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**Testimony**

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**STATISTICAL AGENCIES**

**Collection and Reporting of  
Race and Ethnicity Data**

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# Statistical Agencies: Collection and Reporting of Race and Ethnicity Data

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Mr. Chairman and Members of the Subcommittee:

I am pleased to be here today to discuss the reporting of race and ethnicity data. Our testimony today focuses on two issues you asked us to address: (1) our prior work on the collection and reporting of race and ethnicity data by the Bureau of the Census for the decennial census, as well as by other federal agencies; and (2) state reporting of race and ethnicity data to federal agencies for health and educational purposes. My comments are based on our prior work in this area, our current monitoring of plans and preparations for the 2000 Decennial Census, and limited data collection we did in selected states in April 1997 in response to your request.

Over the years, our work has shown that the collection of these types of data is technically complex and publicly controversial. It is technically complex because race and ethnicity are not objectively definable characteristics, making measurement difficult. Also, in many instances, a person self-identifies his or her own race and ethnicity; in other instances another party may categorize that person's race and ethnic designation by observation, which can produce inconsistent results. In addition, the manner in which different organizations may ask for racial or ethnic information, as well as how this information is compiled or aggregated, can lead to inconsistent results. Measurement of race and ethnicity is also controversial because some individuals have strong feelings about how they are classified and are uncomfortable, when presented with a list of classifications, if a particular "category" is not available for them to select. For example, some people who are multiracial want to be able to reflect this heritage by designating themselves as such; however, they may not be provided this choice. Alternatively, some people may oppose the use of a multiracial category because it could result in a reduction in the number of individuals classified in their racial category, and they view this as potentially reducing any benefits this particular group may receive. Some state and federal program or administrative officials raise concerns about a multiracial category because it may (1) add costs from the need to change forms and computer software, (2) not provide any analytical benefits, or (3) result in reporting inconsistencies and impede analyses of trends.

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## Background

The United States government has long collected statistics on race and ethnicity. Such data have been used to study changes in the social, demographic, health, and economic characteristics of various groups in the population. Federal data collections, through censuses, surveys, and

administrative records, have provided a historical record of the nation's population diversity.

Since the 1960s, data on race and ethnicity have been used extensively in civil rights monitoring and enforcement covering such areas as employment, voting rights, housing and mortgage lending, health care services, and educational opportunities. Legislatively based requirements in these areas created the need among federal agencies for compatible, nonduplicative data for the specific population groups that historically had suffered discrimination and differential treatment on the basis of their race or ethnicity. We have attached a listing of some of the statutes that require the collection and reporting of racial or ethnic data.

In the mid-1970s, the Office of Management and Budget (OMB), in conjunction with several federal agencies, undertook a collaborative effort to standardize racial and ethnic data collected and published by federal agencies. The result of this effort was OMB's 1977 publication of the "Race and Ethnic Standards for Federal Statistics and Administrative Reporting" contained in Statistical Policy Directive No. 15. These standards also implemented the requirements of Public Law 94-311 of June 16, 1976, which called for the collection, analysis, and publication of economic and social statistics on persons of Spanish origin or descent. Directive 15, which has not been changed since it was initially published, provides standard classifications for recordkeeping, collection, and presentation of data on race and ethnicity in federal program administrative reporting and statistical activities. These classifications include four races—American Indian or Alaskan Native, Asian or Pacific Islander, Black, and White; and one ethnicity—Hispanic origin or not of Hispanic origin.

The standard collection categories are to be used for (1) civil rights compliance reporting by both the public and private sectors and all levels of government; (2) new and revised general program administrative and grant reporting by federal agencies; and (3) statistical reporting by federal agencies. According to OMB's Chief Statistician, even though states are not directed to follow OMB's guidance except when reporting to the federal government, in practice they generally do. The Directive states that its purpose is not to limit the collection of data to the five categories—four racial and one ethnic. However, any required reporting that uses more detail must be organized in such a way that the additional categories can be aggregated into the basic racial/ethnic categories. One notable exception to the standard has been the Bureau of the Census, which was

granted an exemption allowing it to include an “other” (write-in) response to the race question in the 1980 and 1990 Censuses.

During the past several years, the standards have come under increasing criticism from those who believe that the minimum categories set forth in Directive No. 15 do not reflect the increasing diversity of our nation’s population. Some have also proposed changing the names of some categories. Because of these criticisms, OMB is in the process of determining whether Directive No. 15 should be modified. Among the changes being considered are whether a multiracial category should be included; and whether “race/ ethnicity” should be asked as a single identification, or whether “race” identification should be separate from Hispanic origin.

