Discussion, Consideration and Possible Action Regarding Comments for Submission to the U.S. Departments of Labor and Education in Response to July 22, 2015 Workforce Innovation and Opportunity Act Information Collection Request

Introduction – Section 116 of the Workforce Investment and Opportunity Act (WIOA) required the Departments of Labor and Education (individually: DOL, ED – together: "the Departments") to develop performance reports to be used for state, local, and Eligible Training Provider (ETP) annual reports within one year of enactment of the statute. The Departments met this deadline by publishing an Information Collection Request (ICR) on July 22, 2015 for a 60 day public comment period. That period ends on September 21, 2015.

Overview – Given the close timing between the end of the comment period on the WIOA Notices of Proposed Rule Making (NPRM) and the publication of this ICR, the ICR provisions are consisting with the original NPRM proposal and do not include changes (or even consideration of) NPRM comments the Departments received. Depending on direction of the final NPRM, the reporting specifications in the ICR may have to change. The Departments acknowledged this point in the Registry Notice where they stated that they would be reviewing ICR comments along with those NPRM comments that affect performance/reporting together. They also acknowledged the possibility they would need to reissue the ICR with changes and provide for an additional comment period.

In addition, the proposed reporting specifications are not complete – or at least don't meet the typical DOL and ED standards. They are very limited and don't include a "handbook" that actually explains how the reports work, what the performance periods are, and when they reports are due. This appears to be because the Departments view the requirement in §116 to primarily be a list of data elements and general concepts which the core programs shall all use but that the Departments will issue separate guidance on exactly how these items will be implemented individually for each program, which seems to undermine the intent of WIOA to operate an integrated system minimally across the six core programs.

Comments – Unlike the NPRM which is nearly entirely "policy" in nature, the reporting ICR has a mix of policy and "technical" issues. Examples of policy issues are: when the system is to be implemented, who is included in performance measures, ensuring that states have flexibility to promote integrated service delivery and reporting. Examples of technical issues are whether specific data elements are redundant or provide sufficient specificity or how to ensure that a customer served by more than one Board is reported on each Board's local report, or how the report "coding" should be written to enhance understanding of the users.

Staff are recommending TWC's comments be divided into three sections:

1) Cover Letter with highlighting of the most important policy issues;
2) Detailed discussion and recommendations related to Policy Issues; and
3) Detailed discussion on technical recommendations.

The attached comments draft includes staff recommendations for the Cover Letter and the Detailed Policy Issues document. In addition, the draft contains a partial list of technical recommendations. Staff have concentrated early review and writing on the first two items to ensure that the recommendations related to the cover letter and policy are able to be addressed by the Commission at the public meeting on September 1, 2015 and that staff can continue to work on purely technical issues after Commission action.

Commission Request – <u>Staff request Commission approval for the WIOA ICR cover letter and policy issues. Staff further request Commission support to continue to develop recommendations on the technical aspects of the ICR to make the reporting specifications and requirements easier to understand and as well as to recommend technical changes to implement the Commission's policy recommendations to be attached to the TWC's comments.</u>

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COVER LETTER

Date

U.S. Department of Labor
Employment and Training Administration
20 CFR Part 000
Docket No. ETA-2015-0007
OMB Control 1205-0NEW
U.S. Department of Education

RE: Comments on the Proposed Workforce Innovation and Opportunity Act Information Collection Request

The Texas Workforce Commission (TWC) appreciates the opportunity to comment on the Workforce Innovation and Opportunity Act (WIOA) proposed Information Collection Request (IRC), published by the U.S. Departments of Labor (DOL) and Education (ED) (collectively, "the Departments"). TWC provides these comments in response to the Comment Request for Information Collection for the WIOA Performance Management, Information, and Reporting System (OMB Control No. 1205-0NEW), issued by the Departments.

TWC, in partnership with our 28 Local Workforce Development Boards (Boards) and our Adult Education & Literacy (AEL) grantees, currently operates WIOA Titles I, II, and III and will soon operate Title IV Vocational Rehabilitation (VR) services, in addition to a wide variety of federally and state-funded workforce programs.

WIOA's vision of an integrated workforce system has been a reality in Texas for nearly two decades. TWC has extensive experience using integrated common measures across both state and federal programs and in using measures to foster innovation and help transform our system. Building from our experience with integrated reporting of common measures, as well as our piloting and redevelopment of the Workforce Investment Streamlined Performance Report (WISPR), TWC has a number of concerns and recommendations for the proposed ICR, many of which TWC has shared previously in our comments responding to the WIOA Notices of Proposed Rulemaking.

TWC's comments on the ICR are divided between "policy" issues, such as the implementation date and the proposal to combine two or more Periods of Participation (POPs) that end in the same program year, and "technical" issues, such as when there are inconsistencies between the Participant Individual Record Layout (PIRL) and the State Report Element Specification (report specs). In addition, because many of the ICR's aspects relate to concepts that will be contained in the final WIOA regulations, TWC has provided a copy of sections of our earlier comments to ensure that relevant points are reviewed both in the context of this ICR and the NPRM. Although both our policy and technical recommendations are included in this submission, several which we highlight for your review.

<u>First, TWC recommends that the Departments implement the new measures/reports for Program Year 2016 (PY16) and that the participant cohorts included in PY16 reports would include many participants who Exited prior to 7/1/16.</u> Applying these measures retroactively to customers who were served prior to PY16 will reduce the costs and confusion associated with a protracted phase-out of an outdated performance accountability system in which state and local staff will be unnecessarily subject to two sets of performance measures. It would also establish a benchmark against which WIOA's progress can be measured as the new system matures.

TWC's second recommendation centers on the proposal to combine multiple POPs when a participant Exits more than once in a Program Year. While the concept of combining POPs is not entirely without merit, tying the decision to the Program Year construct, and not to the relatedness of the POPs to one another, lacks any relevance to the customer's needs. As described further in our detailed recommendations, this proposal reduces the reliability of quarterly reports, makes programs more difficult and costly to manage and oversee, and undermines the effectiveness of the statistical models that rely on customer characteristics to set targets – characteristics that can change between the first and subsequent POPs which would be combined under this proposal. Therefore, TWC recommends that the proposal to automatically combine POPs that end in the same program year not be adopted for use in any WIOA program.

As discussed in TWC's response to the WIOA NPRM, TWC contends that excluding those "not in the labor force" at the Date of Participation from employment outcome measures is inconsistent with statutory intent and undermines accountability; TWC recommends that the proposal not be adopted for use in any WIOA program.

By excluding achievement of a diploma or its equivalent from the Credential measure when it is not coupled with subsequent employment or post-secondary enrollment, WIOA makes it clear that the diploma/equivalent is intended to serve as a step along a career pathway. Importantly, such an approach prevents the system from reporting successes in helping individuals who are not in the labor force to transition into employment.

WIOA envisions the use of comment case management systems and integrated reporting across the six core programs. While not all states are in a position to move to fully integrated reporting using common POPs, many states are, while others are pursuing that goal. Therefore, TWC strongly recommends to the Departments that the final regulations and reporting specifications allow for integrated reporting across core and partner programs, as states are able to do so. As proposed, elements such as "Date of Program Entry" and "Date of Program Exit" inhibit such reporting and reinforce siloed, program-based reporting rather than integrated, customer-based reporting.

This leads to the last issue that TWC would like to highlight in this introduction – WIOA is a statute that envisions integrated, holistic services to customers based on their needs and not merely a loose association of programs wrapped into a single legislative package. WIOA clearly lays out a vision for the former which requires close collaboration between the Departments. While TWC has seen this collaboration in many aspects of the NPRM and this ICR, there are also areas in which the Departments are moving in separate directions.

Nowhere is this lack of coordination more evident than in the Departments' inconsistent approaches to reporting under this ICR. The DOL and Rehabilitation Services Administration (RSA) plan to develop centralized reporting systems that will enable states to upload customer record files into systems that will perform the reporting calculations. This approach will help ensure accuracy, consistency, and therefore, accountability. The Office of Career, Technical, and Adult Education (OCTAE), however, is implementing a completely different approach. Rather than collecting customer records to be processed consistently in a centralized reporting system, OCTAE is requiring states to individually write state-specific reporting code to produce results only on an aggregated basis. Rather than promoting unified standards to inform performance reporting across states, OCTAE's approach will be far more costly to states and will reduce both transparency and consistency, to the detriment of accountability.

As stated in Texas' comments on proposed WIOA §677.235, TWC urges the Departments to consider developing a truly integrated reporting system, similar to the Workforce Investment Streamlined Performance Report (WISPR). TWC also recommends that any future performance accountability or reporting guidance issued by

the Departments be done so *jointly*. If such guidance were jointly developed and reviewed, guidance would be much more likely to be consistent across the WIOA programs. To support such efforts, TWC recommends that the Departments develop a performance accountability and reporting advisory group made up of state and local experts in these areas.

Thank you again for the opportunity to comment on this proposal. If you have any questions about our comments, please contact Adam Leonard at adam.leonard@twc.state.tx.us or 512-936-5866.

Sincerely,

Andres Alcantar, Chairman
Commissioner Representing the Public

Ronald G. Congleton
Commissioner Representing Labor

Ruth Ruggero Hughs
Commissioner Representing Employers

Enclosures

TWC Comments on the Workforce Investment Act Performance Reporting Information Collection Request
Policy Issues

Issue #1 Implementation Plan – The ICR states, "Section 116's performance accountability system will be effective on July 1, 2016" without explaining exactly what that means. There are two likely options:

1) The new measures/reports are applied for Program Year 2016 (PY16) reporting (which means using the new measures to report outcomes of people who exited prior to PY16 as is the process today); or

2) The new measures/reports are applied only to PY16 Exiters (and Participants for Measureable Skills Gain).

