

New America | Education Policy Program
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College Blackout

How the Higher Education Lobby Fought
to Keep Students in the Dark

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Introduction

It is hard to open a newspaper or turn on the television these days without finding another report of the questionable value of college degrees. Hand-wringing headlines, like “The Trillion Dollar Question: Is College Worth It?”; “College Costs at Crisis Levels”; “College May Not Be a Smart Investment”; and “High Student Debt Is Dragging Down the Economy,” abound. As anxiety over student debt and college costs reaches new heights, the public is growing increasingly uncertain about the value of a college education.¹

The answer to the question “Is college worth it” is an unequivocal “yes.” On average. But the real question is: In which program, at which college, at which price and for which students is it worth it? Students, families, and taxpayers are spending unprecedented amounts on higher education, but remain largely in the dark about *how* to spend these precious dollars. Students and families may know a lot about an institution’s campus culture or online flexibility, but they know little about whether students from particular institutions graduate and get good jobs that allow them to pay down their debts. Colleges and universities spend hundreds of thousands of hours collecting and reporting data but don’t know how their students are faring compared with similar students at similar schools. Institutions of all types are subsidized with hundreds of billions of dollars a year in federal financial aid, but taxpayers don’t know if these dollars are being wasted on diploma mills. And policymakers have no sense of whether their reforms are helping or hurting the families that most need the boost higher education can provide. At a time when higher education has never been as important or as expensive, it is unimaginable that we can’t answer these critical questions.

Why can’t we answer them? Because the federal

government either doesn’t have—or can’t use—the right data. That is true, not because it is technically impossible, but because it is illegal. In 2008, largely driven by the private nonprofit higher education lobby, Congress passed a law that banned the creation of a federal student unit record system that would enable *existing* data systems to speak with one another to answer important questions.

Still, the ban has not stopped people from asking these questions, and schools and states are spending more and more time and money trying to answer them. Bookstores are filled with guides to helping students pick colleges, the most famous of which is *U.S. News & World Report’s* Best Colleges Rankings. Yet even the editor of *U.S. News*, Brian Kelly, says the magazine can’t answer the most vital questions that students and other stakeholders have:

We know the rankings aren’t perfect, mostly because some of the data we’d like to get isn’t available. What have students learned when they graduate? Did they get jobs? How much do they earn? These are factors most consumers would like to know. But for the most part, they aren’t measured by schools in any comparable way.²

It does not have to be this way. Much of the data needed to answer these questions are already collected, but cannot legally be connected. Without the ban, the Department of Education could use student-level data already collected and stored by schools, states, and the federal government; safeguard it; and link it across schools and to other data sources—a structure known as a student unit record data system. The existing data points, if connected, could be a powerful tool to better understand the trajectories, struggles, and successes of an increasingly diverse student body.

There are, of course, limitations to a unit record system. Most critically, such a system could not directly answer what (or whether) students have learned, because there are no good, comparable, student-level data on what students have learned. But measuring whether students have graduated, whether Pell grant recipients have graduated, or whether graduates earn enough to pay down their debts is not hard. In fact, it is relatively easy. And the data to do so exist today.

Why a Student Unit Record System?

Congress already requires schools that choose to offer federal loans or Pell grants to report significant amounts of data to the U.S. Department of Education. Through the Integrated Postsecondary Education Data System (IPEDS), the federal government collects information from more than 7,000 colleges and universities.³

IPEDS is just the latest in a long line of federal efforts to survey institutions dating back to the 1870s.⁴ It is the only public source of large quantities of big-picture information on enrollment, student demographics, faculty, higher education finance, and overall student outcomes. It was not, however, designed to ask many of the questions that students, families, institutions, and policymakers now want answered about how well particular colleges and universities are serving their students.

Many Students Don't "Count"

Gone are the days when most college students were 18-year-olds who lived on campus and

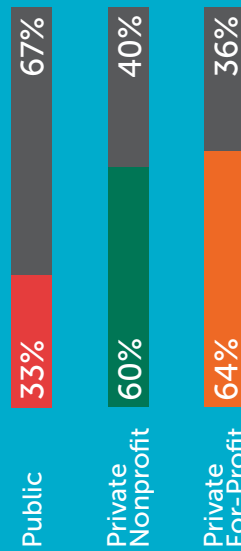
SIDEBAR

Many Students Don't "Count"

4-YEAR PROGRAMS



2-YEAR PROGRAMS



STUDENTS NOT COUNTED

IPEDS does not track part-time and transfer students, who often comprise a large share of students at an institution. Shares of students not counted in a given sector are indicated in grey.

NOTE Data are from IPEDS and reflect first-time, full-time students as a percentage of the total entering undergraduate class at schools that receive federal financial aid dollars in the fall of 2012.

studied full-time for four consecutive years at a single school. Nearly 40 percent of today's students attend part-time, and nearly 60 percent wind up attending more than one school, and there is tremendous variation among institution types.⁵ But these students' outcomes do not "count" because the formula IPEDS uses for calculating graduation rates, required by an act of Congress, includes only first-time, full-time students.

According to the federal government, Marylhurst has a zero percent graduation rate.... As it turns out, serving adults is Marylhurst's problem.

Given this, as the sidebar on page 4 shows, IPEDS does not track the outcomes of many students across a variety of institutions.⁶ The system misses part-time students, students who transfer, and even critical data points about the outcomes of students who receive financial aid.

Consider the case of Marylhurst University, a small, open-admission Catholic liberal arts school in Oregon.⁷ According to the federal government, Marylhurst has a zero percent graduation rate. This may seem odd for an institution that the Council for Adult and Experiential Learning recognized as a national leader for its "outstanding commitment to the expansion of lifelong learning opportunities and for innovative efforts to improve access and quality in academic programs for adult learners," and one that awarded several hundred undergraduate degrees last year.⁸

As it turns out, serving adults is Marylhurst's problem. Just 2 percent of its students fall into the first-time, full-time category that the Department of Education uses to calculate its graduation rates; the vast majority are working adults taking upper-division courses part-time to complete degrees they started elsewhere. And these students seem to be doing well. Out of more than 900 total undergraduates enrolled in the fall of 2011—from those just starting out, to those completing their studies—204 graduated.⁹ Despite the fact that these students

were often the ones that higher education most needed to reach, their successes did not count, at least in the federal government's graduation measure.

Fortunately, this is about to change. Starting in the 2015-2016 academic year, schools will begin reporting on part-time students and those who are not first-time (i.e. transfer students). However, that improvement comes with significant burden and expense for institutions.

Counting More Students Is Burdensome in the Existing System

Schools will have to report these new graduation data by filling out yet another IPEDS survey, in addition to the current first-time, full-time graduation rate survey required by Congress. It is projected that institutions will spend nearly 150,000 hours in the first year and nearly 75,000 in each year after that to provide basic information on these 21st-century students. That is above and beyond the more than 850,000 hours they already spend annually on IPEDS.¹⁰

As it stands, IPEDS surveys cost schools more than 200 hours, or 5 weeks, of work each year; and some schools report that IPEDS surveys cost them nearly 600 annual hours (nearly 15 weeks) of staff time.¹¹ Between the IPEDS surveys and other mandatory disclosures, schools are devoting significant staff time and resources to simply complying with federal requirements.¹² This burden will only grow as Congress tries to better capture the trajectories of 21st-century students and institutions that serve them.

IPEDS Data Are Reported at the Institution Level, Not the Student Level

While IPEDS provides useful data about an institution's characteristics, it wasn't designed to provide rich information on institutional outcomes. In order to know how particular institutions are serving students, it is critical to know how the students in those institutions are doing.

