

ICR REFERENCE #

OMB Control No. 1205-0526
60-Day FRN Public Comment and Agency Response

Department of Labor

Information Collection Request

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

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

Revised 10/30/2024

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Executive Summary (Overview of Document)

The Department of Labor (DOL) published a 60-day Notice in the Federal Register (FRN) seeking public comments concerning proposed extension for the authority to conduct the information collection request (ICR) titled, “Workforce Innovation and Opportunity Act (WIOA) Performance Common Performance Reporting” on June 24, 2024 (OMB ICR Reference Number 1205-0526).

This document provides a summary of the 12 sets of public comments received in response to the 60-day comment Notice on the Joint ICR and the Department’s responses to those comments. The Department has organized this Summary of Comments and Responses by issues raised by the commenters, the particular forms of the ICR documents and by programs.

The comments are organized into 6 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 agency’s response. Finally, the fourth column indicates the frequency of the comment (i.e., how many times the same or a similar comment was received) from the 60-day comment period. Lastly, instead of repeating responses to comments that solicit the same response, the Department cites the response in the appropriate section. For example, “See response for PIRL #1” cites the response for the first comment in the PIRL section of this document.

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AMENDED Joint ICR - COMMENT RESPONSES			
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GENERAL			
1.	NASDAE Comment: The new regulations regarding Eligible Career Pathway Programs are an encouraging step in providing confidence to colleges that they are offering Ability to Benefit in compliance, but colleges and adult education providers need assistance in collaboration. The regulatory burden is on college financial aid departments, but the drive and the impetus to offer Ability to Benefit often comes from adult education programs. 90% of adult education students served who indicate that they have U.S.-based schooling do not have a secondary credential or higher at intake. This percentage has remained steady over the past 10 years. Goals for these students frequently include attainment of the secondary credential as a gateway to higher education. NASDAE requests more frequent and purposeful joint technical assistance from OCTAE and federal financial aid offices provided to adult education and college financial aid to assist with the drive to support the implementation of Ability to Benefit	The Departments welcome the comment on the need for technical assistance on Ability to Benefit. While this topic is beyond of the scope of this ICR, the Departments will continue to explore possibilities for future collaboration. OCTAE will launch a new national technical assistance initiative in FY 2025 to: • 1) Determine systems alignment needed for the development of high quality, evidence-based eligible career pathway programs for ATB use at community and technical colleges, • 2) Provide technical assistance and resources to assist colleges and States in understanding ATB regulatory requirements, • 3) Promote and assist adult education and family literacy programs and community and technical colleges in designing and implementing ATB eligible career pathways opportunities for adults, and • 4) Provide technical assistance designed to increase the number of States with an approved State process for ATB.	1
2.	NASDAE Comment: Adult education, as part of the workforce development system, is a critical engine of upskilling and reskilling youths and adults to meet the needs of the economy, one that is much more dependent on digital skills.	The Departments welcome the comment and recommendation for greater collaboration between Title I- Youth and Title II. While this topic is beyond of the scope of this ICR, we will continue to explore possibilities for future collaboration.	1

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	Adult education programs are serving more youths than ever before. NASDAE requests the Departments of Labor and Education foster collaboration with the Title I youth program at the federal and state levels to position the Title II adult education program as the first option to upskill and support youth to enter a career pathway. These Department level efforts are especially important given the COVID-19 pandemics impact on youth learning losses and emerging IET opportunities coordinated by the Title II adult education program to accelerate economic mobility and learning. Additionally, the requirement to expend 75% of the Governor's reserve and local formula youth funds on out-of-school youth is critical for ensuring that our workforce development efforts are effectively addressing the needs of our most vulnerable populations. Currently, 21 states and 4 territories have waivers for Waiver #3: Out of School Youth (OSY) - WIOA sec. 129(a)(4); 20 CFR §681.410. Out-of-school youth face significant barriers to employment and education, including limited access to resources, unstable living conditions, and lack of support networks. By requiring that a substantial portion of funding be allocated to these individuals, WIOA aims to address these disparities and provide targeted support to help them achieve economic self-sufficiency and long-term stability. Maintaining the 75 percent funding requirement for out-of-school youth is essential for ensuring equitable access to workforce development opportunities and addressing the unique challenges faced by this vulnerable population.		

