Private Colleges Give Ground on Student Data

Lobbying group for independent colleges says it's open to expanding federal data collection on student outcomes but remains opposed to student-level database favored by public colleges and many policy makers.

By Andrew Kreighbaum

June 8, 2018

Proponents for better data on whether and how college pays off for students saw a victory, if a small one, Thursday as the primary lobbying group for private nonprofit colleges inched closer to backing a new federal system that would give important information to students and policy makers.

The National Association of Independent Colleges and Universities signaled a shift in its position on the federal government's role in gathering data on outcomes for college students. David Warren, the group's president, said NAICU was open to exploring legislation that would require colleges to collect and provide more student data to the federal government.

However, that bill, known as the Student Right to Know Before You Go Act, isn't the preferred option of most other college groups and student advocates seeking
more data on student outcomes. And NAICU made clear it still opposes a federal system of student-level data -- the policy outcome that transparency proponents say is essential to answering questions about why students persist and drop out of college.

"For the past decade, there has been a protracted debate between privacy advocates and those who support the creation of a federal student-level tracking system for purposes of educational evaluation. A solution that protects student privacy while also providing more detailed insights into certain policy questions seemed elusive, at best," Warren said. "The Student Right to Know Before You Go Act has the potential to make the assessments policy makers desire, but would do so without creating a permanent federal data repository on each individual student."

Most major higher ed organizations have thrown their support behind the College Transparency Act, a bipartisan bill that would overturn a federal ban on collecting individual student-level data for outcomes like graduation and employment. NAICU backs the alternative legislation in large part because the group says it leaves that ban in place. And it has opposed the CTA bill, leading the American Council on Education, the chief lobbying group for higher ed, to avoid taking a position on the proposed legislation.

Supporters of a student-level data system nonetheless say that the statement from the private college group is a positive development as they build momentum behind more comprehensive student data.

“There’s been a serious bipartisan effort over the past several years to answer these questions and they’ve been an obstinate holdout,” said Amy Laitinen, director of the postsecondary education program at New America. “So this to me does seem significant and it seems like welcome news.”

As talks over an update to the Higher Education Act have unfolded over the past year, policy makers have often found experts repeating the same refrain when
asked about major policy questions involving student loan debt, college accountability or innovation: we need better data.

Part of the challenge identified by those experts is the ban on student-unit records in place for the past decade.

And shortcomings in federal data collection mean much of the college-going population, like transfer students, goes uncounted entirely. That makes for a less clear understanding of whether and how institutions are serving students well. Lawmakers for several years have made bipartisan attempts to remove the ban and establish a new federal data system through previous iterations of Student Right to Know Before You Go. But NAICU has been one of the most consistent critics of those efforts, citing concerns about student privacy protections. While ACE has kept out of the student-data fight, NAICU's position on student data had otherwise become increasingly isolated within the last year as a critical mass of higher ed organizations endorsed the College Transparency Act. That legislation would task the Department of Education with linking various data sets already maintained at different federal agencies.

It would also house the new student-level data system at the National Center for Education Statistics, one of a handful of government statistical agencies whose mission is to secure and protect data. (NCES would also oversee the data system proposed in the 2017 Student Right to Know Before You Go Act.) But Sarah Flanagan, vice president for government relations and policy development at NAICU, said the CTA bill “does not provide a baseline of protections for student privacy.”

The latest version of the Student Right to Know Before You Go Act, when compared to earlier legislative proposals, included far more specific language about privacy protections. NAICU said this version of the bill, released in November, addresses shortcomings in the CTA by prescribing technology requirements for how student data is handled.
“This provides a pathway to start having real conversations about how we can use modern technology to get additional information on public policy questions,” Flanagan said.

Supporters of the College Transparency Act say the bill would allow for the same technology prescribed in the Student Right to Know Before You Go legislation, if that was identified as the best option.

And they say the most sensitive student data is already in the hands of the federal government. Craig Lindwarm, assistant vice president for congressional and governmental affairs at the Association of Public and Land-grant Universities, said NAICU’s opposition to the CTA bill is based on mischaracterizations of what the bill would do.

“The standards in the CTA wouldn’t produce a big federal database of student information,” he said. “It’s a collection of limited pieces of information for limited purposes.”

No organization has been more central than APLU in building support for the College Transparency Act. So the groups have found themselves on opposite sides of the student-data issue. But Lindwarm said the new statement from NAICU is an important step.

“We’re always open to keeping that conversation going,” he said. “We’re closer together today than we were yesterday.”

Mamie Voight, vice president of policy research at the Institute for Higher Education Policy, said NAICU’s statement adds to a wave of support for better data and increased transparency. She noted that much of that support has translated to endorsements of the CTA.

“More than 130 organizations, including higher education associations, have already signaled their support for better data and increased transparency by fully
endorsing the College Transparency Act,” she said. “Students and families deserve quality information to inform their college decisions.”