



Ethnicity and Race Reporting

New Federal reporting requirements for all public school students

Overview

The U.S. Department of Education requires all states to collect information on the race and ethnicity of public school students and staff. The federal government has developed a new way to report ethnicity and race that includes new categories. The changes should provide a more accurate picture of the nation's ethnic and racial diversity. Beginning in the fall of 2009, Oregon families will be asked to complete a brief form to update the reporting of their children's ethnicity and race. Reporting of staff data will occur in 210.

Background and Rationale

Since 1997, federal agencies have been working to adopt the U.S. Office of Management and Budget (OMB) Revisions to the Standards for the Classification of Federal Data on Race and Ethnicity. These standards replace those that have been in effect since 1977. The new standards separate race and ethnicity and include two categories for data on ethnicity. There are five categories for data on race, and respondents are now allowed to choose more than one race. The new standards are as follows:

Ethnicity

- Hispanic or Latino
- Not Hispanic or Latino

Race

- American Indian or Alaska Native
- Asian
- Black or African American
- Native Hawaiian or Other Pacific Islander
- White.

In August 2006, the U.S. Department of Education (ED) released proposed plans for revising the way state education agencies (SEA) (states) and local education agencies (LEA) (school districts) are expected to maintain, collect, and report data on race and ethnicity. After reviewing extensive comments and feedback, ED released Final Guidance on Maintaining, Collecting, and Reporting Racial and Ethnic Data to the U.S. Department of Education (Final Guidance) in October 2007.³ The Final Guidance, effective as of December 3, 2007, drives future reporting of racial and ethnic data to all programs within ED. The guidelines specify both the new categories for individual-level data, and the aggregated categories to be used for racial and ethnic data reported to ED. In August 2008, a letter was released by Bill Evers, ED's Assistant Secretary for Planning, Evaluation and Policy Development, to elaborate the Final Guidance. The letter is accompanied by a list of answers to related policy questions in both elementary/secondary education and postsecondary education settings.

Categories for Aggregated Federal Reporting

Regardless of the race combinations of individuals, each individual must be counted in exactly one of the following race and ethnicity combinations when being reported to ED or other federal agencies:

- American Indian or Alaska Native
- Asian
- Black or African American

- Native Hawaiian or Other Pacific Islander
- White
- Two or more races
- Hispanic of any race.

It is important to change to the new standards now because they

- allow individuals to more accurately identify themselves;
- are required for federal education eligibility and accountability reports;
- align with other agencies that are using the new standards, removing the need for “dual” reports;
- are consistent with Census data and other national data sets, facilitating state- and local level policy analyses; and
- reflect population changes

Reporting requirements by 2010

States and districts will be required to report aggregated data (not individual student records) to ED using these new standards by the fall of 2010 for the 2010–11 school year. Note that this does not include aggregated data for the 2009–10 school year. For example, dropouts and high school completers for the 2009–10 school year, which may not be reported until the winter of 2010, may be reported under the old race and ethnicity categories.

The new standards are part of federal education reports that districts and states submit to receive funds such as those provided through the Elementary and Secondary Education Act (ESEA). They are part of the required ED accountability reports collected through the ED Facts data collection system. Within ED, the Office for Civil Rights collects data at the school and district levels to assist with its enforcement of laws prohibiting discrimination on the basis of race and national origin, among other personal

characteristics. Under the Individuals with Disability Education Act (IDEA), states are required to collect race and ethnicity data on students with disabilities. Data collected through the Office of Elementary and Secondary Education that account for progress in meeting the goals of No Child Left Behind (NCLB) Act include information about students’ race and ethnicity. All these data collections are tied to federal funding, and comply with the new OMB guidance for collecting racial and ethnic data.

The new race and ethnicity categories will also be used by other federal agencies in civil rights compliance monitoring and equal employment reporting for the public and private sectors and for all levels of government. The new racial and ethnic data standards have already been implemented by many federal agencies.

More accurate statistical information

Outside ED, the new race and ethnicity categories were used by the U.S. Bureau of the Census in data collection, tabulation, and reporting in the 2000 Census. Health agencies have since taken the initiative of adopting the OMB race and ethnicity categories in their data collections; the Federal Equal Employment Opportunities Commission (EEOC) began to collect data using the new race and ethnicity categories in fall 2007.

What Do the New Standards Mean to School Districts?

