

2017 -- H 5453

LC001135

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2017

A N A C T

RELATING TO EDUCATION -- ALL STUDENTS COUNT ACT

Introduced By: Representatives Diaz, Slater, Williams, Casey, and Morin

Date Introduced: February 09, 2017

Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

1 SECTION 1. Legislative Findings.

2 (1) According to the Southeast Asia Resource Action Center the U.S. Department of
3 Education currently requires that states and school districts aggregate data for all Asian students
4 regardless of their ethnicity under the aggregated category of "Asian." However, the "Asian" race
5 category comprises more than forty-eight (48) ethnicities including, American Indian,
6 Bangladeshi, Cambodian, Chinese, Filipino, Hmong, Japanese, Korean, Laotian, Pakistani, Thai,
7 Vietnamese.

8 (2) This reporting guideline masks the educational inequalities that exist for Asian
9 American and Pacific Islander (AAPI) groups, particularly those from Southeast Asian American
10 (SEAA) backgrounds.

11 (3) Federal funding is distributed to schools and school districts to close achievement
12 gaps. However, the lack of disaggregated data denies many SEAA students access and resources
13 to the quality education they need to succeed and reach their full potential.

14 SECTION 2. Title 16 of the General Laws entitled "EDUCATION" is hereby amended
15 by adding thereto the following chapter:

16 CHAPTER 107

17 ALL STUDENTS COUNT ACT

18 16-107-1. Short title.

19 This chapter shall be known and may be cited as the "All Students Count Act".

1 **16-107-2. Definitions.**

2 The following words and phrases, as used in this chapter shall have the following
3 meanings:

4 (1) "Entity" means the Rhode Island department of elementary and secondary education,
5 its subagencies, state agency(s) and local municipalities from which it collects demographic data.

6 (2) "Southeast Asian" means individuals who identify with one or more ethnic groups
7 originating from the countries in the Southeast Asian region, including Cambodia, the
8 Philippines, Laos, Vietnam, and other Southeast Asian.

9 **16-107-3. Data transparency.**

10 (a) Whenever the department of elementary and secondary education collects
11 demographic data as to the ancestry or ethnic origins of students for a report that includes
12 educational proficiencies, graduation rates, attendance rates, and access to educational resources,
13 the entity shall use separate collection categories and tabulations in accordance with the
14 following:

15 (1) No later than twelve (12) months after a decennial United States Census is released to
16 the public, each entity shall use the collection and tabulation categories for the Asian population
17 groups as they are reported by the United States Census Bureau as well as people with disabilities
18 and English language learners.

19 (2) The categories used by each entity for Asian population, to the extent not already
20 required pursuant to this section shall always include, but not be limited to, the following Asian
21 ethnic groups:

22 (i) Cambodian, Filipino, Hmong, Laotian, Vietnamese, and other Southeast Asian.

23 (3) Until the release of the next decennial United States Census following the enactment
24 of this chapter, each entity shall use the enhanced data collection and tabulation categories that
25 the entity was required to use prior.

26 (4) Each entity shall comply with the Family Educational Rights and Privacy Act, (20
27 U.S.C. §1232g, 34 CFR Part 99) and shall observe criteria for ensuring statistical significance of
28 data collected and published.

29 (i) Districts reporting data with a student group that has too few students, as defined by a
30 minimum size of ten (10), for evaluation must be notated.

31 (5) Each entity shall cross-tabulate data of student outcome by gender, disability and
32 English proficiency for all students.

33 (6) Each entity shall make the demographic data publicly available, except for personal
34 identifying information, which shall be deemed confidential, by posting the data on the applicable

1 entity's website by July 1, 2018 and shall update the data annually thereafter. This subdivision
2 shall not be construed to prevent any other state agency from posting data collected on the state
3 agency's website, in a matter prescribed by this section.

4 (b) This chapter shall only apply to the collection of data for students in the public
5 elementary and secondary education system. It does not apply to the demographic data of
6 students participating in post-secondary education.

7 (c) If the state determines that this chapter contains costs mandated by the state,
8 reimbursement to local agencies and school districts for those costs shall be made.

9 SECTION 3. This act shall take effect upon passage.

=====
LC001135
=====

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO EDUCATION -- ALL STUDENTS COUNT ACT

1 This act would create the "All Students Count Act" and would require the department of
2 elementary and secondary education to use separate collection categories and tabulations for
3 specified Asian ethnic groups in every demographic report on ancestry or ethnic origins of
4 residents.

5 This act would take effect upon passage.

=====
LC001135
=====