

**Departments of Labor and Education**

**Information Collection Request**

**Workforce Innovation and Opportunity Act (WIOA)  
Common Performance Reporting**

**Summary of 60-day Federal Register Notice (FRN) Comments and Responses**

OMB Control No. 1205-0526

November 23, 2020

60-Day FRN Public Comments and Agency Response

## Executive Summary (Overview of Document)

The Departments of Labor (DOL) and Education (ED) (collectively, Departments) published a 60-day Notice in the [Federal Register](#) (FRN) seeking public comments on the Workforce Innovation and Opportunity Act (WIOA) Common Performance Reporting, Information Collection Request (ICR) (Joint Performance ICR) on July 9, 2020 (OMB Control Number 1205-0526).

11 comments were received in response to the 60-day comment Notice on the Joint Performance ICR. The Departments have organized this Summary of Comments and Responses by the contents and forms of the ICR documents. Each comment submitted was broken up and organized based on the table of contents below. The language of the comments was not edited.

The comments are organized into 5 sections as outlined in the table of contents below. Each comment contains a comment number in the first column. The actual comment received appears in the second column. The third column provides the agencies' response. In the event multiple comments warranted the same response, they were kept separate, but the column for the response was merged.

TABLE OF CONTENTS (Hyperlinked to each section)
<a href="#">WIOA Reporting Template/Specs-9169</a>
<a href="#">Supporting Statement</a>
<a href="#">Joint PIRL</a>
<a href="#">Eligible Training Provider- 9171</a>
<a href="#">Miscellaneous</a>

AMENDED WIOA COMMON PERFORMANCE ACCOUNTABILITY ICR – COMMENT RESPONSES		
#	COMMENT	RESPONSE
<p><b><u>WIOA Reporting Template/Specs-9169</u></b></p>		
1	<p>Plain Text Specifications - the Departments propose clarifying that this measure requires the participant to have been in training and to also be employed in Q2 post Exit. Support - this change merely updates the plain text to match the Technical Specifications that were in place since the 9169 initially adopted.</p>	<p>No response needed.</p>
2	<p>Technical Specification - here the changes do not appear to be intended to be substantive, but they are confusing. TWC strongly advocated for and supports 9169 Technical Specifications format where the Numerator Elements reference "of those in the Denominator" and rather than making the numerator repeat all the denominator conditions as was the case under WIA reporting. This makes the elements much easier to follow. Similarly, we support this model when defining "Rate Elements" as Measure Numerator divided by Measure Denominator - again, this greatly streamlines the specification.</p> <p>However, for this particular measure, we do not have separate elements for the Training Related Employment Denominator and Training Related Employment Numerator. This makes the Technical Specification's reference to the "denominator" confusing in the absence of the additional details because the specifications never identify the denominator. Yes, it can be inferred but the proposed language is confusing, and we recommend updating it to read as follows:</p> <p>Training Related Employment Numerator---;- Training Related Denominator (as each is defined below) X 100</p> <p>Training Related Employment Denominator: Count of UNIQUE RECORDS where (Funding Stream) and included in EMPLOYMENT RATE (QUARTER 2) NUMERATOR and EMPLOYMENT RELATED TO TRAINING (2ND QUARTER AFTER EXIT) = 1 or 0</p> <p>Training Related Employment Numerator: Count of UNIQUE RECORDS from Training Related Employment Denominator where EMPLOYMENT RELATED TO TRAINING (2ND QUARTER AFTER EXIT) = 1</p>	<p>Comments #2 and #3 were accepted and revisions were made accordingly.</p>

AMENDED WIOA COMMON PERFORMANCE ACCOUNTABILITY ICR – COMMENT RESPONSES		
#	COMMENT	RESPONSE
3	<p>Training Related Employment</p> <ul style="list-style-type: none"> <li>a. Plain Text Specification: The specification is confusing. Recommend the wording be simplified.</li> <li>b. Technical Specification: Recommend splitting the numerator and denominator for this item into two different specifications to make it easier to understand, and be more consistent with other items in the specifications.</li> </ul>	
4	<p>The ETA-9169 specifications for the Annual Report previously defined the number of participants in career services as mutually exclusive from the number of participants in training services, meaning that the number in the report represented those ONLY enrolled in career services. Therefore, it was possible to calculate the total number of participants in either career services or training by summing the column. Likewise, the expenditures were calculated for those ONLY enrolled in career services and it was possible to calculate the total expenditures for the sum of expenditures on training and career services by summing the numbers.</p> <p>The current specifications, on the other hand, count participants in career services to include those in training services as well, which double counts people. This means that you cannot sum them to arrive at a total. You can use the "Total participants served," figure to get a total count of participants, although for Adult education and Wagner-Peyser the numbers in that field appeared to be higher than the sum of participants in career services and training services in PY 2018, suggesting that there are serious data quality problems.</p> <p>In addition, with the new specifications for ETA-9169, it would seem from the specifications that there is no way to know what the total expenditures were on WIOA-funded services (career services + training services) under the new definitions based on the language in the specifications. However, when I contacted ETA to ask them about that, in their response they said that the total expenditures could be summed for the total.</p>	<p>The revisions to these specifications, that no longer limit the counts to mutually exclusive groups of participants, more accurately reflect the total expenditure of funds and the funds expended per participant for both career and training service categories. The mutually exclusive groups did not align with fiscal reporting structures. Additionally, the exclusive career services groups led to low participant counts in the career services categories, as those participants who also received training services were excluded, and artificially high cost per participant amounts for career services as the funding amounts reported include dollars spent on all career services provided regardless if the participants also received training services.</p> <p>There is no statutory or regulatory requirement to include the total funding amount on the WIOA Statewide Performance Report. Additionally, ETA already publishes total expenditure reports here:  <a href="https://www.dol.gov/agencies/eta/budget/spending-updates/quarterly">https://www.dol.gov/agencies/eta/budget/spending-updates/quarterly</a> .</p>

