
SENATE COMMITTEE ON EDUCATION

Senator Carol Liu, Chair

2015 - 2016 Regular

Bill No: AB 176
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Version: May 28, 2015
Urgency: No
Consultant: Olgalilia Ramirez

Hearing Date: June 24, 2015
Fiscal: Yes

Note: This bill has been referred to the Committees on Education and Health. A "do pass" motion should include referral to the Committee on Health.

Subject: Data collection

SUMMARY

This bill specifies requirements for the collection of demographic data, by the state's public segments of postsecondary education and state health-related departments pertaining to collection and tabulation categories for Native Hawaiian (NH), Asian, and Pacific Islander (API) groups.

BACKGROUND

Existing law requires state agencies, boards, and commissions that directly or by contract collect demographic data as to the ancestry or ethnic origin of Californians to use separate collection categories and tabulations for each major API group, including, but not limited to, Chinese, Japanese, Filipino, Korean, Vietnamese, Asian Indian, Laotian, Cambodian, Hawaiian, Guamanian, and Samoan.
(Government Code § 8310.5)

ANALYSIS

This bill:

- 1) Requires the Board of Governors (BOG) of the California Community Colleges (CCC) and the Trustees of the California State University (CSU), and requests the Regents of the University of California (UC), when collecting demographic data on students for a report that includes student admission, enrollment, completion, or graduation rates, to use specified collection and tabulation categories for NH and API groups as follows:
 - a) Until the release of the next decennial census, each entity shall use the categories that they used as of January 1, 2015.
 - b) Within 18 months after release of the decennial census, each entity shall use NH and API categories as reported by the United States Census Bureau.

- c) Each entity shall comply with the Family Educational Rights Privacy Act, and observe criteria for ensuring statistical significance of data collected and published.
- 2) Requires the California Community Colleges (CCC), the California State University (CSU) and the University of California (UC), by July 1, 2016, to collect and publish specified demographic data on their respective websites and update the data annually.
- 3) Specifies that provisions in this bill shall not be interpreted as preventing any other state agency from posting the data collected, as specified, on its website in a manner pursuant to this section or Section 8310.5 or 8310.7 of the Government Code.
- 4) Specifies that the provisions in this bill regarding categorization requirements do not apply to graduate or professional schools at UC and clarifies that this measure applies to the UC only if the UC Regents, make it applicable by resolution.
- 5) Defines “entity” to mean the CCC Board of Governors (BOG), the CSU Trustees, and the UC Regents.
- 6) Requires on or after July 1, 2016, the Department of Health Care Services (DHCS) and the Department of Manages Health Care (DMHC), when collecting patient demographic data for reports on the type and amount of health care coverage, rates for major diseases, leading causes of death, as specified, pregnancy rates, and housing numbers, to use the following separate collecting categories and tabulations, in addition to the existing categories required by current law:
 - a) Major Asian groups, including, but not limited to, Bangladeshi, Hmong, Indonesian, Malaysian, Pakistani, Sri Lankan, Taiwanese, and Thai; and
 - b) Major Native Hawaiian and other Pacific Islander groups, including but not limited to Fijian and Tongan.

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, aggregated data of the Asian, and Pacific Islander (API) population in California fail to demonstrate unique challenges of API subgroups particular with respect to educational outcomes and health care. Current law requires the Department of Industrial Relations and Fair Employment and Housing to collect disaggregated data for major Asian and Pacific Islander groups. The author asserts that extending these data collection requirements to other state agencies and public postsecondary institutions will help to expose social and economic disparities within the greater API population in California.

This bill requires the State Department of Healthcare Service, The Department of Managed Healthcare and the governing boards of the CCC and CSU and requests the UC Regents to report and publish demographic data in a manner that recognizes API subgroups.