Because IPEDS wasn't designed to look at student-level data, it doesn't answer questions about what kinds of students are graduating from specific institutions. Without this

information, it is difficult for students, families, and policymakers to make informed choices about their higher education choices and investments.

Students have no idea if the programs they choose at the prices they pay will enable them to comfortably pay their loans back or if they'll be drowning in debt for decades.

The data to answer many of these questions are collected outside of IPEDS, but in different systems that—by law—can't speak to one another. Policymakers and the public don't know how much the federal government is investing in servicemembers' and veterans' higher education, because the information is reported to separate databases held by the Departments of Education, Defense, and Veterans Affairs. The Department of Education knows which students have Pell grants because it gives out \$35 billion in the awards every year, but it doesn't know whether Pell grant students are graduating because it can't link its financial aid records to institutions' completion data, including the completion records schools send to the Department of Defense.¹³ Schools know which students leave, but they often don't know if those students dropped out or simply transferred to another institution, even though data from other schools exist to help answer that question.

This information could enable schools to better understand how their students are faring when they leave and develop strategies to improve outcomes. And while students can find out how much debt an average student will leave a particular college with, they have no idea if the programs they choose at the prices they pay will enable them to earn enough to comfortably pay their loans back or if they'll be drowning in debt for decades—all because the Department of Education cannot link existing data on colleges' prices, students' debt, and earnings records.

A Student Unit Record System Would Help

A federal student unit record system would make use of many existing data points to paint a more accurate picture of how well institutions are serving students. Under such a system, colleges would upload a standardized version of the student-level records they already maintain on enrollment, financial aid, and more to the Department of Education. The Department would compile the data, as many states already do for their public institutions, aligning students who moved in and out of multiple institutions, and connecting the data to other existing information. For example, educational data could be connected to earnings data from the Social Security Administration and de-identified to provide files to the Department of Education, aggregated by program or institution, that exclude students' names, Social Security numbers, and other identifying information. Information on colleges and programs would then be reported publicly—in the aggregate, so information on particular students' performances would not be made public.

A student unit record system would account for many more types of students in the federal government's student outcomes metrics. It would significantly reduce the burden of paperwork placed on institutions by allowing them to upload the individual-level data they already collect, rather than requiring them to fill out numerous and constantly-changing surveys. It would permit institutions and policymakers to examine the results of their budgeting and policy and design better reform strategies. Most importantly, it would enable students, families, colleges and universities, and policymakers to ask and answer fundamental questions about college value. This was, indeed, federal policymakers' original vision of a student unit record system—first conceived of more than a decade ago.

History of the Student Unit Record Ban

The U.S. Department of Education Weighs In

Frustrated with the limitations and burden of IPEDS, civil servants and administration officials serving in the Department of Education under President George W. Bush identified in the early 2000s a national student unit record system as the possible solution. Several top higher education associations agreed, including the American Council on Education (ACE) and the State Higher Education Executive Officers (SHEEO) Association. Terry Hartle, senior vice president at ACE, wrote in a July 2004 letter to Representatives John Boehner (R-Ohio) and Buck McKeon (R-Calif.), then-chairs of the House Education and the Workforce Committee and House Subcommittee on 21st Century Competitiveness, respectively, that he supported the inclusion of a student unit record system in the Higher Education Act reauthorization. He encouraged congressional leaders to study the concept, saying:

[A student unit record system] would permit detailed reporting of student enrollment, persistence, transfer and completion regardless of the institutions attended or the number of years a student takes to earn a degree. The National Center for Education Statistics at the Department of Education already maintains a complex technological structure to collect statistical information from institutions of higher education and provides a good framework for making the necessary modifications.¹⁴

In early 2005, the Department of Education published the results of its official feasibility study.¹⁵ The beginning of the report could easily have been written today:

The feasibility study was initiated...in response to growing interest within the postsecondary education community for more accurate measures of net price and graduation rates, especially measures that take into account institutional mission and student mobility. This interest parallels a growing congressional desire to hold postsecondary institutions accountable for student outcomes.

The study strove to present a comprehensive

view of a unit record system, including solutions to many of the logistical challenges raised by the proposal. It left the Department confident that a student unit record system would be a vast improvement over the existing system. But it also raised the specter of institutional accountability, which didn't sit well with some in the higher education community.

The Private Higher Education Lobby Kicks Into Gear

It didn't take long for the National Association of Independent Colleges and Universities (NAICU) to begin mobilizing. NAICU is just one of the "Big Six" membership organizations that make up Washington, D.C.'s higher education lobby, but it is one of the most powerful.

Though private nonprofit college students comprise less than 15 percent of all undergraduates, NAICU represents more than 1,000 colleges and universities across the country, including some of the country's wealthiest and most politically powerful institutions.¹⁶ Graduates from NAICU member institutions fill influential positions in Washington, D.C. as members of Congress, administration officials, and key staffers. Many members of Congress have NAICU institutions in their backyards and consider them critical constituents. And NAICU represents (and its own Secretariat is heavily dominated by) many religious institutions tied to conservative political interests.¹⁷

But NAICU's real federal influence stems from the fact that it represents "independent," or private nonprofit, colleges and universities. Since NAICU institutions are largely independent of state money or oversight, they are largely dependent on tuition dollars, many of which come from federal financial aid. State colleges have state appropriations on which to fall back, so tuition typically comprises a smaller share of their operating budgets. That is why, while public institutions spend much of their lobbying efforts trying to secure state funding, private institutions focus on federal funding. Consider NAICU's organizational mission:

The National Association of Independent Colleges and Universities (NAICU) serves

SIDEBAR

The “Big Six”: The Higher Education Lobby

**AMERICAN COUNCIL ON EDUCATION (ACE)****FOUNDED**
1918**REVENUE**
\$60,253,686 (2011)**SECTOR**
Public, private
nonprofit**ASSOCIATION OF AMERICAN UNIVERSITIES (AAU)****FOUNDED**
1900**REVENUE**
\$5,690,913 (2012)**SECTOR**
Public, private
nonprofit**AMERICAN ASSOCIATION OF COMMUNITY COLLEGES (AACCC)****FOUNDED**
1920**REVENUE**
\$20,156,772 (2012)**SECTOR**
Public**AMERICAN ASSOCIATION OF STATE COLLEGES AND UNIVERSITIES (AASCU)****FOUNDED**
1961**REVENUE**
\$14,209,546 (2012)**SECTOR**
Public**ASSOCIATION OF PUBLIC AND LAND-GRANT UNIVERSITIES (APLU)****FOUNDED**
1887**REVENUE**
\$14,516,599 (2011)**SECTOR**
Public**NATIONAL ASSOC. OF INDEPENDENT COLLEGES AND UNIVERSITIES (NAICU)****FOUNDED**
1976**REVENUE**
\$5,456,188 (2012)**SECTOR**
Private nonprofit

Note: Prior to 2009, APLU was known as the National Association of State Universities and Land-Grant Colleges (NASULGC). Revenue estimates are based on IRS Form 990 submissions. Sectors are classified based on each organization's primary membership.

as the unified national voice of independent higher education. Since 1976, the association has represented private colleges and universities on policy issues with the federal government, such as those affecting student aid, taxation, and government regulation.¹⁸

NAICU is laser-focused on affecting federal policy, unlike the other members of the Big Six, which also provide services for members like professional development and workshops.¹⁹ The influence of its Washington, D.C.-based staff is strengthened by an on-the-ground network of nearly 40 affiliated state-based associations of independent schools that support direct member-policymaker engagement. Many of these groups are categorized by the Internal Revenue Service as “business leagues,” which provides more freedom to engage in political activities than tax-exempt associations have.

