

Authorizing Citations:
Authority, Use & Confidentiality Referenced in Memoranda of Understanding;
Rules and State & Federal Statutes

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Topic	Provisions	Citation
<p>Carl D. Perkins Career and Technical Education Act of 2006</p>	<p>Sec. 118</p> <p>(a) NATIONAL ACTIVITIES.—From funds appropriated under subsection (g), the Secretary, in consultation with appropriate Federal agencies, is authorized—</p> <ol style="list-style-type: none"> (1) to provide assistance to an entity to enable the entity— <ol style="list-style-type: none"> (A) to provide technical assistance to State entities designated under subsection (c) to enable the State entities to carry out the activities described in such subsection; (B) to disseminate information that promotes the replication of high quality practices described in subsection (c); and (C) to develop and disseminate products and services related to the activities described in subsection (c); and (2) to award grants to States that designate State entities in accordance with subsection (c) to enable the State entities to carry out the State level activities described in such subsection. <p>(b) STATE APPLICATION.—</p> <ol style="list-style-type: none"> (1) IN GENERAL.—A jointly designated State entity described in subsection (c) that desires to receive a grant under this section shall submit an application to the Secretary at the same time the State submits its State plan under section 122, in such manner, and accompanied by such additional information, as the Secretary may reasonably require. (2) CONTENTS.—Each application submitted under paragraph (1) shall include a description of how the jointly designated State entity described in subsection (c) will provide information based on trends provided pursuant to section 15 of the Wagner-Peyser Act to inform program development. <p>(c) STATE LEVEL ACTIVITIES.—In order for a State to receive a grant under this section, the eligible agency and the Governor of the State shall jointly designate an entity in the State—</p> <ol style="list-style-type: none"> (1) to provide support for career guidance and academic counseling programs designed to promote improved career and education decision making by students (and parents, as appropriate) regarding education (including postsecondary education) and training options and preparations for high skill, high wage, or high demand occupations and non-traditional fields; (2) to make available to students, parents, teachers, administrators, faculty, and career guidance and academic counselors, and to improve accessibility with respect to, information and planning resources that relate academic and career and technical educational preparation to career goals and expectations; (3) to provide academic and career and technical education teachers, faculty, administrators, and career guidance and academic counselors with the knowledge, skills, and occupational information needed to assist parents and students, especially special populations, with career exploration, educational opportunities, education financing, and exposure to high skill, high wage, or high demand occupations and non-traditional fields, including occupations and fields requiring a baccalaureate degree; (4) to assist appropriate State entities in tailoring career related educational resources and training for use by such entities, including information on high skill, high wage, or high demand occupations in current or emerging professions and on career ladder information; (5) to improve coordination and communication among administrators and planners of programs authorized by this Act and by section 15 of the Wagner-Peyser Act at the Federal, State, and local levels to ensure 	<p>Public Law 109-270 Sec. 118 and Sec. 124 (c) (15-17)</p>

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<p>Carl D. Perkins Career and Technical Education Act of 2006</p>	<p>nonduplication of efforts and the appropriate use of shared information and data;</p> <p>(6) to provide ongoing means for customers, such as students and parents, to provide comments and feedback on products and services and to update resources, as appropriate, to better meet customer requirements; and</p> <p>(7) to provide readily available occupational information such as—</p> <p>(A) information relative to employment sectors;</p> <p>(B) information on occupation supply and demand; and</p> <p>(C) other information provided pursuant to section 15 of the Wagner-Peyser Act as the jointly designated State entity considers relevant.</p> <p>(d) NONDUPLICATION.—</p> <p>(1) WAGNER-PEYSER ACT.—The jointly designated State entity described under subsection (c) may use funds provided under subsection (a)(2) to supplement activities under section 15 of the Wagner-Peyser Act to the extent such activities do not duplicate activities assisted under such section.</p> <p>(2) PUBLIC LAW 105–220.—None of the functions and activities assisted under this section shall duplicate the functions and activities carried out under Public Law 105–220.</p> <p>(e) FUNDING RULE.—Of the amounts appropriated to carry out this section, the Federal entity designated under subsection (a) shall use—</p> <p>(1) not less than 85 percent to carry out subsection (c); and</p> <p>(2) not more than 15 percent to carry out subsection (a).</p> <p>(f) REPORT.—The Secretary, in consultation with appropriate Federal agencies, shall prepare and submit to the appropriate committees of Congress, an annual report that includes—</p> <p>(1) a description of activities assisted under this section during the prior program year;</p> <p>(2) a description of the specific products and services assisted under this section that were delivered in the prior program year; and</p> <p>(3) an assessment of the extent to which States have effectively coordinated activities assisted under this section with activities authorized under section 15 of the Wagner-Peyser Act.</p> <p>(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of the fiscal years 2007 through 2012.</p> <p>Sec. 124</p> <p>(15) developing and enhancing data systems to collect and analyze data on secondary and postsecondary academic and employment outcomes;</p> <p>(16) improving—</p> <p>(A) the recruitment and retention of career and technical education teachers, faculty, administrators, and career guidance and academic counselors, including individuals in groups underrepresented in the teaching profession; and</p> <p>(B) the transition to teaching from business and industry, including small business; and</p> <p>(17) support for occupational and employment information resources, such as those described in section 118.</p>	<p>Public Law 109-270 Sec. 118 and Sec. 124 (c) (15-17)</p>

