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HOUSE BILL NO. 1083

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Communications, Technology and Innovation
on February 5, 2024)

(Patron Prior to Substitute—Delegate Coyner)

A BILL to amend and reenact §§ 2.2-2011, 2.2-2036, 2.2-2041, 2.2-2238, 23.1-203, and 46.2-209 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 2.2-2238.2, relating to the Office of Education Economics; administration of the Virginia Education and Workforce Longitudinal Data System; report.

Be it enacted by the General Assembly of Virginia:

1. That §§ 2.2-2011, 2.2-2036, 2.2-2041, 2.2-2238, 23.1-203, and 46.2-209 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding a section numbered 2.2-2238.2 as follows:

§ 2.2-2011. Additional powers and duties relating to development, management, and operation of information technology.

A. Unless specifically exempted by law, VITA shall be responsible for the development, operation, and management of information technology for every executive branch agency, pursuant to the provisions of this chapter.

B. The CIO shall have the following powers and duties concerning the development, operation, and management of information technology:

1. Manage, coordinate, and provide the information technology used by executive branch agencies;
2. Acquire, lease, or construct such land, facilities, and equipment as necessary to deliver comprehensive information technology services, and to maintain such land, facilities, and equipment owned or leased; and

3. Provide technical assistance to executive branch agencies in the planning, development, operation, and management of information technology; and

4. *Provide technical assistance to the Office of Education Economics as necessary to properly administer the Virginia Education and Workforce Longitudinal Data System established pursuant to § 2.2-2238.2.*

§ 2.2-2036. Definitions.

As used in this chapter, unless the context requires a different meaning:

"Council" means the Apprenticeship Council.

"Department" means the Department of Workforce Development and Advancement.

"Director" means the Director of Workforce Development and Advancement.

"Encrypted" means the same as that term is defined in § 18.2-186.6.

"Identifying information" means the same as that term is defined in § 18.2-186.3.

"Virginia Education and Workforce Longitudinal Data System" means the multiagency partnership administered by the ~~State Council of Higher Office of Education for Virginia Economics~~ pursuant to ~~subdivision 9 of § 23.1-203~~ 2.2-2238.2.

"Virginia Workforce Data Trust" means a workforce database maintained by the Department in an encrypted state in compliance with § 2.2-2009.

"Workforce development program" means a publicly funded education, training, and support services program designed and administered to prepare and enable participants to enter into and advance in careers. Such program may, but is not required to, lead to nondegree credentials and may fall under the administrative functions of the Department or reside in other agencies.

"Workforce education and training program" means a workforce development program offered by an education provider with the goal of providing an individual with a credential that leads to employment.

"Workforce services program" means a workforce development program that is primarily focused on providing, coordinating, and supporting services to assist individuals in attaining employment, including assistance with locating job opportunities, connecting to workforce education and training programs, and coordinating with other available supportive services.

§ 2.2-2041. Workforce program evaluations; sharing of certain data; prohibited uses; civil penalty.

A. To the extent permitted under federal law, the agencies specified in subsection D shall share data from within their respective databases to (i) develop meaningful analyses and evaluations of workforce programs required by subdivision B 8 of § 2.2-214.3 and clause (i) of subdivision B 10 of § 2.2-214.3; (ii) meet state and federal reporting requirements; (iii) improve coordination, outcomes, and efficiency across public workforce programs and partner organizations; (iv) enable the development of comprehensive consumer-facing software applications; (v) support requirements for performance-driven

60 contracts; and (vi) support workforce initiatives developed by the General Assembly or the Governor.

61 B. Data shared pursuant to subsection A shall include only the identifying and attribute information
62 required to match entities across programs, support the coordination of services, and evaluate outcomes,
63 shall be encrypted, and shall be transmitted to the Governor or his designee. Upon receipt of such data,
64 the Governor or his designee shall maintain the data in an encrypted state pursuant to § 2.2-2009 and
65 restrict data sharing according to the Virginia Workforce Data Trust memorandum of understanding.

66 The agencies specified in subsection D shall enter into a memorandum of understanding supporting
67 the Virginia Workforce Data Trust and the associated application ecosystem. Such memorandum of
68 understanding shall include provisions for authorizing bona fide research requests that are related to the
69 data sharing referenced in subsection A. In accordance with the governance process defined in such
70 memorandum of understanding, the data sharing referenced in subsection A shall be accomplished by
71 integrating additional organizations, systems, data elements, and functionality into the Virginia
72 Workforce Data Trust.

