A BILL FOR AN ACT

CONCERNING IMPROVING DECISION-MAKING TO ENHANCE POSTSECONDARY STUDENT SUCCESS.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at http://leg.colorado.gov/.)

The bill requires the Colorado commission on higher education (commission) to enact a policy directing the department of higher education (department) to develop student success measures that measure the progression of students through postsecondary education and the impact of postsecondary pathways on a student's career opportunities and success. The student success measures must include postsecondary
success measures and workforce success measures.

The bill requires the department to create and maintain a statewide student success data system that includes institution-specific interfaces and a public interface. The data system includes student success information aligned with the student success measures. An institution interface includes student success data that is more timely, more granular, appears in a different format, or includes functionality that is different from information provided on the public interface. The public interface must allow a user to view and compare student workforce success information for specific institutions of higher education in Colorado. The commission determines the information included in the public interface and how that information is disaggregated by various student populations, such as populations identified by race, ethnicity, gender, and socioeconomic factors. The bill requires the commission to use the data included in the institution and statewide data system to examine educational and workforce success disparities among various student populations.

The department may enter into an agreement with a third party to create and maintain the data system. The bill requires the department to update and modernize its data collection systems to facilitate the collection of student success data. The bill requires the general assembly to appropriate $3 million to create the data system.

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) The COVID-19 pandemic created economic disruption across almost every industry, posing significant challenges to students pursuing postsecondary education in preparation to enter the job market and build their careers;

(b) With the infusion of one-time federal funds, Colorado has a unique opportunity to drive improvements in the education-to-career pipeline and put higher education and workforce development at the center of the economic recovery agenda;

(c) By using these funds to address near-term needs, Colorado can invest in structural solutions and make progress on a long-term vision for
postsecondary success;

(d) Information about higher education in Colorado is limited for the public and consumers, including students and the people who may employ them;

(e) Improving statewide education and workforce outcomes is contingent upon data-informed decision-making made possible with publicly accessible data;

(f) The task force created pursuant to House Bill 21-1330, enacted in 2021, recommended investing in a statewide data system to enhance public transparency of postsecondary and workforce data, with the ultimate goal of maintaining a longitudinal framework to connect K-12, postsecondary, and workforce data; and

(g) A data system will better equip faculty, staff, and leadership at postsecondary institutions with granular, timely data to inform decision-making; uncover equity gaps; increase student success; and identify, communicate, and showcase promising practices.

(2) Therefore, the general assembly declares that the creation of a statewide student success data system will provide institutions of higher education with actionable metrics of student success and make available robust economic opportunity data to empower students as they navigate all available education and training options.

SECTION 2. In Colorado Revised Statutes, add 23-1-139 as follows:

23-1-139. Commission directive - statewide student success measures - definitions. (1) (a) No later than December 31, 2022, the commission shall enact a policy directing the department to develop student success measures that measure the progression
OF STUDENTS THROUGH POSTSECONDARY EDUCATION AND THE IMPACT OF
POSTSECONDARY PATHWAYS ON A STUDENT'S CAREER OPPORTUNITIES AND
SUCCESS.

(b) THE STUDENT SUCCESS MEASURES MUST INCLUDE
POSTSECONDARY SUCCESS MEASURES AND WORKFORCE SUCCESS
MEASURES. POSTSECONDARY SUCCESS MEASURES INCLUDE, BUT ARE NOT
LIMITED TO, CREDIT ACCUMULATION, COURSE PASSAGE, COST OF
ATTENDANCE, RETENTION RATES, CREDENTIAL COMPLETION RATES,
STUDENT SUPPORT ACCESS AND EFFECTIVENESS, GRADUATE PROGRAM
ENROLLMENT, AND STUDENT MOBILITY. WORKFORCE SUCCESS MEASURES
INCLUDE, BUT ARE NOT LIMITED TO, POSTSECONDARY EMPLOYMENT
OUTCOMES FOR STUDENTS, JOB PLACEMENTS, EARNINGS, AND THE LENGTH
OF TIME IT TAKES A STUDENT TO RECOUP THE COST OF COMPLETING A
CREDENTIAL AT AN INSTITUTION BASED ON THE STUDENT'S INCREASED
EARNINGS, KNOWN AS THE PRICE-TO-EARNINGS PREMIUM. THE
COMMISSION SHALL DETERMINE WHICH SPECIFIC POSTSECONDARY AND
WORKFORCE SUCCESS MEASURES ARE INCLUDED IN ITS POLICY.

