

Race/Ethnicity Code Changes: Basic Issues

Texas Association for Institutional Research

Data Advisory Committee

Maryann Ruddock, chair	University of Texas at Austin
Kate Amorella	Texas Women's University
Cindy Dutschke	Texas A&M University
Kathy Friedrich	College of the Mainland
Sue Herring	Baylor University
Tom Martin	Collin County Community College District
Darline Morris	Texas State Tech College
Martha Oburn	Houston Community College System
Larry Redlinger	University of Texas at Dallas
Leona Urbish	Rice University

October 2009

Race/Ethnicity Code Changes: Basic Issues

All educational institutions (elementary and secondary schools, two- and four-year colleges and universities) that report data to the federal government are in the process of changing how they report race/ethnicity data for students and employees. The federal government first defined racial/ethnic categories in 1977. They have remained unchanged until changes to race/ethnic code categories were mandated by the U.S. Office of Management and Budget in 1997, and first appeared in the 2000 Census collection. A transition period was given in order for agencies to review the results of the census collection. These reporting standards (categories) were finalized by the Department of Education (for students) and the Department of Labor (for employees). The October 19, 2007 Federal Register published "Final Guidance on Maintaining, Collecting, and Reporting Racial and Ethnic Data to the U.S. Department of Education". The new categories are required for reporting fall 2010 data.

Why Making Changes Is Important

Every institution of higher education is required to report to the federal government through the National Center for Education Statistics' Integrated Postsecondary Education Data System (IPEDS) for students, or to the Department of Labor for employees using the new race/ethnicity code categories. If an institution does not submit data through IPEDS, they will not be eligible to receive federal student financial aid, or grant money from the federal government.

In addition, we look different today than we did 20 years ago. As we near the end of the first decade of the twenty-first century, more people are identifying themselves as belonging to more than one race or ethnicity. The opportunity for individuals to self-identify in multiple categories permits an individual to recognize all of their identities. People no longer have to choose one of five categories when more than one is who they are.

Ethnicity versus Race

In 1978 the federal government used five codes. They were Black (non-Hispanic), American Indian/Alaska Native, Asian/Pacific Islander, Hispanic, and White (non-Hispanic). In doing so, they combined race with ethnicity. Ethnicity is the classification of a population that shares common characteristics, such as religion, traditions, culture, language and tribal or national origin. Hispanic is an ethnicity. Race is the division of a population distinguished by physical characteristics transmitted by genes. The race categories were Black (non-Hispanic), American Indian/Alaska Native, Asian/Pacific Islander, and White (non-Hispanic). The new categories separate the ethnicity question from the race question.

Race/Ethnic Code Categories - Collection of Data

According to the Federal Register guidance on race/ethnicity code changes for the Department of Education (Federal Register DOCID: E7-20613) educational institutions will be required to *collect* data on race and ethnicity using a two-question format. The first question would be whether or not the respondent is Hispanic/Latino (the ethnicity question). Hispanic/Latino means a person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race. The term “Spanish origin” can be used in addition to “Hispanic or Latino”.

The second question would ask the respondent to select one or more races (the phrase “all that apply” is *not* allowed to be used) from the following five racial groups:

- (1) American Indian or Alaska Native. A person having origins in any of the original peoples of North and South America (including Central America), and who maintains a tribal affiliation or community attachment.
- (2) Asian. A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.
- (3) Black or African American. A person having origins in any of the black racial groups of Africa. Terms such as "Haitian" or "Negro" can be used in addition to "Black or African American."
- (4) Native Hawaiian or Other Pacific Islander. A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.
- (5) White. A person having origins in any of the original peoples of Europe, the Middle East, or North Africa. (1997 Standards, 62 FR 58789 October 30, 1997 and http://nces.ed.gov/statprog/2002/std1_5.asp)

These are the minimum number of categories that educational institutions will be required to use. Additional categories that an institution may choose to use must be subcategories of these categories (e.g., Japanese, Chinese, Korean, and Pakistani – subcategories of Asian).

