

**A Quick Guide to the
Student Right-to-Know Act**

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A QUICK GUIDE TO THE STUDENT RIGHT-TO-KNOW ACT (SRK)

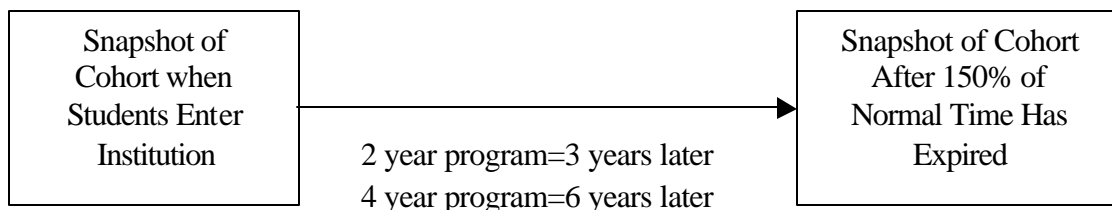
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Enacted in 1990, the Student Right-to-Know Act (SRK) imposed new requirements on postsecondary institutions. The purpose of this guide is to offer an easy to read reference to the key provisions of the law.

OVERVIEW

The SRK requires institutions to calculate graduation rates, and if applicable, transfer-out rates, and then make that data available to current and prospective students.

To accomplish this objective, cohorts of students are tracked by taking a “snapshot” when students enter the institution, and then taking a second “snapshot” when 150% of normal time for completing their program has elapsed for all of the students in the cohort (e.g. 2 year program is 3 years, 4 year program is 6 years).



Institutions that participate in Title IV, Higher Education Act (HEA) student financial aid programs and that enroll first-time, full-time, degree- or certificate-seeking undergraduate students must:

- Establish and track annual cohorts of entering students
- Produce reports containing a graduation rate, and, if applicable, a transfer-out rate for each cohort
- Inform current students about the availability of the report
- Provide the report, upon request, to current and prospective students
- Retain records, including documentation of calculation of rates, for three years

Title IV schools that enroll first-time, full-time, degree- or certificate-seeking undergraduates *and* award athletically-related student financial aid also must:

- Disclose enrollment and graduation rate, and if applicable, transfer-out rate information to prospective student athletes, their parents, and their high school coach and guidance counselor at the time an offer of athletically-related student aid is made.

The remainder of this guide will be broken down into two parts: The requirements for all institutions, regardless of whether they award athletically-related student aid, and the additional requirements for institutions that do award athletically-related student aid.

Important Point: The IPEDS Graduation Rate Survey (GRS) collects the information necessary to calculate the rates that must be disclosed under the SRK. If you are complying with the GRS, whose methodology is the same as the SRK, you will have the information required for the SRK. The GRS does collect additional information beyond that required under the SRK—this legal guide focuses on the SRK only.

REQUIREMENTS FOR ALL INSTITUTIONS

I. *Establishing the Cohort*

The cohort is the means by which an institution is able to calculate the rates for their students. Institutions must establish annual cohorts of first-time, full-time, degree- or certificate-seeking undergraduate students.

Each of these terms is important in establishing your cohort. A part-time student or graduate student should not be included in your cohort. A student that is not seeking a degree or certificate should not be included.

Cohort Checklist

- ✓ Take a snapshot of first-time, full-time, degree- or certificate-seeking undergraduate students.
- ✓ For institutions that are predominantly term-based, (e.g. semesters, trimesters, etc), count first-time, full-time, degree- or certificate-seeking undergraduate students who enroll as of October 15th, the end of the add/drop period, or another official fall reporting date.
- ✓ For institutions that are not predominately term-based, count first-time, full-time, degree- or certificate-seeking students who enter between September 1 and August 31, if they are enrolled for at least 15 days in a program of up to and including one year in length, or if they are enrolled for at least 30 days in a program of greater than a year in length.
- ✓ Students are placed in a cohort on the basis of their status at the time they enroll—in other words, if a student meets the requirements to be included in a cohort, but later does not meet the requirements (e.g. he/she becomes a part-time student), this does not change the cohort.
- ✓ Students who take summer classes at a college for the first time or have AP credit prior to enrolling at the institution are still first-time students.
- ✓ The first cohort for which graduation or transfer-out rate information must be made available is the cohort of students who entered the institution in the 1996-97 academic year.

II. *Defining Completers*

After a cohort is tracked, the second snapshot is designed to identify the number of students in the cohort who graduated, and if applicable, the number of students who transferred. A student should be included in the graduation rate if they are deemed to be a **completer**. Students are completers if, on August 31st of the year in which 150% of normal time has elapsed for all students in the cohort (this is based on the longest program the institution has):

- They completed their program within 150% of normal time for completion of the program.

