

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

**REVISED**

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

LLS NO. 22-0520.01 Jacob Baus x2173

**HOUSE BILL 22-1255**

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**A BILL FOR AN ACT**

101 **CONCERNING MEASURES TO IMPROVE POSTSECONDARY EDUCATION**  
102 **OUTCOMES FOR STUDENTS WITH A DISABILITY.**

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**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 submit, as a part of its annual "State Measurement for Accountable, Responsive, and Transparent (SMART) Government Act" hearing, data related to postsecondary outcomes for students with a disability. The department shall gather the data in collaboration with institutions of higher education (institutions).

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.*

SENATE  
2nd Reading Unamended  
April 4, 2022

HOUSE  
3rd Reading Unamended  
March 22, 2022

HOUSE  
Amended 2nd Reading  
March 21, 2022

The bill creates the postsecondary services advisory committee (committee) in the department for the purpose of making recommendations to institutions and the general assembly concerning necessary services and best practices to improve successful outcomes for students with disabilities at institutions. The committee is required to complete and submit a report to the education committees of the house of representatives and the senate by June 15, 2023, and June 14, 2024. The committee is repealed on June 30, 2024.

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

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

4 (a) According to a 2013 report from the Georgetown University  
5 Center on Education and the Workforce, approximately seventy-five  
6 percent of jobs in Colorado require postsecondary education, while only  
7 approximately sixty-one percent of adults in Colorado have earned a  
8 degree or certificate;

9 (b) According to a 2011 longitudinal study funded by the United  
10 States Department of Education, national completion rates for students  
11 with disabilities in postsecondary education was thirty-eight percent  
12 compared to fifty-one percent for students without a reported disability;

13 (c) According to a 2019 report from Colorado State University,  
14 students who receive appropriate disability support services and  
15 accommodations experience better academic outcomes that support  
16 post-graduate employment;

17 (d) To ensure the economic vitality of Colorado, every industry  
18 needs access to a skilled workforce, and every Coloradan needs access to  
19 sustainable employment;

20 (e) The statewide implementation of universal and inclusive  
21 services, supports, and accommodations for students with disabilities can

1 greatly improve cost efficiencies for institutions of higher education,  
2 improve access and successful outcomes for all students, and sustain the  
3 workforce and economic vitality of Colorado;

4 (f) Students with disabilities must be recognized for who they are  
5 and supported to address their needs most effectively; and

6 (g) Colorado does not have statewide data to examine the  
7 postsecondary outcomes for students with disabilities, and the lack of  
8 information prevents Colorado from connecting students with disabilities  
9 to the workforce.

10 (2) Therefore, the general assembly declares that in order to meet  
11 the economic demands of Colorado, it is essential to collect significant  
12 data and examine the postsecondary services, supports, and  
13 accommodations necessary for students with disabilities to improve  
14 postsecondary education and career outcomes.

15 **SECTION 2.** In Colorado Revised Statutes, **add** article 79 to title  
16 23 as follows:

17 **ARTICLE 79**

18 **Improve Postsecondary Education for**  
19 **Students with Disabilities**

20 **23-79-101. Definitions.** AS USED IN THIS ARTICLE 79, UNLESS THE  
21 CONTEXT OTHERWISE REQUIRES:

22 (1) "DEPARTMENT" MEANS THE DEPARTMENT OF HIGHER  
23 EDUCATION CREATED AND EXISTING PURSUANT TO SECTION 24-1-114.

24 (2) "DISABILITY" HAS THE SAME MEANING AS SET FORTH IN THE  
25 FEDERAL "AMERICANS WITH DISABILITIES ACT OF 1990", 42 U.S.C. SEC.  
26 12101 ET SEQ., AND ITS RELATED AMENDMENTS AND IMPLEMENTING  
27 REGULATIONS.

1           (3) "INSTITUTION OF HIGHER EDUCATION" MEANS A STATE  
2 INSTITUTION OF HIGHER EDUCATION, AS DEFINED IN SECTION 23-18-102  
3 (10)(a), OR AN ACCREDITED CAMPUS OF A STATE INSTITUTION OF HIGHER  
4 EDUCATION; A PARTICIPATING PRIVATE INSTITUTION OF HIGHER  
5 EDUCATION, AS DEFINED IN SECTION 23-18-102 (8); A LOCAL DISTRICT  
6 COLLEGE, AS DEFINED IN SECTION 23-71-102 (1)(a); AND AN AREA  
7 TECHNICAL COLLEGE, AS DEFINED IN SECTION 23-60-103 (1).