Topic	Provisions	Citation
School Finance Amendments; Hathaway Student Scholarship Longitudinal Study	<p>(a) For the period commencing July 1, 2008, and ending June 30, 2010, one hundred thirty-five thousand dollars (\$135,000.00) is appropriated from the school foundation program account to the department of education to conduct a study of the long term effects of the Hathaway student scholarship program on students in Wyoming high schools. Using a random sampling of students beginning grade nine (9), the study shall track the following three (3) student cohorts for at least ten (10) years after high school graduation:</p> <ul style="list-style-type: none"> (i) A cohort group comprised of students beginning grade nine (9) in the school year immediately preceding the school year in which the Hathaway student scholarship program was implemented; (ii) A cohort group comprised of students beginning grade nine (9) in the school year in the first or second school year following the initial school year in which the Hathaway student scholarship program was implemented; and (iii) A cohort group comprised of students beginning grade nine (9) in the first or second school year following the initial school year in which the entire success curriculum was implemented pursuant to W.S. 21-16-1307. <p>(b) The size of the sampling under subsection (a) of this section shall be sufficiently large to enable a statistically significant sample size. Individual student information used within the study under this section shall be confidential and the department shall ensure appropriate student confidentiality measures are incorporated in the conduct of the study.</p> <p>(c) Tracking of students shall not include the use of a social security number without the written permission of the student or his parent or legal guardian if the student is under the age of majority. The student, or his parent or legal guardian if the student is under the age of majority, may withdraw permission to use his social security number by providing written notice to the department of education.</p> <p>(d) Factors to be tracked and information gathered for the study shall include but not be limited to:</p> <ul style="list-style-type: none"> (i) Academic achievement; (ii) The Hathaway student scholarship level received by the student, either honor, performance, opportunity or career; (iii) Drop-out, GED and graduation rates in pertinent high schools, colleges and universities; (iv) The extent of remedial courses taken at the post-secondary education level; (v) The length of time enrolled and attending post-secondary education programs prior to obtaining a community college certificate or degree or a university degree; (vi) Attendance at a post-secondary education institution located outside Wyoming; and (vii) Employment, location of employment and earnings level after leaving a post-secondary education program at a college or the university. <p>(e) On or before October 1 of each year in which the study is conducted, the department shall submit study progress reports to the joint education interim committee.</p>	Session Laws of Wyoming 2008, Chapter 95, Section 9
Consolidated Appropriations Act , 2012; Authority to collect data under the WDQI Grant	(D) \$6,475,000 for the Workforce Data Quality Initiative, under the authority of section 171(c)(2) of the WIA, which shall be available for the period July 1, 2012 through June 30, 2013, and which shall not be subject to the requirements of section 171(c)(4)(D).	PL 112-74, Division F(3)(D) as amended by PL 112-175

