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HOUSE BILL NO. 2465

Offered January 13, 2025

Prefiled January 8, 2025

A BILL to amend and reenact §§ 2.2-203.2:4, 2.2-2006, 2.2-2036, 2.2-2041, 2.2-2101, 2.2-2238, 23.1-203, 23.1-627.3, and 23.1-903.4 and to amend the Code of Virginia by adding sections numbered 2.2-2014.1 and 2.2-2014.2, relating to education and workforce data ecosystem in the Commonwealth; Virginia Education and Workforce Data Governing Board and Office of Virginia Education and Workforce Data established.

Patrons—Willett and Coyner

Referred to Committee on Education

Be it enacted by the General Assembly of Virginia:

1. That §§ 2.2-203.2:4, 2.2-2006, 2.2-2036, 2.2-2041, 2.2-2101, 2.2-2238, 23.1-203, 23.1-627.3, and 23.1-903.4 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding sections numbered 2.2-2014.1 and 2.2-2014.2 as follows:

§ 2.2-203.2:4. Office of Data Governance and Analytics; Chief Data Officer; creation; report.

A. As used in this section, unless the context requires a different meaning:

~~"Board" means the Executive Data Board.~~

"CDO" means the Chief Data Officer of the Commonwealth.

~~"Commonwealth Data Trust" means a secure, multi-stakeholder data exchange and analytics platform with common rules for data security, privacy, and confidentiality. The Commonwealth Data Trust shall include data from state, regional, and local governments, from public institutions of higher education, and from any other sources deemed necessary and appropriate the same as that term is defined in § 2.2-2006.~~

~~"Council" means the Data Governance Council.~~

~~"Group" means the Data Stewards Group.~~

"Office" means the Office of Data Governance and Analytics *established pursuant to this section.*

"Open data" means data that is collected by an agency that is not prohibited from being made available to the public by applicable laws or regulations or other restrictions, requirements, or rights associated with such data.

B. There is created in the Office of the Secretary of Administration the Office of Data Governance and Analytics to foster and oversee the effective sharing of data among state, regional, and local public entities and public institutions of higher education, implement effective data governance strategies to maintain data integrity and security, and promote access to Commonwealth data. The purpose of the Office shall be to (i) improve compliance with the Government Data Collection and Dissemination Practices Act (§ 2.2-3800 et seq.); (ii) increase access to and sharing of Commonwealth data, including open data, between state, regional and local public entities and public institutions of higher education across all levels of government; (iii) Increase the use of data and data analytics to improve the efficiency and efficacy of government services and improve stakeholder outcomes; and (iv) establish the Commonwealth as a national leader in data-driven policy, evidence-based decision making, and outcome-based performance management.

C. The Office shall have the following powers and duties:

1. To support the collection, dissemination, analysis, and proper use of data by state agencies and public entities as defined in the Government Data Collection and Dissemination Practices Act (§ 2.2-3800 et seq.);

2. To facilitate and guide data-sharing efforts between state, regional, and local public entities and public institutions of higher education;

3. To develop innovative data analysis and intelligence methodologies and best practices to promote data-driven policy making, decision making, research, and analysis;

4. To ~~manage~~ *assist with the management and administer* administration of the Commonwealth Data Trust;

5. To assist the Chief Data Officer and the Chief Information Officer of the Commonwealth in the development of a comprehensive six-year Commonwealth strategic plan for information technology;

6. In cooperation with the Chief Information Officer of the Commonwealth, to provide technical assistance to state agencies, local governments, and regional entities to establish and promote data sharing and analytics projects including data storage, data security, privacy, compliance with federal law, the de-identification of data for research purposes, and the appropriate access to and presentation of open data and datasets to the public;

7. To develop measures and targets related to the performance of the Commonwealth's data governance, sharing, analytics, and intelligence program;

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8. To undertake, identify, coordinate, and oversee studies linking government services to stakeholder outcomes;

9. To implement a website dedicated to (i) hosting open data from state, regional, and local public entities and public institutions of higher education and (ii) providing links to any other additional open data websites in the Commonwealth;

10. To provide staff and operational support to the Virginia ~~Data Commission, Executive Data Board, Data Governance Council, and Data Stewards Group~~ *Education and Workforce Data Governing Board established pursuant to § 2.2-2014.1*;

11. To apply for and accept grants from the United States government and agencies and instrumentalities thereof and any other source. To those ends, the Office shall have the power to comply with such conditions and execute such agreements as may be necessary or desirable;

12. To solicit, receive, and consider proposals for funding projects or initiatives from any state or federal agency, local or regional government, public institution of higher education, nonprofit organization, or private person or corporation;

13. To enter into public-private partnerships and agreements with public institutions of higher education in the Commonwealth to conduct data sharing and analytics projects;

14. To solicit and accept funds, goods, and in-kind services that are part of any accepted project proposal;

15. To establish ad hoc committees or project teams to investigate related technology or technical issues and provide results and recommendations for Office action;

16. To enter into reciprocal data-sharing agreements with state agencies for the purpose of sharing veteran-specific data in order to support data-informed outreach plans for veterans. Such agencies may include the Department of Veterans Services, Department of Corrections, Department of Social Services, Virginia Employment Commission, Department of Small Business and Supplier Diversity, Department of Taxation, and other relevant state agencies that have access to data regarding veterans residing in the Commonwealth; and

17. To establish such bureaus, sections, or units as the Office deems appropriate to carry out its goals and responsibilities.

