

112TH CONGRESS  
2D SESSION

# S. 2098

To support statewide individual-level integrated postsecondary education data systems, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

FEBRUARY 9, 2012

Mr. WYDEN introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

To support statewide individual-level integrated postsecondary education data systems, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Student Right to Know  
5 Before You Go Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) Every year, millions of people in the United  
9 States will make the choice of whether to invest in  
10 higher education or job retraining programs, but

1 outcomes vary widely based on the program of study  
2 selected, the institution selected, and the maximum  
3 level of education attained.

4 (2) A person who obtains an associate degree  
5 earns, on average, \$1,500,000 over a lifetime, while  
6 individuals with the maximum accreditation of a  
7 high school diploma can expect to earn \$1,300,000  
8 over a lifetime. By comparison, individuals with a  
9 baccalaureate degree earn, on average, \$2,300,000  
10 in their lifetime. However, 28.2 percent of individ-  
11 uals with associate degrees earn more than the me-  
12 dian salary of baccalaureate degree-holders. It is not  
13 just maximum level of education attained, but also  
14 the earnings and employment prospects associated  
15 with specific programs of study, that determines the  
16 amount of an individual's earnings. Furthermore,  
17 the employment and earnings projections of distinct  
18 degree and certificate programs and the cost of ob-  
19 taining these credentials are not equal across institu-  
20 tions.

21 (3) On average, workers with a baccalaureate  
22 degree earn more than 84 percent over their lifetime  
23 compared with those who do not have a degree, and  
24 workers with an associate degree earn, on average,

1       \$6,600 per year more than those with a high school  
2       diploma as their highest credential.

3           (4) According to the National Center for Public  
4       Policy and Higher Education report in 2008, the  
5       cost of college increased 439 percent from 1982 to  
6       2007. In 2010, graduates who took out loans left  
7       college with an average of more than \$25,000 of  
8       debt, more than double what it was 15 years ago. In  
9       2011, student debt in the United States outweighed  
10      credit card debt at nearly \$1,000,000,000,000.

11          (5) As of 2008, 84 percent of undergraduates  
12      had at least 1 credit card, up from 76 percent in  
13      2004. With the rising cost of college tuition and ex-  
14      penses, students are increasingly turning to private  
15      credit to supplement traditional student aid; on av-  
16      erage, students charge \$2,200 towards direct edu-  
17      cation expenses, with only 17 percent regularly pay-  
18      ing off their balances each month. The average stu-  
19      dent leaves college with an average credit card debt  
20      of more than \$4,100, up from about \$2,900 in  
21      2004.

22          (6) Recent research shows that more than  $\frac{1}{2}$  of  
23      student loan borrowers are in deferment, forbear-  
24      ance, delinquency, or default on their Federal stu-  
25      dent loans within 5 years of leaving school.

1           (7) Greater access and transparency regarding  
2 the costs and benefits of higher education are crit-  
3 ical to better prepare students, parents, and the  
4 public for the realities of college and the workforce.

5           (8) Even though enrollment in colleges is on the  
6 rise, corresponding graduation and completion rates  
7 have not risen. At 2-year institutions of higher edu-  
8 cation, about 27 percent of first-time, full-time stu-  
9 dents who enrolled in the fall of 2005 completed a  
10 certificate or associate's degree within 150 percent  
11 of the normal time required to complete such a de-  
12 gree.

13           (9) As unemployment among young adults re-  
14 mains elevated, the economic value and employment  
15 potential of certain degrees has become an increas-  
16 ingly important factor in selecting a major. Not all  
17 academic fields have the same employment and earn-  
18 ings potential. Labor and employment statistics  
19 show that certain majors have a higher employment  
20 potential after college and a higher median starting  
21 salary. Furthermore, the employment and earnings  
22 outcomes for the same or similar accreditation vary  
23 widely across institutions of higher education.