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3.	Tennessee is not in favor of making these changes to the ETA 9169, ETA 9170 or the ETA9171. We believe these changes will put undue burden on the states to make all the changes necessary to collect and report correctly in each state's management information system. These changes will require each state to spend time and resources modifying their system to add the new elements in their applications and ensure reports reflect the new changes. These changes will require additional funds to make the modifications and we currently do not have funds to keep up with the constant changes. The other consideration is that we are using the older PIRL files to build our local statistical and compare trends to the data. So even if there are only minor changes to the PIRL it still has a ripple effect of changes that must be made to accommodate the Local statistical model and change all the code. If you change or add a new value, you may not be able to compare accurately by comparing to older PIRL files to the changed new PRIL. I participated in a PIRL data element evaluation a few years back where we were looking at elimination of certain PIRL elements that we felt were not mandatory and added no value. It seems that these changes are going in the opposite direction adding to data collection that we feel may not bring the value return.	The Departments appreciate the feedback regarding the burden of additional reporting elements. The Departments have considered the burden impacts of each addition and believe that the additional information is justified when considering various requirements, benefits, and current availability of this information. Regarding specific added elements, the Departments provide responses later in this document for more direct discussions of each added or changed code or element. Considering the impact of information collection revisions that both additions and deletions to the established reporting elements can cause, the Departments propose only select revisions to the ICR at this time. The proposed changes are to align with statutorily required data collection elements, such as the collection of the Effectiveness in Serving Employers performance indicator, revisions in OMB data collection standards relating to demographic information, and clarifications to improve reporting of existing performance indicators. The Departments will consider more general revisions, including the removal of elements, in a future ICR.	1
PIRL (ETA-9170)			
1.	DE201 - language does not align ("intersex" vs. "other"). It is also unclear in ETA-9170 if the intent is to capture "sex assigned at birth." Collecting this information as identified in ETA-9172 (sex assigned at birth) could be invasive and off-	WIOA Section 189 (h) requires that participants served by WIOA have not violated section 3 of the Military Selective Service Act, which requires that US citizens or immigrants who are assigned	1

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	putting to some individuals.	male at birth must register for the Selective Service System. The Selective Service System has clarified that US citizens or immigrants who are assigned male at birth and changed their gender to female are still required to register, while individuals who are assigned female at birth and changed their gender to male are not required to register. WIOA section 116 also requires that WIOA Annual Reports be disaggregated by Sex. Therefore, a participant's sex assigned at birth is something that is required to be asked of a participant. The Departments notes that individuals must be given the option to choose not to disclose for these elements. The Departments also note that the ETA-9170 is not submitted separately, but rather serves to align definitions across WIOA programs even when the data are actually collected through instruments that are specific to each agency (e.g. DOL collects this data through the ETA-9172, RSA collects through the RSA-911, and OCTAE collects through the NRS tables)	
2.	402 list three different definitions for Long Term Unemployed. The change will not allow comparisons when looking at prior year data. This will also add a burden to staff on how to answer correctly.	For the WIOA core programs, the only allowable codes for this element will continue to be 1 and 0. These added code values are only usable for specific programs that have statutory differences or flexibility with respect to the definition of Long Term Unemployed. For example, code 2 is specifically allowed for Disaster type National Dislocated Worker Grants (DWG).	1
3.	Data element 402. Long-Term Unemployed at Program Entry. We appreciate the addition of a value of "Record 2" and	The Departments appreciate the commenter's support and notes the limitations of when these alternative definitions may be used,	1

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	"Record 3" and clarifying language of unemployment for 27 or more non-consecutive weeks within the past 12 months.	as described in the response to PIRL comment #2.	
4.	Many data elements are repeated or very similar. Though they may be asking for slightly different data points, and some are optional, it can create confusion. Reduction of similar data and/or clearer definitions that explain why data is similar yet still needed would be helpful. o 407 "Highest School Grade Completed at Program Entry (WIOA)"; 408 "Highest Educational Level Completed at Program Entry (WIOA)";409 "School Status at Program Entry(WIOA)" o Date of Entry/Start date is asked about 5 times. o Date of Exit (in addition to credential completion dates) is asked about 6 times. o Apprentice Status (Active vs. Completed vs. Withdrawn or exit) is asked in 6 fields.	The Departments note that while the names of the elements may sound similar, the definitions of these elements are clearly distinct and have a clear purpose. For example, element 408 captures the highest level of educational completion a participant has obtained, while element 407 captures the highest grade that the participant completed in elementary or secondary school, which is particularly important for individuals that report "no educational level completed" in element 408. Element 409 is crucial to demonstrating whether or not an individual is still actively in school or out of school. With respect to the various entry date, exit date, completion dates, etc. these elements each have a specific and important purpose, and are crucial for tracking a participants progress through a program, and many of these are specifically tied required performance indicators that look at outcomes that occur within specific timeframes.	1
5.	Element 905: Please add in the WIOA definition of Youth 14-24.	While we did not include the entire eligibility definition for a WIOA Youth, we did add the language "is an eligible youth defined in WIOA Section 3(18) as an in-school youth or out-of-school youth" in response to this comment.	1
6.	In relation to Data Element 1301 - Eligible Training Provider ID # - Training Service #1 (WIOA), please allow for ample time for states to implement and collect this Data Element before adding WIPS edit checks and requirements.	The Departments appreciate that some changes will take time to implement and will take this into account in developing the implementation timelines for the changes made through this amendment.	1