Topic	Provisions	Citation
<p>Employment Statistics; Analysis of the labor market; Collection of data under Workforce Investment Act; State Responsibilities and Duties</p>	<p>(a) SYSTEM CONTENT.—</p> <p>(1) IN GENERAL.—The Secretary, in accordance with the provisions of this section, shall oversee the development, maintenance, and continuous improvement of a nationwide employment statistics system of employment statistics that includes—</p> <p>(A) statistical data from cooperative statistical survey and projection programs and data from administrative reporting systems that, taken together, enumerate, estimate, and project employment opportunities and conditions at national, State, and local levels in a timely manner, including statistics on—</p> <ul style="list-style-type: none"> (i) employment and unemployment status of national, State, and local populations, including self-employed, part-time, and seasonal workers; (ii) industrial distribution of occupations, as well as current and projected employment opportunities, wages, benefits (where data is available), and skill trends by occupation and industry, with particular attention paid to State and local conditions; (iii) the incidence of, industrial and geographical location of, and number of workers displaced by, permanent layoffs and plant closings; and (iv) employment and earnings information maintained in a longitudinal manner to be used for research and program evaluation; <p>(B) information on State and local employment opportunities, and other appropriate statistical data related to labor market dynamics, which—</p> <ul style="list-style-type: none"> (i) shall be current and comprehensive; (ii) shall meet the needs identified through the consultations described in subparagraphs (A) and (B) of subsection (e)(2); and (iii) shall meet the needs for the information identified in section 134(d); <p>(C) technical standards (which the Secretary shall publish annually) for data and information described in subparagraphs (A) and (B) that, at a minimum, meet the criteria of chapter 35 of title 44, United States Code;</p> <p>(D) procedures to ensure compatibility and additivity of the data and information described in subparagraphs (A) and (B) from national, State, and local levels;</p> <p>(E) procedures to support standardization and aggregation of data from administrative reporting systems described in subparagraph (A) of employment-related programs;</p> <p>(F) analysis of data and information described in subparagraphs (A) and (B) for uses such as—</p> <ul style="list-style-type: none"> (i) national, State, and local policymaking; (ii) implementation of Federal policies (including allocation formulas); (iii) program planning and evaluation; and (iv) researching labor market dynamics; <p>(G) wide dissemination of such data, information, and analysis in a user-friendly manner and voluntary technical standards for dissemination mechanisms; and</p> <p>(H) programs of—</p> <ul style="list-style-type: none"> (i) training for effective data dissemination; (ii) research and demonstration; (iii) and programs and technical assistance. <p>(e) State responsibilities</p> <p>(1) Designation of State agency In order to receive Federal financial assistance under this section, the Governor of a State shall—</p>	<p>29 USC § 491-2 (a)(1) & (e)</p>

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<p>Employment Statistics; Analysis of the labor market; Collection of data under Workforce Investment Act; State Responsibilities and Duties</p>	<p>(A) designate a single State agency to be responsible for the management of the portions of the employment statistics system described in subsection (a) of this section that comprise a statewide employment statistics system and for the State’s participation in the development of the annual plan; and</p> <p>(B) establish a process for the oversight of such system.</p> <p>(2) Duties</p> <p>In order to receive Federal financial assistance under this section, the State agency shall—</p> <p>(A) consult with State and local employers, participants, and local workforce investment boards about the labor market relevance of the data to be collected and disseminated through the statewide employment statistics system;</p> <p>(B) consult with State educational agencies and local educational agencies concerning the provision of employment statistics in order to meet the needs of secondary school and postsecondary school students who seek such information;</p> <p>(C) collect and disseminate for the system, on behalf of the State and localities in the State, the information and data described in subparagraphs (A) and (B) of subsection (a)(1) of this section;</p> <p>(D) maintain and continuously improve the statewide employment statistics system in accordance with this section;</p> <p>(E) perform contract and grant responsibilities for data collection, analysis, and dissemination for such system;</p> <p>(F) conduct such other data collection, analysis, and dissemination activities as will ensure an effective statewide employment statistics system;</p> <p>(G) actively seek the participation of other State and local agencies in data collection, analysis, and dissemination activities in order to ensure complementarity, compatibility, and usefulness of data;</p> <p>(H) participate in the development of the annual plan described in subsection (c) of this section; and</p> <p>(I) utilize the quarterly records described in section 136(f)(2) of the Workforce Investment Act of 1998 [29 U.S.C. 2871(f)(2)] to assist the State and other States in measuring State progress on State performance measures.</p>	<p>29 USC § 491-2 (a)(1) & (e)</p>
<p>Performance Accountability System; Evaluation of workforce development programs</p>	<p>(e) EVALUATION OF STATE PROGRAMS.—</p> <p>(1) IN GENERAL.—Using funds made available under this subtitle, the State, in coordination with local boards in the State, shall conduct ongoing evaluation studies of workforce investment activities carried out in the State under this subtitle in order to promote, establish, implement, and utilize methods for continuously improving the activities in order to achieve high-level performance within, and high-level outcomes from, the statewide workforce investment system. To the maximum extent practicable, the State shall coordinate the evaluations with the evaluations provided for by the Secretary under section 172.</p> <p>(2) DESIGN.—The evaluation studies conducted under this subsection shall be designed in conjunction with the State board and local boards and shall include analysis of customer feedback and outcome and process measures in the statewide workforce investment system. The studies may include use of control groups.</p> <p>(3) RESULTS.—The State shall periodically prepare and submit to the State board, and local boards in the State, reports containing the results of evaluation studies conducted under this subsection, to promote the efficiency and effectiveness of the statewide workforce investment system in improving employability for jobseekers and competitiveness for employers.</p>	<p>29 USC § 2871(e)</p>