D. There is created in the Office of the Secretary of Administration the position of Chief Data Officer of the Commonwealth to oversee the operation of the Office. The CDO shall exercise and perform the duties conferred or imposed upon him by law and perform such other duties as may be required by the Governor and the Secretary of Administration. The CDO shall not be considered the custodian of any public records in or derived from the Commonwealth Data Trust. The CDO shall:

1. Establish business rules, guidelines, and best practices for the use of data, including open data, in the Commonwealth. Such rules, guidelines, and best practices shall address, at a minimum, (i) the sharing of data between state, regional, and local public entities and public institutions of higher education, and, when appropriate, private entities; (ii) data storage; (iii) data security; (iv) privacy; (v) compliance with federal law; (vi) the de-identification of data for research purposes; and (vii) the appropriate access to and presentation of open data and datasets to the public;

2. Assist state, regional, and local public entities, public institutions of higher education, and employees thereof, with the application of the Government Data Collection and Dissemination Practices Act (§ 2.2-3800 et. seq.) and understanding the applicability of federal laws governing privacy and access to data to the data sharing practices of the Commonwealth;

3. Assist the Chief Information Officer of the Commonwealth with matters related to the creation, storage, and dissemination of data upon request;

4. Encourage and coordinate efforts of state, regional, and local public entities and public institutions of higher education to access and share data, including open data, across all levels of government in an effort to improve the efficiency and efficacy of services, improve outcomes, and promote data-driven policy making, decision making, research, and analysis;

5. Oversee the implementation of a website dedicated to (i) hosting open data from state, regional, and local public entities and public institutions of higher education and (ii) providing links to any other additional open data websites in the Commonwealth;

6. Enter into contracts for the purpose of carrying out the provisions of this section;

7. Rent office space and procure equipment, goods, and services necessary to carry out the provisions of this section; and

8. Report on the activities of the Office, *and the Commonwealth Data Trust, and the Virginia Data Commission established pursuant to Article 13 (§ 2.2-2558 et seq.) of Chapter 25* annually by December 1 to the Governor and the General Assembly.

E. ~~The Commonwealth Data Trust shall be governed by a multi-level governance structure as follows:~~

~~1. The Executive Data Board shall consist of the directors or chief executives, or their designees, of executive branch agencies engaged in data sharing and analytics projects with the Commonwealth Data Trust. The CDO shall chair the Board. Members of the Board shall (i) translate the Commonwealth's data-driven~~

policy goals and objectives into performance targets at their respective agencies; (ii) allocate appropriate resources at their respective agencies to support data governance, sharing, and analytics initiatives; and (iii) provide any reports to the Office regarding their respective agencies' data analytics work and implementation of recommendations.

2. The Data Governance Council shall consist of employees of the agencies represented on the Board, selected by the Board members from their respective agencies. The CDO, or his designee, shall chair the Council. The Council shall (i) liaise between state agency operations and the CDO; (ii) advise the CDO on data technology, policy, and governance structure; (iii) administer data governance policies, standards, and best practices, as set by the Board; (iv) oversee data sharing and analytics projects; (v) review open data assets prior to publication; (vi) provide to the Board any reports on the Council's recommendations and work as required by the Board; (vii) develop necessary privacy and ethical standards and policies for Commonwealth Data Trust resources; (viii) monitor the sharing of Commonwealth Data Trust member-contributed data resources; (ix) review and approve new Commonwealth Data Trust-managed data resources; and (x) conduct any other business the CDO deems necessary for Commonwealth Data Trust governance.

3. The Data Stewards Group shall consist of employees from executive branch agencies with technical experience in data management or data analytics. Executive branch agencies shall be encouraged to designate at least one agency data steward to serve on the Group and may designate multiple data stewards as appropriate based upon organizational or data system responsibilities. The Group shall (i) provide the Board and Council with technical subject matter expertise in support of data policies, standards, and best practices; (ii) implement data sharing and analytics projects promoting data accessibility, sharing, and reuse, thereby reducing redundancy across the Commonwealth; (iii) coordinate and resolve technical stewardship issues for standardized data; (iv) ensure data quality processes and standards are implemented consistently by agencies in the Commonwealth; (v) provide communication and education to data users on the appropriate use, sharing, and protection of the Commonwealth's data assets; (vi) promote the collection and sharing of metadata by registering data assets in the Virginia Data Catalog; (vii) liaise with agency project managers and information technology investment staff to ensure adherence to Commonwealth data standards and data sharing requirements; and (viii) support informed, data-driven decision making through compliance with Commonwealth data policies, standards, and best practices.

F. In carrying out the provisions of this section, the Office shall coordinate and collaborate with, to the fullest extent authorized by federal law and notwithstanding any state law to the contrary, all agencies set forth in subsection A of § 2.2-212 and subsection A of § 2.2-221; any other state, regional, and local public bodies, including community services boards; local law-enforcement agencies; any health and human services-related entity of a political subdivision that receives state funds; public institutions of higher education; and, when appropriate, private entities.

