

Second Regular Session  
Sixty-fifth General Assembly  
STATE OF COLORADO

**REENGROSSED**

*This Version Includes All Amendments  
Adopted in the House of Introduction*

LLS NO. 06-0358.01 Jane Ritter

**SENATE BILL 06-024**

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**SENATE SPONSORSHIP**

**Spence,**

**HOUSE SPONSORSHIP**

**Paccione,**

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**Senate Committees**

Education  
Appropriations

**House Committees**

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**A BILL FOR AN ACT**

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

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**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.*

SENATE  
3rd Reading Unamended  
March 29, 2006

SENATE  
Amended 2nd Reading  
March 28, 2006

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".

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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) (a) NOTWITHSTANDING THE PROVISIONS OF  
6 PARAGRAPH (b) OF SUBSECTION (3) OF THIS SECTION,      FOR EACH  
7 STUDENT WHO GRADUATES FROM OR WAS ENROLLED IN A COLORADO HIGH  
8 SCHOOL, A POSTSECONDARY INSTITUTION IN COLORADO THAT IS ELIGIBLE  
9 FOR THE COLLEGE OPPORTUNITY FUND PROGRAM CREATED IN SECTION  
10 23-18-201 SHALL USE THE UNIQUE STUDENT IDENTIFIER ASSIGNED, IN  
11 ACCORDANCE WITH RULES ADOPTED PURSUANT TO SECTION 22-7-603.5,  
12 C.R.S., TO THE STUDENT WHILE HE OR SHE WAS ENROLLED IN THE  
13 ELEMENTARY TO SECONDARY PUBLIC EDUCATION SYSTEM, INCLUDING  
14 PUBLIC PRE-KINDERGARTEN PROGRAMS, AS AN ALTERNATIVE STUDENT  
15 IDENTIFIER AT THE POSTSECONDARY INSTITUTION.

16 (b) ADAMS STATE COLLEGE, MESA STATE COLLEGE, WESTERN  
17 STATE COLLEGE, AND METROPOLITAN STATE COLLEGE SHALL IMPLEMENT  
18 THE PROVISIONS OF PARAGRAPH (a) OF THIS SUBSECTION (4) ON OR BEFORE  
19 JULY 1, 2007. ALL OTHER POSTSECONDARY INSTITUTIONS SHALL  
20 IMPLEMENT THE PROVISIONS OF PARAGRAPH (a) OF THIS SUBSECTION (4)  
21 ON OR BEFORE JULY 1, 2009.

22 **SECTION 2.** 22-7-603.5 (4), Colorado Revised Statutes, is  
23 amended to read:

1           **22-7-603.5. Legislative declaration - measurement of value**  
2           **added to academic progress.** (4) The state board may adopt rules  
3           necessary for implementation and administration of this section including,  
4           but not limited to, provisions to uniquely identify individual students,  
5           INCLUDING STUDENTS ENROLLED IN THE COLORADO PRESCHOOL  
6           PROGRAM, CREATED PURSUANT TO SECTION 22-28-104.

7           **SECTION 3.** Article 1 of title 23, Colorado Revised Statutes, is  
8           amended BY THE ADDITION OF A NEW SECTION to read:

9           **23-1-109.3. Duties and powers of the commission with regard**  
10          **to student data - memorandum of understanding.** NOTWITHSTANDING  
11          THE PROVISIONS OF SECTION 22-2-111 (3) (a), C.R.S., THE COMMISSION  
12          SHALL ENTER INTO A MEMORANDUM OF UNDERSTANDING ON OR BEFORE  
13          SEPTEMBER 1, 2006, WITH THE STATE BOARD OF EDUCATION TO ADOPT A  
14          POLICY TO SHARE STUDENT DATA. AT A MINIMUM, THE POLICY SHALL  
15          ENSURE THAT THE EXCHANGE OF INFORMATION IS CONDUCTED IN  
16          CONFORMANCE WITH THE REQUIREMENTS OF THE FEDERAL "FAMILY  
17          EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974", AS AMENDED, 20  
18          U.S.C. SEC. 1232g, AND ALL FEDERAL REGULATIONS AND APPLICABLE  
19          GUIDELINES ADOPTED IN ACCORDANCE THEREWITH. THE POLICY SHALL  
20          ADDITIONALLY REQUIRE THE COMMISSION, UPON REQUEST, TO SHARE  
21          STUDENT DATA WITH QUALIFIED RESEARCHERS. FOR PURPOSES OF THIS  
22          SECTION, QUALIFIED RESEARCHERS SHALL INCLUDE, BUT NEED NOT BE  
23          LIMITED TO, INSTITUTIONS OF HIGHER EDUCATION, SCHOOL DISTRICTS, AND  
24          PUBLIC POLICY RESEARCH AND ADVOCACY ORGANIZATIONS.

25          **SECTION 4.** Part 1 of article 2 of title 22, Colorado Revised  
26          Statutes, is amended BY THE ADDITION OF A NEW SECTION to  
27          read:

1           **22-2-106.5. State board - duties with regard to student data -**  
2 **memorandum of understanding.** NOTWITHSTANDING THE PROVISIONS  
3 OF SECTION 22-2-111 (3) (a), THE STATE BOARD SHALL ENTER INTO A  
4 MEMORANDUM OF UNDERSTANDING ON OR BEFORE SEPTEMBER 1, 2006,  
5 WITH THE COLORADO COMMISSION ON HIGHER EDUCATION TO ADOPT A  
6 POLICY TO SHARE STUDENT DATA. AT A MINIMUM, THE POLICY SHALL  
7 ENSURE THAT THE EXCHANGE OF INFORMATION IS CONDUCTED IN  
8 CONFORMANCE WITH THE REQUIREMENTS OF THE FEDERAL "FAMILY  
9 EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974", AS AMENDED, 20  
10 U.S.C. SEC. 1232g, AND ALL FEDERAL REGULATIONS AND APPLICABLE  
11 GUIDELINES ADOPTED IN ACCORDANCE THEREWITH. THE POLICY SHALL  
12 ADDITIONALLY REQUIRE THE STATE BOARD, UPON REQUEST, TO SHARE  
13 STUDENT DATA WITH QUALIFIED RESEARCHERS. FOR PURPOSES OF THIS  
14 SECTION, QUALIFIED RESEARCHERS SHALL INCLUDE, BUT NEED NOT BE  
15 LIMITED TO, INSTITUTIONS OF HIGHER EDUCATION, SCHOOL DISTRICTS, AND  
16 PUBLIC POLICY RESEARCH AND ADVOCACY ORGANIZATIONS.

17           **SECTION 5. Effective date.** This act shall take effect July 1,  
18 2006.

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