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7.	Element 1301 - Converting an existing name field to an IPEDS number or alternatively a new state-defined number will be a significant amount of work for staff. NC requests that states can always use their own existing internal number that can match on the 9171 submission but not require the use of a new IPEDS. This number will be consistent for all time where IPEDS may have to change if done incorrectly.	The changes to this element are intended to facilitate easier alignment of PIRL data to ETP data, where an element has also been added to collect this information. Use of the IPEDS number, when applicable, will increase the value of the data reported on ETPs as it will enable provider data to be connected across states as well as enabling the connection of WIOA ETP data to the data from the Department of Education on those same providers. Using the state-reported provider name does not allow for this, as the names reported by states are inconsistent across and sometimes within states.	1
8.	PIRL 1301- This is a large undertaking to update provider records and having to assign a provider ID to all ETPL providers and other training providers.	See response to PIRL comment #6.	1
9.	PIRL 1301 - Tennessee is requesting an explanation as to what would the benefit be to add the provider ID instead of listing the actual name of the provider? Adding these numbers to every provider and ensuring that they are correct will be a huge burden to the ETPL team. Also any time you wanted to know what provider you were looking at when viewing the ETPL 9171 PIRL you would now have to go to a website to plug in the provider number when it already had the ETPL provider name in the current version.	See responses to PIRL comments #6 and #7.	1
10.	Data element 1301. Eligible Training Provider ID # - Training Service #1 (WIOA). If adding Youth as a program to this element, would DOL want to include a disclaimer regarding the Youth program responding for reporting element as "Training Provider" rather than an "Eligible Training Provider"?	The addition of WIOA Youth for this element is to align the reporting better to the regulations. As stated in 20 CFR 680.400, Out-of-School Youth aged 16-24 are included in the participants that can use ITAs to receive training from ETPs.	1

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	Commenter suggests DOL consider removing a portion of this PIRL element name of "Eligible" to align with other related elements removing "eligible". (Remove "eligible") or if we are misunderstanding the purpose of adding this as a required element for the WIOA Youth program, then clarify that "eligible" should remain in the data element name but this element would only be utilized for some youth and when co-enrolled with another program such as Title I Adult or Dislocated Worker.		
11.	PIRL 1301 - Current setting for this element in ETO is the provider name. How will the number be provided to staff? Looking it up on the ed.gov website every time is not adequate. Will there be a backend system conversion for this element? Or a search function similar to the current O*NET code search?	While providers that are required to report to IPEDS will know their IPEDS ID, the Departments will provide TA to states that will assist in making the changes necessary to comply with this requirement.	2
12.	PIRL 1301 - Eligible training Provider ID: The desire to easily connect the institution-level data reported on the ETA-9171 report to the individual-level data on the ETA-9173 report, as well as connecting data for a given provider across multiple states, through a provider ID is recognized with the suggested modifications to this element. However, implementing such a requirement after decades is burdensome and could fail to be applicable to its intended purpose. State workforce agencies operate established data systems where providers created profiles long ago to submit programs for inclusion on the eligible training program list. To ensure compliance and gather this new data retroactively, state workforce agencies will need to ask institutions to verify whether they are required to report	As stated in the Departments' response to PIRL comment #6, the Departments appreciate that some changes will take time to implement and will take this into account in developing the implementation timelines for the changes made through this amendment. While the Departments will provide technical assistance to states to enhance their ability to comply with this, the Departments encourage states to incorporate the collection of this information into their ETP initial and continued eligibility procedures.	1

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	to IPEDS and to provide their assigned ID when submitting a program for consideration once this requirement is implemented. The knowledge of whether a provider possesses an IPEDS ID is exclusive to the institution itself, not to the staff of state workforce agencies. Often, the individual submitting the application may be unaware of the IPEDS ID, which could lead to either incorrect data entry to satisfy the requirement or a refusal to submit the application due to lack of information. In cases of incorrect data entry, state workforce agencies do not keep a list of approved IPEDS IDs, making it impossible to verify and ensure the accuracy of this information. Incorrect entries could also occur if a provider claims not to have an IPEDS ID, resulting in the assignment of a state-generated code. Any of these scenarios could hinder a state workforce agency's ability to fulfill reporting requirements, as it is expected that an edit check will be implemented to ensure that IPEDS IDs correspond with an existing federal list, like the new requirements for the ONET-SOC Code aligning with the 2019 ONET-SOC taxonomy Furthermore, the proposed modification brings up issues regarding the misrepresentation or misaggregation of the outcomes of the state's providers/programs on TrainingProviderResults.gov. Pennsylvania boasts numerous institutions, some of which are likely IPEDS reporters, with multiple campuses. Combining performance data by IPEDS ID, especially if an institution is only given one ID regardless of its campus locations, could potentially distort consumer decision-making by either exaggerating or downplaying a program's		

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	performance due to the aggregation. These concerns are also relevant to the ETA_9171 suggested new data element 'Unique Provider/Institution ID'.		
13.	In relation to Data Element 1303 (1310 and 1315) - Type of Training Service #1 (#2 and #3) (WIOA), CA does not agree with the update to add Pre-Apprenticeship Training as Code Value #13. There is already confusion relating to whether pre-apprenticeship programs are considered a Training Service or not, and this would further that confusion. Since pre-apprenticeship programs are not considered a Training Service, it should not be collected in 1303 (1310 and 1315). If the participant is in an occupational training component of a pre-apprenticeship program that is separate from the work experience component, states should just report this as Code Value 6, Occupational Skills Training (non-WIOA Youth).	This amendment was made as a result of the confusion referenced by the commenter. The design of pre-apprenticeship programs varies, and while all pre-apprenticeships have some work experience component, there are some that also include an occupational training component. This change is intended to capture this nuance more accurately.	1
14.	Data element 1303, 1310, 1315. Type of Training Service #1 (WIOA). The addition of a value of "13-Pre-Apprenticeship Training" as the training component of a pre-apprenticeship makes sense with the caveat that pre-apprenticeship, the career planning component of Pre-Apprenticeship, still has a place to be reported such as DE1205 for Combined PIRL. States/grantees are seeking alignment in the definition of pre-apprenticeship and clarification. See also DE1205 comment.	The Departments appreciates the comment in support of this change and confirms the commenter's understanding that the non-training components of pre-apprenticeship should be reported in element 1205, regardless of if the pre-apprenticeship program in question includes a training component.	1
15.	Field 1310- Code 13 should only be used is the participant is in an occupational training component of a pre-apprenticeship program that is separate from the work experience component.	If the occupational training the participant receives is a part of their pre-apprenticeship program, users will report code 13. If the participant receives occupational training that is not formally a component of their pre-apprenticeship program, then users will	1

