



General Assembly

Substitute Bill No. 1186

January Session, 2023



AN ACT CONCERNING DATA GOVERNANCE, REQUESTS FOR PUBLIC RECORDS INVOLVING THE CONNECTICUT PRESCHOOL THROUGH TWENTY AND WORKFORCE INFORMATION NETWORK AND APPROVAL OF A SALE OF PROPERTY BY THE TOWN OF WINDHAM.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (b) of section 4-67n of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2023*):

4 (b) The Secretary of the Office of Policy and Management shall
5 develop a program to access, link, analyze and share data maintained
6 by executive agencies and to respond to queries from any state agency,
7 and from any private entity or person that would otherwise require
8 access to data maintained by two or more executive agencies. The
9 secretary shall give priority to queries that seek to measure outcomes
10 for state-funded programs or that may facilitate the development of
11 policies to promote the effective, efficient and best use of state
12 resources. The secretary may create advisory boards to assist with data
13 governance activities under this section.

14 Sec. 2. Section 4-67o of the general statutes is repealed and the
15 following is substituted in lieu thereof (*Effective October 1, 2023*):

16 As used in this section [,] and sections 2-79e_z [and] 4-67p and 4-67z_z
17 as amended by this act:

18 (1) "Data" means the final version of statistical or factual information
19 that: (A) Is reflected in a list, table, graph, chart or other non-narrative
20 form that can be digitally or nondigitally transmitted or processed; (B)
21 is regularly created or maintained by, or on behalf of, an executive
22 branch agency; and (C) records a measurement, transaction or
23 determination related to the mission of the agency or is provided to the
24 agency by third parties pursuant to law.

25 (2) "Executive branch agency" means any agency [listed in section 4-
26 38c, except the Board of Regents for Higher Education] with a
27 department head, as defined in section 4-5.

28 (3) "High value data" means any data that the department head
29 determines (A) is critical to the operation of an executive branch
30 agency; (B) can increase executive branch agency accountability and
31 responsiveness; (C) can improve public knowledge of the executive
32 branch agency and its operations; (D) can further the core mission of
33 the executive branch agency; (E) can create economic opportunity; (F)
34 is frequently requested by the public; (G) responds to a need and
35 demand as identified by the agency through public consultation; or
36 (H) is used to satisfy any legislative or other reporting requirements.

37 (4) "Open data" means any data that (A) is freely available in
38 convenient and modifiable format and can be retrieved, downloaded,
39 indexed and searched; (B) is formatted in a manner that allows for
40 automated machine processing; (C) does not have restrictions
41 governing use; (D) is published with the finest possible level of detail
42 that is practicable and permitted by law; and (E) is described in
43 enough detail so users of the data have sufficient information to
44 understand (i) the strengths, weaknesses, analytical limitations and
45 security requirements of the data, and (ii) how to process such data.

46 (5) "Public data" means any data collected by an executive branch
47 agency that is permitted to be made available to the public, consistent
48 with any and all applicable laws, rules, regulations, ordinances,
49 resolutions, policies or other restrictions, requirements or rights

50 associated with the data, including, but not limited to, contractual or
51 other legal restrictions, orders or requirements.

52 (6) "Protected data" means any data the public disclosure of which
53 would (A) violate federal or state laws or regulations; (B) endanger the
54 public health, safety or welfare; (C) hinder the operation of the federal,
55 state or municipal government, including criminal and civil
56 investigations; or (D) impose an undue financial, operational or
57 administrative burden on the executive branch agency. "Protected
58 data" includes any records not required to be disclosed pursuant to
59 subsection (b) of section 1-210.

60 Sec. 3. Section 4-67z of the general statutes is repealed and the
61 following is substituted in lieu thereof (*Effective October 1, 2023*):

62 [(a)] The Chief Data Officer, in consultation with the Attorney
63 General and executive branch agency legal counsel, shall review the
64 legal obstacles to the sharing of high value data of executive branch
65 agencies, inventoried pursuant to section 4-67p, [among] with
66 executive branch agencies and [with] the public.

67 [(b)] Not later than January 15, 2020, and annually thereafter, the
68 Chief Data Officer shall submit a report, developed in consultation
69 with the Attorney General, agency data officers and executive branch
70 agency legal counsel, that includes any recommendations on (1)
71 methods to facilitate the sharing of such high value data to the extent
72 permitted under state and federal law, including, but not limited to,
73 the preparation and execution of memoranda of understanding among
74 executive branch agencies, and (2) any necessary legislation, to the
75 Connecticut Data Analysis Technology Advisory Board and the joint
76 standing committee of the General Assembly having cognizance of
77 matters relating to government administration, in accordance with the
78 provisions of section 11-4a. Concomitantly, the Chief Data Officer shall
79 post each such report on the Office of Policy and Management's
80 Internet web site.

81 (c) The report submitted pursuant to subsection (b) of this section

82 shall be consistent with the state data plan, created under section 4-
83 67p. The Chief Data Officer shall update such report annually with
84 additional information concerning the sharing of high value data and
85 any additional recommendations, including any potential fiscal impact
86 of any recommendations.]

87 Sec. 4. Section 10a-57g of the general statutes is repealed and the
88 following is substituted in lieu thereof (*Effective October 1, 2023*):

89 (a) As used in this section:

90 (1) "Connecticut Preschool through Twenty and Workforce
91 Information Network" or "CP20 WIN" means the Preschool through
92 Twenty and Workforce Information Network maintained in the state.

93 (2) "Data definitions" means the plain language descriptions of data
94 elements.

