

Revised 01/11/19

BYLAWS OF THE EDUCATION DATA ADVISORY COMMITTEE

ARTICLE I

Name

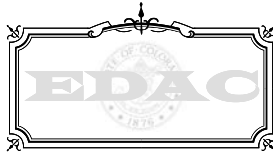
Section 1 The name of the Committee shall be the Education Data Advisory Committee, hereinafter called EDAC.

ARTICLE II

Purpose

Section 1 The establishment of EDAC is required by the Colorado State Law (22-2-304, C.R.S. Education data advisory committee- creation – duties - repeal). The Colorado State Law Reference can be found in Appendix A. EDAC is to work with the Colorado Department of Education (CDE), hereinafter called the department, to review school district data reporting requirements on its own initiative or at the request of a local education agency. EDAC's specific function is to review the statutory and regulatory data reporting requirements applicable to school districts, boards of cooperative services (BOCES), the state charter school institute, administrative units, migrant regions or school food authorities to determine whether the benefits derived from the reports are outweighed by the increased administrative costs incurred by these entities in preparing and submitting the reports.

Section 2 EDAC provides for statewide participation in decision making related to the department's data collection and reporting requirements by receiving input and making recommendations regarding the department's data collections to the Director of Data Services. EDAC shall make recommendations to the State Board of Education and the Education Committees of the Senate and the House of Representatives, or any successor committees for the repeal or amendment of statutory and regulatory data reporting requirements that EDAC has identified as duplicative, obsolete, or inefficient (22-2-304(3), C.R.S.). The specific duties of EDAC are to: (a) Review data reporting requirements and determine the benefits and weigh the costs associated, (b) identify duplicate or obsolete requirements, (c) determine if requests are mandatory or voluntary, (d) review to make sure that requirements are necessary and appropriate, and (e) advise the department on the impact of data practices and technology on school districts and public schools.



Section 3 EDAC shall prepare an annual report of its accomplishments and make it available to the State Board of Education, the education legislative committees and other stakeholder groups statewide based on an academic year (July 1- June 30). The EDAC report shall reflect the majority of the committee in its report.

ARTICLE III

Membership

Section 1 Colorado state law (22-2-304(1), C.R.S.) requires that EDAC membership consist of at least five (5) volunteer school districts and two (2) volunteer boards of cooperative services and one (1) volunteer charter school that are representative of the state's student size and population. EDAC membership will include representatives across the department's eight education regions, but is not expected to cover all regions at any given time. EDAC will include volunteer membership with areas of expertise such as assessments, BOCES, charter schools, data analysis, data compliance, data quality, English Learners, federal programs, finance, human resources, special education and technology.

Section 2 Colorado Department of Education members are specific to job position and are appointed by the department's Commissioner. There may be no more than six (6) department members at any given time. EDAC will include department membership with areas of expertise such as assessments, data analysis, data compliance, data quality, federal programs, finance, special education and technology.

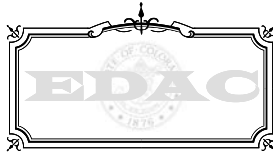
Section 3 All voluntary members of EDAC shall be appointed by the State Board of Education. For vacancy replacements recommendations are made by State Board members, EDAC members and department staff.

Section 4 Department members are permanent, non-voting members.

Section 5 Voluntary members are appointed to a four (4) year term and are not to serve more than one consecutive term.

Section 6 Terms of appointment for voluntary members may be extended by one year with a majority vote of EDAC.

Section 7 The term of appointment for vacancy replacements shall commence the 1st of the month of the first official meeting following their appointment by the State Board of Education and terminate on October 31st four (4) years later.



Section 8 Members shall not send a substitute to a meeting in which they cannot be present.

ARTICLE IV

Meetings

Section 1 The annual schedule of regular meetings shall be at least five meetings each school year. The dates of regular meetings shall be determined annually by EDAC membership in the spring prior to the upcoming school year.

Section 2 Members of EDAC shall be notified by electronic mail of the time and place of regular meetings at least seven (7) days prior to the date of the meeting. Data requesters shall provide electronic copies at least seven (7) days prior to the date of the meeting.

Section 3 Review materials will be electronically available to members at least seven (7) days prior to the meeting.

