.



No individual shall be excluded from participation in, denied the benefits of, subjected to discrimination under, or denied access to any program or activity funded in whole or in part with WIOA funds based on race, color, religion, sex (including pregnancy, childbirth, related medical conditions, sex stereotypes, transgender status, and gender identity), national origin (including limited English proficiency), age, disability, political affiliation or belief, or, for beneficiaries, applicants, and participants only, citizenship or participation in a WIOA Title I financially assisted program or activity.

The NALWDB and its service and training providers shall take appropriate steps to ensure that all eligible individuals have meaningful access to WIOA-funded services, including providing reasonable accommodations, auxiliary aids and services, language assistance services, and other modifications required by applicable law.

Training providers participating in the ITA program shall administer admissions, enrollment, instruction, student services, and participant support in a nondiscriminatory manner. They shall comply with all applicable federal and state civil rights requirements throughout the participant's training period.

No participant shall be discouraged from selecting an otherwise eligible training provider based on a protected characteristic or because the participant requires reasonable accommodations, language assistance services, or other accommodations necessary to participate successfully in training.

Participants shall be informed of their rights to file complaints alleging discrimination or denial of equal opportunity, in accordance with the Board's Equal Opportunity and Nondiscrimination Policy and applicable complaint procedures.

Accessibility and Reasonable Accommodations

Service and training providers shall collaborate to identify and address barriers that may limit a participant's ability to participate successfully in training. When appropriate, reasonable accommodations, assistive technology, auxiliary aids and services, accessible instructional materials, language assistance services, or other appropriate modifications shall be provided or coordinated in accordance with applicable law.

Requests for reasonable accommodations shall be evaluated on an individualized basis. Nothing in this policy shall be interpreted as requiring modifications that would fundamentally alter the nature of the training program or impose an undue financial or administrative burden, consistent with applicable federal law.

XIII. POLICY INTERPRETATION, EXCEPTIONS, EFFECTIVE DATE, AND REVIEW

The Northern Area Local Workforce Development Board (NALWDB) shall administer this policy consistent with the Workforce Innovation and Opportunity Act (WIOA), applicable federal and state laws, regulations, official guidance, and Board-approved policies.



The Executive Director, or designee, is authorized to issue administrative guidance, forms, procedures, and other implementation documents necessary to administer this policy, provided such guidance is consistent with applicable law. It does not modify or conflict with Board-approved policy.

Exceptions to this policy may be granted only when expressly permitted by applicable federal or state law, regulation, or official guidance. They shall be supported by written justification and appropriate documentation. All approved exceptions shall, when applicable, be maintained in the participant's electronic case file and shall include the basis for the exception, applicable approvals, and any supporting documentation necessary to demonstrate compliance.

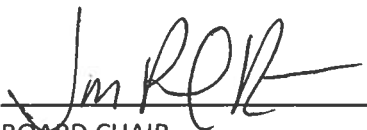
In the event of a conflict between this policy and applicable federal or state statutes, regulations, or official guidance, the applicable federal or state requirement shall govern. The Board reserves the right to revise this policy as necessary to maintain compliance with applicable law and program requirements.

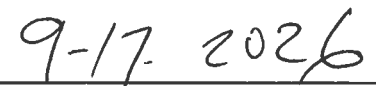
Nothing in this policy shall be construed as creating an entitlement to Workforce Innovation and Opportunity Act (WIOA) training services or funding. Approval of an Individual Training Account (ITA) remains subject to participant eligibility, documented need, availability of funds, applicable federal and state requirements, and Board policies.

This policy shall become effective upon approval by the Northern Area Local Workforce Development Board and shall remain in effect until amended or rescinded by the Board.

The Board shall review this policy at least once every two (2) years, or more frequently as necessary, to ensure continued compliance with federal and state laws, regulations, and official guidance, as well as the operational needs of the Northern Area Local Workforce Development Board.

As part of its periodic policy review, the Board shall consider monitoring results, corrective action trends, participant outcomes, performance accountability measures, audit findings, changes in federal and state requirements, and stakeholder feedback to evaluate this policy's effectiveness and identify opportunities for continuous improvement.


BOARD CHAIR


DATE

