

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Education.

SB26-078 be amended as follows:

1 Amend printed bill, strike page 9.

2 Page 10, strike lines 1 through 12.

3 Renumber succeeding sections accordingly.

4 Page 10, line 15, strike "**directive**" and substitute "**and commission**  
5 **directives**".

6 Page 10, line 16, strike "**definition - repeal.**" and substitute  
7 "**definitions.**".

8 Page 10, strike lines 18 through 27 and substitute "REQUIRES:

9 (a) "INSTITUTION OF HIGHER EDUCATION" MEANS:

10 (I) A STATE INSTITUTION OF HIGHER EDUCATION, AS DEFINED IN  
11 SECTION 23-18-102 (10);

12 (II) A LOCAL DISTRICT COLLEGE, AS DEFINED IN SECTION  
13 23-71-102 (1)(a);

14 (III) AN AREA TECHNICAL COLLEGE, AS DEFINED IN SECTION  
15 23-60-103 (1); AND

16 (IV) A PARTICIPATING PRIVATE INSTITUTION OF HIGHER  
17 EDUCATION, AS DEFINED IN SECTION 23-18-102 (7).

18 (b) (I) "STATEWIDE INSTITUTIONAL AND STUDENT DATA" MEANS  
19 DATA, IN ANY FORMAT, PROVIDED BY AN INSTITUTION OF HIGHER  
20 EDUCATION TO THE DEPARTMENT OR ANOTHER STATE AGENCY.

21 (II) "STATEWIDE INSTITUTIONAL AND STUDENT DATA" DOES NOT  
22 INCLUDE NEW DATA POINTS CREATED THROUGH THE COMBINATION OF  
23 INSTITUTIONAL AND STUDENT DATA WITH OTHER STATE ADMINISTRATIVE  
24 DATA OR PUBLICLY AVAILABLE INFORMATION.

25 (2) (a) THIS SUBSECTION (2) CODIFIES THE DATA ADVISORY GROUP  
26 THAT EXISTS AS OF THE EFFECTIVE DATE OF THIS SECTION AND THAT IS  
27 FACILITATED BY THE DEPARTMENT. THE DATA ADVISORY GROUP SHALL  
28 CONTINUE TO OPERATE WITHIN EXISTING RESOURCES TO SERVE IN AN  
29 ADVISORY CAPACITY TO THE DEPARTMENT AND THE COMMISSION  
30 REGARDING DATA COLLECTION, REPORTING, ACCESS, AND USE PURSUANT  
31 TO THIS TITLE 23.

32 (b) THE DATA ADVISORY GROUP CONSISTS OF REPRESENTATIVES  
33 FROM INSTITUTIONS OF HIGHER EDUCATION AND THE DEPARTMENT, AS  
34 FOLLOWS:

35 (I) (A) ONE REPRESENTATIVE FROM EACH GOVERNING BOARD OF

1 A STATE INSTITUTION OF HIGHER EDUCATION;  
2 (B) GOVERNING BOARDS THAT HAVE A SYSTEM COMPRISED OF  
3 MORE THAN ONE CAMPUS MAY HAVE ADDITIONAL REPRESENTATIVES FOR  
4 EACH CAMPUS AND SYSTEM OFFICE;  
5 (II) AT LEAST ONE REPRESENTATIVE FROM THE LOCAL DISTRICT  
6 COLLEGES;  
7 (III) AT LEAST ONE REPRESENTATIVE FROM THE AREA TECHNICAL  
8 COLLEGES;  
9 (IV) ONE REPRESENTATIVE FROM EACH PARTICIPATING PRIVATE  
10 INSTITUTION OF HIGHER EDUCATION, AS DEFINED IN SECTION 23-18-102  
11 (7); AND  
12 (V) AT LEAST ONE REPRESENTATIVE FROM THE DEPARTMENT.  
13 (c) PARTICIPATION FROM EACH INSTITUTION OF HIGHER  
14 EDUCATION IN THE DATA ADVISORY GROUP IS VOLUNTARY.  
15 (d) THE DATA ADVISORY GROUP IS ADVISORY ONLY AND DOES NOT  
16 HAVE DECISION-MAKING OR BINDING AUTHORITY OVER THE DEPARTMENT  
17 OR THE COMMISSION.  
18 (3)(a) THE DUTIES AND RESPONSIBILITIES OF THE DATA ADVISORY  
19 GROUP INCLUDE ADVISING ON:  
20 (I) THE DEVELOPMENT AND MAINTENANCE OF POLICIES AND  
21 PROCEDURES FOR THE COLLECTION, STORAGE, AND USE OF DATA FROM  
22 INSTITUTIONS OF HIGHER EDUCATION BY THE DEPARTMENT PURSUANT TO  
23 THIS TITLE 23, INCLUDING DATA COLLECTED THROUGH THE STUDENT UNIT  
24 RECORD DATA SYSTEM OR A SUCCESSOR SYSTEM;  
25 (II) THE IMPLEMENTATION OF NEW DATA COLLECTION AND  
26 REPORTING REQUIREMENTS RESULTING FROM LEGISLATION;  
27 (III) THE SHARING OF STATEWIDE INSTITUTIONAL AND STUDENT  
28 DATA;  
29 (IV) LEGISLATION THAT AFFECTS INSTITUTIONAL DATA  
30 COLLECTION AND REPORTING; AND  
31 (V) THE DEVELOPMENT OF GUIDELINES FOR DATA AGGREGATION  
32 AND SUPPRESSION WITHIN DATA PRIVACY LAWS AND INDUSTRY BEST  
33 PRACTICES REGARDING PERSONALLY IDENTIFYING INFORMATION.  
34 (4) (a) THE COMMISSION SHALL CONSULT WITH THE DATA  
35 ADVISORY GROUP TO ESTABLISH POLICIES THAT:  
36 (I) INCLUDE PROCEDURES FOR THE DATA ADVISORY GROUP TO  
37 DEVELOP AND SUBMIT RECOMMENDATIONS;  
38 (II) ARTICULATE HOW THE DATA ADVISORY GROUP WILL HAVE THE  
39 DATA, REPORTING, AND INFORMATION NECESSARY TO PERFORM THEIR  
40 ADVISORY ROLE;  
41 (III) INCLUDE A PROCESS FOR SHARING AGGREGATED STATEWIDE  
42 DATA DERIVED FROM STATEWIDE INSTITUTIONAL AND STUDENT DATA;  
43 (IV) INCLUDE A PROCESS FOR SHARING DE-IDENTIFIED STATEWIDE

1 DATA DERIVED FROM STATEWIDE INSTITUTIONAL AND STUDENT DATA;  
2 (V) INCLUDE PROCEDURES THAT ENSURE SUFFICIENT TIME TO  
3 REVIEW DRAFT REPORTING AND SUPPORTING DATA THAT IS DERIVED FROM  
4 STATEWIDE INSTITUTIONAL AND STUDENT DATA AND THAT IS RELATED TO  
5 FUNDING OR RESOURCE ALLOCATION, LEGISLATIVE REPORTS, OR  
6 STRATEGIC PLANNING; AND  
7 (VI) ENSURE THAT ALL DATA AND REPORTING SHARED BETWEEN  
8 THE DEPARTMENT, THE DATA ADVISORY GROUP, AND THE COMMISSION:  
9 (A) SEEKS TO MAXIMIZE DATA TRANSPARENCY BETWEEN ENTITIES;  
10 (B) SEEKS TO MINIMIZE THE TIME LAPSED BETWEEN DATA  
11 SUBMISSIONS AND AVAILABILITY OF DATA AND REPORTING;  
12 (C) INCLUDES DATA FROM ALL PARTICIPATING INSTITUTIONS;  
13 (D) PROVIDES DETAIL BY INSTITUTION AND GOVERNING BOARD;  
14 AND  
15 (E) IS SUFFICIENT TO ALLOW FOR VALIDATION BY INSTITUTIONAL  
16 STAFF.  
17 (b) THE COMMISSION RETAINS FINAL AUTHORITY OVER DATA  
18 POLICY AND MAY PROVIDE REASONING OF FINAL DECISIONS TO THE DATA  
19 ADVISORY GROUP.  
20 (c) TO ACCOMPLISH ITS DUTIES, THE DATA ADVISORY GROUP SHALL  
21 MEET AT LEAST QUARTERLY."

22 Strike page 11.

23 Page 12, strike line 1.

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