All of this enables NAICU to frequently exercise outsized influence on federal financial aid policy within the Big Six. Nowhere was that more apparent than in the passage of the student unit record ban. Although many of the groups that represent public institutions supported a student unit record system, some tepidly, NAICU opposed it vociferously—and prevailed. The group's stated reason for opposing the ban? To protect student privacy.

Shifting the Conversation to Privacy Concerns

David Shi, then-chair of NAICU, in 2006 said that a student unit record system “would put at risk fundamental privacy rights, especially the rights of students to control their academic records.”²⁰ Their argument was bolstered by reports that data held by the U.S. Department

of Education were being improperly accessed, primarily by private lenders in the federally guaranteed student loan program. Those claims reached a fever pitch in 2007 and the Department temporarily shut down access to the data while it reviewed and strengthened security protocols.²¹

NAICU was able to capitalize on the breaches to help galvanize the privacy community. However, its own privacy stance is complicated by the fact that private schools already do share their students' records with the federal government, sending graduates' information to the Department of Defense and students' tuition payment information to the Internal Revenue Service. Moreover, virtually all of these private schools share student information with a private organization called the National Student Clearinghouse to more easily comply with federal financial aid requirements. Institutions note that the data aren't being shared, per se, since the Clearinghouse acts as a legal agent, or an extension, of the institution.

Although students may opt out of having their data used by the Clearinghouse, in accordance with the Family Education Rights and Privacy Act of 1974, they cannot opt out of having their data sent to and kept by the Clearinghouse. Either way, few students choose to opt out. The Clearinghouse boasts "census-level coverage," recording more than 141 million college students and high school seniors, including more than 98 percent of all students in public and private colleges in the United States.²² Because it has a highly detailed and national-level student unit record system, stocked with student records that the institutions have voluntarily shared with the Clearinghouse, it can provide schools with time- and money-saving services as well as richer information about their students. (See appendix on National Student Clearinghouse.)

The act of regularly and voluntarily turning over student records to a private organization calls into question whether privacy was truly the primary concern of institutions who opposed a student unit record system. It is a difficult line to toe: NAICU institutions enjoy the benefits of data-linking through a private student unit record system, but the organization stands firmly opposed to such a federal system on privacy grounds. Many in the privacy and higher education communities believe instead that NAICU was more interested in protecting institutional, rather than student, privacy as a way to obscure the outcomes of poor-performing institutions. If institutional outcomes were made public, students might make different college choices, which could hurt poor-performing schools' bottom lines. Worse yet, student unit record opponents feared that the federal government would

use the data to tie funding to institutional outcomes, potentially disastrous for low-performing institutions largely dependent on federal financial aid.

Nevertheless, NAICU succeeded in framing the conversation around privacy. Others joined the fray: Officials of the Phyllis Schlafly-led Eagle Forum, the Free Congress Foundation formed by founding president of the Heritage Foundation Paul Weyrich, and organizations across the political spectrum mobilized to wield their political strength with lawmakers.²³ Soon, the student unit record system's opponents on Capitol Hill also cited privacy as their main concern. Then-chair of the House Committee on Education and the Workforce John Boehner (R-Ohio) published an opinion piece in which he said: "If Big Brother has a dream, this is it."²⁴ (See sidebar on Privacy and Security).

Yet others in the higher education community expressed a commitment to student privacy even while supporting a student unit record system. The National Commission on Accountability in Higher Education, convened by the State Higher Education Executive Officers Association (SHEEO), recommended that the federal government "establish a national student unit record data system with fail-safe privacy safeguards," calling the existing layers of IPEDS surveys "outmoded and inadequate."²⁵ Lobbying organizations that represented public institutions inside and outside of the Big Six also supported to varying degrees a student unit record system, including the American Association of State Colleges and Universities (AASCU), the Association of Public and Land-grant Universities (APLU), and the Association of Community College Trustees (ACCT). But none of them really pushed the issue. And one of the main public associations, the American Association of Community Colleges (AACC), stayed silent under pressure from other unnamed members of the higher education lobby, though later it came out in support of a student unit record system.²⁶ The umbrella organization for the Big Six, ACE, which had originally supported the idea, remained publicly neutral, as it often does when there is disagreement among the Six. Some Capitol Hill staffers, however, say that ACE opposed a student unit record system behind the scenes.

But NAICU had planted the seeds of opposition among lawmakers. As Congress began to develop its Higher Education Act reauthorization bills in 2005, an amendment to ban a federal student unit record system—but allow state systems—was added by a quick and simple voice vote to a bill that passed the House, but was not taken up by the Senate.²⁷ The language would return a few years later in both chambers.

SIDEBAR

Ensuring Students' Privacy and Data Security

Privacy understandably tops many Americans' lists of concerns about a student unit record system. Recent revelations about widespread surveillance by the National Security Agency and massive data breaches at private retailers like Target have brought privacy and data security issues to the forefront of public conversations—as well they should. Rapid advances in technology provide tremendous opportunities to collect and utilize data for the public good, but have also brought about the potential to do tremendous harm. Any conversation about a federal student unit record system must engage intentionally, honestly, and carefully with issues of security and privacy.

but it also created irresistible pressure for circuitous access to the same data through far less capable state agencies. The fragmented patchwork of [statewide longitudinal data systems], with their appalling privacy practices, their lack of transparency and public accountability, and their questionable information and security practices, are doing much more damage to educational privacy than a federal system ever could.²⁸

Nassirian's comments illustrate the fact that data concerns and student privacy might be better served by a federal system. Because the federal government spends hundreds of billions of taxpayer dollars annually to help students go to college, it already collects and is responsible for protecting significant amounts of student data across various agencies, including the Departments of Education, Labor, Defense, and Veterans Affairs; the Internal Revenue Service; and the Social Security Administration. These largely operational data are siloed, however, which precludes the kinds of analysis that could benefit students, families, institutions, and policymakers. But any conversation about a student unit record system must focus on developing the particular policies that help to ensure the security of students' information.

Since the federal government spends hundreds of billions of taxpayer dollars annually to help students go to college, it already collects and is responsible for protecting significant amounts of student data across various agencies.

As it is today, institutions hold extensive student-level records. But the absence of a federal student unit record system of the type described here does not mean that student records are not currently collected or shared outside of individual colleges and universities. According to Barmak Nassirian, director of federal relations and policy analysis at the American Association of State Colleges and Universities, fervent privacy advocate, and onetime vocal opponent of the federal student unit record ban, this “Balkanization” of data systems has created more, not fewer, opportunities for security and privacy breaches:

Blocking the creation of a national unit-record data system might have prevented direct federal access to all records,

Many such policies already exist in the Department of Education's National Center for Education Statistics (NCES), classified as a statistical agency and therefore subject to stringent requirements under the Privacy Act of 1974, the Education Sciences Reform Act of 2002 (ESRA), and the E-Government Act of 2002. Under the ESRA, for example, an individual who discloses personally identifiable information is subject to a fine of up to \$250,000, five years in prison, or both—a harsh consequence that ensures data security is not taken lightly.²⁹ In fact, the Department has protected confidential information from its student-level cross-sectional and longitudinal surveys. Employees in the Social Security Administration (SSA), whose data would be used to match education and earnings records, face similar punishments for violations of privacy law.³⁰

Moreover, both the Department of Education and the Social Security Administration are experienced in data-matching and de-identification practices. The Department of Education's Disclosure Review Board reviews

data releases and prevents those that could contain re-identifiable student information. The Department of Education's National Forum on Education Statistics has also published recommended best practices for distributing data to external researchers, which ensure that taxpayers and the public benefit from federal data collections without violating the privacy of the students in question. SSA employees are also very experienced in the data practices in question, and currently conduct data-matching projects with the National Technical Institute for the Deaf, for gainful employment regulations, and in other cases.³¹

Other agencies, such as the Census Bureau, securely maintain extremely personal and sensitive information on a large scale. The Department of Education should work with the Census Bureau to establish procedures that would limit the potential for hacking, theft, or inadvertent release of private data, including limiting access to the data to few people in few locations, building up information technology infrastructure to ensure that the agency is better equipped to detect and deter hackers, and conducting regular audits and updates of security standards and practices.

