21102193D

1   **HOUSE BILL NO. 1876**
2   Offered January 13, 2021
3   Prefiled January 8, 2021
4 *A BILL to amend and reenact § 2.2-435.8 of the Code of Virginia, relating to workforce development;*
5   *data sharing.*
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                Patrons—Subramanyam, Ayala, Mugler and Simonds
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8   Referred to Committee on General Laws
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10   **Be it enacted by the General Assembly of Virginia:**
11 **1. That § 2.2-435.8 of the Code of Virginia is amended and reenacted as follows:**
12   **§ 2.2-435.8. Workforce program evaluations; sharing of certain data.**
13   A. Notwithstanding any provision of law to the contrary, the agencies specified in subsection D ~~may~~
14 *shall* share data from within their respective databases ~~solely~~ to (i) ~~provide~~ *support* the workforce
15 program evaluation and policy analysis required by subdivision A 8 of § 2.2-435.7 and clause (i) of
16 subdivision A 10 of § 2.2-435.7 ~~and~~*;* (ii) ~~conduct education program evaluations that require~~
17 ~~employment~~ outcomes ~~data~~ to meet state and federal reporting requirements*; (iii) improve coordination,*
18 *outcomes, and efficiency across public workforce programs and partner organizations; (iv) enable the*
19 *development of comprehensive consumer-facing software applications; (v) support requirements for*
20 *performance-driven contracts; and (vi) support workforce initiatives developed by the General Assembly*
21 *and the Governor.*
22   B. ~~Data shared pursuant to subsection A shall not include any personal identifying information, shall~~
23 ~~be encrypted, and shall be transmitted to the Governor or his designee. Upon receipt of such data, the~~
24 ~~Governor or his designee shall re-encrypt the data to prevent any participating agency from connecting~~
25 ~~shared data sets with existing agency files. For the purposes of this section:~~
26   ~~1. "Identifying information" means the same as that term is defined in §~~ ~~18.2-186.3; and~~
27   ~~2. "Encrypted" means the same as that term is defined in § 18.2-186.6.~~
28   *The agencies specified in subsection D shall enter into a memorandum of understanding supporting*
29 *the Virginia Workforce Data Trust and the associated application ecosystem. "Virginia Workforce Data*
30 *Trust" means a workforce database maintained by the Chief Workforce Development Advisor of the*
31 *Commonwealth. In accordance with the governance process laid out in such memorandum, the data*
32 *sharing referenced in subsection A shall be accomplished by integrating additional partner*
33 *organizations, systems, data elements, and functionality into the Virginia Workforce Data Trust.*
34   C. The Governor or his designee and all agencies authorized under this section shall destroy or erase
35 all shared data upon completion of all required evaluations and analyses. The Governor or his designee
36 may retain a third-party entity to assist with the evaluation and analysis.
37   D. The databases from the following agencies relating to the specific programs identified in this
38 subsection may be shared solely to achieve the purposes specified in subsection A:
39   1. Virginia Employment Commission: Unemployment Insurance, Job Service, Trade Act, and
40 Veterans Employment Training Programs;
41   2. Virginia Community College System: Postsecondary Career and Technical Education, Workforce
42 Innovation and Opportunity Act Adult, Youth and Dislocated Worker Programs;
43   3. Department for Aging and Rehabilitative Services: Vocational Rehabilitation and Senior
44 Community Services Employment Program;
45   4. Department for the Blind and Vision Impaired: Vocational Rehabilitation;
46   5. Department of Education: Adult Education and Family Literacy, Special Education, and Career
47 and Technical Education;
48   6. Department of Labor and Industry: Apprenticeship;
49   7. Department of Social Services: Supplemental Nutrition Assistance Program and Virginia Initiative
50 for Education and Work;
51   8. Virginia Economic Development Partnership *Authority*: Virginia Jobs Investment Program;
52   9. Department of Juvenile Justice: Youth Industries and Institutional Work Programs and Career and
53 Technical Education Programs;
54   10. Department of Corrections: Career and Technical Education Programs; and
55   11. The State Council of Higher Education for Virginia.