73 C. The Governor or his designee and all agencies authorized under this section shall destroy or erase
74 all shared data upon completion of all required evaluations and analyses. The Governor may retain a
75 third-party entity to assist with the evaluation and analysis.

76 D. The databases from the following agencies relating to the specific programs identified in this
77 subsection may be shared solely to achieve the purposes specified in subsection A:

- 78 1. Virginia Employment Commission: Unemployment Insurance;
- 79 2. Virginia Community College System: Postsecondary Career and Technical Education;
- 80 3. Department for Aging and Rehabilitative Services: Vocational Rehabilitation and Senior
81 Community Services Employment Program;
- 82 4. Department for the Blind and Vision Impaired: Vocational Rehabilitation;
- 83 5. Department of Education: Special Education and Career and Technical Education;
- 84 6. Department of Social Services: Supplemental Nutrition Assistance Program, Virginia Initiative for
85 Education and Work;
- 86 7. Virginia Economic Development Partnership Authority: Virginia Jobs Investment Program;
- 87 8. Department of Juvenile Justice: Youth Industries and Institutional Work Programs, Career and
88 Technical Education Programs;
- 89 9. Department of Corrections: Career and Technical Education Programs;
- 90 10. The State Council of Higher Education for Virginia: certifications, certificates, and degrees;
- 91 11. Department of Veterans Services: Virginia Values Veterans;
- 92 12. Department of Workforce Development and Advancement: Apprenticeship, Job Service,
93 Reemployment Services and Eligibility Assessment program, Trade Adjustment Assistance Program Act,
94 Veterans Employment Training Programs, Innovative Internship Program, Workforce Innovation and
95 Opportunity Act of 2014 (P.L. 113-128) Titles I and III, and other workforce development programs of
96 the Department as determined by the Director; and
- 97 13. Any other agencies as deemed necessary by the Secretary of Labor, Chief Data Officer, and
98 Director of the Department of Workforce Development and Advancement.

99 E. Nothing in this section shall prohibit the inclusion of data from other sources deemed beneficial
100 by the Secretary of Labor, Chief Data Officer, and Director of the Department of Workforce
101 Development and Advancement.

102 F. Agencies participating in the Virginia *Education and Workforce* Longitudinal Data System and the
103 Virginia Workforce Data Trust shall meet annually and work with the Office of Data Governance and
104 Analytics for the purpose of coordinating responses to changes in data collection of the participating
105 agencies and the needs of the Commonwealth with respect to workforce development and education
106 policy development. Subject to the approval by each participating agency, the Virginia *Education and*
107 *Workforce* Longitudinal Data System and the Virginia Workforce Data Trust may develop processes to
108 facilitate intersystem operability and communication between the two entities for research and analysis
109 purposes.

110 G. All agencies providing information to the Virginia Workforce Data Trust shall be prohibited from
111 disclosing any personal information or data, except as required under this section or other state law or
112 federal law, or to accomplish a proper purpose of the agency.

113 H. Any person alleging a violation of this section may bring a civil action for appropriate injunctive
114 relief. A court rendering judgment in favor of a complainant pursuant to this subsection shall award all
115 or a portion of the costs of litigation, including reasonable attorney fees and witness fees, to the
116 complainant.

117 **§ 2.2-2238. Economic development services.**

118 A. It shall be the duty of the Authority to encourage, stimulate, and support the development and
119 expansion of the economy of the Commonwealth. The Authority is charged with the following duties
120 and responsibilities to:

- 121 1. See that there are prepared and carried out effective economic development marketing and

promotional programs;

2. Make available, in conjunction and cooperation with localities, chambers of commerce, industrial authorities, and other public and private groups, to prospective new businesses basic information and pertinent factors of interest and concern to such businesses;

3. Formulate, promulgate, and advance programs throughout the Commonwealth for encouraging the location of new businesses in the Commonwealth and the retention and growth of existing businesses;

4. Encourage and solicit private sector involvement, support, and funding for economic development in the Commonwealth;

5. Encourage the coordination of the economic development efforts of public institutions, regions, communities, and private industry and collect and maintain data on the development and utilization of economic development capabilities;

6. Establish such offices within and without the Commonwealth that are necessary to the expansion and development of industries and trade;

