

HOUSE BILL No. 2774

By Committee on Commerce, Labor and Economic Development

Requested by Natalie Bright on behalf of Aligned

2-8

1 AN ACT creating the Kansas workforce pathway act; establishing the
2 office of workforce pathways within the department of commerce and
3 the Kansas council on workforce pathways; providing for a system for
4 linking and analyzing data and statistics concerning Kansas workforce;
5 providing for a free, searchable public online registry of educational
6 and occupational credentials and restricting the release of personally
7 identifiable information therefrom; prescribing procedures to prevent
8 data breaches and providing funding therefor.
9

10 *Be it enacted by the Legislature of the State of Kansas:*

11 Section 1. Sections 1 through 8, and amendments thereto, shall be
12 known and may be cited as the Kansas workforce pathway act.

13 Sec. 2. As used in this act:

14 (a) "Act" means the Kansas workforce pathway act.

15 (b) "Council" means the Kansas council on workforce pathways.

16 (c) "Deidentification" means the process used to remove all direct
17 personal identifiers from individual level data.

18 (d) "Office" means the office of workforce pathways within the
19 department of commerce.

20 (e) "Outside entity" means any public or private entity that is not a
21 partner entity.

22 (f) "Partner entity" means a Kansas state agency that has signed a
23 memorandum of understanding with the council to share data with the
24 system, and such agency's head is a member of the council.

25 (g) "Student data" means data relating to student performance,
26 including, but not limited to, the following:

27 (1) State and national assessments;

28 (2) course taking and completion;

29 (3) grade point average;

30 (4) remediation;

31 (5) retention;

32 (6) special population status as defined by the Kansas committee on
33 workforce pathways;

34 (7) degree, diploma or credential attainment;

35 (8) enrollment and absenteeism data;

- 1 (9) demographic data;
- 2 (10) suspension and expulsion records; and
- 3 (11) student financial aid data.
- 4 (h) "System" or "KTLAS" means the Kansas terminal on linking and
- 5 analyzing statistics on workforce pathways system.
- 6 (i) "Workforce data" means data relating to workforce and
- 7 employment, including, but not limited to, the following:
- 8 (1) Employment status;
- 9 (2) wage information;
- 10 (3) geographic location of employment; and
- 11 (4) industry or occupation.

12 Sec. 3. (a) The Kansas terminal on linking and analyzing statistics on

13 workforce pathways system is hereby established as a secure means to:

14 (1) Exchange, deidentify and match individual level education and

15 workforce data from partner entities while upholding legal protections to

16 ensure privacy and security;

17 (2) connect individuals and organizations to trusted information,

18 resources, tools and services that support the education-to-employment

19 pipeline; and

20 (3) provide the legislature and state agencies with access to data

21 regarding state workforce development, including early learning,

22 education, workforce training and employment outcomes. The system shall

23 make it possible to match data from various agencies and programs over

24 time to create reports that may then be aggregated and analyzed to assist

25 the legislature and state agencies with developing strategies to improve

26 education and workforce outcomes.

27 (b) The system shall be configured in the following manner:

28 (1) All information matched from partner entities shall be collected,

29 safeguarded, kept confidential and used only by the office of workforce

30 pathways in accordance with this act and other state and federal law,

31 except as permitted by subsection (d);

32 (2) each partner entity shall retain ownership of any data the partner

33 entity provides to the system and shall reserve the right to opt out of any

34 research request if the request would violate state or federal law, and for

35 this purpose, the following shall apply:

36 (A) A partner entity may not have access to data owned by another

37 partner entity unless a data request is approved by a majority of the

38 council; and

39 (B) partner entities shall be permitted to engage in direct data sharing

40 agreements with other partner entities or may be permitted to do so with

41 external entities when and in the manner approved by the council if the

42 data to be shared is owned by the contracting parties.

43 (c) The office of workforce pathways shall conduct research using the

1 system related to the research agenda adopted by the council.

2 (d) Notwithstanding any other provisions of state law, state agencies
 3 are hereby authorized to enter into memorandums of understanding with
 4 the council to share data as provided by this act.

5 Sec. 4. (a) There is hereby created the Kansas council on workforce
 6 pathways that shall be composed of the following members:

7 (1) The chairperson of the Kansas workforce council who shall be
 8 appointed by the governor;

9 (2) each partner entity head who has signed a memorandum of
 10 understanding to share data with the system;

11 (3) the chairperson of the house committee on appropriations;

12 (4) the chairperson of the senate committee on ways and means;

13 (5) the chairperson of the house committee on commerce, labor and
 14 economic development;

15 (6) the chairperson of the senate committee on commerce; and

16 (7) four members of the public who shall be experienced in education
 17 and workforce data and statistics. The president of the senate, minority
 18 leader of the senate, speaker of the house and minority leader of the house
 19 shall each appoint, respectively, one of such members. The appointing
 20 authorities shall coordinate such appointments to ensure that the council
 21 membership is inclusive and reflects the racial, gender, geographic, urban,
 22 rural and economic diversity of the state.

