

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

PREAMENDED

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

LLS NO. 26-0247.01 Chelsea Princell x4335

HOUSE BILL 26-1006

HOUSE SPONSORSHIP

Velasco and Martinez,

SENATE SPONSORSHIP

Roberts,

House Committees

Education
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE DESIGNATION OF STATE INSTITUTIONS OF HIGHER**
102 **EDUCATION AS THRIVING INSTITUTIONS.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill requires the department of higher education (department) to:

- Identify institutions of higher education (institutions) that meet the definition and outcome standards to be designated as a thriving institution;
- Notify each institution that meets the outcome standards to

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

be designated as a thriving institution and request the institution to respond within 10 calendar days with the institution's decision of whether to be recognized as a thriving institution;

- Post on the department's website the names of the institutions that earn a thriving institution designation and agree to be listed as a thriving institution; and
- Notify the general assembly of the names of the institutions that are recognized as thriving institutions.

The bill requires the department to establish an advisory committee to provide input to the department on the outcome and recognition standards, and continuous improvements set by the department to identify institutions that meet the requirements for one or more thriving institution designations.

The bill requires the advisory committee to submit a report to the department summarizing the outcome standards for thriving institution designations determined by the advisory committee, practices and continuous improvement efforts, and recommendations for policy or resource alignment to support the state's attainment and workforce goals. The department is required to include this report as part of its "SMART Act" hearing and submit the report to the Colorado commission on higher education and to each institution of higher education's governing board.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds and declares that:

4 (a) Expanding educational opportunities and improving outcomes
5 for historically underserved student populations, including Hispanic or
6 Latino students, first-generation students, students with low incomes,
7 adult learners, transfer students, and students attending colleges and
8 universities in rural areas, are compelling state interests that are critical
9 to Colorado's prosperity, civil vitality, and workforce talent pipeline;

10 (b) Recognition of institutional performance should be grounded
11 in student outcomes and performance rather than being based solely on
12 enrollment share;

13 (c) Increasing degree and credential attainment through student

1 persistence, retention, and successful transfers and aligning education and
2 training to labor market outcomes are necessary to achieve the state's
3 postsecondary attainment and workforce goals;

4 (d) The Colorado commission on higher education's strategic plan
5 calls for increasing the number of Coloradans with skills obtained while
6 in high school or through postsecondary education that, at a minimum,
7 result in lifetime earnings that exceed the cost of attendance; and

8 (e) Outcome-based state designations recognizing institutional
9 excellence provide policy continuity, promote accountability, and support
10 continuous improvement aligned with the state's attainment and
11 workforce goals.


12 **SECTION 2.** In Colorado Revised Statutes, **add** 23-1-144 as
13 follows:

14 **23-1-144. Thriving institution designations - advisory**
15 **committee - report - rules - definitions.**

16 (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
17 REQUIRES:

18 (a) "ADVISORY COMMITTEE" MEANS THE ADVISORY COMMITTEE
19 ON THRIVING INSTITUTION OUTCOMES CREATED PURSUANT TO SUBSECTION
20 (4) OF THIS SECTION.

21 (b) "INSTITUTION OF HIGHER EDUCATION" MEANS A PUBLIC
22 INSTITUTION OF HIGHER EDUCATION, INCLUDING A LOCAL DISTRICT
23 COLLEGE, AS DEFINED IN SECTION 23-71-102, AND AREA TECHNICAL
24 COLLEGES, AS DEFINED IN SECTION 23-60-103.

