

NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.

An Act

HOUSE BILL 26-1006

BY REPRESENTATIVE(S) Velasco and Martinez, Bacon, Boesenecker, Camacho, Clifford, Duran, Garcia, Hamrick, Jackson, Lindsay, Lukens, Nguyen, Phillips, Rutinel, Stewart K., Story, Titone, Valdez, McCluskie, English, Lieder, Mabrey, Zokaie;
also SENATOR(S) Roberts, Amabile, Cutter, Exum, Kipp, Kolker, Marchman, Coleman.

CONCERNING THE DESIGNATION OF STATE INSTITUTIONS OF HIGHER EDUCATION AS THRIVING INSTITUTIONS.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. Legislative declaration. (1) The general assembly finds and declares that:

(a) Expanding educational opportunities and improving outcomes for historically underserved student populations, including Hispanic or Latino students, first-generation students, students with low incomes, adult learners, transfer students, and students attending colleges and universities in rural areas, are compelling state interests that are critical to Colorado's prosperity, civil vitality, and workforce talent pipeline;

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

(b) Recognition of institutional performance should be grounded in student outcomes and performance rather than being based solely on enrollment share;

(c) Increasing degree and credential attainment through student persistence, retention, and successful transfers and aligning education and training to labor market outcomes are necessary to achieve the state's postsecondary attainment and workforce goals;

(d) The Colorado commission on higher education's strategic plan calls for increasing the number of Coloradans with skills obtained while in high school or through postsecondary education that, at a minimum, result in lifetime earnings that exceed the cost of attendance; and

(e) Outcome-based state designations recognizing institutional excellence provide policy continuity, promote accountability, and support continuous improvement aligned with the state's attainment and workforce goals.

SECTION 2. In Colorado Revised Statutes, **add** 23-1-144 as follows:

23-1-144. Thriving institution designations - advisory committee - report - definitions.

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

(a) "ADVISORY COMMITTEE" MEANS THE ADVISORY COMMITTEE ON THRIVING INSTITUTION OUTCOMES CREATED PURSUANT TO SUBSECTION (4) OF THIS SECTION.

(b) "INSTITUTION OF HIGHER EDUCATION" MEANS A PUBLIC INSTITUTION OF HIGHER EDUCATION, INCLUDING A LOCAL DISTRICT COLLEGE, AS DEFINED IN SECTION 23-71-102, AND AREA TECHNICAL COLLEGES, AS DEFINED IN SECTION 23-60-103.

(c) "LABOR MARKET OUTCOMES" MEANS THE INCOME EARNINGS OF STUDENTS UPON POSTSECONDARY-EDUCATION COMPLETION CATEGORIZED BY DEGREE USING EXISTING STATE OR FEDERAL DATA ALREADY COLLECTED

OR MAINTAINED BY THE DEPARTMENT.

(d) "RURAL CAMPUS" MEANS A CAMPUS OF AN INSTITUTION OF HIGHER EDUCATION THAT IS RURAL BASED ON GEOGRAPHIC ISOLATION, POPULATION DENSITY, COMMUNITY, STUDENT ENROLLMENT, OR OTHER FACTORS, AS DETERMINED BY THE DEPARTMENT.

(e) "STUDENT SUCCESS EXPERT" MEANS AN INDIVIDUAL WITH DEMONSTRATED EXPERTISE IN ASSISTING POSTSECONDARY STUDENTS WITH SUCCESSFUL CREDENTIAL AND DEGREE COMPLETION OR EVIDENCE-BASED PRACTICES TO CLOSE ATTAINMENT GAPS AMONG HISTORICALLY UNDERSERVED STUDENT POPULATIONS.

(f) "THRIVING INSTITUTION DESIGNATION" MEANS A DESIGNATION GRANTED TO A PUBLIC INSTITUTION OF HIGHER EDUCATION.