G. F. The Office shall be considered an agent of any state agency in the executive branch of government that shares information or data with the office, and shall be an authorized recipient of information under any statutory or administrative law governing the information or data. Interagency data shared pursuant to this section shall not constitute a disclosure or release of information or data under any statutory or administrative law governing the information or data.

H. G. The Office shall be responsible for overseeing and supporting any workforce development data systems authorized under the Secretary of Labor to ensure the interoperability of the systems, to facilitate data sharing, to identify innovative technology solutions, and to support processes that create data-informed decisions.

§ 2.2-2006. Definitions.

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

"Advanced coursework" means coursework designed for students to earn postsecondary credit upon its successful completion while still in high school, including Advanced Placement and International Baccalaureate courses, dual enrollment and concurrent enrollment programs, and early college high school programs.

"Commonwealth Data Trust" or "CDT" means a secure, multi-stakeholder data exchange and analytics platform with common rules for data security, privacy, and confidentiality. The Commonwealth Data Trust shall include data from state, regional, and local governments, from public institutions of higher education, and from any other sources deemed necessary and appropriate.

"Commonwealth information technology project" means any state agency information technology project that is under Commonwealth governance and oversight.

"Commonwealth Project Management Standard" means a document developed and adopted by the Chief Information Officer (CIO) pursuant to § 2.2-2016.1 that describes the methodology for conducting information technology projects, and the governance and oversight used to ensure project success.

"Confidential data" means information made confidential by federal or state law that is maintained in an electronic format.

"Ecosystem" means the collection of data and analysis systems critical for supporting evidence-based

182 *policy decisions, workforce development, and educational outcomes across the Commonwealth, composed of*
183 *CDT, VLDS, VOEE, and VWDT.*

184 *"Education data" includes the following student data disaggregated by student groups according to race,*
185 *gender, ethnicity, economic status, English language learner status, disability status, and geographic*
186 *location:*

187 *1. Academic performance data, including state and national assessments;*

188 *2. Coursework participation and completion, including advanced coursework, career and technical*
189 *education coursework, and work-based learning experiences;*

190 *3. Postsecondary enrollment and remediation, retention, and completion rates; and*

191 *4. Degree, diploma, and credential attainment.*

192 *"Enterprise" means an organization with common or unifying business interests. An enterprise may be*
193 *defined at the Commonwealth level or secretariat level for program and project integration within the*
194 *Commonwealth, secretariats, or multiple agencies.*

195 *"Executive branch agency" or "agency" means any agency, institution, board, bureau, commission,*
196 *council, public institution of higher education, or instrumentality of state government in the executive*
197 *department listed in the appropriation act. However, "executive branch agency" or "agency" does not include*
198 *the University of Virginia Medical Center, a public institution of higher education to the extent exempt from*
199 *this chapter pursuant to the Restructured Higher Education Financial and Administrative Operations Act (§*
200 *23.1-1000 et seq.) or other law, or the Virginia Port Authority.*

201 *"Information technology" means communications, telecommunications, automated data processing,*
202 *applications, databases, data networks, the Internet, management information systems, and related*
203 *information, equipment, goods, and services. The provisions of this chapter shall not be construed to hamper*
204 *the pursuit of the missions of the institutions in instruction and research.*

205 *"ITAC" means the Information Technology Advisory Council created in § 2.2-2699.5.*

206 *"Major information technology project" means any Commonwealth information technology project that*
207 *has a total estimated cost of more than \$1 million or that has been designated a major information technology*
208 *project by the CIO pursuant to the Commonwealth Project Management Standard developed under §*
209 *2.2-2016.1.*

210 *"Secretary" means the Secretary of Administration.*

211 *"Technology asset" means hardware and communications equipment not classified as traditional*
212 *mainframe-based items, including personal computers, mobile computers, and other devices capable of*
213 *storing and manipulating electronic data.*

214 *"Telecommunications" means any origination, transmission, emission, or reception of data, signs, signals,*
215 *writings, images, and sounds or intelligence of any nature, by wire, radio, television, optical, or other*
216 *electromagnetic systems.*

217 *"Virginia Longitudinal Data System" or "VLDS" means the Commonwealth's statewide longitudinal data*
218 *system that integrates and links data for the purpose of producing insights into the Commonwealth's early*
219 *childhood education, elementary and secondary education, higher education, health, and workforce policies*
220 *and programs that can lead to increased agency performance, improved government policy, and improved*
221 *citizen outcomes.*

222 *"Virginia Office of Education Economics" or "VOEE" means the Office established by the Virginia*
223 *Economic Development Partnership Authority pursuant to § 2.2-2238 that provides a unified, consistent*
224 *source of analysis for policy development and implementation related to talent development and offers*
225 *resources and expertise related to education and labor market alignment.*

226 *"Virginia Workforce Data Trust" or "VWDT" means the centralized workforce data repository established*
227 *pursuant to § 2.2-2041 and maintained by the Secretary of Labor of the Commonwealth that integrates*
228 *related workforce organizations, systems, data elements, and functionality.*

229 *"Workforce data" includes data relating to:*

230 *1. Employment status;*

231 *2. Wage information;*

232 *3. Geographic location of employment; and*

233 *4. Employer information.*

234 **§ 2.2-2014.1. Virginia Education and Workforce Data Governing Board.**

235 *A. As used in this section:*

236 *"Board" means the Virginia Education and Workforce Data Governing Board established pursuant to this*
237 *section.*