- They completed a transfer-preparatory program defined as a two-year program that is acceptable for full credit toward a bachelor's degree and qualifies a student for admissions into the third year of a bachelor's degree program, or an equivalent program at a four-year institution, such as a 3-2 engineering program. (See 34 CFR 668.8(b)(1)(ii))

Example:

On October 15th, 1996, a snapshot was taken of the entering class and there were 300 students in the cohort.

Assume the longest program is 4 years (150% of normal time=6 years)—take the second snapshot on August 31, 2002 (You do not literally have to calculate the data on this day, but when you do calculate the data, you are examining the status of students on August 31, 2002). Out of the 300 students, if there are 150 students who meet the definition of a completer, then your graduation rate is:

$$\frac{150}{300} = 50\%$$

The top number is the total number of completers and the denominator is the number of students that were originally in the cohort. Generally, the denominator should never change, unless you can count a student as an *exclusion*.

Institutions may exclude students in each cohort who did not complete within 150% of normal time and who have left school:

- To serve in the armed forces
- To go on official church missions
- To join a federal foreign aid service, such as the Peace Corps
- Because they are totally and permanently disabled
- Due to death

Example: Assume there were 10 students who could be considered exclusions. Using the numbers above, subtract 10 from the denominator (not the numerator).

$$\frac{150}{290} = 52\%$$

Important Points

- Do not count students as completers if they were excluded from the cohort. This can be an issue if a student leaves, but then returns. Count the student as a completer, and do not exclude the student from the cohort.
- A student should be considered a completer even if she entered a program to finish a 4 year program, but finished a 2 year program. Do not double count though if a student completes more than one program within 150% of normal time.
- Even if 99% of all your programs are 4 years, but one program is 5 years, you should not take the second snapshot until 150% of normal time has elapsed for the 5 year program (7 ½ years).

III. *Transfer-Out Rates*

Not every institution has to calculate a transfer-out rate under the SRK. Title IV schools whose missions include providing substantial preparation for students to enroll in another postsecondary institution without having completed their program at the initial institution also *must* make available information about transfer-out rates if they have information about students who transfer-out. They do not have to create new systems to collect this information and they do not have to follow the student beyond the subsequent enrollment. Generally, the only institutions required to calculate transfer-out rates are community colleges, because the mission statement above often reflects their mission.

Students are considered to be transfers if, within 150% of normal time for completion of their program, they have not completed or graduated from the initial institution and have enrolled in any program of another Title IV *eligible* institution.

Example:

Granted, it is hard to identify transfers because of the privacy protections offered to students through the Family Educational Rights and Privacy Act (FERPA). However, assuming 10 students were identified as transfers, the transfer-out rate would look like (using the numbers above):

$$\frac{10}{290} = 3.5\%$$

The denominator is the total number of students in the cohort minus exclusions.

Note: A student should only be considered a transfer-out if they have *enrolled* at an *eligible* institution.

IV. *Making the Data Available to Current and Prospective Students*

Beginning with the 1996 cohort, institutions must make the required information available by July 1 immediately following the 12-month period ending August 31 during which 150% of the normal time for completion or graduation has elapsed for all the students in the cohort.

- July 1, 2000 for institutions whose longest program is two years
- July 1, 2003 for institutions whose longest program is four years
- July 1, 2005 for institutions whose longest program is five years

Electronic Dissemination is Allowed

The graduation rate, and, if applicable, transfer-out rate information may be made available by posting the information on the institution's website.

Contextual Information

Additional, contextual information may be provided, but the required information must be separate and identifiable from any supplementary information.

Providing Information to Current Students

Institutions must annually provide current students with a notice of the availability of all of the information required to be disclosed under 34 CFR 668.41, including the graduation rate, and if applicable, transfer-out rate information. The notice must list and briefly describe the information and tell the student how to obtain the information. Institutions that use a website to disclose information must include in the notice the exact electronic address and a statement that the institution will provide a paper copy upon request.



Providing Information to Prospective Students

A prospective student is defined as an individual who has contacted the institution requesting information concerning admission to that institution. If a prospective student requests graduation rate information, or, if applicable, transfer-out rate information, it must be provided prior to the student enrolling or entering into any financial obligation with the institution. Disclosure requirements are the same as with current students, but the information may not be placed on an Intranet (for obvious reasons—a prospective student does not have access to it).