24           (10) To enhance the public's knowledge and ac-  
25 cess to improved information concerning the cost of

1 college, financial aid, prospective earnings, and post-  
2 graduation employment rates, States, institutions of  
3 higher education, and other stakeholders must col-  
4 laborate to make these data points available to pro-  
5 spective students, parents, and all taxpayers in a  
6 new, comprehensive, and easily accessible manner.

7 (11) Such collaboration will allow for a more  
8 comprehensive statistical overview of the current  
9 landscape in American higher education and increase  
10 accountability and efficiency.

11 (12) Research shows that certain courses of  
12 study correlate to improved earnings and employ-  
13 ment; however, existing reporting requirements make  
14 it impossible for researchers to accurately analyze  
15 data at the institutional level. A State-based report-  
16 ing system would ensure that students, parents, tax-  
17 payers, and policymakers can make informed deci-  
18 sions, maximizing their return on investment and  
19 bringing greater transparency to higher education in  
20 the United States.

21 **SEC. 3. DEFINITIONS.**

22 In this Act:

23 (1) ADMINISTERING ENTITY.—The term “ad-  
24 ministering entity” means—

1 (A) a State, including a State coordinating  
2 or governing board, State system office, or  
3 other State agency;

4 (B) a multi-State compact; or

5 (C) a data system operated by the Depart-  
6 ment of Education.

7 (2) EDUCATIONAL INSTITUTION.—The term  
8 “educational institution” means—

9 (A) an institution of higher education, as  
10 defined in section 102 of the Higher Education  
11 Act of 1965 (20 U.S.C. 1002);

12 (B) a school or institution that offers a  
13 program of postsecondary education and that is  
14 an eligible provider of training services under  
15 section 122 of the Workforce Investment Act of  
16 1998 (42 U.S.C. 2842); and

17 (C) any entity that provides postsecondary  
18 training programs that are approved by the  
19 Secretary of Labor under section 236 of the  
20 Trade Act of 1974 (19 U.S.C. 2296) for work-  
21 ers who receive benefits under the trade adjust-  
22 ment assistance program under chapter 2 of  
23 title II of that Act (19 U.S.C. 2271 et seq.).

24 (3) SECRETARY.—The term “Secretary” means  
25 the Secretary of Education.

1 **SEC. 4. PARTICIPATION IN STATEWIDE INDIVIDUAL-LEVEL**  
 2 **INTEGRATED POSTSECONDARY EDUCATION**  
 3 **DATA SYSTEMS.**

4 (a) AMENDMENT.—Section 487(a)(17) of the Higher  
 5 Education Act of 1965 (20 U.S.C. 1094(a)(17)) is amend-  
 6 ed—

7 (1) by striking “(17) The” and inserting  
 8 “(17)(A) The”; and

9 (2) by adding at the end the following:

10 “(B) To meet the requirements of subpara-  
 11 graph (A), the institution will fully participate in,  
 12 and provide all data required for—

13 “(i) the individual-level integrated postsec-  
 14 ondary education data system certified by the  
 15 Secretary under section 5(a) of the Student  
 16 Right to Know Before You Go Act that is ad-  
 17 ministered by a State entity of the State in  
 18 which the institution is located; or

19 “(ii) if no such system exists in the State,  
 20 an individual-level integrated postsecondary  
 21 education data system that is operated by an-  
 22 other administering entity and that is certified  
 23 by the Secretary under such section 5(a).”.

24 (b) EFFECTIVE DATE.—The amendments made by  
 25 subsection (a) shall take effect on the date that is 1 year  
 26 after the date of enactment of this Act.

