



Eligible Training Provider (ETP) Performance Reporting Roundtable

August 4, 2021



Introduce Yourself!

*Enter your name, agency,
and location in the chat.*





Share Your Expectations

Today I'm most
looking forward
to:

1. Networking
2. National Priorities Updates
3. Performance Reporting Updates
4. Learning about FERPA
5. Discussing Best Practices
6. Everything



Today's Agenda



Welcome



National Priorities

ETP Performance Reporting Updates



ETP Reporting & FERPA
(Family Educational Rights and Privacy Act)

State Best Practices Roundtable

Next Steps



Today's Moderator



Christina Eckenroth

Workforce Analyst

Office of Policy Development and Research

U.S. Department of Labor,

Employment and Training Administration

WELCOME



Who's Who?

Let's Identify Who...

- ▶ *Has worked with ETP/ETP Reporting for an extended period of time*
- ▶ *Speaks the most languages*



National Priorities & ETP Performance Reporting Updates





Speaker: National Priorities



Heidi Casta

Acting Administrator/Principal Deputy Administrator
Office of Policy Development and Research
U.S. Department of Labor,
Employment and Training Administration



Speakers: National ETP Performance Reporting Updates



Cesar Acevedo

Economist

Office of Policy Development and Research
U.S. Department of Labor,
Employment and Training Administration



Kellen Grode

Economist

Office of Policy Development and Research
U.S. Department of Labor,
Employment and Training Administration

PY 2020 ETP Reporting Guide

New Edit Checks

- ▶ Launched in WIPS June 30, 2021
- ▶ Will improve data quality for trainingproviderresults.gov
- ▶ Will enforce data expectations
- ▶ Documentation available at <https://www.dol.gov/agencies/eta/performance/wips>

PY 2020 ETP Reporting Guide II

New Edit Checks

- ▶ New Valid Value Rules require the following elements cannot be left blank
 - ETP133 Total Number of WIOA Participants
 - ETP134 Total Number of WIOA Exiters
 - ETP135 Total Number of WIOA Participants served with an Individual Training Account (ITA)
 - ETP136 Total Number of WIOA Exiters served with an ITA
 - ETP137 WIOA Participants: Program of Study Completed
 - ETP138 Cost per WIOA Participant Served (Numerator)

PY 2020 ETP Reporting Guide III

New Edit Checks

▶ New Logical Rule

- ▶ ETP109 (Name of Associated Credential) cannot be left blank if ETP108 (Program of Study) = 1, 2, 3, 4, 5, or 6

PY 2020 ETP Reporting Guide IV

New Edit Checks

▶ New Duplicate Record Check

- ▶ Multiple records cannot have same values across the following ETP data elements
 - ▶ 101: Name of Eligible Training Provider
 - ▶ 102: Description of Training Provider
 - ▶ 103: Address of Training Provider
 - ▶ 105: Name of Training Program
 - ▶ 106: Description of Training Program
 - ▶ 109: Name of Associated Credential
 - ▶ 116: Program Format

PY 2020 ETP Reporting Guide – Address Field

Address Field Issues

- ▶ The current version of the ETA-9171 ETP reporting requirements have a single element for all address components. This is corrected in the amended version of the ETA-9171, but will not be accepted until PY 2021.
- ▶ In PY 2019 reported addressed required a significant amount of “clean up”
 - US DOL staff implemented technological solutions to parse the address fields into machine readable components
 - Still 2,754 records required manual address look ups and verification
- ▶ As with all submissions in WIPS, stick to the UTF-8 character set to avoid unrecognizable characters.

