

Eligible Training Provider List

All Student Data Reporting

v. Nov 2021



Purpose

To update and describe new reporting requirements for Rhode Island's Eligible Training Providers, based on WIOA standards outlined in WIOA sections 116(d)(4)(A) and 122, and 20 CFR 677.230(a)(4) and (5), and 20 CFR 680.

References

WIOA Section 116(d)(4)(A), (B); WIOA Section 122; 20 CFR 677.230 (a)(4), (5); 20 CFR 680; TEGL No. 08-19; TEGL No. 03-18; TEGL No. 07-21; TEGL 07-16

Introduction

The workforce development system, as envisioned under WIOA, emphasizes informed consumer choice, job-driven training, provider performance, and continuous improvement. Eligible WIOA participants in need of training services may access state-approved training provider programs which are listed on the Eligible Training Provider List (ETPL). Eligible Training Providers (ETP) form the backbone of many WIOA funded programs, providing quality occupational training for a growing workforce. Enabling the selection of providers and programs of training services by individuals and workforce development boards requires extensive data reporting on ETP performance, called ETP Reports, which are provided to the US Department of Labor Employment and Training Administration (DOL-ETA) on a regular basis.

In the pursuit of maximizing consumer choice through greater transparency, DOL-ETA has elected to aggregate ETP performance data and make it publicly accessible. In 2020, DOL-ETA launched [TrainingProviderResults.gov](https://www.trainingproviderresults.gov), to allow the public to explore training program outcomes and compare the results of various state approved training programs across both fields of study and geographic areas. Ultimately, this will ensure that all training participants are positioned to make the most informed choice for themselves and their career.

Regulatory History

As originally written, WIOA Sections 116(d)(4)(A) and 122 require the state to submit data not just upon the WIOA core program participants who are receiving training, but also upon ALL individuals receiving training in a program of study provided by an ETP. Recognizing the difficulties these reporting requirements imposed upon many ETPs, the Governor's Workforce Board of Rhode Island has repeatedly sought a waiver of these reporting requirements from DOL-ETA, and historically been successful in acquiring one. On January 02, 2020 DOL-ETA issued TEGL 08-19, which rescinded TEGL 41-14 and informed all states that they would be discontinuing state use of this waiver, effective June 30, 2021. In June of 2021, the Governor's Workforce Board (GWB), in an effort to keep reporting simpler for our ETP partners, once again sought a waiver of these reporting requirements, but was informed that this waiver has been denied. The State has been informed that it must report all student performance information effective July 1, 2021.

Data To Be Collected

The following reporting requirements are specific to approved program(s) of study offered by a training provider, and any equivalent programs of study. If an ETP offers additional programs of study which are not approved as part of the State ETPL, there is no requirement that data on those specific programs of study be reported.

Conversely, if an ETP offers multiple programs of study which are listed on the State ETPL, information related to each program of study must be reported to the State distinctly, even if no WIOA-funded participants were served in a given year.

All Individuals [NEW]

The State must provide the following information on all individuals receiving training in a specific program of study provided by an ETP, regardless of whether any actual WIOA-funded Participants were enrolled in training programs or services at the time:

- 1) The levels of performance achieved for all individuals engaging in the program of study (or the equivalent), specifically:
 - a. The percentage of individuals who are in unsubsidized employment during the second quarter after exit from the program.
 - b. The percentage of individuals who are in unsubsidized employment during the fourth quarter after exit from the program.
 - c. The median earning of individuals who are in unsubsidized employment during the second quarter after exit from the program.
 - d. The percentage of individuals who obtain a recognized postsecondary credential, or a secondary school diploma or its recognized equivalent, during participation in or within 1 year after exit from the program.
- 2) The total number of individuals exiting from the program of study (or the equivalent).

The State is not required to gather this data for program years prior to the program year spanning 2021-2022.

To facilitate the gathering and validation of the data the State is required to report, all ETPs who have a program of study listed on the Rhode Island ETPL shall be required to gather and report the following individual level data on all students enrolled the programs of study during the current program year on a quarterly basis:

1. Social Security Number OR Individual Tax Identification Number for each individual student,
2. Program Start Date for each individual student,
3. Program Status for each individual student (completed, enrolled, withdrew or transferred),
4. Program Exit Date for each individual student,
5. Whether each student obtained a credential.

