

Date of Hearing: March 15, 2016

ASSEMBLY COMMITTEE ON HIGHER EDUCATION

Jose Medina, Chair

AB 1726 (Bonta) – As Amended March 1, 2016

[Note: This bill is double referred to the Assembly Health Committee and will be heard as it relates to issues under its jurisdiction.]

SUBJECT: Data collection

SUMMARY: Requires the California Community Colleges (CCC) Board of Governors (BOG), the California State University (CSU) Trustees, California Department of Public Health (DPH), and California Department of Health Care Services (DHCS), and requests the University of California (UC) Regents, to disaggregate demographic information for Native Hawaiian, Asian, and Pacific Islander (API) groups. Specifically, **this bill:**

- 1) Requires that on or after July 1, 2017, whenever the CCC BOG, the CSU Trustees, or the UC Regents collect demographic data as to the ancestry or ethnic origin of students for a report that includes student admission, enrollment, completion, or graduation rates, each entity shall do all of the following:
 - a) Ensure that in the course of collecting demographic data directly or by contract as to the ancestry or ethnic origin of California residents, each entity shall collect and tabulate data for the following:
 - i) Additional major Asian groups, including but not limited to, Bangladeshi, Hmong, Indonesian, Malaysian, Pakistani, Sri Lankan, Taiwanese, and Thai; and,
 - ii) Additional major Native Hawaiian and other Pacific Islander groups, including, but not limited to, Fijian and Tongan.
 - b) No later than 18 months after a decennial United States Census is released to the public, each entity shall update their data collection to reflect the additional API and Native Hawaiian groups as they are reported by the United States Census Bureau.
 - c) Make any data publically available except for personal identifying and confidential information, by posting the data on the Internet Web site.
- 2) Specifies that where applicable, the CCC, CSU, and UC shall comply with the federal Family Educational Rights and Privacy Act and shall observe criteria for ensuring statistical significance of data collected and published.
- 3) Specifies that should the UC Regents resolve to adhere to the requirements as set forth in this measure that it shall not apply to demographic data of UC graduate or professional schools.
- 4) Requires that on or after July 1, 2017, whenever DPH and DHCS collect demographic data as to the ancestry or ethnic origin of persons for a report that includes the type and amount of health care coverage, rates for major diseases, leading causes of death per demographic,

subcategories for leading causes of death in California overall, pregnancy rates, or housing numbers, the entity shall do all of the following as outlined in all of number one above.

EXISTING LAW:

- 1) 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 (GOV) Section 8310.5).
- 2) Requires the Department of Industrial Relations (DIR) and the Department of Fair Employment and Housing (DFEH) to collect and tabulate data for additional major API groups (GOV Section 8310.7).

FISCAL EFFECT: Unknown

COMMENTS: *Background.* According to the California Commission on Asian and Pacific Islander American Affairs' Issue Paper on September 5, 2014, data disaggregation is imperative for uncovering economic, educational, and social disparities inherent not only in API American communities, but in all ethnic populations. The Commission finds that the need to disaggregate data is often exemplified by the needs of Southeast Asian American students; often categorized as "Asian," their "lower academic achievement rates are overshadowed by the stereotype that all Asian students excel in academics."

According to information provided by the author's office, many of the communities within the API population face similar challenges in California, such as language barriers and immigration; however, they differ on many issues. This is most evident with respect to education and public health, where the outcomes of some of the largest API groups within the API population raise the average outcome of the greater API population as a whole. For example, although data related to the average API student demonstrates high academic achievements, disaggregated data sheds light on the harsh reality that Southeast Asian subgroups suffer from much lower achievement rates than other API groups. Similarly, data from a 2013 report done by the Asian American Center for Advancing Justice demonstrates that 14 percent of Asian Americans are uninsured; disaggregated data demonstrates that Korean, Tongan, and Thai populations have uninsured rates higher than 22 percent whereas only eight-10 percent of Japanese and Asian Indian populations are uninsured.

Purpose of the measure. According to the author, "despite the diversity of California's large API population, state agencies only disaggregate demographic data for a few of the major API groups. By failing to measure a large portion of the API population, California is unable to track the progress of the most disadvantaged segments of that population."