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	How does one differentiate when to use a 6 or a 13?	report code 6.	
16.	PIRL 1303/1310/1315 - 1) For Type of Training Service WA uses the service TAA Approved Training. This is not on the list. I am curious as to whether this causes PIRL errors if we are using the TAA Approved Training service or is it linked to code 06? 2) Might DOL also consider adding a youth apprenticeship code? Here in Washington, pre-apprenticeship and youth apprenticeship are both recognized as pathways to registered apprenticeship, though they have separate and distinct requirements for registration with our state's registered apprenticeship council.	1) TAA Approved Training means training approved under the 6 criteria of the TAA Program. TAA Approved Training can be funded by TAA or other workforce programs. No, there would be no PIRL errors based on this element. TAA approved training services could be any allowable type of training. 2) To avoid confusion, the Departments declined to add a separate youth apprenticeship code. At this time, the Departments consider youth apprenticeship as registered apprenticeship for youth and not a pathway to registered apprenticeship. The Departments also do not register pre-apprenticeship programs at the federal level and do not have specific/separate requirements for registered apprenticeship programs that serve youth.	1
17.	Data element 1304 and 1305. Program of Study by Potential Outcome and Program of Study CIP Code. Commenter team appreciates and agrees with this proposed update to include the Trade program in reporting Program of Study as this will provide for more consistent reporting of Program Of Study an in conjunction with the proposed remove of 1331. Commenter team, with the proposed update from "Eligible Training Provider..." to just Program of Study/POS-CIP (removing "eligible training provider", would pose for DOL consideration to include DE1304, 1305 for the Youth program for Youth program participants enrolled in post-secondary training programs.	The Department appreciates this comment and accepts the suggestion that PIRL 1304 and 1305 be added to the list of WIOA Youth elements.	1

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18.	Element 1304: TAA is already reporting in other elements these outcomes so do not believe there is a need to report this one also. If it is deemed a necessity for TAA to report, TAA believes it would best convey its meaning to have the first sentence say, "Enter the participant's potential outcome(s) for Program of Study" and the Element Name to be "Potential Outcome for Program of Study"	The Department is always exploring ways to align data across programs whenever possible. This addition for the TAA Program is one of those changes. The Department appreciates and accepts the suggestion to make clarifying changes to the element name and language.	1
19.	PIRL 1305 - How will CIP Code be provided to staff? Looking it up on the ed.gov website every time is not adequate. Will there be a backend system conversion for this element? Or a search function similar to the current O*NET code search?	For training programs that are included on the state's ETP list, states should obtain the CIP code associated with the program on the state's ETP listing. For other programs, the CIP code can be identified using the Department of Ed's CIP codes listing: https://nces.ed.gov/ipeds/cipcode/Default.aspx?y=55 or if a ONET SOC code is known for the program a state may obtain the CIP code by using the CIP SOC crosswalk available from NCES: https://nces.ed.gov/ipeds/cipcode/post3.aspx?y=56 .	1
20.	Element 1305: TAA believes that this will burden the program throughout the United States, and that this requirement will not provide the information DOL is seeking. The adoption of CIP codes at a program level has not been uniform across all educational facilities as a result DOL will end up with CIP codes that have been selected by TAA staff members and higher education institutions resulting in inconsistent data due to self-interpretation.	See response to PIRL comment #19.	1
21.	1= In-State and 6= Out-State - NC currently has out of state wage data that is part of our states' UI as well as out of state SWIS data. We recommend that this be left as 1=State UI and 6 = SWIS/FEDES out of state.	The Departments appreciate this comment and has made corresponding changes to the code values and definitions of these elements to account for this. The updated approach will clarify that code 1 will indicate that the data came from a match	1

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		against the state's own UI wage match system, while code 6 will reflect wage matches conducted outside of that state's system, such as SWIS matches. The definition also clarifies that in cases where wage record results from the state's own system and an external system are combined, code 6 should be reported.	
22.	Data element 1601, 1603, 1605, 1607. Type of Employment Match < > Quarter after Exit (1st, 2nd, 3rd 4th) Commenter team appreciates the reporting distinctions of differentiating between in-state wage data and out of state wage data. Many records include a combination of in-state and out-of-state wage data within a given reporting quarter. Commenter team encourages consideration of adding another reporting option to identify if wages for a given quarter were "both in-state and out-of-state".	See response to PIRL comment #21.	1
23.	Type of Employment Match change This change would require many wage processes to be updated and would be burdensome on the state. How will the Feds use the additional value of knowing if 1 came from in state wages or 6 out of state wages in the PIRL?	The State Wage Interchange System (SWIS) Data Sharing Agreement limits the Department of Labor's (DOL) Employment and Training Administration (ETA), the Department of Education's (ED), Office of Career, Technical, and Adult Education (OCTAE), and Office of Special Education and Rehabilitative Services, Rehabilitation Services Administration (OSERS/RSA) use of Wage Data obtained by states through SWIS. Wage Data reported by states to ETA, OCTAE, or OSERS/RSA may be used for purposes outlined in Section IX.F of the SWIS Agreement. Understanding the source of the Wage Data clearly identifies how the reported Wage Data can be used.	1
24.	PIRL 1601/1603/1605/1607 - DOL proposes to distinguish	As defined in Section V.EE. of the SWIS Agreement, Wage Data	1