238 *"Office" means the Office of Virginia Education and Workforce Data established pursuant to § 2.2-*
239 *2014.2.*

240 *B. The Virginia Education and Workforce Data Governing Board is established as a supervisory board in*
241 *the executive branch of state government to govern the ecosystem.*

241 *C. The Board shall have a total membership of 10 members that shall consist of two legislative members,*

three nonlegislative citizen members, and five *ex officio* members. Members shall be appointed as follows: one member of the House of Delegates, to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; one member of the Senate, to be appointed by the Senate Committee on Rules; one nonvoting, nonlegislative citizen member with executive-level experience in either education or workforce to be appointed by the Speaker of the House of Delegates; one nonvoting, nonlegislative citizen member with executive-level experience in either education or workforce to be appointed by the Senate Committee on Rules; and one nonvoting, nonlegislative citizen member with executive-level experience in either education or workforce to be appointed by the Governor, subject to confirmation by the General Assembly. The Secretary of Administration, the Secretary of Commerce and Trade, the Secretary of Education, the Secretary of Labor, and the President and Chief Executive Officer of the Virginia Economic Development Partnership, or their designees, shall serve *ex officio* with voting privileges. Nonlegislative citizen members of the Board shall be citizens of the Commonwealth and shall not be employed by any agency of the Commonwealth.

Ex officio members of the Board shall serve terms coincident with their terms of office.

Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. Vacancies shall be filled in the same manner as the original appointments. All members may be reappointed.

No House member shall serve more than two consecutive three-year terms, no Senate member shall serve more than two consecutive three-year terms, no nonlegislative citizen member appointed by the Speaker of the House of Delegates or the Senate Committee on Rules shall serve more than two consecutive three-year terms, and no nonlegislative member appointed by the Governor shall serve more than two consecutive three-year terms. The remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining the member's eligibility for reappointment.

The Board shall elect a chairman and vice-chairman from among its membership. A majority of the members shall constitute a quorum. The Board shall meet no more than four times each year. The meetings of the Board shall be held at the call of the chairman or whenever the majority of the members so request.

D. The Board shall have the following powers and duties:

1. Adopt and foster a shared vision across the ecosystem;
2. Assist in furthering the Commonwealth's vision for education data and workforce data, including identifying areas for consolidation, aligning resources, reducing bureaucratic barriers to data access, and improving overall ecosystem efficiency to ensure that all Virginians, including policymakers, receive timely answers to their questions about education data and workforce data;
3. Provide oversight of operational direction to the ecosystem to ensure that it is serving its intended purpose;
4. Appoint an executive director to oversee the Office and permit such executive director to employ such other employees as he deems necessary for the effective conduct of the work of the Office;
5. Evaluate, propose, and secure a long-term location for the Office and the ecosystem;
6. Approve the annual budget for the Office.
7. Establish the policy and research agenda of the Office;
8. Develop an implementation plan to phase in the establishment and operation of the Office;
9. Establish a process for electing a chairman and vice-chairman, including defining their responsibilities;
10. Establish bylaws for the operations of the Board that require a simple majority vote in the affirmative to approve actions;
11. Establish a process for appointing representatives to advisory committees and work groups, including an advisory committee that includes state agency leaders, local government agency leaders, business leaders, and members of the public, including parents of students, to further support sustainability; provide representation to every agency that participates in the ecosystem; and provide recommendations on decisions related to data privacy and security, technical aspects of data migration, and the use of emerging technologies such as artificial intelligence;
12. Establish any other necessary committees and subcommittees in consultation with the Office, including committees to oversee privacy and technical aspects of data migration;
13. Ensure the security and data privacy of the ecosystem, including compliance with state and federal data privacy laws;
14. Before incorporating any individual data into the ecosystem:
 - a. Solicit input from stakeholders of the ecosystem about their information needs so that data efforts are designed to provide such stakeholders with quality information in a timely, tailored, and valuable manner;
 - b. Create an inventory of the individual education data or workforce data proposed for inclusion;
 - c. Develop and implement policies to comply with all federal and state privacy laws; and
 - d. Develop a detailed data security and safeguarding plan, addressing authorized access, privacy standards, audits, breach notifications, and data retention;
15. Review research requirements and establish policies for approving data requests from state and local

303 agencies, educational institutions, and workforce development entities, the General Assembly, and the public;
304 16. Ensure that all agencies contributing data to the ecosystem receive meaningful support, services, and
305 information derived from the data that they provide; and

306 17. Report to the Governor and the General Assembly on or before November 1 of each year the following
307 information findings and recommendations:

308 a. Successes, challenges, and impact of the ecosystem;

309 b. The operating budget, major strategic finance decisions, and procurement decisions for all entities in
310 the ecosystem;

311 c. Capacity and resource needs; and

312 d. Recommendations to improve the ecosystem, including the need for new data collection, the use of new
313 technologies such as artificial intelligence, the development of new portals or reporting of timely and critical
314 information, research, and analysis that stakeholders need to make decisions, and the need for adjustments to
315 staffing and funding levels.