<u>TWC recommends that the U.S. Departments of Labor (DOL) and Education (ED) (together "the Departments") follow Option 1, that the new measures/reports be implemented in PY16 and that PY16 reporting include participant cohorts from prior to the beginning of PY16 in most instances.</u> Although there will be those who believe that since these are new measures, they should not be applied "retroactively" to customers who were served prior to PY16, TWC makes this recommendation for a number of important reasons:

1) The new measures have significant lag to them. If the measures are only applied to those exiting in PY16 forward, the first full year of results will include 7/1/16 to 6/30/17 Exiters, with results measured through the 4th quarter after Exit (6/30/18). Given the traditional reporting lag of 7.5 months from the end of the quarter being measured to allow to wages to be reported, the results on the first 4 quarters of Exiters will not reported until February 2019 – nearly five years after the law was passed.

2) The lag in the performance measures coupled with a delay in implementation will unnecessarily increase costs as states and local partners have to maintain two systems simultaneously. There is constant change among staff in the state and local organizations responsible for administering and overseeing these programs. The longer it takes the old performance accountability system to be phased out, the greater the cost to organizations that will have to maintain expertise in both the old and new systems. This includes training voluntary Local Workforce Development Board (Board) members on both old and new measures while the old system is phased out over the next 2.5 years. If the new provisions were largely applied retroactively, it would reduce costs and confusion and allow the system to begin focusing on the new measures.

3) By applying the new measures to individual people primarily served prior to WIOA's full implementation, the system gains a benchmark against which progress can be measured as the new system matures. This can help demonstrate WIOA's impact.

4) WIOA §506(b)(1) says that generally WIA §136 shall applied in lieu of WIOA §116 for the first full program year after the date of enactment of WIAO, but WIOA §511 otherwise repeals WIA itself. WIOA was enacted on 7/22/14 and the first full program year after the date of enactment was PY15, which will end on 6/30/16. If the performance and reporting systems required by WIOA are only applied to those who Exit or are served on or after 7/1/16, there will be no performance accountability for individuals who Exited prior to 7/1/16 but after WIOA's enactment.

One other note on this point is that TWC staff participated in numerous WIOA town halls – in person and online – and brought up the point that given the traditional reporting lag, the first group of Exiters to be reported under the WIOA measures would Exit January-March 2015 and other participants involved in these events,

including federal agency staff, agreed. As such, TWC staff have been developing implementation plans based this schedule which would be consistent with how DOL implemented the original Common Measures. With one notable exception, the Common Measures were applied retroactively to Participants who Exited prior to the implementation of the measures. The WIOA programs have previously had various types of employment outcome goals. While they generally focused on a slightly shorter timeframe rather than the WIOA measures, it is hard to make the argument that programs will operate that differently now that the measures focus on employment in the 2nd and 4th quarters rather than 1st and 3rd.

TWC does agree that there is at least one area in which implementation needs to be phased in and that is with Measureable Skills Gain (MSG). As proposed in the NPRM and again in the ICR, there are six different ways to achieve an MSG and it is unlikely that any of the WIOA programs currently track more than two of them. Therefore, TWC supports applying MSG only to those Participants who were served on or after 7/1/16. DOL provided for a similar ramp-up when the Literacy/Numeracy Gains measure was rolled out under Common Measures.

Issue #2 – Multiple POPs and Exits – The Departments propose to combine POPs when a Participant has more than one Exit within the same Program Year which has no relevance to the customer's needs. In addition to not being customer-focused the proposal will introduce significant complications to system management and oversight. <u>Therefore, TWC recommends that the proposal to automatically combine POPs that end in the same program year not be adopted for use in any WIOA program. TWC recommends that any proposal to combine POPs be customer-based on and not Program Year-based. TWC proposed such an option in response to WIOA NPRM §677.150 which is attached.</u>

Under the Departments' proposal which TWC objects to, if a person exits and then returns for additional services and exits again during the same program year, the original exit is ignored and the two separate POPs are combined into a single POP spanning from the Date of Participation of the earlier POP to the Date of Exit from the later POP. While OCTAE staff have claimed this method is currently in use for AEFLA reporting, OCTAE's National Reporting System (NRS) guidelines contain no such provisions.

The proposal creates management/oversight chaos and greatly reduces the meaningfulness of quarterly reports. This approach only works in an annual reporting environment and would mean that quarterly reporting cannot be relied on, in turn making the programs more difficult to manage and oversee, particularly given the amount of lag in the measures. This proposal can even undermine the timeliness and applicability of technical assistance because it will either need to wait until after the end of the program year to be certain what performance really is or may not be taken seriously until that time (because there is always a chance that some cases will disappear and performance will meet the target).

The concept of combining POPs is not without merit. If an individual Exits and returns within a reasonably short period of time, it may be perfectly reasonable to assume that the two POPs are related and combine them. However, the proposal does not actually focus on the customer or the services the customer needs as a customer-driven system should. Instead, it focuses on whether the subsequent Exit is within the same program year. "Program year" is a completely bureaucratic concept that has little relevance to the customer. The following scenarios show the arbitrary nature of the proposal:

Application of the ICR's Proposals to Combine some Periods of Participation

Scenario#	1	2	3	4
Date of Participation #1 (DOP#1)	11/1/2016	11/2/2016	7/1/2016	2/1/2017
Date of Exit #1 (DOE#1)	1/1/2017	1/2/2017	8/15/2016	3/31/2017
Date of Participation #2 (DOP#2)	4/10/2017	4/11/2017	5/15/2017	6/30/2017
Date of Exit #2 (DOE#2)	6/30/2017	7/1/2017	6/30/2017	8/1/2017

# of Days from DOP#1 to DOE#1	61	61	45	59
# of Days from DOE#1 to DOP#2	100	100	274	91
# of Days from DOP#2 to DOE#2	81	81	46	32
# of Date from DOP#1 to DOE#2	242	242	365	182
Result	1 POP	2 POPs	1 POP	2 POPs

Scenarios 1 and 2 are virtually identical from the perspective of the customer; the only difference is that Scenario 2 has been shifted forward one day so that the 2nd Exit is on the first day of the next program year. This simple shift completely changes the way the system reports the customer and is able to report (and be held accountable for) outcomes.

Aside from the arbitrary nature of the proposal, there are management implications as well. States and local Boards will not know for certain what the true Exit quarter of an individual is until October of the following program year, because of the need to wait 90 days after the end of the program year to be sure that there were not any services that would extend a POP that would otherwise end on June 30 or earlier.

Under Scenario 3, in the report due 2/15/17, the Participant would be reported as a 2016Q3 Exiter based on a 8/15/16 Exit. Then, on the 8/15/17 report, that Participant would be reported as both a 2016Q3 Exiter and a 2017Q2 Participant (based on services received in May and June). Then the 11/15/17 report would change everything again and would now report the Participant ONLY as a 2017Q2 Exiter (because by 11/15/17, it would be clear that there was a second Exit on 6/30/17, which would cause the two POPs to be combined into one).

Lastly, WIOA requires states to report on service to individuals with barriers to employment and uses that information to set performance targets through statistical models. Many of these characteristics can change over time so that what was applicable at the Date of Participation for the first POP might have changed by the Date of Participation from the second POP. For example, an individual might not be disabled at the time of the first POP but become disabled after it ends and it is that disability which brings the individual back to the system. However the performance target will be set based on the individual not being disabled because that was the status at the first Date of Participation and the outcomes measured from the end of the second POP. This may not sound very common but there are dozens of characteristics that are tracked and reported under WIOA and most can change over time. Combining POPs will weaken the effectiveness of the statistical models and undermine the statutory requirement to report performance data based on barriers to employment.

Issue #3 – "Not in the Labor Force" – The report specs provide the calculation instructions for the employment-outcome measures and the proposal calls for excluding from the employment-outcome denominators those individuals who were "not in the labor force" at program entry. <u>TWC strongly recommends that the employment outcome measures not exclude those not in the labor force in any WIOA program</u>. Aside from being a way to manipulate the denominator and reduce accountability, this exclusion is contrary to WIOA's intent. WIOA clearly places a premium on basic education leading to employment-outcomes or enrollment in post-secondary education. This can be seen in WIOA §116(b)(2)(A)(iii), which only allows achievement of a

diploma or its equivalent to be counted in the Credential Rate measure if coupled with employment or enrollment in post-secondary education within one year of Exit.

If those not in the labor force are excluded from the employment outcome measures, states will have little need to ensure that their Adult Education and Family Literacy Cat (AEFLA) programs lead to employment or post-secondary enrollment outcomes. It is even possible that this provision could also be used to undermine the intent of Vocational Rehabilitation (VR) services in helping individuals enter competitive, integrated employment as some VR Participants begin participation in the period after becoming disabled, and their immediate focus is on learning to adjust to and live with the disability prior to seeking employment.

Clearly there are some individuals, included incarcerated or otherwise institutionalized individuals, who should be excluded from the employment outcomes measures. However, the issue of individuals being unable to achieve employment outcomes due to incarceration or institutionalization can best be addressed through the exclusion code provided in the Participant Individual Record Layout (PIRL). Other than in the very limited situations outlined in the proposed PIRL's exclusion data element, those served through AEFLA and other core programs should be measured for employment outcomes as the statute intended.

