

AMENDMENT TO H.R. 4137
OFFERED BY MRS. FOXX

Database of student information

After section 110 of the bill, insert the following new section:

1 **SEC. 111. DATABASE OF STUDENT INFORMATION PROHIB-**
2 **ITED.**

3 Part C of title I (20 U.S.C. 1015) is further amended
4 by adding after section 134 (as added by section 110 of
5 this Act) the following new section:

6 **"SEC. 135. DATABASE OF STUDENT INFORMATION PROHIB-**
7 **ITED.**

8 "(a) PROHIBITION.—Except as described in (b),
9 nothing in this Act shall be construed to authorize the Sec-
10 retary to develop, implement, or maintain a Federal data-
11 base of personally identifiable information on individuals
12 receiving assistance under this Act, attending institutions
13 receiving assistance under this Act, or otherwise involved
14 in any studies or other collections of data under this Act,
15 including a student unit record system, an education bar
16 code system, or any other system that tracks individual
17 students over time.

1 “(b) EXCEPTION.—The provisions of subsection (a)
2 shall not apply to a system (or a successor system) that
3 is necessary for the operation of programs authorized by
4 title II, IV, or VII, that were in use by the Secretary, di-
5 rectly or through a contractor, as of the day before the
6 date of enactment of the College Opportunity and Afford-
7 ability Act of 2007.

*or data
required to be
collected by the
Secretary under
the Higher Education
Act, including
section 133(d),*

8 “(c) STATE DATABASES.—Nothing in this Act shall
9 prohibit a State or a consortium of States from devel-
10 oping, implementing, or maintaining State-developed data-
11 bases that track individuals over time, including student
12 unit record systems that contain information related to en-
13 rollment, attendance, graduation and retention rates, stu-
14 dent financial assistance, and graduate employment out-
15 comes.”.