According to the final guidelines, respondents will be encouraged to answer both questions. Educational institutions are *required* to give new students and employees the opportunity to identify their race/ethnicity according to the new categories (the two part question). In addition, educational institutions are *encouraged* to allow all students and staff the opportunity to re-identify their race and ethnicity under the 1997 Standards, but it is not mandatory.

“Unknown” and “two or more races” are not allowed as response categories for collection of data, although they are specified as reporting categories for federal reporting.

According to the Association for Institutional Research's Race/Ethnicity Discussion BLOG, "the order of races presented in the NCES statistical standard example 2-question format does not dictate how institutions must order the categories on their own data collection forms; it is the order used by NCES in its own data collections from individuals. Because the final guidance does not address order, it is left up to the institution to decide. Alphabetizing is an arbitrary order that most people accept and should not imply any bias. Putting one category first (e.g., 'White' because it is most prevalent) may generate questions as to why that category was given preference when there is no one to explain the rationale. The bottom line is that the order of the race categories is each institution's decision."

Why These New Categories

According to the Federal Register guidance on race/ethnicity code changes for the Department of Education (Federal Register DOCID: fr07au06-150) these new categories "...allow data on race and ethnicity to achieve an appropriate balance that reflects the growing diversity of our Nation while minimizing the implementation and reporting burden placed on educational institutions and other recipients". They also note that "the growing diversity is illustrated by the fact that in the 2000 Census, children and youth reported being of more than one race at a substantial rate--more than twice the rate of adults".¹

The proposed categories break out Hispanic from five racial categories (White, Black, Asian, Native Hawaiian, and Native American). The Department of Education reports that Hispanics are the least likely group to identify an additional race. In the interest of reducing the implementation burden and the costs these changes would place on educational institutions, and still giving the Department of Education the information they need, DOE is asking institutions to **report** only aggregate data on Hispanics, regardless of an additionally identified racial category. Since institutions are collecting data at a unit record level, if DOE needs further breakdowns on Hispanics, educational institutions will be able to provide that information. This is consistent with the final implementation plan of EEOC. In addition, there is nothing to prevent institutions from reporting (other than to the federal and state governments) "mixed" categories including Hispanic. Reporting of data is discussed in the TAIR DAC white paper "Race/Ethnicity Code Changes: Mapping/Bridging and Reporting Data".

Race/Ethnic Code Categories - Maintaining Data

Educational institutions will need to maintain the individual responses of students and employees. This will enable the institution to supply additional data, e.g., to the Office for Civil Rights for investigation of complaints. Institutions will want to

¹ For individuals 18 and over, 1.9 percent (3,969,342 in the 2000 Census) of individuals reported more than one race; while 4 percent (2,856,886) of individuals under 18 reported more than one race.

TAIR DAC/Ruddock

maintain the individual responses for internal reporting other than that required by the federal government.

According to the Federal Register document on reporting to the Department of Education for institutions receiving grants from the federal government (Federal Register DOCID: fr07au06-150) institutions receiving federal grant money must retain for three years all financial and programmatic records, supporting documents, statistical records, and other records that are required to be maintained by the grant agreement. One exception is when there is litigation, a claim, an audit, or another action involving the records that has started before the three-year period ends; in these cases the records must be maintained until the completion of the action.

Race/Ethnic Code Categories - Reporting of Data to the Federal Government

The Department of Education will have educational institutions *report* aggregated data on race and ethnicity in 8 categories:

(1) Hispanics of any race;

and, for Non-Hispanics only,

(2) American Indian or Alaska Native,

(3) Asian,

(4) Black or African American,

(5) Native Hawaiian or Other Pacific Islander,

(6) White, and

(7) Two or more races.

(8) Non-resident Alien (for reporting students to IPEDS; determined first)

(9) Unknown

IPEDS will continue to use the category of “nonresident alien” as an alternative to collecting race/ethnicity from nonresident alien students (information that is not needed for civil rights reporting purposes). This is determined first. Then, any student who replies affirmatively to the first question (Are you Hispanic? Yes/No) will be placed in the Hispanic category, regardless of whether or not they respond to the second question. For students who responded negatively or skipped the first question, their answer to the second question (identify their race from the five categories given) will be reported. If the respondent marks two or more race categories, they will be *reported* to the federal government as “two or more”, with no reference to which of the five categories were chosen. If a student chooses to not indicate any of the codes (Hispanic/Latino or one of the five race codes), they will be *reported* to IPEDS as “unknown.”

