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# HOUSE BILL No. 1002

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 22-4.5-9; IC 22-4.5-10.

**Synopsis:** Indiana career council. Establishes the Indiana career council (council) to: (1) increase the cohesion among 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; and (4) submit, by November 1, 2013, recommendations to the general assembly concerning proposed changes to the state's education, job skills, and career training system to increase coordination and information sharing among the state, local, and private agencies, groups, and associations that are involved in education, job skills development, and career training. 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) two members of the house of representatives appointed by the speaker; and (11) 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, a statewide longitudinal data system that contains educational and  
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**Effective:** Upon passage.

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**Bosma, Pelath, Braun, Smaltz**

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January 15, 2013, read first time and referred to Committee on Government and Regulatory Reform.

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Digest Continued

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 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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Introduced

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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## 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:*

- 1 SECTION 1. IC 22-4.5-9 IS ADDED TO THE INDIANA CODE
- 2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
- 3 UPON PASSAGE]:
- 4 **Chapter 9. Indiana Career Council**
- 5 **Sec. 1. As used in this chapter, "council" refers to the Indiana**
- 6 **career council established by section 3 of this chapter.**
- 7 **Sec. 2. As used in this chapter, "system" refers to the Indiana**
- 8 **workforce intelligence system established by IC 22-4.5-10-3.**
- 9 **Sec. 3. The Indiana career council is established.**
- 10 **Sec. 4. (a) The council shall do all of the following:**
- 11 **(1) Provide coordination to increase the cohesion among the**
- 12 **various participants in the state's education, job skills**
- 13 **development, and career training system.**
- 14 **(2) Develop a process to match the education and skills**
- 15 **training provided by the state's education, job skills**



1 development, and career training system with the currently  
2 existing and future needs of the state's job market.

3 (3) Provide administrative oversight of the system.

4 (4) Submit, not later than November 1, 2013,  
5 recommendations to the general assembly in an electronic  
6 format under IC 5-14-6 concerning proposed changes to the  
7 state's education, job skills development, and career training  
8 system to increase coordination and information sharing  
9 among the state, local, and private agencies, groups, and  
10 associations that are involved in education, job skills  
11 development, and career training.

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

14 (1) Indiana employers and employer organizations.

15 (2) Public and private institutions of higher education.

16 (3) Regional and local economic development organizations.

17 (4) Indiana labor organizations.

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

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

22 (1) The governor.

23 (2) The lieutenant governor.

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

26 (4) The secretary of commerce.

27 (5) The state superintendent of public instruction.

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

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

31 (8) The president of Ivy Tech Community College.

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

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

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

38 (12) Two (2) members of the house of representatives  
39 appointed by the speaker of the house of representatives. The  
40 individuals appointed under this subdivision:

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

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

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

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

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

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

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

12 (b) The council:

13 (1) shall meet monthly; and

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

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

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

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

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

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

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

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

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

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

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

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

41 (1) per diem;

42 (2) mileage; and

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1 (3) travel allowances;  
 2 paid to legislative members of interim study committees  
 3 established by the legislative council. Per diem, mileage, and travel  
 4 allowances paid under this subsection shall be paid from  
 5 appropriations made to the legislative services agency.

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

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

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

15 **Chapter 10. Indiana Workforce Intelligence System**

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

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

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

- 24 (1) from educational institutions at all levels; and  
 25 (2) about the state's workforce;

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

29 Sec. 4. The system must do the following:

- 30 (1) Effectively organize, manage, break down, and analyze  
 31 educational and workforce data.  
 32 (2) Generate timely and accurate information about student  
 33 progress and outcomes over time, including students'  
 34 preparation for postsecondary education and the workforce.  
 35 (3) Support the economic development activities of state and  
 36 local governments.

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

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1 the following:

2 (1) Routine and ongoing compliance with the federal Family  
3 Educational Rights and Privacy Act (20 U.S.C. 1232g) and  
4 other relevant privacy laws and policies, including the  
5 following:

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

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

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

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

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

22 Sec. 6. (a) The:

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

24 (2) governor, after June 30, 2018;

25 shall provide administrative oversight to the system.

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

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

30 (2) Approve an annual budget for the system.

31 (3) Hire staff necessary to administer the system.

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

34 (A) access by authenticated authorization;

35 (B) privacy compliance standards;

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

38 (D) policies for data retention and disposition.

39 (5) Oversee routine and ongoing compliance with the federal  
40 Family Educational Rights and Privacy Act (20 U.S.C. 1232g)  
41 and other relevant privacy laws and policies.

42 (6) Review research requirements and establish policies for

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1           **responding to data requests from the state, local agencies, the**  
 2           **general assembly, and the public.**

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

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

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

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

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

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

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

18               **(3) Federal grants.**

19               **(4) User fees.**

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

22           **(d) The council (before July 1, 2018) and the governor (after**  
 23           **June 30, 2018) may contract with public or private entities for the**  
 24           **following purposes:**

25               **(1) To develop and maintain the system.**

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

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

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

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