

2016 -- S 2090

=====  
LC004125  
=====

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2016

-----  
A N A C T

RELATING TO EDUCATION - ALL STUDENTS COUNT ACT OF 2016

Introduced By: Senator Roger Picard

Date Introduced: January 21, 2016

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 106

4 ALL STUDENTS COUNT ACT OF 2016

5 **16-106-1. Short title.** -- This chapter shall be known and may be cited as the "All  
6 Students Count Act of 2016".

7 **16-106-2. Declaration of policy.** -- According to national data, since 2010, Asian  
8 Americans have been the fastest growing racial and ethnic group in the United States, steadily  
9 growing at about three percent (3%) year over year since 2010; in Rhode Island, the Asian  
10 population has grown at a staggering rate of fourteen and nine-tenths percent (14.9%) between  
11 July 2010 and July 2014. In order to retain a highly skilled and diverse workforce now and in the  
12 future, Rhode Island agencies must improve on their data collection methodology for this  
13 population, which represents sixty-nine (69) different languages and more than twenty-four (24)  
14 different ethnicities. This chapter requires specified entities and their sub-agencies to make  
15 enhanced demographic data publicly available by posting the data on the applicable entity's  
16 website and would require the updating of the reporting categories for each decennial census.  
17 This data would also include cross-tabulated data of student outcomes by gender, disability and  
18 English proficiency for all students. This chapter shall only apply to students participating in the  
19 public elementary and secondary education system in the state.

1           **16-106-3. Definitions.** -- The following words and phrases, as used in this chapter shall  
2 have the following meanings:

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

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

8           **16-106-4. Data transparency.** – (a) Whenever the department of elementary and  
9 secondary education collects demographic data as to the ancestry or ethnic origin of students for a  
10 report that includes educational proficiencies, graduation rates, attendance rates, and access to  
11 educational resources, the entity shall use separate collection categories and tabulations in  
12 accordance with the following:

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

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

20           (i) Cambodian, Filipino, Hmong, Laotian, and Vietnamese.

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

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

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

29           (5) Cross-tabulate data of student outcomes by gender, disability and English proficiency  
30 for all students.

31           (6) Each entity shall make the demographic data publicly available, except for personal  
32 identifying information, which shall be deemed confidential, by posting the data on the applicable  
33 entity's website by July 1, 2017 and shall update the data annually thereafter. This subdivision  
34 shall not be construed to prevent any other state agency from posting data collected on the state

1 agency's website, in a manner prescribed by this section.

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

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

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

=====  
LC004125  
=====

EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T  
RELATING TO EDUCATION - ALL STUDENTS COUNT ACT OF 2016

\*\*\*

1           This act would create the "All Students Count Act of 2016" and would require the  
2 department of elementary and secondary education to use separate collection categories and  
3 tabulations for specified Asian ethnic groups in every demographic report on ancestry or ethnic  
4 origins of residents.

5           This act would take effect upon passage.

=====  
LC004125  
=====