

Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 22-0703.03 Conrad Imel x2313

HOUSE BILL 22-1349

HOUSE SPONSORSHIP

Duran and Will,

SENATE SPONSORSHIP

Bridges and Priola,

House Committees
Education

Senate Committees

A BILL FOR AN ACT

101 CONCERNING IMPROVING DECISION-MAKING TO ENHANCE
102 POSTSECONDARY STUDENT SUCCESS.

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 Colorado commission on higher education (commission) to enact a policy directing the department of higher education (department) to develop student success measures that measure the progression of students through postsecondary education and the impact of postsecondary pathways on a student's career opportunities and success. The student success measures must include postsecondary

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

success measures and workforce success measures.

The bill requires the department to create and maintain a statewide student success data system that includes institution-specific interfaces and a public interface. The data system includes student success information aligned with the student success measures. An institution interface includes student success data that is more timely, more granular, appears in a different format, or includes functionality that is different from information provided on the public interface. The public interface must allow a user to view and compare student workforce success information for specific institutions of higher education in Colorado. The commission determines the information included in the public interface and how that information is disaggregated by various student populations, such as populations identified by race, ethnicity, gender, and socioeconomic factors. The bill requires the commission to use the data included in the institution and statewide data system to examine educational and workforce success disparities among various student populations.

The department may enter into an agreement with a third party to create and maintain the data system. The bill requires the department to update and modernize its data collection systems to facilitate the collection of student success data. The bill requires the general assembly to appropriate \$3 million to create the data system.

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) The COVID-19 pandemic created economic disruption across
5 almost every industry, posing significant challenges to students pursuing
6 postsecondary education in preparation to enter the job market and build
7 their careers;

8 (b) With the infusion of one-time federal funds, Colorado has a
9 unique opportunity to drive improvements in the education-to-career
10 pipeline and put higher education and workforce development at the
11 center of the economic recovery agenda;

12 (c) By using these funds to address near-term needs, Colorado can
13 invest in structural solutions and make progress on a long-term vision for

1 postsecondary success;

2 (d) Information about higher education in Colorado is limited for
3 the public and consumers, including students and the people who may
4 employ them;

5 (e) Improving statewide education and workforce outcomes is
6 contingent upon data-informed decision-making made possible with
7 publicly accessible data;

8 (f) The task force created pursuant to House Bill 21-1330, enacted
9 in 2021, recommended investing in a statewide data system to enhance
10 public transparency of postsecondary and workforce data, with the
11 ultimate goal of maintaining a longitudinal framework to connect K-12,
12 postsecondary, and workforce data; and

13 (g) A data system will better equip faculty, staff, and leadership
14 at postsecondary institutions with granular, timely data to inform
15 decision-making; uncover equity gaps; increase student success; and
16 identify, communicate, and showcase promising practices.

17 (2) Therefore, the general assembly declares that the creation of
18 a statewide student success data system will provide institutions of higher
19 education with actionable metrics of student success and make available
20 robust economic opportunity data to empower students as they navigate
21 all available education and training options.

22 **SECTION 2.** In Colorado Revised Statutes, **add** 23-1-139 as
23 follows:

24 **23-1-139. Commission directive - statewide student success**
25 **measures - definitions.** (1) (a) NO LATER THAN DECEMBER 31, 2022, THE
26 COMMISSION SHALL ENACT A POLICY DIRECTING THE DEPARTMENT TO
27 DEVELOP STUDENT SUCCESS MEASURES THAT MEASURE THE PROGRESSION

1 OF STUDENTS THROUGH POSTSECONDARY EDUCATION AND THE IMPACT OF
2 POSTSECONDARY PATHWAYS ON A STUDENT'S CAREER OPPORTUNITIES AND
3 SUCCESS.

4 (b) THE STUDENT SUCCESS MEASURES MUST INCLUDE
5 POSTSECONDARY SUCCESS MEASURES AND WORKFORCE SUCCESS
6 MEASURES. POSTSECONDARY SUCCESS MEASURES INCLUDE, BUT ARE NOT
7 LIMITED TO, CREDIT ACCUMULATION, COURSE PASSAGE, COST OF
8 ATTENDANCE, RETENTION RATES, CREDENTIAL COMPLETION RATES,
9 STUDENT SUPPORT ACCESS AND EFFECTIVENESS, GRADUATE PROGRAM
10 ENROLLMENT, AND STUDENT MOBILITY. WORKFORCE SUCCESS MEASURES
11 INCLUDE, BUT ARE NOT LIMITED TO, POSTSECONDARY EMPLOYMENT
12 OUTCOMES FOR STUDENTS, JOB PLACEMENTS, EARNINGS, AND THE LENGTH
13 OF TIME IT TAKES A STUDENT TO RECOUP THE COST OF COMPLETING A
14 CREDENTIAL AT AN INSTITUTION BASED ON THE STUDENT'S INCREASED
15 EARNINGS, KNOWN AS THE PRICE-TO-EARNINGS PREMIUM. THE
16 COMMISSION SHALL DETERMINE WHICH SPECIFIC POSTSECONDARY AND
17 WORKFORCE SUCCESS MEASURES ARE INCLUDED IN ITS POLICY.

