

The College Transparency Act – Fact Sheet

The Association of Community College Trustees (ACCT) supports the bipartisan, bicameral College Transparency Act (CTA, S. 2511/H.R. 4806), introduced by Senate Health, Education, Labor, and Pensions (HELP) Committee Chair Bill Cassidy, M.D. (R-LA), Senator Elizabeth Warren (D-MA), and Reps. Raja Krishnamoorthi (D-IL) and Mike Kelly (R-PA).

Community colleges have long advocated for more accurate, meaningful data on postsecondary outcomes, including transfer and post-completion earnings. With more accurate data, students and families can make informed choices about how to spend hard-earned money on the most effective programs that are right for them. Policymakers need better data to make informed decisions about policy and funding affecting student outcomes. Business leaders need better student outcome data to recruit the workforce.

The Problem: Federal data does not fully recognize community college students' transfer, completion, and employment outcomes. Current law only reports on student outcome data for first-time, full-time college students who begin in fall, which applies to less than half of community college students. Further, current law prohibits the federal government from collecting student-level data and limits reporting to students participating in the federal financial aid programs. As a result, current data systems are duplicative, inefficient, and burdensome for colleges, while also failing to generate complete, accurate, and timely information about student progress and success.

The Solution: the College Transparency Act. The bill will:

- Count all community college students, including part-time and transfer students.
- Reward transfer as a measure of success.
- Cut colleges' reporting burdens and improve data quality.
- Facilitate better alignment between program offerings and workforce demands.
- Show the value of community college to prospective students and employers.
- Work in tandem with the new accountability reporting in the H.R. 1 reconciliation law, by allowing comparisons across colleges. The H.R. 1 law and regulations provide program-level data, while the CTA provides a data system for comprehensive comparisons, including for transfer, disaggregated data by military/veteran and other groups, and reduce colleges' reporting burden.

Below is a detailed summary of key provisions proposed in CTA:

- **New data system:** The National Center for Education Statistics (NCES) will develop a secure, privacy-protected, student-level data system within four years of enactment:
 - Accurately evaluate enrollment, progression, completion, post-college outcomes, and higher education costs and financial aid.

- Assist transparency, improvement, and analysis of federal aid programs.
- Provide accurate information for students and families on college choices.
- Reduce reporting burdens on colleges.
- **Developing the new data system:** NCES shall:
 - Develop the system with a focus on users and colleges reporting to the system.
 - Take into consideration federal web design standards for clarity and accessibility.
 - Meet strong privacy and security requirements in federal law, with modern technology.
 - Provide notice to students about the data and how they are used.
- **Data elements:** Within four years, NCES shall determine data elements, partnering with:
 - **New Postsecondary Student Data System Advisory Committee**, which NCES shall establish by two years, staff and resource, and guide within federal law. Members:
 - U.S. Department of Education's (ED's) Chief Privacy Officer or delegate
 - ED's Chief Security Officer or delegate
 - Representatives of diverse colleges – including equal representation between two-year and four-year colleges and from public, nonprofit, and for-profits, including minority-serving institutions
 - Representatives from state higher education agencies, entities, bodies, or boards
 - Representatives of postsecondary students
 - Representatives from relevant federal agencies
 - Individuals with expertise in data privacy and security and
 - Other stakeholders, including consumer protection and education research.
 - **Required data elements shall include at least:**
 - Student-level data within 'student-related surveys' in the Integrated Postsecondary Education Data System (IPEDS)
 - Student-level data needed to report on enrollment, persistence, retention, transfer, and completion for all credentials separately, within and across all types of colleges. Reporting categories shall include:
 - Enrollment as first-time, transfer, or other non-first-time student
 - Whether full-time or part-time
 - Credential-seeking status by level
 - Race or ethnicity in the most recent Census American Community Survey
 - Age intervals
 - Gender
 - Program of study
 - Military or veteran education benefit status
 - Status as a distance education student
 - Federal Pell Grant and federal loan recipient status
 - Other minimum data elements needed to meet the law's purposes, which may include first-generation college student status, economic status, participation in remedial/gateway coursework, and others.