(2) (a) IN DEVELOPING THE STUDENT SUCCESS MEASURES, THE
DEPARTMENT SHALL COLLABORATE WITH THE COMMISSION, INSTITUTIONS
OF HIGHER EDUCATION, THE COLORADO WORKFORCE DEVELOPMENT
COUNCIL, THE DEPARTMENT OF LABOR AND EMPLOYMENT, THE
DEPARTMENT OF EDUCATION, AND THE OFFICE OF ECONOMIC
DEVELOPMENT AND INTERNATIONAL TRADE.

(b) THE DEPARTMENT, IN CONSULTATION WITH INSTITUTIONS OF
HIGHER EDUCATION AND SUBJECT TO THE APPROVAL OF THE COMMISSION,
SHALL DETERMINE THE METHODOLOGY USED TO CALCULATE THE
MEASURES.
SECTION 3. In Colorado Revised Statutes, add 23-1-140 as follows:

23-1-140. Student success data system - student success data transparency - appropriation - definition - repeal. (1) As used in this section, unless the context otherwise requires, "institution of higher education" or "institution" means the state institutions, as defined in section 23-18-102 (10)(a), the local district colleges, and the area technical colleges.

(2) (a) The department shall create and maintain a statewide data system of student success information to enhance data-based decision-making by institutions and the public in order to increase student success using the student success measures determined by the commission. The data system includes institution interfaces described in subsection (3) of this section and a public interface. The data system must have the functionality to be developed into a longitudinal data system over time that connects K-12, postsecondary, and workforce information.

(b) (I) The commission shall provide guidance to the department on the information that should be included in the data system to align the data system with the student success measures developed pursuant to section 23-1-139.

(II) Each institution shall report postsecondary success information to the department that the department determines necessary for inclusion in the statewide data system.

(III) The department shall obtain student workforce data necessary for the data system by the best means possible,
INCLUDING OBTAINING EMPLOYMENT INFORMATION AND EARNINGS FROM
THE DEPARTMENT OF LABOR AND EMPLOYMENT, THE COLORADO
WORKFORCE DEVELOPMENT COUNCIL, OR ANY OTHER INITIATIVE OR
DATA-SHARING PLATFORM THAT ALLOWS THE DEPARTMENT TO OBTAIN
WORKFORCE DATA.

(c) In developing the data system, the department shall
collaborate with the Colorado workforce development
council, the department of labor and employment, the
department of education, and the office of economic
development and international trade.

(d) The department may enter into an agreement with a
third party to create and maintain the data system and any
materials derived from the system. If the department enters into
an agreement with a third party, the department shall ensure
that both the department and the third party comply with all
state and federal laws and regulations concerning the privacy
of student information, including the federal "Family
1232g, as amended.

(3) (a) The department shall work with an institution to
include information on an interface that is internal to that
institution. Information available on an institution interface
may provide student success data that is more timely, more
granular, appears in a different format, or includes
functionality that is different from information provided on the
public interface.

(b) If an institution maintains or intends to create its own
DATA SYSTEM THAT ALIGNS WITH THE GOALS OF THE STATEWIDE DATA
SYSTEM AND THE DEPARTMENT DETERMINES THAT THERE IS SUFFICIENT
ALIGNMENT, THE DEPARTMENT MAY, WITH THE APPROVAL OF THE
COMMISSION, ALLOCATE MONEY TO THE INSTITUTION FOR THE CREATION,
IMPROVEMENT, OR MAINTENANCE OF THE INSTITUTION'S DATA SYSTEM
INSTEAD OF CREATING AN INTERFACE THAT IS INTERNAL TO THAT
INSTITUTION. THE DEPARTMENT SHALL NOT ALLOCATE TO THE
INSTITUTION AN AMOUNT GREATER THAN THE COST TO THE DEPARTMENT
FOR CREATING AN INTERFACE THAT IS INTERNAL TO THE INSTITUTION. AN
INSTITUTION THAT RECEIVES AN ALLOCATION IS NOT EXEMPT FROM THE
REQUIREMENT TO REPORT STUDENT EDUCATIONAL SUCCESS INFORMATION
TO THE DEPARTMENT PURSUANT TO SUBSECTION (2)(b)(II) OF THIS
SECTION.