8           **23-79-102. Students with disabilities - report.** (1) BEGINNING  
9 IN 2024, AND EVERY YEAR THEREAFTER, THE DEPARTMENT SHALL  
10 INCLUDE AS PART OF ITS "STATE MEASUREMENT FOR ACCOUNTABLE,  
11 RESPONSIVE, AND TRANSPARENT (SMART) GOVERNMENT ACT" HEARING  
12 REQUIRED BY SECTION 2-7-203 THE FOLLOWING AVAILABLE DATA,  
13 GATHERED BY THE DEPARTMENT IN COLLABORATION WITH INSTITUTIONS  
14 OF HIGHER EDUCATION:

15           (a) THE NUMBER OF STUDENTS ENROLLED AT AN INSTITUTION OF  
16 HIGHER EDUCATION WHO IDENTIFY AS HAVING A DISABILITY, REPORTED  
17 FOR THE STATE AS A WHOLE AND FOR EACH INSTITUTION OF HIGHER  
18 EDUCATION, IN TOTAL AND DISAGGREGATED BY RACE, ETHNICITY,  
19 FIRST-GENERATION STATUS, FEDERAL PELL GRANT ELIGIBILITY, AND  
20 MILITARY STATUS;

21           (b) THE NUMBER OF STUDENTS WITH A DISABILITY WHO RECEIVE  
22 A SERVICE, SUPPORT, OR ACCOMMODATION FROM THE INSTITUTION OF  
23 HIGHER EDUCATION THAT IS RELATED TO THE STUDENT'S DISABILITY,  
24 REPORTED FOR THE STATE AS A WHOLE AND FOR EACH INSTITUTION OF  
25 HIGHER EDUCATION, IN TOTAL AND DISAGGREGATED BY RACE, ETHNICITY,  
26 FIRST-GENERATION STATUS, FEDERAL PELL GRANT ELIGIBILITY, AND  
27 MILITARY STATUS;

1           (c) THE NUMBER OF STUDENTS WITH A DISABILITY WHO  
2 CONTINUED ENROLLMENT IN AN INSTITUTION OF HIGHER EDUCATION IN A  
3 SUBSEQUENT ACADEMIC YEAR, REPORTED FOR THE STATE AS A WHOLE  
4 AND FOR EACH INSTITUTION OF HIGHER EDUCATION, IN TOTAL AND  
5 DISAGGREGATED BY RACE, ETHNICITY, FIRST-GENERATION STATUS,  
6 FEDERAL PELL GRANT ELIGIBILITY, AND MILITARY STATUS;

7           (d) THE NUMBER OF STUDENTS WITH A DISABILITY WHO  
8 GRADUATED FROM AN INSTITUTION OF HIGHER EDUCATION, REPORTED FOR  
9 THE STATE AS A WHOLE AND FOR EACH INSTITUTION OF HIGHER  
10 EDUCATION, IN TOTAL AND DISAGGREGATED BY RACE, ETHNICITY,  
11 FIRST-GENERATION STATUS, FEDERAL PELL GRANT ELIGIBILITY, AND  
12 MILITARY STATUS;

13           (e) THE NUMBER OF STUDENTS WITH A DISABILITY WHO RECEIVE  
14 A SERVICE OR SUPPORT FROM THE DIVISION OF VOCATIONAL  
15 REHABILITATION IN THE DEPARTMENT OF LABOR AND EMPLOYMENT AT  
16 THE INSTITUTION OF HIGHER EDUCATION THAT IS RELATED TO THE  
17 STUDENT'S DISABILITY, REPORTED FOR THE STATE AS A WHOLE AND FOR  
18 EACH INSTITUTION OF HIGHER EDUCATION, IN TOTAL AND DISAGGREGATED  
19 BY RACE, ETHNICITY, FIRST-GENERATION STATUS, FEDERAL PELL GRANT  
20 ELIGIBILITY, AND MILITARY STATUS; AND