In developing a student unit record system, privacy advocates and experts should sit together with consumer information and student advocates, legal experts, data analysts, and higher education policy researchers to create security and privacy protocols and protections for such a system. A good place to begin could be with an existing federal model for privacy and security, which lists its key elements as: transparency; avenues for individuals to correct their data; a specific and narrow purpose of the data; data collection and retention that does not exceed the scope of the purpose; use of the data that is strictly limited to the program's purpose; "accurate, relevant, timely, and complete" data; data security; and accountability and regular auditing of the program.³²

Making Trade-offs

No matter what protections are put in place, the fact is that any data collection—including that already done by colleges and universities—reduces privacy to some extent. The overarching question then becomes whether a reduction in privacy is worth making for broader individual and societal goals. Students already exchange some anonymity for valuable services or information. Indeed, every year millions of students submit highly personal information, including their families' income

information, through the Free Application for Federal Student Aid (FAFSA) to see whether they qualify for federal grants or loans.

No matter what protections are put in place, the fact is that any data collection—including that already done by colleges and universities—reduces privacy to some extent. The overarching question then becomes whether a reduction in privacy is worth making for broader individual and societal goals.

Individuals make these types of tradeoffs in their daily lives. For example, many riders of the Washington, D.C.-area subway system have traded some level of anonymity guaranteed by a paper farecard for the convenience of a plastic SmarTrip card. This card can identify where people travel, but it also allows for automatic deposits onto the card and provides recourse in the event that the card is lost or stolen. Many consumers have agreed to the risks of online banking in favor of being able to check their account balances and deposit checks on-the-go. Consumers can download Google Waze to contribute information about and navigate heavy traffic patterns, or look at Google Flu Trends to find public health data about influenza outbreaks based on individuals' searches. And students enrolled in college know that their school has their personal information, ranging from family income and grade point average, to number of classes taken, in order to establish eligibility for financial aid, graduation, and more.

Still, while there may be compelling reasons to accept some of the trade-offs that come with a federal student unit record system—including the hundreds of billions of dollars students and taxpayers spend each year on higher education—thoughtful and strong privacy and security policies must be put in place.

Fear of Accountability Adds Fuel to the Fire

Even while some members of Congress were working to prevent a unit record data system, support continued to grow among the officials responsible for administering more than \$100 billion annually in federal financial aid programs each year. In September 2005, President Bush's Secretary of Education Margaret Spellings announced the creation of a Commission on the Future of Higher Education to develop a postsecondary education strategy that addressed every corner of the postsecondary landscape.³³ The Commission's report was wide-ranging and controversial. One of the most hotly debated elements was a plan to hold higher education institutions accountable for student success—impossible to achieve without a student unit record system, which the Commission also recommended. Institutional fear of that accountability provided additional fuel for the opposition to a student unit record system.

When Congress settled in to finally write and pass a Higher Education Act reauthorization bill in 2007 and 2008, Representative Virginia Foxx (R-N.C.) added the student unit record ban. In what seemed a minor change, the amendment was modified by former Representative Heath Shuler (D-N.C.) to exclude statewide data systems from the ban. The future implications of this exclusion may not have been clear, because state data systems were far less developed to create similar privacy and accountability objections.³⁵ Furthermore, since state data systems do not typically include private nonprofit colleges and universities, NAICU had nothing to fear or oppose with state unit record systems. In August 2008, the ban was signed into law. It set the stage for years of complications in designing better higher education policies by keeping students, families, and policymakers largely in the dark.

In August 2008, the ban was signed into law. It set the stage for years of complications in designing better higher education policies by keeping students, families, and policymakers largely in the dark.

While the Department of Education continued to push for a national system, officials also worked on a backup plan that would feature state unit record systems. In the fall of 2006, the Department of Education released its "Action Plan for Higher Education," a suite of strategies designed to implement the Commission's recommendations.³⁴ Given congressional objections to the proposed student unit record system, the "Action Plan" focused instead on building and linking state systems as a work-around to a national system. Not much was to come of the work-around idea until 2012.

Student Unit Records Already Exist

Despite the fears expressed by those who support the federal ban, federal student-level and student unit record systems do, in fact, already exist in many forms.

The scope of higher education data is wide and serves a variety of operational and business functions, as the partial list below demonstrates. But these data can't speak to one another, meaning that similar data are reported to and stored in different systems, resulting in redundancies and increased institutional reporting burden. The inability to link data also means that, despite the sheer amount of data collected, they can tell us very little.

Federally Held Student-Level Higher Education Data

Department of Education Data

Last year, the federal government issued more than \$100 billion of new student loans and monitored nearly \$600 billion more in outstanding student loans.³⁶ If the U.S. Department of Education's Office of Federal Student Aid were considered a bank, it would be one of the largest in the country. In order to administer the federal student aid programs, it must maintain a database of borrowers and aid recipients. This database, known as the National Student Loan Data System (NSLDS), is exempted from the 2008 ban to allow the Department to operate the federal student aid programs.

NSLDS is probably the largest student unit record system in the country given that it contains information on all students who received some federal aid—in 2011-2012, that group comprised well over half (57 percent) of all undergraduates.³⁷ Yet while significant amounts of data are collected on those students for the purposes of operating the financial aid programs, it doesn't collect the kinds of student outcome information most helpful to the public. The data are collected for operational purposes, and therefore not typically analyzed for consumer information or accountability purposes, with the exception of a limited number of programs subject to the

Department of Education's still-pending gainful employment regulations. The Department seeks to determine whether those programs are doing an adequate job of preparing student for "gainful employment in a recognized occupation." To do this, the Department originally decided to evaluate the debt levels and earnings for students who attended gainful-employment programs. The analysis was made possible by matching NSLDS data on borrowers and aid recipients enrolled in the programs with earnings data from the Social Security Administration.

There are concerns, made particularly clear over the course of the gainful employment debate, about the use of NSLDS data to evaluate colleges, given that students who don't receive federal aid aren't included. Community colleges, for example, often don't participate in the federal student loan program and may have sufficiently low costs that many of their students don't receive federal grants or other aid, either. While some schools argue that students who do not receive federal financial aid should not have their data in a federal database, others argue that any analysis that includes only aided students would misrepresent how the institution or program is serving all of its students. Because institutions that receive federal aid use those dollars to benefit all students and not solely aid recipients, the outcomes of all students can be considered important measures of institutional outcomes and returns on government investments.

Internal Revenue Service Data

Outside of the Department of Education, the Internal Revenue Service receives large amounts of student-level data through 1098-E and 1098-T forms from higher education institutions, necessary for calculating borrowers' student loan interest deductions and for awarding tuition tax credits like the American Opportunity Tax Credit, respectively.