7. Encourage the export of products and services from the Commonwealth to international markets;

8. Advise, upon request, the State Board for Community Colleges in designating technical training programs in Virginia's comprehensive community colleges for the Community College Incentive Scholarship Program pursuant to former § 23-220.4;

9. Offer a program for the issuance of export documentation for companies located in Virginia exporting goods and services if no federal agency or other regulatory body or issuing entity will provide export documentation in a form deemed necessary for international commerce; and

10. Establish an Office of Education and Labor Market Alignment Economics (the Office) to coordinate data analysis on ~~workforce and K-12 education~~, higher education, and workforce alignment and translate data to partners. The Office shall provide a unified, consistent and impartial source of information or analysis for policy development and implementation related to education, the labor market, and workforce development. The Office shall partner with the State Council of Higher Education for Virginia, institutions of higher education, the Virginia Department of Education, the Virginia Employment Commission, the Virginia Growth and Opportunity Board, the Department of Workforce Development and Advancement, and other relevant entities to offer resources and expertise related to education, workforce development, and labor market alignment. The Office shall communicate relevant information in a clear and concise manner to enable policy and decision makers to navigate the complex connections between education, workforce development, and labor market alignment.

B. The Authority may develop a site and building assessment program to identify and assess the Commonwealth's industrial sites of at least 100 acres. In developing such a program, the Authority shall establish assessment guidelines and procedures for identification of industrial sites, resource requirements, and development oversight. The Authority shall invite participation by regional and industry stakeholders to assess potential sites, identify product shortfalls, and make recommendations to the Governor and General Assembly for marketing such sites, in alignment with the goals outlined in the Governor's economic development plan.

C. The Authority may encourage the import of products and services from international markets to the Commonwealth.

§ 2.2-2238.2. Office of Education Economics; Administration of the Virginia Education and Workforce Longitudinal Data System.

A. As used in this section:

"De-identification" means the process of removing all direct personal identifiers from individual-level data.

"Office" means the Office of Education Economics established by the Authority pursuant to subdivision A 10 of § 2.2-2238.

"Partner entity" includes the Department of Education, the Office of Children's Services, the State Council of Higher Education for Virginia, the Virginia Community College System, the Virginia Criminal Sentencing Commission, the Department for Aging and Rehabilitative Services, the Department for the Blind and Vision Impaired, the Department of Health Professions, the Department of Juvenile Justice, the Department of Motor Vehicles, the Department of Social Services, and the Virginia Employment Commission.

"Preprocessed datasets" means datasets submitted by partner entities in which the raw data has been cleaned and organized prior to submission to the System.

"Special population" includes American Indians, Alaskan Natives, or Native Hawaiians and other Pacific Islanders; disabled individuals; students who receive special education and related services; formerly incarcerated individuals; homeless individuals; long-term unemployed individuals; low-income individuals; English language learners; migrant and seasonal farmworkers; single parents; veterans; Temporary Assistance for Needy Family (TANF) recipients nearing exhaustion of such benefits; unemployed or underemployed individuals; youth who have aged out of foster care; and youth with an

183 active duty military parent.

184 "Student data" includes demographic data, including membership in a special population, and data
185 relating to grade level; school enrollment; proficiency and growth results on state and national
186 assessments; course participation and completion; career and technical education program participation
187 and completion; grade point average; remediation; retention; attainment of a degree, diploma, or
188 credential; student financial aid; attendance; absenteeism; and school disciplinary measures. "Student
189 data" does not include juvenile delinquency records, criminal records, or medical and health records.

190 "System" means the Virginia Education and Workforce Longitudinal Data System.

191 "Workforce data" includes data relating to employment status, wages, geographic location of
192 employment, job industry, occupation, and membership in a special population.

193 B. The Virginia Education and Workforce Longitudinal Data System is established as a secure,
194 cloud-hosted system for the de-identification, exchange, and matching of individual-level student data
195 and workforce data amongst partner entities, subject to all relevant legal protections that are necessary
196 to ensure privacy and security, in order to provide partner entities and policy makers with access to the
197 data regarding early childhood education, elementary and secondary education, workforce training, and
198 employment outcomes that is necessary to improve education and workforce outcomes. Each partner
199 entity shall participate in the System and shall furnish such information to the System as may be
200 necessary to fulfill its duties as such a partner entity.