(2) A THRIVING INSTITUTION IS A PUBLIC INSTITUTION OF HIGHER EDUCATION THAT DEMONSTRATES STRONG PERFORMANCE, AS DEFINED BY THE DEPARTMENT WITH INPUT FROM THE ADVISORY COMMITTEE ESTABLISHED IN SUBSECTION (5) OF THIS SECTION, FOR CERTAIN STUDENT POPULATIONS, INSTITUTIONAL MISSIONS, OR WORKFORCE ROLES THAT ARE RECOGNIZED IN:

(a) FEDERAL LAW, INCLUDING THOSE NOTED IN THE FEDERAL "HIGHER EDUCATION ACT OF 1965", 20 U.S.C. SEC. 1001 AND 20 U.S.C. SEC. 1057-1059d;

(b) FEDERAL STUDENT AID AND ACCOUNTABILITY PROGRAMS AUTHORIZED PURSUANT TO 20 U.S.C. SEC. 1070a;

(c) THE FEDERAL WORKFORCE AND EDUCATION-TO-WORKFORCE ACCOUNTABILITY FRAMEWORKS AUTHORIZED PURSUANT TO 29 U.S.C. SEC. 3111 ET SEQ.;

(d) COLORADO STATUTES GOVERNING HIGHER EDUCATION, WORKFORCE PROGRAMS, AND ADULT EDUCATION; AND

(e) FEDERAL OR STATE ACCOUNTABILITY, REPORTING, OR DATA SYSTEMS AUTHORIZED BY STATUTE.

(3)(a) ON OR BEFORE DECEMBER 31, 2027, THE DEPARTMENT SHALL ESTABLISH THRIVING INSTITUTION DESIGNATIONS. AFTER THE DEPARTMENT ESTABLISHES THE INITIAL THRIVING INSTITUTION DESIGNATIONS AND THE OUTCOME STANDARDS USED TO INFORM THE THRIVING INSTITUTION DESIGNATIONS AS REQUIRED BY SUBSECTION (5) OF THIS SECTION, AND AS SOON AS PRACTICABLE FOLLOWING THE ANNUAL PUBLIC RELEASE OF ENROLLMENT, RETENTION, AND GRADUATION DATA FROM EACH STATE INSTITUTION OF HIGHER EDUCATION IN 2027 AND EACH YEAR THEREAFTER, THE DEPARTMENT, WITH INPUT FROM THE ADVISORY COMMITTEE, IF THE ADVISORY COMMITTEE HAS SCHEDULED MEETINGS FOR THAT CALENDAR YEAR, SHALL:

(I) IDENTIFY INSTITUTIONS OF HIGHER EDUCATION THAT MEET THE OUTCOME STANDARDS IDENTIFIED IN SUBSECTION (4) OF THIS SECTION FOR ONE OR MORE THRIVING INSTITUTION DESIGNATIONS;

(II) NOTIFY EACH INSTITUTION OF HIGHER EDUCATION THAT MEETS THE OUTCOME STANDARDS IDENTIFIED IN SUBSECTION (4) OF THIS SECTION FOR ONE OR MORE THRIVING INSTITUTION DESIGNATIONS AND REQUEST THAT THE INSTITUTION OF HIGHER EDUCATION RESPOND WITHIN TEN CALENDAR DAYS WITH A DECISION OF WHETHER THE INSTITUTION OF HIGHER EDUCATION WOULD LIKE TO BE RECOGNIZED FOR ITS THRIVING INSTITUTION DESIGNATION;

(III) POST ON THE DEPARTMENT'S WEBSITE THE NAMES OF THE INSTITUTIONS OF HIGHER EDUCATION THAT EARN A THRIVING INSTITUTION DESIGNATION AND AGREE TO BE RECOGNIZED FOR THEIR THRIVING INSTITUTION DESIGNATION; AND

(IV) NOTIFY THE GENERAL ASSEMBLY OF THE NAME OF EACH INSTITUTION OF HIGHER EDUCATION THAT EARNS A THRIVING INSTITUTION DESIGNATION.

(b) THE OUTCOME STANDARDS USED TO DETERMINE THRIVING INSTITUTION DESIGNATIONS, AS REQUIRED BY SUBSECTION (3)(a)(I) OF THIS SECTION, MUST BE USED TO IMPROVE OUTCOMES FOR THE STUDENT POPULATIONS IMPACTED BY A THRIVING INSTITUTION'S DESIGNATION WITHOUT DIMINISHING THE SUCCESS OF OTHER STUDENT POPULATIONS AT THE INSTITUTION OF HIGHER EDUCATION.