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	between outcomes identified through in-state UI wage data versus out-of-state UI wage data, DOL should bear in mind the constraints imposed on States as it relates to confidentiality and retention of out-of-state UI wage data under the State Wage Interchange System (SWIS) agreement, namely using only aggregate data for Federal performance reporting, which seems to be at odds with individual, SSN-level disclosure in the PIRL.	are individually identifiable information reported quarterly by employers. Wage Data include, but are not limited to, employer and employee names, Social Security Numbers (SSNs), Federal Employer Identification Numbers (FEINs), state tax identification numbers, associated wages, and North American Industry Classification System (NAICS) codes. Wage Data are considered confidential Unemployment Compensation (UC) information under 20 CFR part 603. As defined in Section V.B. of the SWIS Agreement, "Aggregate Data" are "Wage Data" that have been stripped of any information that would identify the individual(s) or the employer(s) to whom the data pertain, including but not limited to, name and SSNs or FEINs, and any state tax ID number that have been aggregated into a group(s) containing no fewer than three (3) records, provided that nothing in the SWIS Agreement shall prevent a PACIA from observing a more stringent aggregation policy with regard to its own use and reporting of data. If reported employment outcomes are derived from Wage Data from SWIS it is subject to the restrictions of the SWIS Agreement.	
25.	The change on 1601 to indicate if Out of State UI and In state UI, why separate. Both are UI wages. If SWIS can be used by all these programs why separate In state vs out of state. The changes to get this information listed is cumbersome and will take many man-hours to complete.	SWIS can be used for the programs outlined in Section IX of the SWIS Agreement. Wage Data reported by states to ETA, OCTAE, or OSERS/RSA may be used for purposes outlined in Section IX.F of the SWIS Agreement. Understanding the source of the Wage	1

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		Data clearly identifies how the reported Wage Data can be used.	
26.	Data element 1608. Training Related Employment. Commenter team recommends to consider adding option if participant did not complete training in addition to the proposed update(s).	The calculation of the Training Related Employment is intended to capture how effective the training services provided by WIOA programs are at assisting participants in obtaining employment related to the training they received. Whether the participant completes that training may impact whether they obtain employment related to that training, and therefore such participants are relevant to include in such a calculation. Therefore, the Departments decline to make changes in response to this comment.	1
27.	TEGL 10-16 Change 3, for EFL list the following: 1. Documented achievement of at least one educational functioning level of a participant who is receiving instruction below the postsecondary level – Programs may measure educational functioning level gain in one of four ways: (a) States may compare the participant’s initial educational functioning level, as measured by a pre-test, with the participant’s educational functioning level, as measured by a post-test; (b) States that offer adult high school programs that lead to a secondary school diploma or its recognized equivalent may measure and report educational gain through the awarding of credits or Carnegie units; (c) States may report an educational functioning level gain for participants who are enrolled in a program below the postsecondary level and who enroll in State recognized	The Departments agree with the commenter’s suggestion and have made changes to this item.	1

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	postsecondary education or training during the program year. A program below the postsecondary level applies to participants enrolled in a basic education program; or (d) States may report an educational functioning level gain for participants who pass a subtest on a State-recognized high school equivalency examination. Notes: C is reworded in the TEGL but not reworded in the 9172. D is missing from the 9172 field listing, but in the TEGL		
APR (ETA-9169) - Statewide Report Template			
1.	Appreciate the attention to accessibility for all consumers of the SPR and related reports.	The Departments appreciate commenters' support of this update.	2
2.	Appreciate the alignment and consistency of terms between the SPR and the WIOA PIRL.	The Departments appreciate commenters' support of this update.	2
3.	Appreciate the inclusion of the performance indicator denominators with the SPR. This action provides clarity to the report consumer related to the number of periods of participation each outcome is assessed.	The Departments appreciate commenters' support of this update.	4
4.	Appreciate the inclusion of the additional sex categories. NASDAE would like to raise concerns with inconsistent language between the NRS table sex category names as presented in the NRS Technical Assistance Guide and the sex category names presented in the SPR. More specifically, in the NRS Technical Assistance Guide, the available sex categories include male, female, non-binary, and no answer while the sex categories in the SPR include male, female, other, and did not self identify.	We recognize the support for including additional options on the SPR to report participant sex. We understand that the two additional sex categories on the SPR could be construed as misaligned with Title II's statistical tables' sex categories. To clarify the alignment between the categories in both information collections and support accurate reporting, the Office of Career, Technical, and Adult Education (OCTAE) will provide technical assistance to respondents on the reporting of participant sex.	2