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## **Collection of Race and Ethnicity Data by the Bureau of the Census and Other Federal Agencies**

Even if federal classifications for race and ethnicity were agreed upon, it is extremely difficult to obtain accurate and consistent data on the number of individuals within each classification. Our prior work on the Bureau of the Census’ collection of race and ethnicity data during the 1990 Census indicates that the question or questions used to elicit information on an individual’s race and ethnicity will affect how an individual classifies himself or herself. Consequently, if the results of different surveys using different questions or a different series of questions to obtain race and ethnic data from the same population were compared, it would be likely that different proportions of respondents would be classified as White, Black, Asian or Pacific Islander, or American Indian or Alaskan Native; or of Hispanic origin. This work also demonstrated that external pressures on the Bureau can result in the use of questions that may not provide as accurate a count of racial and ethnic groups as would be possible if other, alternative questions were used. Our prior work on federal agencies’ use of race and ethnic definitions found that other factors can also affect the quality of racial and ethnic data collected, including the fact that all states may not use the same classifications as the federal government, and the fact that some racial and ethnic data are obtained by observer-identification rather than by self-reporting.

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## **1990 Decennial Census Experience With Collecting Race and Ethnic Data**

In 1993, we reported and testified that experience from the 1990 Decennial Census provided valuable lessons for future censuses.<sup>1</sup> One lesson was the need to develop a consensus on the race and ethnicity questions as early in

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<sup>1</sup>Federal Data Collection: Measuring Race and Ethnicity Is Complex and Controversial (GAO/T-GGD-93-21, April 14, 1993) ; and Census Reform: Early Outreach and Decisions Needed on Race and Ethnic Questions (GAO/GGD-93-36, Jan. 28, 1993).

the decade as possible. Another was the need for the Bureau of the Census to continue efforts to improve race and ethnic data quality to ensure that the quality of data collected is acceptable.

## Consensus Not Achieved

In the 1990 Census, the Bureau was unable to build a consensus on its recommended version of how Asian and Pacific Islanders were to be represented in the race question despite implementation of a special testing and consultation program. As a result, the final format of the race question was decided late in the decade after protracted debate and was contrary to the Bureau's initial recommendations.

The Bureau, after testing alternative versions of the Asian and Pacific Islander questions during the 1986 Los Angeles, Mississippi, and National Content tests, among other tests, determined that a short version of the race question was likely to produce data on the Asian and Pacific Islander population that was as good as other test versions of the race question. The short version provided a space for Asian and Pacific Islanders to write in their specific groups, such as Chinese or Asian Indian. Other test versions would have called for Asian and Pacific Islanders to mark separate, prelisted, detailed groups of this racial category, as was done in the 1980 Census. The Bureau's research suggested that the write-in option would produce a somewhat higher proportion of the population reporting as Asian and Pacific Islanders than would the use of a question with prelisted groups. Despite its research, the Bureau was unable to convince the Asian and Pacific Islander community that the short version of the race question should be used. Responding to congressional direction and pressures from the Asian and Pacific Islander community, the Bureau reconsidered its original decision and chose to include in the 1990 census a version of the race question with prelisted Asian and Pacific Islander categories.

This experience demonstrated the need for the Bureau to begin to work early in the decade to work with a diverse group of customers, including organizations representing the interests of various race and ethnic groups, to identify data needs for the 2000 census and the best ways these needs can be met. In congressional hearings, representatives of the Asian Pacific Islander community said that the Bureau had not solicited their participation in the early phases of redesigning the race question. The advisory committees representing minority communities had not been established until 1986 for the 1990 Census. This was the same year that the major tests were held that drove the debate on the race question and the Bureau's initial recommendation. Several representatives said that the

Bureau had already formulated the census questions before the committees began to meet.

In contrast to the situation in preparation for the 1990 census, Census advisory committees for the 2000 census were chartered in February 1994. These committees included the African-American Population, American Indian and Alaska Native Populations, Asian and Pacific Islander Populations, and the Hispanic Population. The committees held a series of meetings during 1995 prior to the June 1996 National Content test, at which time the Bureau tested several variations of questions designed to obtain race and ethnicity information. Another meeting of these advisory committees was held in December 1996 to discuss major findings from that survey. According to Census officials, the results of this survey and the race and ethnicity tests should be available in early May 1997.

## Data Quality Issues

Census Bureau evaluations suggested that the data from the 1990 race and Hispanic origin questions were generally of high quality. However, the evaluations also suggested that some problems associated with collecting data on Hispanics that confronted the Bureau in 1980 continued. For example, in both the 1980 and 1990 Censuses, the Bureau found that Hispanics had difficulty classifying themselves by race, and this difficulty led to inconsistent reporting by Hispanics when they initially completed the census questionnaire compared to their responses when they were interviewed as part of a quality check. Also, for both the 1980 and 1990 Censuses, the Bureau estimated that nearly all—97.5 percent in 1990 and 95 percent in 1980—of the respondents who reported being in the “other race” category were persons of Hispanic origin.