(c) AN INSTITUTION OF HIGHER EDUCATION'S DESIGNATION AS A THRIVING INSTITUTION DOES NOT CREATE AN ENTITLEMENT TO STATE FUNDING AND DOES NOT REQUIRE THE GENERAL ASSEMBLY TO REPLACE OR SUPPLEMENT FEDERAL OR PRIVATE FUNDING TO THE INSTITUTION OF HIGHER EDUCATION.

(4) AFTER CONSULTATION WITH THE ADVISORY COMMITTEE ESTABLISHED IN SUBSECTION (5) OF THIS SECTION, THE DEPARTMENT SHALL SET OUTCOME STANDARDS, MEASURES, DATA SOURCES, CALCULATION METHODS, VALIDITY PROTECTIONS, PERFORMANCE THRESHOLDS, MULTI-TIER RECOGNITION LEVELS, AND REVIEW PERIODS USED TO EVALUATE INSTITUTIONAL PERFORMANCE FOR THE THRIVING INSTITUTION DESIGNATIONS. THE STANDARDS MUST:

(a) RELY EXCLUSIVELY ON EXISTING STATE OR FEDERAL DATA COLLECTED OR MAINTAINED BY THE DEPARTMENT AND NOT REQUIRE NEW DATA ELEMENTS, NEW DATA COLLECTION, DATA MATCHING, OR DATA-SHARING AGREEMENTS WITH OTHER STATE OR FEDERAL AGENCIES OR INSTITUTIONS OF HIGHER EDUCATION;

(b) UTILIZE EXISTING METHODS OF COHORTING AND CALCULATING OUTCOME AND PERFORMANCE METRICS;

(c) ENSURE STATISTICAL VALIDITY AND COMPLIANCE WITH PRIVACY LAWS;

(d) PROMOTE CONTINUOUS IMPROVEMENT ALIGNED WITH THE STATE'S ESTABLISHED POSTSECONDARY ATTAINMENT TARGETS AND STATEWIDE WORKFORCE DEVELOPMENTAL PRIORITIES; AND

(e) AT A MINIMUM, INCLUDE EXISTING DATA CONCERNING STUDENT PROGRESSION AND SUCCESS, SUCH AS DEGREE COMPLETION, RETENTION, AND LABOR MARKET OUTCOMES.

(5) (a) ON OR BEFORE JANUARY 1, 2027, THE DEPARTMENT SHALL CONVENE AN ADVISORY COMMITTEE ON THRIVING INSTITUTION OUTCOMES. THE ADVISORY COMMITTEE SHALL MEET AT LEAST ONCE DURING THE 2027 CALENDAR YEAR TO PROVIDE INPUT ON THE INITIAL THRIVING INSTITUTION DESIGNATIONS AND THE OUTCOME STANDARDS USED TO INFORM THE THRIVING INSTITUTION DESIGNATIONS. ONCE THIS PURPOSE IS FULFILLED,

THE ADVISORY COMMITTEE SHALL MEET ONLY IF NEW THRIVING INSTITUTION DESIGNATIONS NEED TO BE ADDED OR IF THE COMMISSION PROPOSES MATERIAL CHANGES TO THE OUTCOME STANDARDS USED TO INFORM THE THRIVING INSTITUTION DESIGNATIONS.

(b) THE ADVISORY COMMITTEE INCLUDES THE FOLLOWING MEMBERS, EACH APPOINTED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT:

(I) A REPRESENTATIVE FROM A FOUR-YEAR UNIVERSITY;

(II) A REPRESENTATIVE FROM A COMMUNITY COLLEGE, AS DEFINED IN SECTION 23-81-101;

(III) A REPRESENTATIVE FROM A LOCAL DISTRICT COLLEGE, AS DEFINED IN SECTION 23-71-102;

(IV) A REPRESENTATIVE FROM A RURAL CAMPUS;

(V) A REPRESENTATIVE FROM AN INSTITUTION OF HIGHER EDUCATION THAT RECEIVED A HISPANIC-SERVING INSTITUTION DESIGNATION FROM THE UNITED STATES DEPARTMENT OF EDUCATION ON OR BEFORE DECEMBER 31, 2025;

