



Push for 'Unit Records' Revived

Bipartisan group of senators wants to end ban on collecting data many say would help students and the public judge colleges. Opponents appear unmoved, citing privacy concerns.

By [Andrew Kreighbaum](#)

May 16, 2017

A bipartisan group of senators Monday introduced legislation to overturn a ban on a federal data system that would track employment and graduation outcomes of college students. The ban written into the 2008 reauthorization of the Higher Education Act has meant that while colleges report data at the institutional level, efforts to evaluate outcomes at a more targeted level have been stymied. While the bill has support from some Democrats and Republicans alike, its passage remains in doubt because opposition to a federal data system remains on the right and the left, based on privacy concerns and philosophical differences over the role of the federal government in higher ed.

Statements from traditional critics of the legislation Monday were mostly muted but also indicated those concerns hadn't been dispelled.

Senators Elizabeth Warren (a Massachusetts Democrat), Orrin Hatch (a Utah Republican), Bill Cassidy (a Louisiana Republican) and Sheldon Whitehouse (a Rhode Island Democrat) said prospective students and their families need to be able to decide whether a particular college and major will pay off for them in the long run. But the current system, they say, obscures answers to those questions while remaining burdensome for institutions.

"Choosing where to go to college is a life-changing decision. If it is a good one, it will set the stage for success, and if a bad one, it will saddle students with unmanageable debt," Cassidy said. "Students should be as well informed as possible."

Data currently collected by the federal government also exclude students who don't receive federal aid and those -- such as transfers -- who aren't first-time, full-time enrollees. Warren, who dropped out of college before continuing her degree at a different institution, said the proposed legislation would patch those gaps in transparency.

The [bill](#), the College Transparency Act of 2017, would direct the National Center for Education Statistics to develop a secure data system by coordinating with other federal agencies. It would prohibit the creation of a single database within the Department of Education and instead authorize the federal government to connect data it already collects.

It also includes several measures to protect against privacy violations, including a ban on the sale of the data, a prohibition on access by law enforcement and limits to personally identifiable information. The bill also bars a federal college ranking or ratings system.

"It's not like all of this new data is being collected," said Amy Laitinen, director for higher education at New America's Education Policy program and a vocal advocate for a federal student record system. "We're talking about data that is already being collected."

Public college and universities -- including community colleges -- have been strongly in favor of such a proposal for some time. But private institutions, roughly equal to public colleges in number although they represent far fewer students, have been among the strongest sources of opposition to a federal student-level data system.

"As a result of a ban on student-level data in the Higher Education Act, the federal government has presented students and their families with grossly incomplete information about graduation rates, employment outcomes and other key information on how students fare at individual institutions," said Peter McPherson, president of the Association of Public and Land-grant Universities.

"This legislation would finally lift the federally imposed curtain on comprehensive higher education outcomes data and enable students to make better informed decisions."

David Baime, senior vice president for government relations and policy analysis at the American Association of Community Colleges, said the bill was a thoughtful approach to the issue that would gather the data that are needed -- and not more than needed -- to provide basic consumer information to prospective students.

In a statement, the American Association of State Colleges and Universities said accurate and timely data about higher education outcomes is critical for policy makers to make informed decisions.

“It is increasingly clear that the current federal data-collection processes are inadequate to this task,” the statement said. “We look forward to working with Congress, the administration and the higher education community to design the secure, privacy-protected infrastructure that the nation needs for the collection and analysis of relevant higher education data.”

Meanwhile, the National Association of Independent Colleges and Universities, a group of private institutions historically opposed to a student unit record system based on privacy concerns, indicated that the legislation doesn’t address those issues. Sarah Flanagan, vice president for government relations at NAICU, said Americans have become more sensitive to security concerns involving big data and more skeptical of government than ever before.

“It is hard to imagine popular support growing in this climate for having the confidential information of every American college student turned over to the federal government,” Flanagan said. “This proposed legislation to create a student unit record system seems to be coming from a subset of researchers who want to make it easier to do studies. We look forward to working with the senators who proposed the legislation to address the privacy questions that the sponsors have raised, but not yet fully answered.”

Terry Hartle, senior vice president for government and public affairs at the American Council on Education, said the group hasn’t taken a position on a federal unit-record system previously and wouldn’t on this proposal -- a reflection of the divide within the organization’s membership on the issue.

The American Civil Liberties Union [in November](#) came out against a student-unit data system, specifically citing fears that the federal government could misuse student data to target populations like undocumented students. The election last year of Donald Trump, who ran an explicitly anti-immigrant campaign, only served to underline those civil liberties concerns on the left.

The continued opposition of North Carolina Representative Virginia Foxx could be an obstacle to passage of the legislation. In January, she became the chairwoman of the House education committee that would consider such a proposal.

“We all want students and parents to have access to the information they need to make the best decision possible about higher education, and this continues to be an important committee priority for the reauthorization of the Higher Education

Act," a committee spokeswoman said. "At the same time, protecting student privacy and maintaining a limited federal role also remain important priorities for Chairwoman Foxx and the committee."

But the legislation received enthusiastic support Monday from organizations as varied as Student Veterans of America, the U.S. Chamber of Commerce, the Institute for College Access and Success, the National Association of Student Financial Aid Administrators, and Third Way.

Mamie Voight, vice president of policy research at the Institute for Higher Education Policy, said the data currently collected by the federal government don't allow policy makers or universities themselves to address why students transfer or how they can close equity gaps.

"We think the data systems will be more nimble and able to adapt to our currently changing higher education system and to better reflect the realities of how students are faring in terms of college access, college cost and college outcomes," Voight said of the new proposal.

Sammy Geisinger, executive director of the Association of Big 10 Students, said that when she was researching potential colleges, information about the success of students by major or program was hard to come by.

"Even as an enrolled student, I'm curious about job prospects and the career path that I've chosen and want to know how other graduates from my school are doing in the work force," Geisinger said. "We spend a lot of time and money on college, and this data system will help students make more informed decisions on how to plan their educations and careers."

<https://www.insidehighered.com/news/2017/05/16/bipartisan-bill-would-overturn-federal-ban-student-unit-record-database>