AMENDED WIOA COMMON PERFORMANCE ACCOUNTABILITY ICR – COMMENT RESPONSES		
#	COMMENT	RESPONSE
	<p>I find the current specifications to be very confusing for the outside audience, because it is very difficult to know how to interpret the numbers on the reports without receiving clarification from ETA directly. I encourage OMB to require DOL ETA to add a line to the table in the report labeled "Total" which would give the outside reader more transparent information about the total number of participants enrolled in services that year and total expenditures for those services. Doing so would also allow the public to easily and accurately calculate basic information such as what share of participants received training, and what share of expenditures went to training versus career services.</p> <p>In my expert opinion, not making this basic summary-level information transparent and accessible goes against the spirit of WIOA and the purpose of having annual reports in the first place. It is a disservice to the public and to policymakers to provide confusing counts of participants and expenditures in which there is double counting in one column of a table, but not in the column next to it. In my opinion, reporting data in that way is misleading and goes against the norms in social science. I hope OMB will consider that the objective of these reports is to provide clear and accurate information to the public, policymakers, and researchers. The current template for ETA-9169 is not transparent or accessible for the outside user to interpret.</p>	<p>Note that the expenditure amounts for career services and training services reported on the ETA-9169 can be summed to reflect the total amount spent on those two services in the program year, however it does not reflect administrative and other costs. While the groups of participants are no longer mutually exclusive, the expenditure amounts remain exclusive.</p> <p>These revisions improve the accuracy and transparency of the state reported performance data by counting all participants who received career services regardless of the training services they may have received.</p> <p>ETA has to balance the specificity demanded by the workforce system for performance accountability reporting and the transparency required by the public. At times these two requirements are opposed however, ETA makes every effort to ensure performance reports are understandable by a varied audience and to respond to all inquiries regarding WIOA performance data and the interpretation thereof. Any questions regarding the interpretation of this report or others should be directed to <a href="mailto:ETAPerforms@dol.gov">ETAPerforms@dol.gov</a> where ETA staff can assist with clearing up any confusion.</p>

AMENDED WIOA COMMON PERFORMANCE ACCOUNTABILITY ICR – COMMENT RESPONSES		
#	COMMENT	RESPONSE
<b>Supporting Statement</b>		
5	We do not agree with the USDOL estimate of the burden in the collection of information. The ICR Summary Statement estimates that it will take a state “4 or 6 hours” to submit the data to USDOL. This estimate of time doesn’t reflect time or costs associated with reprogramming report systems, staff time involved in user acceptance testing or revised system error troubleshooting, additional database maintenance time/staff, corrections for reports, or any required data validation or reconciliation costs associated with ETPL reporting. Costs are estimated based on the average hourly earnings of database administrators, but States will have to fund IT programmer costs that are not identified in this collection request.	Item #13 in the Supporting Statement acknowledges associated start-up and maintenance costs for respondents to implement this information collection
<b>Joint PIRL</b>		
6	<p>Element 808 MSFW - proposes element name change with additional language clarifying intent of the element - Support</p> <p>Element 1300 Received Training - proposes to add "as defined by program specific guidance" to the "Received Training = Yes" definition clarification Support</p> <p>Element 1304 ETP Program of Study by Potential Outcome - Support- Name change</p> <p>Element 1406 Post Exit- Enrollment in PSE- Support- Non-substantive, clarifying change.</p>	Thank you for the supportive comments.
7	<p>Element 1300 Received Training – proposes to add “as defined by program specific guidance” to the “Received Training = Yes” definition – Ambivalent – This is largely as the Departments have been operating and therefore doesn’t represent a meaningful change.</p> <p>Element 1304 ETP Program of Study by Potential Outcome – Ambivalent – This is just an element Name change and has no functional impact on what and how the element is reported.</p>	

AMENDED WIOA COMMON PERFORMANCE ACCOUNTABILITY ICR – COMMENT RESPONSES		
#	COMMENT	RESPONSE
8	Element 1332 Participated in PSE during Participation – proposes to add “clarifying” language to the “No PSE” response and to eliminate the option to record “blank” if not applicable. The additional clarifying language is essentially restating the existing language to try to clarify intent – Ambivalent	
9	Elements 1811 and 1813 Date Enrolled (or Completed) Education or Training during Program Participation- STRONGLY SUPPORT Removal of the word "Postsecondary" from the element titles will greatly reduce confusion about the applicability of these elements to people in secondary education. The detailed instructions on how to record the element always made it clear that this included people enrolled in secondary education, but the element name didn't seem consistent with that guidance. This made training and consistent coding/application of the business rules more complicated	
10	PIRL 1813—This was very much needed . . . good edit, here!	
11	Element 1332 Participated in PSE during Participation- proposes to add "clarifying" language to the "No PSE" response and to eliminate the option to record "blank" if not applicable. a. The additional clarifying language is essentially restating the existing language to try to clarify intent. - Support b. Removal of the option to leave blank if not Applicable- OPPOSE -This data element is used to drive the Credential Rate denominator. The Credential Rate is not applicable to the Title III Wagner-Peyser program and not applicable if a participant in another program happens to be enrolled in PSE unrelated to their services from workforce system (other than for Title I in-school Youth). For example, if we have a person enrolled in WIOA Adult who happens to be in PSE during participation but we are not paying for that education directly or with support payments and are instead only serving to help the person find employment while in school, then that person is not in the Credential Rate denominator. The proposed change requires the state to record a yes or no on every person, even those for whom the element is not applicable such as Title III or circumstances like was identified above. Without the blank if not applicable option, many states and locals may have confusion about how to respond. If they answer "Yes" to on a record like the above WIOA Adult example, then that will put the person in the Credential Rate denominator even if the participant was early in their education and only needed school-compatible employment assistance. This element should be entirely re-written as follows:	Although DOL has considered all perspectives of this comment, DOL has determined not to make any revisions as this time.