V. *Retention of Records*

Each Title IV school must maintain required records for three years, including documentation of the calculation of its graduation rate. The three year interval begins on the last date that the information is required to be made available. For example, records must be maintained through June 30, 2004 for graduation rate information that must be made available by July 1, 2000. The last date that this information would have to be made available would be June 30, 2001. (See 34 CFR 668.24(c)(1)(vii))

SPECIAL REQUIREMENTS FOR INSTITUTIONS THAT AWARD ATHLETICALLY-RELATED STUDENT FINANCIAL AID

Overview

Institutions that award athletically-related student aid must disclose enrollment data, graduation rate, and if applicable, transfer-out rate information to prospective student athletes, their parents, and their high school coach and guidance counselor at the time the offer of aid is made. The information may be delivered electronically, but may not be disclosed by posting it on the institution's website.

Athletically-related student aid is defined as any financial assistance offered by an institution the terms of which require the recipient to participate in a program of intercollegiate athletics at the institution. *The aid may be received any time during the academic year in which the cohort is established.*

Cohort Rates

The institution must disclose annual and four-year average cohort graduation rates, and if applicable, transfer-out rates. Four-year averages are to be calculated for the four most recent cohorts for which 150% of normal time has elapsed for all students in the cohort. As this requirement is phased in, if the institution does not have data for four cohorts it must disclose average data for as many cohorts as possible. All data must be broken-out by race and gender. This cohort is the "general cohort" that includes all first-time, full-time degree- or certificate-seeking undergraduate students.

Sport Sub-Cohort Rates

The institution must disclose annual and four-year average graduation and, if applicable, transfer-out rates by race, gender, and sport for the students in the cohort who received athletically-related aid. The sports categories are: football, basketball, baseball, cross-country and track, and all other sports combined. *If students receive aid for more than one sport, they are placed in sub-cohorts in the order listed above, e.g., if the student received aid for basketball and baseball, the student is placed in the basketball sub-cohort.*

APPENDIX A AND B, ATTACHED TO THIS LEGAL GUIDE, ARE MODEL FORMS THAT CAN BE USED TO PROVIDE THE REQUIRED INFORMATION ON THE COHORT AND SPORT SUB-COHORT RATES TO PROSPECTIVE STUDENT ATHLETES, THEIR PARENTS, ETC. EXPLANATORY AND CONTEXTUAL INFORMATION IS RECOMMENDED.

Privacy

Institutions that award athletically-related student financial aid are not required to disclose rates for any race/gender/sport category that contains five or fewer students. They are required to disclose why the data are not reported.

Enrollment Information

The institution also must disclose enrollment information for the **prior** year (e.g. By July 1, 2002, enrollment data should be provided for the 2000-2001 academic year):

- The number of full-time, degree- or certificate-seeking undergraduate students broken-out by race and gender.
- The number of full-time, degree- or certificate-seeking undergraduate students, by race and gender within sport, who received athletically-related student aid. (Sports categories are the same as for graduation rates.)

Basically, an institution must provide information on all enrolled students (not just first-time students), and then, out of that number, an institution must identify how many of those students received athletically-related student aid. The enrollment data should be thought of as “non-cohort data” because it has nothing to do with the cohorts.

APPENDIX C, ATTACHED TO THIS LEGAL GUIDE, IS A MODEL FORM THAT CAN BE USED TO PROVIDE THE REQUIRED INFORMATION ON THE ENROLLMENT DATA TO PROSPECTIVE STUDENT ATHLETES, THEIR PARENTS, ETC. EXPLANATORY AND CONTEXTUAL INFORMATION IS RECOMMENDED.

Waiver for National Athletic Associations

An athletic association may receive a waiver on behalf of its members if it distributes to all secondary schools data that the Secretary of the U.S. Department of Education determines is substantially comparable to the data required under 34 CFR 668.48. The athletic association’s distribution satisfies its member institutions’ responsibility to disclose information to high school coaches and counselors. *However, the institutions still must provide the information to the prospective student athletes and their parents at the time an offer of aid is made.*

Reporting to the U.S. Department of Education

The enrollment, graduation rate, and if applicable, transfer-out rate information also must be submitted annually to the U.S. Department of Education, beginning with enrollment information for the 1996 academic year. **Very Important:** *This reporting requirement is covered by submission of the GRS.*

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APPENDIX D

HELPFUL SRK AND SRK-RELATED LINKS

SRK Final Regulations (November 1, 1998):

<http://clhe.org/fedregnov1.htm>

IPEDS Survey Forms Page:

<http://nces.ed.gov/ipeds/ipedssurveys.html>

What's New in IPEDS

<http://nces.ed.gov/Ipeds/whatsnew.html>