Section 4 Any EDAC materials not received at least seven (7) days prior to the meeting will be a) electronically available as soon as received and/or b) brought to the meeting for review. EDAC has the discretion to table the review of late materials.

Section 5 Members will notify the committee chair or the secretary at least 48 hours in advance when not able to attend a scheduled meeting in order to assure that a quorum will be present.

Section 6 Minutes of each meeting shall be reviewed at the next regularly scheduled EDAC meeting.

Section 7 EDAC meetings may be regularly scheduled or emergency meetings. An emergency meeting may be held by conference call or electronic mail.

Section 8 Members must attend at least three regularly scheduled meetings during one 12-month period and may not be absent for more than two (2) consecutive meetings without just cause. Such absences may result in termination as a member of EDAC.

Section 9 Quorums for meetings shall consist of three (3) voluntary EDAC members. Formal decision-making shall require a majority vote of the quorum. A quorum is also required for electronic mail and conference call reviews.



- Section 10 Each member's vote shall carry equal weight. The chair shall not vote. The chair may at his/her discretion refer the recommendation of EDAC to the CDE executive team, as appointed by the Commissioner. If the CDE executive team believes that such recommendation is not in the best interest of all parties and the team decides to reject the decision of the committee, notification will be sent in writing to the committee.
- Section 11 Visitors may attend any regularly scheduled meeting. However, if an individual would like to address EDAC members, the person must notify either the chair or the secretary at least one (1) day in advance of the meeting. Each individual who has requested to present will be allotted no more than three (3) minutes (actual time may vary according to time constraints) to convey views to EDAC members.
- Section 12 The chair may invoke Robert's Rules of Order (Revised) as necessary to conduct meetings or to resolve conflicts.

ARTICLE V

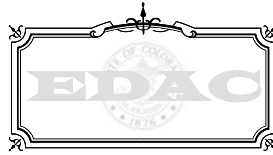
Officers and Duties

- Section 1 The permanent chair of EDAC will be the Director of Data Services from the Colorado Department of Education.
- Section 2 The chair shall generally supervise and control all of the business and affairs of EDAC. The chair shall, when present, preside at meetings and may appoint a temporary chair to preside when not present.
- Section 3 Secretarial services shall be provided by the Colorado Department of Education and a secretary shall be present at all meetings. The secretary may appoint a temporary secretary to fulfill secretarial duties when not present.
- Section 4 The secretary shall keep minutes of the meetings, see that notices are duly given in accordance with the provisions of these bylaws, be custodian of all EDAC records, ensure that EDAC stamps are affixed to all approved data collections, and in general, perform all duties incident to secretary and other duties that may be assigned by the EDAC chair.

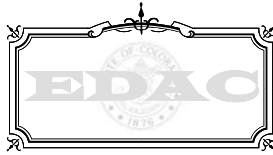
ARTICLE VI

Reviews

- Section 1 EDAC will review each data reporting request that is and is not required by state or federal statute or by rule.



- Section 2 A data reporting requirement or data collection is the process of gathering and measuring information on variables of interest, in an established systematic fashion that enables one to answer relevant questions and/or evaluate outcomes. EDAC approval must be obtained by any Colorado state agency prior to requesting/collecting any data from a local education agency. In simplified terms, a data reporting requirement or data collection requests local education agencies to provide information to the Colorado Department of Education or another state agency.
- Section 3 EDAC has exempted certain department forms from review because they do not pertain to PK-12 education or the school district's directive to educate/provide services to PK-12 students such as the Special Education Post School Outcomes Interview. Any one-time school designation application process that has five or fewer submissions per year and has no additional data collection pertaining to the designation is also exempt from review such as the multi-district online school certification and the single-district online school and program recognition.
- Section 4 Department policy states that a data collection originating from any state agency impacting local education agencies, which does not bear an EDAC stamp does not have to be completed by a district, BOCES, state charter school institute, administrative unit, migrant region, or school food authority.
- Section 5 EDAC will notify school districts, boards of cooperative services, the state charter school institute, administrative units, migrant regions or school food authorities in the form of an EDAC stamp whether compliance with the request is mandatory, required to obtain benefit, or voluntary (22-2-304(2)(c), C.R.S.).
- **MANDATORY.** This form must be completed by all appropriate agencies. Funding may not be attached to this collection but it is statutorily required. However, funding that an agency would otherwise receive may be withheld if this form is not completed.
 - **REQUIRED TO OBTAIN BENEFIT.** Funding or service is attached to the completion of this form. An agency may choose not to complete the form but the related funding or service will not be available.
 - **VOLUNTARY.** The collection is not a direct requirement of state or federal legislation but will yield useful data with sufficient and representative sample size.
- Section 6 The EDAC stamp will display collection compliance information, the form number, the date the collection was approved and the school year to which the approval applies.