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<p>Health Insurance Portability and Accountability Act of 1996(HIPAA); Regulations for the use and disclosure of Protected Health Information(PHI) for research purposes</p>	<p>(i) Standard: Uses and disclosures for research purposes—</p> <p>(1) Permitted uses and disclosures. A covered entity may use or disclose protected health information for research, regardless of the source of funding of the research, provided that:</p> <p>(i) Board approval of a waiver of authorization. The covered entity obtains documentation that an alteration to or waiver, in whole or in part, of the individual authorization required by § 164.508 for use or disclosure of protected health information has been approved by either:</p> <p>(A) An Institutional Review Board (IRB), established in accordance with 7 CFR 1c.107, 10 CFR 745.107, CFR 1230.107, 15 CFR 27.107, CFR 1028.107, 21 CFR 56.107, CFR 225.107, 24 CFR 60.107, CFR 46.107, 32 CFR 219.107, CFR 97.107, 38 CFR 16.107, CFR 26.107, 45 CFR 46.107, CFR 690.107, or 49 CFR 11.107; or</p> <p>(B) A privacy board that:</p> <p>(1) Has members with varying backgrounds and appropriate professional competency as necessary to review the effect of the research protocol on the individual's privacy rights and related interests;</p> <p>(2) Includes at least one member who is not affiliated with the covered entity, not affiliated with any entity conducting or sponsoring the research, and not related to any person who is affiliated with any of such entities; and</p> <p>(3) Does not have any member participating in a review of any project in which the member has a conflict of interest.</p> <p>(ii) Reviews preparatory to research. The covered entity obtains from the researcher representations that:</p> <p>(A) Use or disclosure is sought solely to review protected health information as necessary to prepare a research protocol or for similar purposes preparatory to research;</p> <p>(B) No protected health information is to be removed from the covered entity by the researcher in the course of the review; and</p> <p>(C) The protected health information for which use or access is sought is necessary for the research purposes.</p> <p>(2) Documentation of waiver approval. For a use or disclosure to be permitted based on documentation of approval of an alteration or waiver, under paragraph (i)(1)(i) of this section, the documentation must include all of the following:</p> <p>(i) Identification and date of action. A statement identifying the IRB or privacy board and the date on which the alteration or waiver of authorization was approved;</p> <p>(ii) Waiver criteria. A statement that the IRB or privacy board has determined that the alteration or waiver, in whole or in part, of authorization satisfies the following criteria:</p> <p>(A) The use or disclosure of protected health information involves no more than a minimal risk to the privacy of individuals, based on, at least, the presence of the following elements;</p> <p>(1) An adequate plan to protect the identifiers from improper use and disclosure;</p> <p>(2) An adequate plan to destroy the identifiers at the earliest opportunity consistent with conduct of the research, unless there is a health or research justification for retaining the identifiers or such retention is otherwise required by law; and</p> <p>(3) Adequate written assurances that the protected health information will not be reused or disclosed to any other person or entity, except as required by law, for authorized oversight of the research study, or for</p>	<p>45 CFR Part 164.512(i)</p>