The problems experienced in connection with the Hispanic origin question stemmed, at least in part, from the format and sequence of the Hispanic origin and race questions. According to the Bureau, both Hispanics and non-Hispanics have had difficulty dealing with this issue. Some Hispanics equate their “Hispanicity” with race and have had difficulty classifying themselves by the standard race categories. In 1990, about 40 percent of Hispanics marked the “other race” category; they either indicated they were Hispanic in the Hispanic origin question or indicated they were Hispanic in the write-in space provided in the race question. According to the Bureau, some non-Hispanics, having already responded to the race question, skipped over the Hispanic origin question when they should have indicated that they were not of Hispanic origin.

As part of OMB's ongoing effort to determine whether Statistical Policy Directive 15 should be revised, OMB and the Census Bureau are working together to determine whether race/ethnicity should be asked as a single identification or whether the race identification should be separate from Hispanic origin or other ethnicities. Research on the effect of keeping race/ethnicity as a single identification or separate was conducted during the May 1995 Current Population Survey conducted by the Census Bureau, as well as during the June 1996 Race and Ethnic Targeted Test. Results from the May 1995 survey indicated that, among other things, placing the Hispanic origin question before the race question significantly reduced nonresponse to the Hispanic origin question. The survey also found that placing the Hispanic origin question before a race question that did not include a multiracial option (1) reduced the percentage of persons reporting in the "other race" category on the race question, and (2) increased reporting by Hispanics in the White category of the race question. The results of the June 1996 test are due in May 1997.

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### **Agencies' Use of Consistent Race and Ethnic Definitions**

In our 1992 report on agencies' use of consistent race and ethnic definitions, we found that the eight agencies we reviewed, including the Department of Health and Human Services and the Department of Education, used the standard definitions of Directive No. 15 in the data collection operations we examined.<sup>2</sup> However, we also found some consistency problems in the agencies' reporting when they used data not controlled by federal collection rules or data based on observer-identification.

The consistent use of definitions by federal agencies is to be accomplished by an OMB control procedure that is designed to help ensure that standards are properly incorporated in data collection efforts. OMB's Office of Information and Regulatory Affairs is required to approve all federal data collection instruments and methodologies before an agency begins collecting data. This control process is designed to monitor the use of standards in the development of the data collection methodologies. In our 1992 report, we found that another practice that helps ensure that the policy's definitions are followed is the federal statistical agencies' extensive use of the Census Bureau support and products that also are governed by the rules of Directive No. 15. For example, the National Center for Education Statistics (NCES) and the National Center for Health Statistics (NCHS), as well as other federal agencies, use elements of the

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<sup>2</sup>Federal Data Collection: Agencies' Use of Consistent Race and Ethnic Definitions (GAO/GGD-93-25, Dec. 15, 1992).

Decennial Census or the monthly Current Population Surveys in their reports. As a result, the data agencies use from these sources should have been collected using methodologies that OMB has approved.

Inconsistent reporting of racial and ethnic data by federal agencies can arise when an agency uses state-provided data. The management of state- or local-generated data is outside of federal jurisdiction. State-provided data can be inconsistent, for example, if states categorize race and ethnicity differently, if state data are incomplete, or if states categorize multiracial/ethnic peoples differently than specified by OMB Directive No. 15. Some school districts collecting race and ethnic data also use a special category to classify people of mixed race or ethnicity, thus creating difficulties when data contained in this category are aggregated into the five Directive 15 categories. State use of a multiracial category could become a greater potential source of inconsistency in the future, because the number of multiracial and ethnic families has grown significantly over the last 20 years.

Inconsistent reporting of racial and ethnic data can also arise when others determine an individual's race or ethnicity, generally from observation. OMB's Directive recommends that the category most closely reflecting the individual's recognition in his community should be used for purposes of reporting on persons who are of mixed racial and/or ethnic origins. Department of Education officials told us that some states determine a student's race or ethnicity by that of the mother, whereas others use the father's race or ethnicity. Because the label applied by state policy may not be the same label applied had OMB's guidance been used, inconsistencies may arise in the racial categorization of those of mixed race.

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## **State Collection of Race and Ethnicity Data for Health and Educational Purposes**

States collect data on race and ethnicity in various programs, often to comply with federal requirements. You asked that we provide information on the types of race and ethnicity data states are collecting in the areas of health and education. You specifically asked us to include information on states that have enacted laws requiring the use of a multiracial category. To respond to your request, we focused on state reporting of race and ethnic data on births and deaths in the health area and on student enrollment in public schools in the education area. At the federal level, NCHS and NCES have responsibility for compiling and reporting data nationally on these topics and work cooperatively with the states to obtain the data. Accordingly, we obtained information from NCHS and NCES on their process for collecting state data as well as from a study recently

sponsored by NCES on racial and ethnic classifications used by public schools.