Departments of Defense and Veterans Affairs Data

The Department of Defense (DOD) and the Department of Veterans Affairs (VA) also invest heavily in higher education, spending billions

of dollars annually on programs like the GI Bill. To operate these programs, they maintain some of the most exhaustive student unit record systems held by the federal government. The Department of Defense requires a particular level of academic success for military students to remain eligible for the program, so it holds rich academic data, including students' course grades and grade point averages to determine ongoing eligibility. The Department of Veterans Affairs holds fewer data points related to academic outcomes, but has a substantial volume of student-level records that include demographics, completion rates, and other measures of institutional success. However, many of the problems that plague the Department of Education's data are mirrored in military and veterans' programs. For example, a student who exhausts her VA eligibility prior to completion cannot be counted as having graduated. So despite massive public investment, very little is known about the success of servicemembers or veterans who use DOD and VA benefits—in part because the existing data are not made public and in part because existing federal databases don't talk to one another.³⁸

Privately Held Higher Education Data

The federal government is not the only source of student-level data. The National Student Clearinghouse is a private nonprofit organization established more than 20 years ago by lenders to help administer the federally guaranteed loan program. The Clearinghouse currently has one of the largest student-level data sets in the country and is able to link substantial amounts of data across institutions to achieve a fuller picture of college churn and completion. But it can only do this because it has a highly detailed and national-level student unit record system, stocked with student records that the institutions have voluntarily shared with the Clearinghouse. (See appendix.)

Additionally, the National Collegiate Athletic Association maintains student-level records of college athletes. Some of the data are compiled into reports and publicly released to inform student athlete policies, some are submitted to satisfy federal reporting requirements, while other data are used for internal analysis.³⁹

State-Held Higher Education Data

States also hold significant quantities of student data. The federal government, in part to provide answers to questions in the face of a federal student unit record ban, has invested more than \$500 million since 2009 in helping states create statewide longitudinal education data systems.

Virtually all states maintain a longitudinal data system to capture K-12 education, but not all capture early education, workforce, or higher education data.⁴⁰

States with even the most robust higher education unit record systems (some older than 20 years) often miss big parts of the picture, such as the outcomes of students who attend private nonprofit and for-profit colleges in their states. Many state systems can't speak to each other, so states lose track of students who leave the state for another school or for employment. Even Virginia, which has one of the most sophisticated data systems in the country, can't see without relying on the Clearinghouse what happens to its students who transfer to Maryland colleges, or track how many of its graduates began jobs in neighboring Washington, D.C. Those states that do look at wage outcomes usually rely on state unemployment insurance (UI) systems for wage information. UI data include quarterly income records reported to states by employers, but exclude federal and military employees and the self-employed – a challenge that is especially problematic for the Commonwealth of Virginia, which hosts more than 172,000 federal employees.⁴¹ With an increasingly mobile student body, national-level data are needed to understand where students are going and how they are doing.

Institution-Held Higher Education Data

Institutions have, by far, the most detailed student-level data. Schools know students' enrollment patterns, demographics, costs and financial aid receipt, and academic outcomes, at least within the confines of their institutions. However, were those data linked across institutions to account for students who travel between schools, and paired with earnings data to demonstrate schools' return on investment 3, 5, or 10 years later, they could provide powerful information for students and institutions.

The benefits of this type of system can be seen through the experience of the National Technical Institute for the Deaf (NTID), which is housed at Rochester Institute of Technology and was created by and receives an annual appropriation from Congress to serve deaf and hard-of-hearing students. Due both to the large federal investment and to the nature of its student body, the Institute has a special responsibility under the Government Performance and Results Act to prove that it is, indeed, "worth it." It initially tried to survey graduates on their post-NTID outcomes, but response rates were too low to provide an accurate understanding of graduates' employment. So in the late 1970s, it went

to the IRS and later to the Social Security Administration for help. (See sidebar below.)

These relationships have provided four decades of earnings information. NTID has found that its graduates have higher employment rates, higher lifetime earnings, and in most cases, lower dependency on Social Security Disability Insurance than deaf and hard-of-hearing students who withdrew, or even than students

who applied to NTID but attended other schools. Richard Burkhauser, an economist and professor at Cornell who has worked with the data and been impressed by the powerful findings, says, "This is data that no other university in the country has. It's mind-boggling what we've been doing with it."⁴² Had Congress not enacted the ban, students at all institutions could have access to this type of information—the same data that Congress itself now wants.

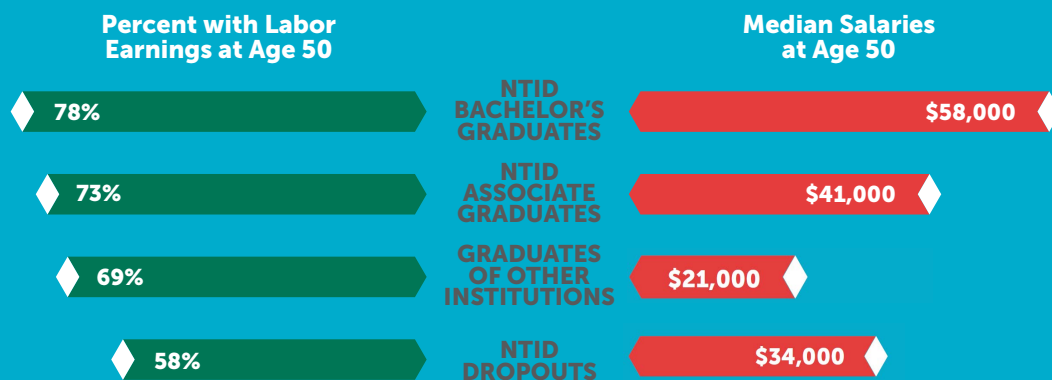
SIDEBAR

The Power of a Student Unit Record System: The Case of the National Technical Institute for the Deaf

The National Technical Institute for the Deaf (NTID), housed at the Rochester Institute of Technology (RIT), was created by Congress in 1965 and charged with a primary mission to "prepare [deaf and hard-of-hearing students] to live and work in the mainstream of a rapidly changing global community and enhance their lifelong learning."⁴³ The Institute is one of only a few to receive direct funding from Congress, and nearly three-quarters of its total revenue comes from a budget line-item included in each year's annual appropriations bill. In recognition of its mission, the Institute provides lawmakers and prospective students with annual reports of return on investment. It has an obligation, administrators argue, to demonstrate to Congress—and to students—what their money buys. But the Institute's data were limited, primarily derived from self-reported surveys that had about a 40 percent response rate. So NTID turned to the federal government for help. In the 1980s it formed a partnership with the Internal Revenue Service, and then in the 1990s switched to a cooperative agreement with the Social Security Administration (SSA). The partnership with SSA allowed NTID to track earnings and use of Supplemental Security Income and Social Security Disability Insurance.⁴⁴

The findings provide exactly the kind of details that prospective students at any school, their families, and especially the lawmakers who invest in colleges each year would want to know. It compares deaf and hard-of-hearing applicants who attended and graduated from other institutions with NTID associate and bachelors' degree graduates and non-completers. For instance, the data show that NTID graduates are more likely to be earning income at age 50 (78 percent for bachelor's degree recipients and 73 percent for associate degree recipients) than similar graduates from other institutions (69 percent). The NTID model also sheds light on precise labor market returns: for instance, at age 50, NTID bachelor's degree recipients earned \$58,000 per year and associate degree recipients earned \$41,000, while graduates from other institutions earned just \$21,000.

NTID's experience has shown the power of unit record data. The system allows for an empirically based evaluation of an institution's strengths and weaknesses, using actual outcomes, allowing institutions to adjust their educational practices accordingly. This same information would enable students, families, and policymakers to make more informed decisions about their higher education investments.



NOTE "Graduates of Other Institutions" comprises all applicants of NTID who attended and graduated from another institution. For the purposes of this report, the terms NTID graduates and dropouts are used to describe graduates or dropouts of the Rochester Institute of Technology and the National Technical Institute for the Deaf. Data from National Technical Institute for the Deaf. Chart by New America.