1 **SEC. 5. STATEWIDE INDIVIDUAL-LEVEL INTEGRATED POST-**  
2 **SECONDARY EDUCATION DATA SYSTEMS.**

3 (a) STATEWIDE EMPLOYMENT AND LEARNING EX-  
4 CHANGES.—

5 (1) CERTIFICATION OF INTEGRATED POSTSEC-  
6 ONDARY EDUCATION DATA SYSTEMS.—

7 (A) IN GENERAL.—Not later than 1 year  
8 after the date of enactment of this Act, the Sec-  
9 retary shall, upon request by an administering  
10 entity—

11 (i) review the administering entity's  
12 individual-level postsecondary education  
13 data system or other data system; and

14 (ii) upon determining that the system  
15 meets the requirements of this subsection,  
16 certify the system for purposes of section  
17 487(a)(17)(B) of the Higher Education  
18 Act of 1965 (20 U.S.C. 1094(a)(17)(B)).

19 (B) CONSULTATION FOR CERTIFICATION  
20 OF SYSTEMS INCLUDING DATA FOR OTHER PRO-  
21 GRAMS.—Before certifying under subparagraph  
22 (A) an individual-level integrated postsecondary  
23 education data system that includes data from  
24 a Federal education and training program in  
25 accordance with paragraph (2)(B)(ii)(I), the  
26 Secretary shall consult with the head of the



1 Federal agency responsible for administering  
2 such Federal education and training program.

3 (2) REQUIREMENTS.—An individual-level inte-  
4 grated postsecondary education data system certified  
5 under this subsection shall meet the following re-  
6 quirements:

7 (A) COMPATIBILITY WITH IPEDS.—The sys-  
8 tem shall have the ability to submit data, in a  
9 manner that does not disclose any personally  
10 identifiable information, to the Integrated Post-  
11 secondary Data System (IPEDS) or any other  
12 Federal postsecondary data collection as des-  
13 ignated by the Secretary, in a timely manner to  
14 the satisfaction of the Secretary.

15 (B) SCOPE OF SYSTEM.—The system shall  
16 include—

17 (i) data from educational institutions  
18 described in section 3(2)(A); or

19 (ii) if the administering entity choos-  
20 es, data from such educational institutions  
21 and data from—

22 (I) other Federal education and  
23 training programs, such as the Job  
24 Corps program carried out under sub-  
25 title C of title I of the Workforce In-

1 vestment Act of 1998 (29 U.S.C.  
2 2881 et seq.), educational assistance  
3 and training programs under the laws  
4 administered by the Secretary of Vet-  
5 erans Affairs, programs carried out  
6 under the Carl D. Perkins Career and  
7 Technical Education Act of 2006 (20  
8 U.S.C. 2301 et seq.), and training,  
9 education, and educational assistance  
10 programs of the Department of De-  
11 fense; or

12 (II) beginning on or after the  
13 date that is 5 years after the date of  
14 enactment of this Act, educational in-  
15 stitutions described in subparagraphs  
16 (B) and (C) of section 3(2).

17 (C) UNIQUE IDENTIFIER.—The system  
18 shall use a unique individual identifier system  
19 that—

20 (i) does not permit an individual to be  
21 individually identified by users of the data  
22 system; and

23 (ii) is created through a process that  
24 creates a one-way secure identifier that can

1 be used in data systems in other States  
2 and cannot be reverse-engineered.

3 (D) DATA INCLUDED.—The system shall  
4 include the following data and information:

5 (i) Data sufficient to complete all stu-  
6 dent components of reporting required for  
7 the Integrated Postsecondary Education  
8 Data System of the National Center for  
9 Education Statistics. The system shall em-  
10 ploy, where applicable, the most recent  
11 version available of the Common Education  
12 Data Standards developed by the National  
13 Center for Education Statistics.

14 (ii) Rates of remedial enrollment,  
15 credit accumulation, and postsecondary  
16 completion by high school completion sta-  
17 tus.

18 (iii) Other information determined  
19 necessary by the Secretary to address  
20 alignment and adequate preparation for  
21 success in postsecondary education.

22 (E) DATA AUDIT AND DATA GOVERNANCE  
23 SYSTEMS.—The system shall include a data  
24 audit system assessing data quality, validity,  
25 and reliability and a data governance system,

1 operated at the State or regional level (as the  
2 case may be) with the participation of rep-  
3 resentative educational institutions, to ensure  
4 compliance with Federal and State standards of  
5 data quality and individual privacy.

