

2017 -- S 0439

LC001646

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: Senators Calkin, Quezada, and Picard

Date Introduced: March 02, 2017

Referred To: Senate Education

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 16 of the General Laws entitled "EDUCATION" is hereby amended
2 by adding thereto the following chapter:

3 CHAPTER 107

4 ALL STUDENTS COUNT ACT

5 **16-107-1. Short title.**

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

7 **16-107-2. Definitions.**

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

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

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

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

17 (a) Whenever the department of elementary and secondary education collects
18 demographic data as to the ancestry or ethnic origins of students for a report that includes
19 educational proficiencies, graduation rates, attendance rates, and access to educational resources,

1 the entity shall use separate collection categories and tabulations in accordance with the
2 following:

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

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

10 (i) Cambodian, Filipino, Hmong, Laotian, Vietnamese, and other Southeast Asian ethnic
11 groups.

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

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

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

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

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

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

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

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1 SECTION 2. This act shall take effect upon passage.

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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.

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