

Second Regular Session
Sixty-fifth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 06-0358.01 Jane Ritter

SENATE BILL 06-024

SENATE SPONSORSHIP

Spence

HOUSE SPONSORSHIP

(None)

Senate Committees
Education

House Committees

A BILL FOR AN ACT

101 CONCERNING STUDENT DATA FROM THE ELEMENTARY TO SECONDARY
102 EDUCATION SYSTEM THROUGH THE POSTSECONDARY
103 EDUCATION SYSTEM.

Bill Summary

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

Beginning in July 1, 2007, for students who attended high school in Colorado, requires a postsecondary institution that is eligible for the college opportunity fund program to begin using as the student's primary identifier the unique identification number assigned to the student while enrolled in the elementary to secondary education system in Colorado.

Directs the Colorado commission on higher education and the state

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.

board of education to enter into a memorandum of understanding to share student data in conformance with the federal "Family Educational Rights and Privacy Act of 1974".

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

2 **SECTION 1.** 23-5-127, Colorado Revised Statutes, is amended
3 BY THE ADDITION OF A NEW SUBSECTION to read:

4 **23-5-127. Unique student identifier - social security number**
5 **- prohibition.** (4) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH
6 (b) OF SUBSECTION (3) OF THIS SECTION, ON AND AFTER JULY 1, 2007, FOR
7 EACH STUDENT WHO GRADUATES FROM OR WAS ENROLLED IN A
8 COLORADO HIGH SCHOOL, A POSTSECONDARY INSTITUTION IN COLORADO
9 THAT IS ELIGIBLE FOR THE COLLEGE OPPORTUNITY FUND PROGRAM
10 CREATED IN SECTION 23-18-201 SHALL USE THE UNIQUE STUDENT
11 IDENTIFIER ASSIGNED, IN ACCORDANCE WITH RULES ADOPTED PURSUANT
12 TO SECTION 22-7-603.5, C.R.S., TO THE STUDENT WHILE HE OR SHE WAS
13 ENROLLED IN THE ELEMENTARY TO SECONDARY EDUCATION SYSTEM AS
14 THE STUDENT'S UNIQUE STUDENT IDENTIFIER AT THE POSTSECONDARY
15 INSTITUTION.

16 **SECTION 2.** Article 1 of title 23, Colorado Revised Statutes, is
17 amended BY THE ADDITION OF A NEW SECTION to read:

18 **23-1-109.3. Duties and powers of the commission with regard**
19 **to student data - memorandum of understanding.** NOTWITHSTANDING
20 THE PROVISIONS OF SECTION 22-2-111 (3) (a), C.R.S., THE COMMISSION
21 SHALL ENTER INTO A MEMORANDUM OF UNDERSTANDING ON OR BEFORE
22 SEPTEMBER 1, 2006, WITH THE STATE BOARD OF EDUCATION TO ADOPT A
23 POLICY TO SHARE STUDENT DATA. AT A MINIMUM, THE POLICY SHALL
24 ENSURE THAT THE EXCHANGE OF INFORMATION IS CONDUCTED IN

1 CONFORMANCE WITH THE REQUIREMENTS OF THE FEDERAL "FAMILY
2 EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974", AS AMENDED, 20
3 U.S.C. SEC. 1232g, AND ALL FEDERAL REGULATIONS AND APPLICABLE
4 GUIDELINES ADOPTED IN ACCORDANCE THEREWITH.

5 **SECTION 3.** Part 1 of article 2 of title 22, Colorado Revised
6 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
7 read:

8 **22-2-106.5. State board - duties with regard to student data -**
9 **memorandum of understanding.** NOTWITHSTANDING THE PROVISIONS
10 OF SECTION 22-2-111 (3) (a), THE STATE BOARD SHALL ENTER INTO A
11 MEMORANDUM OF UNDERSTANDING ON OR BEFORE SEPTEMBER 1, 2006,
12 WITH THE COLORADO COMMISSION ON HIGHER EDUCATION TO ADOPT A
13 POLICY TO SHARE STUDENT DATA. AT A MINIMUM, THE POLICY SHALL
14 ENSURE THAT THE EXCHANGE OF INFORMATION IS CONDUCTED IN
15 CONFORMANCE WITH THE REQUIREMENTS OF THE FEDERAL "FAMILY
16 EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974", AS AMENDED, 20
17 U.S.C. SEC. 1232g, AND ALL FEDERAL REGULATIONS AND APPLICABLE
18 GUIDELINES ADOPTED IN ACCORDANCE THEREWITH.

19 **SECTION 4. Effective date.** This act shall take effect July 1,
20 2006.

21 **SECTION 5. Safety clause.** The general assembly hereby finds,
22 determines, and declares that this act is necessary for the immediate
23 preservation of the public peace, health, and safety.