In addition, we obtained information on the collection of race and ethnic data from health departments in nine states—Alabama, Georgia, Illinois, Indiana, Maryland, New Jersey, Ohio, Texas, and Washington. Of these nine states, Georgia and Indiana have implemented state laws requiring all state agencies to use a multiracial category under certain circumstances. We also contacted education officials in the District of Columbia and in 12 states—California, Georgia, Illinois, Indiana, Maryland, Michigan, North Carolina, New York, Ohio, Pennsylvania, Texas, and Virginia—as well as representatives from 23 local school systems in 8 of these jurisdictions. Of those states, five have laws requiring the use of a multiracial category under certain circumstances. We contacted local school representatives to get an indication of the types of racial and ethnic data schools were collecting and, if the state had implemented a law or requirement for use of a multiracial category, whether schools were implementing the requirement. We selected the five states that have laws requiring schools' use of a multiracial category and North Carolina because it has administratively mandated the use of a multiracial category in its school system. We judgmentally selected local school systems to achieve geographic dispersion. Due to the limited scope of our work, we cannot project our findings to jurisdictions or school systems we did not contact.

Health department officials in all nine states said they are collecting race and ethnicity data from birth and death certificates, aggregating these data, and reporting the data to NCHS, in accordance with guidance and instructions provided by NCHS. According to these officials, the guidance and instructions used conform to OMB's Statistical Directive No. 15.

State education officials in the 12 states and the District of Columbia said they are collecting race and ethnicity data from schools and aggregating these data. Most of these officials said that data are reported to the federal government in the five categories contained in the directive. Officials from Georgia and Indiana, which are two states that have implemented legislation requiring the use of a multiracial category, said they are reporting race and ethnicity data to the federal government in the five categories contained in the directive. However, in order to report these data, these officials said that individuals in the multiracial category must be allocated to the other racial and/or ethnic categories. In contrast, an Ohio education official said that this state, which has a state law requiring the use of a multiracial category, uses six categories to report these data,

including a multiracial category. Based on discussions with state and local education officials, the forms used to collect racial and ethnic information, the categories used to classify race and ethnicity, and who classifies students vary from school to school.

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### **Five States Have Laws Requiring the Use of a Multiracial Category**

Georgia, Illinois, Indiana, Michigan, and Ohio have enacted laws that include the term multiracial with respect to collecting data on race and ethnicity. Georgia, Indiana, and Michigan have passed legislation requiring the addition of a multiracial category on all state forms that have a listing of racial and ethnic classifications from which one must select. Illinois and Ohio have similar legislation that applies only to educational departments and schools; however, Illinois' law specifies that the category of multiracial is to be collected and reported only if the data are for state or local use. Although Illinois' and Ohio's laws do not define multiracial, the other three states' laws define multiracial as having parents of different races. For federal reporting purposes, laws in Georgia and Michigan provide for reallocating multiracial individuals into the five federal categories on the basis of the rate that the general population comprises each classification. Ohio's law, in contrast, requires that the parent, guardian, or custodian of each student have the opportunity to designate the appropriate federal racial category for the student. Georgia's, Indiana's, and Ohio's laws are being implemented. According to an education official in Illinois, that state is delaying implementation of its law until OMB makes a determination on revising Statistical Directive 15. Michigan's law, according to state education officials, is to be implemented during the 1997-1998 school year when forms are scheduled to be revised to include a separate question to collect data on whether the individual is also multiracial. A summary of the scope and implementation status of laws in the five states is attached to this statement.

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### **Collection of Race and Ethnicity Data for Health Purposes**

We focused our efforts on the collection of race and ethnicity data for health purposes on data collected in connection with births and deaths. NCHS is responsible for compiling national statistics on births and deaths. To do this, it is to work cooperatively with state health departments which administer birth registration and death reporting systems under the laws and regulations of the states. Birth certificates are to be used to compile annual vital statistics on the number and rate of births by such characteristics as place of birth and residence of mother. Population composition and growth are to be also estimated using these data, and the data are to be used in planning and evaluating programs in public health

and other areas. Information from death certificates is to be used for many purposes, including assessing the general health of the population, examining medical problems that may be more prevalent among certain population groups, and identifying geographic areas with elevated death rates from selected causes of death.