201 C. The System shall be administered by the Office. In administering the System, the Office shall:

202 1. Collaborate with the Office of Data Governance and Analytics, including as set forth in subsection
203 F of § 2.2-2041;

204 2. Develop a strategic plan;

205 3. Oversee the development, adoption, and implementation of rules to govern the System;

206 4. Oversee compliance regarding the protection of data shared with the System, including (i)
207 developing a data governance and security plan for the System regarding the use, privacy, and security
208 of data to ensure that all information matched from partner entities is collected, safeguarded, kept
209 confidential, and used only in accordance with relevant state and federal law and (ii) publishing such
210 plan on its website;

211 5. Establish the research agenda for the System;

212 6. Establish a process for considering and approving data requests using data matched in the
213 System;

214 7. Establish policies for sharing aggregated data or reports from the System with the public and
215 external entities;

216 8. Develop a plan for promoting the transparent operation of the System;

217 9. Implement public educator-facing and researcher-facing tools and support their use in several
218 ways, including by (i) leading user-centered design and testing processes; (ii) providing information to
219 the public using, among other tools, dashboards, query builders, and research libraries; and (iii)
220 providing information and resources that (a) foster evidence-based decision making, strengthen
221 analytical capacity to use available data tools, and enable users to understand structural factors that
222 influence outcomes and (b) take into account the needs of various users;

223 10. Enter into such agreements with partner entities as it deems necessary to ensure that any federal
224 grants or other federal funds made available to support the System are properly directed toward the
225 System's operations and purposes; and

226 11. Prepare and provide to the Governor, the Board, and the Chairmen of the House Committee on
227 Appropriations, the House Committee on Education, the Senate Committee on Education and Health,
228 and the Senate Committee on Finance and Appropriations no later than December 31 of each year a
229 report on its activities relating to the System.

230 D. Each partner entity shall retain ownership of any data that it provides to the System and shall
231 reserve the right to opt out of any research or data request if the request would violate state or federal
232 law. No partner entity shall have access to data owned by another partner entity unless the Office
233 approves a request for such data. Nothing in this section or any rule established by the Office pursuant
234 to subdivision C 3 shall prevent any partner entity from engaging in direct data sharing agreements
235 with another partner entity or with any external entity so long as the data to be shared is owned by the
236 contracting parties.

237 E. The System shall:

238 1. Be agnostic regarding data type and capable of accessing and integrating any data type from any
239 data system across participating feeder systems from partner entities;

240 2. Have advanced data management capabilities to clean and prepare data, create master records,
241 and flag any data errors or missing data;

242 3. Have identity management capabilities that can create a unique identification that can track a
243 student's journey through early childhood education to higher education and into the workforce data
244 system and links records across numerous data systems spanning prekindergarten through secondary

education, postsecondary education, and the workforce.

4. Have automated data governance capabilities to audit and track the lineage of data edits and changes by different authorize users;

5. Have advanced analytics functionality, including data mining and machine learning capabilities to analyze the longitudinal data for program evaluation and apply predictive analytics for forecasting and projections into the future and natural language processing that allows partner entities to analyze large volumes of text found in surveys, grants, accreditation reports, and other text-heavy documents;

6. Have business intelligence capabilities for partner entities to easily generate reporting and visualizations through a low code or no code drag and drop interface;

7. Include public-facing dashboards that only include aggregate-level data that is appropriate for the general public to view;

8. Include restricted dashboards and environments for partner entities to view data that is subject to the protections of the federal Family Educational Rights and Privacy Act (20 U.S.C. § 1232g) with role-based permissions;

9. Include preprocessed datasets submitted by partner entities to assist in responding to inquiries from the Office of the Governor, the General Assembly, and executive and legislative branch entities. Such preprocessed datasets shall include early childhood; high school to college to career, including special education and career and technical education; postsecondary to career; and workforce programs to career. Such preprocessed datasets shall be used by the Office to respond to inquiries from the Office of the Governor, the General Assembly, and executive and legislative branch entities. The Office shall develop a process to expeditiously review and process responses to requests related to such preprocessed datasets, including notification to the requester within 10 working days of a request as to whether appropriate data is available to respond to the inquiry. When appropriate, reports and dashboards using such data shall be developed, published, and updated at least annually;

10. Support data exchanges and interoperability with the Virginia Workforce Data Trust and other existing data systems in the Commonwealth to be identified by the Office that leverage and are compliant with the Common Education Data Standards and other data models to be identified by the Office; and

11. Ensure routine and ongoing compliance with the federal Family Educational Rights and Privacy Act (20 U.S.C. § 1232g) and other relevant privacy laws and policies, including by (i) using de-identified data in data research and public reporting; (ii) implementing the Commonwealth's established policy for small cell suppression; (iii) disposing of information that is no longer needed; (iv) providing data security, including the capacity for audit trails; (v) performing regular audits for compliance with data privacy and security standards; and (vi) implementing guidelines and policies that prevent the reporting of any potentially identifying data.