316 **§ 2.2-2014.2. Office of Virginia Education and Workforce Data; VLDS participants.**

317 A. The Office of Virginia Education and Workforce Data (the Office) is hereby established within VITA.

318 B. The purpose of the Office is to coordinate the ecosystem and develop outputs such as tools and
319 dashboards that align with the vision of the Virginia Education and Workforce Data Governing Board (the
320 Board) and meet stakeholders' needs, including information.

321 C. As set forth in subdivision D 4 of § 2.2-2014.1, the Office shall be led by an executive director who is
322 appointed by the Board and who, subject to the provision of funding in the general appropriation act, may
323 employ additional staff necessary to carry out the functions of the Office. The executive director is
324 responsible for convening and supporting the Board and implementing its decisions.

325 D. The Office shall have the following powers and duties:

326 1. Serve as the managing entity of, oversee, and maintain the ecosystem;

327 2. Ensure that all agencies contributing data to the ecosystem receive meaningful support and services
328 derived from the data that they provide;

329 3. Ensure ongoing compliance with all applicable federal and state privacy laws and policies, including:

330 a. De-identifying data for research and reporting purposes;

331 b. Disposing of information that is no longer needed;

332 c. Providing data security;

333 d. Implementing guidelines and policies that prevent the reporting of potentially identifying data; and

334 e. Conducting regular audits to ensure compliance with data privacy and security standards;

335 4. Conduct research using timely and accurate education data and workforce data to improve the
336 Commonwealth's education system and guide decision making by the Commonwealth, the Department of
337 Education, the Board of Education, local governing bodies, local school boards, elementary and secondary
338 schools, institutions of higher education, teachers, and other education professionals;

339 5. Create user-friendly tools such as dashboards, portals, feedback reports to schools and colleges on
340 how well-prepared their graduates are for the workplace, the military, or continued education, and reports
341 that provide actionable data for policymakers, educators, and the public;

342 6. Fulfill information and data requests to facilitate state and federal education reporting by agencies of
343 the Commonwealth, as appropriate, such as reporting outcomes pursuant to the federal Strengthening Career
344 and Technical Education for the 21st Century Act (Perkins V), P.L. 115-224;

345 7. Fulfill information and data requests from the legislative and executive branches to support
346 policymaking;

347 8. Fulfill approved public information requests; and

348 9. Conduct outreach to stakeholders such as parents, students, policymakers, and business leaders to
349 increase awareness of data resources available.

350 E. To reduce redundancy, improve efficiency and transparency, and provide Virginians with useful data
351 tools and resources, the Office shall have the following additional powers and duties:

352 1. Catalog the various data systems within the ecosystem, including their collected data elements, data
353 assets, collection protocols, and privacy and security requirements;

354 2. Determine the operating budgets and headcounts of employees of the data systems within the
355 ecosystem;

356 3. Identify opportunities for consolidation and improvement across the ecosystem, including data
357 collection, analytics, reporting, tool development, staffing, and resources;

358 4. Develop public-facing dashboards and tools that report on the outcomes of the Board's research
359 agenda; and

360 5. Establish a user-friendly public resource that assists students and families with selecting an institution
361 of higher education to attend by providing data on cost, location, and workforce outcomes such as rate of
362 employment one year after graduation.

363 F. Participating agencies shall transfer, as applicable, to the VLDS, at least annually, data points in

accordance with the data security policies as approved by the Board and pursuant to the requirements of state and federal privacy laws and policies. Source data shall be consistent with data definitions and standards adopted by the Board. Such participating agencies shall make every effort to ensure that source data is of the highest quality before submitting the data to the Board for inclusion in the VLDS. Private early childhood, elementary, secondary, and postsecondary educational institutions may transfer education data and workforce data to the VLDS.

§ 2.2-2036. Definitions.

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

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

"Council" means the Apprenticeship Council.

"Department" means the Department 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 Longitudinal Data System" means ~~the multiagency partnership administered by the State Council of Higher Education for Virginia pursuant to subdivision 9 of § 23.1-203~~ the same as that term is defined in § 2.2-2006.

"Virginia Workforce Data Trust" means ~~a workforce database maintained by the Department in an encrypted state in compliance with § 2.2-2009~~ the same as that term is defined in § 2.2-2006.

"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 Data Trust; Workforce program evaluations; sharing of certain data; prohibited uses; civil penalty.

A. ~~¶~~ The Virginia Workforce Data Trust is hereby established. The Virginia Workforce Data Trust shall be governed by the Virginia Education and Workforce Data Governing Board and shall be administered by such Board and with the assistance of the Department. The purpose of the Virginia Workforce Data Trust is to serve as the database with which, to the extent permitted under state and 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 contracts; and (vi) support workforce initiatives developed by the General Assembly or the Governor.