- Race and ethnicity data have always been collected and reported to ED. Federal education funds are allocated through data reported to ED.
- Continued civil rights enforcement is an important reason for maintaining accurate race and ethnicity information about individual students and staff members at the school and district levels.

- Collecting and reporting racial and ethnic data using these standards will better reflect the current racial and ethnic makeup of communities. It not only allows school districts to allocate their human and financial resources more accurately and equitably, but also validates such decisions within their communities.
- The new data collection format will afford individuals of multiracial background an opportunity to select categories that better represent themselves. It allows Hispanic populations to more accurately describe themselves, helping the school communities to better serve and support them.
- Although work is involved in changing to the new standards, the new format, once understood and implemented, is more user-friendly because it acknowledges the racial and ethnic heritage of students, parents, and staff members

The evolving racial and ethnic composition of the school population also provides a strong incentive for reporting data that more accurately reflect the student body. Parents want the opportunity to more fully describe their children’s heritage. Districts and states need data to track and assess racial and ethnic disparities and to measure the effectiveness of school programs in reducing performance differences between groups of students. An effective accountability system relies on precise data, and the new categories can benefit operational decisions as well by more specifically acknowledging racial and ethnic heritage. For example, districts may use the more precise descriptions of their students’ backgrounds to better provide instruction and services.

Frequently Asked Questions

Q: Why do you need this information?

A: The demographics of our society have changed significantly in the last few decades. These changes will allow our students and staff to more accurately describe who they are. We (school district or state) are required by the Federal government to use the new categories. All states and school districts are required to do the same. There are good reasons in addition to meeting federal requirements, though. We routinely report aggregate information to the federal government for funding and evaluation purposes, as well as civil rights compliance. We also use racial and ethnic data to evaluate our placement and program needs, providing the best services for all students. The U.S. Census in 2000 used the new categories. This is a trend that education and human service agencies will follow.

Q: If I have already provided this information to the schools, why must I provide it again?

A: In the past, forms for reporting race and ethnicity to the federal government allowed individuals to be identified in only one category. The new form allows individuals to be identified in ethnic and racial classifications and in more than one racial category. The federal government is requiring that ethnic and racial information for all students be reported in this way in order to reflect the nation’s diversity more accurately.

Q: Is the federal government checking my immigration status?

A: No. This information will be maintained in your employment or student records. It will not be reported to any federal agency in a way that identifies you or your child. No one will check for immigration status from the information you give here.

Q: How will the information be used?

A: The data with the new ethnicity/race categories will be used in the same manner that racial/ethnicity data are used currently. The new categories will replace the existing categories for use in all state and federally sponsored statistical data collections that include data on ethnicity or race. Some examples include student record cards and test results.

Q: Who provides the information?

A: Parents will complete a brief form to identify their children's ethnic and racial identity. Staff members will receive a form to complete their own information.

Q: Will the school release my student's race and ethnicity to other parties?

A: Individual student records are protected by the Federal Education Records and Privacy Act (FERPA). The new race and ethnicity standards have no effect on FERPA's protection of student records. FERPA does not designate race and ethnicity as directory information, and race and ethnicity have the same protection as any other non-directory information in a student's education record.

Q: I am Hispanic. Why do I have to answer more questions?

A: One of the major changes is the recognition that members of Hispanic populations can be of different races. The federal government would like to afford Hispanic/Latino populations the opportunity to better describe themselves according to their culture and heritage. So yes, you will be asked to select one or more races, even if you have indicated that you are Hispanic/Latino.

Q: How do I know I won't be discriminated against after I've told you I belong to a minority group?

A: This is exactly why we need to maintain better racial and ethnic data about our students and staff. We are required to maintain this information about each individual in his or her record, in case a civil right investigation surfaces. Again, state and local guidelines are in place to ensure that racial and ethnic data will not be reported elsewhere in a way that you may be identified. The state and districts follow FERPA rules and regulations to safeguard the privacy of student records (see question above). For employment records, none of the equal employment opportunity rules has changed. Your race and ethnicity will not be used to determine your employment status or condition.

Q: You can't make me do it, can you?

A: No, we can't; but providing the information would be beneficial for you or your child. We are required to provide an answer on your behalf, if you choose not to provide such information. The federal government believes that in getting aggregate numbers from states and districts, it would be preferable to have complete data this way, than having missing data.