NOTE: For students who refuse to provide an SSN or ITIN, the training provider must generate a nine (9) digit unique identifier which begins 000 to report on the student. The provision of an invalid SSN/ITIN for a student will prevent employment status and wage matching with the student's records and will consequently have a negative impact on an ETP's performance data, and future eligibility assessments.

Program year quarters are currently defined as beginning from:

- July 1 to September 30 (Quarter 1),
- October 1 to December 31 (Quarter 2),
- January 1 to March 30 (Quarter 3), and
- April 1 to June 30 (Quarter 4).

For quarters 1 through 3, quarterly reporting is due 20 days after the quarter ends. The quarter 4 report for each program year shall be due within 45 days of quarter end.

WIOA Title I Core Program Participants [Continuing]

The state is required to report additional information for WIOA Title I Core Program participants who are receiving training from an ETP:

- 1) The total number of participants who received training services through a WIOA title I core program, disaggregated by the type of entity that provided the training, during the most recent program year and the three preceding program years;
- 2) The total number of participants who exited from training services, disaggregated by the type of entity that provided the training, during the most recent program year and the three preceding program years;
- 3) The average cost per participant for the participants who received training services, disaggregated by the type of entity that provided the training, during the most recent program year and three preceding program years;
- 4) The number of participants with barriers to employment served by the WIOA title I core programs, disaggregated by each subpopulation of such individuals, and by race, ethnicity, sex, and age.

This data has been regularly communicated and reported since the start of WIOA. , There are no anticipated changes the reporting requirements for ETPs regarding these individuals, nor to the pre-existing methods of how this data will be reported to the state.

What does this mean for an ETP?

ETPs should immediately begin collecting SSNs or ITINs from all students, as well as program start and exit dates, credentialing status, and the program outcome (Completed, Transferred, Withdrew, or Still Enrolled) for each individual student they serve.

As technical assistance and guidance was not available until November 15, 2021, Quarter 1 reports for the 2021-2022 Program Year may be submitted at any point until December 15, 2021 without being considered late.

ETPs shall collect and submit all required student information via the training provider portal at EmployRI.org as a cumulative Program Year Excel file, which shall be submitted on a quarterly basis. By cumulative, it is to be understood that the first file submitted for each program year shall contain students enrolled for the first quarter, while the second shall contain students enrolled for both the first and second quarter, with each subsequent quarter's data building on the previous quarters.

The recommended naming conventions for the uploaded files is PY[2digityear]_[InstitutionName]_IndividualPerformance_Q[1-4] (example: PY21_TrainingSolutionsUSA_IndividualPerformance_Q1). If a training provider chooses to use a different naming convention, it must be distinguishable on a quarterly basis from other previously uploaded versions of the file.

What students do I need to report on?

All students who participate in a program of study or training program which is on the state ETPL must now be reported on. Include all students who withdrew, graduated, transferred, were terminated, or were enrolled during each covered reporting period. Include any students who started before the beginning of the reporting period, even if they were reported in previous reporting periods. Information must be provided for a student even if no WIOA-funded individuals were served in the reporting period.

What if I do not have any students to report this year?

You are required to report on the students in a training program, even if that number of students is zero. Unfortunately, the student reporting form cannot distinguish between a submission left empty due to lack of students and one left empty due to a mistake, so you will need to report any programs with no students during the reporting period to DLT directly. Please contact marjories.uceta@dlt.ri.gov to let us know about any listed programs with no enrolled students during the reporting period – in your email, please state the name of the program, that the program had no students, and if applicable, provide a reason why.

What does this mean for a student? For FERPA?

DLT is exercising its audit and evaluation authority to collect this data, and under FERPA, student consent is not necessary in this circumstance. In the interests of transparency and consumer choice, all students in training programs where reporting is mandated under WIOA shall be informed of the ETP's data collection obligations and methods prior to enrollment into a reportable program of study.

At no point shall data gathered for the purposes of WIOA reporting be used for any purposes except those authorized and allowed under WIOA.

