

Dr. Bennett Boggs, Commissioner
Julie Carter, Director

Dept. of Higher Education & Workforce Development
Office of Workforce Development

September 24, 2024

Dear Eligible Training Provider:

[Section 188 of the Workforce Innovation and Opportunity Act \(WIOA\)](#) and [29 CFR Part 38](#) requires each Governor to establish a [Nondiscrimination Plan](#) (NDP) that includes a system for annual monitoring of recipient's nondiscrimination practices within its WIOA Title I-financially assisted programs¹.

Effective July 1, 2024, the Local Workforce Development Boards began monitoring responsibilities for Eligible Training Providers (ETPs) for compliance with Section 188 of WIOA, 29 CFR 38, and the NDP. The Department of Higher Education, State Office of Equal Opportunity (DHEWD SOEO) will continue to provide technical assistance and training as needed.

Each annual monitoring review must include²:

- a statistical or quantifiable analysis of the records and data kept by the recipient, including analyses by race/ethnicity, sex, age, disability status, and Limited English Proficiency (LEP) and preferred language;
- an investigation of any significant differences found across groups in participation in the programs, activities, and employment as a result of the analysis;
- an assessment to determine if administrative obligations have been fulfilled, including recordkeeping, notice and communication;
- a review of policies to ensure they are nondiscriminatory;
- a system for reviewing job training plans, contracts, assurances and similar agreements to ensure they are nondiscriminatory and they contain the required language;
- procedures for ensuring compliance with Section 504;
- a system to ensure that individuals assigned responsibility for carrying out nondiscrimination requirements can do so effectively;
- procedures for obtaining prompt corrective action when noncompliance is found;

Supporting documentation includes:

- the issuing of policies and procedures required by various elements of the NDP;
- the development and communication of nondiscrimination policies;
- the extent to which Equal Opportunity training is planned and carried out;
- reports of monitoring reviews; and,
- reports of follow-up actions (where violations are found).

¹ [29 CFR 38.54](#)

² [29 CFR 38.51](#)

Please download the [Equal Opportunity is the Law Notice/Poster](#) and post it in a reasonable number of places throughout your building. If you have questions or need technical assistance, please contact your [Local Equal Opportunity Officer](#), or contact DHEWD SOEO at email: OWDEOcompliance@dhewd.mo.gov.

Respectfully,

Danielle Smith

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cc:

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WIOA Directors
Local EO Officers



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