21           (f) THE NUMBER OF STUDENTS WITH A DISABILITY WHO RECEIVED  
22 A SERVICE OR SUPPORT FROM THE DIVISION OF VOCATIONAL  
23 REHABILITATION IN THE DEPARTMENT OF LABOR AND EMPLOYMENT AT  
24 THE INSTITUTION OF HIGHER EDUCATION THAT IS RELATED TO THE  
25 STUDENT'S DISABILITY AND GRADUATED FROM THE INSTITUTION OF  
26 HIGHER EDUCATION, REPORTED FOR THE STATE AS A WHOLE AND FOR EACH  
27 INSTITUTION OF HIGHER EDUCATION, IN TOTAL AND DISAGGREGATED BY

1 RACE, ETHNICITY, FIRST-GENERATION STATUS, FEDERAL PELL GRANT  
2 ELIGIBILITY, AND MILITARY STATUS.

3 **23-79-103. Postsecondary services advisory committee -**  
4 **creation - appointment - duties - report - repeal.** (1) THERE IS  
5 CREATED IN THE DEPARTMENT THE POSTSECONDARY SERVICES ADVISORY  
6 COMMITTEE, REFERRED TO IN THIS SECTION AS THE "COMMITTEE", FOR THE  
7 PURPOSE OF MAKING RECOMMENDATIONS TO INSTITUTIONS OF HIGHER  
8 EDUCATION AND THE GENERAL ASSEMBLY CONCERNING NECESSARY  
9 SERVICES AND BEST PRACTICES TO IMPROVE SUCCESSFUL OUTCOMES FOR  
10 STUDENTS WITH DISABILITIES AT INSTITUTIONS OF HIGHER EDUCATION.

11 (2) (a) THE COMMITTEE CONSISTS OF FIFTEEN MEMBERS APPOINTED  
12 BY THE DEPARTMENT'S EXECUTIVE DIRECTOR, AS FOLLOWS:

13 (I) TWO MEMBERS WHO ARE RESPONSIBLE FOR DISABILITY OR  
14 ACCESSIBILITY SERVICES AT BACCALAUREATE- AND  
15 GRADUATE-AWARDING INSTITUTIONS OF HIGHER EDUCATION;

16 (II) ONE MEMBER WHO IS RESPONSIBLE FOR DISABILITY OR  
17 ACCESSIBILITY SERVICES AT A COMMUNITY COLLEGE;


18 (III) ONE MEMBER WHO IS RESPONSIBLE FOR DISABILITY OR  
19 ACCESSIBILITY SERVICES AT AN AREA TECHNICAL COLLEGE;

20 (IV) ONE MEMBER WHO IS A CHIEF ACADEMIC OFFICER, OR A CHIEF  
21 ACADEMIC OFFICER'S DESIGNEE, FROM AN INSTITUTION OF HIGHER  
22 EDUCATION;

23 (V) ONE MEMBER WITH EXPERTISE IN FEDERAL AND STATE  
24 DISABILITIES LAWS AND THE LAWS' APPLICABILITY TO INSTITUTIONS OF  
25 HIGHER EDUCATION;

26 (VI) ONE MEMBER WHO IS RESPONSIBLE FOR ACTIVE DUTY AND  
27 VETERAN AFFAIRS SERVICES AT AN INSTITUTION OF HIGHER EDUCATION;

1 (VII) ONE MEMBER WHO IS A REGISTRAR, OR A REGISTRAR'S  
2 DESIGNEE, FROM AN INSTITUTION OF HIGHER EDUCATION;

3   
4 (VIII) ONE MEMBER WHO REPRESENTS THE OFFICE OF SPECIAL  
5 EDUCATION IN THE DEPARTMENT OF EDUCATION;

6 (IX) ONE MEMBER WHO IDENTIFIES AS HAVING A DISABILITY AND  
7 IS A CURRENT STUDENT OR RECENT GRADUATE OF AN INSTITUTION OF  
8 HIGHER EDUCATION;

9 (X) ONE MEMBER WHO REPRESENTS AN ORGANIZATION PROVIDING  
10 EMPLOYMENT TRAINING AND SUPPORT TO PERSONS WITH DISABILITIES;