Issue #4 – The Impact of Incarceration/Institutionalization on Education Outcomes – While individuals incarcerated or otherwise institutionalized at Exit or in the four quarters that follow should be excluded from all employment outcome measures, the same is not necessarily true for educational outcome measures. <u>TWC recommends that Participants who received educational and training services while incarcerated or institutionalized be included in the Credential Achievement and MSG measures</u>. The incarceration or institutionalization did not prevent the provision of services and therefore should not prevent achievement of educational outcomes. In addition, there should be a special exception to the requirement that achievement of a diploma or its equivalent only be counted in the Credential Achievement measure if coupled with employment or enrollment in post-secondary education in the four quarters after exit. That exception should only apply ifthe diploma or equivalent was achieved while incarcerated or otherwise institutionalized and the individual is still incarcerated or institutionalized at Exit or in the 4 quarters that follow. TWC sees this as an extremely narrow exclusion intended to ensure that there is no disincentive to helping incarcerated and institutionalized individuals achieve their diplomas or equivalents so that they are more likely to become employed when they are ultimately released.

Issue #5 – Flexibility to Promote Integration – Many states have or are developing the ability to integrate reporting across the core programs so that individuals who are participating in any or all of the six WIOA programs can be reported with common Periods of Participation in which we use a Common Date of Participation and a Common Date of Exit. TWC previously commented extensively on this in response to proposed rule §677.150 and included examples of how such an approach can provide a better picture of how each program contributes to the ultimate outcomes.

<u>TWC strongly recommends that the final regulations and reporting specifications allow for integrated reporting across core and partner programs as states are able to do so.</u> DOL already plans to require common POPs in reporting their four WIOA programs, as well as other DOL programs. The Departments should provide states the flexibility to fully integrate reporting.

Integrated service delivery and reporting also provide a better Participant experience because states will not have to repeatedly ask for various education, employment status, and barrier information every time they plan to enroll the Participant in another program. As noted, because many of these factors can change over time,

program-based reporting requires verifying this information over and over to get it up-to-date when enrolling an existing Participant into a new program.

Issue #6 – Ongoing Coordination – The ICR's Supporting Statement states that RSA, OCTAE, and DOL will each implement WIOA's performance accountability and reporting provisions in their own way. RSA and DOL will each create their own WIOA-based customer record format that includes the PIRL elements, and many others, and states will submit files to RSA and DOL. By having the records, DOL and RSA will be able to develop the statistical models called for by WIOA to set performance expectations and will develop programming that would automatically process the customer records to produce the quarterly and annual reports. This will improve the accuracy and consistency of such reporting, improve accountability, and save states money.

OCTAE, however, has indicated it will not create such a file format nor obtain customer records. Instead OCTAE will modify its NRS to include the WIOA Annual Report data in aggregate. This will reduce transparency, accuracy, and consistency of state data. It will also limit OCTAE's ability to develop the statistical models required for setting performance targets and will increase program costs since each state will be expected to develop its own programming to produce the new Annual State Report. <u>TWC recommends OCTAE move to a centralized reporting process similar to DOL and RSA to help reduce state costs while providing additional transparency, accountability, and consistency in reporting.</u> <u>TWC further urges the Departments to consider developing a truly integrated reporting system similar to the Workforce Investment Streamlined Performance Report (WISPR) that states could opt into.</u> TWC could help develop such a system as we have with the WISPR over the past nine years.

Perhaps most importantly, while the Departments have worked together to develop the ICR proposal, its design and the siloed approach the Departments are taking to implementation will serve as a barrier to integration in many states and prevent a true picture of how WIOA is working as a holistic whole. The PIRL could have literally been a One Stop Common Customer Record (OSCCR) for all Core Programs with the additional program-specific data elements being provided through secondary files that would be relationally linked to the PIRL. This would have made it possible for states to move to integrated reporting as WIOA §116 envisions. Instead, the ICR provides for minimal coordination and limited consistency.

<u>TWC recommends that any future performance accountability or reporting guidance issued by the Departments be jointly developed and reviewed to ensure that guidance remains consistent across WIOA programs. TWC also recommends that the Departments develop a performance accountability and reporting advisory group.</u> Composed of state and local experts in these areas, the advisory group would engage with the Departments in finalizing these regulations and in developing future guidance.

Issue #7 – Eligible Training Provider Reporting – TWC has two concerns related to ETP reporting. The first relates to minimizing the impact on ETPs and the second relates to enhancing the value of the data to consumers. During the WIOA town hall meetings many states and local Boards reported concern that the ETP reporting duties might cause ETPs to opt out of the workforce system. TWC is a strong supporter of providing consumers with information which allows them to make better career decisions. However, TWC is also recognizes that ETPs primary purpose is education and that their partnership with the workforce system is one that cannot be taken for granted. Therefore, TWC seeks to maximize the value of ETP information while minimizing the impact on ETPs.

<u>With that in mind, TWC requests that the Departments not specify the manner in which Eligible Training Provider (ETP) reports are filed.</u> Most of the report's required data is data that Title I agencies already have. As such, it would be much easier for state agencies to run this data for the ETPs rather than requiring the ETPs to

modify their systems to capture all the WIOA Participant information required by the ETP report - information that the Title I agencies are already required to track and report themselves.

In addition, reporting employment outcomes on all individuals in an ETP program requires access to unemployment insurance (UI) wage records (or significant follow-up work by the ETP). Letting ETPs report their employment outcomes without providing student-level data creates a potential accountability issue for states charged with ensuring ETPs achieve acceptable results. Proposed §677.175 provides that the governor may designate one or more state agencies to assist in carrying out WIOA ETP reporting requirements and states should have flexibility to develop that process.

In regards to consumer education, TWC is concerned that the proposal only calling for average cost information to be reported on WIOA Participants and not all students in a program (which again raises the issue about ETPs having to modify their systems to track and report data specific to WIOA Participants). Limiting average cost reporting to only WIOA Participants will greatly limit the usefulness of the report to consumers looking to make decisions about post-secondary education because there may be so few WIOA Participants in a program that the costs wouldn't be reportable due to privacy requirements. In addition, the proposed report refers to "funds expended," which assumedly means WIOA funds expended. That means that if a WIOA Participant is combining funds for expensive training (such as using WIOA funding to pay for amounts that Pell couldn't), the true total cost would not be reported. <u>If the ETP is supposed to help serve students and parents beyond the One-Stop system, the Average Cost information needs to be for the total cost of the program which is likely going to be more meaningful if it is reported for all students.</u>

Issue #8 – Cost Estimates – The cost estimates are all based on the per record time estimates multiplied by standard flat hourly costs, which do not address the IT costs of:

- Modifying systems to capture new or modified PIRL data elements;
- Building automation to link VR records to UI wage data for employment/earnings reporting;
- Developing the syntax to calculate the annual report elements for OCTAE; and
- IT system processing time to actually create the customer files and calculate the annual report elements.

While TWC does not dispute the statutory reporting requirements, the cost estimates should not exclude the significant one-time costs to implement these system changes.

Issue #9 – Miscellaneous Policy Concerns Related to WIOA Data Elements – Although TWC has number of more specific technical recommendations outlined in the next section, there are several elements that have important policy implications:

1) "Cultural Barrier" is statutorily required to be tracked and reported. However, the proposed definition is highly subjective, requiring Participants to indicate if they **perceive themselves** as "possessing attitudes, beliefs, customs, or practices that influence a way of thinking, acting, or working that may serve as a hindrance to employment." The more subjective the definition, the less consistent the data. This will make the data less usable in analysis, particularly target-setting. In addition, the operational definition in the PIRL references a state which "**may** serve as a hindrance to employment," which seems a decidedly lesser degree of severity than the statutory phrase "facing **substantial** cultural barriers." <u>TWC recommends modifying the PIRL definition to reduce subjectivity and focus on individuals facing a substantial barrier to employment as a result of the cultural barrier.</u>

2) One of the best predictors of post-Exit earnings is pre-participation earnings; this makes pre-participation earnings information extremely important to target setting. In addition, a comparison of pre- to post-participation employment and earnings can be used to evaluate program impact and return on investment – especially for individuals who received education or training services. The impact could be seen in post-exit employment stability compared to pre-participation instability or in quarterly earnings amounts where post-Exit earnings are higher than pre-participation earnings. Therefore the PIRL should have pre-employment data elements associated with the wages in each of the four quarters prior to the Date of Participation. Given that the PIRL already requires post-Exit employment data, including pre-participation earnings would have minimal impact on states and the benefits in the form of more accurate targets should be substantial. It is part of the reason that TWC continues to advocate that OCTAE receive individual customer records.

TWC Comments on the Workforce Investment Act Performance Reporting Information Collection Request
Technical Issues

Participant Individual Report Layout (PIRL) Issues/Suggestions–

1) The Type of Employment Match elements should not break out UI Wages data obtained through WRIS from UI wages reported in the state – breaking it out violates break WRIS confidentiality.

2) "Employment Status at Program Entry" allows for "Not in the Labor Force" as a status. As discussed previously in these comments, TWC opposes use of this status to exclude Participants from performance outcomes.

3) TWC questions whether both "Low Levels of Literacy" and "Basic Skills Deficiency" are needed as separate elements, particularly when the definition of Basic Skills Deficiency includes the language from "Low Levels of Literacy".

4) Need clarification about whether the element "Exhausting TANF within 2 Years" refers to "exhausted within the last 2 years" or "is scheduled to exhaust within the next 2 years."

5) Need clarification about whether the element for "Long term unemployed," (defined as unemployed for 27 or more consecutive weeks) applies to both claimants and nonclaimants. If both, TWC requests conformation that self-attestation can be used to document this for nonclaimants.

6) Recommend that "Highest Grade Completed" allow for reporting the number of years of schooling for people who have some post-secondary education, but not a degree or certificate as is the case currently in DOL-reported customer data. There is a big difference between a person with one year of college and one with four years of college but the proposed element would count them both as "some college."