The Department of Labor does not permit the use of an “unknown” category for employees. The institution will need to obtain race/ethnicity on all employees. How they obtain that information is left up to the institution.

TAIR DAC/Ruddock

The proposed changes for collecting and reporting race/ethnicity data are summarized below.

Current Codes							
	Select one choice from the following codes:						If no response, placed in "unknown"
Non-resident alien students identified first	Hispanic	American Indian	Asian		Black	White	
Proposed Codes							
Non-resident alien students identified first	Question 1: Hispanic/Latino?	Question 2: select one or more races from the following five racial groups:					If no response to either question, placed in "unknown"
	Yes/no	American Indian or Alaska Native	Asian	Native Hawaiian or Other Pacific Islander	Black or African American	White	
	If yes, will be categorized as Hispanic (only) regardless of any race code they may have selected	For IPEDS reporting: If respondent marks more than one race (and "no" to Hispanic in first question), they will be reported in the category "two or more"					

Implementing the Changes

The federal government had made it mandatory that all institutions reporting race/ethnicity data starting fall 2010 use the two question format.

The National Center for Education Statistics, in their Statistical Standards report (http://nces.ed.gov/statprog/2002/std1_5.asp) gives the following wording for the two question format:

What is this person's ethnicity?

Hispanic or Latino

Not Hispanic or Latino

The race question is:

What is this person's race? Mark one or more races to indicate what this person considers himself/herself to be.

TAIR DAC/Ruddock

American Indian or Alaska Native

Asian

Black or African American

Native Hawaiian or Other Pacific Islander

White

The Association for Institutional Research gives the following as acceptable wording:

Colleges and universities are asked by many, including the federal government, accrediting associations, college guides, newspapers, and our own college/university communities, to describe the racial/ethnic backgrounds of our students and employees. In order to respond to these requests, we ask you to answer the following two questions:

Do you consider yourself to be Hispanic/Latino?

_ Yes

_ No

In addition, select one or more of the following racial categories to describe yourself:

_ American Indian or Alaska Native

_ Asian

_ Black or African American

_ Native Hawaiian or Pacific Islander

_ White

Among the few changes that can be made to these categories are Hispanic/Latino can be changed to Hispanic/Latina for women's colleges; subcategories of race and ethnicity can be added, but they must aggregate to the federal reporting categories; the race choices can be placed in any order the institution wishes; and these questions can be referred to as 'optional'. It is also permissible to use the words "If you fail to check any box, your ethnicity will be recorded as 'unreported/unknown' on the survey".

Other implementation issues include: 1) subcategories can be used for students but not for employees (or the other way around, they do not have to match), 2) 'unknown', 'two or more races' and 'nonresident aliens' are reporting categories, but should not be used in data collection (other than for sub-categories of race), 3) post-secondary institutions can report 'unknown' if a student does not reply, there is no need to use third-party identification, and in fact, it is not preferred or recommended, 4) the labels of 'ethnicity' and 'race' are not required to be used (although it is not permitted to use 'ethnicity' for the second question – the second question refers to 'race'), and 5) presenting the data collection form to students and employees is sufficient to ensure that individuals have had an opportunity to reply. (<http://www.airweb.org/page.asp?page=1502>)

TAIR DAC/Ruddock

The Common Application (see https://controlcenter.commonapp.org/common/cao_ethnicity_final.pdf) provides a good example of what people are thinking in terms of collecting subcategories. For example, possible subcategories for Hispanic or Latino include:

Which best describes your background?

- Central America
- Cuba
- Mexico
- Puerto Rico
- South America (excluding Brazil)
- Spain
- Other _____

For racial categories:

American Indian or Alaska Native (including all Original Peoples of the Americas)

Which best describes your background?