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APR (ETA-9169) - MSG Template			
1.	ETA 9169...related specifically to the WIOA Reporting Template Specifications for MSGs. On the Performance Report Specs tab, MSG Plain Text Specifications (Lines 70-78), Line 76 refers to MSG Type 4, defining it as follows: Number of participants enrolled in on the job training or apprenticeship during program participation who had a successful outcome. COABE, NCL and TESOL request that the definition be revised as follows: Number of participants enrolled in on the job training, apprenticeship, a workplace adult education program, or integrated education and training during program participation who had a successful outcome. This revision will align the text of the WIOA Reporting Template Specifications with the following statement in OCTAE's Program Memorandum 17-2: For all participants, performance may be measured by: - Achievement of at least one educational functioning level, or - Documented attainment of a secondary school diploma or its recognized equivalent. For participants enrolled in a workplace literacy or integrated education and training program, performance may be measured by achievement of any of the 5 measurable skill gains. (emphasis added) This last guideline means that performance for participants in	The Departments agree with the commenter's recommendation to revise the definition of Measurable Skill Gains (MSG) Type 4 in the MSG Plain Text Specifications on line 76 of the Performance Report Specs tab. to include workplace literacy and integrated education and training programs. The MSG Type 4 definition will be revised to be consistent with definition of MSG type 4 in OCTAE Program Memorandum 17-2: Number of participants enrolled in on the job training, an apprenticeship, workplace adult education programs, or integrated education and training during program participation who had a successful outcome. The Departments have made changes to this item.	5

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	workplace literacy and IET programs may be measured using MSG 4 as well as the other MSGs. However, the existing definition on line 76 of the specs does not include participants in these program types. The revision these organizations are requesting will rectify this omission. In addition, the requested revision will mean that the DoL definition is aligned with WIOA Title II. This will facilitate support for WIOA Title I youth who are served in adult education programs.		
2.	MSG Report - Is there a reason Wagner-Peyser is included in the list of available programs since MSG does not apply to it?	The Departments appreciate this comment and is removing Wagner-Peyser from the MSG template.	1
3.	BEEdA also supports the addition of an MSG based on a student earning a passing class grade issued by an accredited educational institution or organization. This would be similar to MSGs awarded for earning high school credits or completing HSE subject tests. This would also allow students to demonstrate progress through authentic assessment while still ensuring necessary rigor.	The Departments acknowledge the recommendation to further expand opportunities within the existing MSG types in order to measure incremental learning gains for adult high school students at the higher ABE levels. We have been consulting with test publishers, psychometricians, the state directors who comprise the NRS Technical Working Group, and other NRS stakeholders to explore options for measuring such gains in the National Reporting System for adult education.	1
4.	NASDAE Comment: NASDAE appreciates the rule change that allows for MSG for each subject test of a high school equivalency exam and would advocate for many other secondary credential pathways to be recognized to support state efforts in achieving this critical milestone. For Carnegie unit state recognized high school diploma programs, could	The Departments acknowledge the recommendation to further expand opportunities within the existing MSG types in order to measure incremental learning gains for adult high school students at the higher ABE levels and for students at the beginning ESL levels. In the fall of 2023, OCTAE launched an effort to study the	2

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	MSG Type 1b expand from one (1) MSG available (the student advances from ABE 5 to ABE 6) to three (3) total MSGs available (MSGs for progression from 9th to 10th grade, 10th to 11th grade and 11th to 12th grade). This would mirror the change made by the addition of MSG type 1d (MSG awarded for the completion of each High School Equivalency (HSE) subject test) and would more closely reflect the traditional four (4) grade levels to complete a traditional high school diploma. Adult education programs now serve more students in English language programs compared to Adult basic/secondary programs, 56 to 44 percent. This is a 16-point difference from a decade ago. Within this growth, some programs have seen an uptick in very beginning literacy English language learners; as reported on NRS Table 4 for program year 2022-23, 51% of English Language Learner participants were reported in NRS levels 1, 2, or 3 and 16% were reported in NRS level 1. The primary way lower level English Language Learners achieve a Measurable Skill Gain is through the pre-/post-test option. It can take significant instruction for these students to achieve a Measurable Skill Gain, especially given the increased academic rigor of newly approved standardized assessments. NASDAE suggests the development of a Measurable Skill Gain option that recognizes these learners' successes and the investment of adult education programs in supporting lower level English Language Learners.	technical feasibility of recognizing incremental growth within an EFL as a measurable skill gain. We have been consulting with test publishers, psychometricians, the state directors who comprise the NRS Technical Working Group, and other NRS stakeholders to explore options for measuring such gains in the National Reporting System for adult education.	