§ 23.1-203. Duties of Council.

The Council shall:

1. Develop a statewide strategic plan that (i) reflects the goals set forth in subsection A of § 23.1-1002 or (ii) once adopted, reflects the goals and objectives developed pursuant to subdivision B 5 of § 23.1-309 for higher education in the Commonwealth, identifies a coordinated approach to such state and regional goals, and emphasizes the future needs for higher education in the Commonwealth at both the undergraduate and the graduate levels and the mission, programs, facilities, and location of each of the existing institutions of higher education, each public institution's six-year plan, and such other matters as the Council deems appropriate. The Council shall revise such plan at least once every six years and shall submit such recommendations as are necessary for the implementation of the plan to the Governor and the General Assembly.

2. Review and approve or disapprove any proposed change in the statement of mission of any public institution of higher education and define the mission of all newly created public institutions of higher education. The Council shall report such approvals, disapprovals, and definitions to the Governor and the General Assembly at least once every six years. No such actions shall become effective until 30 days after adjournment of the session of the General Assembly next following the filing of such a report. Nothing in this subdivision shall be construed to authorize the Council to modify any mission statement adopted by the General Assembly or empower the Council to affect, either directly or indirectly, the selection of faculty or the standards and criteria for admission of any public institution of higher education, whether relating to academic standards, residence, or other criteria. Faculty selection and student admission policies shall remain a function of the individual public institutions of higher education.

3. Study any proposed escalation of any public institution of higher education to a degree-granting level higher than that level to which it is presently restricted and submit a report and recommendation to the Governor and the General Assembly relating to the proposal. The study shall include the need for and benefits or detriments to be derived from the escalation. No such institution shall implement any

such proposed escalation until the Council's report and recommendation have been submitted to the General Assembly and the General Assembly approves the institution's proposal.

4. Review and approve or disapprove all enrollment projections proposed by each public institution of higher education. The Council's projections shall be organized numerically by level of enrollment and shall be used solely for budgetary, fiscal, and strategic planning purposes. The Council shall develop estimates of the number of degrees to be awarded by each public institution of higher education and include those estimates in its reports of enrollment projections. The student admissions policies for such institutions and their specific programs shall remain the sole responsibility of the individual governing boards but all baccalaureate public institutions of higher education shall adopt dual admissions policies with comprehensive community colleges as required by § 23.1-907.

5. Review and approve or disapprove all new undergraduate or graduate academic programs that any public institution of higher education proposes.

6. Review and require the discontinuance of any undergraduate or graduate academic program that is presently offered by any public institution of higher education when the Council determines that such academic program is (i) nonproductive in terms of the number of degrees granted, the number of students served by the program, the program's effectiveness, and budgetary considerations or (ii) supported by state funds and unnecessarily duplicative of academic programs offered at other public institutions of higher education. The Council shall make a report to the Governor and the General Assembly with respect to the discontinuance of any such academic program. No such discontinuance shall become effective until 30 days after the adjournment of the session of the General Assembly next following the filing of such report.

7. Review and approve or disapprove the establishment of any department, school, college, branch, division, or extension of any public institution of higher education that such institution proposes to establish, whether located on or off the main campus of such institution. If any organizational change is determined by the Council to be proposed solely for the purpose of internal management and the institution's curricular offerings remain constant, the Council shall approve the proposed change. Nothing in this subdivision shall be construed to authorize the Council to disapprove the establishment of any such department, school, college, branch, division, or extension established by the General Assembly.

8. Review the proposed closure of any academic program in a high demand or critical shortage area, as defined by the Council, by any public institution of higher education and assist in the development of an orderly closure plan, when needed.

