

“Empowering Students and Families to Make Informed Decisions on Higher Education”

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I appreciate having the opportunity to appear today to discuss higher education data and accountability. I am Andrew Benton, and I am president of Pepperdine University, located in Malibu, California.

In terms of the questions raised by today’s hearing, I recognize the importance of data both in informing consumer decisions and in ensuring institutional accountability. The questions then become: *What* information is to be collected? *How much* is being collected? And, *for whom* and *for what purposes* is it being collected? In this age of attention to college pricing, I must also express concern about the cost burden of data collection.

Institutions of higher education have the responsibility to identify their missions and the means for assessing their progress towards their goals. They then have the responsibility to convey relevant information pertaining to those goals to the audiences who can put it to use on behalf of students.

Pepperdine is committed to serving the needs of each and every one of our students and our alumni. Providing the information and resources students need to benefit fully from their college experience is one important way we honor that commitment. We live in a “data-rich” era, and calls for higher education data come from all quarters, especially from government. However, if we are going to put data to work for students, it should be maintained first and foremost at the institutional level if our response to these requests is to be effective and respectful of privacy.

Second, we strongly value tools—including federal resources such as College Navigator—that prospective students and their families can use to find a right-fit institution. Individuals should have access to accurate and reliable information to choose a college that meets their needs and aspirations. Pepperdine, along with over 600 other colleges and universities, also participates in the University and College Accountability Network (UCAN) developed by the National Association of Independent Colleges and Universities (NAICU), which includes over 50 data elements that member institutions volunteer to provide to help students and families choose a best-fit institution.

You might be interested to know that UCAN was developed in direct response to congressional interest in improved consumer information during the last reauthorization of the Higher Education Act. Recognizing that prospective students and their families might find the data-intense College Navigator to be daunting, independent colleges sought to develop an instrument that would be neither too long nor too short, hopefully just right. The information selected for inclusion on UCAN is based on feedback from parents and students regarding what they needed to know in order to make more informed college choices, and it includes quantitative data such as:

- Cost of attendance;
- Tuition and fees history;
- Percentage of freshmen receiving financial aid;
- Average amount of undergraduate loans owed at graduation;
- Admissions data, including number of transfer students;
- Percentage of students who graduate; and
- Number of degrees awarded.

I believe this resource serves as a model of how the federal government could make college search tools more user-friendly for students and families. A copy of Pepperdine's UCAN profile is appended to my testimony.

In addition to students and families, Pepperdine is accountable to regional and national accrediting agencies—providing them with the data they need to assess the quality of our offerings. We are also accountable to the government. For example, we comply with the reporting requirements of the state of California, and we provide the data required by the Department of Education related to our federal student aid recipients. We also provide aggregate information about our students and programs to the Integrated Postsecondary Education Data System (IPEDS) and provide the campus safety and other consumer information reports required under the Higher Education Act. We take seriously our responsibility to demonstrate the quality of our educational programs and our responsible stewardship of federal funds.

We believe that our use of data appropriately addresses the needs of our various stakeholders. Students and their families are provided the information they need to make an informed choice about attending our institution. Accreditors receive the information they need to evaluate academic quality. Federal and state authorities receive the data necessary to assure compliance with regulatory requirements and the sound handling of federal financial assistance. We believe in accountability.

In these various efforts, the objective is not to collect whatever data exists about an individual student and then decide what to do with it. We believe our approach provides both quantitative and qualitative data and information, which allows students and families to gain a more in-depth understanding of and familiarity with an institution like ours, without being overwhelming or betraying the privacy of current or former students. Students come to our institution with expectations of privacy, and we need to honor that; it is, in effect, a promise we make to them.

It is for this reason that I commend Chairwoman Foxx for her work to protect student privacy by authoring language in the Higher Education Act that prohibits the establishment of a federal student unit record data system. For over 40 years, federal privacy laws have allowed schools to release student-specific confidential data **only** with the written approval of the student. The ban on the establishment of a federal student unit record system maintains these important protections. This ban is particularly important for students who do not receive any federal financial aid, but would be included in the new comprehensive data system. It is difficult to understand what federal interest would outweigh the privacy interest of **unaided** students.

I want to take a moment here to speak a little bit about privacy. First of all, the notions of privacy and security are often conflated. Certainly, they are related—but they are not the same things. Data security refers to protecting against the unauthorized release of personal information such as a Social

Security number. Data breaches are breaches of security. There is simply no credible assurance that data security cannot and will not be breached.

Data privacy, on the other hand, refers to personal information about an individual--the use of which is controlled by that individual.

In short, the privacy issue associated with a student unit record data system is the fact that personal information about a student would be entered in a database without that student's express consent. Standing alone, that is a violation of privacy. A security issue with such a data system would be unauthorized access to or use of the personal information included in the system—whether or not an individual had consented to having his or her information added to the system in the first place.

Any conversation regarding the extent to which privacy would be protected in a unit record system would need to address six fundamental questions:

1. What is the public policy question that needs to be answered?
2. How do you inform the student or seek permission from the student for this information?
3. How will you collect the data?
4. What data is going to be collected and how will it be used—today and tomorrow?
5. Who will have access to the data?
6. How long will the data be accessible?

In addition, the potential existence of a massive federal registry will be very tempting for other government agencies and the private sector to mine to the potential detriment of our students and alumni. Inevitably, there will be pressure to share the information for other uses and/or to continue to pile on any other information that people might like to have. These efforts are, in fact, already underway. The proposed data system that prompted the congressional ban dealt only with college students. Today, the discussion has grown to incorporate pre-K, elementary and secondary education, postsecondary education, and workforce participation and earnings, and includes your children and grandchildren, as well as mine.

The focus really needs to be at the individual institutional level supporting the institution's sense of responsibility for seeing that a student acquires the knowledge and skills necessary to enjoy a rich intellectual life and enabling them to provide for themselves and their families. It is a responsibility we take very seriously at Pepperdine and our commitment is shared by many.

Thank you for taking the time to explore these important issues and for giving me the opportunity to appear before you.

Attachment

A hard copy of the Pepperdine UCAN profile is attached. The on-line version, which has interactive features, may be accessed at: <http://members.ucan-network.org/pepperdine>.