18 (2) (a) IN DEVELOPING THE STUDENT SUCCESS MEASURES, THE
19 DEPARTMENT SHALL COLLABORATE WITH THE COMMISSION, INSTITUTIONS
20 OF HIGHER EDUCATION, THE COLORADO WORKFORCE DEVELOPMENT
21 COUNCIL, THE DEPARTMENT OF LABOR AND EMPLOYMENT, THE
22 DEPARTMENT OF EDUCATION, AND THE OFFICE OF ECONOMIC
23 DEVELOPMENT AND INTERNATIONAL TRADE.

24 (b) THE DEPARTMENT, IN CONSULTATION WITH INSTITUTIONS OF
25 HIGHER EDUCATION AND SUBJECT TO THE APPROVAL OF THE COMMISSION,
26 SHALL DETERMINE THE METHODOLOGY USED TO CALCULATE THE
27 MEASURES.

1 **SECTION 3.** In Colorado Revised Statutes, **add 23-1-140** as
2 follows:

3 **23-1-140. Student success data system - student success data**
4 **transparency - appropriation - definition - repeal.** (1) AS USED IN THIS
5 SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES, "INSTITUTION OF
6 HIGHER EDUCATION" OR "INSTITUTION" MEANS THE STATE INSTITUTIONS,
7 AS DEFINED IN SECTION 23-18-102 (10)(a), THE LOCAL DISTRICT
8 COLLEGES, AND THE AREA TECHNICAL COLLEGES.

9 (2) (a) THE DEPARTMENT SHALL CREATE AND MAINTAIN A
10 STATEWIDE DATA SYSTEM OF STUDENT SUCCESS INFORMATION TO
11 ENHANCE DATA-BASED DECISION-MAKING BY INSTITUTIONS AND THE
12 PUBLIC IN ORDER TO INCREASE STUDENT SUCCESS USING THE STUDENT
13 SUCCESS MEASURES DETERMINED BY THE COMMISSION. THE DATA SYSTEM
14 INCLUDES INSTITUTION INTERFACES DESCRIBED IN SUBSECTION (3) OF THIS
15 SECTION AND A PUBLIC INTERFACE. THE DATA SYSTEM MUST HAVE THE
16 FUNCTIONALITY TO BE DEVELOPED INTO A LONGITUDINAL DATA SYSTEM
17 OVER TIME THAT CONNECTS K-12, POSTSECONDARY, AND WORKFORCE
18 INFORMATION.

19 (b) (I) THE COMMISSION SHALL PROVIDE GUIDANCE TO THE
20 DEPARTMENT ON THE INFORMATION THAT SHOULD BE INCLUDED IN THE
21 DATA SYSTEM TO ALIGN THE DATA SYSTEM WITH THE STUDENT SUCCESS
22 MEASURES DEVELOPED PURSUANT TO SECTION 23-1-139.

23 (II) EACH INSTITUTION SHALL REPORT POSTSECONDARY SUCCESS
24 INFORMATION TO THE DEPARTMENT THAT THE DEPARTMENT DETERMINES
25 NECESSARY FOR INCLUSION IN THE STATEWIDE DATA SYSTEM.

26 (III) THE DEPARTMENT SHALL OBTAIN STUDENT WORKFORCE DATA
27 NECESSARY FOR THE DATA SYSTEM BY THE BEST MEANS POSSIBLE,

1 INCLUDING OBTAINING EMPLOYMENT INFORMATION AND EARNINGS FROM
2 THE DEPARTMENT OF LABOR AND EMPLOYMENT, THE COLORADO
3 WORKFORCE DEVELOPMENT COUNCIL, OR ANY OTHER INITIATIVE OR
4 DATA-SHARING PLATFORM THAT ALLOWS THE DEPARTMENT TO OBTAIN
5 WORKFORCE DATA.