Section 7 Each review request must be submitted to EDAC annually or as often as it is collected. Collections with date and other extremely minimal changes may be submitted as Update Approvals and do not require a presence at the meeting. However collections with programmatic or substantial changes must be submitted as Review of Proposed Data Collection and require a presence at the meeting.

Section 8 A data collection must have a full review at least once every four (4) years. An individual collection may have no more than three (3) consecutive update approvals before it must return to EDAC for a complete review of proposed data collection. EDAC may request a full review with a majority vote of the members.

Section 9 Local Education Agencies (LEAs) receive many data reporting requests. For EDAC purposes, a LEA is considered to be a school district, board of cooperative services, administrative unit, migrant region, the charter school institute or school food authority. EDAC reviews any Colorado state agency data collection request of LEAs. EDAC reviews the following types of data collections:

- Grants (Requests for Proposals)
- Applications
- Evaluations
- Technical Assistance/Support Tools/ Rubrics
- Surveys (including paper, electronic or third party vendor survey tools)
- Studies
- Verbal questionnaires (Interviews)
- Audits potentially containing student or staff personally identifiable information (PII)
- Monitoring requirements potentially containing student or staff personally identifiable information (PII)
- Data collections to include those required by state and federal governments which go through the Colorado Department of Education.
- Other state agency collections which are directed to LEAs
- CDE-supported data collections from other entities
 - CDE funds contributed to effort
 - CDE or office/unit logo provided for support
 - CDE encouraging completion of specific collection

EDAC does not review the following types of data collections:

- Meeting or training registrations
- Meeting or training evaluations



- Contracts
- CDE-directed vendor (non-LEA) specific collections
- Vendor collections directed to clients
- Other state agency collections which are not directed to LEAs
- Federal collections which are returned directly to USDE, outside of CDE's scope.

Section 10 A grant application (or funding opportunity) allows eligible applicants, most often LEAs and/or educational organizations, to competitively apply for grant funds. Applicants have the right to know what data and information will be collected during the course of the grant funding and/or services. A grant application should include as attachments all related evaluation, technical assistance/support tool/rubric and reporting requirements or report summaries with links, unless it is the first year of a grant. If not feasible due to time constraints, first year grants or funding opportunities may submit evaluation, technical assistance/support tool/rubric and reporting requirements to EDAC for approval as soon as available. However, it is expected by the grant's second year or round that all reporting or evaluation requirements be included as part of one combined EDAC review.

Section 11 EDAC stamps may be pulled by the committee at the discretion of EDAC if:

- Recommended changes are not made
- Data collection is enhanced or changed without EDAC knowledge
- Instructions to complete collection are enhanced or changed without EDAC knowledge
- Timelines are not met
- Other indication that the data collection is not what EDAC originally approved.

Section 12 In rare circumstances, EDAC gives the chair the authority to issue an "Exiguous Data Collection" stamp to an extremely small data collection without EDAC review.

ARTICLE VII

EDAC Criteria for Reviewing Request to Collect Information

Section 1 It is the responsibility of the requesting unit to demonstrate why currently existing requested information cannot be used from the other source.

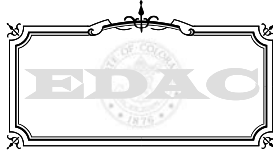


- Section 2 EDAC reviews of requests for information required by statute will be given the highest priority. Data collections which are not required by statute must have statutory basis such as fulfilling the requirements of a grant administered by the department.
- Section 3 Information collected must be of value to local school districts and related agencies, as well as to the Colorado Department of Education.
- Section 4 Costs of collecting, analyzing, and reporting information should be minimal in relation to the benefits to be derived.
- Section 5 The requestor should be able to attach a high level of accuracy and confidence to the information to be obtained through the request.

