March 20, 2013
Sponsor Add

ENGROSSED
HOUSE BILL No. 1002

DIGEST OF HB 1002 (Updated March 19, 2013 11:45 am - DI 51)

Citations Affected: IC 22-4.5.

Synopsis: Indiana career council. Establishes the Indiana career council (council) to: (1) align the various participants in the state's education, job skills development, and career training system; (2) match the education and skills training provided by the state's education, job skills development, and career training system with the currently existing and future needs of the state's job market; (3) oversee the Indiana workforce intelligence system; (4) submit to the general assembly by August 1, 2013, and August 1 annually, an inventory of current job and career training activities conducted by state and local agencies and private groups; (5) submit, by July 1, 2014, a strategic plan to the general assembly to improve the state's education, job skills,
(Continued next page)

Effective: Upon passage.

Bosma, Pelath, Braun, Smaltz
(SENATE SPONSORS — LONG, LANANE, STEELE, CHARBONNEAU)

January 15, 2013, read first time and referred to Committee on Government and Regulatory Reform.
February 7, 2013, amended, reported — Do Pass.
February 11, 2013, read second time, ordered engrossed.
February 12, 2013, engrossed. Read third time, passed. Yeas 99, nays 0.

SENATE ACTION

February 25, 2013, read first time and referred to Committee on Rules and Legislative Procedure.
March 19, 2013, amended, reported favorably — Do Pass.

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Digest Continued

and career training system; and (6) submit to the general assembly by December 1, 2013, a progress report concerning the strategic plan. Provides that council membership includes: (1) the governor, who serves as chair; (2) the lieutenant governor, who serves as vice chair; (3) the commissioner of the department of workforce development; (4) the secretary of commerce; (5) the state superintendent of public instruction; (6) the commissioner of the commission for higher education; (7) the secretary of the family and social services administration; (8) the president of Ivy Tech Community College; (9) representatives of manufacturing, the business community, and labor appointed by the governor; (10) one member representing the life sciences industry appointed by the governor; (11) two members of the house of representatives appointed by the speaker; and (12) two members of the senate appointed by the president pro tempore. Provides that the legislator members are nonvoting advisory members of the council. Establishes the Indiana workforce intelligence system (system), a statewide longitudinal data system that contains educational and workforce information to improve the effect of the state's educational delivery system on the economic opportunities of individuals and the state's workforce, and to guide state and local decision makers. Requires the system to generate timely and accurate information that is available to the public about the effectiveness of the state's job training programs. Requires the departments of education and workforce development, the commission for higher education, and other state agencies with relevant information to submit data to the system. Permits the system administrator to: (1) receive appropriations, grants, user fees, and other funds to develop and maintain the system; and (2) contract with public or private entities to develop and maintain the system and to conduct research.

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March 20, 2013
Sponsor Add

First Regular Session 118th General Assembly (2013)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type.~~

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~*this style type*~~ reconciles conflicts between statutes enacted by the 2012 Regular Session of the General Assembly.

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ENGROSSED
HOUSE BILL No. 1002

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 22-4.5-9 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

Chapter 9. Indiana Career Council

Sec. 1. As used in this chapter, "council" refers to the Indiana career council established by section 3 of this chapter.

Sec. 2. As used in this chapter, "system" refers to the Indiana workforce intelligence system established by IC 22-4.5-10-3.

Sec. 3. The Indiana career council is established.

Sec. 4. (a) The council shall do all of the following:

(1) Provide coordination to align the various participants in the state's education, job skills development, and career training system.

(2) Match the education and skills training provided by the state's education, job skills development, and career training

system with the currently existing and future needs of the state's job market.

(3) Provide administrative oversight of the system.

(4) In addition to the department's annual report provided under IC 22-4-18-7, submit, not later than August 1, 2013, and not later than August 1 each year thereafter, to the legislative council in an electronic format under IC 5-14-6 an inventory of current job and career training activities conducted by:

(A) state and local agencies; and

(B) whenever the information is readily available, private groups, associations, and other participants in the state's education, job skills development, and career training system.