7) The use of the term "Date of Program Entry" suggests that it is calculated for each WIOA core program separately, which might prevent integrated reporting which TWC has recommended states be permitted to do. As noted, program-based reporting can create greater hassle for Participants, because many common data elements that used to only be gathered at the one common Date of Participation would now have to be gathered over and over (every time a participation begins entry to another program). This seems incongruous with the WIOA vision of integrated IT systems that cover all six core programs. In addition, the term Date of Participation should be used as it is more commonly used in Title I and Title III programs which serve far more people than Titles II and IV.

8) The PIRL defines the Date of Exit for VR and for other programs but doesn't say what to do if the Participant is in VR and one of the other Core Programs. TWC recommends that definition allow for use of a common date of exit, defined as the later of the possible applicable exits under these two definition for customers enrolled in multiple programs. In addition, TWC recommends states be given the flexibility to set up their POPs inclusive of services in partner programs meaning as they were able to do prior to WIOA.

9) Exclusionary Reasons – "98" is referenced in the text but missing from the Code Value column.

10) Exclusion due to Incarceration – As noted, TWC believes that a person should not be excluded from the MSG and Credential measures if they were receiving the training services while institutionalized but that the person SHOULD be excluded if they were receiving training services and were then institutionalized. TWC recommends that incarceration exclusion code be separated into two, so that one would exclude a person from both employment and educational outcome measures while the other would leave the person in the educational outcome measures. "01" should be used if the participant received training services while incarcerated/institutionalized and "11" should be used if the participant did not receive training services while incarcerated/institutionalized.

11) TWC recommends that states report wage amounts in the 4th quarter after exit and not just the first three quarters to be consistent with the requirement to report employment outcomes for each of the four quarters and to enhance the ability to research the impact of services over time and return on investment.

12) The instructions for "Employment Related to Training" need to provide more guidance about how to address this element if the training was more "general purpose" in nature like AEL. In addition, the data element definition needs to be clarified to specify that it applies only to employment in the 2nd quarter after exit (which appears to be the intent from the State Report Data Element Specifications).

13) The element for "Retention with the same Employer in the 2nd & 4th Quarters" appears to be aligned with the proposal in the WIOA NPRM. As TWC noted in response to that proposal, the benefit of the Employment Connection Rate and its partner Maintaining Employment Connection Rate is that the measures are not exit based. They are based on when the connection is made and tying the measure to the quarter where a new connection is made rather than waiting until exit makes the measure more timely to report. In addition, by focusing the measure only on instances where a new employment connection is made, the Employment Connection measures limit "false positives" where an employed participant is looking for new employment but ultimately gives up on that search and continues working for their original employer; the proposed measure would count this as evidence of effectively serving employers when it is no such thing.

State Report Template Issues/Suggestions

1) The report does not contain the normal handbook that that provides clear instructions on how the report is to be prepared, which makes it more difficult to evaluate the proposal.

2) The report could be made more understandable by adding "from" and "to" dates for each column of counts and measures to ensure that report readers know the periods being reported in each case.

3) The rows on the template dedicated to average cost information should be simplified because tracking the cost of career services at the participant level is extremely difficult while tracking those costs in aggregate (as states do now) is much easier. The Career Services row should include all Participants and the total cost of all career services. Then the Training Services should be a subset of the Total Participant row (because training service Participants should also receive career services) but the expenditures reported on this row should be those spent on training only. In addition, the expenditure information should be populated from the state financial reports rather than duplicating reporting between the performance reports and the fiscal reports.

4) The template does not have sufficient room to display numerators for larger states that serve hundreds of thousands of Participants.

5) The VR programs often served those under the age of 14, so either the report needs to add an <14 breakout row or it needs to change the "14-15" breakout to "<16."

6) Cultural Barrier data as defined in the PIRL is highly subjective. Combining this barrier with the English Language Learner and Low Levels of Literacy barriers, may reduce the value of the category on the report.

7) The Credential and MSG templates make it look like states count up the numbers of credentials or MSGs achieved rather than reporting the Percent of People who Attained a Credential or MSG. The templates should be aligned with the reporting instructions.

TWC has developed an alternate version of the report template that addresses some of these issues.

Local Report Issues/Suggestions

1) Local Reports only cover Title I programs – this means that there is no meaningful picture of how the entire WF system is functioning in each local workforce development area.

2) The proposal does not allow for accurate reporting by Board area if a Participant is served by more than one Board area during a single Period of Participation. In PY14, Texas had 102K unique WIA Periods of Participation, of which 13.7K involved the job seeker being served by more than one Board area. Of the 14K were served by more than one Board during the POP, 3,320 were served by three or more Boards. The proposal also doesn't work if the Boards that served the Participant during a single POP did so with different funds (e.g., Adult for one and Youth for the other). TWC recommends that the customer level file allow for reporting multiple rows of data when more than one Board provided service in order to enhanced accountability and provide the true picture of which Boards served which Participants using which types of funds and with which types of services.

State Report Element Specifications Issues/Suggestions – This document is the closest thing to a report handbook that is contained in the proposal but it is still too limited in scope – it provides no examples or report periods or other instructions that help the user fully understand the proposal.

There are issues with both the specific coding (coding errors) and issues with the coding structure.

1) The coding for "Percent Training-Related Employment", "Employment Rate (Quarter 2)" and "Employment Rate (Quarter 4) coding should be streamlined to only focus on the PIRL element "Employed in Xth Quarter after Exit Quarter". There is no need to also add coding referencing the "Type of Employment Match" and the "Wages in Xth Quarter After Exit Quarter". There is no circumstance in which these other elements would show employment without the basic "Employed in Xth Quarter" element also showing employment.
2) The coding of the report elements that have numerators, denominators, and rates are particularly cumbersome. The numerator coding in particularly buries the important aspects of the element repeating coding from the denominator rather than using the simplified syntax TWC set up with the OSCCR (the participant record from the WISPR). The following table shows the issue and how the elements could be simplified:

	ICR Proposal	"OSCCR Standard"
Employment Rate (Quarter 2) Numerator	Count of UNIQUE RECORDS where (Funding Stream) **and** (DATE OF PROGRAM ENTRY is not null) **and** (EMPLOYMENT STATUS AT PROGRAM ENTRY is < 3) **and** ((EMPLOYED 2ND QUARTER AFTER EXIT QUARTER = > 0 and < 9) **and** (TYPE OF EMPLOYMENT MATCH 2ND QUARTER AFTER EXIT QUARTER = 5) **or** (WAGES 2ND QUARTER AFTER THE EXIT QUARTER > 0 **and** WAGES 2ND QUARTER AFTER THE EXIT QUARTER < 999999.99)) **and** (DATE OF EXIT is within the report period) **and** (EXCLUSIONARY REASONS is null **or** EXCLUSIONARY REASONS = 00 **or** EXCLUSIONARY REASONS = 98)	Count of UNIQUE RECORDS where FUNDING STREAM **and** Employed 2nd Qtr Post Exit DENOMINATOR=1 **and** EMPLOYED 2ND QUARTER AFTER EXIT QUARTER = (> 0 and < 9)

Employment Rate (Quarter 2) Denominator	Count of UNIQUE RECORDS where (Funding Stream) **and** (DATE OF PROGRAM ENTRY is not null) **and** (EMPLOYMENT STATUS AT PROGRAM ENTRY is < 3) **and** (DATE OF EXIT is within the report period) **and** (EXCLUSIONARY REASONS is null **or** EXCLUSIONARY REASONS = 00 **or** EXCLUSIONARY REASONS = 98)	Count of UNIQUE RECORDS where FUNDING STREAM **and** (DATE OF PROGRAM ENTRY is not null) **and** (EMPLOYMENT STATUS AT PROGRAM ENTRY is < 3) **and** (DATE OF EXIT is within the report period) **and** (EXCLUSIONARY REASONS is null **or** EXCLUSIONARY REASONS = 00 **or** 98)
Employment Rate (Quarter 2) Rate	(Count of UNIQUE RECORDS where (Funding Stream) **and** (DATE OF PROGRAM ENTRY is not null) **and** (Employment Status at Program Entry is < 3) **and** ((EMPLOYED 2ND QUARTER AFTER EXIT QUARTER > 0 and < 9) **and** (TYPE OF EMPLOYMENT MATCH 2ND QUARTER AFTER EXIT QUARTER = 5) **or** (WAGES 2ND QUARTER AFTER THE EXIT QUARTER > 0 **and** WAGES 2ND QUARTER AFTER THE EXIT QUARTER < 999999.99)) **and** (DATE OF EXIT is within the report period) **and** (EXCLUSIONARY REASONS is null **or** EXCLUSIONARY REASONS = 00 **or** EXCLUSIONARY REASONS = 98)) **divided by** (count of UNIQUE RECORDS where (Funding Stream) **and** (Date of Program Entry is not null) **and** (Employment Status at Program Entry is < 3) **and** (DATE OF EXIT is within the report period) **and** (EXCLUSIONARY REASONS is null **or** EXCLUSIONARY REASONS = 00 **or** EXCLUSIONARY REASONS = 98))) X 100	*None needed since the "business rule" in the report handbook would explain that rates are calculated by dividing numerator by denominator* *OR* (Count of UNIQUE RECORDS where FUNDING STREAM **and** Employed 2nd Qtr Post Exit Numerator = 1) **divided by** (Count of UNIQUE RECORDS where FUNDING STREAM **and** Employed 2nd Qtr Post Exit Denominator =1) x 100

TWC has developed a revised version of the State Report Data Elements document that streamlines the structure and corrects the errors.

ETP Report Template Issues/Suggestions

1) WIOA Sec 116, NRPM §677.230 and the draft report all talk about ETP reports being "disaggregated by type of provider." If the report is to be filed by ETPs (or prepared in cooperation between the ETP and the state agency) and is filed for each program that a provider has, what does "disaggregated by type of entity" mean?

