

**Second Regular Session
Sixty-fifth General Assembly
STATE OF COLORADO**

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 06-0358.01 Jane Ritter

SENATE BILL 06-024

SENATE SPONSORSHIP

Spence,

HOUSE SPONSORSHIP

Paccione,

Senate Committees

Education
Appropriations

House Committees

Education

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.

HOUSE
2nd Reading Unamended
April 11, 2006

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".

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.