Turning Tides on the Student Unit Record Ban

Growing Bipartisan Support for Increased Transparency

Since the passage of the 2008 ban, the demand for information that could be provided by a student unit record data system has only grown. The federal government has dramatically increased its investments in higher education, effectively doubling its spending on the Pell grant program over the last five years. As stewards of federal resources, policymakers want to know if taxpayer dollars are being well spent. Moreover, growing public anxiety over college costs has generated widespread agreement on both sides of the aisle—from President Obama and Senator Ron Wyden (D-Ore.) on the left, to Senator Marco Rubio (R-Fla.) and Representative Duncan Hunter (R-Calif.) on their right, to notable members of the business community, including the heads of both the U.S. Chamber of Commerce and the Business Roundtable—about the need for greater transparency in higher education.⁴⁵

And even while Representative Virginia Foxx (R-N.C.) has not reversed her position on the ban, she has been vocal in lamenting the current state of higher education data. At a 2012 hearing on higher education data that she held, Foxx said, “We have so much data and we seem to know so little. What a tragedy for all the money that we’re spending in this country.”⁴⁶

Some of the boldest rhetorical pushes for better higher education data have come from House Majority Leader Eric Cantor (R-Va.). In the days immediately following the November 2012 presidential election, Cantor sent a letter to his Republican colleagues listing several areas of agreement and potential legislative action between Republicans and Democrats. Among them: “Making it easier for parents and students to make informed decisions about what type of post-high school education is right for them.”⁴⁷ A few months later, Cantor got more specific:

Suppose colleges provided prospective students with reliable information on the unemployment rate and potential earnings by major. What if parents had access to clear and understandable breakdowns

between academic studies and amenities? Armed with this knowledge, families and students could make better decisions about where to go to school, and how to budget their tuition dollars. Students would actually have a better chance of graduating within four years and getting a job.⁴⁸

Cantor didn’t outline how to do this, but it’s hard to imagine his vision becoming a reality with the current postsecondary data infrastructure.

Meanwhile, voices outside Capitol Hill have been clamoring for a policy change, too. Media commentators have joined in. The National Review’s Reihan Salam said in a column:

That we allow parents and students to make these [college-going] decisions in what amounts to a vacuum of real, high-quality comparative data is insane. It is incredible that we allow higher education incumbents to get away with this, and we ought to organize parents—particularly the parents of adult college graduates who are living at home due to an inability to find gainful employment—to strike back.

Policy shifts in the White House have also launched renewed calls for a student unit record system. The gainful employment regulations have led to a contentious regulatory fight. As a result of the data collection generated by the proposed regulations, though, the Department was able to produce valuable information about the earnings and debt levels of students in gainful employment-regulated programs. But most programs and institutions do not have access to similar information that could help them identify the programs from which students most struggle after leaving. Likewise, the majority of students do not have access to similar information that could help them make more informed decisions in selecting a school or program.

But perhaps nothing has so spurred the broader higher education lobby to reconsider the value of a student unit record system as a high-profile speech on college affordability given by

President Obama late last summer in which he announced that by the 2014-2015 school year:

We're going to start rating colleges not just by which college is the most selective, not just by which college is the most expensive, not just by which college has the nicest facilities – you can get all of that on the existing rating systems. What we want to do is rate them on who's offering the best value so students and taxpayers get a bigger bang for their buck.

The president also proposed tying federal funding to the ratings, a move that would require congressional approval. But the ratings themselves were more than just rhetoric. The announcement was a serious threat because the White House could build the ratings system without relying on an increasingly intractable Congress. This meant that the higher education lobby wouldn't be able to work Capitol Hill to prevent a ratings system.⁴⁹

Many schools have a strong interest in ensuring that they are accurately represented—and it is this self-interest that might fundamentally change the political dynamics around the student unit record ban.

The strategy quickly became a public relations offensive. The main line of attack was the lack of reliable data upon which to build a ratings system. Within hours of the president's speech, the senior vice president at the American Council on Education—the same one who had originally argued for a study on a student unit record system but then stayed on the sidelines during the legislative process—argued that the administration was under the “obligation to have perfect data” if it planned to rate schools and tie funding to those ratings.⁵⁰ ACE also noted “widespread concerns about the accuracy of the data that the federal government has...”, and pointed out that measures like retention and graduation rates, default rates, and earnings information are often flawed and “very misleading.” In its official comments on the proposed ratings system, the organization argued that:

[A]ny tool designed to be useful to students and parents in their college search should

be grounded in reliable and valid data, and presented with the appropriate context to accurately reflect institutional performance. Lacking such information, distorted results are inevitable and students and institutions will be harmed.⁵¹

The limitations of data to inform a ratings system are real. However, it is no longer a question of whether the federal government will rate colleges, but how it will rate them. Many schools have a strong interest in ensuring that they are accurately represented—and it is this self-interest that might fundamentally change the political dynamics around the student unit record ban. A recent article reported that the American Association of Community Colleges (AACC) originally stayed neutral on the ban “at the insistence of other higher education lobbying groups” but now “strongly supports it.”⁵² Another organization representing community colleges, the Association of Community College Trustees (ACCT), quietly supported a student unit record system from the beginning and has grown more vocal in its support. In its official comments on the proposed ratings system, ACCT opened by noting that the Department should seek to provide more-useful data to consumers, including “the necessary repeal of the federal ban on a student unit record system...”⁵³ The Department of Education received more than 120 comments on its proposed ratings system, nearly all of which cited problems with existing data. Later, when the Department of Education held a symposium on the proposed ratings system with a panel of experts, there was a fair amount of disagreement about which metrics mattered most, but widespread agreement that a unit record system would greatly improve whatever ratings system was adopted.⁵⁴

President Obama's proposal also included a push for accountability by tying schools' federal student aid eligibility to their ratings. The president hasn't been alone in calling for accountability on federal spending: Committees in both the House and Senate have held hearings over the last year exploring whether taxpayers' investments are resulting in the kinds of student outcomes that policymakers hope to see. Some members of Congress have also introduced legislation that would directly tie financial aid availability to institutional performance.⁵⁵ And the bipartisan advisory body created by Congress to advise the Secretary of Education on the eligibility process, among other things, for higher education institutions to participate in the federal financial aid programs, endorsed “data as an essential tool in quality assurance.”⁵⁶

Moreover, as calls for better data and increased accountability grow, so do calls to reduce institutional burden. Institutional burden has long been a concern of higher education institutions and a project of particular interest to Senator Lamar Alexander (R-Tenn.), former Secretary of Education and current ranking member on the Senate Health, Education, Labor, and Pensions Committee. Regarding burden, Alexander has said, “The stack of federal regulations on colleges and universities today is not the result of evil doers, it is simply the piling up of well-intentioned laws and regulations without anyone spending an equal amount of time weeding the garden first.” To help prune those regulations, Alexander recently formed a Task Force on Government Regulation of Higher Education and pushed for \$1 million in the omnibus appropriations bill signed into law in January 2014 to fund a study examining institutions drowning in a sea of onerous, duplicative, and not-terribly-useful reporting requirements.

A student unit record system could be critical to Alexander’s goal of trimming time associated with the thousands of reporting requirements that schools manage each year. Institutions would upload a version of their already-existing student files to the National Center for Education Statistics, rather than respond to a lengthy series of surveys; the Department would connect the files from institutions to capture transfer students and send the data to the Social Security Administration (SSA) for earnings information; the Social Security Administration would then send back to the Department of Education de-identified earnings data. The Department of Education would conduct analysis and produce public reports based on the aggregate information reported back by the SSA. This system would greatly reduce the burden on institutions while vastly increasing the usefulness of the information provided to students, families, and policymakers.