9. Develop a uniform, comprehensive data information system designed to gather all information necessary to the performance of the Council's duties. The system shall include information on admissions, enrollment, self-identified students with documented disabilities, personnel, programs, financing, space inventory, facilities, and such other areas as the Council deems appropriate. When consistent with the Government Data Collection and Dissemination Practices Act (§ 2.2-3800 et seq.), the Virginia Unemployment Compensation Act (§ 60.2-100 et seq.), and applicable federal law, the Council, acting solely or in partnership with the Virginia Department of Education or the Virginia Employment Commission, may contract with private entities to create de-identified student records in which all personally identifiable information has been removed for the purpose of assessing the performance of institutions and specific programs relative to the workforce needs of the Commonwealth.

10. In cooperation with public institutions of higher education, develop guidelines for the assessment of student achievement. Each such institution shall use an approved program that complies with the guidelines of the Council and is consistent with the institution's mission and educational objectives in the development of such assessment. The Council shall report each institution's assessment of student achievement in the revisions to the Commonwealth's statewide strategic plan for higher education.

11. In cooperation with the appropriate state financial and accounting officials, develop and establish uniform standards and systems of accounting, recordkeeping, and statistical reporting for public institutions of higher education.

12. Review biennially and approve or disapprove all changes in the inventory of educational and general space that any public institution of higher education proposes and report such approvals and disapprovals to the Governor and the General Assembly. No such change shall become effective until 30 days after the adjournment of the session of the General Assembly next following the filing of such report.

13. Visit and study the operations of each public institution of higher education at such times as the Council deems appropriate and conduct such other studies in the field of higher education as the Council deems appropriate or as may be requested by the Governor or the General Assembly.

14. Provide advisory services to each accredited nonprofit private institution of higher education whose primary purpose is to provide collegiate or graduate education and not to provide religious training or theological education on academic, administrative, financial, and space utilization matters. The Council may review and advise on joint activities, including contracts for services between public institutions of higher education and such private institutions of higher education or between such private

institutions of higher education and any agency or political subdivision of the Commonwealth.

15. Adopt such policies and regulations as the Council deems necessary to implement its duties established by state law. Each public institution of higher education shall comply with such policies and regulations.

16. Issue guidelines consistent with the provisions of the federal Family Educational Rights and Privacy Act (20 U.S.C. § 1232g), requiring public institutions of higher education to release a student's academic and disciplinary record to a student's parent.

17. Require each institution of higher education formed, chartered, or established in the Commonwealth after July 1, 1980, to ensure the preservation of student transcripts in the event of institutional closure or revocation of approval to operate in the Commonwealth. An institution may ensure the preservation of student transcripts by binding agreement with another institution of higher education with which it is not corporately connected or in such other way as the Council may authorize by regulation. In the event that an institution closes or has its approval to operate in the Commonwealth revoked, the Council, through its director, may take such action as is necessary to secure and preserve the student transcripts until such time as an appropriate institution accepts all or some of the transcripts. Nothing in this subdivision shall be deemed to interfere with the right of a student to his own transcripts or authorize disclosure of student records except as may otherwise be authorized by law.

18. Require the development and submission of articulation, dual admissions, and guaranteed admissions agreements between associate-degree-granting and baccalaureate public institutions of higher education.

19. Provide periodic updates of base adequacy funding guidelines adopted by the Joint Subcommittee Studying Higher Education Funding Policies for each public institution of higher education.

20. Develop, pursuant to the provisions of § 23.1-907, guidelines for articulation, dual admissions, and guaranteed admissions agreements, including guidelines related to a one-year Uniform Certificate of General Studies Program and a one-semester Passport Program to be offered at each comprehensive community college. The guidelines developed pursuant to this subdivision shall be developed in consultation with all public institutions of higher education in the Commonwealth, the Department of Education, and the Virginia Association of School Superintendents and shall ensure standardization, quality, and transparency in the implementation of the programs and agreements. At the discretion of the Council, private institutions of higher education eligible for tuition assistance grants may also be consulted.

21. Cooperate with the Board of Education in matters of interest to both public elementary and secondary schools and public institutions of higher education, particularly in connection with coordination of the college admission requirements, coordination of teacher training programs with the public school programs, and the Board of Education's Six-Year Educational Technology Plan for Virginia. The Council shall encourage public institutions of higher education to design programs that include the skills necessary for the successful implementation of such Plan.

22. Advise and provide technical assistance to the Brown v. Board of Education Scholarship Committee in the implementation and administration of the Brown v. Board of Education Scholarship Program pursuant to Chapter 34.1 (§ 30-231.01 et seq.) of Title 30.