AMENDED WIOA COMMON PERFORMANCE ACCOUNTABILITY ICR – COMMENT RESPONSES		
#	COMMENT	RESPONSE
	<p>Record 1 if the participant was in a postsecondary education program that leads to a credential or degree from an accredited postsecondary education institution at any point during program participation and the program provided services that directly supported that enrollment.</p> <p>Record 0 if the participant was not in a postsecondary education program that leads to a credential or degree from an accredited postsecondary education institution during program participation OR was in such education, but the program did not provide services that directly supported that enrollment. Note: this includes if the participant was enrolled in a postsecondary education program that does not lead to a credential or degree from an accredited postsecondary education institution at any point during program participation.</p> <p>Note: This data element relates to the credential indicator denominator and those who are recorded as 1 are included in the credential rate denominator. This element is a subset of PIRL 1811. Do not record 1 if the participant was first enrolled in postsecondary education after exiting the program OR if the program was not directly supporting the post-secondary education OR the Participant was only enrolled in Title III Wagner-Peyser.</p>	
12	<p>Element 1608 Employment-Related to Training Q2 -Added the ability to record "unknown" in the element - STRONGLY SUPPORT - Few states receive occupational data as part of their wage records which means that the only way to report this element is through follow-up contacts with the Job Seeker or perhaps the Employer. Given that we must wait until the 2nd quarter after exit to contact the Exiter to obtain the information, sometimes we will not have current contact information and be unable to contact the Exiter.</p> <p>Contacting the employer to obtain information about the occupation the Exiter is employed in adds another 2+ months to the lag because of the delay in receiving wage records and TWC does not support contacting employers to obtain information about their employees absent a true statutory purpose like to determine unemployment eligibility information.</p> <p>Further, employers do not want to be contacted for WIOA performance accountability purposes. That was made perfectly clear to the Departments when they sought employer input on the WIOA "Effectiveness in Serving Employers" measure. While this element is unrelated to the employer measures, the underlying message- "don't call us, we'll call you" - is still applicable.</p> <p><b>HOWEVER</b>, we also think that the "Leave Blank" provision needs to be clarified to state that we also leave it blank if the Exiter was not employed in the 2nd Quarter After Exit (Q2). While this may not be the Departments' intent, the currently proposed set of options does not provide guidance on what to record (1, 0, or 9) if the Exiter was not</p>	<p>The Departments agree, and have added language to PIRL 1608.</p>



AMENDED WIOA COMMON PERFORMANCE ACCOUNTABILITY ICR – COMMENT RESPONSES		
#	COMMENT	RESPONSE
	found employed in Q2 post-exit. All three options include the condition "and obtained employment" which makes none of the 3 options appropriate if the person was unemployed inQ2.	
13	<p>Elements 1703-1706 Earnings in 1st-4th Quarter after Exit Quarter - Changing the word "Wages "to "Earnings" Support - This change aligns the elements better with the reality that we work with people who are self-employed or contractors or gig workers. The term "wages" is more limiting. In addition, the data element definitions/instructions always used the word earnings.</p> <p>In addition, we have two related comments to offer:</p> <p>a. First, there is no need to report 999999.99 when wages are "not yet available" and we recommend removing this language. The Departments have set out a reporting schedule which identifies when earnings for a given quarter are deemed to be available and the Departments have data edit checks to make sure that states are not reporting earnings as "not yet available" when they clearly should be available based on the calendar. Therefore, there is no need for states to code the "999999.99- data not available" data. Further, it makes it impossible to actually report \$999,999.99 as "real earnings" on the off chance that it occurs - reserving what is otherwise a valid number in a monetary field to represent something other than a monetary value is not a good data practice - it makes the data harder to use by introducing an additional data cleansing step. States should report nulls until the data is mature and if there are no earnings once the data matures, they should record aO.</p> <p>b. This then leads to our second recommendation - add an extra digit to these fields. Yes, it is very rare that we serve a person who earns more than \$1M in a given quarter but it does happen. It happened during the Great Recession when a lot of very highly compensated finance workers and executives were laid off or their companies closed. This will likely happen again with participants in the COVID-19 period obtaining extraordinarily high levels of earnings after exit. To be clear, this is a rarity for most states but some states with high concentrations of very highly paid workers (Wall Street, Silicon Valley, etc) could have this legitimately show up in their records. In the absence of adding a digit, we request that the instructions be modified to explicitly define what we should report in an instance where the Exiter legitimately had earnings of more than \$1M in a given quarter.</p>	<p>Thank you for your comment. The 9's are a method to make a distinction between when the data is not available and participant has not exited. Edit checks in place to enforce these distinctions accordingly. DOL has determined Part B of the comment isn't a significant issue that it warrants a change.</p>