6 (c) IN DEVELOPING THE DATA SYSTEM, THE DEPARTMENT SHALL
7 COLLABORATE WITH THE COLORADO WORKFORCE DEVELOPMENT
8 COUNCIL, THE DEPARTMENT OF LABOR AND EMPLOYMENT, THE
9 DEPARTMENT OF EDUCATION, AND THE OFFICE OF ECONOMIC
10 DEVELOPMENT AND INTERNATIONAL TRADE.

11 (d) THE DEPARTMENT MAY ENTER INTO AN AGREEMENT WITH A
12 THIRD PARTY TO CREATE AND MAINTAIN THE DATA SYSTEM AND ANY
13 MATERIALS DERIVED FROM THE SYSTEM. IF THE DEPARTMENT ENTERS INTO
14 AN AGREEMENT WITH A THIRD PARTY, THE DEPARTMENT SHALL ENSURE
15 THAT BOTH THE DEPARTMENT AND THE THIRD PARTY COMPLY WITH ALL
16 STATE AND FEDERAL LAWS AND REGULATIONS CONCERNING THE PRIVACY
17 OF STUDENT INFORMATION, INCLUDING THE FEDERAL "FAMILY
18 EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974", 20 U.S.C. SEC.
19 1232g, AS AMENDED.

20 (3) (a) THE DEPARTMENT SHALL WORK WITH AN INSTITUTION TO
21 INCLUDE INFORMATION ON AN INTERFACE THAT IS INTERNAL TO THAT
22 INSTITUTION. INFORMATION AVAILABLE ON AN INSTITUTION INTERFACE
23 MAY PROVIDE STUDENT SUCCESS DATA THAT IS MORE TIMELY, MORE
24 GRANULAR, APPEARS IN A DIFFERENT FORMAT, OR INCLUDES
25 FUNCTIONALITY THAT IS DIFFERENT FROM INFORMATION PROVIDED ON THE
26 PUBLIC INTERFACE.

27 (b) IF AN INSTITUTION MAINTAINS OR INTENDS TO CREATE ITS OWN

1 DATA SYSTEM THAT ALIGNS WITH THE GOALS OF THE STATEWIDE DATA
2 SYSTEM AND THE DEPARTMENT DETERMINES THAT THERE IS SUFFICIENT
3 ALIGNMENT, THE DEPARTMENT MAY, WITH THE APPROVAL OF THE
4 COMMISSION, ALLOCATE MONEY TO THE INSTITUTION FOR THE CREATION,
5 IMPROVEMENT, OR MAINTENANCE OF THE INSTITUTION'S DATA SYSTEM
6 INSTEAD OF CREATING AN INTERFACE THAT IS INTERNAL TO THAT
7 INSTITUTION. THE DEPARTMENT SHALL NOT ALLOCATE TO THE
8 INSTITUTION AN AMOUNT GREATER THAN THE COST TO THE DEPARTMENT
9 FOR CREATING AN INTERFACE THAT IS INTERNAL TO THE INSTITUTION. AN
10 INSTITUTION THAT RECEIVES AN ALLOCATION IS NOT EXEMPT FROM THE
11 REQUIREMENT TO REPORT STUDENT EDUCATIONAL SUCCESS INFORMATION
12 TO THE DEPARTMENT PURSUANT TO SUBSECTION (2)(b)(II) OF THIS
13 SECTION.

14 (4) THE PUBLIC INTERFACE OF THE DATA SYSTEM INCLUDES
15 STUDENT SUCCESS INFORMATION THAT IS ALIGNED WITH THE STUDENT
16 SUCCESS MEASURES DEVELOPED PURSUANT TO SECTION 23-1-139. THE
17 COMMISSION SHALL DETERMINE THE SPECIFIC STUDENT SUCCESS
18 INFORMATION THAT MUST BE INCLUDED IN THE PUBLIC INTERFACE,
19 INCLUDING DETERMINING HOW THE INFORMATION IS DISAGGREGATED BY
20 STUDENT POPULATIONS, INCLUDING POPULATIONS IDENTIFIED BY RACE,
21 ETHNICITY, GENDER, FIRST-GENERATION STATUS, AND SOCIOECONOMIC
22 FACTORS. THE PUBLIC INTERFACE MUST ALLOW A USER TO CONDUCT AN
23 INTERACTIVE SEARCH TO VIEW AND COMPARE STUDENT SUCCESS
24 INFORMATION FOR SPECIFIC INSTITUTIONS AND CREDENTIAL PROGRAMS SO
25 THAT THE USER MAY MAKE INFORMED DECISIONS REGARDING THE
26 ECONOMIC OPPORTUNITY AND TRADEOFFS OF VARIOUS EDUCATIONAL AND
27 CAREER TRAINING OPTIONS. THE DEPARTMENT SHALL UPDATE THE DATA

