

114TH CONGRESS
1ST SESSION

H. R. 2815

To require the Secretary of Education to complete a data analysis study on the impacts of all income- or employment-based outcome measures of quality in higher education before issuing or implementing regulations utilizing such metrics, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 17, 2015

Mr. SALMON (for himself, Mr. HASTINGS, Mr. FRANKS of Arizona, Mr. HUNTER, Mr. KELLY of Pennsylvania, Mr. ROKITA, and Ms. SINEMA) introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To require the Secretary of Education to complete a data analysis study on the impacts of all income- or employment-based outcome measures of quality in higher education before issuing or implementing regulations utilizing such metrics, 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 “Assuring Quality Out-
5 comes in Higher Education Act of 2015”.

1 **SEC. 2. DATA ANALYSIS REQUIREMENT FOR USE OF**
2 **INCOME- OR EMPLOYMENT-BASED METRICS**
3 **FOR MEASURING QUALITY IN HIGHER EDU-**
4 **CATION.**

5 (a) IN GENERAL.—During the period specified in
6 subsection (c), the Secretary of Education shall not issue
7 or otherwise implement any final rule with respect to any
8 proposed regulation or other performance framework that
9 utilizes any income- or employment-based metric or data,
10 including any such regulation or framework relating to
11 college ratings, teacher preparation, or gainful employ-
12 ment, or implement or enforce any existing regulation or
13 performance framework that utilizes any such metric,
14 until 90 days after—

15 (1) the Secretary of Education conducts and
16 makes publicly available a complete data analysis re-
17 quired under subsection (b) with respect to such reg-
18 ulation or performance framework; and

19 (2) the Comptroller General of the United
20 States makes publicly available a report that reviews
21 such data analysis for data accuracy and complete-
22 ness.

23 (b) DATA ANALYSIS.—The data analysis required
24 under this subsection with respect to a regulation or per-
25 formance framework shall—

1 (1) analyze the impact of the income- or em-
2 ployment-based outcome metrics utilized under the
3 regulation or performance framework (including any
4 substantial employment thresholds and measures of
5 short-term earnings, long-term earnings, and debt-
6 to-earnings) on all postsecondary education pro-
7 grams and students at all categories of institutions
8 of higher education that participate in a program
9 under title IV of the Higher Education Act of 1965
10 (20 U.S.C. 1070 et seq.), including—

11 (A) the impact on, and educational alter-
12 natives for, students who—

13 (i) receive Federal Pell Grants under
14 subpart 1 of part A of title IV of the High-
15 er Education Act of 1965 (20 U.S.C.
16 1070a et seq.);

17 (ii) are minority students;

18 (iii) are older than age 24;

19 (iv) are veterans;

20 (v) are independent students; and

21 (vi) are dependent students;

22 (B) for each of the impacted student
23 groups described in subparagraph (A), the ex-
24 tent to which students impacted by the income-

1 or employment-based outcome metric would
2 abandon pursuit of any educational alternative;

3 (C) the impact on, and educational alter-
4 natives for, students who will be displaced from
5 their postsecondary education program as a re-
6 sult of the proposed use of the income- or em-
7 ployment-based outcome metric, including—

8 (i) the ability of educational alter-
9 natives to add capacity to absorb addi-
10 tional displaced students;

11 (ii) the required additional Federal
12 and State subsidies required to provide
13 such additional capacity; and

14 (iii) the number of displaced students
15 who would abandon pursuit of any edu-
16 cational alternative; and

17 (D) the impact on economic sectors—

18 (i) with known elements of public or
19 government service, such as social work
20 and Federal, State, and local public or gov-
21 ernment service; and

22 (ii) with projected workforce skills
23 gaps, such as manufacturing, healthcare,
24 and education;

1 (2) analyze the degree of correlation between
2 variables other than quality of education that could
3 affect income and debt-to-income or employment
4 outcomes, including—

5 (A) regional and urban differences;

6 (B) economic conditions at time of gradua-
7 tion;

8 (C) patterns of discrimination (including
9 those based on gender and race);

10 (D) family income prior to enrollment; and

11 (E) credential pursued or program of
12 study; and

13 (3) compare the various sources of income and
14 debt data utilized under the regulation or perform-
15 ance framework, highlighting the differences between
16 data sets, the availability of the data, the quality
17 and completeness of the data, the student privacy
18 issues with the use of data, and the data collection
19 burden on the relevant institutions.

20 (c) PERIOD OF PROHIBITION.—The period specified
21 in this subsection is the period beginning on the date of
22 the enactment of this Act and ending on the date of the
23 enactment of a law that extends the authorization or dura-
24 tion of the Higher Education Act of 1965 (20 U.S.C. 1001
25 et seq.) by not less than 2 fiscal years beyond the author-

1 ization or duration of such Act in effect on such date of
2 enactment.

3 (d) DEFINITIONS.—In this section:

4 (1) INDEPENDENT STUDENT.—The term “inde-
5 pendent student” has the meaning given the term in
6 section 480(d) of the Higher Education Act of 1965
7 (20 U.S.C. 1087vv(d)).

8 (2) INSTITUTION OF HIGHER EDUCATION.—The
9 term “institution of higher education” has the
10 meaning given the term in section 102 of the Higher
11 Education Act of 1965 (20 U.S.C. 1002), except
12 that the term does not include institutions described
13 in subparagraph (C) of section 102(a)(1) of such
14 Act.

15 (3) VETERAN.—The term “veteran” has the
16 meaning given the term in section 480(c) of the
17 Higher Education Act of 1965 (20 U.S.C.
18 1087vv(c)).

19 (4) EDUCATIONAL ALTERNATIVE.—The term
20 “educational alternative” means a comparable or
21 similar program of study offered at the same institu-
22 tion that a student attends or at another institution
23 of higher education, which has the meaning of the
24 term in section 102 of the Higher Education Act of
25 1965 (20 U.S.C. 1002), except that the term does

1 not include any institution described in subpara-
2 graph (C) of section 102(a)(1) of the Higher Edu-
3 cation Act of 1965.

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