PY 2020 ETP Reporting Guide – Address Field cont'd

DO

- ▶ use the single address field for all address components
- ▶ separate components using single spaces or commas
- ▶ include all address components
 - street number, street name, city, state, and zip code
- ▶ use only state abbreviations
- ▶ only provide a 5-digit zip code

DO NOT

- ▶ use special characters
- ▶ include building names or provider names
- ▶ use quotes within the address field
- ▶ use full state names
- ▶ separate address components with hyphens or more than one space
- ▶ use only single line address

Address Field Examples

OK

200 Constitution Ave NW Washington, DC 20210

200 Constitution Ave NW Washington DC 20210

4430 Alma Avenue Castro Valley CA 94546

195 Commercial Dr. Suite 100 London KY 40744

NOT OK

The Frances Perkins Building 200 Constitution Ave NW Washington, DC 20210

200 Constitution Ave NW Washington, DC

The University of Maryland College Park, MD

650 Kennedy Road Lexington-KY-40511

3835 Freeport Boulevard Sacramento CA 95822-1386

PY 2020 ETP Reporting Guide - Summary

New Summary Report

- Includes additional state-level aggregates and program-level averages to help state users validate their ETP data and make corrections *before* certifying the ETA-9171 ETP submission.

Eligible Training Provider (ETP)

[Back to Edit](#) [Check Results Overview](#)

State-level Eligible Training Provider Report (ETA-9171) Summary

State Name :
Program Year : 7/1/2020 - 6/30/2021

[Download table Data](#)

Summary of Data Elements	Statewide Total	Program Level Average*	Statewide Rate
1. Number of Programs	20	**	**
2. Total Number of Individuals Served (DE 120)	510	51	**
3. Total Number of Individuals Exited (DE 121)	315	35	**
4. All Individuals Program of Study Completed (DE 122)	212	27	67.3%
5. All Individuals Employed in the 2nd Quarter After Exit (DE 123)	156	22	49.5%
6. All Individuals Employed in the 4th Quarter After Exit (DE 124)	47	7	14.9%
7. All Individuals Credential Attainment (DE 126)	31	10	9.8%
8. Total Number of WIOA Participants served with and Individual Training Account (ITA) (DE 135)	500	42	**
9. Cost Per WIOA Participant Served (Numerator) (DE 138)	\$3,044,518.50	\$253,710.00	\$6,089.04
10. Median Earnings	**	\$8,425.03	**
11. WIOA Completion	315	35	69.2%
12. Cost Per Non-WIOA Individual	**	**	\$4,078.15

*Only values greater than zero are included in average calculations.
**Fields are not calculated.

FileID : 2096
Date Submitted : 7/2/2021 11:45 AM EDT
Date Certified :

PY 2020 ETP Reporting Guide – Data Issues

Common PY 2019 Data Issues

- ▶ Duplicate Records
- ▶ Incorrect Reporting on DE138 (Cost Per WIOA Participant)
- ▶ Reporting of Records that do not reflect training programs (e.g. OSHA-10, MS Word, etc.)
- ▶ High percentage of programs on state list with 0 participants
- ▶ Potentially illogical reporting (e.g. # of credentials > # of exiters)
- ▶ Reporting provider-level outcomes for programs



Time to Vote!

Which review best
aligns with your
experience of
TrainingProvider
Results.Gov?

1. We use TrainingProviderResults.Gov for career counselors and training seekers.
2. We use TrainingProviderResults.Gov regularly in other innovative ways.
3. We don't use TrainingProviderResults.Gov that much now, but plan to incorporate it.
4. We don't use TrainingProviderResults.Gov, and don't have plans to incorporate it in the near future.
5. Other



Feedback on TrainingProviderResults.Gov

What would you
suggest for
TrainingProvider
Results.Gov?

