

CHAPTER 25

EDUCATION - POSTSECONDARY

SENATE BILL 26-034

BY SENATOR(S) Kolker and Marchman, Gonzales J., Jodeh, Kipp, Weissman, Coleman;
also REPRESENTATIVE(S) Hamrick and Bacon, Boesenecker, Brown, Duran, Goldstein, Lieder, Lindsay, Nguyen, Phillips,
Rutinel, Sirota.

AN ACT**CONCERNING EXPANDING PARTICIPATION BY MEMBERS OF THE AURARIA BOARD OF DIRECTORS
ADVISORY COMMITTEES.**

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

SECTION 1. Short title. The short title of this act is the "Auraria Student and Faculty Board Voting Rights Act of 2026".

SECTION 2. Legislative declaration - legislative intent. (1) The general assembly finds and declares that:

(a) Student and faculty representation in postsecondary institutions' institutional governance promotes accountability, transparency, and responsiveness to the educational needs of the student body;

(b) The Auraria higher education center has 3 separately governed institutions whose students and faculty are materially affected by decisions of the Auraria board of directors, known as the Auraria board;

(c) Granting the elected student and faculty members of the Auraria board full voting rights strengthens shared governance by ensuring that directly elected student and faculty representatives participate substantively in decisions that affect students; and

(d) It is in the public interest to provide the elected student and faculty members of the Auraria board with voting rights equal to that of other board members.

(2) The general assembly further declares that this act does not alter any statutory

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

eligibility requirement for the elected faculty member of the Auraria board, including residency requirements, except as expressly provided in the act.

(3) It is the intent of the general assembly that:

(a) The Auraria board and each of the governing boards of the constituent institutions of the Auraria higher education center will update their policies, bylaws, and rules, including rules of procedure, as applicable and as necessary to comply with the amendments to Auraria board members' authority made in this act; and

(b) A student or faculty member serving on the Auraria board on the effective date of this act assumes the voting rights granted to that member in this act without needing to be reelected to the Auraria board.

SECTION 3. In Colorado Revised Statutes, 23-70-102, **amend** (1) introductory portion, (1)(c)(I), (1)(c)(III), (1)(d)(I), and (2) as follows:

23-70-102. Auraria board - membership - terms - oath or affirmation - voting.

(1) ~~Effective July 1, 1989,~~ There is created a **new** board of directors of the Auraria higher education center, which consists of ~~nine~~ ELEVEN voting members. ~~and two ex officio nonvoting members.~~ The members of the Auraria board ~~shall be~~ ARE CHOSEN ~~in the following manner~~ AS FOLLOWS:

(c) (I) An advisory committee of six members who are ~~full-time~~ students ~~shall be~~ IS ELECTED, two from each of the student bodies of each of the three institutions governed by the Auraria board. ~~and it~~ THE ADVISORY COMMITTEE shall elect one of its members to fill one office on the Auraria board to serve for ~~one term~~ A ONE-YEAR TERM beginning EACH July 1. ~~The elected student office is advisory, without the right to vote.~~ The elected student member of the board must have resided in the state of Colorado ~~not~~ NO less than ~~three years~~ ONE YEAR prior to the member's election. A vacancy in the office of the elected student member ~~shall~~ MUST be filled by reelection for the unexpired term.

(III) In the event of death, resignation, or inability or refusal to act of ~~any such~~ AN elected member of the student advisory committee, the student governing body of the institution with the vacancy shall appoint a ~~full-time~~ student from that institution to fill the vacancy for the remainder of the term.

(d) (I) An advisory committee of ~~six~~ NINE members who are full-time faculty members ~~shall be~~ IS ELECTED, ~~two~~ THREE from each of the faculties of each of the three institutions governed by the Auraria board. ~~and it~~ THE ADVISORY COMMITTEE shall elect one of its members to fill the remaining office on the Auraria board to serve for a one-year ~~terms~~ TERM beginning each July 1. The committee shall select ~~such~~ a member from the same institution only once in the same three-year period. ~~The elected faculty office is advisory, without the right to vote.~~ The elected faculty member of the board must have resided in the state of Colorado ~~not~~ NO less than three years prior to the member's election. A vacancy in the office of the elected faculty member ~~shall~~ MUST be filled by reelection for the unexpired term.

(2) (a) Each member of the Auraria board shall take an oath or affirmation in accordance with section 24-12-101.

(b) MEMBERS OF THE AURARIA BOARD ARE FIDUCIARIES OF THE CENTER, AND A MEMBER SHALL RECUSE THEMSELF FROM A VOTE OR EXECUTIVE SESSION WHEN THEY HAVE A CONFLICT OF INTEREST. THE AURARIA BOARD MAY ADOPT, THROUGH ITS BYLAWS AND POLICIES, A COMPREHENSIVE FRAMEWORK DEFINING CONFLICTS OF INTEREST APPLICABLE TO BOARD MEMBERS. THE BYLAWS AND POLICIES MAY ESTABLISH PROCEDURES FOR IDENTIFYING POTENTIAL CONFLICTS, REQUIRE DISCLOSURE OF RELEVANT INTERESTS, AND DESIGNATE A FINAL DECISION-MAKING AUTHORITY TO DETERMINE WHEN RECUSAL IS REQUIRED. THE AURARIA BOARD SHALL ENSURE THAT THE BYLAWS AND POLICIES PROVIDE CONSISTENT, FAIR, AND TRANSPARENT STANDARDS FOR RECUSAL DETERMINATIONS.

SECTION 4. Effective date. This act takes effect October 1, 2026.

SECTION 5. Safety clause. The general assembly finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety or for appropriations for the support and maintenance of the departments of the state and state institutions.

Approved: March 27, 2026