23 (b) The council shall perform the following duties:

24 (1) Develop a strategic plan to develop, implement and utilize the
 25 system to accomplish the objectives and ensure compliance with the
 26 configurations set forth in subsection 3, and amendments thereto;

27 (2) oversee the development, adoption and implementation of rules
 28 and regulations to govern the proceedings of the council, the office of
 29 workforce pathways and the system;

30 (3) oversee compliance regarding the protection of data shared with
 31 the system;

32 (4) develop a data governance and security plan for the system
 33 regarding the use, privacy and security of data and publish the plan on a
 34 system website developed and administered, or caused to be developed
 35 and administered, by the office;

36 (5) establish the research agenda for the system;

37 (6) establish a process for proposing and approving requests for
 38 reports using data matched in the system;

39 (7) establish policies for sharing aggregated data or reports with the
 40 public and external entities;

41 (8) develop strategies for promoting the transparent operation of the
 42 system;

43 (9) form standing and ad hoc committees and working groups from

1 among its own membership to accomplish its duties; and

2 (10) prepare and provide an annual report to the office of the
3 governor, speaker of the house of representatives, president of the senate,
4 the chairpersons of the house committees on appropriations and on
5 commerce, labor and economic development and the senate committees on
6 ways and means and on commerce.

7 (c) On or before June 30, 2025, and each June 30 thereafter, the
8 council shall develop a list of credentials that are aligned to the in-demand
9 occupations for each industry operating in the state. The credential registry
10 shall be available to the public via an online repository to be developed
11 and administered, or caused to be developed and administered, by the
12 office of workforce pathways. Credential data shall be linked, open,
13 interoperable, aligned with widely recognized standards and allow for
14 open access across sector platforms.

15 (d) The regular meetings of the council shall be held at least four
16 times per fiscal year at the call of the chairperson. Special meetings of the
17 council may be called by the chairperson or upon written request of a
18 majority of the members of the council. All regular and special meetings of
19 the council shall comply with the Kansas open meetings act.

20 (e) A majority of the members of the council, or their designees, shall
21 constitute a quorum for the transaction of business. At the first meeting of
22 the council, the council shall select a chairperson, a vice chairperson and a
23 secretary, who shall keep official minutes of the council's actions. The four
24 members who are members of the public shall not be eligible for selection
25 as officers. Officers shall serve for terms of one year and may be reelected.

26 (f) Each member of the council, except for the members of the public
27 appointed by the governor, may appoint a designee to represent the
28 member from time to time as necessary or during all proceedings of the
29 council. Such appointment shall be provided to the chairperson in writing,
30 which may be electronic. Each member of the council shall serve only
31 while holding such member's respective office or legislative position.
32 Appointed members of the public shall serve terms of two years and may
33 be reappointed. Appointed members shall serve at the pleasure of the
34 appointing authority. Vacancies of appointed members shall be filled in the
35 same manner as the original appointment.

36 (g) A member of the council shall not receive a salary or per diem
37 allowance for such member's service but shall be reimbursed through the
38 department of commerce for expenses incurred in the performance of such
39 member's duties and for subsistence allowances and mileage as provided
40 in K.S.A. 75-3223, and amendments thereto.

41 (h) No member or the designee of such member appointed to the
42 council or any standing or ad hoc committee of the council may vote or
43 otherwise participate in any discussion or debate on any matter before the

1 council in which the member or designee, or an immediate family member,
2 has a direct personal or pecuniary interest. A member or designee shall
3 notify the chairperson of the council in writing of any conflict of interest.

4 Sec. 5. (a) Direct access to data in the system shall be restricted to
5 authorized staff of the office of education and workforce statistics or other
6 persons with a need to access such data to further the objectives of this act
7 if approved by the council. Access to data may be limited to certain
8 categories or types of data or on such other basis as directed by the
9 council.

10 (b) Any person who knowingly and willfully releases data collected
11 pursuant to this act to any other person not authorized to lawfully receive
12 the data shall be guilty of a severity level 9, nonperson felony and
13 punished as provided by law.

14 Sec. 6. (a) The office of workforce pathways is hereby established
15 within the department of commerce to develop and manage the system on
16 behalf of the council. The secretary of commerce shall employ a director
17 of the office of workforce pathways and such staff as necessary and
18 convenient to fulfill the responsibilities of the office, as provided herein.
19 The director of the office shall be an authorized representative for partner
20 entity data. The director shall serve at the pleasure of the secretary and
21 perform functions as provided by this act and the rules and regulations of
22 the council.

23 (b) Within the limits of appropriations therefor, the secretary of
24 commerce may hire such employees in the unclassified service as are
25 necessary or convenient to administer the office of workforce pathways.
26 Such employees shall serve at the pleasure of the secretary. Subject to
27 appropriations, the director may obtain the services of professionals
28 necessary to perform the functions of the office.

29 (c) In the event of a data breach, the office shall comply with
30 applicable Kansas law, including, but not limited to, K.S.A. 2023 Supp.
31 75-7244, and amendments thereto, and other provisions pertaining to
32 notifications of data breaches.

33 Sec. 7. The council shall adopt rules and regulations as necessary to
34 implement and administer the provisions of this act.

35 Sec. 8. (a) Subject to appropriations acts, there shall be appropriated
36 \$3,000,000 for fiscal year 2025 and each fiscal year thereafter for the
37 purposes of developing and operating the system and funding the duties
38 and responsibilities of the office of workforce pathways pursuant to the
39 provisions of this act. Appropriations for the office shall be made for the
40 department of commerce by separate line item appropriations for the
41 office.

42 (b) All expenditures from appropriations for the office of workforce
43 pathways shall be made in accordance with appropriation acts upon

1 warrants of the director of accounts and reports issued pursuant to
2 vouchers approved by the director of the office of workforce pathways or
3 the director's designee.

4 Sec. 9. This act shall take effect and be in force from and after its
5 publication in the statute book.