AMENDED WIOA COMMON PERFORMANCE ACCOUNTABILITY ICR – COMMENT RESPONSES		
#	COMMENT	RESPONSE
14	<p><u>Suggestion related to Joint PIRL Elements currently reported based on Status at Date of Program Entry, but which can change during participation:</u> We suggest that reporting on a participant's Status at Exit would be more valuable for analyzing the success of program efforts. <u>Ultimately it doesn't matter what the person's status was at Date of Program Entry. Status at Exit reflects the challenges that participants face or advantages they have in navigating the labor market after their program participation ends.</u> Do these characteristics change over time for a large portion of the population? Maybe not, particularly in a program like Wagner-Peyser that serves a very high volume of people and typically for relatively short periods. However, for smaller programs and programs where participation tends to occur over longer periods of time (like Youth and Vocational Rehabilitation), a greater proportion of Participants will have life changes that are important to note to tell the story of the workforce system, those we served, and what we together were able to achieve.</p> <p>Many of these data elements, particularly those related to what WIOA calls "Barriers to Employment" are utilized in the WIOA statistical adjustment models as well as to break out participants and result in the annual and quarterly report templates. As relates to the barriers, they statistically tend to correlate to lower outcomes - that is, all other things being equal, a person with a barrier is less likely to have as successful a set of outcomes as a person who is in every other way statistically similar but does not have any barriers.</p> <p>One example of this is if you had two people of the same age, demographic characteristics, gender, geographic location, work history, education levels, certifications, etc. but one with a felony conviction and the other without, we know that the person with a felony conviction is statistically less likely to have as strong a set of outcomes as the person without a felony conviction.</p> <p>In addition, some of the most common questions from elected and appointed officials, partners, and other stakeholders relate to the number of people served and their outcomes based on demographic and other characteristics. Some of the most requested characteristics are:</p> <ul style="list-style-type: none"> <li>• Veterans</li> <li>• People with a Disability</li> <li>• Ex-Offenders</li> <li>• Foster Youth</li> <li>• Low Income</li> <li>• Single Parents.</li> </ul> <p>When we're asked these questions, they are not interested in a count based on status at date of participation. That is not relevant to the question. If the system begins serving an Active Military member before he or she musters out</p>	<p>Although DOL has considered all perspectives of this comment, DOL has determined not to make any revisions at this time.</p>

AMENDED WIOA COMMON PERFORMANCE ACCOUNTABILITY ICR – COMMENT RESPONSES		
#	COMMENT	RESPONSE
	<p>and is providing participatory level services, the current Joint PIRL requires this person to be reported as "Non-Veteran." But the reason this person came to us was in preparation for leaving the military and could in fact do so during that same Period of Participation. Assuming the discharge type was not disqualifying for veteran status, this person is now a Veteran. We served a Veteran and yet we can't report it in any of the data we report to the Departments of Labor and Education through our quarterly and annual reports because the requirements are to report based on status at Date of Participation.</p> <p>A similar example would be a person who had no disability when participation began but who had an accident during their Period of Participation and now has a disability - we have served a person with a disability but have no way to report it. That means that the Statistical Adjustment Models used to evaluate program performance based on the characteristics of those served and the economic conditions in which they were served does not get a true picture of who was served and therefore can't account for that true case mix in evaluating performance at the end of the year.</p> <p>This undermines the legitimacy of the WIOA performance accountability system which is predicated on the creation of a model that can account for factors outside the program's control that impact outcomes (positively or negatively).</p> <p>Further, for the Title I programs, the populations in question are much smaller when running local workforce development board performance and therefore the impact of each participant on the case mix becomes more important. If a local board has an unusual number of these kind of life changes in a group of exiters, the impact of not being able to update the record to reflect these changes will be much more pronounced.</p> <p><b>Our recommended solution is to change these data elements to not be limited to status at Date of Program Entry but rather to allow states to update values as appropriate to reflect the relevant characteristics of those we serve as they enter/reenter the labor market:</b></p> <ul style="list-style-type: none"> <li>• 202 Individual with a Disability - As discussed above.</li> <li>• 400 Employment Status - This one is slightly unique - what we're particularly concerned with is the "negative" status on an element, the characteristics/statuses that are more likely to make a positive outcome harder to achieve. So, in this case, we recommend that if at any point during participation, the participant becomes "Unemployed" we would report it as such and would not update that back to "Employed" if the person became employed during participation. This may seem inconsistent but from a reporting and service perspective, that person was unemployed, and we served them while unemployed and we helped that person achieve a positive employment outcome (which will be reflected in wage records later).</li> </ul>	

AMENDED WIOA COMMON PERFORMANCE ACCOUNTABILITY ICR – COMMENT RESPONSES		
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	<ul style="list-style-type: none"> <li>• 402 Long-term Unemployed - In the current pandemic it is clear that a large portion of those we serve will not be "long term unemployed" at Date of Program Entry but will be unable to find employment for quite some time (new claimants from March will hit 27 weeks of unemployment by the end of October). If a person comes to us immediately after being laid off, they can still become long-term unemployed and employers may be more hesitant to hire them as they may have concerns that the person's skills have atrophied through long term disuse.</li> <li>• 407 Highest School Grade Completed / 408 Highest Education Level Completed - If in 11th grade at program entry but a HS or college grad or certificate holder at exit, the education level at exit is more relevant to their opportunities of success in the labor market.</li> <li>• 704 Foster Care Youth Status - again, if we have a young person who was in their original family at participation and has a family tragedy that results in that person becoming a Foster Youth during participation, we have served a foster youth and that person is going to face all of the challenges that being a foster youth brings when it comes to completing their high school education, advancing to postsecondary education, and transitioning into the workforce.</li> <li>• 800 Homeless Individual, Homeless Children and Youths, or Runaway Youth - as above, if a person had a stable family environment/home and then that changed during participation, that person is now going to face all the challenges that being homeless or a runaway bring. Their outcomes are statistically unlikely to be as good as those whose family/home status did not deteriorate during participation.</li> <li>• 801 Ex-Offender-As discussed above.</li> <li>• 802 Low Income - As with Long Term Unemployed discussed above, a person might come to the system with good income but over their period of participation, particularly through the pandemic, may have to apply for and receive public assistance (not unemployment insurance). There is keen interest in how the system helps people on public assistance to become self-sufficient. Cases that transition like this are not reportable in the existing system.</li> <li>• 806 Single Parent - This status can certainly change during participation and creates an entirely new set of challenges for the participant.</li> <li>• 807 Displaced Homemaker - as with single parent status, this can change during participation and impact outcomes and again, represents a priority population that WIOA requires us to report on.</li> </ul> <p>Most of the above elements-relate to "Barriers to Employment" under WIOA. The statute in its very first sentence says that "The purposes of this Act are the following: (1) To increase, for individuals in the United States, particularly</p>	