ARTICLE VIII

EDAC Criteria for Department Preparation for EDAC Review

- Section 1 It is the responsibility of data requestors to review the EDAC meeting schedule for the year and determine when each of their annual requests for reviews of proposed data collection should be submitted.
- Section 2 Data requestors shall work with the EDAC secretary to schedule each data collection for review on an annual basis at a regularly scheduled EDAC meeting. Data requestors shall ensure that review materials are electronically available to the EDAC secretary at least seven (7) days prior to the meeting.
- Section 3 Department data requestors must adhere to the advance notice and website update requirements of 22-2-306 C.R.S. when scheduling EDAC reviews.
- Section 4 There are two different EDAC Review forms. The data requestor must complete the appropriate form depending on the type of review.
- **REVIEW OF PROPOSED DATA COLLECTION.** This form must be completed by the requestor for any collection which has not been previously reviewed or to which programmatic or substantial changes are being made since its last review.
 - **UPDATE APPROVAL.** This form must be completed by the requestor for any collection which has previously been reviewed and only has date and other extremely minor changes since its last annual review.
- Section 5 Each request for the collection of information must include
- a copy of the entire updated proposed collection instrument, not just the sections with changes



- accompanying instructions, and
- the appropriate EDAC Review Form.

Section 6 For a first-time review, EDAC focuses on

- **Justification-** Specify the citation and language of the legislation, rule, regulation or other guideline requiring the collection,
- **Fiscal impact-** Determine the anticipated fiscal impact on school districts or other responders statewide,
- **Privacy protections-** Explain how data is protected, especially personally identifiable information (PII), and
- **Redundant information-** Describe efforts to prove whether or not the data requested are already being collected.

Section 7 For a repeat review, whether an update approval or a full review, EDAC focuses on

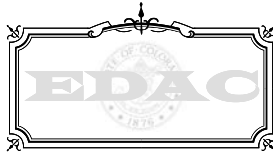
- **Alterations-** Clearly indicate where changes to the collection have been made,
- **Program success and communication-** Describe accomplishments and challenges and how these have been communicated publically and been utilized to improve the program,
- **Justification-** if not previously addressed. Specify the citation and language of the legislation, rule, regulation or other guideline requiring the collection,
- **Fiscal impact-** if not previously addressed. Determine the anticipated fiscal impact on school districts or other responders statewide, and
- **Privacy protections-** if not previously addressed. Explain how data is protected, especially personally identifiable information (PII).

Section 8 Unless required by legislation, data collections that will significantly impact school district data systems must be submitted to EDAC one year prior to implementation of the collection. Significant impact includes modification of existing department or district/BOCES automated data systems or inclusion of information not currently maintained in existing student, staff or financial data systems.

ARTICLE IX

Emergency Conference Call or Electronic Mail Reviews

Section 1 Emergency conference calls or electronic mail reviews are reviews that are conducted because a change in state statute or some unforeseen



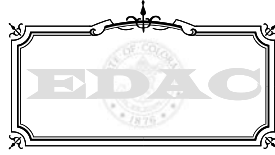
circumstance occurs which prevents the collection from being presented at a regularly scheduled EDAC meeting. A lack of preparedness by department or other state agency staff members does not constitute an emergency for EDAC. Emergency and non-emergency reviews will be conducted at the discretion of the chair.

- Section 2 EDAC acknowledges that in rare circumstances department data requestors may need to submit reviews of proposed data collections or update approvals during periods for which no regular meetings are scheduled.
- Section 3 Emergency requests for information should be submitted far enough in advance of the proposed issue date, but no less than seven (7) days, to allow for review, form revision, and making a decision regarding the request.
- Section 4 EDAC quorum stipulations shall be in effect for emergency reviews. All members accessing an electronic mail review are encouraged to react to comments of other members with a positive or negative response in order for EDAC to obtain a quorum.
- Section 5 An EDAC stamp may not be generated until a quorum has voted on an emergency review.
- Section 6 Once an emergency review is conducted, the following year a full review will be required.

ARTICLE X

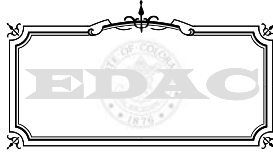
Amendments

- Section 1 Amendments to bylaws must be submitted in writing to EDAC membership at least seven (7) days prior to the scheduled regular meeting.
- Section 2 These bylaws may be amended by majority vote of the members.