The author contends that without disaggregated data, policymakers and researchers have to rely on data in the aggregate as released by various state and local agencies. Said data is not consistent and varies in different jurisdictions.

This measure will require the CCC, CSU, DPH, and DHCS, and request the UC, to collect and release disaggregated demographic data for specified groups of the API and Native Hawaiian ethnicities.

Data collection at CCC, CSU and UC. 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. As of 2009, the CSU application was modified to provide applicants with over 50 different API categories from which to self-identify. Additionally, the existing practices of the UC on data collection exceed what is required in this measure.

Policy consideration. As mentioned above, the CCC currently collects 11 different API ethnicities on its application. The CCC Chancellor's Office has indicated that due to the varying differences of how the 113 CCC collect data, a concern exists that as currently drafted, this measure will not allow for enough time for the CCC to be ready to implement all the provisions of the bill.

Moving forward, the author may wish to consider extending the implementation of this measure by a year or two in order to ensure all affected entities have time to fully implement the bill.

Previous legislation. Several pieces of legislation have gone through the Legislative Process related to the collection and disaggregation of API data:

- 1) AB 176 (Bonta) of 2015, which was vetoed by the Governor, was similar in nature to this measure.
- 2) AB 1088 (Eng), Chapter 689, Statutes of 2011, required the DIR and DFEH to collect and tabulate data for additional major API groups.
- 3) AB 1737 (Eng) of 2010, which was held on the Suspense File of the Assembly Appropriations Committee, would have required certain state agencies to use additional separate collection categories and tabulations for major Native Hawaiian and API groups.
- 4) AB 295 (Lieu) of 2007, which was vetoed by the Governor, would have required various state entities to report collected demographic data according to each major API group and make that data available to the public to the extent that disclosure did not violate confidentiality.
- 5) AB 2420 (Lieu) of 2006, which was held on the Suspense File of the Senate Appropriations Committee, would have expanded from 11 to 23 the ancestry or ethnic origin collection categories required to be collected by any state agency, board, commission, CCC, or CSU; and, would have required the above entities to collect, tabulate, report, and make available to the public any data collected on the groups.

REGISTERED SUPPORT / OPPOSITION:

Support

Abriendo Puertas, Opening Doors
 Alameda County Health Pipeline Partnership
 Asian Americans Advancing Justice-California
 Asian American Cancer Support Network
 Asian American Drug Abuse Program, Inc.
 Asian Pacific American Labor Alliance- San Diego
 Asian & Pacific Islander American Health Forum

Asian Pacific Partners for Empowerment, Advocacy and Leadership
California Asian Pacific Chamber of Commerce
California Asian Pacific Islander Budget Partnership
California Immigrant Policy Center
California Pan-Ethnic Health Network
Canal Alliance
Chinatown Public Health Center
Chinese for Affirmative Action
Community Health for Asian Americans
Community Health Partnership
East Bay Asian Youth Center
Empowering Pacific Islander Communities
Fathers & Families of San Joaquin
Fresno Interdenominational Refugee Ministries
Global Refugee Awareness Healing center
Healthy House
Hmong National Development
Iu-Mien Community Services
Khmer Girls in Action
Khmer Parent Association
Korean Churches for Community Development
Korean Resource Center
Leadership Education for Asian Pacifics, Inc.
Madera Coalition for Community Justice
Multicultural Council of America
National Asian Pacific American Women's Forum
Native Hawaiian and Pacific Islander Alliance
National Pacific Islander Education Network
NICOS Chinese Health Coalition
Pacific Islander Health Partnership
PALS for Health
Refugee & Immigration Ministries - Christian Church (Disciples of Christ) in the US and
Canada
Services, Immigrant Rights, and Education Network
Southeast Asia Resource Action Center
Stone Soup Fresno
Taulama For Tongans
Thai Health And Information Services, Inc.
The Cambodian Family Community Center
TOFA Inc.
Tongan American Youth Foundation
United Cambodian Community
Urban Strategies Council
One Individual

Opposition

None on file.

Analysis Prepared by: Jeanice Warden / HIGHER ED. / (916) 319-3960