



Governor's Workforce Board

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Memo

TO: Eligible Training Providers (WIOA)

FROM: Marjories Uceta, Coordinator of Employment & Training Programs

SUBJECT: Reporting of Employment and Earnings for All Students as a condition of continued training provider eligibility

DATE: October 1, 2020

Valued partners,

The purpose of this memo is to clarify and remind training institutions currently listed on the state Eligible Training Provider List of the requirements for continuing eligibility and, in particular, the reporting of all Employment and Earnings for All Students within an ETPL program of study.

BACKGROUND

WIOA Sections 116(d)(4)(A) and (B), and 122(d)(2)(A), and 20 CFR 677.230(a)(4) and (5) and 20 CFR 680.430(b)(5) require that the State Performance Reporting System include employment, earnings, and other outcome information for “all individuals engaging in the program of study” (including WIOA-funded and non-WIOA-funded individuals).

WIOA grants the US Secretary of Labor the authority to waive some regulatory requirements as a tool to promote workforce system innovation and outcomes. In its October 2018 Waiver Request to the Secretary - among other waivers, Rhode Island requested a waiver from the obligation of eligible training providers (ETPs) to collect and report on the performance data of all students in a training program. The USDOL granted this waiver, on the condition that Rhode Island continue to take into account the outcomes of all students in an ETP program of study, with respect to their employment and earnings, as required for the demonstration of continued eligibility in 20 CFR 680.460(f)(1)(iii) and WIOA Section 122. Rhode Island has requested renewal of this waiver.

To summarize, while state WIOA reports to the USDOL do not have to include performance data of all students in an ETPL training program; the state must still receive employment and earnings information for such students as part of our continuing eligibility determination.

EMPLOYMENT AND EARNINGS FOR ALL STUDENTS AS A CONDITION OF CONTINUED TRAINING PROVIDER ELIGIBILITY

Per the terms of the ETPL program, and stated in your ETPL contract, at initial application, you were required to provide the following elements:

- i. The percentage of all program participants who are in unsubsidized employment during the second quarter after exit from the program;
- ii. The percentage of all program participants who are in unsubsidized employment during the fourth quarter after exit from the program;
- iii. The median earnings of all program participants who are in unsubsidized employment during the second quarter after exit from the program;
- iv. The percentage of program participants who obtain a recognized postsecondary credential or a secondary school diploma or its recognized equivalent (subject to indicators relating to credential in WIOA sec 116(b)(2)(iii));

As a condition of Continued Eligibility, these same elements must be self-reported to the State in the aggregate using a digital reporting portal.

The portal is available at: <https://form.jotform.us/71515918877167>

Using the flexibility granted by the Waiver by the USDOL, the state is not requiring ETPL providers to collect and submit social security numbers and/or outcomes for each individual in a program of study. The reporting elements above are reported in the aggregate. It is the expectation of the Department of Labor and Training that the methods and methodologies to collect, compile, and self-report this information will be reasonable, secure, and effective; and that measures reported will fairly represent employment and earnings outcomes of all students.

As part of its ETPL Monitoring process, the Department of Labor and Training will randomly audit the information reported by select providers to ensure it is accurate and that the methodology to collect, compile, and report this information is reasonable, secure, and effective.

If it is determined by the Department that the methods to collect, compile, and self-report outcome information is not reasonable, secure, and effective; and/or that measures reported do not fairly represent employment and earnings outcomes of all students, the provider may be required to submit information, including but not limited to Social Security numbers for all students (including WIOA-funded and non-WIOA-funded individuals) who withdrew, graduated or were enrolled in an ETPL program of study during the covered period.

Failure to meet this requirement may result in removal of the training program from the ETPL. Any such determinations or actions may be appealed by the provider using the Appeal Process as outlined in the ETPL policy 15-19-2 (<https://gwb.ri.gov/wp-content/uploads/2019/05/ETPLPolicy15-19-02.pdf?c50124>).