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<p>Health Insurance Portability and Accountability Act of 1996(HIPAA); Regulations for the use and disclosure of Protected Health Information(PHI) for research purposes</p>	<p>other research for which the use or disclosure of protected health information would be permitted by this subpart;</p> <p>(B) The research could not practicably be conducted without the waiver or alteration; and</p> <p>(C) The research could not practicably be conducted without access to and use of the protected health information.</p> <p>(iii) Protected health information needed. A brief description of the protected health information for which use or access has been determined to be necessary by the IRB or privacy board has determined, pursuant to paragraph (i)(2)(ii)(C) of this section;</p> <p>(iv) Review and approval procedures. A statement that the alteration or waiver of authorization has been reviewed and approved under either normal or expedited review procedures, as follows:</p> <p>(A) An IRB must follow the requirements of the Common Rule, including the normal review procedures (7 CFR 1c.108(b), CFR 745.108(b), 14 CFR 1230.108(b), CFR 27.108(b), 16 CFR 1028.108(b), CFR 56.108(b), 22 CFR 225.108(b), CFR 60.108(b), 28 CFR 46.108(b), CFR 219.108(b), 34 CFR 97.108(b), CFR 16.108(b), 40 CFR 26.108(b), CFR 46.108(b), 45 CFR 690.108(b), or 49 CFR 11.108(b)) or the expedited review procedures (7 CFR 1c.110, CFR 745.110, 14 CFR 1230.110, CFR 27.110, 16 CFR 1028.110, CFR 56.110, 22 CFR 225.110, CFR 60.110, 28 CFR 46.110, CFR 219.110, 34 CFR 97.110, CFR 16.110, 40 CFR 26.110, CFR 46.110, 45 CFR 690.110, or 49 CFR 11.110);</p> <p>(B) A privacy board must review the proposed research at convened meetings at which a majority of the privacy board members are present, including at least one member who satisfies the criterion stated in paragraph (i)(1)(i)(B)(2) of this section, and the alteration or waiver of authorization must be approved by the majority of the privacy board members present at the meeting, unless the privacy board elects to use an expedited review procedure in accordance with paragraph (i)(2)(iv)(C) of this section;</p> <p>(C) A privacy board may use an expedited review procedure if the research involves no more than minimal risk to the privacy of the individuals who are the subject of the protected health information for which use or disclosure is being sought. If the privacy board elects to use an expedited review procedure, the review and approval of the alteration or waiver of authorization may be carried out by the chair of the privacy board, or by one or more members of the privacy board as designated by the chair; and</p> <p>(v) Required signature. The documentation of the alteration or waiver of authorization must be signed by the chair or other member, as designated by the chair, of the IRB or the privacy board, as applicable.</p>	<p>45 CFR Part 164.512(i)</p>
<p>The Workforce Investment Act of 1998; Information to be confidential</p>	<p>A) In General-No officer or employee of the Federal Government or agent of the Federal Government may-</p> <p>(i) use any submission that is furnished for exclusively statistical purposes under the provisions of this section for any purpose other than the statistical purposes for which the submission is furnished;</p> <p>(ii) make any publication or media transmittal of the data contained in the submission described in clause (i) that permits information concerning individual subjects to be reasonably inferred by either direct or indirect means; or</p> <p>(iii) permit anyone other than a sworn officer, employee, or agent of any Federal department or agency, or a contractor (including an employee of a contractor) of such department or agency, to examine an individual submission described in clause (i);</p> <p>without the consent of the individual, agency, or other person who is the subject of the submission or provides that submission.</p>	<p>29 USC 49I-2 (2) (A)</p>

Topic	Provisions	Citation
Privacy Protection Act of 1974 as amended by the Computer Matching and Privacy Protection Act of 1988; Data collected may not be disclosed by the agency	<p>(a) CONDITIONS OF DISCLOSURE.—No agency shall disclose any record which is contained in a system of records by any means of communication to any person, or to another agency, except pursuant to a written request by, or with the prior written consent of, the individual to whom the record pertains, unless disclosure of the record would be—</p> <ol style="list-style-type: none"> (1) to those officers and employees of the agency which maintains the record who have a need for the record in the performance of their duties; (2) required under section 552 of this title; (3) for a routine use as defined in subsection (a)(7) of this section and described under subsection (e)(4)(D) of this section; (4) to the Bureau of the Census for purposes of planning or carrying out a census or survey or related activity pursuant to the provisions of title 13; (5) to a recipient who has provided the agency with advance adequate written assurance that the record will be used solely as a statistical research or reporting record, and the record is to be transferred in a form that is not individually identifiable; (6) to the National Archives and Records Administration as a record which has sufficient historical or other value to warrant its continued preservation by the United States Government, or for evaluation by the Archivist of the United States or the designee of the Archivist to determine whether the record has such value; (7) to another agency or to an instrumentality of any governmental jurisdiction within or under the control of the United States for a civil or criminal law enforcement activity if the activity is authorized by law, and if the head of the agency or instrumentality has made a written request to the agency which maintains the record specifying the particular portion desired and the law enforcement activity for which the record is sought; (8) to a person pursuant to a showing of compelling circumstances affecting the health or safety of an individual if upon such disclosure notification is transmitted to the last known address of such individual; (9) to either House of Congress, or, to the extent of matter within its jurisdiction, any committee or subcommittee thereof, any joint committee of Congress or subcommittee of any such joint committee; (10) to the Comptroller General, or any of his authorized representatives, in the course of the performance of the duties of the Government Accountability Office; (11) pursuant to the order of a court of competent jurisdiction; or (12) to a consumer reporting agency in accordance with section 3711(e) of title 31. 	5 USC § 552a
Confidential Information Protection and Statistical Efficiency Act (CIPSEA); Limitations on Use and Disclosure of Data and Information; Data may only be used for statistical purposes and may not be disclosed in identifiable form	<p>(a) USE OF STATISTICAL DATA OR INFORMATION.—Data or information acquired by an agency under a pledge of confidentiality and for exclusively statistical purposes shall be used by officers, employees, or agents of the agency exclusively for statistical purposes.</p> <p>(b) DISCLOSURE OF STATISTICAL DATA OR INFORMATION.—</p> <ol style="list-style-type: none"> (1) Data or information acquired by an agency under a pledge of confidentiality for exclusively statistical purposes shall not be disclosed by an agency in identifiable form, for any use other than an exclusively statistical purpose, except with the informed consent of the respondent. (2) A disclosure pursuant to paragraph (1) is authorized only when the head of the agency approves such disclosure and the disclosure is not prohibited by any other law. (3) This section does not restrict or diminish any confidentiality protections in law that otherwise apply to data or information acquired by an agency under a pledge of confidentiality for exclusively statistical purposes. 	Public Law 107-347 §512(a-b)