NCHS has developed model birth and death certificates that states can use in recording vital data on births and deaths. Information on the birth certificate can be provided by a number of individuals, including the mother and/or father, a physician or other hospital personnel, or a midwife. To obtain data on race and ethnicity, the model birth certificate includes a question on whether the mother is or is not of Hispanic origin, and the same question on the father as well. NCHS guidance clearly states that this information is not part of the race item, and that a person of Hispanic origin may be of any race. Thus, the Race and Hispanic origin questions are asked independently in the model certificates. A blank space follows the Hispanic origin question so that the person completing the form can write in the race of the mother, as well as the race of the father. Instructions for completing that block direct that the information should be obtained from the parent or parents, or other informant, and that the entry reflect the response of the informant. For Asians and Pacific Islanders, the national origin of the mother and father, such as Chinese, Japanese, Korean, Filipino, or Hawaiian, is to be entered. If the informant indicates that the mother and/or father is of "mixed race," both races or ancestries are to be entered.

Birth certificates do not record the race of the child. Beginning in 1989, NCHS guidance recommends that health officials categorize births by the race of the mother, as recorded on the birth certificate. If the mother does not state her race on the certificate, then the baby's race is imputed to be the race of the father. Prior to 1989, newborns with two parents of the same race were classified as that race; newborns with one nonwhite parent were classified as the race of the nonwhite parent. When both parents were nonwhite but of different races, the newborn was assigned the father's race; except that if either parent was Hawaiian, the newborn was classified as Hawaiian.<sup>3</sup>

With regard to death certificates, funeral directors are responsible for getting the death certificate completed. Information is to be obtained from

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<sup>3</sup>This change in policy was brought about because it brought a more uniform approach to tabulating the increased incidence of interracial births and nonmarital births than did the necessarily arbitrary combination of parental races. In addition, the model birth certificate was modified in 1989 to include more questions directly associated with the mother's health and health behaviors.

the spouse, one of the parents, children, or another relative of the decedent, or a physician. In contrast to the birth certificate, which requires data on whether the mother or father is of Hispanic origin and the race of the mother or father, the death certificate requires this information on the decedent.

According to officials in nine state health departments, these states follow NCHS' model and guidance when obtaining this information. Birth and/or death certificates provided us by seven of these states confirmed that their forms provide a space in which any race or racial makeup can be provided. For reporting purposes, NCHS has developed a coding system and guidance for categorizing and reporting race and ethnicity responses. This guidance includes 7 codes for Hispanic origin, as well as up to 16 codes for race. The race category includes White, Black, Indian, five categories for Asian or Pacific Islander, Other Entries, and Not Reported. According to NCHS officials, an additional 6 coding categories for other Asian or Pacific Islanders, for a total of 11, were being used by California, Hawaii, Illinois, New Jersey, New York State, New York City, Minnesota, Texas, and Washington. NCHS provides the option to other states on whether to use the more detailed categories for Asian or Pacific Islanders. If an individual were to record his or her race as more than one race on the certificate, NCHS' guidelines provide that the first race listed should be used for coding purposes, or if the individual reports percentages, the race having the highest percentage should be coded. Thus, even though an individual can indicate a makeup of various races, for purposes of aggregating the data, the individual is coded as belonging to one race by health officials.

Of the nine states whose health departments we contacted, Georgia and Indiana have laws requiring the use of a multiracial category when collecting race and ethnicity data. According to a Georgia Department of Public Health official, birth and death certificates were not modified to accommodate the law because the law requires that forms be modified only if they contain a list of categories from which one must select, and Georgia's birth and death certificates do not contain such a list. This health department official said that when an individual indicates that he or she is multiracial, the state obtains data on which races the individual belongs to and then follows NCHS' protocol for coding racial data. For example, if Black is the first race mentioned, the person is coded as Black. If White is the first race mentioned, the person is coded as White. This official said that if some other race is mentioned first, the person is coded as an "other" race because all of the other races are very small in the state.

According to this official, the Department has also included a field in its database to indicate if the individual considers himself or herself multiracial. These data are separate and not reported to NCHS. This official said that Georgia started collecting the multiracial data about 1 or 2 years ago, but that it has not used the multiracial data to perform any special statistical analyses. Furthermore, he said that the number of individuals classified as multiracial is small, and that the data would not likely be used for analytical purposes because a racial designation is generally not a good indicator of health problems. Likewise, Indiana's law, passed in 1995, requires the addition of a multiracial category on forms that contain a listing of racial categories. An Indiana health official said that the state has not changed its forms, practices, or procedures for collecting racial or ethnic data on birth or death certificates. This state uses birth and death certificates that do not contain a listing of categories. According to this official, the health department has not added a separate multiracial category in the state's database so that the number of multiracial persons could be tabulated by computer.

None of the officials in the seven state health departments we contacted that do not require the category of multiracial indicated the need for one or were sure of how it would be used if collected. For example, according to an Illinois Department of Public Health official, the multiracial classification would not be useful with respect to conducting vital statistical or health analyses. According to this official, if additional data were to be collected for vital statistical health analyses, these data should include socioeconomic data. Similarly, an Alabama Department of Public Health official stated that, currently, the state does not need a multiracial category because, in her view, the state has a relatively few number of individuals who could be classified as such. Therefore, she said that NCHS' classifications were currently sufficient for determining different racial and ethnic groups' lifestyles that affect health.

