

**First Regular Session
Sixty-sixth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 07-0587.01 Jane Ritter

HOUSE BILL 07-1270

HOUSE SPONSORSHIP

Stephens, Summers, Cadman, Looper, Marostica, and Massey

SENATE SPONSORSHIP

(None),

House Committees

Education
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING A COMPREHENSIVE REVIEW OF THE STATE'S**
102 **EDUCATIONAL DATA INFRASTRUCTURE, AND MAKING AN**
103 **APPROPRIATION THEREFOR.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Authorizes the department of education ("department") to contract with a third party to conduct a comprehensive review and study ("study") of the state's educational data collections and infrastructure. Requires the third party to begin the study no later than July 1, 2007, and to complete the study no later than December 1, 2007. Requires the third party to report its findings and recommendations to the state board of education

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

("state board"). Requires the state board to report the third party's findings to the education committees of the house of representatives and senate. Requires the state board to seek legislation or budget requests in future legislative sessions if necessary to implement the recommendations of the study.

Repeals the act, effective July 1, 2008.

Makes an appropriation.

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

2 **SECTION 1. Legislative declaration.** The general assembly and
3 the state board of education recognize that data-based decision making,
4 as well as efficiency in the collection and reporting of education data, is
5 of the utmost importance to the state department of education as well as
6 Colorado's one hundred seventy-eight school districts. The general
7 assembly and the state board of education also recognize the need for a
8 comprehensive review and study of Colorado's educational data systems
9 within the state department and the school districts. This comprehensive
10 review and study will require focus and full-time attention to provide
11 recommendations and proposed solutions that are timely and reflective of
12 the needs of all parties involved and can best be accomplished by a
13 third-party reviewer. The general assembly further finds that the
14 comprehensive review and study of Colorado's educational data systems
15 should include information on the requirements and ease with which
16 existing data is collected, the hardware and software being used at the
17 local and state levels, and the capability of school districts to share data
18 with each other and to better access appropriate state-level data.

19 **SECTION 2.** Article 2 of title 22, Colorado Revised Statutes, is
20 amended BY THE ADDITION OF A NEW SECTION to read:

21 **22-2-129. Data technology system - comprehensive review -**
22 **requirements - report - repeal.** (1) AS USED IN THIS SECTION, UNLESS

1 THE CONTEXT OTHERWISE REQUIRES, "CURRENT DATA TECHNOLOGY
2 SYSTEM" MEANS THE DATA TECHNOLOGY SYSTEM OR SYSTEMS IN USE BY
3 THE DEPARTMENT AS OF THE EFFECTIVE DATE OF THIS SECTION.

4 (2) WITHIN SIXTY DAYS AFTER THE EFFECTIVE DATE OF THIS
5 SECTION, THE DEPARTMENT SHALL ISSUE A REQUEST FOR PROPOSALS FOR
6 A COMPREHENSIVE ASSESSMENT OF THE DEPARTMENT'S CURRENT DATA
7 TECHNOLOGY SYSTEM. THE ASSESSMENT SHALL PROVIDE A BASELINE
8 INDICATING THE CURRENT DATA TECHNOLOGY SYSTEM'S CAPABILITIES
9 AND SHALL CLEARLY IDENTIFY THE SPECIFIC AREAS IN NEED OF
10 IMPROVEMENT. AT A MINIMUM, THE ASSESSMENT SHALL INCLUDE THE
11 FOLLOWING:

12 (a) A REVIEW OF THE LEVEL OF STAFFING AND SUPPORT PROVIDED
13 BY THE DEPARTMENT TO SCHOOL DISTRICTS AND PUBLIC SCHOOLS IN THE
14 AREAS OF DATA COLLECTION AND DATA TECHNOLOGY;

15 (b) A SURVEY OF SCHOOL DISTRICTS, PUBLIC SCHOOLS, VENDORS
16 OF DISTRICT INFORMATION MANAGEMENT SYSTEMS, AND OTHERS WHO USE
17 THE CURRENT DATA TECHNOLOGY SYSTEM;

18 (c) A DETERMINATION OF THE STATUS OF THE INTEROPERABILITY
19 FRAMEWORK OF DATABASES FOR APPLICABILITY TO A STATEWIDE
20 AUTOMATED TRANSACTIONAL DATA EXCHANGE SYSTEM; AND

21 (d) ASSESSMENT OF THE DATA CAPACITIES, REPORTING ACCESS,
22 AND DATA EXCHANGE SYSTEMS WITHIN THE CURRENT DATA TECHNOLOGY
23 SYSTEM.