11 (XI) TWO MEMBERS WHO EACH REPRESENT A COMMUNITY OR  
12 NONPROFIT ORGANIZATION THAT SERVES INDIVIDUALS WITH DISABILITIES;

13 (XII) ONE MEMBER WHO IS RESPONSIBLE FOR ACCESSIBLE  
14 ELECTRONIC INFORMATION AND TECHNOLOGY AT AN INSTITUTION OF  
15 HIGHER EDUCATION; AND

16 (XIII) ONE MEMBER WHO REPRESENTS THE DIVISION OF  
17 VOCATIONAL REHABILITATION IN THE DEPARTMENT OF LABOR AND  
18 EMPLOYMENT.

19 (b) THE DEPARTMENT'S EXECUTIVE DIRECTOR SHALL, TO THE  
20 EXTENT PRACTICABLE, APPOINT TO THE COMMITTEE MEMBERS WHO  
21 IDENTIFY AS HAVING A DISABILITY.

22 (c) THE DEPARTMENT'S EXECUTIVE DIRECTOR SHALL MAKE THE  
23 INITIAL APPOINTMENTS TO THE COMMITTEE NO LATER THAN SEPTEMBER  
24 30, 2022.

25 (3) EACH MEMBER OF THE COMMITTEE WHO IS APPOINTED  
26 PURSUANT TO SUBSECTION (2) OF THIS SECTION SERVES AT THE PLEASURE  
27 OF THE DEPARTMENT'S EXECUTIVE DIRECTOR. THE TERM OF APPOINTMENT

1 IS UNTIL JUNE 30, 2024.

2 (4) THE MEMBERS OF THE COMMITTEE SERVE WITHOUT  
3 COMPENSATION AND WITHOUT REIMBURSEMENT FOR EXPENSES.

4 (5) THE COMMITTEE SHALL EXAMINE THE FOLLOWING ISSUES,  
5 INCLUDING, BUT NOT LIMITED TO:

6 (a) POSTSECONDARY OUTCOMES FOR STUDENTS WITH DISABILITIES,  
7 AND WHETHER OUTCOMES ARE ALSO AFFECTED BY A STUDENT WITH A  
8 DISABILITY'S RACE, ETHNICITY, FEDERAL PELL GRANT ELIGIBILITY, SEX,  
9 GENDER EXPRESSION, OR MILITARY STATUS; ■

10 (b) THE ABILITY FOR INSTITUTIONS OF HIGHER EDUCATION TO  
11 IMPLEMENT SERVICES AND BEST PRACTICES THAT EXCEED THE MINIMUM  
12 REQUIREMENTS OF FEDERAL AND STATE LAWS FOR STUDENTS WITH  
13 DISABILITIES; AND

14 (c) THE AVAILABILITY OF FINANCIAL ASSISTANCE FOR STUDENTS  
15 WITH DISABILITIES.

16 (6) ON OR BEFORE JUNE 15, 2023, AND ON OR BEFORE JUNE 14,  
17 2024, THE COMMITTEE SHALL COMPLETE AND SUBMIT A REPORT TO THE  
18 EDUCATION COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE  
19 SENATE, OR ANY SUCCESSOR COMMITTEES. THE REPORT MUST INCLUDE:

20 (a) A DESCRIPTION OF THE COMMITTEE'S FINDINGS PURSUANT TO  
21 SUBSECTION (5) OF THIS SECTION; AND

22 (b) RECOMMENDATIONS FOR RESOURCES, STATUTORY CHANGES,  
23 DEPARTMENT POLICY CHANGES, OR INSTITUTION OF HIGHER EDUCATION  
24 POLICY CHANGES THAT ARE NECESSARY TO IMPROVE SUCCESSFUL  
25 OUTCOMES FOR STUDENTS WITH DISABILITIES AT INSTITUTIONS OF HIGHER  
26 EDUCATION.

27 (7) THIS SECTION IS REPEALED, EFFECTIVE JUNE 30, 2024.



1           **SECTION 3. Safety clause.** The general assembly hereby finds,  
2 determines, and declares that this act is necessary for the immediate  
3 preservation of the public peace, health, or safety.