The Department of Health and Human Services' National Committee on Vital and Health Statistics, Subcommittee On Health Statistics for Minority and Other Special Populations, has reviewed state legislation requiring the use of a multiracial category. According to a subcommittee member, of some concern to the subcommittee is the fact that some state laws call for reallocating the number of multiracial people to OMB's five categories for federal statistics on the basis of the racial and ethnic distribution of the general population. She also said that reallocating multiracial people on this basis would tend to misrepresent the number of individuals in each of

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the five categories because the multiracial population does not have the composition of the racial and ethnic distribution of the general population.

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## Collection of Race and Ethnicity Data for Educational Purposes

NCES is the primary federal organization for collecting, analyzing, and reporting data related to education. NCES collects data through a variety of means, including periodic surveys and data reported by states from data contained in administrative records, including school enrollment records. In 1994, NCES updated its 1974 national standards for student data to establish current and consistent terms, definitions, and classification codes to maintain, collect, report, and exchange comparable information about students.<sup>4</sup> Its 1994 handbook, intended as a reference document, includes the types of information that could be collected about individual students and maintained in records, and discusses race/ethnicity classifications and definitions. The racial and ethnic classifications and definitions are those contained in OMB's Statistical Directive No. 15—American Indian or Alaskan Native, Asian or Pacific Islander, Black, Hispanic, and White. The handbook recommends that Blacks and Whites be separate from Hispanic. That is, students should be classified as Hispanic, Black (not Hispanic) or White (Not Hispanic).

In the spring of 1995, NCES sponsored a survey as part of the research being conducted by OMB to review the current categories in its Statistical Directive. NCES' March 1996 report summarized its findings with regard to racial and ethnic classifications used by public schools.<sup>5</sup> In summary, 73 percent of 926 public schools responded that they used only the five standard federal categories to classify the race and ethnicity of students. Of the remaining 27 percent of the schools, 10 percent responded that they used "other" or "undesignated," with space for indicating a specific race or ethnicity; 5 percent used "other," without space for specification; 7 percent used additional racial and ethnic categories, such as "Filipino"; 5 percent used a general multiracial category; and the remaining 2 percent used specific combinations of the five standard federal categories or used an "unknown" category (such as "Black/White," or an "unknown" category).<sup>6</sup> Additional differences were found in how racial and ethnic data were

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<sup>4</sup>National Center for Education Statistics: *Student Data Handbook for Early Childhood, Elementary, and Secondary Education*, U.S. Department of Education, Office of Educational Research and Improvement (NCES-94-303, June 1994).

<sup>5</sup>National Center for Education Statistics: *Racial and Ethnic Classifications Used by Public Schools*, U.S. Department of Education, Office of Educational Research and Improvement (NCES 96-092, March 1996).

<sup>6</sup>Percentages do not sum to 100 because respondents could select any and all categories that applied to their schools.

aggregated into the five federal categories before reporting the data to the federal government, as well as differences in who identified the race and ethnicity of the children. For example, about half of the 27 percent of schools that used other classifications reported that the central district office handled the task of aggregating this information, while many of the remaining schools reported that students were allocated by the school among the five standard federal categories based on which ones the school considered most appropriate. With respect to who identified a student's race or ethnicity, 73 percent of the schools reported that they asked parents. At 22 percent of the remaining schools, respondents reported that teachers or administrators assigned students to categories based on observation; while the remaining 5 percent reporting using some other method. Most respondents reported that revisions to Directive No. 15 were not an issue or were only a minor issue in terms of their applicability to students enrolled in their schools. However, between 3 and 12 percent of schools reported that issues such as adding a general "multiracial" category, adding an "other" category, or changing the terminology used in the racial categories was significant.

The 5 states that have already enacted laws requiring schools to add a multiracial category were included in the 12 states and the District of Columbia whose education departments we contacted. Of these five states, three—Ohio, Georgia, and Indiana—said they have implemented requirements that the multiracial option be included as a category when selecting options for race and ethnicity. All of the eight local school systems we contacted in these three states (three in Ohio, three in Georgia, and two in Indiana) said they were using a multiracial category for school enrollment. According to education department officials in Ohio and Georgia, the legislation was the result of the efforts of a small group of individuals in each of their respective states.