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

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

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

D. The data from the following agencies relating to workforce development programs, workforce education and training programs, and workforce services programs as those terms are defined in § 2.2-2036 shall be shared solely to achieve the purposes specified in subsection A:

1. Virginia Employment Commission: Unemployment Insurance;
2. Virginia Community College System: Postsecondary Career and Technical Education;
3. Department for Aging and Rehabilitative Services: Vocational Rehabilitation and Senior Community

426 Services Employment Program;
427 4. Department for the Blind and Vision Impaired: Vocational Rehabilitation;
428 5. Department of Education: Special Education and Career and Technical Education;
429 6. Department of Social Services: Supplemental Nutrition Assistance Program, Virginia Initiative for
430 Education and Work;
431 7. Virginia Economic Development Partnership Authority: Virginia Jobs Investment Program;
432 8. Department of Juvenile Justice: Youth Industries and Institutional Work Programs, Career and
433 Technical Education Programs;
434 9. Department of Corrections: Career and Technical Education Programs;
435 10. The State Council of Higher Education for Virginia: certifications, certificates, and degrees;
436 11. Department of Veterans Services: Virginia Values Veterans;
437 12. Department of Workforce Development and Advancement: Apprenticeship, Job Service,
438 Reemployment Services and Eligibility Assessment program, Trade Adjustment Assistance Program Act,
439 Veterans Employment Training Programs, Innovative Internship Program, Workforce Innovation and
440 Opportunity Act of 2014 (P.L. 113-128) Titles I and III, and other workforce development programs of the
441 Department as determined by the Commissioner; and
442 13. Any other agencies as deemed necessary by the Secretary of Labor, the Chief Data Officer, and the
443 Commissioner.
444 E. Nothing in this section shall prohibit the inclusion of data from other sources deemed beneficial by the
445 Secretary of Labor, the Chief Data Officer, and the Commissioner.
446 F. Agencies participating in the Virginia Longitudinal Data System and the Virginia Workforce Data
447 Trust shall meet annually and work with the Office of Data Governance and Analytics for the purpose of
448 coordinating responses to changes in data collection of the participating agencies and the needs of the
449 Commonwealth with respect to workforce development and education policy development. Subject to the
450 approval by each participating agency, the Virginia Longitudinal Data System and the Virginia Workforce
451 Data Trust may develop processes to facilitate intersystem operability and communication between the two
452 entities for research and analysis purposes.
453 G. All agencies providing information to the Virginia Workforce Data Trust shall be prohibited from
454 disclosing any personal information or data, except as required under this section or other state law or federal
455 law, or to accomplish a proper purpose of the agency.
456 H. Any person alleging a violation of this section may bring a civil action for appropriate injunctive relief.
457 A court rendering judgment in favor of a complainant pursuant to this subsection shall award all or a portion
458 of the costs of litigation, including reasonable attorney fees and witness fees, to the complainant.
459 **§ 2.2-2101. Prohibition against service by legislators on boards, commissions, and councils within**
460 **the executive branch; exceptions.**
461 Members of the General Assembly shall be ineligible to serve on boards, commissions, and councils
462 within the executive branch of state government who are responsible for administering programs established
463 by the General Assembly. Such prohibition shall not extend to boards, commissions, and councils engaged
464 solely in policy studies or commemorative activities. If any law directs the appointment of any member of the
465 General Assembly to a board, commission, or council in the executive branch of state government that is
466 responsible for administering programs established by the General Assembly, such portion of such law shall
467 be void, and the Governor shall appoint another person from the Commonwealth at large to fill such a
468 position.
469 The provisions of this section shall not apply to members of the Board for Branch Pilots, who shall be
470 appointed as provided for in § 54.1-901; to members of the Board of Trustees of the Southwest Virginia
471 Higher Education Center, who shall be appointed as provided for in § 23.1-3126; to members of the Board of
472 Trustees of the Southern Virginia Higher Education Center, who shall be appointed as provided for in §
473 23.1-3121; to members of the Board of Directors of the New College Institute, who shall be appointed as
474 provided for in § 23.1-3112; to members of the Advisory Board on Teacher Education and Licensure, who
475 shall be appointed as provided for in § 22.1-305.2; to members of the Virginia Interagency Coordinating
476 Council, who shall be appointed as provided for in § 2.2-5204; to members of the Board of Veterans
477 Services, who shall be appointed as provided for in § 2.2-2452; to members appointed to the Board of
478 Trustees of the Roanoke Higher Education Authority pursuant to § 23.1-3117; to members of the Board of
479 Trustees of the Online Virginia Network Authority, who shall be appointed as provided in § 23.1-3136; to
480 members of the Virginia Geographic Information Network Advisory Board, who shall be appointed as
481 provided for in § 2.2-2423; to members of the Information Technology Advisory Council, who shall be
482 appointed as provided for in § 2.2-2699.5; to members of the Board of Visitors of the Virginia School for the
483 Deaf and the Blind, who shall be appointed as provided for in § 22.1-346.2; to members of the Virginia
484 Addiction Recovery Council, who shall be appointed as provided for in § 2.2-2696; to members of the
485 Criminal Justice Services Board, who shall be appointed as provided in § 9.1-108; to members of the State
486 Executive Council for Children's Services, who shall be appointed as provided in § 2.2-2648; to members of

the Virginia Board of Workforce Development, who shall be appointed as provided for in § 2.2-2471; to members of the Volunteer Firefighters' and Rescue Squad Workers' Service Award Fund Board, who shall be appointed as provided for in § 51.1-1201; to members of the Secure and Resilient Commonwealth Panel, who shall be appointed as provided for in § 2.2-222.3; to members of the Forensic Science Board, who shall be appointed as provided for in § 9.1-1109; to members of the Southwest Virginia Cultural Heritage Foundation, who shall be appointed as provided in § 2.2-2735; to members of the Virginia Growth and Opportunity Board, who shall be appointed as provided in § 2.2-2485; to members of the Henrietta Lacks Commission, who shall be appointed as provided in § 2.2-2538; ~~or~~ to members of the Commission to Study Slavery and Subsequent De Jure and De Facto Racial and Economic Discrimination Against African Americans, who shall be appointed as provided in § 2.2-2552; *or to members of the Virginia Education and Workforce Data Governing Board, who shall be appointed as provided in § 2.2-2014.1.*

§ 2.2-2238. Economic development services.