1 IN THE PUBLIC INTERFACE AS FREQUENTLY AS PRACTICABLE, BUT AT LEAST
2 ANNUALLY, TO ENSURE THAT COLORADO STUDENTS AND THE PUBLIC HAVE
3 THE MOST RELEVANT AND CURRENT INFORMATION AVAILABLE.

4 (5) THE COMMISSION SHALL, IN COLLABORATION WITH THE OFFICE
5 IN THE DEPARTMENT THAT IS RESPONSIBLE FOR DEVELOPING POLICY TO
6 REMOVE EQUITY GAPS IN POSTSECONDARY EDUCATION IN COLORADO, USE
7 THE DATA INCLUDED IN THE INSTITUTION AND STATEWIDE DATA SYSTEM
8 TO EXAMINE EDUCATIONAL AND WORKFORCE SUCCESS DISPARITIES
9 AMONG VARIOUS STUDENT POPULATIONS, INCLUDING POPULATIONS
10 IDENTIFIED BY RACE, ETHNICITY, GENDER, FIRST-GENERATION STATUS,
11 AND SOCIOECONOMIC FACTORS.

12 (6) IN ORDER TO FACILITATE THE COLLECTION OF STUDENT
13 SUCCESS DATA AND INFORMATION FROM INSTITUTIONS OF HIGHER
14 EDUCATION, THE DEPARTMENT SHALL UPDATE AND MODERNIZE ITS DATA
15 COLLECTION SYSTEMS, INCLUDING ITS STUDENT-UNIT RECORD DATA
16 SYSTEM.

17 (7) ON OR BEFORE JANUARY 15, 2023, AND ON OR BEFORE
18 JANUARY 15, 2024, THE COMMISSION SHALL SUBMIT A REPORT TO THE
19 HOUSE OF REPRESENTATIVES EDUCATION COMMITTEE AND SENATE
20 EDUCATION COMMITTEE ON THE WORK REQUIRED AND ANY BARRIERS
21 IDENTIFIED, INCLUDING RECOMMENDATIONS FOR LEGISLATIVE CHANGES
22 NECESSARY, TO DELIVER A STATEWIDE LONGITUDINAL DATA SYSTEM THAT
23 CONNECTS K-12, POSTSECONDARY EDUCATION, AND WORKFORCE
24 INFORMATION.

25 (8) (a) FOR THE 2022-23 STATE FISCAL YEAR, THE GENERAL
26 ASSEMBLY SHALL APPROPRIATE THREE MILLION DOLLARS FROM THE
27 WORKERS, EMPLOYERS, AND WORKFORCE CENTERS CASH FUND CREATED

1 IN SECTION 24-75-231 TO THE DEPARTMENT FOR THE PURPOSES OF THIS
2 SECTION. THE MONEY APPROPRIATED PURSUANT TO THIS SUBSECTION (8)
3 MUST BE FROM THE MONEY IN THE WORKERS, EMPLOYERS, AND
4 WORKFORCE CENTERS CASH FUND THAT ORIGINATED FROM THE GENERAL
5 FUND. ANY UNEXPENDED OR UNENCUMBERED MONEY APPROPRIATED
6 PURSUANT TO THIS SECTION REMAINS AVAILABLE FOR EXPENDITURE FOR
7 THE SAME PURPOSE IN THE 2023-24 STATE FISCAL YEAR WITHOUT FURTHER
8 APPROPRIATION.

9 (b) THIS SUBSECTION (8) IS REPEALED, EFFECTIVE DECEMBER 31,
10 2024.

11 **SECTION 4. Act subject to petition - effective date.** This act
12 takes effect at 12:01 a.m. on the day following the expiration of the
13 ninety-day period after final adjournment of the general assembly; except
14 that, if a referendum petition is filed pursuant to section 1 (3) of article V
15 of the state constitution against this act or an item, section, or part of this
16 act within such period, then the act, item, section, or part will not take
17 effect unless approved by the people at the general election to be held in
18 November 2022 and, in such case, will take effect on the date of the
19 official declaration of the vote thereon by the governor.