25 
26 (c) "LABOR MARKET OUTCOMES" MEANS THE INCOME EARNINGS
27 OF STUDENTS UPON POSTSECONDARY-EDUCATION COMPLETION

1 CATEGORIZED BY DEGREE USING EXISTING STATE OR FEDERAL DATA
2 ALREADY COLLECTED OR MAINTAINED BY THE DEPARTMENT.

3 (d) "RURAL CAMPUS" MEANS A CAMPUS OF AN INSTITUTION OF
4 HIGHER EDUCATION THAT:

5 (I) IS LOCATED IN A COUNTY DESIGNATED AS A NONMETROPOLITAN
6 OR MICROPOLITAN AREA BY THE UNITED STATES OFFICE OF MANAGEMENT
7 AND BUDGET;

8 (II) ENROLLS STUDENTS WHO GRADUATED FROM A RURAL SCHOOL
9 DISTRICT OR SMALL RURAL SCHOOL DISTRICT, AS THE TERMS ARE DEFINED
10 IN SECTION 22-2-146.5, AT A RATE DETERMINED BY THE ADVISORY
11 COMMITTEE; OR

12 (III) IS RURAL BASED ON GEOGRAPHIC ISOLATION, POPULATION
13 DENSITY, COMMUNITY, OR OTHER FACTORS, AS DETERMINED BY THE
14 ADVISORY COMMITTEE.

15 (e) "STUDENT SUCCESS EXPERT" MEANS AN INDIVIDUAL WITH
16 DEMONSTRATED EXPERTISE IN ASSISTING POSTSECONDARY STUDENTS
17 WITH SUCCESSFUL CREDENTIAL AND DEGREE COMPLETION OR
18 EVIDENCE-BASED PRACTICES TO CLOSE ATTAINMENT GAPS AMONG
19 HISTORICALLY UNDERSERVED STUDENT POPULATIONS.

20 (f) "THRIVING INSTITUTION DESIGNATION" MEANS A DESIGNATION
21 GRANTED TO A PUBLIC INSTITUTION OF HIGHER EDUCATION.

22 (2) A THRIVING INSTITUTION IS A PUBLIC INSTITUTION OF HIGHER
23 EDUCATION THAT DEMONSTRATES STRONG PERFORMANCE, AS DEFINED BY
24 THE DEPARTMENT WITH INPUT FROM THE ADVISORY COMMITTEE
25 ESTABLISHED IN SUBSECTION (5) OF THIS SECTION, FOR CERTAIN STUDENT
26 POPULATIONS, INSTITUTIONAL MISSIONS, OR WORKFORCE ROLES THAT ARE
27 RECOGNIZED IN:

1 (a) FEDERAL LAW, INCLUDING THOSE NOTED IN THE FEDERAL
2 "HIGHER EDUCATION ACT OF 1965", 20 U.S.C. SEC. 1001 AND 20 U.S.C.
3 SEC. 1057-1059d;

4 (b) FEDERAL STUDENT AID AND ACCOUNTABILITY PROGRAMS
5 AUTHORIZED PURSUANT TO 20 U.S.C. SEC. 1070a;

6 (c) THE FEDERAL WORKFORCE AND EDUCATION-TO-WORKFORCE
7 ACCOUNTABILITY FRAMEWORKS AUTHORIZED PURSUANT TO 29 U.S.C.
8 SEC. 3111 ET SEQ.;

9 (d) COLORADO STATUTES GOVERNING HIGHER EDUCATION,
10 WORKFORCE PROGRAMS, AND ADULT EDUCATION; AND

11 (e) FEDERAL OR STATE ACCOUNTABILITY, REPORTING, OR DATA
12 SYSTEMS AUTHORIZED BY STATUTE.

13 (3) (a) FOLLOWING THE ESTABLISHMENT OF THE INITIAL THRIVING
14 INSTITUTION DESIGNATIONS AND THE OUTCOME STANDARDS USED TO
15 INFORM THE THRIVING INSTITUTION DESIGNATIONS AS REQUIRED BY
16 SUBSECTION (5) OF THIS SECTION, AND WITHIN THIRTY DAYS AFTER THE
17 ANNUAL PUBLIC RELEASE OF ENROLLMENT, RETENTION, AND GRADUATION
18 DATA FROM EACH STATE INSTITUTION OF HIGHER EDUCATION IN 2027 AND
19 EACH YEAR THEREAFTER, THE DEPARTMENT, WITH INPUT FROM THE
20 ADVISORY COMMITTEE, IF THE ADVISORY COMMITTEE HAS SCHEDULED
21 MEETINGS FOR THAT CALENDAR YEAR, SHALL:

22 (I) IDENTIFY INSTITUTIONS OF HIGHER EDUCATION THAT MEET THE
23 OUTCOME STANDARDS IDENTIFIED IN SUBSECTION (4) OF THIS SECTION FOR
24 ONE OR MORE THRIVING INSTITUTION DESIGNATIONS;

25 (II) NOTIFY EACH INSTITUTION OF HIGHER EDUCATION THAT MEETS
26 THE OUTCOME STANDARDS IDENTIFIED IN SUBSECTION (4) OF THIS SECTION
27 FOR ONE OR MORE THRIVING INSTITUTION DESIGNATIONS AND REQUEST

1 THAT THE INSTITUTION OF HIGHER EDUCATION RESPOND WITHIN TEN
2 CALENDAR DAYS WITH A DECISION OF WHETHER THE INSTITUTION OF
3 HIGHER EDUCATION WOULD LIKE TO BE RECOGNIZED FOR ITS THRIVING
4 INSTITUTION DESIGNATION;

5 (III) POST ON THE DEPARTMENT'S WEBSITE THE NAMES OF THE
6 INSTITUTIONS OF HIGHER EDUCATION THAT EARN A THRIVING INSTITUTION
7 DESIGNATION AND AGREE TO BE RECOGNIZED FOR THEIR THRIVING
8 INSTITUTION DESIGNATION; AND

9 (IV) NOTIFY THE GENERAL ASSEMBLY OF THE NAME OF EACH
10 INSTITUTION OF HIGHER EDUCATION THAT EARNS A THRIVING INSTITUTION
11 DESIGNATION.

12 (b) THE OUTCOME STANDARDS USED TO DETERMINE THRIVING
13 INSTITUTION DESIGNATIONS, AS REQUIRED BY SUBSECTION (3)(a)(I) OF
14 THIS SECTION, MUST BE USED TO IMPROVE OUTCOMES FOR THE STUDENT
15 POPULATIONS IMPACTED BY A THRIVING INSTITUTION'S DESIGNATION
16 WITHOUT DIMINISHING THE SUCCESS OF OTHER STUDENT POPULATIONS AT
17 THE INSTITUTION OF HIGHER EDUCATION.

18 (c) AN INSTITUTION OF HIGHER EDUCATION'S DESIGNATION AS A
19 THRIVING INSTITUTION DOES NOT CREATE AN ENTITLEMENT TO STATE
20 FUNDING AND DOES NOT REQUIRE THE GENERAL ASSEMBLY TO REPLACE OR
21 SUPPLEMENT FEDERAL OR PRIVATE FUNDING TO THE INSTITUTION OF
22 HIGHER EDUCATION.

23 (4) AFTER CONSULTATION WITH THE ADVISORY COMMITTEE
24 ESTABLISHED IN SUBSECTION (5) OF THIS SECTION, THE DEPARTMENT
25 SHALL SET OUTCOME STANDARDS, MEASURES, DATA SOURCES,
26 CALCULATION METHODS, VALIDITY PROTECTIONS, PERFORMANCE
27 THRESHOLDS, MULTI-TIER RECOGNITION LEVELS, AND REVIEW PERIODS

1 USED TO EVALUATE INSTITUTIONAL PERFORMANCE FOR THE THRIVING
2 INSTITUTION DESIGNATIONS. THE STANDARDS MUST:

3 (a) RELY EXCLUSIVELY ON EXISTING STATE OR FEDERAL DATA
4 COLLECTED OR MAINTAINED BY THE DEPARTMENT AND NOT REQUIRE NEW
5 DATA ELEMENTS, NEW DATA COLLECTION, DATA MATCHING, OR
6 DATA-SHARING AGREEMENTS WITH OTHER STATE OR FEDERAL AGENCIES
7 OR INSTITUTIONS OF HIGHER EDUCATION.

8 (b) ENSURE STATISTICAL VALIDITY AND COMPLIANCE WITH
9 PRIVACY LAWS;

10 (c) PROMOTE CONTINUOUS IMPROVEMENT ALIGNED WITH THE
11 STATE'S ESTABLISHED POSTSECONDARY ATTAINMENT TARGETS AND
12 STATEWIDE WORKFORCE DEVELOPMENTAL PRIORITIES; AND

13 (d) AT A MINIMUM, INCLUDE EXISTING DATA CONCERNING
14 STUDENT PROGRESSION AND SUCCESS, SUCH AS DEGREE COMPLETION,
15 RETENTION, AND LABOR MARKET OUTCOMES.

16 (5) (a) ON OR BEFORE JANUARY 1, 2027, THE DEPARTMENT SHALL
17 CONVENE AN ADVISORY COMMITTEE ON THRIVING INSTITUTION
18 OUTCOMES. THE ADVISORY COMMITTEE SHALL MEET AT LEAST ONCE
19 DURING THE 2027 CALENDAR YEAR TO PROVIDE INPUT ON THE INITIAL
20 THRIVING INSTITUTION DESIGNATIONS AND THE OUTCOME STANDARDS
21 USED TO INFORM THE THRIVING INSTITUTION DESIGNATIONS. ONCE THIS
22 PURPOSE IS FULFILLED, THE ADVISORY COMMITTEE SHALL MEET ONLY IF
23 NEW THRIVING INSTITUTION DESIGNATIONS NEED TO BE ADDED OR IF THE
24 COMMISSION PROPOSES MATERIAL CHANGES TO THE OUTCOME STANDARDS
25 USED TO INFORM THE THRIVING INSTITUTION DESIGNATIONS.

26 (b) THE ADVISORY COMMITTEE INCLUDES THE FOLLOWING
27 MEMBERS, EACH APPOINTED BY THE EXECUTIVE DIRECTOR OF THE

1 DEPARTMENT:

2 (I) A REPRESENTATIVE FROM A FOUR-YEAR UNIVERSITY;

3 (II) A REPRESENTATIVE FROM A COMMUNITY COLLEGE, AS DEFINED
4 IN SECTION 23-81-101;

5 (III) A REPRESENTATIVE FROM A LOCAL DISTRICT COLLEGE, AS
6 DEFINED IN SECTION 23-71-102;

7 (IV) A REPRESENTATIVE FROM A RURAL CAMPUS;

8 (V) A REPRESENTATIVE FROM AN INSTITUTION OF HIGHER
9 EDUCATION THAT RECEIVED A HISPANIC-SERVING INSTITUTION
10 DESIGNATION FROM THE UNITED STATES DEPARTMENT OF EDUCATION ON
11 OR BEFORE DECEMBER 31, 2025;

12 (VI) A REPRESENTATIVE FROM AN INSTITUTION OF HIGHER
13 EDUCATION THAT RECEIVED A FIRST GENERATION-SERVING INSTITUTION
14 DESIGNATION FROM THE DEPARTMENT ON OR BEFORE DECEMBER 31, 2025;

15 (VII) A REPRESENTATIVE FROM AN INSTITUTION OF HIGHER
16 EDUCATION WITH A POPULATION OF PELL-ELIGIBLE UNDERGRADUATE
17 STUDENTS GREATER THAN THE STATEWIDE AVERAGE;

18 (VIII) A REPRESENTATIVE FROM AN INSTITUTION OF HIGHER
19 EDUCATION THAT HAS A POPULATION OF ADULT LEARNERS AND TRANSFER
20 STUDENTS THAT IS GREATER THAN THE STATEWIDE AVERAGE;

21 (IX) A REPRESENTATIVE FROM THE COLORADO BUSINESS
22 COMMUNITY WITH EXPERIENCE IN WORKFORCE DEVELOPMENT OR
23 EMPLOYER ENGAGEMENT RELATED TO POSTSECONDARY EDUCATION
24 EMPLOYMENT AND WORKFORCE DEVELOPMENT;

25 (X) AT LEAST TWO INDIVIDUALS WITH RESEARCH EXPERTISE IN
26 THE FIELD OF HIGHER EDUCATION OR A CLOSELY RELATED DISCIPLINE;

27 (XI) A STUDENT ENROLLED AT AN INSTITUTION OF HIGHER

1 EDUCATION;

2 (XII) A REPRESENTATIVE FROM AN ORGANIZATION THAT PROVIDES
3 PROGRAM OVERSIGHT AND POLICY GUIDANCE FOR FEDERALLY, STATE, AND
4 LOCALLY FUNDED WORKFORCE DEVELOPMENT PROGRAMS;

5 (XIII) A STUDENT SUCCESS REPRESENTATIVE WITH
6 DEMONSTRATED EXPERIENCE IN STUDENT AFFAIRS; AND

7 (XIV) AN INDIVIDUAL WITH EXPERTISE IN LAWFUL DATA USE
8 RELATED TO POSTSECONDARY EDUCATION AND METHODS FOR ENSURING
9 COMPLIANCE WITH STATE AND FEDERAL PRIVACY LAWS.

10 (c) MEMBERS APPOINTED TO THE ADVISORY COMMITTEE MAY
11 SATISFY MULTIPLE MEMBERSHIP CATEGORIES DETAILED IN SUBSECTION
12 (5)(b) OF THIS SECTION.

13 (d) THE MEMBERS OF THE ADVISORY COMMITTEE SERVE WITHOUT
14 COMPENSATION BUT MAY BE REIMBURSED FOR ACTUAL AND NECESSARY
15 EXPENSES INCURRED IN THE PERFORMANCE OF THEIR DUTIES.

16 (6) ON OR BEFORE NOVEMBER 15, 2026, AND EACH NOVEMBER 15
17 THEREAFTER, THE DEPARTMENT SHALL PREPARE A REPORT SUMMARIZING
18 THE THRIVING INSTITUTION DESIGNATIONS IN EFFECT, THE OUTCOME
19 STANDARDS USED TO INFORM THE THRIVING INSTITUTION DESIGNATIONS,
20 AND ANY NEW THRIVING INSTITUTION DESIGNATIONS ADDED OR MATERIAL
21 CHANGES MADE TO THE OUTCOME STANDARDS FOR THAT CALENDAR YEAR.
22 THE DEPARTMENT SHALL INCLUDE THE REPORT IN IT'S "SMART ACT"
23 HEARING, REQUIRED PURSUANT TO SECTION 2-7-203.

24 (7) THE DEPARTMENT MAY SEEK, ACCEPT, AND EXPEND GIFTS,
25 GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE
26 PURPOSES OF THIS SECTION.

27 (8) ALL USE AND DISCLOSURE OF STUDENT INFORMATION FOR

1 PURPOSES OF THIS SECTION MUST COMPLY WITH ALL APPLICABLE STATE
2 AND FEDERAL PRIVACY LAWS. THE DEPARTMENT SHALL AGGREGATE DATA
3 TO PREVENT THE DISCLOSURE OF STUDENT PERSONALLY IDENTIFIABLE
4 INFORMATION.

5 (9) THE DEPARTMENT MAY ADOPT RULES AS NECESSARY TO
6 IMPLEMENT THIS SECTION.

7 **SECTION 3. Safety clause.** The general assembly finds,
8 determines, and declares that this act is necessary for the immediate
9 preservation of the public peace, health, or safety or for appropriations for
10 the support and maintenance of the departments of the state and state
11 institutions.