

AMENDED IN ASSEMBLY AUGUST 2, 2016

AMENDED IN ASSEMBLY JUNE 23, 2016

AMENDED IN SENATE JANUARY 14, 2016

AMENDED IN SENATE JANUARY 4, 2016

SENATE BILL

No. 66

Introduced by Senators Leyva and McGuire

January 7, 2015

An act to ~~add~~ *amend* Section ~~463 to~~ 30 of the Business and Professions Code, and to amend Section 88650 of the Education Code, relating to career technical education.

LEGISLATIVE COUNSEL'S DIGEST

SB 66, as amended, Leyva. Career technical education.

(1) Existing law establishes various career technical education programs, including regional occupational centers and programs, specialized secondary programs, partnership academies, and agricultural career technical education programs. Existing law provides for numerous boards, bureaus, commissions, or programs within the Department of Consumer Affairs that administer the licensing and regulation of various businesses and professions.

This bill would require the department to make available, *upon request by the Office of the Chancellor of the California Community Colleges, and only to the extent specified, to the Office of the Chancellor of the California Community Colleges, any licensure Chancellor's office specified information that the department has in electronic format for its boards, bureaus, commissions, or programs with respect to every licensee* for the sole purpose of enabling the office of the chancellor to measure employment outcomes of students who participate in career

technical education programs offered by the California Community Colleges and recommend how these programs may be improved.

(2) Existing law requires the Chancellor of the California Community Colleges to implement performance accountability outcome measures for the California Community Colleges Economic and Workforce Development Program.

This bill would urge the chancellor to align these measures with the performance accountability measures of the federal Workforce Innovation and Opportunity Act.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the
2 following:

3 (a) The economic competitiveness of California is fueled by the
4 strength of regional economies and their skilled workers. Upward
5 social and economic mobility and increased opportunities keep
6 the state’s economy diversified and vibrant.

7 (b) The pathway out of poverty for millions of California
8 residents is the attainment of industry-valued “middle skill
9 credentials,” which is defined as a job requiring a certificate,
10 associate’s degree, or third-party credential that is less advanced
11 than a bachelor’s degree, but more advanced than a high school
12 diploma.

13 (c) Middle skill credentials serve as the gateway for a large
14 number of careers in the state’s prioritized and emergent industry
15 sectors.

16 (d) The California Community Colleges Board of Governor’s
17 Task Force on Workforce, Job Creation, and a Strong Economy,
18 also referred to as the Strong Workforce Task Force, identified 25
19 policy and strategy recommendations to help close the gap on these
20 middle skill credentials.

21 (e) The recommendations built upon the foundation established
22 by the California Community Colleges Economic and Workforce
23 Development Program in Part 52.5 (commencing with Section
24 88600) of Division 7 of Title 3 of the Education Code, the Office
25 of the Chancellor of the California Community Colleges Doing
26 What MATTERS for Jobs and the Economy framework, and the

1 federal Workforce Innovation and Opportunities Act (Public Law
2 113-128).

3 (f) With the enactment of the federal Workforce Innovation and
4 Opportunity Act (Public Law 113-128), California agencies
5 receiving workforce-related funds have adopted the following
6 common program strategies articulated by the California Workforce
7 Investment Board:

8 (1) Partnering in sector strategies to ensure training programs
9 are relevant to the economy.

10 (2) Building career pathways to increase access, flexibility, and
11 facilitated navigation of training and education programs.

12 (3) Utilizing “earn and learn” to increase simultaneous access
13 to income and training for those who cannot afford full-time
14 education.

15 (4) Organizing regionally to benefit from economies of scale,
16 recognizing gains when labor markets and industry are organized
17 regionally.

18 (5) Providing supportive services to remove barriers to program
19 completion and employment.

20 (6) Creating cross-system data capacity to ensure effective use
21 of resources.

22 (7) Integrating service delivery and braiding of resources to
23 optimize limited resources and make use of program specializations
24 to better serve individuals.

25 ~~SEC. 2.— Section 463 is added to the Business and Professions~~
26 ~~Code, to read:~~

27 ~~463. (a) The department shall make available to the Office of~~
28 ~~the Chancellor of the California Community Colleges any licensure~~
29 ~~information that the department has in electronic format for its~~
30 ~~boards, bureaus, commissions, or programs to enable the office of~~
31 ~~the chancellor to measure employment outcomes of students who~~
32 ~~participate in career technical education programs offered by the~~
33 ~~California Community Colleges and recommend how these~~
34 ~~programs may be improved. Licensure information made available~~
35 ~~by the department pursuant to this section shall not be used for~~
36 ~~any other purpose.~~

37 ~~(b) The department may make available information pursuant~~
38 ~~to subdivision (a) only to the extent that making the information~~
39 ~~available complies with state and federal privacy laws.~~

1 ~~(e) The department may, by agreement, condition or limit the~~
2 ~~availability of licensure information pursuant to subdivision (a) in~~
3 ~~order to ensure the security of the information and to protect the~~
4 ~~privacy rights of the individuals to whom the information pertains.~~