(VI) A REPRESENTATIVE FROM AN INSTITUTION OF HIGHER EDUCATION THAT RECEIVED A FIRST GENERATION-SERVING INSTITUTION DESIGNATION FROM THE DEPARTMENT ON OR BEFORE DECEMBER 31, 2025;

(VII) A REPRESENTATIVE FROM AN INSTITUTION OF HIGHER EDUCATION THAT RECEIVED A NATIVE AMERICAN-SERVING NON-TRIBAL INSTITUTION DESIGNATION FROM THE UNITED STATES DEPARTMENT OF EDUCATION ON OR BEFORE DECEMBER 31, 2025;

(VIII) A REPRESENTATIVE FROM AN INSTITUTION OF HIGHER EDUCATION WITH A POPULATION OF PELL-ELIGIBLE UNDERGRADUATE STUDENTS GREATER THAN THE STATEWIDE AVERAGE;

(IX) A REPRESENTATIVE FROM AN INSTITUTION OF HIGHER EDUCATION THAT HAS A POPULATION OF ADULT LEARNERS AND TRANSFER STUDENTS THAT IS GREATER THAN THE STATEWIDE AVERAGE;

(X) A REPRESENTATIVE FROM THE COLORADO BUSINESS COMMUNITY WITH EXPERIENCE IN WORKFORCE DEVELOPMENT OR EMPLOYER ENGAGEMENT RELATED TO POSTSECONDARY EDUCATION EMPLOYMENT AND WORKFORCE DEVELOPMENT;

(XI) AT LEAST TWO INDIVIDUALS WITH RESEARCH EXPERTISE IN THE FIELD OF HIGHER EDUCATION OR A CLOSELY RELATED DISCIPLINE;

(XII) A STUDENT ENROLLED AT AN INSTITUTION OF HIGHER EDUCATION;

(XIII) A REPRESENTATIVE FROM AN ORGANIZATION THAT PROVIDES PROGRAM OVERSIGHT AND POLICY GUIDANCE FOR FEDERALLY, STATE, AND LOCALLY FUNDED WORKFORCE DEVELOPMENT PROGRAMS;

(XIV) A STUDENT SUCCESS REPRESENTATIVE WITH DEMONSTRATED EXPERIENCE IN STUDENT AFFAIRS; AND

(XV) AN INDIVIDUAL WITH EXPERTISE IN LAWFUL DATA USE RELATED TO POSTSECONDARY EDUCATION AND METHODS FOR ENSURING COMPLIANCE WITH STATE AND FEDERAL PRIVACY LAWS.

(c) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT MAY APPOINT INDIVIDUALS TO THE ADVISORY COMMITTEE THAT MEET THE APPOINTMENT CRITERIA OF THE ADVISORY COMMITTEE AND SIT ON ANOTHER COUNCIL, COMMISSION, OR STAKEHOLDER GROUP IN ORDER TO AVOID DUPLICATION AND REDUCE ADMINISTRATIVE BURDEN.

(d) MEMBERS APPOINTED TO THE ADVISORY COMMITTEE MAY SATISFY MULTIPLE MEMBERSHIP CATEGORIES DETAILED IN SUBSECTION (5)(b) OF THIS SECTION.

(e) THE MEMBERS OF THE ADVISORY COMMITTEE SERVE WITHOUT COMPENSATION BUT MAY BE REIMBURSED FOR ACTUAL AND NECESSARY EXPENSES INCURRED IN THE PERFORMANCE OF THEIR DUTIES.

(6) THE DEPARTMENT MAY SEEK, ACCEPT, AND EXPEND GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF THIS SECTION.

(7) ALL USE AND DISCLOSURE OF STUDENT INFORMATION FOR PURPOSES OF THIS SECTION MUST COMPLY WITH ALL APPLICABLE STATE AND FEDERAL PRIVACY LAWS. THE DEPARTMENT SHALL AGGREGATE DATA TO PREVENT THE DISCLOSURE OF STUDENT PERSONALLY IDENTIFIABLE INFORMATION.

SECTION 3. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless

approved by the people at the general election to be held in November 2026 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Julie McCluskie
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

James Rashad Coleman, Sr.
PRESIDENT OF
THE SENATE

Vanessa Reilly
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Esther van Mourik
SECRETARY OF
THE SENATE

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO