

Date of Hearing: May 6, 2026

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

AB 1581 (Ramos) – As Amended March 23, 2026

Policy Committee: Education

Vote: 8 - 0

Urgency: No

State Mandated Local Program: Yes

Reimbursable: Yes

SUMMARY:

This bill requires the California Department of Education (CDE), commencing with the 2027-28 school year, to collect, and for local educational agencies (LEAs) to report, as part of existing reporting done within the California Longitudinal Pupil Achievement Data System (CALPADS), the tribal affiliation of each pupil who identifies as American Indian or Alaska Native (AI/AN), including pupils who identify as AI/AN in addition to another race or ethnicity.

FISCAL EFFECT:

Minor and absorbable costs to CDE and LEAs.

COMMENTS:

1) **Purpose.** According to the author:

California is undercounting almost 90% of its Native American students. That is a grave and obscenely ridiculous undercount of a population that is severely underserved. The undercount results in inadequate allocation of resources to serve these students with the culturally responsive programs they need to succeed and thrive in school and broader community. Our state should not continue a centuries-old tradition of neglect or worse to its First People. An accurate demographic count is the first step toward adequately serving all Californians.

2) **Background. *Undercounting of AI/AN Students.*** LEAs throughout the country collect race and ethnicity data of their students, including information regarding tribal affiliation of their AI/AN students. However, according to the American Institute for Research (AIR) and the Indigenous Education State Leaders Network (IESLN), undercounting of indigenous students may be as high as 70% nationally, with almost 90% of indigenous California students not counted accurately. This undercounting occurs because student data collection uses guidelines adopted by the United States Department of Education and the Office of Management and Budget (OMB) in 2007 and 1997, respectively, which results in the question of whether a student is Hispanic or Latino coming first, known as the “two-part question.” Then, once a student responds that they are of Hispanic or Latino ethnicity, regardless of what race they later report, including AI/AN, they are counted as Hispanic.

This grouping of AI/AN within other racial and ethnic groups results in significant undercounting in California and, according to the CDE, means that only AI/AN non-Hispanic students appear as a distinct student group on the California School Dashboard and DataQuest reporting. Otherwise AI/AN students appear in the Hispanic category or the Two or More Races category. The state uses the California School Dashboard to monitor which schools and student subgroups within those schools may need additional technical assistance and support determined by progress across various standardized metrics. However, a subgroup must enroll a minimum of 30 students to appear as a distinct subgroup for purposes of accountability on the California School Dashboard. Therefore, while it is unlikely in many LEAs for there to be enough enrolled AI/AN students to trigger distinct subgroup status on the Dashboard, the current undercounting only exacerbates this reality and fails to accurately capture AI/AN students and their academic progress relative to their peers.

Solutions to Improve Identification. At least six states currently are in the process of implementing more inclusive student count policies. Additionally, in 2024 the OMB issued revisions to the previous race and ethnic data collection guidelines adopted in 1997, which included the removal of the two-part question thereby allowing respondents to select multiple categories of identification. However, it is unclear if this change will fully alleviate the undercounting specifically as it relates to AI/AN students who report two or more races. Further complicating matters, the OMB provided all federal agencies until 2029 to adopt these changes and with the changes to staffing at the U.S. Department of Education under the current presidential administration it is unclear how swiftly implementation will occur. This bill would require, beginning with the 2027-28 school year, the reporting of tribal affiliation for each pupil at an LEA who identifies as AI/AN, even if they also identify as another race or ethnicity.

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