2) What if the education/training lasts longer than a year or is less than a year but crosses the arbitrary year line? The Average Cost will appear much lower than it really is (because it will only include the costs from each year). In order to evaluate the true costs of the program, the data needs to be based on the total cost of the program, not the costs during the report year. TWC recommends splitting the Average Cost data to show the total average cost of the program (for completers only).

COVER LETTER

Date

U.S. Department of Labor
Employment and Training Administration
20 CFR Part 000
Docket No. ETA-2015-0007
OMB Control 1205-0NEW
U.S. Department of Education

RE: Comments on the Proposed Workforce Innovation and Opportunity Act Information Collection Request

The Texas Workforce Commission (TWC) appreciates the opportunity to comment on the Workforce Innovation and Opportunity Act (WIOA) proposed Information Collection Request (IRC), published by the U.S. Departments of Labor (DOL) and Education (ED) (collectively, "the Departments"). TWC provides these comments in response to the Comment Request for Information Collection for the WIOA Performance Management, Information, and Reporting System (OMB Control No. 1205-0NEW), issued by the Departments.

TWC, in partnership with our 28 Local Workforce Development Boards (Boards) and our Adult Education & Literacy (AEL) grantees, currently operates WIOA Titles I, II, and III and will soon operate Title IV Vocational Rehabilitation (VR) services, in addition to a wide variety of federally and state-funded workforce programs.

WIOA's vision of an integrated workforce system has been a reality in Texas for nearly two decades. TWC has extensive experience using integrated common measures across both state and federal programs and in using measures to foster innovation and help transform our system. Building from our experience with integrated reporting of common measures, as well as our piloting and redevelopment of the Workforce Investment Streamlined Performance Report (WISPR), TWC has a number of concerns and recommendations for the proposed ICR, many of which TWC has shared previously in our comments responding to the WIOA Notices of Proposed Rulemaking.

TWC's comments on the ICR are divided between "policy" issues, such as the implementation date and the proposal to combine two or more Periods of Participation (POPs) that end in the same program year, and "technical" issues, such as when there are inconsistencies between the Participant Individual Record Layout (PIRL) and the State Report Element Specification (report specs). ~~or where TWC has suggestions on how to improve the report layout.~~ In addition, because many of the ICR's aspects relate to concepts that will be contained in the final WIOA regulations, TWC has provided a copy of sections of our earlier comments to ensure that relevant points are reviewed both in the context of this ICR and the NPRM. Although both our policy and technical recommendations are included in this submission, several which we highlight for your review.

First, TWC recommends that the Departments implement the new measures/reports for Program Year 2016 (PY16) and that the participant cohorts included in PY16 reports would include many participants who Exited prior to 7/1/16. Applying these measures retroactively to customers who were served prior to PY16 will reduce the costs and confusion associated with a protracted phase-out of an outdated performance accountability system in which state and local staff will be unnecessarily subject to two sets of performance measures. It would also establish a benchmark against which WIOA's progress can be measured as the new system matures.

TWC's second recommendation centers on the proposal to combine multiple POPs when a participant Exits more than once in a Program Year. While the concept of combining POPs is not entirely without merit, tying the decision to the Program Year construct, and not to the relatedness of the POPs to one another, lacks any relevance to the customer's needs. As described further in our detailed recommendations, this proposal reduces the reliability of quarterly reports, makes programs more difficult and costly to manage and oversee, and undermines the effectiveness of the statistical models that rely on customer characteristics to set targets – characteristics that can change between the first and subsequent POPs which would be combined under this proposal. Therefore, TWC recommends that the proposal to automatically combine POPs that end in the same program year not be adopted for use in any WIOA program.

As discussed in TWC's response to the WIOA NPRM, TWC contends that excluding those "not in the labor force" at the Date of Participation from employment outcome measures is inconsistent with statutory intent and undermines accountability; TWC recommends that the proposal not be adopted for use in any WIOA program.

By excluding achievement of a diploma or its equivalent from the Credential measure when it is not coupled with subsequent employment or post-secondary enrollment, WIOA makes it clear that the diploma/equivalent is intended to serve as a step along a career pathway. ~~Further, excluding such individuals from the employment outcome measures increases the risk of data manipulation, thereby reducing accountability and diminishing the comparability of outcome data.~~ Importantly, such an approach prevents the system from reporting successes in helping individuals who are not in the labor force to transition into employment.

WIOA envisions the use of comment case management systems and integrated reporting across the six core programs. While not all states are in a position to move to fully integrated reporting using common POPs, many states are, while others are pursuing that goal. Therefore, TWC strongly recommends to the Departments that the final regulations and reporting specifications allow for integrated reporting across core and partner programs, as states are able to do so. As proposed, elements such as "Date of Program Entry" and "Date of Program Exit" inhibit such reporting and reinforce siloed, program-based reporting rather than integrated, customer-based reporting.

This leads to the last issue that TWC would like to highlight in this introduction – WIOA is a statute that envisions integrated, holistic services to customers based on their needs and not merely a loose association of programs wrapped into a single legislative package. WIOA clearly lays out a vision for the former which requires close collaboration between the Departments. While TWC has seen this collaboration in many aspects of the NPRM and this ICR, there are also areas in which the Departments are moving in separate directions.

Nowhere is this lack of coordination more evident than in the Departments' inconsistent approaches to reporting under this ICR. The DOL and Rehabilitation Services Administration (RSA) plan to develop centralized reporting systems that will enable states to upload customer record files into systems that will perform the reporting calculations. This approach will help ensure accuracy, consistency, and therefore, accountability. The Office of Career, Technical, and Adult Education (OCTAE), however, is implementing a completely different approach. Rather than collecting customer records to be processed consistently in a centralized reporting system, OCTAE is requiring states to individually write state-specific reporting code to produce results only on an aggregated basis. Rather than promoting unified standards to inform performance reporting across states, OCTAE's approach will be far more costly to states and will reduce both transparency and consistency, to the detriment of accountability.

As stated in Texas' comments on proposed WIOA §677.235, TWC urges the Departments to consider developing a truly integrated reporting system, similar to the Workforce Investment Streamlined Performance Report (WISPR). ~~TWC would gladly volunteer to assist in developing such a system, as we have with WISPR over the past nine years. In addition,~~ TWC also recommends that any future performance accountability or reporting guidance issued by the Departments be done so *jointly*. If such guidance were jointly developed and reviewed, guidance would be much more likely to be consistent across the WIOA programs. To support such efforts, TWC recommends that the Departments develop a performance accountability and reporting advisory group made up of state and local experts in these areas.

Thank you again for the opportunity to comment on this proposal. If you have any questions about our comments, please contact Adam Leonard at adam.leonard@twc.state.tx.us or 512-936-5866.

Sincerely,

Andres Alcantar, Chairman
Commissioner Representing the Public

Ronald G. Congleton
Commissioner Representing Labor

Ruth Ruggero Hughs
Commissioner Representing Employers

Enclosures

TWC Comments on the Workforce Investment Act Performance Reporting Information Collection Request
Policy Issues

Issue #1 Implementation Plan – The ICR states, "Section 116's performance accountability system will be effective on July 1, 2016" without explaining exactly what that means. There are two likely options:

1) The new measures/reports are applied for Program Year 2016 (PY16) reporting (which means using the new measures to report outcomes of people who exited prior to PY16 as is the process today); or

2) The new measures/reports are applied only to PY16 Exiters (and Participants for Measureable Skills Gain).

TWC recommends that the U.S. Departments of Labor (DOL) and Education (ED) (together "the Departments") follow Option 1, that the new measures/reports be implemented in PY16 and that PY16 reporting include participant cohorts from prior to the beginning of PY16 in most instances. Although there will be those who believe that since these are new measures, they should not be applied "retroactively" to customers who were served prior to PY16, TWC makes this recommendation for a number of important reasons:

1) The new measures have significant lag to them. If the measures are only applied to those exiting in PY16 forward, the first full year of results will include 7/1/16 to 6/30/17 Exiters, with results measured through the 4th quarter after Exit (6/30/18). Given the traditional reporting lag of 7.5 months from the end of the quarter being measured to allow to wages to be reported, the results on the first 4 quarters of Exiters will not reported until February 2019 – nearly five years after the law was passed.

2) The lag in the performance measures coupled with a delay in implementation will unnecessarily increase costs as states and local partners have to maintain two systems simultaneously. There is constant change among staff in the state and local organizations responsible for administering and overseeing these programs. The longer it takes the old performance accountability system to be phased out, the greater the cost to organizations that will have to maintain expertise in both the old and new systems. This includes training voluntary Local Workforce Development Board (Board) members on both old and new measures while the old system is phased out over the next 2.5 years. ~~Running both sets of measures and reports simultaneously for several years will also unnecessarily increase reporting costs.~~ If the new provisions were largely applied retroactively, it would reduce costs and confusion and allow the system to begin focusing on the new measures.

~~3) When the current Common Measures were implemented by DOL, the measures (with one notable exception) were applied retroactively to Participants who exited prior to the implementation of the measures. The WIOA programs have previously had various types of employment outcome goals. While they generally focused on a slightly shorter timeframe rather than the WIOA measures, it hard to make the argument that programs will operate that differently now that the measures focus on employment in the 2nd and 4th quarters rather than 1st and 3rd.~~

~~4)~~3) By applying the new measures to individual people primarily served prior to WIOA's full implementation, the system gains a benchmark against which progress can be measured as the new system matures. This can help demonstrate WIOA's impact.