6 (F) INDIVIDUAL PRIVACY AND ACCESS TO  
7 DATA.—The administering entity shall provide  
8 an assurance—

9 (i) that the system does not disclose  
10 any personally identifiable information and  
11 complies with the requirements of section  
12 444 of the General Education Provisions  
13 Act (20 U.S.C. 1232g) (commonly known  
14 as the “Family Educational Rights and  
15 Privacy Act”) and other applicable Federal  
16 and State privacy laws; and

17 (ii) that there is a policy on the use  
18 of data in the system by other entities, in-  
19 cluding by nongovernmental entities.

20 (3) ADDITIONAL REQUIREMENTS.—In order for  
21 an individual-level integrated postsecondary edu-  
22 cation data system of an administering entity to be  
23 certified under this subsection, the entity shall dem-  
24 onstrate to the Secretary that the entity is coordi-  
25 nating with an agency or entity that oversees admin-

1        istrative wage and earnings data to match data from  
2        the postsecondary education data system to adminis-  
3        trative wage and earnings data, in order to create an  
4        interoperable employment and learning exchange  
5        that—

6                (A) continues the use of a unique indi-  
7                vidual identifier system that does not permit an  
8                individual to be identified by users of the data  
9                system; and

10                (B) provides data on average individual  
11                annual earnings, disaggregated by educational  
12                program, degree received, educational institu-  
13                tion, employment sector, and State.

14        (b) TECHNICAL ASSISTANCE GRANTS.—

15                (1) IN GENERAL.—The Secretary is authorized  
16        to award grants—

17                (A) to educational institutions to assist  
18                with the costs necessary to comply with the re-  
19                quirements of this section or section 487(a)(17)  
20                of the Higher Education Act of 1965 (20  
21                U.S.C. 1094(a)(17)), as added by section 4;  
22                and

23                (B) to administering entities described in  
24                subparagraph (A) or (B) of section 3(1) that  
25                have an integrated postsecondary education

1 data system certified by the Secretary under  
2 subsection (a) or that are developing such a  
3 system, to assist with the costs associated with  
4 such systems or with developing or imple-  
5 menting such systems.

6 (2) APPLICATION.—An educational institution  
7 or administering entity that desires to receive a  
8 grant under this subsection shall submit an applica-  
9 tion to the Secretary at such time, in such manner,  
10 and containing such information as the Secretary  
11 shall require.

12 **SEC. 6. TRANSITION PLAN.**

13 (a) TRANSITION REQUIREMENTS.—In transitioning  
14 to the requirements of this Act and the amendments made  
15 by this Act, the Secretary shall—

16 (1) ensure that no educational institution will  
17 be required to report duplicative information to the  
18 Secretary;

19 (2) allow States and educational institutions to  
20 consolidate the reporting requirements under section  
21 487(a)(17) of the Higher Education Act of 1965 (20  
22 U.S.C. 1001 et seq.) with any other overlapping re-  
23 porting requirements, and inform State and institu-  
24 tions of this ability; and

1           (3) establish safeguards to ensure that States  
2           and educational institutions are not required to re-  
3           port duplicative information through the individual-  
4           level integrated postsecondary education data sys-  
5           tems certified under section 5(a).

6           (b) TRANSITION PLAN.—Not later than 3 months  
7           after the date of enactment of this Act, the Secretary shall  
8           make available to States, educational institutions, and the  
9           public, a transition plan (including guidance) that—

10           (1) describes the new options for complying  
11           with the reporting requirements of section  
12           487(a)(17) of the Higher Education Act of 1965 (20  
13           U.S.C. 1094(a)(17)), as amended by section 4;

14           (2) describes the transition requirements under  
15           subsection (a) and how the Secretary will fulfill such  
16           requirements; and

17           (3) provides a timeline, including dates, for the  
18           Secretary’s implementation of the requirements of  
19           this Act and the amendments made by this Act.

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