Topic	Provisions	Citation
Unemployment Compensation Confidentiality and Disclosure Requirements	<p>603.4 What is the confidentiality requirement of Federal UC law?</p> <p>(a) Statute. Section 303(a)(1) of the SSA (42 U.S.C. 503(a)(1)) provides that, for the purposes of certification of payment of granted funds to a State under Section 302(a) (42 U.S.C. 502(a)), State law must include provision for such methods of administration as are found by the Secretary of Labor to be reasonably calculated to insure full payment of unemployment compensation when due.</p> <p>(b) Interpretation. The Department of Labor interprets Section 303(a)(1), SSA, to mean that “methods of administration” that are reasonably calculated to insure the full payment of UC when due must include provision for maintaining the confidentiality of any UC information which reveals the name or any identifying particular about any individual or any past or present employer or employing unit, or which could foreseeably be combined with other publicly available information to reveal any such particulars, and must include provision for barring the disclosure of any such information, except as provided in this part.</p> <p>(c) Application. Each State law must contain provisions that are interpreted and applied consistently with the interpretation in paragraph (b) of this section and with this subpart, and must provide penalties for any disclosure of confidential UC information that is inconsistent with any provision of this subpart.</p>	20 CFR 603.4
Under what conditions is prior consent not required to disclose information?	<p>(iii) An educational agency or institution may disclose personally identifiable information under paragraph (a)(6)(i) of this section, and a State or local educational authority or agency headed by an official listed in paragraph (a)(3) of this section may redisclose personally identifiable information under paragraph (a)(6)(i) and (a)(6)(ii) of this section, only if—</p> <p>(C) The educational agency or institution or the State or local educational authority or agency headed by an official listed in paragraph (a)(3) of this section enters into a written agreement with the organization that—</p> <ol style="list-style-type: none"> 1. Specifies the purpose, scope, and duration of the study or studies and the information to be disclosed; 2. Requires the organization to use personally identifiable information from education records only to meet the purpose or purposes of the study as stated in the written agreement; 3. Requires the organization to conduct the study in a manner that does not permit personal identification of parents and students, as defined in this part, by anyone other than representatives of the organization with legitimate interests; and 4. Requires the organization to destroy all personally identifiable information when the information is no longer needed for the purposes for which the study was conducted and specifies the time period in which the information must be destroyed. 	34CFR99.31(a)(6)(iii)(C)
Confidentiality of information; Disclosure of data outside of department	<p>27-3-603. Confidentiality of information.</p> <p>Except as otherwise provided, information maintained pursuant to this act shall not be disclosed in a manner which reveals the identity of the employing unit or individual. The confidentiality limitations of this section do not apply to transfers of information between the divisions of the department of workforce services so long as the transfer of information is not restricted by federal law, rule or contract. Any employee who discloses information outside of the department in violation of federal or state law may be terminated without progressive discipline.</p>	W.S. 27-3-603