Working Around the Ban: Wyden-Rubio 1.0 (A “Federated” State Data System)

While the House and Senate were holding hearings on data, and before the Obama administration announced its ratings proposal, Representative Duncan Hunter (R-Calif.) and several other members in both chambers of Congress banded together to draft legislation to increase transparency in higher education. In a USA Today opinion piece, Senators Ron Wyden (D-Ore.) and Marco Rubio (R-Fla.) wrote about the need for a bill they introduced in 2012, saying:

Students don’t have access to data that could help them make real-world decisions about their futures and policymakers are given an incomplete picture when making decision about how to best allocate tax dollars. To address this information gap, we have introduced the Student Right to Know Before You Go Act.⁵⁷

The bill was founded on a concept similar to the compromise proposals presented by Secretary Spellings after the backlash to her Commission. The bill sought to work around the existing student unit record ban by stitching together dozens of state systems into a “federated system.” This complicated work-around required institutions to report their data to states’ longitudinal data systems, which would then report back to a third-party entity (such as an adapted version of the National Student Clearinghouse or another state). This third party would link the data files together and add earnings information, and then report the findings to the Department of Education at the institutional, program, and employment sector levels.

A student unit record system could be critical to Senator Alexander’s goal of trimming thousands of reporting requirements.

There are obvious advantages to using a federated, state-based student unit record system over IPEDS or NSLDS. The federal government has invested heavily in state data systems, and states such as Virginia and California already have very rich data systems that, if nationally linked, would be capable of answering many critical questions while eliminating many of the time-consuming IPEDS surveys. Some states are also linking data across state borders to see how students fare as they move through the regions’ educational systems and the workforce.⁵⁸

But this approach also raises many questions. NSLDS does not include students who don’t receive federal student aid, so it presents an incomplete picture of many institutions’ overall outcomes. Furthermore, while NSLDS can be used to support government research and policy analysis, ACE has noted that Congress has not explicitly authorized the Department of Education to use NSLDS to generate consumer

information, so adapting the system without overturning the ban could create political backlash.⁵⁹ Few states currently include private nonprofit and for-profit colleges in their data systems. Would states be willing and able to bring these schools into their systems? And how would the independent colleges that oppose the federal ban feel about having to report to states, with whom many schools have (and wish to maintain) limited interactions? If the National Student Clearinghouse were to become the official, required repository, would it enjoy the same broad support from institutions as it does as a voluntary system? What are the implications for privacy and accountability if a nongovernmental agency were to hold all of these data? And is there a danger that a private entity with an effective data monopoly might use its position to increase the price it charges for its services?

These questions also don't broach the issue of how to make disjointed systems talk to one another in the same language, or who would decide what language to use.⁶⁰ Already, states that have engaged in interstate agreements to connect their data are finding major challenges in reaching agreement on data definitions and governance. Even linking across education systems within a state has presented challenges. States' student unit record systems are in very different stages of development. Some states don't even use longitudinal data. Some don't follow their postsecondary students—they simply buy data from the Clearinghouse to find out where their students are.⁶¹ That could complicate the process of adding in more (nonpublic) institutions, as well as providing clean enough data to ensure linkages across states are possible. And while linking unemployment insurance wage records across states would provide far more information on earnings outcomes than is currently available, it would still exclude military, federal, and self-employed workers.

In the end, that session drew to a close without further action on the bill. The debate, however, had not ended.

Repealing the Ban: Wyden-Rubio 2.0

Bolstered by increasing public demand for better information about higher education outcomes, the same cosponsors in Congress plus a few additional lawmakers introduced a simpler version of the bill in May 2013. This version didn't attempt to work around the ban—it would overturn it completely.⁶²

Rather than create an extensive network of data systems talking to each other, the new bill would create a single, streamlined reporting site for institutions centered in the National Center for Education Statistics at the Department of Education. It would include all public, private nonprofit, and private for-profit colleges that receive federal financial aid dollars; and would use Social Security Administration earnings records, rather than the less-complete unemployment insurance data. It would have fewer opportunities for data to be breached; simpler ways to define and calculate the necessary variables; and greater flexibility in collecting data, easing institutional burden, and protecting students' data. The bill also ensured that institutions could request that data points be provided back to them for internal use and improvement.

Although the political and policy landscapes had shifted since the introduction of version 1.0, Senators Wyden and Rubio were not naïve enough to think that all the members of the higher education lobby were now on board with a student unit record system. In an op-ed in *Inside Higher Ed*, they took on the lobby directly:

Moreover, many schools realize that getting better data is critical to helping identify what's working and what's not for their students in order to build stronger programs. Nevertheless, some of the "Big Six" higher education associations still cling to the status quo and represent a key challenge to realizing these commonsense reforms.

It is long past time for these important actors to look away from their self-interest and toward what's in America's collective interest—a future where higher education produces better outcomes for students and the economy—by supporting the Know Before You Go Act.⁶³

Despite the increased rhetoric about transparency, however, neither version of the bill has seen any action in Congress. Given the history of the ban and the fact that both the House and the Senate are currently working to reauthorize the Higher Education Act, it is unlikely that the bill will be acted upon outside of the reauthorization process. The mere introduction of this bipartisan and bicameral bill (a rarity in Washington, D.C. of late) speaks to changing policy and political winds. Moreover, the bill provides a legislative avenue for doing away with the ban as the policy debate heats up over the proposed ratings system and institutional accountability.

SIDEBAR

Where Industry Organizations Stand Today on a Student Unit Record System

Public Sector Industry Organizations:



AMERICAN ASSOCIATION OF COMMUNITY COLLEGES (AACC)



AMERICAN ASSOCIATION OF STATE COLLEGES AND UNIVERSITIES (AASCU)

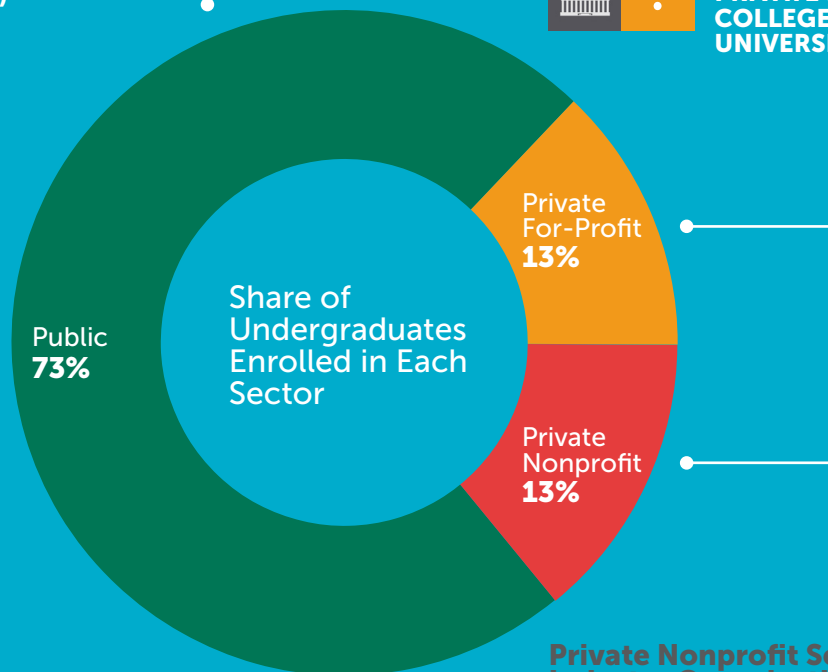


ASSOCIATION OF PUBLIC AND LAND-GRANT UNIVERSITIES (APLU)

Private For-Profit Sector Industry Organization:



ASSOCIATION OF PRIVATE SECTOR COLLEGES AND UNIVERSITIES (APSCU)



Private Nonprofit Sector Industry Organization:



NATIONAL ASSOCIATION OF INDEPENDENT COLLEGES AND UNIVERSITIES (NAICU)

NOTE The American Council on Education and the Association of American Universities are not listed because both represent institutions from multiple sectors. APSCU is included, although it is not technically part of the Big Six, as the representative of the for-profit sector. Prior to 2009, APLU was known as the National Association of State Universities and Land-Grant Colleges (NASULGC). Data are from IPEDS and reflect 12-month undergraduate enrollment at Title IV-receiving institutions, by sector. Chart by New America.