Select all that apply

1. Enhance the search feature
2. Export features
3. Improved data graphics
4. Other

ETP Reporting & FERPA





Speaker: ETP Reporting & FERPA



Phillip Dale King
Senior Policy Advisor
Student Privacy Policy Office
U.S. Department of Education



Family Educational Rights and Privacy Act and Performance Reporting under WIOA

Phillip Dale King
Senior Policy Advisor
Student Privacy Policy Office

Performance Accountability and WIOA Core Programs

- WIOA requires each of the core programs to be accountable for primary indicators of performance.
 - Adult, Dislocated Worker, and Youth programs administered by DOL
 - AEFLA program administered by U.S. Department of Education (ED)
 - Employment Service program administered by DOL
 - VR program administered by ED

Performance Reporting

- Core programs must use quarterly wage records to measure the progress of the State on the State and local performance accountability indicators.
- Quarterly wage records include both interstate and intrastate wages paid to an individual.
- States are required to conduct ongoing evaluations of the core programs.
- ETPs under the Adult and Dislocated Worker programs must report employment outcomes for all individuals participating in an eligible program of study.
- Other State or Federal laws may require reporting of employment outcomes.

Performance Reporting and Data Privacy and Confidentiality

- Matching records to meet WIOA performance accountability, reporting, and evaluation requirements raises complex issues regarding privacy and confidentiality.
- Multiple Federal laws must be considered when conducting data matching for WIOA reporting performance.
- States may choose to provide greater privacy and confidentiality protections.

Federal Laws and Regulations Governing Use and Disclosure of Records

- Family Educational Rights and Privacy Act (FERPA) regulations at 34 CFR 99
 - Governs the use and disclosure of *personally identifiable information* (PII) from education records
- VR regulations at 34 CFR 361.38
 - Govern the use and release of *personal information* from VR records
- DOL Regulations at 20 CFR part 603
 - Govern the use and release of *confidential UC information* from wage records by States and State UC agencies that administer State UC laws

Family Educational Rights and Privacy Act (FERPA)

A Federal privacy law that affords parents the right to—

- have access to their children's education records,
- seek to have the records amended, and
- consent to the disclosure of personally identifiable information from education records, unless an exception to consent applies.

When a student turns 18 years old, or enters a postsecondary institution at any age, the rights under FERPA transfer from the parents to the student ("eligible student").

34 CFR 99.5



Entities Covered Under FERPA

- Educational agencies and institutions (schools, districts, postsecondary institutions)
- AEFLA eligible providers that are LEAs and postsecondary institutions
- Postsecondary institutions that are ETPs

34 CFR 99.1



Entities Not Covered Under FERPA

- VR agencies
- State educational agencies
- Community- or faith-based organizations
- Public or private nonprofit agencies
- Volunteer organizations
- Libraries
- Public housing authorities



Records Covered Under FERPA

- Education records are those records that, with certain exceptions, are:
 - (1) directly related to a student; and
 - (2) maintained by an educational agency or institution, or by a party acting for the agency or institution.
- Individual records of participants under WIOA are only education records protected by FERPA if they meet the above definition.
- Only records of students who are or who have been in attendance at an educational agency or institution are education records.

34 CFR 99.3

Records Not Covered Under FERPA

- Participant records created and maintained by eligible providers that are not educational agency or institutions, such as non-profit organizations
- Participant records created and maintained by eligible providers that are educational agencies or institutions and eligible individuals are not students enrolled in educational agencies or institutions
- Participant records of VR programs

Confidentiality, Privacy, and FERPA

- FERPA does not protect student privacy and the confidentiality of information in general. FERPA protects personally identifiable information (PII) from education records.



Personally Identifiable Information (PII)

- The student's name; the name of the student's parent or other family members;
- The address of the student or student's family;
- A personal identifier, such as the student's social security number or biometric record;
- Other indirect identifiers, such as the student's date or place of birth;
- Other information that, alone or in combination, is linked or linkable to a specific student; or
- Information requested by a person who the educational agency or institution reasonably believes knows the identity of the student.