(4) THE PUBLIC INTERFACE OF THE DATA SYSTEM INCLUDES
STUDENT SUCCESS INFORMATION THAT IS ALIGNED WITH THE STUDENT
SUCCESS MEASURES DEVELOPED PURSUANT TO SECTION 23-1-139. THE
COMMISSION SHALL DETERMINE THE SPECIFIC STUDENT SUCCESS
INFORMATION THAT MUST BE INCLUDED IN THE PUBLIC INTERFACE,
INCLUDING DETERMINING HOW THE INFORMATION IS DISAGGREGATED BY
STUDENT POPULATIONS, INCLUDING POPULATIONS IDENTIFIED BY RACE,
ETHNICITY, GENDER, FIRST-GENERATION STATUS, AND SOCIOECONOMIC
FACTORS. THE PUBLIC INTERFACE MUST ALLOW A USER TO CONDUCT AN
INTERACTIVE SEARCH TO VIEW AND COMPARE STUDENT SUCCESS
INFORMATION FOR SPECIFIC INSTITUTIONS AND CREDENTIAL PROGRAMS SO
THAT THE USER MAY MAKE INFORMED DECISIONS REGARDING THE
ECONOMIC OPPORTUNITY AND TRADEOFFS OF VARIOUS EDUCATIONAL AND
CAREER TRAINING OPTIONS. THE DEPARTMENT SHALL UPDATE THE DATA
IN THE PUBLIC INTERFACE AS FREQUENTLY AS PRACTICABLE, BUT AT LEAST
ANNUALLY, TO ENSURE THAT COLORADO STUDENTS AND THE PUBLIC HAVE
THE MOST RELEVANT AND CURRENT INFORMATION AVAILABLE.

(5) THE COMMISSION SHALL, IN COLLABORATION WITH THE OFFICE
IN THE DEPARTMENT THAT IS RESPONSIBLE FOR DEVELOPING POLICY TO
REMOVE EQUITY GAPS IN POSTSECONDARY EDUCATION IN COLORADO, USE
THE DATA INCLUDED IN THE INSTITUTION AND STATEWIDE DATA SYSTEM
TO EXAMINE EDUCATIONAL AND WORKFORCE SUCCESS DISPARITIES
AMONG VARIOUS STUDENT POPULATIONS, INCLUDING POPULATIONS
IDENTIFIED BY RACE, ETHNICITY, GENDER, FIRST-GENERATION STATUS,
AND SOCIOECONOMIC FACTORS.

(6) IN ORDER TO FACILITATE THE COLLECTION OF STUDENT
SUCCESS DATA AND INFORMATION FROM INSTITUTIONS OF HIGHER
EDUCATION, THE DEPARTMENT SHALL UPDATE AND MODERNIZE ITS DATA
COLLECTION SYSTEMS, INCLUDING ITS STUDENT-UNIT RECORD DATA
SYSTEM.

(7) ON OR BEFORE JANUARY 15, 2023, AND ON OR BEFORE
JANUARY 15, 2024, THE COMMISSION SHALL SUBMIT A REPORT TO THE
HOUSE OF REPRESENTATIVES EDUCATION COMMITTEE AND SENATE
EDUCATION COMMITTEE ON THE WORK REQUIRED AND ANY BARRIERS
IDENTIFIED, INCLUDING RECOMMENDATIONS FOR LEGISLATIVE CHANGES
NECESSARY, TO DELIVER A STATEWIDE LONGITUDINAL DATA SYSTEM THAT
CONNECTS K-12, POSTSECONDARY EDUCATION, AND WORKFORCE
INFORMATION.

(8) (a) FOR THE 2022-23 STATE FISCAL YEAR, THE GENERAL
ASSEMBLY SHALL APPROPRIATE THREE MILLION DOLLARS FROM THE
WORKERS, EMPLOYERS, AND WORKFORCE CENTERS CASH FUND CREATED

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IN SECTION 24-75-231 TO THE DEPARTMENT FOR THE PURPOSES OF THIS
SECTION, THE MONEY APPROPRIATED PURSUANT TO THIS SUBSECTION (8)
MUST BE FROM THE MONEY IN THE WORKERS, EMPLOYERS, AND
WORKFORCE CENTERS CASH FUND THAT ORIGINATED FROM THE GENERAL
FUND. ANY UNEXPENDED OR UNENCUMBERED MONEY APPROPRIATED
PURSUANT TO THIS SECTION REMAINS AVAILABLE FOR EXPENDITURE FOR
THE SAME PURPOSE IN THE 2023-24 STATE FISCAL YEAR WITHOUT FURTHER
APPROPRIATION.

(b) THIS SUBSECTION (8) IS REPEALED, EFFECTIVE DECEMBER 31,
2024.

SECTION 4. 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; 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 2022 and, in such case, will take effect on the date of the
official declaration of the vote thereon by the governor.