

**Chairperson Katharine Abraham, University of Maryland**  
**Co-Chair Ron Haskins, Brookings Institution**  
**Commission on Evidence-Based Policymaking**  
**Docket ID USBC-2016-0003**

Dear Chairperson Abraham, Co-Chair Haskins, and Commissioners,

As members of the Postsecondary Data Collaborative (PostsecData), we appreciate the opportunity to provide comments to the Commission on Evidence-Based Policymaking. We seek to assist the Commission in achieving its statutory objectives to develop a strategy for increasing the availability and use of data in order to build evidence about government programs, while protecting privacy and confidentiality. The PostsecData Collaborative is a coalition of organizations that advocates for the use of high-quality postsecondary data to inform policymaking, institutional improvement, and consumer choice—with the broader goal of improving outcomes for all students, while closing equity gaps. Our group includes participants from a large swath of the higher education community, including experts and organizations that represent students, states, researchers, advocates, the business community, and institutions and systems of higher education. Through the Collaborative, we seek consensus among our diverse set of organizations on key postsecondary data issues, particularly those that impact students.

This letter intends to answer a subset of the questions posed by the Commission in its request for comments, as well as address outstanding questions from the Public Hearing on October 21, 2016. Some of our recommendations for Commission action apply to multiple questions and are marked accordingly. The undersigned organizations recommend the following:

1. Promote best practices in privacy and security for interconnected data systems. (Q: 2)<sup>1</sup>
2. Leverage existing data to decrease burden, streamline reporting, and answer critical stakeholder questions. (Q: 1, 7)
3. Make recommendations that address the administrative and legal barriers to data linking and access. (Q: 5, 9)
4. Expand access to wage and labor market information for postsecondary outcomes. (Q: 1, 5)
5. Align definitions and metrics across federal laws. (Q: 3)
6. Recommend that Congress overturn the ban on a federal student-level data system. (Q: 9)

PostsecData partners agree that the federal government plays a key role in collecting and reporting consistent, comprehensive postsecondary data in ways that promote student success, especially considering the federal government's significant annual investment in student financial aid. However, the current disconnected, duplicative, and incomplete data systems do not allow for a cohesive postsecondary data ecosystem, where the data that are collected can be used for policymaking and consumer information purposes. PostsecData supports the Commission in its endeavor to streamline federal data collections and data systems.

**1. Promote best practices in privacy and security for interconnected data systems. (Q: 2)**

In its recommendations regarding data linkages, the Commission must address the importance of privacy, security, and confidentiality; all conversations about data require a critical examination of data privacy and security protocols and inclusion of practices vetted by data security experts. For postsecondary data in particular, the U.S. Department of Education's National Center of Education Statistics (NCES) has established an excellent reputation for maintaining data security, as well as protecting and de-identifying student data for academic and policy research. Additionally, the Commission should review and

incorporate federal standards under the Federal Information Security Management Act (FISMA) and the Family Educational Rights and Privacy Act (FERPA), as well as those set by the National Institute of Standards and Technology (NIST), as they represent the most robust standards for protecting data. It is critical that the Commission construct de-identification protocols for the elements included in an education record and standards to determine who has access to the data.

Generally, policies recommended by the Commission should outline the importance of data linkages and transparency, while emphasizing the need to utilize best practices in privacy and security. The Commission should look to state system examples, like the University of Texas System Dashboard<sup>2</sup> and California Community Colleges' Launchboard,<sup>3</sup> where these postsecondary and workforce data are integrated, with different users having varied access to the data. This user-based, tiered approach to data access secures the data, protects the privacy of the students included in the data set, and allows stakeholders to access aggregate data to use for decision-making and policymaking purposes.

The Commission must frame all of its recommendations in ways that promote responsible data use, with clear consequences for failure to do so. All publicly available data should be presented in aggregate form, stripped of information that could be used to identify specific individuals or employers. Administrative data should not be sold or used for any purposes – commercial or non-commercial – outside of their intended use. Willful disclosure and inappropriate use of data must be avoided, with offenders fined and/or prosecuted.

