

Why Student Social Security Numbers are Required for Eligible Training Providers in Maine

Based on requirements set forth by the US Department of Labor (USDOL), effective July 1, 2018, all training providers are required to collect and report performance data annually in order for their programs to remain on Maine's Eligible Training Provider List (ETPL). USDOL requires that training providers must report performance data on all students, not just the Workforce Innovation and Opportunity Act (WIOA) enrollees.

All training providers on the ETPL are required to submit data on all enrollees to remain in compliance with Federal and State reporting requirements. WIOA and its supporting federal regulations found at Title 20 Part 680.460 mandate that eligible training providers must provide the data in order to remain on the ETPL. **The data must include the wage and employment outcomes of students following their exit from training.** 20 CFR 680.460 (g) (1), (2), and (3)

In Maine, most eligible training providers are unable to effectively collect and report the wages and employment status of their former students. Under federal regulations, the state is required to provide a method of collecting this information that "is not unduly burdensome or costly to providers." 20 CFR 680.460 (h)(2)

To relieve training providers from the burden and cost of student follow-up and in order to meet federal reporting requirements, Maine has determined that using student SSNs, which is federally allowable, to obtain accurate wage and employment data from the federal government is the least burdensome for training providers. Workforce Development System Policy 15-05

The Maine Department of Labor and eligible training providers must take the steps necessary to ensure all personally identifiable information obtained from participants and/or other individuals is secure to protect such information from unauthorized disclosure. Maine processes SSNs in a manner that protects the confidentiality of the records/documents and is designed to prevent unauthorized persons from retrieving such records by computer, remote terminal, or any other means.

This requirement is compliant with the Federal Educational Rights and Privacy Act (FERPA).

The Federal Educational Rights and Privacy Act (FERPA) generally applies to postsecondary institutions that are eligible training providers. Most postsecondary institutions are also recipients of federal funds under a program administered by the U.S. Department of Education. However, some private providers of training services may not be recipients of funds administered by the U.S. Department of Education, including Pell Grants or student loans funded under Title IV of the Higher Education Act of 1965. Those providers would generally be excluded from FERPA requirements. Compliance with ETPL reporting requirements does not violate the privacy requirement set forth in FERPA. Per joint guidance issued by the U.S. Departments of Labor and Education, the FERPA audit or evaluation exception permits PII disclosure from education records for WIOA performance accountability purposes. Training and Employment Guidance Letter 7-16

Should you have any questions regarding this requirement, please contact ETPLInfo.DOL@maine.gov.

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The Maine Department of Labor provides equal opportunity in employment and programs. Auxiliary aids and services are available to people with disabilities upon request.