The inventory must provide at least the information listed in IC 22-4-18-7(a)(1) through IC 22-4-18-7(a)(5) for each activity in the inventory.

(5) Submit, not later than July 1, 2014, to the legislative council in an electronic format under IC 5-14-6 a strategic plan to improve the state's education, job skills development, and career training system. The council shall submit, not later than December 1, 2013, to the legislative council in an electronic format under IC 5-14-6 a progress report concerning the development of the strategic plan. The strategic plan developed under this subdivision must include at least the following:

(A) Proposed changes, including recommended legislation and rules, to increase coordination, data sharing, and communication among the state, local, and private agencies, groups, and associations that are involved in education, job skills development, and career training.

(B) Proposed changes to make Indiana a leader in employment opportunities related to the fields of science, technology, engineering, and mathematics (commonly known as STEM).

(C) Proposed changes to address both:

(i) the shortage of qualified workers for current employment opportunities; and

(ii) the shortage of employment opportunities for individuals with a baccalaureate or more advanced degree.

(6) Coordinate the performance of its duties under this chapter with:

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(A) the education roundtable established by IC 20-19-4-2; and

(B) the Indiana works councils established under SEA 465-2013.

(b) In performing its duties, the council shall obtain input from the following:

(1) Indiana employers and employer organizations.

(2) Public and private institutions of higher education.

(3) Regional and local economic development organizations.

(4) Indiana labor organizations.

(5) Individuals with expertise in career and technical education.

(6) Military and veterans organizations.

(7) Organizations representing women, African Americans, Latinos, and other significant minority populations and having an interest in issues of particular concern to these populations.

(8) Individuals and organizations with expertise in the logistics industry.

(9) Any other person or organization that a majority of the voting members of the council determine has information that is important for the council to consider.

Sec. 5. (a) The council consists of the following members:

(1) The governor.

(2) The lieutenant governor.

(3) The commissioner of the department of workforce development.

(4) The secretary of commerce.

(5) The state superintendent of public instruction.

(6) The commissioner of the commission for higher education.

(7) The secretary of the family and social services administration.

(8) The president of Ivy Tech Community College.

(9) One (1) member representing manufacturing in Indiana appointed by the governor.

(10) One (1) member representing the business community in Indiana appointed by the governor.

(11) One (1) member representing labor in Indiana appointed by the governor.

(12) One (1) member representing the life sciences industry appointed by the governor.

(13) Two (2) members of the house of representatives

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appointed by the speaker of the house of representatives. The individuals appointed under this subdivision:

(A) may not be members of the same political party; and

(B) serve as advisory nonvoting members of the council.

(14) Two (2) members of the senate appointed by the president pro tempore of the senate. The individuals appointed under this subdivision:

(A) may not be members of the same political party; and

(B) serve as advisory nonvoting members of the council.

(b) If a vacancy on the council occurs, the person who appointed the member whose position is vacant shall appoint an individual to fill the vacancy using the criteria in subsection (a).

(c) A member of the council appointed by the governor, the speaker of the house of representatives, or the president pro tempore of the senate serves at the pleasure of the appointing authority and may be replaced at any time by the appointing authority.

Sec. 6. (a) The governor shall serve as the chair of the council, and the lieutenant governor shall serve as the vice chair of the council.

(b) The council:

(1) shall meet monthly; and

(2) may meet more frequently at the call of the chair.

(c) The chair shall establish the agenda for each meeting of the council.

Sec. 7. (a) A majority of the voting members of the council constitutes a quorum for the purpose of conducting business.

(b) The affirmative votes of a majority of the voting members of the council are necessary for the council to take official action.

Sec. 8. (a) Each member of the council who is not a state employee or is not a member of the general assembly is entitled to the following:

(1) The salary per diem provided under IC 4-10-11-2.1(b).

(2) Reimbursement for traveling expenses as provided under IC 4-13-1-4.

(3) Other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the department of administration and approved by the budget agency.

(b) Each member of the council who is a state employee but not a member of the general assembly is entitled to the following:

(1) Reimbursement for traveling expenses as provided under

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IC 4-13-1-4.