~~5)~~4) WIOA §506(b)(1) says that generally WIA §136 shall applied in lieu of WIOA §116 for the first full program year after the date of enactment of WIAO, but WIOA §511 otherwise repeals WIA itself. WIOA

was enacted on 7/22/14 and the first full program year after the date of enactment was PY15, which will end on 6/30/16. If the performance and reporting systems required by WIOA are only applied to those who Exit or are served on or after 7/1/16, there will be no performance accountability for individuals who Exited prior to 7/1/16 but after WIOA's enactment.

One other note on this point is that TWC staff participated in numerous WIOA town halls – in person and online – and brought up the point that given the traditional reporting lag, the first group of Exiters to be reported under the WIOA measures would Exit January-March 2015 and other participants involved in these events, including federal agency staff, agreed. As such, TWC staff have been developing implementation plans based this schedule which would be consistent with how DOL implemented the original Common Measures. With one notable exception, the Common Measures were applied retroactively to Participants who Exited prior to the implementation of the measures. The WIOA programs have previously had various types of employment outcome goals. While they generally focused on a slightly shorter timeframe rather than the WIOA measures, it is hard to make the argument that programs will operate that differently now that the measures focus on employment in the 2nd and 4th quarters rather than 1st and 3rd.

TWC does agree that there is at least one area in which implementation needs to be phased in and that is with Measureable Skills Gain (MSG). As proposed in the NPRM and again in the ICR, there are six different ways to achieve an MSG and it is unlikely that any of the WIOA programs currently track more than two of them. Therefore, TWC supports applying MSG only to those Participants who were served on or after 7/1/16. DOL provided for a similar ramp-up when the Literacy/Numeracy Gains measure was rolled out under Common Measures.

Issue #2 – Multiple POPs and Exits – The Departments propose to combine POPs when a Participant has more than one Exit within the same Program Year which has no relevance to the customer's needs. In addition to not being customer-focused the proposal will introduce significant complications to system management and oversight. Therefore, TWC recommends that the proposal to automatically combine POPs that end in the same program year not be adopted for use in any WIOA program. TWC recommends that any proposal to combine POPs be customer-based on and not Program Year-based. TWC proposed such an option in response to WIOA NPRM §677.150 which is attached.
~~ICR proposes to make a significant change in the method of calculating exit and reporting performance outcomes.~~

Under the Departments' ~~this~~ proposal which TWC objects to, if a person exits and then returns for additional services and exits again during the same program year, the original exit is ignored and the two separate POPs are combined into a single POP spanning from the Date of Participation of the earlier POP to the Date of Exit from the later POP. While OCTAE staff have claimed this method is currently in use for AEFLA reporting, OCTAE's National Reporting System (NRS) guidelines contain no such provisions. ~~For the reasons outlined below TWC strongly recommends that this proposal not be adopted for any WIOA program.~~

The proposal creates management/oversight chaos and greatly reduces the meaningfulness of quarterly reports. This approach only works in an annual reporting environment and would mean that quarterly reporting cannot be relied on, in turn making the programs more difficult to manage and oversee, particularly given the amount of lag in the measures. This proposal can even undermine the timeliness and applicability of technical assistance because it will either need to wait until after the end of the program year to be certain what performance really is or may not be taken seriously until that time (because there is always a chance that some cases will disappear and performance will meet the target).

The concept of combining POPs is not without merit. If an individual Exits and returns within a reasonably short period of time, it may be perfectly reasonable to assume that the two POPs are related and combine them. However, the proposal does not actually focus on the customer or the services the customer needs as a customer-driven system should. Instead, it focuses on whether the subsequent Exit is within the same program year. "Program year" is a completely bureaucratic concept that has little relevance to the customer. The following scenarios show the arbitrary nature of the proposal:

Application of the ICR's Proposals to Combine some Periods of Participation

Scenario#	1	2	3	4
Date of Participation #1 (DOP#1)	11/1/2016	11/2/2016	7/1/2016	2/1/2017
Date of Exit #1 (DOE#1)	1/1/2017	1/2/2017	8/15/2016	3/31/2017
Date of Participation #2 (DOP#2)	4/10/2017	4/11/2017	5/15/2017	6/30/2017
Date of Exit #2 (DOE#2)	6/30/2017	7/1/2017	6/30/2017	8/1/2017

# of Days from DOP#1 to DOE#1	61	61	45	59
# of Days from DOE#1 to DOP#2	100	100	274	91
# of Days from DOP#2 to DOE#2	81	81	46	32
# of Date from DOP#1 to DOE#2	242	242	365	182
Result	1 POP	2 POPs	1 POP	2 POPs

Scenarios 1 and 2 are virtually identical from the perspective of the customer; the only difference is that Scenario 2 has been shifted forward one day so that the 2nd Exit is on the first day of the next program year. This simple shift completely changes the way the system reports the customer and is able to report (and be held accountable for) outcomes.

Aside from the arbitrary nature of the proposal, there are management implications as well. States and local Boards will not know for certain what the true Exit quarter of an individual is until October of the following program year, because of the need to wait 90 days after the end of the program year to be sure that there were not any services that would extend a POP that would otherwise end on June 30 or earlier.

Under Scenario 3, in the report due 2/15/17, the Participant would be reported as a 2016Q3 Exiter based on a 8/15/16 Exit. Then, on the 8/15/17 report, that Participant would be reported as both a 2016Q3 Exiter and a 2017Q2 Participant (based on services received in May and June). Then the 11/15/17 report would change everything again and would now report the Participant ONLY as a 2017Q2 Exiter (because by 11/15/17, it would be clear that there was a second Exit on 6/30/17, which would cause the two POPs to be combined into one).

~~The proposal creates management/oversight chaos and greatly reduces the meaningfulness of quarterly reports. This approach only works in an annual reporting environment and would mean that quarterly reporting cannot be relied on, in turn making the programs more difficult to manage and oversee, particularly given the amount of lag in the measures. This proposal can even undermine the timeliness and applicability of technical assistance because it will either need to wait until after the end of the program year to be certain what performance really is or may not be taken seriously until that time (because there is always a chance that some cases will disappear and performance will meet the target).~~

Lastly, WIOA requires states to report on service to individuals with barriers to employment and uses that information to set performance targets through statistical models. Many of these characteristics can change over time so that what was applicable at the Date of Participation for the first POP might have changed by the

Date of Participation from the second POP. For example, an individual might not be disabled at the time of the first POP but become disabled after it ends and it is that disability which brings the individual back to the system. However the performance target will be set based on the individual not being disabled because that was the status at the first Date of Participation and the outcomes measured from the end of the second POP. This may not sound very common but there are dozens of characteristics that are tracked and reported under WIOA and most can change over time. Combining POPs will weaken the effectiveness of the statistical models and undermine the statutory requirement to report performance data based on barriers to employment.

Issue #3 – "Not in the Labor Force" – The report specs provide the calculation instructions for the employment-outcome measures and the proposal calls for excluding from the employment-outcome denominators those individuals who were "not in the labor force" at program entry. TWC strongly ~~opposes use of this proposal in any WIOA program~~recommends that the employment outcome measures not exclude those not in the labor force in any WIOA program. Aside from being a way to manipulate the denominator and reduce accountability, this exclusion is contrary to WIOA's intent. WIOA clearly places a premium on basic education leading to employment-outcomes or enrollment in post-secondary education. This can be seen in WIOA §116(b)(2)(A)(iii), which only allows achievement of a diploma or its equivalent to be counted in the Credential Rate measure if coupled with employment or enrollment in post-secondary education within one year of Exit.

If those not in the labor force are excluded from the employment outcome measures, states will have little need to ensure that their Adult Education and Family Literacy Cat (AEFLA) programs lead to employment or post-secondary enrollment outcomes. It is even possible that this provision could also be used to undermine the intent of Vocational Rehabilitation (VR) services in helping individuals enter competitive, integrated employment as some VR Participants begin participation in the period after becoming disabled, and their immediate focus is on learning to adjust to and live with the disability prior to seeking employment.

Clearly there are some individuals, included incarcerated or otherwise institutionalized individuals, who should be excluded from the employment outcomes measures. However, the issue of ~~this is a very limited population (even though some AEFLA programs provide services in the institutions). Issues regarding~~ individuals being unable to achieve employment outcomes due to incarceration or institutionalization can best be addressed through the exclusion code provided in the Participant Individual Record Layout (PIRL). Other than in the very limited situations outlined in the proposed PIRL's exclusion data element, those served through AEFLA and other core programs should be measured for employment outcomes as the statute intended.

Issue #4 – The Impact of Incarceration/Institutionalization on Education~~Performance~~ Outcomes – While individuals incarcerated or otherwise institutionalized at Exit or in the four quarters that follow should be excluded from all employment outcome measures, the same is not necessarily true for educational outcome measures. TWC recommends~~contends~~ that Participants who received educational and training services while incarcerated or institutionalized be included in~~should not be excluded from~~ the Credential Achievement and MSG measures. The incarceration or institutionalization did not prevent the provision of services and therefore should not prevent achievement of educational outcomes. In addition, there should be a special exception to the requirement that achievement of a diploma or its equivalent only be counted in the Credential Achievement measure if coupled with employment or enrollment in post-secondary education in the four quarters after exit. That exception should only apply if ~~and that is if~~ the diploma or equivalent was achieved while incarcerated or otherwise institutionalized and the individual is still incarcerated or institutionalized at ~~e~~Exit or in the 4 quarters that follow. TWC sees this as an extremely narrow exclusion intended to ensure that there is no disincentive to helping incarcerated and institutionalized individuals achieve their diplomas or equivalents so that they are more likely to become employed when they are ultimately released.

