

EMPLOYMENT AND TRAINING ADMINISTRATION ADVISORY SYSTEM U.S. DEPARTMENT OF LABOR Washington, D.C. 20210	<b>CLASSIFICATION</b> WIOA/OUI
	<b>CORRESPONDENCE SYMBOL</b> OUI
	<b>DATE</b> August 23, 2016

**ADVISORY: TRAINING AND EMPLOYMENT GUIDANCE LETTER NO. 7-16**

**TO:** STATE WORKFORCE AGENCIES  
STATE WORKFORCE ADMINISTRATORS  
STATE LABOR COMMISSIONERS  
STATE UNEMPLOYMENT INSURANCE DIRECTORS

**FROM:** PORTIA WU /s/  
Assistant Secretary

**SUBJECT:** Data Matching to Facilitate WIOA Performance Reporting

- Purpose.** To transmit to state unemployment compensation (UC) and workforce agencies joint guidance with the Department of Education on exchanging confidential UC information with educational and training providers to meet the performance accountability requirements of the Workforce Innovation and Opportunity Act (WIOA).
- References.**
  - Workforce Innovation and Opportunity Act, Pub. L. 113-128;
  - Family Educational Right to Privacy Act (FERPA), section 444 of the General Education Provisions Act, Pub. L. 03-380, as amended (20 USC 1232g);
  - Section 303(a)(1) of the Social Security Act (SSA) (42 USC 503(a)(1));
  - 20 CFR Part 603, *Confidentiality and Disclosure of State UC Information*;
  - 34 CFR Part 99, *Family Educational Rights and Privacy*;
  - 34 CFR 361.38, *Protection, Use, and Release of Personal Information*.
- Background.** In July 2014, Congress enacted WIOA to provide greater training and work search opportunities to unemployed Americans, especially those who exhaust unemployment benefits and continue to be unemployed or underemployed. To achieve that end, Congress required that, in measuring the progress of the state on state and local performance accountability measures that apply across core programs, states use quarterly wage records consistent with state law. WIOA also requires that states, to the extent practicable, cooperate in conducting evaluations (including related research projects), which includes providing data. In addition, under WIOA eligible training providers are required to report employment outcomes, and will benefit from states enabling cross-matching with wage records and education and training provider records.

The Departments of Labor and Education cooperated to create the attached joint guidance, which explains how educational agencies can match personally identifiable information (PII)

<b>RESCISSIONS</b> None	<b>EXPIRATION DATE</b> Continuing
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in education records and personal information in Vocational Rehabilitation (VR) records with wage records held by the state agency responsible for administration of the state's UC program.

4. **Action Requested.** State Administrators are requested to review their state law, regulations, policies, and procedures governing disclosure of confidential UC information to determine how best to accommodate both the WIOA requirement that core programs use wage records and the need to support eligible training provider reporting using wage records for performance accountability.
5. **Inquiries.** Inquiries should be directed to your Regional Office.
6. **Attachment.** Joint Guidance with the Department of Education for Matching PII From Educational Records and Personal Information from Vocational Rehabilitation Records with Unemployment Compensation Wage Records