SECTION 1. Legislative Findings.

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

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

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

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

CHAPTER 107

ALL STUDENTS COUNT ACT

16-107-1. Short title.

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

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

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

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


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

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

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

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

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

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

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

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

(6) Each entity shall make the demographic data publicly available, except for personal identifying information, which shall be deemed confidential, by posting the data on the applicable
entity's website by July 1, 2018 and shall update the data annually thereafter. This subdivision shall not be construed to prevent any other state agency from posting data collected on the state agency's website, in a matter prescribed by this section.

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

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

SECTION 3. This act shall take effect upon passage.
EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N   A C T
RELATING TO EDUCATION -- ALL STUDENTS COUNT ACT

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

This act would take effect upon passage.

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