More about FERPA

The Family Educational Rights and Privacy Act (FERPA) is a federal law that protects students' right to privacy of their educational records and information. Under FERPA, an eligible student, or their parent, must provide written consent before the educational agency or institution can disclose personally identifiable information (PII), unless a listed exception applies. Joint guidance, issued in 2016 by the US Departments of Labor and Education as [TEGL 07-16](#), clarifies FERPA's audit and evaluation exception as it relates to WIOA's ETPs and programs. DLT is using its audit and evaluation authority to collect information on all eligible training program students, so that program performance information is provided to the public, in aggregate form—as required by WIOA—on the statewide ETPL.

How is Student Privacy Protected?

All student data is stored and analyzed on a secure server, and all personal data is encrypted. Uploaded data is only retained on the secure server for as long as is required to complete the required reporting and comply with USDOL audit and monitoring requirements related to that reporting. Department of Labor and Training computers are password protected, and access to any individually identifiable data is limited to staff who have signed Confidentiality Agreements and received training in data security procedures. PII reported to Department of Labor and Training is not considered public information and is exempt from public disclosure law.

How does an ETP submit the All Student Performance Data?

A visual presentation of how to submit All Student Performance data through the training provider portal at [EmployRI.org](#) is available here:

<https://gwb.ri.gov/workforce-partner-resources#1637093567164-25d86ce2-0b10>

What wording can I use to inform students of why I am asking for their social security/individual taxpayer identification numbers?

Informing students of the provider's need to share their PII is recommended, but not required. A set of sample letters has been attached to this document in appendix 2, and ETPs are welcome to use these documents as written.

How will ETP data be used?

The data collected and provided by ETPs shall be used by the State for the purposes of submitting performance information to DOL-ETA, and by RI Department of Labor and Training to determine the continued eligibility of ETPs to remain on the EPTL. The analyses and research performed using this data may be subject to public release for any statutorily or regulatorily approved purposes by DOL-ETA or RI-DLT, but no data shall be released in such a way that individual training participants are publicly identified.

A non-exhaustive set of examples of ways that ETPs and students should expect this data to be used can be seen in the Infographic (DOL-ETA WIOA ETP Data Flow) in appendix 1.

What happens if an ETP cannot or will not provide the information WIOA requires?

All ETPs requesting continued eligibility after November 15, 2021, shall be required to comply with these data collection and reporting requirements as part of their initial eligibility assessment.

Currently, approved ETPs who lack the technical capacity to collect and provide the data required are encouraged to ask for technical assistance from RI-DLT. They shall have up to 90 days to establish a plan for becoming compliant with the reporting requirements and demonstrate progress on becoming compliant with reporting requirements. It is expected that current ETPs shall be compliant with all reporting requirements within 180 days.

ETPs who continually prove unable or unwilling to collect and provide the data required by the State shall be subject to a corrective action plan, as outlined in the active state WIOA policy manual. Failure to complete this corrective action plan successfully shall result in termination of the provider's listing from the ETPL.

Any ETP who has their program removed from the state ETPL over failure to provide the required data shall be required to wait six months before they may reapply for an eligibility assessment. This requirement may be waived at the discretion of the GWB if the training provider can demonstrate they are now able to comply with reporting requirements and the GWB considers them to be an in-demand occupation, as identified by the most recent labor market analysis.

How does an ETP ask for a program of study to be removed from the ETPL?

While the DLT-GWB values each of our eligible training partners, we are acutely aware that for some ETPs the new reporting requirements will cause them to reconsider whether they can remain on the ETPL. Training providers who wish to be removed from the ETPL may send written notice of their decision and a request to be removed from the ETPL to:

Rhode Island Department of Labor and Training

Governor's Workforce Board RI

1511 Pontiac Avenue, Building 72-2

Cranston, Rhode Island 02920

Phone (401) 462-8860 Fax (401) 462-8865

Requests to be removed from the ETPL shall be processed within 30 days of receipt. All WIOA participants who are enrolled in the program at the time of this request must be allowed to complete training.