## **2. Leverage existing data to decrease burden, streamline reporting, and answer critical questions. (Q: 1, 7)**

In order to provide information to drive the decisions of policymakers, institutions, and students, existing administrative data should be leveraged and linked. Data from federal sources like U.S. Department of Education (ED), Social Security Administration (SSA), the Department of Defense (DoD), and Department of Veterans Affairs (VA), when linked, provide valuable data on important subgroups of students who are often overlooked, including Pell Grant recipients, student loan borrowers, and student veterans. Linking these data sources will illuminate opportunities to eliminate duplicative collections and decrease reporting burden for data providers. Without these data, policymakers, institutions, and students cannot answer critical questions about postsecondary access, success, post-college outcomes, and affordability:

- How many low-income, Pell Grant recipient, first-generation, veteran, adult, transfer, and part-time students, who make up the new majority on today's campuses, attend each college? Do these students graduate?
- How long does it take students, particularly students who enter with less academic preparation or fewer financial resources, to complete college?
- Do the students who don't graduate transfer, or do they drop out?
- How much do different types of students borrow, and how do their repayment outcomes vary?
- Can students find jobs in their chosen field, and how much do they earn?

To answer these questions, with or without a student-level data system, there are a number of state and federal datasets that can and should be leveraged. These include: (1) the Department of Health and Human Services National Directory of New Hires (NDNH) and the U.S. Census Bureau's Longitudinal Employer Household Dynamics (LEHD) program, which both include Unemployment Insurance (UI) wage records submitted by states to answer workforce and outcomes related questions; (2) SSA and the Internal Revenue Service (IRS), which have individual tax records that, in limited instances, agencies have found ways to use to report employment and earnings outcomes at the program level to better understand student outcomes in the workforce; (3) ED, which houses the National Student Loan Data System (NSLDS) and Integrated Postsecondary Education Data System (IPEDS), which include information on financial aid

and student access and success that can be disaggregated to see progress for student subpopulations; and (4) the DoD and VA, which house data on student veterans, financial aid, and recruiting and can be used to answer these questions specifically for the veteran population.

It is imperative that data collections are limited to those metrics that have a specific and valuable purpose to meeting administrative, policymaking, and research needs. These collections should also include a robust reporting function, returning data for benchmarking and improvement back to colleges and programs and adding value for the data providers. Any clearinghouse or data system solution that is considered by the Commission should focus on answering critical questions about student outcomes, balancing reporting burden with analytic value, and including outcomes data around employment and earnings for all students, within all postsecondary levels and workforce programs.

### **3. Make recommendations that address the administrative and legal barriers to data linking and access. (Q: 5, 9)**

There are barriers that the Commission will need to consider when making recommendations related to federal data. First, political support is absolutely necessary to accomplish these goals. Whether it is the creation of the proposed national clearinghouse, linking federal administrative data in other ways, or recommending changes to federal law to create a student-level data system, policymakers must champion legislation and push for resource allocation. The Commission will need to mitigate concerns about the size and role of the federal government as a data steward, as well as fear that students' privacy will be violated. PostsecData strongly supports adopting comprehensive privacy and security standards that are informed by best practices in the field. A tiered, user-based access system would provide each stakeholder with the data necessary for decision-making, while protecting the student data housed in the system. A deep exploration and understanding of these issues is paramount for success in leveraging federal administrative data for policymaking purposes.

Second, the Commission should consider changes to statute that may be necessary to meet these goals, depending on the data included in a national clearinghouse. The Higher Education Opportunity Act of 2008 includes a ban prohibiting the creation of a federal postsecondary student-level data collection; a similar ban exists in the Workforce Innovation and Opportunity Act of 2014. With these bans in place, a comprehensive, national approach will require linking other data sources at the federal and state levels. Data sharing around UI wage records varies from state to state, and some state laws do not currently allow for sharing across state lines. Many states have passed privacy and security legislation over the past few years<sup>4</sup>, creating barriers to sharing data across the local, state, and federal levels, as well as confusion as to when data sharing is permissible.<sup>5</sup>

Finally, technical barriers may complicate the implementation of a robust national clearinghouse. Some of the states that passed privacy and security legislation ban collection of social security numbers with educational records, which complicates data matching. In many cases, employment and education data matching requires personally identifiable information, like Social Security Numbers (SSNs), and first and last names. Tax and wage records usually include this information, but student records vary from state to state and may not include all of the required information for complete matching. The Commission should consider the mechanisms for matching these data and processes for how to approach unmatched data. Addressing some of the aforementioned legal barriers around student-level data systems and data sharing could help to alleviate these problems. Access to IRS and SSA data is highly controlled for privacy and security, and understandably so. However, as the federal government moves toward a more streamlined federal data system – potentially through a national clearinghouse – privacy and security standards and

processes, like role-based access, should be implemented to ensure quality data, accurate linkages, and complete security of all data.