Conclusion

The private nonprofit higher education lobby bears substantial responsibility for the implementation of the student unit record ban, and for keeping Americans in the dark about how well federally subsidized colleges and universities are serving their students.

Their culpability also remains largely hidden, since few outside of Washington, D.C. realize that a powerful higher education lobby exists or that its interests are not always aligned with those of students or the public.

But the world that enabled the private higher education lobby to prevent greater transparency in higher education has changed significantly since the ban was put in place. The lobbying organizations that represent nearly three-quarters of all undergraduate students now support such a system. The group that represents the for-profits, which is not part of the Big Six, has not taken an official position, but many of its member institutions

Few outside of Washington, D.C. realize that a powerful higher education lobby exists or that its interests are not always aligned with those of students or the public.

have reportedly worked behind the scenes to overturn the ban. Only NAICU, the group that represents independent colleges, continues to oppose a student unit record system (see sidebar on page 20).

As more students go to college and take on ever-increasing amounts of debt, there is unprecedented demand from prospective students, parents, and policymakers, to know whether students at particular institutions graduate, whether they get jobs, and whether they can comfortably pay back their loans. And all of those questions could be answered—but not until Congress overturns the student unit record ban.

APPENDIX

The Power of a Student Unit Record System: The Case of the National Student Clearinghouse

Originally called the National Student Loan Clearinghouse, the nonprofit organization was established in 1993 by lenders to help administer loans guaranteed by the federal government.

Prior to the existence of the Clearinghouse, hundreds of lenders had to contact thousands of colleges and universities to figure out whether students were still enrolled at the same or other institutions, or if they were required to begin paying back their loans. This was time-consuming and expensive for both lenders and institutions. With the creation of the Clearinghouse, schools could now voluntarily submit their enrollment data to the Clearinghouse and significantly reduce the number of inquiries from lenders. It also reduced complications for students who had mistakenly been asked to begin loan payments before graduating after transferring between schools.

I can tell you unequivocally, I could not do my job if it were not for National Student Clearinghouse. My institution would be dead in the water in terms of reporting and staffing.

— Peter Zachocki
Illinois Institute of Technology

Over the years, the National Student Clearinghouse has revised and expanded its mission and now provides other critical services for institutions, including helping with time-consuming state and federal reporting requirements and finding out whether students who leave their institutions transfer to other schools. It currently has one of the broadest student-level datasets in the country and is able to link substantial amounts of data across institutions to reach a much more thorough picture of college churn and completion than is possible with IPEDS or other data. It also provides valuable services for employers looking to verify applicants' claims about their degrees. The Clearinghouse is a case study in some of what could be accomplished with a national student unit record system.

The Clearinghouse maintains student-level enrollment and other information on more than 141 million college students and high school seniors, and claims to cover more than 98 percent of students in public and private colleges.⁶⁴ Every month (and in some cases, every week), schools upload files with data on their enrolled students to the Clearinghouse, where the data are matched with data sent in by other institutions. The Clearinghouse sends back key information—like whether students who left Institution X are now at Institution Y—to the submitting institution. The Clearinghouse also maintains a research center that produces regular reports using its data, which provide much-needed national-level analysis of students' trajectories. It assists institutions in reporting to IPEDS, provides more than 5,400 public high schools with information that evaluates the college successes of their graduates, and helps employers by verifying that applicants have certificates and college degrees.⁶⁵

According to the Clearinghouse, its services save institutions about \$400 million annually.⁶⁶ The words of one public university registrar are echoed again and again by other college officials: "I can tell you unequivocally, I could not do my job if it were not for National

Student Clearinghouse. My institution would be dead in the water in terms of reporting and staffing.”⁶⁷ Institutions regularly cite reduced burden, plus a much better understanding of how their students are (or are not) faring once they leave, as the two primary benefits of the Clearinghouse. But the Clearinghouse can only offer those valuable services because it has a highly detailed and national-level student unit record system, stocked with student records that the institutions have voluntarily shared with the Clearinghouse.

Institutions regularly cite reduced burden, plus a much better understanding of how their students are faring, as the two primary benefits of the Clearinghouse. But the Clearinghouse can only offer those services because it has a highly detailed and national-level student unit record system.

Although it does not capture other information that many students and families would like to know, such as whether students will be able to afford their debts once they graduate, the Clearinghouse shows the potential of a student unit record system. The Clearinghouse maintains some of the details that would be most useful in a national student unit record system, including identifying information that allows the Clearinghouse to link the data across schools; enrollment status; anticipated graduation date; and in some cases, academic major and first-time, full-time status.⁶⁸ With data from thousands of schools and millions of students, it is a powerhouse of analysis.

Only some of that picture of postsecondary education, however, is made public. The Clearinghouse relies on the voluntary

submission of data, which requires a close, ongoing relationship with institutions. This means that its public research focuses on big-picture issues, like transfer rates among sectors, rather than transfer rates from specific colleges. While the latter may be more useful for students and families, it is not in the Clearinghouse’s interest to expose low-value institutions—and it is unlikely that institutions would allow their data to be used for those purposes.

As the conversation about repealing the student unit record ban heats up again, some have suggested that the Clearinghouse, with its decades of experience and relationships with institutions, might be a natural entity to operate such a system. It’s unclear, however, if the warm relationship between institutions and the Clearinghouse would continue, were it to move from a voluntary and private relationship to a mandatory and public one. While the Clearinghouse does contain many elements needed to answer critical questions, it does not currently include other data points that Congress would likely want to include, such as graduates’ and non-completers’ income information. Furthermore, though the Clearinghouse, operates under contract as an agent of each school to allow for FERPA compliant data exchanges and has received approval to operate from the Federal Student Aid office at the Department of Education, it is not obligated to meet the same privacy standards as the Department of Education or other federal agencies. Those facts could heighten the controversy over a student unit record system in a national debate.⁶⁹ Regardless of whether the Clearinghouse would continue operating after the ban is overturned, its current efforts with even the limited data it now contains show the power of centralizing student-level information.

Notes

1 In large part, questions about the value of higher education have arisen because it is more expensive than at any point in recent history. Over the past 40 years, the cost of tuition has nearly tripled at private four-year colleges, and more than tripled at public four-year schools. Three in four in a recent poll said college is too unaffordable for most Americans. Borrowers hold more than \$1 trillion in outstanding federal student loans, and the average bachelor's degree graduate in 2012 who borrowed student loans had a debt of nearly \$30,000. Many borrowers find it more challenging to pay their bills or buy a home, and many even delay getting married or having a family because of their debt. Fifty-seven percent of Americans think that college students earn a poor or fair return on the money they invest in college, while just 5 percent say they receive an excellent return. Even employers are not persuaded that graduates are learning the skills they need to succeed in the workplace, and 8 percent of recent bachelor's degree graduates are unemployed. Yet three in four college presidents maintain that students receive a good or excellent value for their college educations. A recent poll found that 96 percent of chief academic officers thought they were preparing their graduates for the workforce, while only 11 percent of employers strongly agreed.

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