34 CFR 99.3

A parent or eligible student shall provide a signed and dated written consent before an educational agency or institution may disclose education records, unless permitted under a legal exception to consent

Exceptions to Written Consent

- To authorized representatives of Federal, State, and local educational authorities conducting an audit, evaluation, or enforcement of education programs
- To organizations conducting studies for specific purposes on behalf of schools
- To school officials with legitimate educational interests (defined in annual notification)
- Directory information
- To schools in which a student seeks or intends to enroll;

34 CFR 99.31

Exceptions to Written Consent

- To parents of a dependent student
- In a health or safety emergency
- To State and local officials pursuant to a State statute in connection with serving students under the juvenile justice system
- To comply with a judicial order or subpoena (reasonable effort to notify parent or student at last known address)
- To accrediting organizations

34 CFR 99.31

Audit or Evaluation Exception

- Permits the disclosure of PII from education records without consent to authorized representatives of State or local educational authorities
- PII from education records must be used to audit or evaluate a Federal- or State-supported education program, or to enforce or comply with Federal legal requirements that relate to those education programs

34 CFR 99.31(a)(3) and 34 CFR 99.35

State or Local Educational Authority

- Each State designates one or more agencies or entities that are responsible for and authorized under local, State, or Federal law to supervise, plan, coordinate, advise, audit, or evaluate elementary, secondary, or postsecondary Federal- or State-supported education programs and services in the State (i.e., State educational agency, an LEA, and a State postsecondary commission).
- State agencies other than a State educational agency or State postsecondary commission might, depending on State law, also be a “State educational authority” under FERPA.
- An LEA is generally considered to be both an educational agency and a local educational authority.

34 CFR 99.35

Authorized Representative

- A State or local educational authority may designate an individual or entity, including a contractor or other government agency, to be its authorized representative.
- The State or local educational authority may then disclose PII from education records to its authorized representative, without the prior written consent of the parent or eligible student.
- Example: the State educational authority may designate a State UC agency as its authorized representative for the purpose of conducting an audit or evaluation of a Federal- or State-supported education program.

34 CFR 99.35

Conditions Governing Disclosures to Authorized Representatives

- Used to audit or evaluate a Federal- or State-supported education program, or to enforce Federal legal requirements that relate to those education programs.
- Use reasonable methods to ensure to the greatest extent practicable that its authorized representative is FERPA-compliant.
- Must be a written agreement between the State or local educational authority and its authorized representative.
- Educational authority must authorize any further disclosure to be made and ensure that all other FERPA requirements are met.

34 CFR 99.35

Education Program

- Any program that is principally engaged in the provision of education, including, but not limited to, early childhood education, elementary and secondary education, postsecondary education, special education, **job training, career and technical education, adult education**, and any program that is administered by an educational agency or institution.
- ED interprets the core programs to be education programs under FERPA for the purpose of conducting required core program audits or evaluations.

34 CFR 99.3

State Wage Interchange System (SWIS)

- Assists states in assessing the performance of individual training providers and state education, employment, and training programs;
- Supports states in preparing and submitting reports to DOL and ED regarding the performance of workforce programs and activities authorized under WIOA and for other statutorily-authorized programs that are referenced in WIOA and identified as one-stop partners; and
- Supports research and evaluation efforts authorized consistent with the terms of the SWIS.

State Wage Interchange System (SWIS) – II

As required by WIOA Section 116(i)(3), all data exchange activities conducted through the SWIS will be conducted in a manner consistent with the requirements of FERPA.

State Wage Interchange System (SWIS) – III

- Access PACIAs must be designated as the state educational authority's authorized representative in order to
 - Permit disclosure of PII from education records, without prior written consent, by the state educational authority to the Access PACIA, and
 - Permit the Access PACIA to further designate other entities that will, or may need to, have access to PII from education records under the terms of the SWIS Data Sharing Agreement.