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

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~~ *the* Virginia Office of Education and Labor Market Alignment Economics (the Office) to coordinate data analysis on workforce and higher education 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 be governed by the Virginia Education and Workforce Data Governing Board established pursuant to § 2.2-2014.1 and shall be administered by such Board with the assistance of the Authority.* 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.

§ 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

548 (ii) once adopted, reflects the goals and objectives developed pursuant to subdivision B 5 of § 23.1-309 for
549 higher education in the Commonwealth, identifies a coordinated approach to such state and regional goals,
550 and emphasizes the future needs for higher education in the Commonwealth at both the undergraduate and
551 the graduate levels and the mission, programs, facilities, and location of each of the existing institutions of
552 higher education, each public institution's six-year plan, and such other matters as the Council deems
553 appropriate. The Council shall revise such plan at least once every six years and shall submit such
554 recommendations as are necessary for the implementation of the plan to the Governor and the General
555 Assembly.

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

566 3. Study any proposed escalation of any public institution of higher education to a degree-granting level
567 higher than that level to which it is presently restricted and submit a report and recommendation to the
568 Governor and the General Assembly relating to the proposal. The study shall include the need for and
569 benefits or detriments to be derived from the escalation. No such institution shall implement any such
570 proposed escalation until the Council's report and recommendation have been submitted to the General
571 Assembly and the General Assembly approves the institution's proposal.

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

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

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

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

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

600 9. Develop a uniform, comprehensive data information system designed to gather all information
601 necessary to the performance of the Council's duties. The system shall include information on admissions,
602 enrollment, self-identified students with documented disabilities, personnel, programs, financing, space
603 inventory, facilities, and such other areas as the Council deems appropriate. When consistent with the
604 Government Data Collection and Dissemination Practices Act (§ 2.2-3800 et seq.), the Virginia
605 Unemployment Compensation Act (§ 60.2-100 et seq.), and applicable federal law, the Council, acting solely
606 or in partnership with the Virginia Department of Education or the Virginia Employment Commission, may
607 contract with private entities to create de-identified student records in which all personally identifiable
608 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~~ *Assist in the administration of 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 governed by the Virginia Education and Workforce Data Governing Board established pursuant to § 2.2-2014.1.*

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.

§ 23.1-627.3. New Economy Workforce Credential Grant Fund and Program established; administration.

A. There is hereby created in the state treasury a special nonreverting fund to be known as the New Economy Workforce Credential Grant Fund. The Fund shall be established on the books of the Comptroller. All moneys appropriated by the General Assembly, and from any other sources, public or private, shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. Moneys in the Fund shall be used solely for the purposes of disbursing moneys to eligible institutions for the award of grants pursuant to the Program. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request signed by the director of the Council.

B. There is hereby established a New Economy Workforce Credential Grant Program for the purpose of disbursing moneys from the Fund to eligible institutions for the award of grants to benefit students pursuant to this article.

C. The Council shall administer the Program and shall carry out the goals and purposes of the Program set forth in this article. In administering the Program, the Council (i) shall require eligible institutions to provide student-specific data and make final decisions on any dispute between eligible institutions and grant recipients; (ii) shall undertake periodic assessments of the overall success of the Program and recommend modifications, interventions, and other actions based on such assessment; and (iii) may adopt such regulations for the administration of the Program as it deems necessary and appropriate.

D. The Council shall instruct the Comptroller to annually disburse moneys to eligible institutions on a first-come, first-served basis as eligible students enroll in noncredit workforce training programs, giving priority to noncredit workforce training programs in high-demand fields in which employer demand is currently unmet by the available workforce. No more than one-quarter of the moneys in the Fund shall be disbursed annually to any eligible institution. The Council shall set forth the procedure by which eligible institutions shall notify the Council when eligible students enroll in noncredit workforce training programs identified by the governing board of the eligible institution pursuant to subsection E.

E. The *Virginia Office of Education and Labor Market Alignment Economics*, in consultation with the Virginia Board of Workforce Development, shall establish the high-demand fields for which noncredit workforce training programs may be offered pursuant to the Program. The governing board of each eligible institution shall determine the noncredit workforce training programs offered pursuant to the Program.

§ 23.1-903.4. Innovative Internship Fund and Program.

A. There is hereby created in the state treasury a special nonreverting fund to be known as the Innovative Internship Fund (the Fund). The Fund shall be established on the books of the Comptroller. All funds appropriated for such purpose and any gifts, donations, grants, bequests, and other funds received on its behalf shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. Moneys in the Fund shall be used solely for the purposes of the Innovative Internship Program established pursuant to subsection B. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request signed by the Director of the Council.