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#	COMMENT	RESPONSE
	<p>those individuals with barriers to employment, access to and opportunities for the employment, education, training, and support services they need to succeed in the labor market." It goes on to define these barriers in WIOA Sec.3 (24) and in WIOA 116(b)(3) requires the Departments of Labor and Education to develop a statistical model that accounts for the barriers (though it doesn't call them barriers in WIOA Sec. 116(b)(3)(A)(v)(II)(bb), it does list many of the barriers as examples of factors to be considered by the model). Finally, WIOA Sec. 116(d)(2)(B) and (H) require performance data to be disaggregated by each subpopulation of individuals with barriers to employment.</p> <p>In short, WIOA defines a key part of its purpose to serve people with "Barriers to Employment," requires the performance accountability system to account for the characteristics of those served including factors that may negatively impact performance - like "Barriers to Employment" - and, finally, requires reports to break performance data out by demographic characteristics and barriers to employment. However, the current Joint PIRL specs are not aligned with these statutory provisions because they focus on the person on at the beginning of participation and it is their status at the end of participation that will have the greatest influence on their outcomes in the vast majority of cases.</p> <p><b>In order to ensure that the national workforce system's service to people with barriers as well as the outcomes achieved are fully reflected in the quarterly and annual reports as well as the statistical adjustment models, we urge the Departments to revisit the existing standards and modify them to be more reflective of the people we serve and the challenges they face during that period of service and transition to either Post-Secondary Education or Employment.</b></p>	
15	Data Element 1332: What are examples of examples of postsecondary education programs that do not lead to a degree or credential?	DOL has created a resource page on Workforce GPS dedicated to credentials in addition to a credential attainment decision tree. Please visit <a href="https://performancereporting.workforcegps.org/resources/2017/12/18/18/43/Credential-Attainment-Resource-Page">https://performancereporting.workforcegps.org/resources/2017/12/18/18/43/Credential-Attainment-Resource-Page</a>
16	Data Element 1608: Clarify "directly related to training received."	At this time the Departments do not have specific guidance regarding this definition and we will consider providing additional guidance and technical assistance to address this concern.

AMENDED WIOA COMMON PERFORMANCE ACCOUNTABILITY ICR – COMMENT RESPONSES		
#	COMMENT	RESPONSE
17	Data Element 1703: How does the change from “wages” to “earnings” impact reporting and data validation for this element?	The change does not impact reporting and data validation for this element. The language change aligns with statutory language and current practice.
18	On the DOL-Only PIRL (ETA-9172), Colorado has value definitions and data for "reportables" in Data elements 903, 904, 905, Job Readiness Training in conjunction with other training in PIRL 1303, 1310, 1315. What should we convert those values to for ETA-9170?	The DOL-Only PIRL (ETA-9172) will be revised accordingly and the data elements in both forms will match including code values.
19	Why don't the values in PIRL 808, 1800, 1900, 1901 in ETA-9170 match those in ETA-9172?	
20	PIRL 1608—Shouldn't the value recorded be “0” if the participant is not employed? The description appears to include only participants who obtained employment, but employment was not related to training. If the value is intended to exclude people who did not obtain employment at all, this appears to be a material change in the value of “0” for PIRL 1608. None of the values appear to apply to known unemployed exiters. The “9” value appears to apply to people who did not exit or whose statuses are unknown.	Thank you for your comment. The 9’s are a method to make a distinction between when the data is not available and participant has not exited. Edit checks are in place to enforce these distinctions accordingly.
21	PIRL 1703-1706—Removal of the word “wages” could cause confusion to longtime Workforce staff who are new(er) to reporting. “Wages” has been the trigger word for years. Perhaps a parenthetical like “(or ‘wages’)” could be added after earnings.	The change does not impact reporting and data validation for this element. The language change aligns with statutory language and current practice. States can present the collection to their staff as long as the data reported aligns with the federal definitions.
22	PIRL 1811—I think this should read either, “a Registered Apprenticeship program, or Adult Education or secondary education programs,” if Adult Education or secondary education programs is a single item or “a Registered Apprenticeship program, Adult Education, or secondary education programs” if “Adult Education” and “secondary education programs” are separate items. In either case, a small edit is needed to demonstrate proper serialization of the items.	The Departments has added a comma after “Adult Education”
<b>Eligible Training Provider- 9171</b>		
23	102 – Description of Training Provider: California recommends expanding data element to a minimum of 2,000 characters.	The Departments accept this recommendation and will increase the length of this element to 2000 characters.

