

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

PREAMENDED

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

LLS NO. 06-0358.01 Jane Ritter

SENATE BILL 06-024

SENATE SPONSORSHIP

Spence

HOUSE SPONSORSHIP

(None)

Senate Committees

Education

Appropriations

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".

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

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

**23-5-127. Unique student identifier - social security number
- prohibition.** (4) (a) NOTWITHSTANDING THE PROVISIONS OF
PARAGRAPH (b) OF SUBSECTION (3) OF THIS SECTION, FOR EACH
STUDENT WHO GRADUATES FROM OR WAS ENROLLED IN A COLORADO HIGH
SCHOOL, A POSTSECONDARY INSTITUTION IN COLORADO THAT IS ELIGIBLE
FOR THE COLLEGE OPPORTUNITY FUND PROGRAM CREATED IN SECTION
23-18-201 SHALL USE THE UNIQUE STUDENT IDENTIFIER ASSIGNED, IN
ACCORDANCE WITH RULES ADOPTED PURSUANT TO SECTION 22-7-603.5,
C.R.S., TO THE STUDENT WHILE HE OR SHE WAS ENROLLED IN THE
ELEMENTARY TO SECONDARY EDUCATION SYSTEM, INCLUDING THE
COLORADO PRESCHOOL PROGRAM, AS AN ALTERNATIVE STUDENT
IDENTIFIER AT THE POSTSECONDARY INSTITUTION.

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

SECTION 2. 22-7-603.5 (4), Colorado Revised Statutes, is
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 2.** 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.

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

23 **22-2-106.5. State board - duties with regard to student data -**
24 **memorandum of understanding.** NOTWITHSTANDING THE PROVISIONS
25 OF SECTION 22-2-111 (3) (a), THE STATE BOARD SHALL ENTER INTO A
26 MEMORANDUM OF UNDERSTANDING ON OR BEFORE SEPTEMBER 1, 2006,
27 WITH THE COLORADO COMMISSION ON HIGHER EDUCATION TO ADOPT A

1 POLICY TO SHARE STUDENT DATA. AT A MINIMUM, THE POLICY SHALL
2 ENSURE THAT THE EXCHANGE OF INFORMATION IS CONDUCTED IN
3 CONFORMANCE WITH THE REQUIREMENTS OF THE FEDERAL "FAMILY
4 EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974", AS AMENDED, 20
5 U.S.C. SEC. 1232g, AND ALL FEDERAL REGULATIONS AND APPLICABLE
6 GUIDELINES ADOPTED IN ACCORDANCE THEREWITH.

7 **SECTION 4. Effective date.** This act shall take effect July 1,
8 2006.

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