95 (3) "Data dictionary" means a listing of the names of a set of data
96 elements, their definitions and additional meta-data that does not
97 contain any actual data, but provides information about the data in a
98 data set.

99 (4) "Data elements" mean units of information that are stored or
100 accessed in any data system, such as a student identification number,
101 course code or cumulative grade point average.

102 (5) "Meta-data" means the information about a data element that
103 provides context for that data element, such as its definition, storage
104 location, format and size.

105 (6) "Participating agency" means the Connecticut State Colleges and
106 Universities, Department of Education, Labor Department, the Office
107 of Early Childhood, The University of Connecticut, the Connecticut
108 Conference of Independent Colleges or any entity that has executed an
109 enterprise memorandum of understanding for participation in the
110 CP20 WIN and has been approved for participation pursuant to the
111 terms of the enterprise memorandum of understanding.

112 (7) "Preschool through Twenty and Workforce Information
113 Network" or "P20 WIN" means a state data system for the purpose of
114 matching and linking longitudinally data of state agencies and other
115 organizations to inform policy and practice for education, workforce
116 and supportive service efforts, including, but not limited to, the
117 purpose of conducting audits and evaluations of federal and state
118 education programs.

119 (8) "Enterprise memorandum of understanding" means a
120 foundational multiparty agreement that sets forth the details of how
121 data is shared and the respective legal rights and responsibilities of
122 each party within the data sharing process, by which the same
123 foundational agreement may be used for new agencies to sign on to
124 the data sharing process and without having to re-sign as agencies sign
125 on or off of such agreement.

126 (b) There is established a Connecticut Preschool through Twenty
127 and Workforce Information Network. The purpose of the CP20 WIN is
128 to establish processes and structures governing the secure sharing of
129 critical longitudinal data across participating agencies through
130 implementation of the standards and policies of the Preschool through
131 Twenty and Workforce Information Network.

132 (c) The CP20 WIN shall be governed by an executive board that
133 shall provide oversight of such network. Said executive board shall
134 include, but need not be limited to, the chief executive officer of each
135 participating agency, or their respective designees, the Chief
136 Workforce Officer, or the officer's designee, and the Secretary of the
137 Office of Policy and Management, or the secretary's designee. The
138 duties of the executive board shall be to:

139 (1) Advance a vision for the CP20 WIN including a prioritized
140 research agenda with support from the Office of Policy and
141 Management.

142 (2) Convene as needed to respond to issues from the data governing
143 board.

144 (3) Identify and work to secure resources necessary to sustain CP20
145 WIN funding.

146 (4) Support system implementation, maintenance and improvement
147 by advocating for the CP20 WIN in regard to policy, legislation and
148 resources.

149 (5) Advocate and support the state's vision for the CP20 WIN.

150 (6) Have overall fiscal and policy responsibility for the CP20 WIN.

151 (7) Ensure that, in any circumstances in which public funds or
152 resources are to be jointly utilized with those from private entities,
153 such arrangements are governed by appropriate agreements approved
154 by the Attorney General.

155 (8) Establish a data governing board to establish and implement
156 policies related to cross-agency data management, including, but not
157 limited to, data confidentiality and security in alignment with the
158 vision for CP20 WIN and any applicable law. In establishing such
159 policies, the data governing board shall consult with the Office of
160 Policy and Management, in accordance with the provisions of section
161 4-67n, as amended by this act, and other applicable statutes and
162 policies.

163 (d) The executive board established pursuant to this section may
164 appoint advisory committees to make recommendations on data
165 stewardship, data system expansion and processes, and such other
166 areas that will advance the work of CP20 WIN.

167 (e) Any public records or files, as defined in section 1-200, including,
168 but not limited to, data elements of a participating agency shared with
169 another agency pursuant to a CP20 WIN sharing agreement, may only
170 be requested pursuant to the Freedom of Information Act, as defined
171 in section 1-200, from the agency which originated such records or
172 files. If a participating agency that is not the originating agency
173 receives a request pursuant to said act for such records or files, such

174 participating agency shall (1) promptly refer such request to the
 175 originating agency to respond directly to such request, and (2) notify,
 176 in writing, the person who submitted the request for such records or
 177 files that such request has been referred to the originating agency. Such
 178 written notification shall include the name, address and telephone
 179 number of the originating agency and the date on which the referral
 180 was made to the originating agency.

181 [(e)] (f) On or before January 1, 2022, and annually thereafter, the
 182 Chief Workforce Officer may, in consultation with the Chief Data
 183 Officer and the Labor Commissioner, submit to the administrator of
 184 CP20 WIN a request for data and analysis of such data for the
 185 purposes of assessing performance and outcomes of the state's
 186 workforce system. Such data and analysis request shall be completed
 187 by the administrator of CP20 WIN not later than August 15, 2022, and
 188 annually thereafter.

189 Sec. 5. (*Effective from passage*) Notwithstanding any provision of the
 190 general statutes, not later than July 1, 2023, the Secretary of the Office
 191 of Policy and Management shall approve any proposed purchase and
 192 sales agreement between the town of Windham and Eastern
 193 Connecticut State University for the sale by the town of Windham of
 194 the building that housed the former Kramer Middle School, located at
 195 322 Prospect Street in the town of Windham, to Eastern Connecticut
 196 State University, as part of the university's capital plan.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2023</i>	4-67n(b)
Sec. 2	<i>October 1, 2023</i>	4-67o
Sec. 3	<i>October 1, 2023</i>	4-67z
Sec. 4	<i>October 1, 2023</i>	10a-57g
Sec. 5	<i>from passage</i>	New section

GAE *Joint Favorable Subst.*