

# APPENDIX D

## *Staff Re-identification Packet*

Appendix D consists of documents that districts may use as templates for communicating the changes to staff. Please note that these do not replace district human resources employment forms, but rather are intended to explain the new guidelines and inform respondents as to the outcomes of their choices. Districts will need to revise their own HR forms to align with the new requirements.

## Sample Letter to Staff

school info here)

Late Spring, 2010

Dear Staff,

Each year, every school district in Oregon is required to report the race and ethnicity of each of its students to the Oregon Department of Education (ODE). ODE reports school level data---not individual student data--to the federal government. These reports:

- track changes in student enrollments
- help ensure that every child receives the educational programs and services to which they are entitled

The federal government has new requirements on how school districts collect, store, and report race and ethnicity data on students and staff. Under the new federal guidelines we are now required to collect and report staff racial/ethnic data in exactly the same format as we will be collecting and reporting demographic data from students.

There are no changes to individual privacy and protected rights, only the collection categories and reporting categories are changing. We are asking all staff to self-identify according to the new guidelines in the Spring of 2010; we are also asking all students to self-identify themselves based on the new guidelines. Please note that the new federal guidelines require that the district Observer Identify all staff and students who choose not to self-identify. There is more information about this in the frequently asked question (FAQ) section.

The following is a basic overview of the new format. We understand there may be concerns for various reasons; we are committed to answering all of your questions. Please refer to the FAQ for more information and to (the administration at your building or district specified person) if you have further questions.

Sincerely,  
(Superintendent)

*Please note that this is not a data collection form and is offered for informational purposes only*

**Beginning Spring 2010 there are now TWO questions that every person will be asked, and both questions must be answered in order for a staff or student record to be considered complete by the Oregon Department of Education.**

**Question # 1:**

Are you Latino or Hispanic? Yes\_\_\_\_\_ No\_\_\_\_\_

*All persons descended from a Spanish-speaking country of origin in North, Central or South America, regardless of race or original language, should answer yes. All persons answering YES to this first question will be reported as a Latino student or staff member, regardless of their answer to the race question below, which **all** are required to answer.*

**Question #2:**

Please choose one **or** more race:

- American Indian or Alaska Native  
*A person having origins in any of the original peoples of North, Central or South America, including Mexico, who maintains tribal affiliation or community attachment*
- Asian  
*A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent*
- Black or African American  
*A person having origins in any of the original peoples of the Black racial groups of Africa*
- Native Hawaiian or Other Pacific Islander  
*A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands*
- White  
*A person having origins in any of the original peoples of Europe, the Middle East, or North Africa*

In order for these new guidelines to best reflect the identities of our communities it is important to understand the way the new categories work. Those answering “yes” to the Latino question will be reported in the Latino category regardless of their answer to the race question. Please be thoughtful about your identity when choosing the appropriate category. *With the exception of Latinos, all those who choose more than one race will be reported as “multi-racial” in our data systems, even though it is not a self-reported category option.*

If we do not receive self-identification from a staff member federal law requires that the district designate a different staff person to choose one or more categories based on prior knowledge and observation; this practice is known as Observer Identification. We firmly believe **self-identification** is preferable, but are required to implement **Observer Identification** as a last resort to complete a record.

# Frequently Asked Questions

## *School Staff*

### **1. Why do you need this information?**

The demographics of our society have changed significantly in the last few decades. We (school district or state) are required by the Federal government to use the new categories. All states and school districts are required to do the same.

There are good reasons in addition to meeting federal requirements, though. We routinely report aggregate information to the federal government for funding and evaluation purposes, as well as civil rights compliance. We also use racial and ethnic data to evaluate our placement and program needs, providing the best services for all students. This is a trend that education and human service agencies will follow.

### **2. Is everyone being asked to identify?**

The U.S. Department of Education encourages schools and agencies to allow all students and staff the opportunity to re-identify their race and ethnicity under the new standards. Although this is not a requirement, it is the hope of the district to re-align all our staff and students under the new standards to ensure our data integrity.

### **3. Will the information we provide be used to check our immigration status?**

No. This information will be maintained in your employment or student records and is protected by Federal law. It will not be reported to any federal agency in a way that identifies you or your child. No one will check for immigration status from the information you give here.

### **4. Will the school release my race and ethnicity to other parties?**

Individual student records are protected by the Federal Education Records and Privacy Act (FERPA). The new race and ethnicity standards have no effect on FERPA's protection of student records. FERPA does not designate race and ethnicity as directory information, and race and ethnicity have the same protection as any other non-directory information in a student's education record.

### **5. Is anyone being required to choose their race or ethnicity?**

No one is required to answer these questions, but providing the information yourself means the district will not be forced to choose for you. Under the Federal Guidelines, we are required to provide an answer on your behalf if you choose not to provide such information. The federal government requires school districts to Observer Identify all those who choose not to self-identify. We firmly believe that self-identification is the most beneficial option and are prepared to provide as much information and support to families and individuals to encourage self-identification.

### **6. I am Latino/Hispanic. Why do I have to answer more questions?**

One of the major changes is the recognition that members of Latino/Hispanic populations can be of different races. The federal government would like to afford Hispanic/Latino populations the opportunity to better describe themselves according to their culture and heritage. So yes, you will be asked to select one or more races, even if you have indicated that you are Hispanic/Latino.

For reporting purposes all individuals answering yes to the Latino question will be reported as Latino regardless of the racial category or categories they choose.

### **7. What is Observer Identification?**

If a staff member, family, student or guardian has questions, concerns or any other issue with the new guidelines after receiving all the print information there will be a trained administrator in each building to assist with the self-identification process.

If self-identification is still not willingly obtained, the administrator will use whatever means they have available to them to make a designation and complete the record. This is referred to as Observer Identification and is seen as a very last-resort option in order for districts to comply with federal regulations to submit a complete record. Federal law requires Observer Identification in the absence of self-identification.

### **8. How do I know I won't be discriminated against?**

Under no circumstances could this happen. The entire intent of the data collection is to ensure the most equitable distribution of resources and support excellence for all students. State and local laws are in place to ensure that racial and ethnic data will not be reported elsewhere in a way that any individual may be identified.

The state and districts follow FERPA (Federal Education Records and Privacy Act ) rules and regulations to safeguard the privacy of student records For employment records, none of the equal employment opportunity rules has changed. Your race and ethnicity will not be used to determine your employment status or condition. All privacy laws and rules are still in effect for all students and staff.

### **9. I see that Multi-racial is NOT a self-identification option, yet it is a reported category in all disaggregated staff data, what does this mean?**

Individuals do not have the option of self-identifying simply as multi-racial, but they are considered multiracial if they choose more than one race. Districts must report ALL students and staffs who choose more than one race as multiracial ONLY to ODE, and all state and federal data disaggregated by race and ethnicity will report them in a multi-racial category. District level reports will vary from state and federal reports if districts maintain primary racial identity information for multiracial individuals.

### **10. If we are a multi-racial family or individual but have a primary cultural identity associated with one category, how should we respond?**

The choice on how to self-identify is an individual choice. Indicating a primary cultural/racial identity may help us as a district maintain consistent data, make better educational alignments and obtain appropriate funding levels for specific programs.

*If you have further questions, please contact the office at your building; they will direct you to the appropriate administrator who will assist you.*