- **Reevaluation:** NCES and the Advisory Committee shall review and may revise the data elements, at least once every three years after implementation.
- **Prohibitions:** NCES shall not include individual data on physical or mental health, student discipline, elementary and secondary education, address, citizenship/migrant/national origin status for students or families, grades, entrance exam results, political affiliation, or religion.
- **Periodic matching with other federal data systems:**
 - **Data-sharing agreements:** NCES shall make agreements and make secure and privacy-protected periodic data matches with:
 - Treasury and Internal Revenue Service - to calculate program- and college-level earnings of college students (not individual level)
 - Defense and Veterans Affairs – to assess education benefits and outcomes for servicemembers and veterans
 - Census, Social Security Administration, and Bureau of Labor Statistics – to assess earnings of former postsecondary students
 - Federal Student Aid – to analyze the use of federal education benefits
 - **Categories of data:** NCES shall ensure these data matches allow consistent reporting of the following categories of data for all postsecondary students:
 - Enrollment, retention, transfer, and completion outcomes
 - Federal grant and loan aid by source, cumulative student debt and loan repayment status and plans
 - Post-completion outcomes including earnings, employment, and further education, by program of study and credential level, measured immediately after leaving and periodically
 - **Streamlining and confidentiality:**
 - The data matches should streamline data collection and reporting for colleges, minimize duplicative reporting, protect student privacy, and streamline student loan benefit applications. NCES reviews every three years.
 - Confidentiality: data matching must follow privacy and security federal law and industry best practices, discloses to students what data are in the system and how they are used, and does not create a single linked ED database. Students must have a process to request and correct their own data, and NCES must respond to each request in writing.
- **Publicly available information:**
 - **User-friendly consumer information website and analytic tool:** NCES shall provide this tool to let users customize and filter by type of college or student, with comparison reports, comparing national or other aggregate data, and without personally identifiable information (PII).
 - **Summary data for each college shall include disaggregated data on:**
 - Student access data, including admissions selectivity and enrollment
 - Student progression data, including retention and persistence
 - Student completion, including transfer and completion

- Student costs, including tuition and fees, total cost of attendance, net price after grant aid, disaggregated by in-state tuition or in-district tuition, program of study, and credential; typical grant and loan amounts; and cumulative debt
 - Outcomes immediately after college and at intervals, including employment rates, earnings, loan repayment and default, and further education
 - **Development criteria:** NCES shall focus on the needs of users, including potential and current students, families, researchers, and others; meet data privacy and security laws and guidelines; and use consumer testing to make the data useful.
- **Permissible Data Disclosures:**
 - **Data reports and queries:** within four years, NCES shall implement a secure and privacy-protected process for vetted research and evaluations of privacy-protected, non-PII, de-identified, student-level data.
 - **Data for states and colleges:** NCES will provide feedback reports annually to each college, system, and state higher education body. Reports shall include privacy-protected, aggregate data on student mobility and workforce outcomes. NCES will also create a process for states to submit lists of high school graduates to get privacy-protected, aggregate summary postsecondary outcomes without storing the individuals' information in the data system.
 - **Prohibitions on data use:** NCES may not:
 - Publish small numbers that could reveal PII.
 - Sell data to third parties or colleges (third parties could use publicly available data for commercial use)
 - Allow other federal agencies to use the data beyond vetted research
 - Limit student services
 - Share the data with law enforcement, debt collection, or immigration
 - Make a federal summative ranking of colleges (individual categories could still be used for accountability)
- **Data submission:** All institutions in Higher Education Act Title IV student aid programs must collect and submit data. Other colleges may do so.
- **Prohibiting willful disclosure:** There will be legal penalties for anyone willfully disclosing any PII; any federal employee will be fired.
- **Data security:** NCES will update guidance and regulations on privacy, security, and access, including regular audits
- **Repeal current law's prohibition on federal student-level data system.**
- **College requirements:** By four years after enactment, colleges must collect and submit data to meet the new law.
- **Transition provisions.** ED and NCES shall reduce reporting burden for entities with existing Integrated Postsecondary Education Data System (IPEDS).