Topic	Provisions	Citation
Wyoming Medical Practice Act; Protected action and communication; Data is confidential even in custody of other agencies	(h) The confidentiality of all documents and information described in this section shall exist and continue regardless of whether the confidential material is in the custody of any agency of the United States or any other agency of the state of Wyoming with whom the board has cooperated or is cooperating in an investigation.	W.S. 33-26-408(h)
Report to governor; statistics and information; Use of data collected for statistical purposes in Wyoming	27-2-105. Report to governor; statistics and information required. (a) The department of workforce services shall collect, classify, have printed and submit to the governor in its annual report the following statistics: (i) The hours of labor and number of sex engaged in manual labor; (ii) The aggregate and average daily wages classified by sex and occupation; (iii) The number and character of accidents; (iv) The working conditions of all industrial establishments (including manufacturing establishments, hotels, stores, workshops, theaters, halls and other places where labor is employed); (v) Other information relating to industrial, economic, social, educational, moral and sanitary conditions of the workers; and (vi) The results of its inspection of industrial establishments.	W.S. 27-2-105(a)
Workforce Investment Act of 1998; Planning and Delivery of workforce development programs	(a) IN GENERAL.—For a State to be eligible to receive an allotment under section 127 or 132, or to receive financial assistance under the Wagner-Peyser Act (29 U.S.C. 49 et seq.), the Governor of the State shall submit to the Secretary for consideration by the Secretary, a single State plan (referred to in this title as the “State plan”) that outlines a 5-year strategy for the statewide workforce investment system of the State and that meets the requirements of section 111 and this section. (b) CONTENTS.—The State plan shall include— (1) a description of the State board, including a description of the manner in which such board collaborated in the development of the State plan and a description of how the board will continue to collaborate in carrying out the functions described in section 111(d); (2) a description of State-imposed requirements for the statewide workforce investment system; (3) a description of the State performance accountability system developed for the workforce investment activities to be carried out through the statewide workforce investment system, that includes information identifying State performance measures as described in section 136(b)(3)(A)(ii); (4) information describing— (A) the needs of the State with regard to current and projected employment opportunities, by occupation; (B) the job skills necessary to obtain such employment opportunities; (C) the skills and economic development needs of the State; and (D) the type and availability of workforce investment activities in the State.	Public Law 105-220, Sec112 (a)-(b)(1-4)
American Recovery & Reinvestment Act of 2009; State Applications; Improving Collection & Use of Data	IMPROVING COLLECTION AND USE OF DATA.—The State will establish a longitudinal data system that includes the elements described in section 6401(e)(2)(D) of the America COMPETES Act (20 U.S.C. 9871).	Public Law 111-5, Sec. 14005(d)(3)

Topic	Provisions	Citation
Education Accountability Data Systems; Data collection and analysis	(d) For purposes of supporting the data monitoring process within the education resource block grant model, and to support other education information data needs and analysis, up to five hundred thousand dollars (\$500,000.00) is appropriated from the deferred account for the period commencing on the effective date of this section and ending June 30, 2014, to DWS R&P, to conduct data collection and analysis necessary for the education resource block grant model monitoring process as required under W.S. 21-13-309(u), and to assist with the collection and analysis of data necessary for the long term effects of the Hathaway student scholarship program on Wyoming high school students and other data collection and analysis efforts which may be required to carry out this section.	Enrolled Act No. 29 Section 326(d), 2012
Institutional and financial assistance information for students; Authority to collect employment data of graduates	(a) Information dissemination activities <ol style="list-style-type: none"> 1. Each eligible institution participating in any program under this subchapter and part C of subchapter I of chapter 34 of title 42 shall carry out information dissemination activities for prospective and enrolled students (including those attending or planning to attend less than full time) regarding the institution and all financial assistance under this subchapter and part C of subchapter I of chapter 34 of title 42. The information required by this section shall be produced and be made readily available upon request, through appropriate publications, mailings, and electronic media, to an enrolled student and to any prospective student. Each eligible institution shall, on an annual basis, provide to all enrolled students a list of the information that is required to be provided by institutions to students by this section and section 444 of the General Education Provisions Act [20 U.S.C. 1232g] (commonly known as the “Family Educational Rights and Privacy Act of 1974”), together with a statement of the procedures required to obtain such information. The information required by this section shall accurately describe— <ol style="list-style-type: none"> (R) the placement in employment of, and types of employment obtained by, graduates of the institution’s degree or certificate programs, gathered from such sources as alumni surveys, student satisfaction surveys, the National Survey of Student Engagement, the Community College Survey of Student Engagement, State data systems, or other relevant sources; 	20 USC § 1092(a)(1)(R)
Family Educational Rights and Privacy Act; Right of privacy regarding grades, enrollment, billing information, and other student records	b) Release of education records; parental consent requirement; exceptions; compliance with judicial orders and subpoenas; audit and evaluation of federally-supported education programs; recordkeeping <ol style="list-style-type: none"> (1) No funds shall be made available under any applicable program to any educational agency or institution which has a policy or practice of permitting the release of education records (or personally identifiable information contained therein other than directory information, as defined in paragraph (5) of subsection (a) of this section) of students without the written consent of their parents to any individual, agency, or organization, other than to the following— <ol style="list-style-type: none"> (F) organizations conducting studies for, or on behalf of, educational agencies or institutions for the purpose of developing, validating, or administering predictive tests, administering student aid programs, and improving instruction, if such studies are conducted in such a manner as will not permit the personal identification of students and their parents by persons other than representatives of such organizations and such information will be destroyed when no longer needed for the purpose for which it is conducted 	20 USC §1232g(b)(1)(F)