- Alaska Native
- Chippewa
- Choctaw
- Cherokee
- Navajo
- Sioux
- Other _____

Are you Enrolled?

- No
- Yes, please enter Tribal Enrollment Number _____

Asian (including Indian subcontinent and Philippines)

Which best describes your background?

- China
- India
- Japan
- Korea
- Pakistan
- Philippines
- Vietnam
- Other East Asia _____
- Other Indian Subcontinent _____
- Other Southeast Asia _____

Black or African American (including Africa and Caribbean)

Which best describes your background?

- U.S./African American
- Africa
- Caribbean
- Other _____

Native Hawaiian or Other Pacific Islander (Original Peoples)

Which best describes your background?

- Guam
- Hawaii
- Samoa
- Other _____

White (including Middle Eastern)

Which best describes your background?

- Europe
- Middle East
- Other _____

Note that in these examples, 'other' is being used as a sub-choice under a specific race; that response will roll-up into the race category. It is not permissible to use 'other' as a stand-alone race choice.

The Law School Admissions Council collects information on two additional categories: Australian Aboriginal and Canadian Aboriginal. For these categories, if the respondents are not Nonresident Aliens, Australian Aboriginal would be reported as Native Hawaiian/Other Pacific Islander and Canadian Aboriginal as American Indian (since this category refers to indigenous people of South America, Central America, and North America).

<http://www.airweb.org/page.asp?page=1467&topic=Law%20School%20Admis.%20Council%20race%20categories>

Some software packages allow for a third question to be asked (in addition to ethnicity and race), asking the respondent to indicate a primary race/ethnicity category. As long as you ask for the race/ethnicity information using the two-part question, you may also ask the third question asking the respondent to indicate a "primary race/ethnicity category." However, you can use the response to the third question only for internal reporting purposes and NOT for Federal reporting. That is, you must use the responses to the initial two-part question for IPEDS and any other Federal survey as well as for any survey that references IPEDS

definitions. (<http://www.airweb.org/page.asp?page=1467&topic=Asking%20a%20Third%20Question>)

Re-identification of students and employees is left up to the institution. It is not required. However, if current students and employees are given the opportunity to now respond to the multiple response question, the institution may want to first map existing data to provide each individual's data to them. The institution may want to include the language "we will continue to report your race/ethnicity as follows, unless you indicate otherwise". The institution cannot have "no change" as one of the options. If the respondent does not reply to the re-identification option, it is fairly easy to "map" old responses to new responses, except for the case of

TAIR DAC/Ruddock

Asian/Pacific Islander. Then you would have to decide how to “map” the respondents, most likely going to Asian rather than Native Hawaiian/Other Pacific Islander. Mapping of data is discussed in the TAIR DAC white paper “Race/Ethnicity Code Changes: Mapping/Bridging and Reporting Data”.

The 2000 Census is the first place many people saw the two-question format.

→ **NOTE: Please answer BOTH Questions 7 and 8.**

7. Is Person 1 Spanish/Hispanic/Latino? Mark the "No" box if **not** Spanish/Hispanic/Latino.

No, not Spanish/Hispanic/Latino Yes, Puerto Rican
 Yes, Mexican, Mexican Am., Chicano Yes, Cuban
 Yes, other Spanish/Hispanic/Latino — Print group. ↴

8. What is Person 1's race? Mark **one or more races** to indicate what this person considers himself/herself to be.

White
 Black, African Am., or Negro
 American Indian or Alaska Native — Print name of enrolled or principal tribe. ↴

Asian Indian Japanese Native Hawaiian
 Chinese Korean Guamanian or Chamorro
 Filipino Vietnamese Samoan
 Other Asian — Print race. ↴ Other Pacific Islander — Print race. ↴

Some other race — Print race. ↴

There is a difference between how the Census asked for data and how the Departments of Education and Labor are asking for data. On the Census race question, respondents are permitted to check and supply “some other race”. This is not an option for IPEDS reporting. The inclusion of “some other race” makes a difference in mapping/bridging and reporting. This is discussed in the TAIR DAC white paper “Race/Ethnicity Code Changes: Mapping/Bridging and Reporting Data”.