
SENATE COMMITTEE ON EDUCATION

Senator Sasha Renée Pérez, Chair

2025 - 2026 Regular

Bill No:	AB 1581	Hearing Date:	June 10, 2026
Author:	Ramos		
Version:	March 23, 2026		
Urgency:	No	Fiscal:	Yes
Consultant:	Michelle Nguyen		

Subject: Pupils: data reporting: American Indian and Alaska Native pupils.

SUMMARY

This bill requires, beginning with the 2027-28 school year: (1) the California Department of Education (CDE) to define and collect, as part of the California Longitudinal Pupil Achievement Data System (CALPADS), a record of the tribal affiliation of each pupil who identifies as American Indian or Alaska Native (AI/AN), and (2) a local educational agency (LEA) to collect and report in CALPADS the tribal affiliation of each pupil enrolled who identifies as AI/AN, when an LEA collects race or ethnicity information for purposes of CALPADS reporting.

BACKGROUND

Existing law:

- 1) Establishes a longitudinal data system known as CALPADS to:
 - a) Provide school districts and the CDE access to data necessary to comply with federal reporting requirements.
 - b) Provide a better means of evaluating educational progress and investments over time.
 - c) Provide LEAs with the data needed to improve pupil achievement, including college and career readiness.
 - d) Provide an efficient, flexible, and secure means of maintaining longitudinal statewide pupil level data between and among the state's educational segments and operational tools, as defined.
 - e) Facilitate the ability of the state to publicly report data.
 - f) Ensure that any data access provided to researchers, as required, is provided, only to the extent that the data access is in compliance with the federal Family Educational Rights and Privacy Act of 1974. (Education Code (EC) § 60900)
- 2) Requires, pursuant to the federal Every Student Succeeds Act, specified LEAs to consult with appropriate officials from American Indian tribes or tribal organizations

approved by the tribes located in the area served by the LEA prior to its submission of a required plan or application for a covered program under the Act. (United States Code, Title 20 § 7918)

- 3) Establishes the California American Indian education centers program to serve as community-based educational resource centers for American Indian pupils, parents, guardians, and public schools in order to promote the academic and cultural achievement of American Indian pupils. (EC § 33381)
- 4) Encourages LEAs to form California Indian Education Task Forces with California Indian tribes local to their region or tribes historically located in the region. (EC § 33391)
- 5) Requires the CDE, by June 1, 2022, in collaboration with, and subject to the approval of, the executive director of the State Board of Education, to use specified funding to enter into a contract with a county office of education (COE) or a consortium of COEs for the purposes of developing a model curriculum related to Native American studies by September 1, 2025. Requires that the model curriculum be housed on the platform developed and maintained by the California History-Social Science Project. (EC § 51226.9)

ANALYSIS

This bill:

- 1) Requires the CDE, beginning with the 2027-28 school year, to define and collect, as part of CALPADS, a record of the tribal affiliation of each pupil who identifies as AI/AN, including a pupil who identifies as AI/AN and another race or ethnicity.
- 2) Requires, beginning with the 2027-28 school year, an LEA to collect and report in CALPADS the tribal affiliation of each pupil enrolled who identifies as AI/AN, including a pupil who identifies as AI/AN and another race or ethnicity, when an LEA collects race or ethnicity information for the purposes of CALPADS reporting.
- 3) Requires CDE to provide technical assistance to LEAs in implementing this section.
- 4) Makes findings and declarations related to the inadequate data collection methods relating to AI/AN pupils.

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, “The accurate identification of Native American students in California is a critical issue that significantly affects the allocation of educational resources and the development of culturally responsive programs. The current practice to collect ethnicity and race data creates challenges in accurately counting students’ tribal affiliation. Inaccurate counting results in underrepresentation and a failure to address the unique needs of Native students.

The current way of collecting data has inadvertently led to many students being misclassified or overlooked, particularly when identified as Hispanic/Latino, as responses are often not disaggregated. Furthermore, the lack of fields to capture tribal affiliation or enrollment results in incomplete data, making it difficult to allocate resources effectively or tailor educational programs to their specific cultural and academic needs.

By leveraging [recent revisions to OMB’s Statistical Policy Directive No. 15], the CDE can implement policies to standardize and enhance the collection of tribal data, ensuring that Native students are accurately represented and receive the resources they need.”

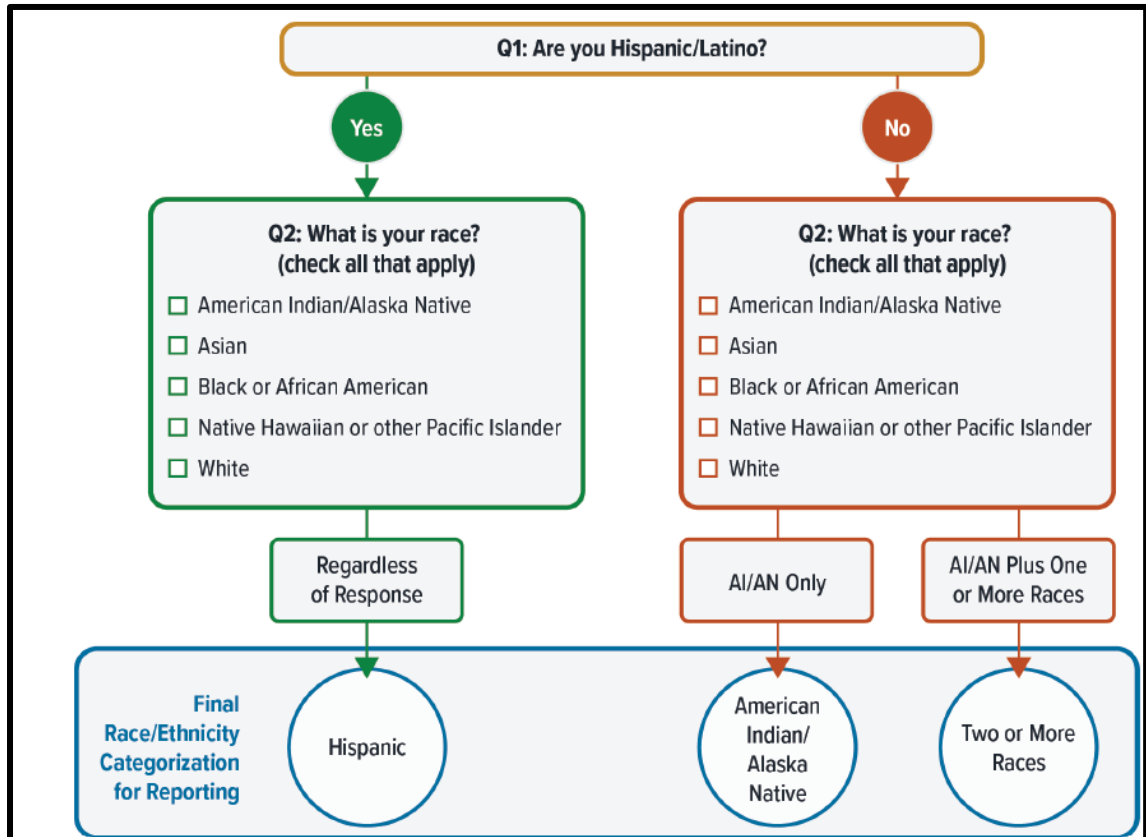
- 2) ***A 2023 report highlighted issues with accurate representation of AI/AN national and state pupil data, which is collected and reported based on federal guidelines and standards.*** A 2023 report by the American Institutes for Research (AIR) and the Indigenous Education State Leaders Network (IESLN)—called “Indigenous Students Count: A Landscape Analysis of American Indian and Alaska Native Student Data in U.S. K-12 Public Schools”—found that though Indigenous students in the country are estimated to be about 1% of the K-12 student population in public schools, the “undercounting of Indigenous students may be as high as 70% nationwide.” The author has indicated that this bill is aimed at addressing the findings of this report.
- 3) ***Report focuses on two issues for accurately representing AI/AN pupils in national and state data.*** The AIR and IESLN report states that in the K-12 public education system, race and ethnicity data are collected and reported using guidelines adopted by the U.S. Department of Education (USDE) in 2007 and aligned with the Office of Management and Budget’s (OMB’s) 1997 standards. Specifically, in 1997, the OMB introduced the following format known as the “two-part question”:

1. Are you Hispanic or Latino?
2. What is your race? (check all that apply)

The report indicates two primary mechanisms for which AI/AN pupils are underrepresented in national and state data (see the graphic below from the report for a visual representation of this undercount):

- a) For a parent or guardian of a pupil answering “yes” to the first part of the “two-part question”, then *the pupil is considered Hispanic or Latino regardless of how they answer the question about race.* This means an AI/AN pupil who also identifies as Hispanic or Latino is included as part of the count of Hispanic or Latino pupils and is not recorded as AI/AN in demographic data.
- b) For a parent or a guardian of a pupil answering “no” to the first part of the “two-part question”, but identifying two or more races, then *the pupil is considered in the “two or more races” category only.* This means a pupil who identifies their race as both AI/AN and White is part of the count of

multi-racial pupils and is not recorded as AI/AN in demographic data. The report indicates that a more inclusive definition would count AI/AN students



The report indicates that a more “inclusive” definition of AI/AN would count students who are indicating that their race is AI/AN, even if they are also indicating they are Hispanic or Latino or if they identify as multi-racial.

- 4) ***The federal government planned changes in March 2024 to its collection and reporting of federal data on race and ethnicity, but implementation has stalled under the current Administration.*** Beginning in June 2022, the OMB began working on a set of revisions to its Statistical Policy Directive No. 15 (SPD 15), which are its standards for maintaining, collecting, and presenting federal data on race and ethnicity, to develop recommendations for improving the quality and usefulness of federal race and ethnicity data. These revisions would be the first to SPD 15 since 1997. By March 2024, the OMB published key revisions to SPD 15, including:
 - a) Using one combined question for race and ethnicity (instead of the “two-part question”), and encouraging respondents to select as many options as apply to how they identify.
 - b) Adding Middle Eastern or North African as a new minimum category. (The new set of minimum race and/or ethnicity categories would be: AI/AN; Asian; Black or African American; Hispanic or Latino; Middle Eastern or North African; Native Hawaiian or Pacific Islander; and White.)

- c) Requiring the collection of additional details beyond the minimum required race and ethnicity categories for most situations, to ensure further disaggregation in the collection, tabulation, and presentation of data when useful and appropriate.

One of the primary goals of SPD 15 is to ensure consistent and comparable race and ethnicity data across the federal government. To help meet that goal, the revisions to SPD 15 instruct federal agencies to begin updating their surveys and administrative forms as quickly as possible, and federal agencies were given until 2029 to adopt these changes, ahead of the 2030 Census. However, according to the CDE, guidance that the USDE had intended to send to state educational agencies in September 2025 was indicated to be delayed due to the federal shutdown. It is currently unclear when CDE and other state educational agencies will receive updated guidance on SPD 15 from the federal government, which would govern data collection and reporting of these data, especially given the significant reductions in force at USDE and the President's plans to abolish the department.

Moreover, according to a December 2025 article from National Public Radio, the OMB stated that the Administration has started a new review of the SPD 15 standards and how the 2024 revisions were approved, signaling the possibility that the Administration may not adopt the 2024 revisions to SPD 15 for federal government data more broadly.

- 5) ***Federal guidelines ultimately dictate how race and ethnicity data is collected by the states.*** In putting forward this bill, the author is identifying an important issue regarding how AI/AN data is counted and how the current rules aggregating the data can lead to a misrepresentation or underrepresentation of AI/AN data, especially given how that data informs federal program allocations.

However, due to federal guidelines on how states must collect and report data related to race and ethnicity, the state of California is limited in how it can address this problem *from a data collection and reporting standpoint, specifically*. Federal guidelines exist, in part, because of a desire for the data to be comparable across states and to build a national dataset with all states using the same standards. The AIR and IESLN report highlights a national problem that points to federal requirements as its root cause, not a problem that is specific to what the state is doing or that the state could fix on its own. If the state of California decided to deviate from federal guidelines (i.e., not ask the "two-part question"), the state would be out of compliance, which could put federal funds for CDE at risk. This bill would not be able to ultimately change how these data are collected and reported to address the underrepresentation of AI/AN pupils that is referenced in the 2023 report.

This bill specifically requires defining, collecting, and reporting of tribal affiliation for each pupil who identifies as AI/AN, including if that pupil identified as AI/AN and another race. In this case, collecting and reporting more granular data on the tribal affiliation of AI/AN pupils would also not address the problem of underrepresentation in the number of AI/AN pupils. Moreover, this could potentially be a rather onerous task at both the state and local levels to update data systems

and train staff on a requirement to collect tribal affiliation data, especially because there are currently over 600 federally recognized tribes.

Finally, even if data is being collected and reported according to federal guidelines, CDE and districts can still look at the underlying data to shine a light on what may be a better definition of race and ethnicity data, including for AI/AN pupils. For example, if the data being collected and reported to the federal government indicates that a pupil—who answered “yes” to identifying as Hispanic or Latino and also checked the box for identifying as AI/AN—is part of the Hispanic or Latino group, these underlying responses are recorded in district and statewide databases, and the data can be disaggregated to reflect that this pupil identifies as AI/AN, if desired. This analysis can be done on an ad hoc basis, or as directed by statute, by CDE for specific state-level programs or metrics.

This Committee may wish to consider the following questions when discussing this bill:

- a) *Though federal guidelines direct how race and ethnicity can be collected and reported at the state level, given that the state is still able to pull out and analyze the underlying data for the AI/AN population, what questions does the state want answered if they used a more inclusive definition of AI/AN pupils?*
- b) *Are there certain programs that would change how the program is implemented, funded, or allocated with a more inclusive definition of AI/AN pupils? Are there certain metrics that would be better understood with a more inclusive definition of AI/AN pupils?*
- c) *Would using a more inclusive definition of AI/AN pupils mean that other racial and ethnic groups would want a more inclusive definition for their communities?*

6) ***Related and Prior Legislation.***

AB 1821 (Ramos, Chapter 658, Statutes of 2024) requires, that any instruction on the Spanish colonization of California and the Gold Rush Era, include instruction regarding the treatment of Native Americans during those periods within the History and Social Sciences course of study for grades 1 to 6 and 7 to 12.

AB 1703 (Ramos, Chapter 477, Statutes of 2022) establishes the California Indian Education Act and encourages LEAs to form California Indian Education Task Forces with California Indian tribes local to their respective regions for purposes of discussing issues of mutual concern and to undertake certain work.

SUPPORT

Soboba Band of Luiseño Indians (sponsor)
California Commission on the Status of Women and Girls
SEIU California

OPPOSITION

None received

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