Topic	Provisions	Citation
State Directory of New Hires; Other uses of new hire information	(3) Administration of employment security and workers' compensation State agencies operating employment security and workers' compensation programs shall have access to information reported by employers pursuant to "Subsection (b)" of this section for the purposes of administering such programs.	42 USC §653a(h)(3)
Rehabilitation Act of 1973; The analysis and evaluation of Vocational Rehabilitation	(b) Purpose The purposes of this chapter are— (1) to empower individuals with disabilities to maximize employment, economic self-sufficiency, independence, and inclusion and integration into society, through— (A) statewide workforce investment systems implemented in accordance with title I of the Workforce Investment Act of 1998 [29 U.S.C. 2801 et seq.] that include, as integral components, comprehensive and coordinated state-of-the-art programs of vocational rehabilitation;	29 USC §701(b)(1)(A)
National Institute of Standards and Technology; Recommended Security Controls for Federal Information Systems and Organizations	<p>The selection and implementation of appropriate security controls for an information system or a system-of-systems are important tasks that can have major implications on the operations and assets of an organization as well as the welfare of individuals and the Nation. Security controls are the management, operational, and technical safeguards or countermeasures employed within an organizational information system to protect the confidentiality, integrity, and availability of the system and its information. There are several important questions that should be answered by organizational officials when addressing the security considerations for their information systems:</p> <ul style="list-style-type: none"> • What security controls are needed to adequately mitigate the risk incurred by the use of information and information systems in the execution of organizational missions and business functions? • Have the selected security controls been implemented or is there a realistic plan for their implementation? • What is the desired or required level of assurance (i.e., grounds for confidence) that the selected security controls, as implemented, are effective in their application? <p>The answers to these questions are not given in isolation but rather in the context of an effective information security program for the organization that identifies, mitigates as deemed necessary, and monitors on an ongoing basis, risks arising from its information and information systems. The security controls defined in this publication and recommended for use by organizations in protecting their information systems should be employed in conjunction with and as part of a well-defined and documented information security program. The program management controls (Appendix G), complement the security controls for an information system (Appendix F) by focusing on the organization-wide information security requirements that are independent of any particular information system and are essential for managing information security programs. It is of paramount importance that responsible officials understand the risks and other factors that could adversely affect organizational operations and assets, individuals, other organizations, and the Nation.¹⁰ These officials must also understand the current status of their security programs and the security controls planned or in place to protect their information and information systems in order to make informed judgments and investments that mitigate risks to an acceptable level. The ultimate objective is to conduct the day-to-day operations of the organization and to accomplish the organization's stated missions and business functions with what the OMB Circular A-130 defines as adequate security, or security commensurate with risk resulting from the unauthorized access, use, disclosure, disruption, modification, or destruction of information.</p>	NIST Special Publication 800-53 Revision 3

Topic	Provisions	Citation
Violent Crime Control and Law Enforcement Act of 1994; Protection of Privacy of Information In State Motor Vehicle Records; Drivers' license records may only be used for statistical reports	<p>(b) PERMISSIBLE USES.—Personal information referred to in subsection (a) shall be disclosed for use in connection with matters of motor vehicle or driver safety and theft, motor vehicle emissions, motor vehicle product alterations, recalls, or advisories, performance monitoring of motor vehicles and dealers by motor vehicle manufacturers, and removal of non-owner records from the original owner records of motor vehicle manufacturers to carry out the purposes of the Automobile Information Disclosure Act, the Motor Vehicle Information and Cost Saving Act, the National Traffic and Motor Vehicle Safety Act of 1966, the Anti-Car Theft Act of 1992, and the Clean Air Act, and may be disclosed as follows:</p> <p>(5) For use in research activities, and for use in producing statistical reports, so long as the personal information is not published, redisclosed, or used to contact individuals.</p>	Public Law 103-322 §2721(b)(5)

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