AMENDED WIOA COMMON PERFORMANCE ACCOUNTABILITY ICR – COMMENT RESPONSES		
#	COMMENT	RESPONSE
24	121 – Total Number of Individuals Exited: Request department revises the definitions referring to exits when speaking of ETPL performance reporting. It is very confusing to WIOA program staff when we refer to exit of training. The WIOA program staff associate the exit with WIOA exit date. My suggestion would be to remove the word exit from the description and call it Total Number of Individuals ending training during the reporting period. This would also need to be updated with any other outcome with the term exit and replace with training end date. The definition could be total number of students who completed, withdrew, or transferred from this program of study in the reporting period. I believe it would greatly lessen the confusion for staff. Your consideration would be much appreciated.	While these terms are derived from the statute and therefore must be kept in this collection, the Departments will add the clarification “(completed, withdrew, or transferred)” to use of the term “exit” throughout the collection. In addition, the Departments note that states are free to use different terminology in the collection of this data or training of staff to collect this data, as long as this results in accurate collection and reporting of this element. For example, a state could choose to collect this data as three categories: completed; withdrew; and transferred; and simply aggregate those three categories into one number that is reported to the Department of Labor.
25	(The) first comment I would like to submit would be to request that department revise the definitions referring to exits when speaking of ETPL performance reporting. It is very confusing to WIOA program staff when we refer to exit of training. The WIOA program staff associate the exit with WIOA exit date. My suggestion would be to remove the word exit from the description and call it Total Number of Individuals ending training during the reporting period. This would also need to be updated with any other outcome with the term exit and replace with training end date. The definition could be total number of students who completed, withdrew, or transferred from this program of study in the reporting period. I believe it would greatly lessen the confusion for staff. Your consideration would be much appreciated.	
26	The definition when referring to exits for ETPL reporting needs to be revised. It is confusing when referencing exit as that relates to “no longer receiving services”.	
27	136 – Total Number of WIOA Exited Served with an ITA: Update language in definition to match data element title (replace “participants” with “exited”). a. Record the total number of WIOA <del>participants</del> <u>exited</u> , as defined at 677.150(c), who have been identified in the program of study and as receiving WIOA Title I funding via an ITA during <u>their Period of Participation</u> , who completed, withdrew, or transferred from this program of study, <u>and who exited</u> in the reporting period.	The Departments will not make this change, as it would alter the statutory intent of this collection. This collection is intended to produce consumer information about the effectiveness of training programs as well as how WIOA participants do in comparison with All Students in the training program. By waiting until a participant exits from WIOA, it would enable an ineffective program to received credit for the successes of programs that their transfer students attend. The Departments will add language to
28	Element 134's title is "Total Number of WIOA Exited" and yet the definition says "WIOA Participants". <b>We recommend that this language in the Definition/Instruction be changed to "Exited" (consistent with both the</b>	

AMENDED WIOA COMMON PERFORMANCE ACCOUNTABILITY ICR – COMMENT RESPONSES		
#	COMMENT	RESPONSE
	<p><b>element name and Element 137 which is WIOA Exiters who Completed the Program of Study which is a change you already proposed).</b></p> <p>o If we are going to make this change, we need also modify the definition/instructions language because it is possible that a participant completed, withdrew, or transferred from the program of study during the reporting period but did not exit, as defined in 20 CFR 677.150(c), that same quarter (or even within the reporting period). For example, if a participant completed their coursework (or withdrew/transferred) in June of 2020 and went back to the One-Stop for job search assistance and did not exit until August, September, or later in 2020. That means that the completion, withdrawal, or transfer could be in PY19 (one reporting period) and yet not exit until PY20 (a different reporting period). <b>We recommend that the element definitions more clearly define that all WIOA Participant Exit-related data from in the report use the exit from WIOA to align what we're reporting for WIOA participants in this report with what we are reporting in the 9169 report using the following language:</b> Record the total number of WIOA <del>participants</del> <u>exiters</u>, as defined at 20 CFR 677.150(c), who received training services in this program of study through the WIOA adult or dislocated worker programs during the reporting period and who completed, withdrew, or transferred from this program of study <u>and exited</u> in the reporting period.</p>	<p>clarify that exit in this collection refers to completing, withdrawing, or transferring from the program.</p>
29	<p>Element 136 has an inconsistency between the Element Name (Total Number of WIOA EXITERS served with an ITA) and the Definition/Instructions ("Record the total number of WIOA participants ... "). <b>We recommend changes to the Definition/Instructions consistent with our recommendation on 134:</b> Record the total number of WIOA <del>participants</del> <u>exiters</u>, as defined at 677.150(c), who have been identified in the program of study and as receiving WIOA Title I funding via an ITA <u>during their Period of Participation</u> . who completed, withdrew, or transferred from this program of study, <u>and who exited</u> in the reporting period.</p>	
30	<p>Element 137 originally did focus on WIOA participants but would now focus exiters who completed the program of study (which would make Element 137 a subset Element 134). <b>We recommend changes to the Definition/Instructions consistent with our recommendation on 134 and 136:</b> Record the total number of WIOA exiters as defined at 20 CFR 677.150(c), who received training services in this program of study through the WIOA adult or dislocated worker programs during the reporting period who completed and who did not withdraw or transfer out from the program of study <u>and who exited</u> within the reporting period.</p>	
31	<p>138 – Cost per WIOA Participant Served: The definition does not match the report title. The title suggests that it is a cost per participant, not an aggregate summation for all WIOA participants. Recommend to update title or definition to be in alignment.</p>	<p>The Departments accepts the recommendation to change the name of this element. It will be renamed "ITA funds</p>



