

May 3, 2024

The Honorable Miguel Cardona
Office of the Secretary
U.S. Department of Education
400 Maryland Ave. SW
Washington, DC 20202

Re: Docket ID No. ED-2024-SCC-0040

Dear Secretary Cardona,

On behalf of the undersigned higher education associations, I write today to comment on the proposed information collection request (ICR) “Integrated Postsecondary Education Data System (IPEDS) 2024-25 through 2026-27” published in the Federal Register on March 4, 2024 (Docket ID number ED-2024-SCC-0040).

The IPEDS survey is an important statistical instrument that allows the National Center for Education Statistics (NCES) at the U.S. Department of Education (the Department) to gather data from nearly 6,000 postsecondary institutions and report on key dimensions of postsecondary education such as enrollments, degrees and awards earned, tuition and fees, and graduation rates, among other data. Our associations and member institutions are strongly committed to protecting and enhancing the value of IPEDS data and ensuring that this collection continues to provide accurate and useful data across the diverse landscape of higher education while at the same time working to minimize the reporting burden on our institutions.

Among the proposed changes we support in the ICR is the streamlining of cost of attendance and tuition elements in the survey. The proposed ICR would move those elements to a new cost survey. This change will reduce the burden and allow for standardized data across systems, including the College Navigator and calculations for the average net price. This will provide a more complete understanding of the costs to our students.

At the same time, we are deeply concerned regarding the proposal to expand the collection of data on “applicants, admits, and enrolled counts” of students at non-open admissions institutions and require these data be disaggregated by race/ethnicity. We are concerned that this new data collection has the potential to be highly misleading and confusing, in particular to members of the general public.

While we understand that the proposal to collect these data is the result of recommendations from a 2021 Technical Review Panel (TRP), we question the relevance and utility of them following the Supreme Court’s 2023 decisions in *SFFA v. Harvard* and *SFFA v. UNC*, which held that the universities’ race-conscious admissions policies were a violation of the Equal Protection Clause of the 14th Amendment. Based on the

court's ruling, institutions are prohibited from considering an applicant's race or ethnicity in determining whether to grant admission, outside of some very narrowly defined exceptions (e.g., applicant personal statements). In addition, due to the fact that only a minority of all postsecondary institutions have selective admissions, and community colleges overwhelmingly simply accept students who meet the necessary requirements directly into educational programs (rather than through a more traditional application process) this collection request is of marginal utility in understanding the broad scope of enrollment patterns in postsecondary education.

It is also critical to recognize the significant burdens and challenges many institutions that do follow traditional application processes would face in trying to collect and maintain race and ethnicity data for their applicants for admission for IPEDS purposes, while at the same time ensuring that the race or ethnicity of an applicant is not a factor in any admissions decisions, as required by the Supreme Court's rulings. In light of these important changes in the admissions landscape, we respectfully urge the Department to remove this new data collection from its proposed ICR. If, despite our concerns, the Department is determined to proceed with this collection, at a minimum, we would request a delay to allow another TRP to consider whether these data remain obtainable, relevant, and useful in a post-*SFFA* world.

Furthermore, as it regards the proposed change requiring the disaggregation of data based on race and ethnicity, we recommend the Department carefully consider the interplay and potential impact of the Revisions to the Office of Management and Budget (OMB) Statistical Policy Directive No. 15: Standards for Maintaining, Collecting, and Presenting Federal Data on Race and Ethnicity¹ that became effective on March 28, 2024 for all new record keeping or reporting requirements that include racial or ethnic information. All existing record-keeping or reporting requirements should be made consistent with these standards. The final proposal will need to be promulgated across all federal agencies, including the Department. For this reason, we suggest delaying proposed changes to the collection of data disaggregated by race or ethnicity so as to ensure consistency and accuracy in IPEDS reporting with the expected final OMB statistical standards.

These proposed changes to IPEDS will also require updates to the forms used to collect data from students and staff, as well as software systems changes to store and analyze the data. While some postsecondary institutions can make these software updates in-house, many rely on vendors whose timelines are beyond their control. Our institutions are under incredible pressure this year with challenges and delays resulting from the FAFSA rollout, as well as the new data reporting related to the implementation of the final Gainful Employment/Financial Value Transparency (GE/FVT) rule. Additionally, the greater incorporation of federal taxpayer information into FAFSA under the new FAFSA system greatly restricts the ability of institutional researchers to use these data to inform IPEDS reporting. To the extent that IPEDS reporting relies on data from completed FAFSAs, the availability of those data is likely to be significantly delayed and

¹ <https://www.federalregister.gov/documents/2024/03/29/2024-06469/revisions-to-ombs-statistical-policy-directive-no-15-standards-for-maintaining-collecting-and>

will impact our institutions' IPEDS reporting. We urge the Department to take these circumstances into consideration and to extend the timeline for implementation of these proposed IPEDS changes, in order to allow institutions more time to address these and other data demands on campuses.

We also wish to emphasize the importance of minimizing the reporting burden on our institutions. Reporting requirements already place a significant strain on resources, and any additional obligations must be carefully considered to avoid overburdening staff and diverting attention from core educational missions. This is particularly true in this moment where institutions will have to implement significant changes to operating policies, staffing, compensation, staff and student training, and data reporting across a wide range of areas in response to new regulations on Title IX, overtime compensation, GE/FVT, and FAFSA changes, among others, all occurring in a narrow timeframe.

Lastly, we oppose the elimination of the Academic Libraries (AL) survey within the IPEDS framework, and support the comments made by the Association of Research Libraries, Association of College and Research Libraries, American Library Association, and Association of Southeastern Research Libraries. Academic libraries play a vital role in supporting teaching, learning, and research activities at universities, and their contributions should be duly recognized and documented.

The AL component fulfills an existing statutory obligation of the NCES under Section 153 of the Education Sciences Reform Act (ESRA) of 2002 (Public Law 107-279), which requires that NCES "shall collect, report, analyze, and disseminate statistical data" on education that includes data on "the existence and use of school libraries" ("school" specifically including postsecondary education) in the United States. For this reason, and in support of the points made by the library associations, we request that the Academic Libraries survey component of IPEDS not be eliminated.

We appreciate your attention to these comments. We look forward to working with the Department to ensure that any changes made to IPEDS will best serve the needs of students, educators, and institutions.

Sincerely,



Ted Mitchell,
President

On behalf of:

American Association of Community Colleges
American Association of State Colleges and Universities
American Council on Education
Association of American Universities

Association of Public Land-grant Universities
National Association of Independent Colleges and Universities