According to an Indiana Department of Education official, the schools in Indiana are implementing the requirement in a variety of ways. For example, in some instances school administrators may classify students into different race and ethnic categories, while in other schools or school systems, parents may classify their children. We contacted two schools in Indiana and found that schools in that state were inconsistent in who classified students into race and ethnic categories. The Indiana Department of Education official said that when reporting data to the federal government, the state Department of Education allocates those students who are classified as multiracial into the Black, White, American Indian or Alaskan Native, or Asian or Pacific Islander category on the basis

of the percentage of these races in the state as a whole. The remaining two states—Michigan and Illinois—have yet to implement their legislation. According to Michigan Department of Education officials, Michigan was allowed to use up its stock of forms prior to collecting the new data. Currently, forms for collecting racial and ethnic data are being revised for the 1997-98 school year. According to an Illinois State Board of Education official, Illinois is not implementing its legislation until OMB reaches a final decision on whether, and if so, how, Statistical Directive 15 is to be revised.

A few states, such as North Carolina and Florida, have administratively decided to collect multiracial data. According to a North Carolina Department of Public Instruction official, the administrative order has been in effect for the past 1 to 2 years and gives parents who wish to classify their child as multiracial the option of doing so. School registration forms we obtained from three North Carolina school systems listed a multiracial category. Two North Carolina local school systems provided space on their registration forms for race or ethnicity to be written in; however, one of these local system's guidance instructed school administrators to code this information as Black, White, Hispanic, American Indian, Asian, or Other. A North Carolina education official said that currently, fewer than 200 of the 1.2 million students in that state's schools were estimated to be using the multiracial classification. This official stated that schools within North Carolina could be using different methods to classify these students as another race when aggregating race and ethnic data for federal reporting purposes.

Several other states are considering including a multiracial category for educational reporting purposes. For example, a California Department of Education official said that a ballot measure is currently being considered that would mandate the use of a multiracial category when collecting data on students' race and ethnicity. He said that the state uses OMB Statistical Directive 15 to obtain data from the schools on race and ethnicity. The state also collects data on individuals of Philippine origin due to a state mandate. This official said that the state would need to resolve several issues before adopting a multiracial category. These issues include the cost of requiring that data be collected and the usefulness of the data to the Department. For example, this official was not certain what utility the multiracial category provided educators, or what educators could do with these data if they had them.

A Texas Education Agency official said that Texas is currently considering a proposed bill that would include a multiracial category. Currently, the state is looking at the practical implications of implementing the proposed legislation. That is, the state is assessing the potential cost of requiring these data be collected and ways that the new data could be linked to data previously collected. According to this official, even though the state uses OMB's Statistical Directive No. 15 for federal reporting purposes, some schools in the state collect additional data and break out the racial or ethnic classifications in more detail than required.

The varying situations in the Washington D.C. metropolitan area with regard to identifying race and ethnicity at the time of school enrollment provide a good illustration of the complexity and controversial nature of this issue. The school registration form used in the District of Columbia provides a space for the parent or guardian of the child to write in a race or ethnicity. Categories are not prelisted on the form. The school system, however, tabulates data based on the five federal categories.

Virginia's Department of Education has provided guidance to the state's school systems directing them to use the five categories specified in Statistical Directive No. 15 when reporting data to the department, and informing them that it can only accept data in these five categories. However, an education department official said that schools can collect any detailed data they want on students' race and ethnicity. The city of Alexandria uses OMB's five categories for collecting data on school enrollment, and school system representatives told us that the lack of a multiracial category has not been a major issue. In contrast, Fairfax County has added a multiracial category to its school registration form. According to a school system representative, this category was added in 1994 as a result of concerns expressed by a number of county residents. The school system allocates multiracial students to the other five categories when aggregating data and reporting it to others. Arlington County schools also use the five categories in OMB's directive. However, in 1993, the county added an "other" category out of concern that a significant number of students did not fit into the five categories and so a student or parent could use a classification other than those listed on the school forms. However, Arlington County, after receiving a notice from the state that it would not accept data reported in any categories other than the five specified by OMB, discontinued using the "other" category in 1996.

Montgomery County, Maryland, schools prelist the five categories on its school enrollment forms. An official of the Montgomery County schools

said that some parents have expressed concern about there being only five categories. The official said that the school board discussed the issue, but has decided to wait to see what changes, if any, the federal government makes. According to the official we spoke with, the issue is very much a concern in Montgomery County schools because the county is home to many multiracial families. In Prince George's County, a school official told us that the school system uses only the five standard categories but has been approached about the issue of more categories on some occasions. However, the school system is also under a federal court desegregation order. The order requires the school system to report race and ethnic data in a certain format to the court annually.