AMENDED WIOA COMMON PERFORMANCE ACCOUNTABILITY ICR – COMMENT RESPONSES		
#	COMMENT	RESPONSE
		received by program (Cost per WIOA Participant Served Numerator)”
32	General Recommendation: Request that the ETPL annual report only calculate the most recent reporting year instead of trying to combine 4 years of outcomes. Allowing for only one year of reporting at a time reduces the reporting burden on the state, as we verify all annual data prior to submission to DOL. Combining all 4 years will complicate this review process greatly.	WIOA requires these reports to include 4 years of data. Since these reports are not submitted into a longitudinal data system and do not reflect a static set of entities to be reported on, the only way to collect one year at a time for each program and still have 4 years of data would be to require an individual record for each year of data for each program, which would represent a substantial change and burden on all stakeholders involved.
33	(My) second comment would be a request that the ETPL annual report only calculate the most recent reporting year instead of trying to combine 4 years of outcomes. Please see the data requirements below where it reads that we will provide progressively more data until the standard is met. One reason for this request is that Tennessee plans to monitor individual participant records to ensure that the calculations were correct. Also if a provider has very low performance outcomes we will want to verify the participants that went into the numerator/denominator to see if we had some error in the data reported. Combining all 4 years will complicate this review process greatly. It also does not seem to align with the time periods for reporting published for ETPL below. Your consideration is very much appreciated.	
34	The ETPL report needs to only include the most recent concluded year. The additional years makes it complicated when trying to do a review of the data for participants and their associated programs.	
35	<ul style="list-style-type: none"> <li>• 103 Splitting ETP Address Information into Separate Fields - <b>Support</b> as we and, we suspect, most states, already capture address information this way and providing it to DOL broken out will allow DOL to add better functionality to any consumer-facing products they create with this data.</li> <li>• 106 Lengthening the Description of Training Program field to allow 5x as much information - <b>Support</b></li> <li>• Addition of Employed in Second and Fourth Quarter After Exit Denominator Counts - <b>Support</b> - this makes it easier to understand the data and to more accurately calculate the Employed Q2 and Employed Q4 outcome measures for exiters from the ETP program.</li> <li>• Adding "(Numerator)" to labels for elements 123 &amp; 124 - <b>Support</b>- as above, this makes it easier to understand the data and to more accurately calculate the Employed Q2 and Employed Q4 outcome measures for exiters from the ETP program.</li> <li>• Adding WIOA Exiter Denominators for the Employed Q2 and Q4 measures - <b>Support</b></li> </ul>	Thank you for the supportive comments.
36	Adding WIOA Exiter Denominators for the Employed Q2 and Q4 measures – <b>Support</b>	

AMENDED WIOA COMMON PERFORMANCE ACCOUNTABILITY ICR – COMMENT RESPONSES		
#	COMMENT	RESPONSE
	Addition of a Comment/Narrative box – <b>STRONGLY SUPPORT as being needed.</b>	
37	<b>Element 138 needs to be increased to 10.2 characters in the code value column.</b> With the dramatic increase in participants being served as a result of Covid19, it is possible for a state to spend more than \$9,999,999.99 each year. Yes, it is unlikely but, particularly for larger states with larger ETP providers/programs, costs for all WIOA participants in a year could equal/exceed \$10,000,000 in a single year and be unreportable.	The Departments agree, and revisions were made accordingly.
38	In regards to comments on the ETP 9171, a little confused on the 3 years back worth of data. Due to the layout, one can not determine which year the data represents at a given time.  For example in PY2021, we are providing the summed data for PY18, PY19, PY20 and PY21, If a state has a waiver for 1 of those years, the data will not clearly show that. At a state level we still want to be able to see the providers performance for a given year as well. The extract used to report the ETA 9171 will not show a year of data at a time. Is there a way that Program Year can be an added column so 4 rows of each program appears in the extract and states can see their performance for a given year	The Departments appreciate this comment and will add an element to allow states to indicate the date when a program was added to the ETP list. By adding this element, it will enable states to indicate how many years of data are included for a program by indicating how long the program has been on the state ETP list.  See comment responses for #32, #33 and #34 for more on changes to reporting 4 years of data.
39	Training Provider Address: Line 2; Address: City; Address: State; Address: Zip Code—What are the new data element numbers going to be?	The Departments have assigned the data elements numbers. Please see the ETP form contained in this Information Collection Request (ICR) for details.
40	Employed in the Second Quarter After Exit Denominator; Fourth Quarter After Exit Indicators Denominator—Data element numbers?	
41	WIOA Exitors: Employed in the Second Quarter After Exit Denominator; WIOA Exitors: Fourth Quarter After Exit Indicators Denominator—Data element numbers?	
42	Element 134, total WIOA exitors—“Adult” and “Dislocated Worker” should be capitalized out of clarity and because they are proper program names.	The Departments agree and have made the revision.
43	Current ETPL reporting conforms to the requirements outlined in WIOA Sections 116(d)(4) and 122. There is no evidence that the quality, utility, or clarity of the collected information will be enhanced. Additionally, almost half of all States have received a waiver of the requirement for eligible providers to report all-student outcomes or to conduct all-student UI wage match -so this burden falls primarily on States struggling to comply with the current reporting requirements.	Under the current collection, the denominators of the performance indicator cohorts do not align to the numerator cohorts, nor are they aligned to the WIOA reports submitted as a part of the PIRL reports submitted. This is not only out of alignment, but can result in scenarios where states report