5 ~~(d) All of the following apply to the licensure information made~~
6 ~~available pursuant to subdivision (a):~~

7 ~~(1) It shall be limited to only the information necessary to~~
8 ~~accomplish the purpose authorized in subdivision (a):~~

9 ~~(2) It shall not be used in a manner that permits third parties to~~
10 ~~personally identify the individual or individuals to whom the~~
11 ~~information pertains.~~

12 ~~(3) Except as provided in subdivision (e), it shall not be shared~~
13 ~~with or transmitted to any other party or entity without the consent~~
14 ~~of the individual or individuals to whom the information pertains.~~

15 ~~(4) It shall be protected by reasonable security procedures and~~
16 ~~practices appropriate to the nature of the information to protect~~
17 ~~that information from unauthorized access, destruction, use,~~
18 ~~modification, or disclosure.~~

19 ~~(5) It shall be immediately and securely destroyed when no~~
20 ~~longer needed for the purpose authorized in subdivision (a):~~

21 ~~(e) The department or the Office of the Chancellor of the~~
22 ~~California Community Colleges may share licensure information~~
23 ~~with a third party who contracts to perform the function authorized~~
24 ~~in subdivision (a), if the third party is required by contract to follow~~
25 ~~the requirements of this section.~~

26 *SEC. 2. Section 30 of the Business and Professions Code is*
27 *amended to read:*

28 30. (a) (1) Notwithstanding any other law, any board, as
29 defined in Section 22, and the State Bar and the Bureau of Real
30 Estate shall, at the time of issuance of the license, require that the
31 applicant provide its federal employer identification number, if
32 the applicant is a partnership, or the applicant's social security
33 number for all other applicants.

34 (2) No later than January 1, 2016, in accordance with Section
35 135.5, a board, as defined in Section 22, and the State Bar and the
36 Bureau of Real Estate shall require either the individual taxpayer
37 identification number or social security number if the applicant is
38 an individual for purposes of this subdivision.

39 (b) A licensee failing to provide the federal employer
40 identification number, or the individual taxpayer identification

1 number or social security number shall be reported by the licensing
2 board to the Franchise Tax Board. If the licensee fails to provide
3 that information after notification pursuant to paragraph (1) of
4 subdivision (b) of Section 19528 of the Revenue and Taxation
5 Code, the licensee shall be subject to the penalty provided in
6 paragraph (2) of subdivision (b) of Section 19528 of the Revenue
7 and Taxation Code.

8 (c) In addition to the penalty specified in subdivision (b), a
9 licensing board shall not process an application for an initial license
10 unless the applicant provides its federal employer identification
11 number, or individual taxpayer identification number or social
12 security number where requested on the application.

13 (d) A licensing board shall, upon request of the Franchise Tax
14 Board or the Employment Development Department, furnish to
15 the board or the department, as applicable, the following
16 information with respect to every licensee:

17 (1) Name.

18 (2) Address or addresses of record.

19 (3) Federal employer identification number if the licensee is a
20 partnership, or the licensee's individual taxpayer identification
21 number or social security number for all other licensees.

22 (4) Type of license.

23 (5) Effective date of license or a renewal.

24 (6) Expiration date of license.

25 (7) Whether license is active or inactive, if known.

26 (8) Whether license is new or a renewal.

27 (e) For the purposes of this section:

28 (1) "Licensee" means a person or entity, other than a
29 corporation, authorized by a license, certificate, registration, or
30 other means to engage in a business or profession regulated by
31 this code or referred to in Section 1000 or 3600.

32 (2) "License" includes a certificate, registration, or any other
33 authorization needed to engage in a business or profession
34 regulated by this code or referred to in Section 1000 or 3600.

35 (3) "Licensing board" means any board, as defined in Section
36 22, the State Bar, and the Bureau of Real Estate.

37 (f) The reports required under this section shall be filed on
38 magnetic media or in other machine-readable form, according to
39 standards furnished by the Franchise Tax Board or the Employment
40 Development Department, as applicable.

1 (g) Licensing boards shall provide to the Franchise Tax Board
2 or the Employment Development Department the information
3 required by this section at a time that the board or the department,
4 as applicable, may require.

5 (h) Notwithstanding Chapter 3.5 (commencing with Section
6 6250) of Division 7 of Title 1 of the Government Code, a federal
7 employer identification number, individual taxpayer identification
8 number, or social security number furnished pursuant to this section
9 shall not be deemed to be a public record and shall not be open to
10 the public for inspection.

11 (i) A deputy, agent, clerk, officer, or employee of a licensing
12 board described in subdivision (a), or any former officer or
13 employee or other individual who, in the course of his or her
14 employment or duty, has or has had access to the information
15 required to be furnished under this section, shall not disclose or
16 make known in any manner that information, except as provided
17 ~~in pursuant to this section to the Franchise Tax Board or Board,~~
18 ~~the Employment Development Department Department, or the~~
19 *Office of the Chancellor of the California Community Colleges,*
20 or as provided in subdivision (k).

