

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Education.

SB26-078 be amended as follows:

1 Amend reengrossed bill, page 3, strike lines 5 through 14 and substitute:

2 "(3.5) (a) FOR INSTITUTIONS OF HIGHER EDUCATION THAT SUBMIT  
3 POTENTIAL LEGISLATIVE FISCAL IMPACTS TO THE STAFF OF THE  
4 LEGISLATIVE COUNCIL THROUGH THE DEPARTMENT OF HIGHER  
5 EDUCATION, THE DEPARTMENT OF HIGHER EDUCATION SHALL GRANT THE  
6 SUBMITTING INSTITUTION OF HIGHER EDUCATION ACCESS TO THE OFFICIAL  
7 RESPONSES OF THE DEPARTMENT OF HIGHER EDUCATION AND EACH  
8 SUBMITTING INSTITUTION OF HIGHER EDUCATION AT THE TIME THAT THE  
9 FISCAL IMPACT INFORMATION IS SUBMITTED TO THE STAFF OF THE  
10 LEGISLATIVE COUNCIL FOR CONSIDERATION."

11 Page 5, after line 26 insert:

12 "SECTION 4. In Colorado Revised Statutes, 23-1-101.1, **add**  
13 (1.5) as follows:

14 **23-1-101.1. Definitions.**

15 As used in this article 1, unless the context otherwise requires:

16 (1.5) "DATA ADVISORY GROUP" MEANS THE DATA ADVISORY  
17 GROUP CREATED IN SECTION 23-1-144."

18 Renumber succeeding sections accordingly.

19 Page 6, lines 21 and 22, strike "FACILITATED BY THE DEPARTMENT".

20 Page 6, after line 23 insert:

21 "SECTION 6. In Colorado Revised Statutes, 23-1-103, **amend**  
22 (1) introductory portion and (1)(b) as follows:

23 **23-1-103. Advisory committee to the Colorado commission on**  
24 **higher education.**

25 (1) There is ~~hereby~~ established an advisory committee to the  
26 commission for the purpose of suggesting solutions for the problems and  
27 needs of higher education and maintaining liaison with the general  
28 assembly and the governing boards for state-supported institutions of  
29 higher education. The advisory committee ~~shall consist~~ CONSISTS of not  
30 less than thirteen members, to be designated as follows:

31 (b) ~~One member shall be selected and designated by~~ The  
32 commission SHALL SELECT AND DESIGNATE:

33 (I) ONE MEMBER to represent the faculty in the state; ~~and one~~  
34 ~~member shall be selected and designated by the commission to represent~~

1 ~~the students in the state. On and after August 5, 2009, the commission~~  
2 ~~shall select and designate~~

3 (II) One member who, at the time of designation, is a parent of a  
4 student who is enrolled in a state-supported institution of higher  
5 education in Colorado to represent the parents of students; AND

6 (III) ON AND AFTER JULY 1, 2026, ONE MEMBER WHO IS A CURRENT  
7 MEMBER OF THE DATA ADVISORY GROUP AND WHO WORKS AT A PUBLIC  
8 INSTITUTION OF HIGHER EDUCATION."

9 Renumber succeeding sections accordingly.

10 Page 8, after line 26 insert:

11 "SECTION 8. In Colorado Revised Statutes, **add** 23-1-144 as  
12 follows:

13 **23-1-144. Department and commission directives - creation of**  
14 **data advisory group - development of data policies - definitions.**

15 (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE  
16 REQUIRES:

17 (a) "INSTITUTION OF HIGHER EDUCATION" MEANS:

18 (I) A STATE INSTITUTION OF HIGHER EDUCATION, AS DEFINED IN  
19 SECTION 23-18-102 (10);

20 (II) A LOCAL DISTRICT COLLEGE, AS DEFINED IN SECTION  
21 23-71-102 (1)(a);

22 (III) AN AREA TECHNICAL COLLEGE, AS DEFINED IN SECTION  
23 23-60-103 (1); AND

24 (IV) A PARTICIPATING PRIVATE INSTITUTION OF HIGHER  
25 EDUCATION, AS DEFINED IN SECTION 23-18-102 (7).