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APR (ETA-9169) - ESE Template			
1.	All core programs are required to submit Retention with the Same Employer in their PIRL files. It is an additional burden to the states to combine and de-deduplicate the information so a single number can be reported for the state's Effectiveness in Serving Employers measure. In addition, due to the differences in the programs and how they determine their period of performance, the de-duplication realistically won't eliminate that many individuals. The additional resources needed to calculate this number is not a good use of WIOA dollars.	The Departments appreciate this comment, and note that States must de-duplicate counts of participants co-enrolled in more than one core program covered by the state's common exit policy where the co-enrolled participants are in the same period of participation. For programs that do not share a common exit policy, this means that a participant enrolled in both programs will have separate periods of participation, and those periods of participant are therefore not subject to deduplication.	1
2.	Comment from CUWA in opposition to the ESE indicator. Commenter expressed concerns about practical utility, burden of collection, and the quality/utility/clarity of the information  Joint WIOA ICR 1205-0526 - CUWA.m collected.	The Department thanks the commenter for their feedback on the ESE indicator, and notes that for the purposes of this ICR, the portions of the templates that relate to ESE do not have any proposed changes and are intended to implement the indicator as established in the final rule that went into effect March 25, 2024 . Comments for that that final rule and the ICR changes were managed through that process, and commenters are encouraged to review the comments and responses to similar comments received through that process.	1
ETP Performance Report (ETA-9171)			
1.	DE 104 - This may be confusing to the training providers, specifically nonprofit and for-profit providers which offer associates and baccalaureate degrees. If only one may be	Thank you for this comment. DOL is making changes to the definitions of each entity type so they are no longer exclusive, and more than one type can be reported as applicable. For example, if the training provider is a public provider that awards	1

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	recorded, which one should be used?	associates and baccalaureate degrees the expected response will be "127".	
2.	ETP Data Element 108. Program of study by potential outcomes. Commenter team recommends for DOL to reevaluate ETP Data Element 108 in conjunction with PIRL(9172) data element 1304 definition for the value "6". ETP data element 108 (Value 6= "IHE Certificate of Completion") and PIRL 9172 data element 1304 (Value 6= "A program of study leading to a community college certificate of completion"). Should these two descriptions align? In ETP data element 108, there are two misspelling in the value of "9" and "0" suggestion to update to correct spelling of "Measurable..."	Thank you for this comment. DOL is revising the reporting instructions for PIRL data element 1304 to align with the description in ETP data element 108 by expanding the definition to include "Institutes of Higher Education" instead of limiting it to "Community Colleges".	1
3.	The validation, Cost Per for non-WIOA students (ETP 111 + ETP 112) must be greater than or equal to the Calculated Cost Per for WIOA students (ETP 138 / ETP 135), creates many errors/edits. This is due to how the data is collected. Programs enter their cost information, and it becomes easily outdated and inconsistent, causing a misalignment in these DEs. We need to be careful of our expectations for Training Providers or they may not want to participate, creating less opportunities for participants.	While providers' costs may change between eligibility determinations, it is required that providers' costs must be updated prior to paying ITA costs that exceed the amounts reported during ETP eligibility determination. States are required to maintain up to date program cost information, to ensure that training seekers have full information when making their training decisions.	1
4.	ETP DE 113 - The column is defined as IN5, but they are only allowing 2.	Thank you for this comment, the data type/field length has been revised to be "IN2".	1
5.	ETP DE 114 - The column is defined as IN5, but they are only allowing 2.	Thank you for this comment, the data type/field length has been revised to be "IN3".	1
6.	DE 123, 124, 129, 130, 170, 171 - Metric definitions for the	The ETP reporting period covers a timeframe of 4 program years,	2

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	second and fourth quarter after exit indicators (Element numbers 123, 124, 129, 130, 170, 171) use language that is inconsistent with comparable measures for WIOA Primary Indicators of Performance, as defined in ETA-9169. These indicator definitions refer to individuals who “were in the second quarter after exit... within the ETP reporting period,” or “were in the fourth quarter after exit... within the ETP reporting period.” The comparable indicator definitions in ETA-9169 refer to participants who “exited during” the reporting period. Is the newly added “ETP reporting period” meant to be interpreted as different from the broader WIOA Performance Indicator reporting periods? This report in its current form is very complicated and difficult for training providers to understand as it requires them to provide data in cohorts that are unique for ETP reporting. These revisions will only make it more difficult to accurately submit the annual ETP report.	whereas the standard WIOA reporting periods cover a single program year. DOL provides technical assistance documents to help states and training providers understand the ETP reporting period at https://performancereporting.workforceegps.org/resources/2019/02/06/22/21/ETP-Reporting-Cohorts-Chart . While the differences between the WIOA numbers and All Students numbers are not perfectly comparable, the Departments have determined that this approach reflects the best balance between the comparability of the definitions and the burden of collecting the data.	
7.	ETP Data Element 129. Employed in the Second Quarter After Exit Denominator. Commenter appreciates all clarifying verbiage distinguishing WIOA exiters from non-WIOA students who completed withdrew or transferred. Previous references to (non-WIOA) student exiters made it confusing the definition of "exiter" meeting the WIOA exiter definition and student exiter (ie; exiting from the training program at the training institution). Commenters remain uncertain how reporting WIOA exiters, different from Student completers (student exiters) in the same calculation makes sense, and how training providers	The Departments appreciate the supportive comments, and encourages commenters to see the response to ETP comment #6 above for more information on these definitions.	1