#### **4. Expand access to wage and labor market information for postsecondary outcomes. (Q: 1, 5)**

Students and policymakers are particularly interested in better information about post-college outcomes and employment measures for schools and programs. Right now, data and metrics on employment and earnings are limited to voluntary initiatives,<sup>6</sup> like College Measures,<sup>7</sup> state dashboards, and the College Scorecard. The Commission should explore wage and labor market information datasets to understand the return on personal investment for students and families, as well as the economic return on federal and state investments in higher education. The federal government needs to create efficient, strategic processes for managing employment data. Sources for these data vary in completeness and require legislative or executive actions to link the data. First is the Census Bureau's LEHD program or NDNH, which, as previously mentioned, utilize state UI wage records. When linked, UI wage records are able to show mobility, but exclude all federal employees and the self-employed. The Federal Employment Data Exchange System (FEDES) and Wage Record Interchange System (WRIS/WRIS2) datasets also provide state level data, but because of restrictions on data use for performance reporting, research, and evaluation, policymakers will need to renegotiate when those data are available to use for these purposes.<sup>8</sup> A more complete federal option is to use SSA and IRS tax records, which should include records for all taxpayers.

In the absence of a comprehensive national data solution, states are linking a limited set of education and labor market information data regionally, through efforts like the Western Interstate Commission on Higher Education's (WICHE) Multistate Longitudinal Data Exchange (MLDE). Currently operating in four states (Hawaii, Oregon, Washington, and Idaho), state data exchange efforts like the MLDE require extensive memoranda of understanding between the states and require navigating data privacy and security laws at the state level. Through this system, states discover new information about the impact of state policies and provide needed evidence for institutional accountability and benchmarking. The challenge of this system is that when scaling to a 50-state system, incomplete geographic and institutional coverage constrains its utility, as many state systems do not include private institutions.<sup>9</sup> State-based wage data contain information only on workers in that state, so linking data across states is necessary to capture student mobility. Without mobility data, efforts like College Measures are limited to post-college outcomes only for students who remain in state. Additionally, a lack of capacity and funding at the state and local levels has created challenges to collecting, processing, and using these data. The viability of a state-based solution is contingent upon a sustainable funding stream. Sources such as the State Longitudinal Data System Grant Program and Workforce Data Quality Initiative could provide this necessary support.

#### **5. Align definitions and metrics across federal laws. (Q: 3)**

Establishing common definitions for data metrics across federal laws would reduce administrative burden and create comparable outcomes across federal programs. Federal laws like the Higher Education Act, the Workforce Innovation and Opportunity Act, the Perkins Career and Technical Education Act, and the Elementary and Secondary Education Act contain similar metrics that should be streamlined. While these recommendations would require Congressional action, consistent definitions would cut costs and reduce security risks by minimizing the number of redundant data sets and collections across the federal government. The Commission should propose a legal framework that uses the proposed national clearinghouse to streamline current agency collections and data sets by aligning metrics around:

- Student enrollment rate in colleges and programs
- College Readiness
- College and program completion

- Employment rate or job placement rate
- Earnings
- Credential Attainment

Having an aligned set of metrics across federal agencies would synergize existing reporting and allow consumers to make informed decisions about programs that span agencies. Standard definitions would also create opportunities to combine and expand data dashboards and reporting for additional purposes, including consumer information and regulatory compliance. For example, the College Scorecard could include data from the Department of Labor’s administration of WIOA reporting in order to show training program outcomes and serve as a resource for students to understand outcomes for different career pathways. High school scorecards could also include college matriculation rates to show how students in schools and districts progress on to higher education. These data have the potential to illustrate different education pathways and outcomes for all students.

**6. Recommend that Congress overturn the ban on a federal student-level data system. (Q: 9)**

The statutory bans in the Higher Education Act and the Workforce Innovation and Opportunity Act on a federal student-level data system stifle the ability of policymakers to answer questions about our postsecondary system, limit the information available to consumers, and impose unnecessary burden onto institutions. The Commission should recommend that Congress overturn the ban and encourage ED and the Department of Labor to engage with the higher education community to design and implement a student-level data system. This system would create a nationwide, inclusive data set that shows how students move through higher education and their post-college outcomes. This system would allow for disaggregation by key student characteristics, like Pell Grant receipt, race/ethnicity, and others, and illuminate evidence for future policymaking around closing equity gaps and strengthening the federal investment in higher education and postsecondary programming. Given the sensitive nature of record level data, the Commission should recommend rigorous data privacy and security policies to govern this system, including all those mentioned in section 1.