21 (j) It is the intent of the Legislature in enacting this section to
22 utilize the federal employer identification number, individual
23 taxpayer identification number, or social security number for the
24 purpose of establishing the identification of persons affected by
25 state tax ~~laws and laws~~, for purposes of compliance with Section
26 17520 of the Family ~~Code Code~~, *and for purposes of measuring*
27 *employment outcomes of students who participate in career*
28 *technical education programs offered by the California Community*
29 *Colleges* and, to that end, the information furnished pursuant to
30 this section shall be used exclusively for those purposes.

31 (k) If the board utilizes a national examination to issue a license,
32 and if a reciprocity agreement or comity exists between the State
33 of California and the state requesting release of the individual
34 taxpayer identification number or social security number, any
35 deputy, agent, clerk, officer, or employee of any licensing board
36 described in subdivision (a) may release an individual taxpayer
37 identification number or social security number to an examination
38 or licensing entity, only for the purpose of verification of licensure
39 or examination status.

1 (l) For the purposes of enforcement of Section 17520 of the
2 Family Code, and notwithstanding any other law, a board, as
3 defined in Section 22, and the State Bar and the Bureau of Real
4 Estate shall at the time of issuance of the license require that each
5 licensee provide the individual taxpayer identification number or
6 social security number of each individual listed on the license and
7 any person who qualifies for the license. For the purposes of this
8 subdivision, “licensee” means an entity that is issued a license by
9 any board, as defined in Section 22, the State Bar, the Bureau of
10 Real Estate, and the Department of Motor Vehicles.

11 (m) *The department shall, upon request by the Office of the*
12 *Chancellor of the California Community Colleges, furnish to the*
13 *chancellor’s office, as applicable, the following information with*
14 *respect to every licensee:*

15 (1) *Name.*

16 (2) *Federal employer identification number if the licensee is a*
17 *partnership, or the licensee’s individual taxpayer identification*
18 *number or social security number for all other licensees.*

19 (3) *Date of Birth.*

20 (4) *Gender.*

21 (5) *Type of license.*

22 (6) *Effective date of license or a renewal.*

23 (7) *Expiration date of license.*

24 (n) *The department shall make available information pursuant*
25 *to subdivision (m) only to allow the Chancellor’s office to measure*
26 *employment outcomes of students who participate in career*
27 *technical education programs offered by the California Community*
28 *Colleges and recommend how these programs may be improved.*
29 *Licensure information made available by the department pursuant*
30 *to this section shall not be used for any other purpose.*

31 (o) *The department may make available information pursuant*
32 *to subdivision (m) only to the extent that making the information*
33 *available complies with state and federal privacy laws.*

34 (p) *The department may, by agreement, condition or limit the*
35 *availability of licensure information pursuant to subdivision (m)*
36 *in order to ensure the security of the information and to protect*
37 *the privacy rights of the individuals to whom the information*
38 *pertains.*

39 (q) *All of the following apply to the licensure information made*
40 *available pursuant to subdivision (m):*

1 (1) It shall be limited to only the information necessary to
 2 accomplish the purpose authorized in subdivision (n).

3 (2) It shall not be used in a manner that permits third parties
 4 to personally identify the individual or individuals to whom the
 5 information pertains.

6 (3) Except as provided in subdivision (n), it shall not be shared
 7 with or transmitted to any other party or entity without the consent
 8 of the individual or individuals to whom the information pertains.

9 (4) It shall be protected by reasonable security procedures and
 10 practices appropriate to the nature of the information to protect
 11 that information from unauthorized access, destruction, use,
 12 modification, or disclosure.

13 (5) It shall be immediately and securely destroyed when no
 14 longer needed for the purpose authorized in subdivision (n).

15 (r) The department or the Chancellor's office may share
 16 licensure information with a third party who contracts to perform
 17 the function described in subdivision (n), if the third party is
 18 required by contract to follow the requirements of this section.

19 SEC. 3. Section 88650 of the Education Code is amended to
 20 read:

21 88650. (a) The chancellor shall implement performance
 22 accountability outcome measures for the economic and workforce
 23 development program that provide the Governor, Legislature, and
 24 general public with information that quantifies employer and
 25 student outcomes for those participating in the program. These
 26 performance accountability measures should, to the extent possible,
 27 align with the performance accountability measures of the federal
 28 Workforce Innovation and Opportunity Act (Public Law 113-128).

29 (b) The chancellor shall submit a report to the Governor and
 30 Legislature on or about March 1 of each year. This report shall
 31 include, but not necessarily be limited to, both of the following:

32 (1) Sufficient information to ensure the understanding of the
 33 magnitude of expenditures, by type of expenditure, including those
 34 specified in Section 88625, disaggregated by industry sector or
 35 cluster, region, and type of grant.

36 (2) Data summarizing outcome accountability performance
 37 measures required by this section.