(2) Other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the department of administration and approved by the budget agency.

(c) Each member of the council who is a member of the general assembly is entitled to the same:

(1) per diem;

(2) mileage; and

(3) travel allowances;

paid to legislative members of interim study committees established by the legislative council. Per diem, mileage, and travel allowances paid under this subsection shall be paid from appropriations made to the legislative services agency.

Sec. 9. The governor may request the assistance of any state agency, board, commission, committee, department, division, or other entity of the executive department of state government as necessary to provide staff and administrative support to the council and the system.

Sec. 10. This chapter expires July 1, 2018.

SECTION 2. IC 22-4.5-10 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

Chapter 10. Indiana Workforce Intelligence System

Sec. 1. As used in this chapter, "council" refers to the Indiana career council established by IC 22-4.5-9-3.

Sec. 2. As used in this chapter, "system" refers to the Indiana workforce intelligence system established by section 3 of this chapter.

Sec. 3. The Indiana workforce intelligence system is established as a statewide longitudinal data system that contains educational and workforce information:

(1) from educational institutions at all levels; and

(2) about the state's workforce;

to improve the effect of the state's educational delivery system on the economic opportunities of individuals and the state's workforce, and to guide state and local decision makers.

Sec. 4. The system must do the following:

(1) Effectively organize, manage, break down, and analyze educational and workforce data.

(2) Generate timely and accurate information about student progress and outcomes over time, including students'

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preparation for postsecondary education and the workforce.

(3) Generate timely and accurate information that is available to the public about the effectiveness of the state's job training programs, including at least the following:

(A) The number of participants in each program.

(B) The number of participants who, as a result of the training received in the program:

(i) secured employment; or

(ii) were retained by an employer.

(C) The average wage of the participants who secured employment or were retained by an employer.

(4) Support the economic development activities of state and local governments.

Sec. 5. The department of education (established by IC 20-19-3-1), the department of workforce development (established by IC 22-4.1-2-1), the commission for higher education (established by IC 21-18-2-1), and other agencies of the state that collect data related to educational and workforce outcomes shall submit that data to the system on a timely basis and shall ensure the following:

(1) 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 the following:

(A) The required use of data that cannot be used to identify information relating to a specific individual or entity.

(B) The required disposition of information that is no longer needed.

(C) The provision of a data security plan, including the performance of regular audits for compliance with data privacy and security standards.

(D) The implementation of guidelines and policies to prevent the reporting of other data that may potentially be used to identify information relating to a specific individual or entity.

(2) The use of data only in summary form in reports and responses to information requests. Data that may identify specific individuals or entities because of the size or uniqueness of the population involved may not be reported in any form.

Sec. 6. (a) The:

(1) council, before July 1, 2018; and

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(2) governor, after June 30, 2018;

shall provide administrative oversight to the system.

(b) Administrative oversight of the system includes all the following:

(1) Provide general oversight and direction for the development and maintenance of the system.

(2) Approve an annual budget for the system.

(3) Hire staff necessary to administer the system.

(4) Develop a detailed data security and safeguarding plan that includes:

(A) access by authenticated authorization;

(B) privacy compliance standards;

(C) notification and other procedures to protect system data if a breach of the system occurs; and

(D) policies for data retention and disposition.

(5) Oversee 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.

(6) Review research requirements and establish policies for responding to data requests from the state, local agencies, the general assembly, and the public.

(7) Oversee the development of public access to the system in a manner that:

(A) permits research using the data in aggregated form; and

(B) cannot provide information that allows the identification of a specific individual or entity.

(8) Identify additional sources of data for the system from among state entities and require those entities to submit relevant data to the system.

(c) Funding for the development, maintenance, and use of the system may be obtained from any of the following sources:

(1) Appropriations made by the general assembly for this purpose.

(2) Grants or other assistance from local educational agencies or institutions of higher education.

(3) Federal grants.

(4) User fees.

(5) Grants or amounts received from other public or private entities.

(d) The council (before July 1, 2018) and the governor (after June 30, 2018) may contract with public or private entities for the

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following purposes:

(1) To develop and maintain the system.