Thank you for your focus on improving the structure and utility of the national data infrastructure. If you have questions or would like to discuss these issues further, please contact Mamie Voight, Vice President of Policy Research at the Institute for Higher Education Policy ([mvoight@ihep.org](mailto:mvoight@ihep.org), 202-587-4967). To learn more about the Postsecondary Data Collaborative, visit our website at [www.ihep.org/postsecdata](http://www.ihep.org/postsecdata).

Sincerely,

Advance CTE  
Association for Career & Technical Education  
Association of Public and Land-grant Universities  
Data Quality Campaign  
Institute for Higher Education Policy  
NASPA - Student Affairs Administrators in Higher Education  
New America  
The Education Trust  
The Institute for College Access & Success  
Workforce Data Quality Campaign  
Young Invincibles

## APPENDIX

Questions addressed in the request for comments, taken from the Federal Register<sup>10</sup>:

1. Are there successful frameworks, policies, practices, and methods to overcome challenges related to evidence-building from state, local, and/or international governments the Commission should consider when developing findings and recommendations regarding Federal evidence-based policymaking? If so, please describe.
2. Based on identified best practices and existing examples, what factors should be considered in reasonably ensuring the security and privacy of administrative and survey data?
3. Based on identified best practices and existing examples, how should existing government data infrastructure be modified to best facilitate use of and access to administrative and survey data?
5. What challenges currently exist in linking state and local data to federal data? Are there successful instances where these challenges have been addressed?
7. What data should be included in a potential U.S. government data clearinghouse(s)? What are the current legal or administrative barriers to including such data in a clearinghouse or linking the data?
9. What specific administrative or legal barriers currently exist for accessing survey and administrative data?

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<sup>1</sup> Please see the appendix for an itemized list of the questions answered in this comment letter.

<sup>2</sup> For more information on the University of Texas System Dashboard, please visit: <http://data.utsystem.edu/>

<sup>3</sup> For more information on the California Community College Launchboard, please visit: <http://doingwhatmatters.cccco.edu/launchboard.aspx>

<sup>4</sup> The Data Quality Campaign tracks and synthesizes state privacy legislation annually. For information on 2015 and 2016 legislation, please visit: <http://dataqualitycampaign.org/resource/student-data-privacy-legislation-happened-2015-next/>; <http://dataqualitycampaign.org/resource/2016-student-data-privacy-legislation/>

<sup>5</sup> For more information on limited access to and sharing data for policy research, please read “Balancing Confidentiality and Access: Sharing employment and wage data for policy analysis and research”: [http://www.lmiontheweb.org/download/2015-05/Report--\\_Data\\_Confidentiality\\_and\\_Sharing\\_-\\_CREC-LMI\\_Institute\\_-\\_May\\_2015.pdf](http://www.lmiontheweb.org/download/2015-05/Report--_Data_Confidentiality_and_Sharing_-_CREC-LMI_Institute_-_May_2015.pdf)

<sup>6</sup> Over the past decade, voluntary data initiatives have collected data on student access, progress, and completion in an effort to guide federal, state, and institutional policy. In many cases, these collections supplement was is collected at the state and federal levels and seeks to include more students. For more information, please visit the PostsecData website: <http://www.ihep.org/postsecdata/mapping-data-landscape/voluntary-data-initiatives>

<sup>7</sup> To explore the 2 and 4 year college tools and the Economic Success Metrics, please visit: <http://www.collegemeasures.org/>

<sup>8</sup> For more information on utilizing federal employment data systems, please read “Employing WRIS2: Sharing age records across states to track program outcomes” by Rachel Zinn and John Dorrer: <http://www.workforcedqc.org/sites/default/files/images/WRIS2%20Report%20May%202014.pdf>

<sup>9</sup> For more information, please read “Fostering State-to-State Data Exchanges” by Brian Prescott and Patrick Lane: [http://www.ihep.org/sites/default/files/uploads/postsecdata/docs/resources/fostering\\_state-to-state\\_data\\_exchanges.pdf](http://www.ihep.org/sites/default/files/uploads/postsecdata/docs/resources/fostering_state-to-state_data_exchanges.pdf)

<sup>10</sup> <https://www.regulations.gov/document?D=USBC-2016-0003-0001>