Studies Exception



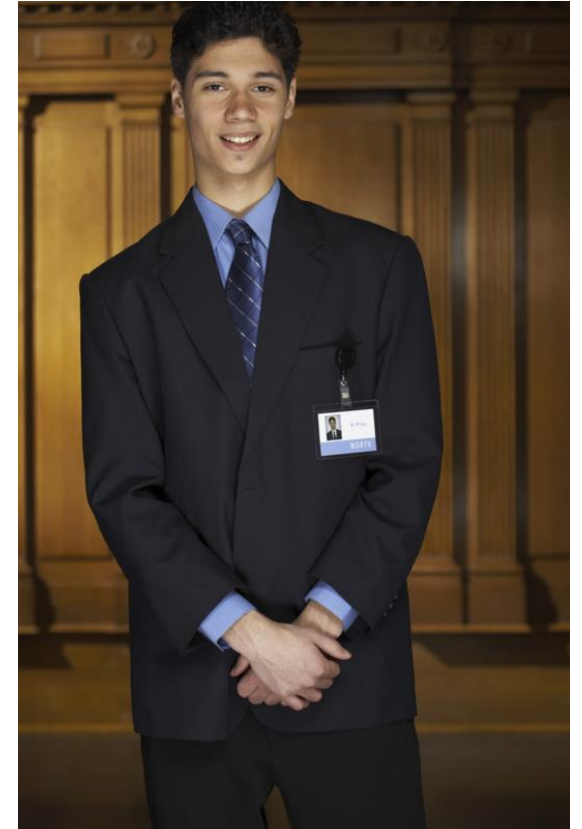
- Studies conducted “for or on behalf of” schools, school districts, or postsecondary institutions
- Studies must be for the purpose of
 - Developing, validating, or administering predictive tests; or
 - Administering student aid programs; or
 - Improving instruction
- Requires written agreement
- 34 CFR 99.31(a)(6)

School Official Exception

- Performs an institutional service or function for which the school or district would otherwise use its own employees;
- Has been determined to meet the criteria set forth in in the school's or district's annual notification of FERPA rights for being a school official with a legitimate educational interest in the education records;
- Is under the direct control of the school or district with regard to the use and maintenance of education records; and
- Uses education records only for authorized purposes and may not re-disclose PII from education records to other parties (unless the provider has specific authorization from the school or district to do so and it is otherwise permitted by FERPA).
- 34 CFR 99.31(a)(1)

Directory Information

- Public notice must be given to parents of students in attendance and eligible students in attendance concerning “directory information.”
- Parent or eligible student may not use the right to opt out of directory information disclosures in order to prevent a school from requiring a student to wear, to display publicly, or to disclose a student ID card or badge.
- School may adopt a limited directory information policy that allows for the disclosure of directory information to specific parties, for specific purposes, or for both.
- 34 CFR 99.37