- 2) ***Need for data disaggregation?*** Academic and government research demonstrate how statistical data of the API population, when aggregated can inadvertently skew results that can conceal the actual conditions and experiences of subgroup populations particularly the Southeast Asian community. To note, 2010 U.S. Census data shows low educational attainment levels for Southeast Asians with only 15.4% of Hmong, 15% of Cambodian and 10.4% of Laotian Americans with a Bachelor's degree or Higher compared to 50.2% of Asians as a whole. Similarly, a 2013 report of Asian, and Pacific Islander (API) students at the California State University (CSU), Fresno, "The Academic Challenges of Southeast Asians at Fresno State," found significant educational disparities of the API group and Southeast Asian community. A closer look at the respective API ethnic groups showed that 97% of Hmong students were first generation college students who came from larger households and 62% came from low income household (less than 24,000 a year). The University of California (UC) faculty also prepared a report that highlights the need for disaggregation of education data, among other things, for Southeast Asian, South Asian, Pacific Islander, and Native Hawaiian in the state. These particular groups experience high rates of poverty, limited English proficiency, and cultural barriers that have resulted in low educational outcomes.

This bill seeks to identify the characteristics and disparities within the API community by requiring the California Community Colleges (CCC), CSU and requesting the UC to report admissions, enrollment, completion and graduation data for API students according to categories used by the United States Census Bureau in the next decennial census in 2020. The 2010 and the most recent decennial census includes Asian, Asian Indian, Chinese, Filipino, Japanese, Korean, Vietnamese, other Asian, Native Hawaiian, Guamanian or Chamorro, Samoan, other Pacific Islander. Notably missing from the list are the Southeast Asian and Pacific Islander groups this bill is attempting to capture; for this reason **staff recommends** the bill be amended on page 3 between lines 15 and 16 insert:

(2) *In addition, each entity shall report on the following categories:*

- a) *Additional Major Asian groups, including, but not limited to Bangladeshi, Cambodian, Hmong, Indonesian, Laotian. Malaysian, Pakistani, Sri Lankan, Taiwanese, and Thai.*
- b) *Additional Major Native Hawaiian and other Pacific Islander groups including but not limited to, Fijian and Tongan.*

As amended, the bill could potentially create a new state mandate for CCC.

3) **Data Collection at CSU, UC and CCC.** In 2009, the CSU application was modified to provide applicants with over 50 different API categories from which to self-identify. Similarly, UC's existing data collection practices go beyond what's required by provisions in this bill. Lastly, the CCC collects information on 11 different API communities on its application "CCC Apply". It is unclear how the data is reported or if it is published for public access. This bill requires CCC, CSU and requests the UC to collect and publish existing demographic data on their respective websites and update the data annually by July 1, 2016. Data published after the specified U.S. Census deadline must reflect the categories outlined in this bill.

4) **Related and prior legislation.**

PRIOR LEGISLATION

- a) AB 1737 (Eng, 2010) would have required certain state agencies to use additional separate collection categories and tabulations for major Native Hawaiian and Asian, and Pacific Islander (API) groups. AB 1737 was held on suspense in the Assembly Appropriations Committee.
- b) AB 295 (Lieu, 2007) would have required various state entities to report collected demographic data according to each major API group and make the data available to the public to the extent that disclosure did not violate confidentiality. AB 295 was vetoed by Governor Schwarzenegger whose message read:

"I believe this bill is unnecessary and imposes additional costs on state agencies at a time the state cannot afford them.

Even as we work to move beyond divisions based on race, I recognize there are times when it is appropriate for government to sort data based on ethnicity. That is why existing law gives state agencies the flexibility to expand upon current demographic categories if necessary. Given this flexibility, this bill is unnecessary. I encourage the proponents of this measure to work with individual agencies if they believe a circumstance exists where expanding the number of ethnic categories for the purposes of data collection is warranted."

- c) AB 2420 (Lieu, 2006) similar to this bill, would have expanded from 11 to 23 the ancestry or ethnic origin collection categories required to be collected by any state agency, board, commission, California Community Colleges, or the California State University. AB 2420 was held on suspense in Senate Appropriations.

SUPPORT

Asian Pacific Islander Caucus
California API Budget Partnership

California Asian Pacific Chamber of Commerce (CalAsian)
California Black Health Network
California Faculty Association
California Immigrant Policy Center
California Pan Ethnic Health Network
California State University
California Young Democrats Asian Pacific Islander Caucus
Community College League of California
Families in Good Health
Fresno Center for New Americans
Fresno Interdenominational Refugee Ministries, Inc.
Healthy House Within a MATCH Coalition
Los Angeles and Pasadena Community Colleges Districts
March of Dimes Foundation
Southeast Asia Resource Action Center
The California Black Health Network
The Campaign for College Opportunity
United Cambodian Community
University of California

OPPOSITION

None received.

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