23. Insofar as possible, seek the cooperation and utilize the facilities of existing state departments, institutions, and agencies in carrying out its duties.

24. Serve as the coordinating council for public institutions of higher education.

25. Serve as the planning and coordinating agency for all postsecondary educational programs for all health professions and occupations and make recommendations, including those relating to financing, for providing adequate and coordinated educational programs to produce an appropriate supply of properly trained personnel. The Council may conduct such studies as it deems appropriate in furtherance of the requirements of this subdivision. All state departments and agencies shall cooperate with the Council in the execution of its responsibilities under this subdivision.

26. Carry out such duties as the Governor may assign to it in response to agency designations requested by the federal government.

27. Insofar as practicable, preserve the individuality, traditions, and sense of responsibility of each public institution of higher education in carrying out its duties.

28. Insofar as practicable, seek the assistance and advice of each public institution of higher education in fulfilling its duties and responsibilities.

29. Administer the Virginia Longitudinal Data System as a multiagency partnership for the purposes of developing educational, health, social service, and employment outcome data; improving the efficacy of state services; and aiding decision making.

30. Assist the Department of Education with collecting and compiling information for distribution to high school students that assist such students in making more informed decisions about post-high-school educational and training opportunities pursuant to § 22.1-206.2.

§ 46.2-209. Release of information in Department records for motor vehicle research and longitudinal data purposes.

A. For the purposes of this section, "privileged information" means:

1. Personal information as defined in § 2.2-3801;
 2. Driver information, defined as all data that relates to driver's license status and driver activity;
 3. Special identification card information, defined as all data that relates to identification card status;
- and
4. Vehicle information, defined as title number and registration number.

B. Notwithstanding the provisions of subsections A and E of § 46.2-208, the Commissioner may furnish privileged information for motor vehicle research purposes, or in other cases wherein, in his opinion, highway safety or the general welfare of the public will be promoted by furnishing the information, and the recipient of the information has agreed in writing with the Commissioner or his designee that the information furnished will be used for no purpose other than the purpose for which it was furnished. No such information shall be used for solicitation of sales. The Commissioner shall not disclose, pursuant to this section, an individual's social security number or lack thereof, driver's license or special identification card number, Individual Tax ID Number, country of origin, immigration status, or place of birth or the type of document issued to the individual pursuant to Chapter 3 (§ 46.2-300 et seq.).

C. *The Department shall participate as a partner entity in the Virginia Education and Workforce Longitudinal Data System (the System) administered by the Office of Education Economics pursuant to § 2.2-2238.2 and, notwithstanding the provisions of subsections A and E of § 46.2-208, the Commissioner shall furnish such privileged information to the System as may be necessary to fulfill its duties as such a partner entity.*

D. No privileged information released pursuant to this section shall be distributed by any recipient of such information to a third party for a purpose other than the purpose for which it was furnished. Privileged information requested by an entity that has been altered or aggregated may only be used for the original purposes specified in the written agreement and shall be subject to the protections of this section. Any agreement that does not allow third-party distribution shall include a statement that such distribution is prohibited. Such agreement may limit the scope of any authorized distribution.

2. That the Virginia Economic Development Partnership Authority (the Authority) and the Office of Education Economics established by the Authority pursuant to § 2.2-2238 of the Code of Virginia, as amended by this act, shall be successors in interest to the State Council of Higher Education for Virginia (SCHEV) for the purpose of the administration of Virginia Longitudinal Data System (the System) and that the provisions of this act that amend § 23.1-203 of the Code of Virginia and create § 2.2-2238.2 of the Code of Virginia shall be construed to transfer the administration of the System to the Office of Education Economics and rename the System as the Virginia Education and Workforce Longitudinal Data System. Any agreements entered into with SCHEV for participation in or partnership with the System that are currently in effect shall continue without interruption.

3. That the Department of Workforce Development and Advancement and the Office of Education Economics established by the Virginia Economic Development Partnership Authority pursuant to § 2.2-2238 of the Code of Virginia, as amended by this act, shall engage a third party to review and make recommendations as to how the Virginia Education and Workforce Longitudinal Data System established pursuant to this act and the Virginia Workforce Data Trust as defined in § 2.2-2036 of the Code of Virginia, as amended by this act, shall collaborate in order to avoid duplication of effort and make the best use of data available in the Commonwealth.