26 (b) (I) "STATEWIDE INSTITUTIONAL AND STUDENT DATA" MEANS  
27 DATA, IN ANY FORMAT, PROVIDED BY AN INSTITUTION OF HIGHER  
28 EDUCATION TO THE DEPARTMENT OR ANOTHER STATE AGENCY.

29 (II) "STATEWIDE INSTITUTIONAL AND STUDENT DATA" DOES NOT  
30 INCLUDE NEW DATA POINTS CREATED THROUGH THE COMBINATION OF  
31 INSTITUTIONAL AND STUDENT DATA WITH OTHER STATE ADMINISTRATIVE  
32 DATA OR PUBLICLY AVAILABLE INFORMATION.

33 (2) (a) THIS SUBSECTION (2) CODIFIES THE DATA ADVISORY GROUP  
34 THAT EXISTS AS OF THE EFFECTIVE DATE OF THIS SECTION AND THAT IS  
35 FACILITATED BY THE DEPARTMENT. THE DATA ADVISORY GROUP SHALL  
36 CONTINUE TO OPERATE TO SERVE IN AN ADVISORY CAPACITY TO THE  
37 DEPARTMENT AND THE COMMISSION REGARDING DATA COLLECTION,  
38 REPORTING, ACCESS, AND USE OF STATEWIDE INSTITUTIONAL AND  
39 STUDENT DATA.

40 (b) THE DATA ADVISORY GROUP CONSISTS OF REPRESENTATIVES

1 FROM INSTITUTIONS OF HIGHER EDUCATION AND THE DEPARTMENT, AS  
2 FOLLOWS:

3 (I) (A) ONE REPRESENTATIVE FROM EACH GOVERNING BOARD OF  
4 A STATE INSTITUTION OF HIGHER EDUCATION;

5 (B) GOVERNING BOARDS THAT HAVE A SYSTEM COMPRISED OF  
6 MORE THAN ONE CAMPUS MAY HAVE ADDITIONAL REPRESENTATIVES FOR  
7 EACH CAMPUS AND SYSTEM OFFICE;

8 (II) AT LEAST ONE REPRESENTATIVE FROM THE LOCAL DISTRICT  
9 COLLEGES;

10 (III) AT LEAST ONE REPRESENTATIVE FROM THE AREA TECHNICAL  
11 COLLEGES;

12 (IV) ONE REPRESENTATIVE FROM EACH PARTICIPATING PRIVATE  
13 INSTITUTION OF HIGHER EDUCATION, AS DEFINED IN SECTION 23-18-102  
14 (7); AND

15 (V) AT LEAST ONE REPRESENTATIVE FROM THE DEPARTMENT.

16 (c) PARTICIPATION FROM EACH INSTITUTION OF HIGHER  
17 EDUCATION IN THE DATA ADVISORY GROUP IS VOLUNTARY.

18 (d) THE DATA ADVISORY GROUP IS ADVISORY ONLY AND DOES NOT  
19 HAVE DECISION-MAKING OR BINDING AUTHORITY OVER THE DEPARTMENT  
20 OR THE COMMISSION.

21 (3) (a) THE DUTIES AND RESPONSIBILITIES OF THE DATA ADVISORY  
22 GROUP INCLUDE ADVISING ON:

23 (I) THE DEVELOPMENT AND MAINTENANCE OF POLICIES AND  
24 PROCEDURES FOR THE COLLECTION, STORAGE, AND USE OF STATEWIDE  
25 INSTITUTIONAL AND STUDENT DATA;

26 (II) THE IMPLEMENTATION OF NEW DATA COLLECTION AND  
27 REPORTING REQUIREMENTS RESULTING FROM LEGISLATION;

28 (III) THE SHARING OF STATEWIDE INSTITUTIONAL AND STUDENT  
29 DATA;

30 (IV) LEGISLATION THAT AFFECTS INSTITUTIONAL DATA  
31 COLLECTION AND REPORTING; AND

32 (V) THE DEVELOPMENT OF GUIDELINES FOR DATA AGGREGATION  
33 AND SUPPRESSION WITHIN DATA PRIVACY LAWS AND INDUSTRY BEST  
34 PRACTICES REGARDING PERSONALLY IDENTIFYING INFORMATION.