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	reporting outcomes can easily understand “exit”.		
8.	ETP Data Element 136 and 137. Total Number of WIOA Exiters (participants that Completed, Withdrew or Transferred) served with an ITA and WIOA Exiters: Program of Study Completed. Commenter team suggestion to add parenthesis after “Transferred” in data element 136 and for both data elements could these be worded in a more understandable fashion, maybe using bullets for multiple criteria included in the element or calculation?	The Departments that the commenter for this suggestion and have made edits to this effect to clarify this definition.	1
9.	DE 138 - ITA Funds Received by Program (Cost Per WIOA Participant Served Numerator), clarification needed for how funds should be reported when there are payments made during one PY that are towards a training from a previous year.	The Departments note that because the ETP report period covers 4 years, in most instances this is not an issue. However, for the most recent PY states should report the accrued ITA expenditure amount for the period covered by the report, regardless of whether the invoices associated with those expenditures were generated or paid within the reporting period.	1
10.	EIN has not always been collected. Since much of our current ETP List does not have this information recorded, will this be required going forward only?	While the Departments understand that this information will not be available for all programs immediately, the Departments expect states to obtain this information for all eligible training programs within 2 years by incorporating this into their required continued eligibility processes. The Departments will take this timeline into account when establishing edit checks requiring this element in the reporting process.	2
11.	In relation to the new Data Element “Provider/Institution Employer Identification Number (EIN),” what is DOL’s goal with collecting this data element. How will this lower the burden of the provider by providing this data?	While there are numerous potential benefits of having this information, there are three primary reasons for the addition to this collection:	1

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		(1) Having this identifier will allow the Departments to be able to match the reporting for the same provider by multiple states. (2) Having this identified will allow the Departments to identify when the same provider is being reported for multiple programs within the state, even if the name reported is not an exact match. (3) Having this identifier allows for greater potential crossmatching with other data sets that include this identifier, which may have the potential to reduce future reporting burdens on this collection.	
12.	xxx-NEW. Date removed from ETP List After the Start of Program Year. Commenter team happy to see this update as this will help with the management of the ETP list and training provider performance. The information in this element could help explain why a training program may have little or no performance information reported.	The Departments appreciate this comment in support of this addition.	1
13.	In relation to the new Data Elements "Date Removed from ETP List After Start of Program Year" and "Reason for ETP List Removal," CA is requesting further clarification. If the Program has a date removed from ETP list, will these programs be included on trainingproviderresults.gov, and will the reason for ETPL list removal also be included on the website? CA would suggest to not include programs that have been removed from the ETP list on the trainingproviderresults.gov website; however, if they are included, there should just be a note that indicates the program is no longer on the ETP list, without	The addition of the new elements to track which programs were removed from the state ETP list will serve multiple purposes. For one, it will enable the collection of data on all providers active at any point during a program year while giving the Departments greater insights into which programs were removed and which continue to be active. This information will also enable the Departments to ensure that programs that are removed from the list will not show up in the searches that training seekers conduct on trainingproviderresults.gov, which will enhance the quality and	1

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	indicating the specific reason why they are no longer on the ETP list.	accuracy of the information available to training seekers and therefore enhance their experience with the site.	
14.	xxx-NEW. Reason for ETP List Removal. Commenter team would like clarification for where programs that simply expired without reapplication we be reported? Would those fall under 1? Otherwise consideration to add another value option for "Expired without reapplication."	The Departments appreciate this comment, and have added language to the definition in code 1 to account for this scenario.	1
15.	In relation to the new Data Element "Unique Provider/Institution ID," if an IPEDS Unit ID is reported, will providers no longer have to provide All Student performance data, as this information can be cross-matched from IPEDS at a Federal level? Please allow for ample time for states to implement and collect this Data Element before adding WIPS edit checks and requirements.	While the Departments cannot commit to saying at this time that the addition of this element will allow providers with an IPEDS number to no longer report on All Students data, that possibility is one that the Departments intend to explore once the collection of this information is under way. If the Departments determine that the IPEDS numbers being collected prove to be sufficient to meet the All Students reporting criteria, the Departments will issue guidance to make any changes to the reporting requirements clear to grantees. As stated in other responses, the Departments will develop implementation timelines that allow grantees appropriate time to make changes made through this amendment.	1
16.	ETP New data element - Unique provider ID - Each provider has to be looked up one by one. The site does not provide a download of all to be extracted and to be merged. The time and burden to add this is large for many states.	The Departments will provide technical assistance to states regarding the matching of programs to IPEDS numbers, and notes that for programs that do not have IPEDS numbers, there is no need to look up an ID number as those IDs are assigned using a simple and consistent pattern.	1
17.	xxx-NEW. Unique Provider/Institution ID. Schools with multiple	In scenarios where a program truly has multiple different IPEDS	1

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	locations sometimes have different IPEDS # per location (ex: Capri, Midwest Technical Institute, Iowa Valley Community College District). Commenter team suggestion to consider how States/grantees may report in compliance with this proposed element in light of multiple IPEDS #s.	numbers for the same program, states should report the IPEDS number associated with the campus address they are reporting for that program. However, states should consider whether the existence of multiple IPEDS numbers is an indication that the program on their state ETP list is more than one program of training services.	
18.	NEW ETP Element - Provider ID - This is a large undertaking to update provider records and having to assign a provider ID to all ETPL providers and other training providers.	See response to ETP comment #16.	1
19.	Requiring the IPEDS number or a state-created number will be a significant amount of work to correctly record. We request you accept the current internal Provider ID that is already setup and which matches individual data received.	See response to ETP comment #16.	1
20.	There are many clarification changes to definitions, which seemed needed. However, the addition of all the new fields will require changes to the case management system for collection.	The Departments appreciate the supportive comments and note that they will take into account development timeframes when establishing the timelines for making these changes.	1