EDAC BYLAW HISTORY

- 2/8/2008 Bylaws initially adopted.
- 2/4/2011 Bylaws were updated and approved to appropriately reference the chair and Data Services; to add other state agencies, human resources and data compliance; to remove automated data exchange submission terminology and references to previous legislation; to make submission deadlines consistent; to update the legislation in Appendix A; and other small changes.
- 12/13/2013 Bylaws were updated and approved to reflect that permanent CDE members are non-voting; a quorum consists of three (3) voluntary members; the chair refers non-quorum votes and items not in the best interest of all parties to CDE's executive team for resolution; the Commissioner appoints department members; and other small edits were made.
- 02/02/18 Bylaws were updated and approved to more clearly define a data reporting requirement or collection; added school food authorities to the definition of an EDAC local education agency; provided additional examples of what EDAC does and doesn't review; removed the adult education and facilities exemptions; expanded the focuses of an initial and repeat review; updated Appendix A: EDAC's legislative authorization; and other small edits were made.
- 01/11/2019 Bylaws were updated and approved to exempt infrequent school designation applications without additional data collection attached and other small edits were made.



APPENDIX A

Colorado Revised Statutes Reference:

22-2-304. Education data advisory committee - creation - duties - repeal.

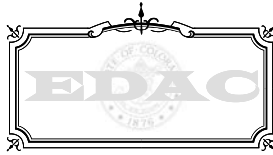
(1) The state board shall designate at least five volunteer school districts and two volunteer boards of cooperative services and a volunteer charter school, that are representative of the state as to pupil size and population, to send representatives to form a voluntary committee, to be known as the education data advisory committee. The EDAC shall work with the department to review school district data reporting requirements and make recommendations as provided in this section.

(2) The EDAC shall:

(a) Review the statutory and regulatory data reporting requirements applicable to school districts and public schools and determine whether the benefits derived from the reports are outweighed by the increased administrative costs incurred by the school districts and public schools in preparing and submitting the reports;

(b) Identify those statutory and regulatory data reporting requirements that are duplicative or obsolete and may be combined, eliminated, or otherwise streamlined;

(c) Review each data reporting request made to school districts and public schools and notify school districts and public schools that the request is mandatory because it is required by statute or rule, is required to acquire a benefit because a statute or rule requires a school district or public school that chooses to seek or receive a specified governmental benefit to report the data, or is voluntary because it is not specifically required by a statute or rule;



(d) Review all proposed statutory and regulatory data reporting requirements, whether proposed in state or federal legislation or in rules, and, to the extent practicable prior to final adoption, inform the general assembly or the enacting state or federal agency of the estimated cost to the school districts and public schools of complying with the proposed statutory and regulatory data reporting requirements and make recommendations to the general assembly or to the enacting state or federal agency concerning whether the proposed requirements are already included in existing law or regulation and whether the proposed requirements are necessary and appropriate;

(e) Advise the department on the impact of data practices and technology on school districts and public schools;

(f) Periodically review the rules for implementing the federal "Family Educational Rights and Privacy Act of 1974", 20 U.S.C. sec. 1232g, and recommend to the state board an interpretation of said act that will facilitate the exchange and sharing of student information to the greatest extent possible in compliance with the federal regulations for implementing said act; and

(g) Review the processes and timing for collecting student demographic data and make recommendations to the state board for efficiently updating the data as necessary.

(3) (a) The EDAC shall annually, or more often if necessary, make recommendations to the state board and to the appropriate legislative committees of reference based on the subject matter of the recommendation for the repeal or amendment of statutory and regulatory data reporting requirements that the EDAC has identified as duplicative, obsolete, or inefficient.

(b) Repealed.



(4) The EDAC shall identify those reporting requirements that may be consolidated into a single report or a single submission for purposes of streamlining data submission for school districts and public schools.

(5) As used in this section, "statutory and regulatory data reporting requirements" includes all data reporting requirements that apply to school districts and public schools and that are imposed by federal or state statute or by rule of a federal or state agency, including but not limited to the data reporting requirements imposed by the department of human services, the department of public health and environment, and the department of health care policy and financing.

(6) (a) This section is repealed, effective July 1, 2022.

(b) Prior to such repeal, the EDAC shall be reviewed as provided in section [2-3-1203](#), C.R.S.