Issue #5 – Flexibility to Promote Integration – Many states have or are developing the ability to integrate reporting across the core programs so that individuals who are participating in any or all of the six WIOA programs can be reported with common Periods of Participation in which we use a Common Date of Participation and a Common Date of Exit. TWC previously commented extensively on this in response to proposed rule §677.150 and included examples of how such an approach can provide a better picture of how each program contributes to the ultimate outcomes.

TWC strongly recommends that the final regulations and reporting specifications allow for integrated reporting across core and partner programs as states are able to do so. DOL already plans to require common POPs in reporting their four WIOA programs, as well as other DOL programs. The Departments should provide states the flexibility to fully integrate reporting.

Integrated service delivery and reporting also provide a better Participant experience because states will not have to repeatedly ask for various education, employment status, and barrier information every time they plan to enroll the Participant in another program. As noted, because many of these factors can change over time, program-based reporting requires verifying this information over and over to get it up-to-date when enrolling an existing Participant into a new program.

Issue #6 – Ongoing Coordination – The ICR's Supporting Statement states that RSA, OCTAE, and DOL will each implement WIOA's performance accountability and reporting provisions in their own way. RSA and DOL will each create their own WIOA-based customer record format that includes the PIRL elements, and many others, and states will submit files to RSA and DOL. By having the records, DOL and RSA will be able to develop the statistical models called for by WIOA to set performance expectations and will develop programming that would automatically process the customer records to produce the quarterly and annual reports. This will improve the accuracy and consistency of such reporting, improve accountability, and save states money.

OCTAE, however, has indicated it will not create such a file format nor obtain customer records. Instead OCTAE will modify its NRS to include the WIOA Annual Report data in aggregate. This will reduce transparency, accuracy, and consistency of state data. It will also limit OCTAE's ability to develop the statistical models required for setting performance targets and will increase program costs since each state will be expected to develop its own programming to produce the new Annual State Report. TWC recommends OCTAE move to a centralized reporting process similar to DOL and RSA to help reduce state costs while providing additional transparency, accountability, and consistency in reporting. TWC further urges the Departments to consider developing a truly integrated reporting system similar to the Workforce Investment Streamlined Performance Report (WISPR) that states could opt into. TWC could ~~would gladly volunteer to~~ help develop such a system as we have with the WISPR over the past nine years.

Perhaps most importantly, while the Departments have worked together to develop the ICR proposal, its design and the siloed approach the Departments are taking to implementation will serve as a barrier to integration in many states and prevent a true picture of how WIOA is working as a holistic whole. The PIRL could have literally been a One Stop Common Customer Record (OSCCR) for all Core Programs with the additional program-specific data elements being provided through secondary files that would be relationally linked to the PIRL. This would have made it possible for states to move to integrated reporting as WIOA §116 envisions. Instead, the ICR provides for minimal coordination and limited consistency.

TWC recommends that any future performance accountability or reporting guidance issued by the Departments be jointly developed and reviewed to ensure that guidance remains consistent across WIOA programs. TWC also recommends that the Departments develop a performance accountability and reporting advisory group.

Composed of state and local experts in these areas, the advisory group would engage with the Departments in finalizing these regulations and in developing future guidance.

Issue #7 – Eligible Training Provider Reporting – TWC has two concerns related to ETP reporting. The first relates to minimizing the impact on ETPs and the second relates to enhancing the value of the data to consumers. During the WIOA town hall meetings many states and local Boards reported concern that the ETP reporting duties might cause ETPs to opt out of the workforce system. TWC is a strong supporter of providing consumers with information which allows them to make better career decisions. However, TWC is also recognizes that ETPs primary purpose is education and that their partnership with the workforce system is one that cannot be taken for granted. Therefore, TWC seeks to maximize the value of ETP information while minimizing the impact on ETPs.

With that in mind, TWC requests that the Departments not specify the manner in which Eligible Training Provider (ETP) reports are filed. Most of the report's required data is data that Title I agencies already have. As such, it would be much easier for state agencies to run this data for the ETPs rather than requiring the ETPs to modify their systems to capture all the WIOA Participant information required by the ETP report - information that the Title I agencies are already required to track and report themselves.

In addition, reporting employment outcomes on all individuals in an ETP program requires access to unemployment insurance (UI) wage records (or significant follow-up work by the ETP). Letting ETPs report their employment outcomes without providing student-level data creates a potential accountability issue for states charged with ensuring ETPs achieve acceptable results. Proposed §677.175 provides that the governor may designate one or more state agencies to assist in carrying out WIOA ETP reporting requirements and states should have flexibility to develop that process.

In regards to consumer education, TWC is concerned that~~'s other area of concern relates to~~ the proposal only calling for average cost information to be reported on WIOA Participants and not all students in a program (which again raises the issue about ETPs having to modify their systems to track and report data specific to WIOA Participants). Limiting average cost reporting to only WIOA Participants will greatly limit the usefulness of the report to consumers looking to make decisions about post-secondary education because there may be so few WIOA Participants in a program that the costs wouldn't be reportable due to privacy requirements. In addition, the proposed report refers to "funds expended," which assumedly means WIOA funds expended. That means that if a WIOA Participant is combining funds for expensive training (such as using WIOA funding to pay for amounts that Pell couldn't), the true total cost would not be reported. If the ETP is supposed to help serve students and parents beyond the One-Stop system, the Average Cost information needs to be for the total cost of the program which is likely going to be more meaningful if it is reported for all students.

Issue #8 – Cost Estimates – The cost estimates are all based on the per record time estimates multiplied by standard flat hourly costs, which do not address the IT costs of:

- Modifying systems to capture new or modified PIRL data elements;
- Building automation to link VR records to UI wage data for employment/earnings reporting;
- Developing the syntax to calculate the annual report elements for OCTAE; and
- IT system processing time to actually create the customer files and calculate the annual report elements.

While TWC does not dispute the statutory reporting requirements, the cost estimates should not exclude the significant one-time costs to implement these system changes.

Issue #9 – Miscellaneous Policy Concerns Related to WIOA Data Elements – Although TWC has number of more specific technical recommendations outlined in the next section, there are several elements that have important policy implications:

~~1) The PIRL should have basic veteran information for all Participants. While RSA and DOL currently gather veteran information plans and are able to report on services to veterans, OCTAE currently does not. Elected officials and stakeholders often show interest in services to, and outcomes for, veterans and WIOA needs to demonstrate its impact on this important population.~~

~~2)~~1) "Cultural Barrier" is statutorily required to be tracked and reported. However, the proposed definition is highly subjective, requiring Participants to indicate if they **perceive themselves** as "possessing attitudes, beliefs, customs, or practices that influence a way of thinking, acting, or working that may serve as a hindrance to employment." The more subjective the definition, the less consistent the data. This will make the data less usable in analysis, particularly target-setting. In addition, the operational definition in the PIRL references a state which "**may** serve as a hindrance to employment," which seems a decidedly lesser degree of severity than the statutory phrase "facing **substantial** cultural barriers." TWC recommends modifying the PIRL definition to reduce subjectivity and focus on individuals facing a substantial barrier ~~hindrance~~ to employment as a result of the cultural barrier.

~~3)~~2) One of the best predictors of post-Exit earnings is pre-participation earnings; this makes pre-participation earnings information extremely important to target setting. In addition, a comparison of pre- to post-participation employment and earnings can be used to evaluate program impact and return on investment – especially for individuals who received education or training services. The impact could be seen in post-exit employment stability compared to pre-participation instability or in quarterly earnings amounts where post-Exit earnings are higher than pre-participation earnings. Therefore the PIRL should have pre-employment data elements associated with the wages in each of the four quarters prior to the Date of Participation. Given that the PIRL already requires post-Exit employment data, including pre-participation earnings would have minimal impact on states and the benefits in the form of more accurate targets should be substantial. It is part of the reason that TWC continues to advocate that OCTAE receive individual customer records.

TWC Comments on the Workforce Investment Act Performance Reporting Information Collection Request
Technical Issues

Participant Individual Report Layout (PIRL) Issues/Suggestions–

1) The Type of Employment Match elements should not break out UI Wages data obtained through WRIS from UI wages reported in the state – breaking it out violates break WRIS confidentiality.

2) "Employment Status at Program Entry" allows for "Not in the Labor Force" as a status. As discussed previously in these comments, TWC opposes use of this status to exclude Participants from performance outcomes.

3) TWC questions whether both "Low Levels of Literacy" and "Basic Skills Deficiency" are needed as separate elements, particularly when the definition of Basic Skills Deficiency includes the language from "Low Levels of Literacy".

4) Need clarification about whether the element "Exhausting TANF within 2 Years" refers to "exhausted within the last 2 years" or "is scheduled to exhaust within the next 2 years."

5) Need clarification about whether the element for "Long term unemployed," (defined as unemployed for 27 or more consecutive weeks) applies to both claimants and nonclaimants. If both, TWC requests conformation that self-attestation can be used to document this for nonclaimants.

6) Recommend that "Highest Grade Completed" allow for reporting the number of years of schooling for people who have some post-secondary education, but not a degree or certificate as is the case currently in DOL-reported customer data. There is a big difference between a person with one year of college and one with four years of college but the proposed element would count them both as "some college."

7) The use of the term "Date of Program Entry" suggests that it is calculated for each WIOA core program separately, which might prevent integrated reporting which TWC has recommended states be permitted to do. As noted, program-based reporting can create greater hassle for Participants, because many common data elements that used to only be gathered at the one common Date of Participation would now have to be gathered over and over (every time a participation begins entry to another program). This seems incongruous with the WIOA vision of integrated IT systems that cover all six core programs. In addition, the term Date of Participation should be used as it is more commonly used in Title I and Title III programs which serve far more people than Titles II and IV.