AMENDED WIOA COMMON PERFORMANCE ACCOUNTABILITY ICR – COMMENT RESPONSES		
#	COMMENT	RESPONSE
		accurate counts that cannot be converted into accurate rates over 100%, which is not helpful to consumers.
<b>Miscellaneous</b>		
44	<p>The current practice of reporting one individual's multiple races (and/or ethnicities) under numerous elements presents misleading information when comparing counts of individuals. It can also impact projections and future planning for organizations, including efforts to increase services to underserved populations.</p> <p>The practice of collecting Ethnicity and Race as two separate questions is appropriate because each question measures separate and distinct demographic elements: ethnicity is cultural, and race is physical. Likewise, for reporting purposes, ethnicity and race should not be aggregated into one data element. They should be maintained as two separate data elements.</p> <p>It is appropriate to aggregate multiple races when an individual indicates more than one race. In this case the person's race should only be reported as "More than One Race". For example, if a consumer identifies as White &amp; Asian, they are only counted as multi-race, not counted as multi-race, White, and Asian. It is inaccurate for this individual to be reported under the separate individual races. If counted across numerous races, one person can appear to be multiple people, skewing the data's accuracy.</p> <p>Ethnicity should never be counted in "More Than One Race" counts because it is a separate demographic.</p> <p>This methodology simplifies reporting, makes the data easier to understand and aids in data validation since the total participant count equals the total ethnicity count which equals the total race count. It also enhances the quality and accuracy of the data and information that is collected and reviewed for future planning purposes.</p>	<p>OMB has established standards for the collection of data relating to race, which require that individuals must be presented the option of selecting one or more racial designations. When possible, including individuals in each racial category they selected is the most appropriate and accurate reflection of what was reported to the departments. In cases where the data collected on these categories can only be validated by comparing the aggregated numbers to the total number of participants, the individuals who report more than one race will only be included in the "more than one race" category. In cases where this data can be validated through the review of individual records reported to the departments, the departments will continue to aggregate individuals into each individual race category they selected as well as in the "more than one race" category. The departments further note that grantees are able to collect this data at more granular levels than they are required to report for this collection, such as may be required for data collections relating to civil rights.</p> <p>DOL notes that ethnicity is not a part of the aggregation of the "more than one race" category, in accordance with OMB guidance.</p>

AMENDED WIOA COMMON PERFORMANCE ACCOUNTABILITY ICR – COMMENT RESPONSES		
#	COMMENT	RESPONSE
	<p>This methodology simplifies reporting, makes the data easier to understand and aids in data validation since the total participant count equals the total ethnicity count which equals the total race count. It also enhances the quality and accuracy of the data and information that is collected and reviewed for future planning purposes.</p>	<p>Title II will continue to collect and report unduplicated participant race and ethnicity data in accordance with the “<i>Final Guidance on Maintaining, Collecting, and Reporting Racial and Ethnic Data to the U.S. Department of Education</i>” (72 FR 59266).</p>
45	<p>Ongoing IT costs:            As a member of the America’s Job Link Alliance (AJLA) consortium, ongoing programming changes necessary to support reporting changes are not billed individually to the Maine Department of Labor; however, consortium States will inevitably see a significant increase in the annual fee to cover these costs. These proposed changes will increase the burden of systems upgrade to accommodate the additional information, with no discernable benefit to the provider or the customer.</p> <p>Financial burden on MDOL, WIOA service providers, and eligible training providers:            Adjusting our various data reporting tools will result in added expense with little/no benefit to the state, WIOA participants, or training providers. Each required change leads to user testing, error recognition and error resolution staff time that is not included in the burden of cost. Maine does receive WIOA funding at a level adequate to cover the expenses associated with this work.</p> <p>Burden on Training Provider Resources:            Some proposed changes will lead to additional student performance data collection from training providers, representing an increase in their workload and the expense of their staff time spent compiling and reporting the data to MDOL. This does not appear to be recognized in the cost burden proposed in this ICR.</p> <p>Many of our training providers are very small organizations- some with only one or two staff people. Despite our assistance, these providers already find the student performance reporting requirements to be daunting. Without a clear benefit to the training provider, it would be counterproductive to require yet more data reporting. In fact, due</p>	<p>The Departments appreciate the state’s concerns about duplicative reporting. In the case of the ETA-9171, these reports are required by statute and therefore cannot be changed by the Departments without an act of congress. States are encouraged to align their data collections for these various reports to the greatest extent possible to reduce duplication of effort. The Departments note that there opportunities for states to obtain additional funds for updating and modernizing data systems, such as the Workforce Data Quality Initiative grants issued by the Department of Labor.</p>

AMENDED WIOA COMMON PERFORMANCE ACCOUNTABILITY ICR – COMMENT RESPONSES		
#	COMMENT	RESPONSE
	<p>to current student performance reporting requirements, we have received several training provider’s request for removal from our ETPL.</p> <p>Maine is committed to easing the performance reporting burden on training providers; however, these proposed changes will increase that burden. Maine does not have the resources to cover the expenses associated with increasing our technical assistance to training providers.</p>	
46	<p>Duplicative and redundant reporting systems:            These proposed changes are not necessary for the proper performance of our agency and services. The information required under the proposed changes is already reported through the current ETA 9171, the National Student Clearinghouse (higher education), and MaineSTARS (adult education). While we appreciate ETA’s desire to streamline its reporting instruments, the burden should be on the federal government to reprogram its own tools for efficient collection/merging/reporting of the required data.</p> <p>Data limitations effects on quality, utility, and clarity of information: Many of our training providers are small; they run classes with few students. In these cases, the performance data represents a small sample size that doesn’t provide statistical value.</p> <p>The changes are not necessary for the proper performance of the functions of the agency, including whether the information will have practical utility. The proposed changes lead to questions that are left unanswered. How do these changes lead to a more efficient, less costly, more effective eligible training provider system? What is the return on our investment? How will training providers, jobseekers, and WIOA service providers benefit in real terms—better paying jobs, improved training quality, lower costs to our programs? How do Mainers, their families, their employers, and their communities benefit from these proposed changes?</p>	