

Student Data Privacy Legislation To Be Introduced This Week

Article By:

Amy B Smith

Legislative Activity

Student Data Privacy Legislation to be Introduced This Week

House Education and the Workforce Committee members Reps. Luke Messer (R-IN) and Jared Polis (D-CO) will introduce student data privacy legislation on Monday. The bill is largely based on the Student Privacy Pledge, formulated by the Future of Privacy Forum and the Software and Information Industry Association, which over 120 education technology companies have signed to date. The bill will likely be referred to the House Energy and Commerce Committee, which has jurisdiction over privacy issues and the Federal Trade Commission that will be charged with enforcing the legislation if passed. Additionally, the House Education and the Workforce Committee is planning to release a bill later this year that would update the Family Educational Rights and Privacy Act (FERPA).

House and Senate Still Optimistic on ESEA Reauthorization

The Senate Health, Education, Labor and Pensions (HELP) Committee Chairman Lamar Alexander (R-TN) and Ranking Member Patty Murray (D-WA) continue to negotiate behind the scenes to reach a bipartisan compromise on an Elementary and Secondary Education Act (ESEA) reauthorization bill. Very few details of the negotiations have been made public, but the Senate HELP Committee is planning to mark up an ESEA bill during the week of April 13. As such, we expect a bill to be released soon and will likely include a number of changes to the discussion draft that Chairman Alexander released earlier this year.

The House continues to wait for the leadership to give additional floor time to continue the consideration of the Student Success Act (H.R. 5), which is currently on hold. Meanwhile, House Education and the Workforce Committee Chairman John Kline (R-MN) and his staff continue to re-educate members about the bill's provisions. They are optimistic that, once scheduled for the floor, H.R. 5 will move forward.

HEA Reauthorization Coming this Summer

Senate HELP Committee staff are gearing up for the introduction of a Higher Education Act (HEA) reauthorization sometime this summer before the August recess. Prior to the introduction of legislation, the Committee plans to release three white papers on several higher education issues in

an effort to solicit feedback from stakeholders. These white papers will focus on:

- Consumer protection and data privacy;
- Accreditation issues/processes; and
- The concept of universities having “skin in the game” when it comes to student loans.

FY 2016 Budget Resolutions Contain Education Proposals

The House and Senate unveiled and marked up their individual FY 2016 Budget Resolutions this week. There are several provisions included which have raised concerns among the higher education community, including:

- **Pell Grants:** The House resolution would freeze the maximum Pell Grant at its FY 2015 level for the next 10 years and would eliminate all mandatory funding for Pell grants, cutting Pell funding by \$89.3 billion. This cut could lead to a 15% cut to the maximum grant award. The Senate resolution also would cut approximately \$90 billion over 10 years from the program.
- **Student Loans:** The House resolution recommends the Congressional Budget Office (CBO) move to fair-value accounting when scoring student loan programs, making them seem more costly to the federal government. It also would eliminate (1) in-school interest subsidies for undergraduate need-based Stafford loans, (2) public sector loan forgiveness, and (3) recent expansions of Income-based repayments for student loans. The Senate resolution requires an additional fair-value accounting estimate from CBO (when practical) on the cost of changes that would affect the amount or terms of new federal loans or modifications to existing federal loans. This accounting mechanism would lead to loans adding to the federal deficit over time in CBO estimates, rather than current estimates that find the loan programs earn money.
- **Workforce Development Programs:** The House resolution proposes further consolidation of workforce development (federal education and training) programs beyond what was included in the 2014 Workforce Innovation and Opportunity Act (WIOA). It also calls for improved coordination and accountability of those programs.

The House and Senate will consider their FY 2016 Budget Resolution on the floor this week. It is expected that Democrats in the Senate will offer amendments related to the federal minimum wage, student loan rates, and possibly other financial aid issues during the Senate’s floor debate.

This Week’s Hearings

- **Tuesday, March 24:** The House Veterans’ Affairs Subcommittee on Economic Opportunity will mark up several pieces of legislation including the following bills related to veterans’ education issues: Reducing Barriers for Veterans Education Act ([HR 456](#)); GI Bill Processing Improvement Act ([HR 475](#)); GI Bill Education Quality Enhancement Act ([HR 476](#)); and Veterans Education Survey Act ([HR 643](#)).

Executive Branch Activity

College Ratings System will be Finalized by August

Last week, Deputy Under Secretary of Education Jamiene Studley revealed that the first full version of the federal college ratings system will be out by August 2015. The Department of Education's previous announcement indicated the ratings would be out before the start of the 2015-16 school year. Studley spoke on the ratings system during her appearance on a panel at the National Lieutenant Governors Association's 2015 federal-state relations meeting. While she recognized the challenge in creating the ratings system, she noted the process has already created positive dialogue and action at some institutions.

© Copyright 2025 Squire Patton Boggs (US) LLP

National Law Review, Volume V, Number 82

Source URL: <https://natlawreview.com/article/student-data-privacy-legislation-to-be-introduced-week>