35 (4) (a) THE COMMISSION SHALL CONSULT WITH THE DATA  
36 ADVISORY GROUP TO ESTABLISH POLICIES THAT:

37 (I) INCLUDE PROCEDURES FOR THE DATA ADVISORY GROUP TO  
38 DEVELOP AND SUBMIT RECOMMENDATIONS;

39 (II) ARTICULATE HOW THE DATA ADVISORY GROUP WILL HAVE THE  
40 DATA, REPORTING, AND INFORMATION NECESSARY TO PERFORM THEIR  
41 ADVISORY ROLE;

42 (III) INCLUDE A PROCESS FOR SHARING AGGREGATED STATEWIDE  
43 DATA DERIVED FROM STATEWIDE INSTITUTIONAL AND STUDENT DATA;

1 (IV) INCLUDE A PROCESS FOR SHARING DE-IDENTIFIED STATEWIDE  
2 DATA DERIVED FROM STATEWIDE INSTITUTIONAL AND STUDENT DATA;  
3 (V) INCLUDE PROCEDURES THAT ENSURE SUFFICIENT TIME TO  
4 REVIEW DRAFT REPORTING AND SUPPORTING DATA THAT IS DERIVED FROM  
5 STATEWIDE INSTITUTIONAL AND STUDENT DATA AND THAT IS RELATED TO  
6 FUNDING OR RESOURCE ALLOCATION, LEGISLATIVE REPORTS, OR  
7 STRATEGIC PLANNING; AND  
8 (VI) ENSURE THAT ALL DATA AND REPORTING SHARED BETWEEN  
9 THE DEPARTMENT, THE DATA ADVISORY GROUP, AND THE COMMISSION:  
10 (A) SEEKS TO MAXIMIZE DATA TRANSPARENCY BETWEEN ENTITIES;  
11 (B) SEEKS TO MINIMIZE THE TIME LAPSED BETWEEN DATA  
12 SUBMISSIONS AND AVAILABILITY OF DATA AND REPORTING;  
13 (C) INCLUDES DATA FROM ALL PARTICIPATING INSTITUTIONS;  
14 (D) PROVIDES DETAIL BY INSTITUTION AND GOVERNING BOARD;  
15 AND  
16 (E) IS SUFFICIENT TO ALLOW FOR VALIDATION BY INSTITUTIONAL  
17 STAFF.  
18 (b) THE COMMISSION RETAINS FINAL AUTHORITY OVER DATA  
19 POLICY AND MAY PROVIDE REASONING OF FINAL DECISIONS TO THE DATA  
20 ADVISORY GROUP.  
21 (c) TO ACCOMPLISH ITS DUTIES, THE DATA ADVISORY GROUP SHALL  
22 MEET AT LEAST QUARTERLY."

23 Renumber succeeding sections accordingly.

24 Page 10, after line 17 insert:

25 **"SECTION 10. Effective date.** (1) Except as otherwise provided  
26 in this section, this act takes effect upon passage.  
27 (2) Section 5 of this act takes effect only if House Bill 26-1029  
28 does not become law, in which case section 4 takes effect upon passage.  
29 (3) Section 6 of this act takes effect only if House Bill 26-1029  
30 becomes law, in which case section 5 takes effect upon passage or on the  
31 effective date of House Bill 26-1029, whichever is later."

32 Renumber succeeding section accordingly.

33 Strike "PART 70 OF THIS ARTICLE 23," and substitute "ARTICLE 70 OF TITLE  
34 23," on: **Page 4**, line 14; and **Page 5**, line 13.

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