B. There is hereby established the Innovative Internship Program (the Program). The purpose of the

Program is to expand paid or credit-bearing student internship and other work-based learning opportunities in collaboration with Virginia employers. The Program comprises institutional grants and a statewide initiative to facilitate the readiness of students, employers, and institutions of higher education to participate in internship and other work-based learning opportunities.

1. In administering the statewide initiative, the Council shall (i) engage stakeholders from business and industry, secondary and higher education, economic development, and state agencies and entities that are successfully engaging employers or successfully operating internship programs; (ii) explore strategies in Virginia and elsewhere on successful institutional, regional, statewide or sector-based internship programs; (iii) gather data on current institutional internship practices, scale, and outcomes; (iv) develop internship readiness educational resources, delivery methods, certification procedures, and outreach and awareness activities for employer partners, students, and institutional career development personnel; (v) pursue shared services or other efficiency initiatives, including technological solutions; and (vi) create a process to track key measures of performance.

2. The Council shall establish eligibility criteria, including requirements for matching funds, for institutional grants. Such grants shall be used to accomplish one or more of the following goals: (i) support state or regional workforce needs; (ii) support initiatives to attract and retain talent in the Commonwealth; (iii) support research and research commercialization in sectors and clusters targeted for development; (iv) support regional economic growth and diversification plans; (v) enhance the job readiness of students; (vi) enhance higher education affordability and timely completion for Virginia students; or (vii) further the objectives of increasing the tech talent pipeline.

3. The Council shall partner with the *Virginia Office of Education and Labor Market Alignment Economics* to collect and utilize data that includes the gaps that are most significant in hindering the Commonwealth from achieving the goals listed in subdivision 2. The Council and the *Virginia Office of Education and Labor Market Alignment Economics* shall identify, at minimum: (i) state or regional workforce needs for which the lack of work-based learning opportunities is negatively impacting the success of regional economic growth and diversification plans and (ii) degree programs, the graduates of which describe themselves as underemployed, that would benefit from incorporating work-based learning into the curriculum. The Council and the *Virginia Office of Education and Labor Market Alignment Economics* shall use the needs and degree programs identified in this subdivision to collaboratively determine priorities for: (a) using the portion of student financial aid authorized by the budget to be awarded as grants to students participating in work-based learning; (b) redesigning of curricula at public institutions of higher education; (c) garnering regional support and services to ensure the readiness of students and employers; (d) awarding grants to institutions of higher education to ensure their readiness to support students through detailed planning and implementation of best practices for scaling work-based learning; (e) providing or raising funds to provide matching funds so that students with limited resources, who have traditionally participated in the Program at lower rates, may intern at small Virginia-based employers; and (f) enhancing data collection and analysis.

2. That the Virginia Education and Workforce Data Governing Board shall fully implement the provisions of (i) subdivision D 4 of § 2.2-2014.1 of the Code of Virginia, as created by this act, no later than July 1, 2026, and (ii) subdivision D 5 of § 2.2-2014.1 of the Code of Virginia, as created by this act, no later than July 1, 2027.

3. That the Office of Virginia Education and Workforce Data shall fully implement the provisions of subsection E of § 2.2-2014.2 of the Code of Virginia, as created by this act, no later than July 1, 2027.

4. That the Virginia Education and Workforce Data Governing Board shall, with the assistance of the Office of Virginia Education and Workforce Data, consider the extent to which the Virginia Longitudinal Data System and the ecosystem as a whole, as such terms are defined in § 2.2-2006 of the Code of Virginia, as amended by this act, can be implemented to (i) be agnostic regarding data type and capable of accessing and integrating any data type from any data system across participating feeder systems from partner entities; (ii) have advanced data management capabilities to clean and prepare data, create master records, and flag any data errors or missing data; (iii) have identity management capabilities that can create a unique identification that can track a student's journey through early childhood education to higher education and into the workforce data system and links records across numerous data systems spanning prekindergarten through secondary education, postsecondary education, and the workforce; (iv) have automated data governance capabilities to audit and track the lineage of data edits and changes by different authorized users; (v) 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; (vi) have business intelligence capabilities for partner entities to easily generate reporting and visualizations through a low code or no code drag and drop interface; (vii) include public-facing dashboards that only include

793 aggregate-level data that is appropriate for the general public to view; (viii) include restricted
794 dashboards and environments for partner entities to view data that is subject to the protections of the
795 federal Family Educational Rights and Privacy Act (20 U.S.C. § 1232g) with role-based permissions;
796 (ix) support data exchanges and interoperability with existing data systems in the Commonwealth to be
797 identified by the governing agency that leverage and are compliant with the Common Education Data
798 Standards and other data models to be identified by the governing agency; and (x) ensure routine and
799 ongoing compliance with the federal Family Educational Rights and Privacy Act (20 U.S.C. § 1232g)
800 and other relevant privacy laws and policies, including by (a) using de-identified data in data research
801 and public reporting; (b) implementing the Commonwealth's established policy for small cell
802 suppression; (c) disposing of information that is no longer needed; (d) providing data security,
803 including the capacity for audit trails; (e) performing regular audits for compliance with data privacy
804 and security standards; and (f) implementing guidelines and policies that prevent the reporting of any
805 potentially identifying data.