IMPORTANT

*The exceptions to consent
are permissible NOT
required.*



CONTACT INFORMATION

United States Department of Education,
Student Privacy Policy Office



(855) 249-3072
(202) 260-3887



FERPA@ed.gov



<https://studentprivacy.ed.gov>



(855) 249-3073

State Best Practices Roundtable





Speaker: State Best Practices Roundtable

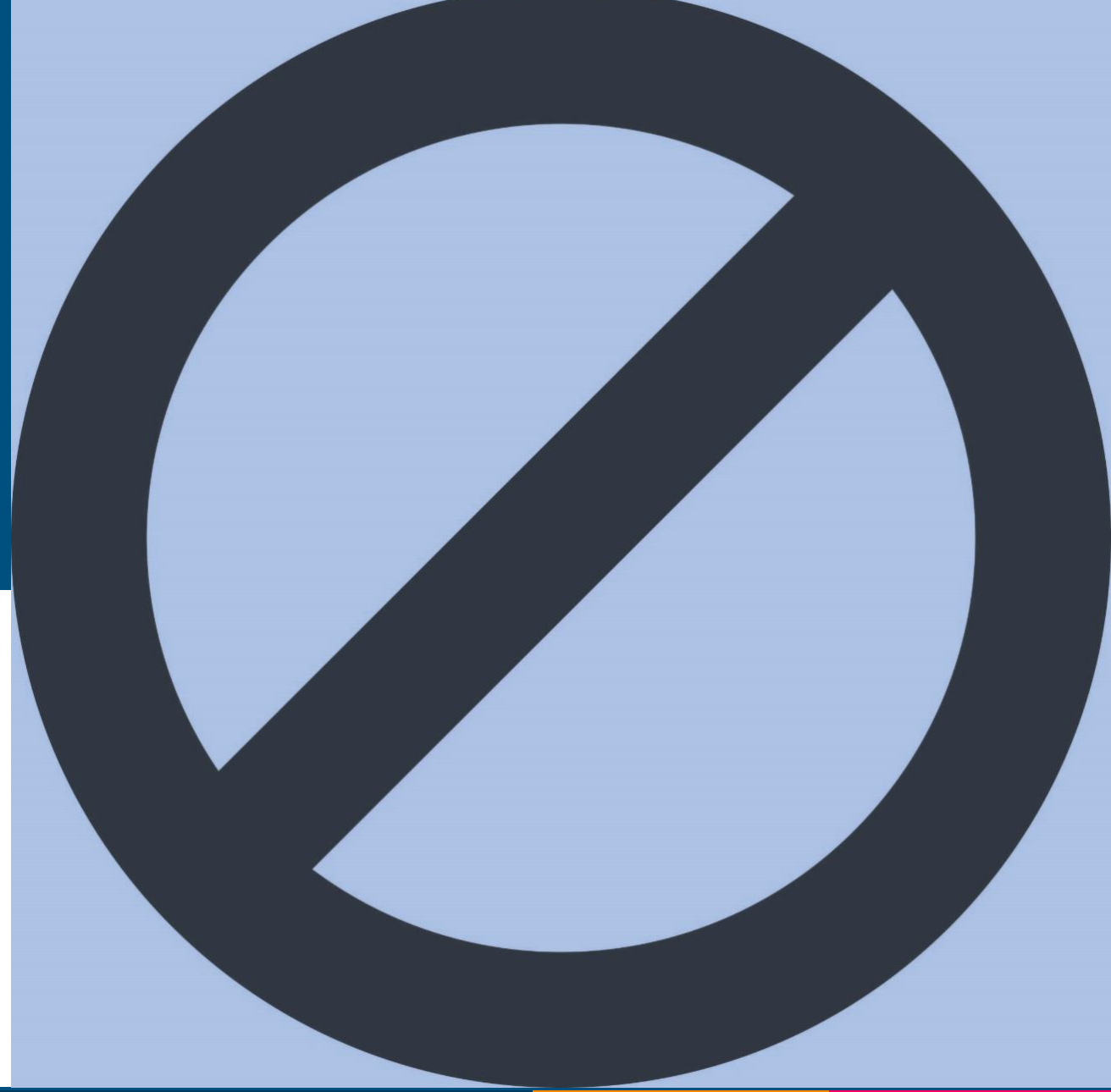


Veronica Alonzo

WIOA Program Coordinator

New Mexico Department of Workforce Solutions

NO WAIVER



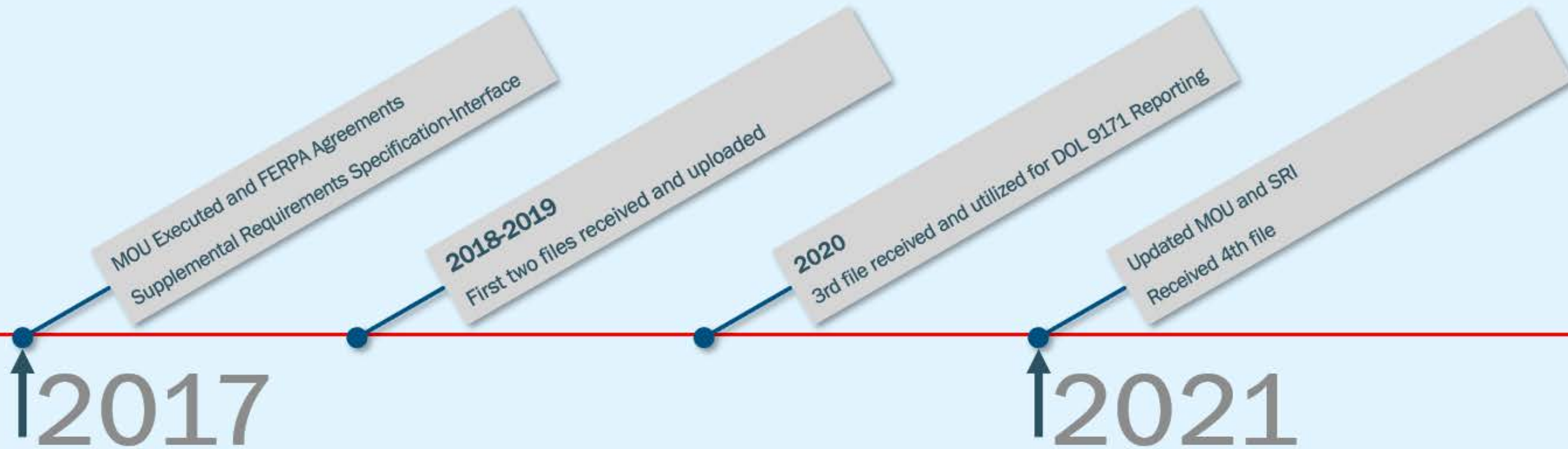
NM State Agency Partnership – M.O.U.

- ▶ NM – Higher Education Department
 - Planning & Research Division
- ▶ NM Department of Workforce Solutions
 - WIOA Performance Manager
 - WIOA ETPL State Administrator
 - Department Project Managers
 - Department IT
- ▶ Geographic Solutions





NM State Agency Partnership – M.O.U. cont'd



Interface Summary:

- ▶ Identifies the specifications for the ETPL and HED Institution file
- ▶ Files are created by HED and are listings of NM Institutions and Institution Codes used by HED
- ▶ Files are used to cross walk and map HED Institutions and Providers to Workforce Connection Eligible Training Provider List
- ▶ Crosswalk is used to create the ETP Program Performance Import File
- ▶ Interface Parameters
- ▶ Business Logic