Appendix 1:

WIOA Eligible Training Provider Data Flow

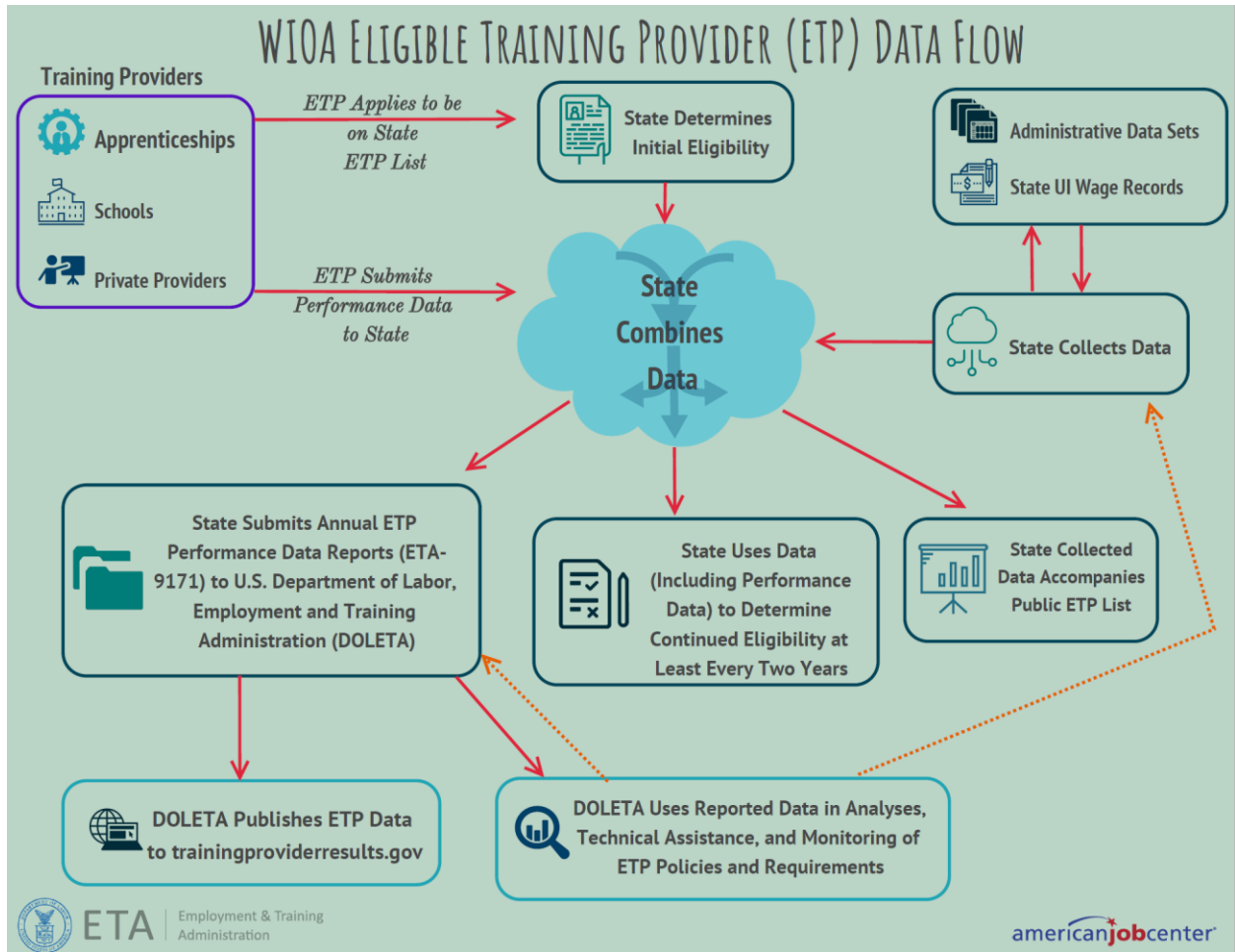


Figure 1 Infographic (DOL-ETA WIOA ETP Data Flow)

Appendix 2

Sample Letter for Students Regarding ETP Data Reporting

We are required by law to ask students for their social security number or individual taxpayer identification number, and we report this information to the state Department of Labor and Training, a Rhode Island State agency. The Department uses this information for research purposes only, to measure the performance outcomes of educational and training programs like ours, which are on the state's Eligible Training Provider List.

[Insert School Name] participates in this list so that we can train students who are eligible for certain types of financial aid.

You may not be denied any benefits or privileges provided by law if you refuse to provide your social security number. Our organization and the Department of Labor and Training take extensive measures to protect your personal information from any unauthorized use. If you have any questions about the uses of this data or data security, you may contact DLT staff (marjories.uceta@dlt.ri.gov).

By signing below, you acknowledge you have been informed of this data collection and sharing policy.

Student Signature _____

Date _____

Student Name (print) _____