(2) To conduct research in support of the activities and objectives listed in section 4 of this chapter.

(3) To conduct research on topics at the request of the council, the governor, or the general assembly.

SECTION 3. **An emergency is declared for this act.**

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Government and Regulatory Reform, to which was referred House Bill 1002, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 11, delete "increase the cohesion among" and insert "**align**".

Page 1, line 14, delete "Develop a process to match" and insert "**Match**".

Page 2, delete lines 4 through 11, begin a new line block indented and insert:

"**(4) In addition to the department's annual report provided under IC 22-4-18-7, submit, not later than August 1, 2013, and not later than August 1 each year thereafter, to the legislative council in an electronic format under IC 5-14-6 an inventory of current job and career training activities conducted by:**

(A) state and local agencies; and

(B) whenever the information is readily available, private groups, associations, and other participants in the state's education, job skills development, and career training system.

The inventory must provide at least the information listed in IC 22-4-18-7(a)(1) through IC 22-4-18-7(a)(5) for each activity in the inventory.

(5) Submit, not later than July 1, 2014, to the legislative council in an electronic format under IC 5-14-6 a strategic plan to improve the state's education, job skills development, and career training system. The council shall submit, not later than December 1, 2013, to the legislative council in an electronic format under IC 5-14-6 a progress report concerning the development of the strategic plan. The strategic plan developed under this subdivision must include at least the following:

(A) Proposed changes, including recommended legislation and rules, to increase coordination, data sharing, and communication among the state, local, and private agencies, groups, and associations that are involved in education, job skills development, and career training.

(B) Proposed changes to make Indiana a leader in employment opportunities related to the fields of science, technology, engineering, and mathematics (commonly known as STEM).

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(C) Proposed changes to address both:

(i) the shortage of qualified workers for current employment opportunities; and

(ii) the shortage of employment opportunities for individuals with a baccalaureate or more advanced degree.

(6) Coordinate the performance of its duties under this chapter with:

(A) the education roundtable established by IC 20-19-4-2; and

(B) the Indiana works councils established under SEA 465-2013.".

Page 2, between lines 17 and 18, begin a new line block indented and insert:

"**(5) Individuals with expertise in career and technical education.**

(6) Military and veterans organizations.".

Page 2, line 18, delete "(5)" and insert "**(7)**".

Page 2, between lines 37 and 38, begin a new line block indented and insert:

"**(12) One (1) member representing the life sciences industry appointed by the governor.**".

Page 2, line 38, delete "(12)" and insert "**(13)**".

Page 3, line 1, delete "(13)" and insert "**(14)**".

Page 4, between lines 34 and 35, begin a new line block indented and insert:

"**(3) Generate timely and accurate information that is available to the public about the effectiveness of the state's job training programs, including at least the following:**

(A) The number of participants in each program.

(B) The number of participants who, as a result of the training received in the program:

(i) secured employment; or

(ii) were retained by an employer.

(C) The average wage of the participants who secured employment or were retained by an employer.".

Page 4, line 35, delete "(3)" and insert "**(4)**".

and when so amended that said bill do pass.

(Reference is to HB 1002 as introduced.)

MAHAN, Chair

Committee Vote: yeas 12, nays 0.

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COMMITTEE REPORT

Madam President: The Senate Committee on Rules and Legislative Procedure, to which was referred House Bill No. 1002, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 3, between lines 13 and 14, begin a new line block indented and insert:

"**(7) Organizations representing women, African Americans, Latinos, and other significant minority populations and having an interest in issues of particular concern to these populations.**

(8) Individuals and organizations with expertise in the logistics industry.".

Page 3, line 14, delete "(7)" and insert "**(9)**".

Page 4, between lines 6 and 7, begin a new paragraph and insert:

"**(c) A member of the council appointed by the governor, the speaker of the house of representatives, or the president pro tempore of the senate serves at the pleasure of the appointing authority and may be replaced at any time by the appointing authority.**".

and when so amended that said bill do pass.

(Reference is to HB 1002 as printed February 8, 2013.)

LONG, Chairperson

Committee Vote: Yeas 11, Nays 0.

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