- ▶ Field Layout

Outcome and Enrollment File:

- ▶ Interface Parameters
 - File Name
 - Run Date
- ▶ Business Logic
 - HED Academic Year
 - Academic data is updated annually
 - CIP scheme
- ▶ Field Layout
 - Instcode
 - Degree Level
 - Academic Program Year
 - Student ID



Success and Opportunities for Improvement:

Success:

- ▶ No Waiver Request
- ▶ Less burden for public institutions
- ▶ Provide Wage Files
- ▶ Annual Technical Assistance
 - State Conference
 - Local Workforce Boards

Opportunities for Improvement:

- ▶ Timely receipt of data
- ▶ Annual review of MOU and SRI
- ▶ Private Intentions still tracking and reporting manually
- ▶ Revise State Policies

Thank You!

Veronica Alonzo

Department of Workforce Solutions



Breakout: State Best Practices

- *Discuss what your state has found to be the best practice/useful approach for collecting and reporting “all students” data.*
- *Describe your specific challenges in collecting and reporting “all students” data.*



**LET'S
DISCUSS**

Wrap Up

- ▶ Discussion
- ▶ Next Steps

[Complete Event Survey](#)

? Additional Questions?



Unmute and speak

(hold down spacebar while speaking to temporarily unmute)

or

Write in the chat



Thanks for Attending!

Additional Questions?

Email us at ETAPerforms@dol.gov