California provides another example of the diverse way in which racial and ethnic data can be collected. California state education officials said that even though the state reports racial and ethnic data to the federal government in accordance with OMB's guidance, schools in that state are asked to break out race and ethnicity data into seven categories. These categories include OMB's classifications of White, Black, Hispanic, American Indian or Alaskan Native, but the classification for Asian is separated from Pacific Islander. As noted earlier, the state also separates information on those of Philippine ancestry. However, these officials said that schools may collect more detailed data to determine the representation in their school districts. According to one state official, the state does not dictate or control the amount or type of information schools collect because such matters are believed best left to local control. San Diego, for example, lists 19 racial and ethnic categories plus a multiracial category on its school registration form. The instructions on the form state that one of the 19 listed categories is to be selected, but that a person can also select the multiracial category. If this latter category is chosen, additional categories are to be written on the form. San Francisco's city schools use nine categories and do not use a multiracial category. Long Beach collects only the seven state required categories of racial and ethnic information, but also collects over 50 different language categories on each student. Because the state may receive additional categories of racial and ethnic data from some schools, the state, at times, has to aggregate the data to conform to OMB's five classifications. A state education official said that this has not caused the state any problems.

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Mr. Chairman, this concludes my prepared statement. I would be pleased to respond to questions from you or other Members of the Subcommittee.

# Examples of Federal Laws Requiring the Collection of Data on Race and Ethnicity

Agency or program requiring race and ethnic data	Description of data requirement	Legal authority
Federal Home Loan Mortgage Corporation	The corporation is required to collect data relating to its mortgages on housing consisting of 1 to 4 dwelling units. These data shall include the income, census tract location, race, and gender of mortgagors.	12 U.S.C. § 1456(e)(1)(A)
Government National Mortgage Association and Federal National Mortgage Association	The corporations shall collect data relating to their mortgages on housing consisting of one to four dwelling units. These data shall include the income, census tract location, race, and gender of mortgagors.	12 U.S.C. § 1723a.(m)(1)(A)
Community Development Financial Institutions Fund	The Fund shall require each community development financial institution or other organization receiving Fund assistance to compile such data, as is determined to be appropriate by the Fund, on the gender, race, ethnicity, national origin, or other pertinent information concerning individuals that utilize the services of the assisted institution.	12 U.S.C. § 4714(b)
Department of Education, Office of Educational Research and Improvement	All statistics and other data collected and reported by the Office shall be collected, cross-tabulated, analyzed, and reported by sex within race or ethnicity and economic status whenever feasible.	20 U.S.C. § 6011(j)(4)
Department of Education	Shall carry out an ongoing evaluation of programs designed to help disadvantaged children meet high standards. The evaluation shall, when feasible, collect, cross-tabulate, and report data by sex within race or ethnicity and socioeconomic status.	20 U.S.C. § 6491(c)(1)(e)
Department of Education, Office of Educational Research and Improvement	Shall collect and report data for the National Assessment of Educational Progress. The data shall include information on special groups, including, whenever feasible, information collected, cross-tabulated, analyzed, and reported by sex, race or ethnicity, and socio-economic status.	20 U.S.C. § 9010(b)(1)(C)
Department of Labor, Rehabilitation Services Administration	Requires an annual report on vocational rehabilitation and other rehabilitation services from information collected on each client. The information shall set forth a complete count of such cases in a manner permitting the greatest possible cross-classification of data. The data elements shall include, but not be limited to, age, sex, race, ethnicity, etc.	29 U.S.C. § 712

(continued)

**Appendix I**  
**Examples of Federal Laws Requiring the**  
**Collection of Data on Race and Ethnicity**

Agency or program requiring race and ethnic data	Description of data requirement	Legal authority
Veterans Administration, Center for Minority Veterans	Requires social and demographic research on the needs of veterans who are minorities and the extent to which veterans' programs meet the needs of minority veterans, without regard to any law concerning the collection of information from the public.	38 U.S.C. § 317(d)(5)
Department of Commerce	Requires a survey to compile registration and voting statistics. The survey and compilation shall only include a count of persons of voting age by race, color, and national origin. The law also has a proviso that no person shall be compelled to disclose his race, color, or national origin and that every person interrogated orally, by written survey or questionnaire, or by any other means shall be fully advised about his right to refuse to furnish such information.	42 U.S.C. § 2000f.
Department of Housing and Urban Development	Requires studies with respect to the nature and extent of discriminatory housing practices and requires information on the race, color, religion, sex, national origin, age, handicap, and family characteristics of persons and households who are applicants for, participants in, or potential beneficiaries of, programs administered by the Department of Housing and Urban Development. The Department shall collect the information relating to those characteristics the Department determines necessary and appropriate without regard to any other provision of law.	42 U.S.C. § 3608(e)

Source: GAO analysis of selected legislation.

# States With Laws Requiring a Multiracial Category

<b>State</b>	<b>Law enacted</b>	<b>As of April 1997 is law being implemented?</b>	<b>Agencies covered</b>
Georgia	1994	Yes	All state agencies
Illinois	1994	No	Schools
Indiana	1995	Yes	All state agencies
Michigan	1995	No	All state agencies
Ohio	1992	Yes	Schools

Source: State laws and state officials.

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