8) The PIRL defines the Date of Exit for VR and for other programs but doesn't say what to do if the Participant is in VR and one of the other Core Programs. TWC recommends that definition allow for use of a common date of exit, defined as the later of the possible applicable exits under these two definition for customers enrolled in multiple programs. In addition, TWC recommends states be given the flexibility to set up their POPs inclusive of services in partner programs meaning as they were able to do prior to WIOA.

9) Exclusionary Reasons – "98" is referenced in the text but missing from the Code Value column.

10) Exclusion due to Incarceration – As noted, TWC believes that a person should not be excluded from the MSG and Credential measures if they were receiving the training services while institutionalized but that the person SHOULD be excluded if they were receiving training services and were then institutionalized. TWC recommends that incarceration exclusion code be separated into two, so that one would exclude a person from both employment and educational outcome measures while the other would leave the person in the educational outcome measures. "01" should be used if the participant received training services while incarcerated/institutionalized and "11" should be used if the participant did not receive training services while incarcerated/institutionalized.

11) TWC recommends that states report wage amounts in the 4th quarter after exit and not just the first three quarters to be consistent with the requirement to report employment outcomes for each of the four quarters and to enhance the ability to research the impact of services over time and return on investment.

12) The instructions for "Employment Related to Training" need to provide more guidance about how to address this element if the training was more "general purpose" in nature like AEL. In addition, the data element definition needs to be clarified to specify that it applies only to employment in the 2nd quarter after exit (which appears to be the intent from the State Report Data Element Specifications).

13) The element for "Retention with the same Employer in the 2nd & 4th Quarters" appears to be aligned with the proposal in the WIOA NPRM. As TWC noted in response to that proposal, the benefit of the Employment Connection Rate and its partner Maintaining Employment Connection Rate is that the measures are not exit based. They are based on when the connection is made and tying the measure to the quarter where a new connection is made rather than waiting until exit makes the measure more timely to report. In addition, by focusing the measure only on instances where a new employment connection is made, the Employment Connection measures limit "false positives" where an employed participant is looking for new employment but ultimately gives up on that search and continues working for their original employer; the proposed measure would count this as evidence of effectively serving employers when it is no such thing.

State Report Template Issues/Suggestions

1) The report does not contain the normal handbook that that provides clear instructions on how the report is to be prepared, which makes it more difficult to evaluate the proposal.

2) The report could be made more understandable by adding "from" and "to" dates for each column of counts and measures to ensure that report readers know the periods being reported in each case.

3) The rows on the template dedicated to average cost information should be simplified because tracking the cost of career services at the participant level is extremely difficult while tracking those costs in aggregate (as states do now) is much easier. The Career Services row should include all Participants and the total cost of all career services. Then the Training Services should be a subset of the Total Participant row (because training service Participants should also receive career services) but the expenditures reported on this row should be those spent on training only. In addition, the expenditure information should be populated from the state financial reports rather than duplicating reporting between the performance reports and the fiscal reports.

4) The template does not have sufficient room to display numerators for larger states that serve hundreds of thousands of Participants.

5) The VR programs often served those under the age of 14, so either the report needs to add an <14 breakout row or it needs to change the "14-15" breakout to "<16."

6) Cultural Barrier data as defined in the PIRL is highly subjective. Combining this barrier with the English Language Learner and Low Levels of Literacy barriers, may reduce the value of the category on the report.

7) The Credential and MSG templates make it look like states count up the numbers of credentials or MSGs achieved rather than reporting the Percent of People who Attained a Credential or MSG. The templates should be aligned with the reporting instructions.

TWC has developed an alternate version of the report template that addresses some of these issues.

Local Report Issues/Suggestions

1) Local Reports only cover Title I programs – this means that there is no meaningful picture of how the entire WF system is functioning in each local workforce development area.

2) The proposal does not allow for accurate reporting by Board area if a Participant is served by more than one Board area during a single Period of Participation. In PY14, Texas had 102K unique WIA Periods of Participation, of which 13.7K involved the job seeker being served by more than one Board area. Of the 14K were served by more than one Board during the POP, 3,320 were served by three or more Boards. The proposal also doesn't work if the Boards that served the Participant during a single POP did so with different funds (e.g., Adult for one and Youth for the other). TWC recommends that the customer level file allow for reporting multiple rows of data when more than one Board provided service in order to enhanced accountability and provide the true picture of which Boards served which Participants using which types of funds and with which types of services.

State Report Element Specifications Issues/Suggestions – This document is the closest thing to a report handbook that is contained in the proposal but it is still too limited in scope – it provides no examples or report periods or other instructions that help the user fully understand the proposal.

There are issues with both the specific coding (coding errors) and issues with the coding structure.

1) The coding for "Percent Training-Related Employment", "Employment Rate (Quarter 2)" and "Employment Rate (Quarter 4) coding should be streamlined to only focus on the PIRL element "Employed in Xth Quarter after Exit Quarter". There is no need to also add coding referencing the "Type of Employment Match" and the "Wages in Xth Quarter After Exit Quarter". There is no circumstance in which these other elements would show employment without the basic "Employed in Xth Quarter" element also showing employment.
2) The coding of the report elements that have numerators, denominators, and rates are particularly cumbersome. The numerator coding in particularly buries the important aspects of the element repeating coding from the denominator rather than using the simplified syntax TWC set up with the OSCCR (the participant record from the WISPR). The following table shows the issue and how the elements could be simplified:

	ICR Proposal	"OSCCR Standard"
Employment Rate (Quarter 2) Numerator	Count of UNIQUE RECORDS where (Funding Stream) **and** (DATE OF PROGRAM ENTRY is not null) **and** (EMPLOYMENT STATUS AT PROGRAM ENTRY is < 3) **and** ((EMPLOYED 2ND QUARTER AFTER EXIT QUARTER = > 0 and < 9) **and** (TYPE OF EMPLOYMENT MATCH 2ND QUARTER AFTER EXIT QUARTER = 5) **or** (WAGES 2ND QUARTER AFTER THE EXIT QUARTER > 0 **and** WAGES 2ND QUARTER AFTER THE EXIT QUARTER < 999999.99)) **and** (DATE OF EXIT is within the report period) **and** (EXCLUSIONARY REASONS is null **or** EXCLUSIONARY REASONS = 00 **or** EXCLUSIONARY REASONS = 98)	Count of UNIQUE RECORDS where FUNDING STREAM **and** Employed 2nd Qtr Post Exit DENOMINATOR=1 **and** EMPLOYED 2ND QUARTER AFTER EXIT QUARTER = (> 0 and < 9)

Employment Rate (Quarter 2) Denominator	Count of UNIQUE RECORDS where (Funding Stream) **and** (DATE OF PROGRAM ENTRY is not null) **and** (EMPLOYMENT STATUS AT PROGRAM ENTRY is < 3) **and** (DATE OF EXIT is within the report period) **and** (EXCLUSIONARY REASONS is null **or** EXCLUSIONARY REASONS = 00 **or** EXCLUSIONARY REASONS = 98)	Count of UNIQUE RECORDS where FUNDING STREAM **and** (DATE OF PROGRAM ENTRY is not null) **and** (EMPLOYMENT STATUS AT PROGRAM ENTRY is < 3) **and** (DATE OF EXIT is within the report period) **and** (EXCLUSIONARY REASONS is null **or** EXCLUSIONARY REASONS = 00 **or** 98)
Employment Rate (Quarter 2) Rate	(Count of UNIQUE RECORDS where (Funding Stream) **and** (DATE OF PROGRAM ENTRY is not null) **and** (Employment Status at Program Entry is < 3) **and** ((EMPLOYED 2ND QUARTER AFTER EXIT QUARTER > 0 and < 9) **and** (TYPE OF EMPLOYMENT MATCH 2ND QUARTER AFTER EXIT QUARTER = 5) **or** (WAGES 2ND QUARTER AFTER THE EXIT QUARTER > 0 **and** WAGES 2ND QUARTER AFTER THE EXIT QUARTER < 999999.99)) **and** (DATE OF EXIT is within the report period) **and** (EXCLUSIONARY REASONS is null **or** EXCLUSIONARY REASONS = 00 **or** EXCLUSIONARY REASONS = 98)) **divided by** (count of UNIQUE RECORDS where (Funding Stream) **and** (Date of Program Entry is not null) **and** (Employment Status at Program Entry is < 3) **and** (DATE OF EXIT is within the report period) **and** (EXCLUSIONARY REASONS is null **or** EXCLUSIONARY REASONS = 00 **or** EXCLUSIONARY REASONS = 98))) X 100	*None needed since the "business rule" in the report handbook would explain that rates are calculated by dividing numerator by denominator* *OR* (Count of UNIQUE RECORDS where FUNDING STREAM **and** Employed 2nd Qtr Post Exit Numerator = 1) **divided by** (Count of UNIQUE RECORDS where FUNDING STREAM **and** Employed 2nd Qtr Post Exit Denominator =1) x 100

TWC has developed a revised version of the State Report Data Elements document that streamlines the structure and corrects the errors.

ETP Report Template Issues/Suggestions

1) WIOA Sec 116, NRPM §677.230 and the draft report all talk about ETP reports being "disaggregated by type of provider." If the report is to be filed by ETPs (or prepared in cooperation between the ETP and the state agency) and is filed for each program that a provider has, what does "disaggregated by type of entity" mean?

2) What if the education/training lasts longer than a year or is less than a year but crosses the arbitrary year line? The Average Cost will appear much lower than it really is (because it will only include the costs from each year). In order to evaluate the true costs of the program, the data needs to be based on the total cost of the program, not the costs during the report year. TWC recommends splitting the Average Cost data to show the total average cost of the program (for completers only).