

September 20, 2017

The Honorable Betsy DeVos  
Secretary of Education  
U.S. Department of Education  
400 Maryland Avenue SW  
Washington DC 20202

Dear Madam Secretary:

The undersigned 24 organizations, as members and partners of the Postsecondary Data Collaborative (PostsecData), submit the following comments focused on our specific areas of expertise to help inform the U.S. Department of Education's (ED's) efforts to implement Executive Order 13777, which calls for a review of current federal regulations. PostsecData is a coalition of organizations that advocates for the use of high-quality postsecondary data to inform policymaking, institutional improvement, and consumer choice—all to improve student success, especially for low-income students and students of color. Our group represents a large swath of the higher education community, including experts and organizations that represent students, states, researchers, privacy advocates, the business community, and institutions and systems of higher education.

While a re-examination of the purpose and efficiency of existing regulations by ED's Regulatory Reform Task Force is a constructive activity, we write to underscore the importance of regulations that promote the use of high-quality data for decision-making. Many regulations serve a critical purpose and must be maintained. Specifically, portions of 34 CFR 668 (Student Assistance General Provisions) mandate data collection and disclosure, 34 CFR 5b (Privacy Act Regulations) and 34 CFR 99 (Family Educational Rights and Privacy) promote student privacy and reasonable data use, and both 34 CFR 100.6 (Title IV of the Civil Rights Act) and 34 CFR 106 (Title IX of the Education Amendments) support data disaggregation to protect civil rights and promote educational equity. These regulations generate valuable information on our postsecondary system to students, the public, and policymakers, while protecting student privacy. The resulting data serve as crucial tools in promoting a transparent higher education marketplace, responsibly stewarding taxpayer dollars, and supporting fundamental civil rights. They enable informed consumer choice, inform policymaking, and assist institutions as they strive to better serve their students.

In particular, 34 CFR 668.14 requires that institutions receiving federal financial aid "complete in a timely manner and to the satisfaction of the Secretary, surveys conducted as a part of the Integrated Postsecondary Education Data System (IPEDS) or any other federal data collection effort, as designated by the Secretary, regarding data on postsecondary institutions." IPEDS, housed within the Education Department's National Center for Education Statistics, provides the most comprehensive publicly available data on American colleges and universities, including important information on measures such as enrollment, completions, admissions, student financial aid, and more.

IPEDS data serve as the foundation for countless consumer tools—many developed by states and private entities—that inform students about how much a specific college might cost after accounting for financial aid, and how many students receive grants and loans at a particular college. The information also provides insight on the size and diversity of the student body, how selective the institution is, and how likely students are to complete their degrees or certificates. We

readily concede that IPEDS is not perfect. In fact, many of our organizations have recommended improvements to IPEDS,<sup>1</sup> and reforms to our national postsecondary data systems more broadly, including the creation of a student-level data network.<sup>2</sup> To ensure compatibility and harmony across postsecondary data systems, the Department should also align common metrics and definitions across regulations. Until our national data systems are more fully reformed, however, IPEDS will remain the cornerstone tool for meeting the information needs of students, families, institutions, and policymakers.

Other regulations are also critical in providing vital information to consumers, policymakers, and institutions and should be maintained. These include, but are not limited to:

- 34 CFR 5b and 34 CFR 99, which require the protection of student privacy and outline parameters for acceptable data use. Keeping personally identifiable information secure while establishing guidelines for legitimate use is critical to protecting students, both as individuals and as consumers.
- 34 CFR 100.6 and 34 CFR 106, which mandate demonstrated compliance with the Civil Rights Act and Title IX of the Education Amendments. Enrollment, completion, and faculty data are currently disaggregated to support compliance with these regulations.<sup>3</sup>
- 34 CFR 668.6 and 34 CFR 668.7, which define, require institutional disclosure of, and allow ED publication of debt and earnings information for programs at public, nonprofit, and for-profit colleges that prepare students for gainful employment in a recognized occupation. The Administration has already delayed and begun dismantling the gainful employment rule, which provides data to help students make choices based on quality information about the potential return on their investment.
- 34 CFR 668.41, which requires institutions to disclose retention rate, completion rate, transfer-out rate (if applicable), job placement rate, and financial aid information as well as other institutional information, such as cost of attendance, to current and prospective students. Disclosing this type of information to students helps them make wise choices about where to go to college.
- 34 CFR 668.45, which requires disaggregation of completion or graduation rates by race/ethnicity, gender, and economic status. Data disaggregation is necessary to advance equitable education outcomes.
- 34 CFR 668.181–217 and 34 CFR 668.500–516, which require the calculation of cohort default rates. These rates can help inform students, policymakers, and institutions about student success repaying their loans.

The data made possible through these regulations provide invaluable information that students need to make informed college choices, that colleges and universities rely on when working to improve outcomes for students and benchmark performance relative to their peers, and that federal and state policymakers require to make our higher education system work for all Americans. PostsecData looks forward to serving as a resource to the Department and providing helpful input regarding regulations that facilitate informed choices for students in the higher education marketplace. If you have any questions about these comments, please contact Mamie Voight, vice president of policy research at the Institute for Higher Education Policy ([mvoight@ihep.org](mailto:mvoight@ihep.org) or 202-587-4967).

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<sup>1</sup> Rorison, J. & Voight, M. (2016). *Putting the "integrated" back into IPEDS: Improving the Integrated Postsecondary Education Data System to meet contemporary data needs*. Institute for Higher Education Policy. Retrieved from

[http://www.ihep.org/sites/default/files/uploads/postsecdata/docs/resources/putting\\_the\\_integrated\\_back\\_into\\_ipeds.pdf](http://www.ihep.org/sites/default/files/uploads/postsecdata/docs/resources/putting_the_integrated_back_into_ipeds.pdf)

<sup>2</sup> Institute for Higher Education Policy. (2017, May 23). Postsecondary Data Collaborative and Workforce Data Quality Campaign applaud bipartisan, bicameral College Transparency Act. Retrieved from <http://www.ihep.org/press/opinions-and-statements/postsecondary-data-collaborative-and-workforce-data-quality-campaign>

<sup>3</sup> Fuller, C. (2011). *The history and origins of survey items for the Integrated Postsecondary Education Data System*. U.S. Department of Education. Retrieved from <https://nces.ed.gov/pubs2012/2012833.pdf>

Sincerely,

Achieving the Dream  
California EDGE Coalition  
Campaign for College Opportunity  
Center for Law and Social Policy  
Data Quality Campaign  
Education Commission of the States  
Georgetown University Center on Education and the Workforce  
Higher Learning Advocates  
Institute for Higher Education Policy  
Jobs for the Future  
Knowledge Alliance  
Lehman College of The City University of New York  
Metro Atlanta Chamber  
NASPA - Student Affairs Administrators in Higher Education  
National Association for College Admission Counseling  
National College Access Network  
National Skills Coalition  
New America Education Policy Program  
Postsecondary Analytics  
The Bell Policy Center  
The Education Trust  
The Institute for College Access & Success  
Workforce Data Quality Campaign  
Workforce Solutions Group

Cc: Hilary Malawer, Esq.  
Assistant General Counsel  
U.S. Department of Education  
400 Maryland Avenue SW  
Washington DC 20202