24 (3) THE REQUEST FOR PROPOSALS SHALL REQUIRE THE
25 CONTRACTOR THAT THE DEPARTMENT SELECTS TO PERFORM THE
26 ASSESSMENT TO INCLUDE A REVIEW THAT EXAMINES AND ADDRESSES THE
27 FOLLOWING ISSUES AND AREAS AS THEY APPLY TO THE CURRENT DATA

1 TECHNOLOGY SYSTEM:

2 (a) THE SERVICES, APPLICATIONS, ARCHITECTURE, SYSTEM
3 SECURITY, RESOURCES, AND ASSOCIATED INFORMATION TECHNOLOGY
4 PERSONNEL;

5 (b) A CUSTOMER SERVICE SURVEY OF SCHOOL DISTRICTS AND
6 PUBLIC SCHOOLS REGARDING DATA SUPPORT, COMPATIBILITY, AND
7 CONCERNS FROM SCHOOL DISTRICTS AND PUBLIC SCHOOLS ABOUT THE
8 CURRENT DATA TECHNOLOGY SYSTEM AND PRACTICES; AND

9 (c) ESTIMATION OF THE COSTS OF THE CURRENT DATA
10 TECHNOLOGY SYSTEM, INCLUDING PERSONNEL AND TRAINING FOR
11 PERSONNEL WITHIN THE DEPARTMENT, SCHOOL DISTRICTS, AND PUBLIC
12 SCHOOLS.

13 (4) THE FINAL ASSESSMENT REPORT FROM THE SELECTED
14 CONTRACTOR SHALL INCLUDE RECOMMENDATIONS PERTAINING TO THE
15 FOLLOWING ISSUES:

16 (a) PROTECTION AND SECURITY OF DEPARTMENT, SCHOOL
17 DISTRICT, PUBLIC SCHOOL, AND STUDENT DATA;

18 (b) POLICIES FOR THE PROTECTION OF THE PRIVACY OF STUDENT
19 DATA IN COMPLIANCE WITH THE FEDERAL "FAMILY EDUCATION RIGHTS
20 AND PRIVACY ACT OF 1974", 20 U.S.C. SEC. 1232g;

21 (c) MINIMIZATION OF DUPLICATION OF EFFORT, SERVICES, AND
22 RESOURCES;

23 (d) ELIMINATION OF INEFFICIENT AND COSTLY REDUNDANCIES
24 WITHIN THE CURRENT DATA TECHNOLOGY SYSTEM;

25 (e) IDENTIFICATION OF WHICH SERVICES, IF ANY, SHOULD BE
26 RESTRUCTURED, ELIMINATED, OR EXPANDED;

27 (f) ELIMINATION OF NON-COMPATIBLE STANDARDS AND

1 ARCHITECTURES;

2 (g) IDENTIFICATION OF A PROCESS FOR TRANSFERRING
3 MANAGEMENT OF COMPUTER OPERATIONS TO A CHIEF INFORMATION
4 OFFICER WITHIN THE DEPARTMENT WHO IS RESPONSIBLE FOR OVERSEEING
5 ALL DATA COLLECTION ISSUES AND REQUIREMENTS;

6 (h) EVALUATION OF THE COMPLEXITY AND RISKS OF MANAGING A
7 COMPLEX DISTRIBUTED COMPUTING ENVIRONMENT, INCLUDING BUT NOT
8 LIMITED TO SYSTEM SECURITY, EXPOSURE TO DATA LOSS, AND VIRUS
9 PROTECTION; AND

10 (i) IDENTIFICATION OF ISSUES AND TRENDS IN TECHNOLOGY THAT
11 MAY AFFECT THE DEPARTMENT'S TECHNOLOGY INFRASTRUCTURE AND
12 LONG-TERM ARCHITECTURE.

13 (5) ON OR BEFORE DECEMBER 1, 2007 THE DEPARTMENT SHALL
14 REPORT THE FINDINGS AND RECOMMENDATIONS OF THE ASSESSMENT
15 COMPLETED PURSUANT TO THIS SECTION TO THE STATE BOARD; THE
16 EDUCATION COMMITTEES OF THE SENATE AND HOUSE OF
17 REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES; THE GOVERNOR;
18 SCHOOL DISTRICTS; THE EDUCATIONAL DATA ADVISORY COMMITTEE
19 CREATED IN SECTION 22-2-116; AND THE STATE CHARTER SCHOOL
20 INSTITUTE. THE DEPARTMENT SHALL ALSO MAKE THE REPORT AVAILABLE
21 TO THE PUBLIC. THE DEPARTMENT SHALL INCLUDE WITH THE FINDINGS
22 AND RECOMMENDATIONS RESPONSES TO THE ISSUES IDENTIFIED IN THE
23 ASSESSMENT AND POTENTIAL SOLUTIONS OR RECOMMENDATIONS
24 CONCERNING THE FINDINGS AND RECOMMENDATIONS.

25 (6) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2008.

26

27 **SECTION 3. Appropriation.** In addition to any other

1 appropriation, there is hereby appropriated, out of any moneys in the
2 general fund not otherwise appropriated, to the department of education,
3 for the fiscal year beginning July 1, 2007, the sum of one hundred
4 thousand dollars (\$100,000), or so much thereof as may be necessary, for
5 the implementation of this act.

6 **SECTION 4. Safety clause.** The general assembly hereby finds,
7 determines, and declares that this act is necessary for the immediate
8 preservation of the public peace, health, and safety.