




Nancy S. Grasmick
State Superintendent of Schools

200 West Baltimore Street • Baltimore, MD 21201 • 410-767-0100 • 410-333-6442 TTY/TDD • MarylandPublicSchools.org

TO: Members of the State Board of Education

FROM: Nancy S. Grasmick, State Superintendent of Schools 

DATE: February 22, 2011

SUBJECT: Changes to Race Codes

PURPOSE:

To provide Board members with a summary and overview of the Maryland Public School student population using new federal race codes implemented for the 2010-2011 school year.

BACKGROUND:

The U.S. Department of Education issued Final Guidance on October 19, 2007 requiring State education departments to implement modifications to the standards and aggregation categories for collecting information on race and ethnicity. The changes are necessary in order to implement the Office of Management and Budget's (OMB) *1997 Standards for Maintaining, Collecting, and Presenting Federal Data on Race and Ethnicity* (1997 Standards). The final guidance gave states three years before compliance was mandatory for the 2010-2011 school year.

The 1997 Standards are a result of four years of extensive review by OMB. Since the 1990 census, the standards have come under increasing criticism from those who argue that the minimum race and ethnic group categories previously used do not reflect the Nation's increasing diversity due to immigration and interracial marriages. The 1997 Standards create 5 minimum categories for race and 2 categories for data on ethnicity. The most notable changes are:

- (1) The use of a two part question on race *and* ethnicity
- (2) The separation of the Asian or Pacific Islander into 2 categories – "Asian" and "Native Hawaiian or Other Pacific Islander"
- (3) The term "Hispanic" changed to "Hispanic or Latino"

Educational institutions and other recipients were advised by the federal government to allow students, parents, and staff to "self-identify" race and ethnicity. If adequate opportunity to self-identify has been provided and respondents still do not answer, observer identification is to be used as a last resort. In this case, someone from the school district will provide the information on behalf of the parent, student or staff. (72 FR 59268 Part II.C; 71 FR 44868 Part IV.A.3)

The U.S. Department of Education encourages educational institutions and other recipients to allow all students and staff the opportunity to re-identify their race and ethnicity. While individuals are *not* required to self-identify, educational institutions are required to use the new ethnic and racial guidelines. (72 FR 59268 Part II.B)

Reporting Aggregated Data. The collection of individual data involves gathering information from individuals. The reporting of data requires the aggregation of individual data. The rules for reporting aggregated data to MSDE and the U.S. Department of Education are outlined below.

Aggregated data on race and ethnicity will be aggregated by MSDE and reported to the U.S. Department of Education in seven (7) categories:

- Hispanic/Latino of any race; and for individuals who are non-Hispanic/Latino only,
- American Indian or Alaska Native,
- Asian,
- Black or African American,
- Native Hawaiian or Other Pacific Islander,
- White, and
- Two or more races.

The State Board will be briefed on the changes in the population based on these new race codes and discuss challenges resulting from this required change to Maryland's data and reporting.

EXECUTIVE SUMMARY:

MSDE required local school systems to collect student data using both the existing race codes and the new race codes for the 2009-2010 school year. This requirement is one year prior to the federal deadline for implementation. Because MSDE would prefer not to have a break in the use of Safe Harbor in 2011, local school systems are required continue to collect data using both the existing race codes and the new race codes for the 2009-2010 school year. The availability of the student data in 2009-2010 will help in 2 ways:

- Analyze Adequate Yearly Progress (AYP) results using the 'new' racial category subgroups.
- Determine which racial subgroups are appropriate for AYP reporting.
- Allow schools to benefit by the safe harbor calculation to be applied for the implementation year of 2011 by having the data for 2010.

Work began with LEAs during the 2008-2009 school year. Regional meetings with all LEAS were held to present the changes and the process to be used. A detailed manual (attached) serves as the official guide for meeting these new requirements, and government websites are also used to provide additional information. The actual process to be used to accomplish the gathering of the data was left to the discretion of each LEA, although there was facilitation of sharing of materials.

The following table illustrates the changes in race codes in the same group of students based on the two race codes collected in 2009-2010.

Group	Old Race Code		New Race Code	
	Number	Percentage	Number	Percentage
Hispanic	91495	10.21	101002	11.27
American Indian/ Alaskan Native	3745	.42	3055	.34
Asian	55629	6.21	50349	5.62
African American	342850	38.25	325639	36.33
Native Hawaiian/ Pacific Islander	NA	NA	965	.11
White	402688	44.92	385929	43.05
Two or More Races	NA	NA	29468	3.29
Total	896407	100.0	896407	100.0

ACTION:

For information only

NSG:law