Session 1: December 4-7, 2017

**Issue Paper #7**

**Issue:** Reporting Requirements

**Statutory cites:** 20 U.S.C. § 1221e-3; 20 U.S.C. § 3474; 20 U.S.C. § 1231a; 20 U.S.C. §§ 1001(b)(1), 1002(b)(1)(A)(i), (c)(1)(A); 20 U.S.C. § 1088(b)

**Regulatory cites:** 34 CFR 668.411

**Summary of issue:** Under 34 CFR 668.411, institutions are required to report to the Department specific information for each student who received title IV funds during an award year. The reporting includes information about each student’s enrollment in the GE program and the amounts of private or institutional loans and other financing received by the student for that enrollment, as well as the amount that was assessed for the student for tuition and fees and for books, supplies, and equipment. This information, as well as data contained in NSLDS, is used to determine median loan debt from which annual loan repayment (an element in the D/E rates calculation) is calculated.

Initially, institutions were required to report (no later than July 1, 2015) information from the 2008-2009 award year through the 2013-2014 award year. Thereafter, reporting is annual (by October 1, for the previous award year). While, going forward, the administrative burden on institutions to report annually is far less than was the case with initial reporting, it is not inconsequential. Determining median loan debt administratively could potentially reduce the need for institutional reporting altogether, or at least significantly reduce the amount of information required to be provided. Since 2014, institutions have been required to report program-level data to NSLDS. As a result, the Department already possesses much of the data elements necessary to determine median debt for GE programs. Two notable exceptions are 1) tuition, fees, books, and supplies, and 2) institutional and private debt.

Institutions have only been required to report program-level data to NSLDS since 2014. Accordingly, administrative calculation of median debt using the debt of students who completed a program during a specified cohort period, as defined in 34 CFR 668.404, would delay the publication of further D/E rates for, in the case of some programs, a number of years while information necessary to calculate those rates became available in NSLDS.

**Questions for Consideration by the Committee:**

In evaluating whether median loan debt should be determined administratively, there are several considerations:

* Should the current reporting protocol described in 34 CFR 668.411, requiring institutions to report to the Department specific student-level information for each program be retained, or should median loan debt be calculated administratively (using data already on hand from program-level NSLDS reporting)?
* How would tuition, fees, books, and supplies and institutional and private debt be reported? Separate reporting would still involve a burden (though reduced) on institutions. NSLDS enrollment reporting might be enhanced to include these elements; however, the necessary modifications would take time.
* How would the ability of an institution, under 34 CFR 668.405(f), to challenge the accuracy of the information used to calculate a GE program’s median loan debt be affected if median loan debt were calculated administratively using information already provided through NSLDS enrollment reporting? Institutions are expected to report accurately to NSLDS. Any errors that do exist must be corrected in that system. Reliance upon NSLDS enrollment data exclusively would potentially obviate the need for a challenge period for the debt calculation and, by extension, the need to publish draft D/E rates. This, of course, assumes no mechanism external to NSLDS is being used to collect institutional and private debt.
* Does the analysis change depending on whether D/E rates could give rise to sanctions or are calculated only for disclosure purposes? Or whether D/E rates are calculated for all programs or only GE programs?