
SENATE COMMITTEE ON EDUCATION

Senator Sasha Renée Pérez, Chair

2025 - 2026 Regular

Bill No:	AB 1581	Hearing Date:	August 26, 2026
Author:	Ramos		
Version:	August 21, 2026		
Urgency:	No	Fiscal:	Yes
Consultant:	Michelle Nguyen		

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

NOTE: This bill has been amended to replace its contents, and this is the first time the bill is being heard in its current form.

SUMMARY

This bill requires the California Department of Education (CDE), beginning on July 1, 2028, to annually post statewide aggregate educational outcome data for the prior school year for American Indian or Alaska Native (AI/AN) pupils, as defined, on the CDE's website, including, but not limited to, the number of pupils, the academic achievement of pupils, and the rate of suspension, expulsion, and chronic absenteeism of pupils.

BACKGROUND

Existing law:

- 1) Establishes a longitudinal data system known as the California Longitudinal Pupil Achievement Data System (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 local educational agencies (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) Defines “pupils”, for purposes of this bill, as pupils who identify as AI/AN only, and pupils who identify as AI/AN in addition to another race or ethnicity.
- 2) Requires the CDE, beginning with July 1, 2028, to post statewide aggregate educational outcome data for the prior school year for AI/AN pupils, as specified, on CDE’s website every year on July 1, which includes:
 - a) The number of pupils.
 - b) The academic achievement of pupils, as determined by quantitative data currently collected.
 - c) The rate of suspension and expulsion of pupils.
 - d) The rate of chronic absenteeism of pupils.
 - e) The four- and five-year cohort graduation rates of pupils.
- 3) Requires CDE to use data, where appropriate, reported pursuant to existing law to meet the requirements of this bill.

- 4) Makes findings and declarations related to the importance of accurate identification of AI/AN pupils in California.

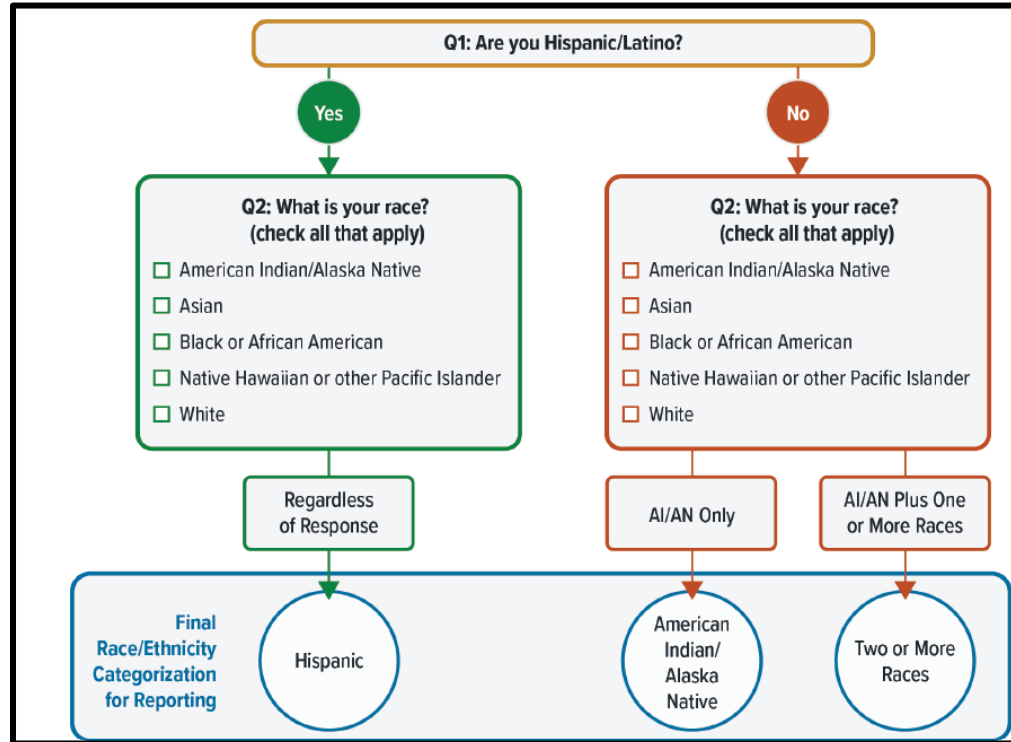
STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, “Due to federal guidelines, 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. By requiring this report, we can utilize an inclusive count of Native students on important metrics which could help inform policy decisions.”
- 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”:
 - Are you Hispanic or Latino?
 - 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):

- 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.

- 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 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:
- 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.
 - 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.*** The author identifies 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.

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. Absent changes at the federal level, state legislation 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.

However, even if data collection and reporting is subject to federal guidelines, CDE and districts can still look at underlying data to shine a light and report on data using other definitions of race and ethnicity data, including for AI/AN pupils. This bill attempts to do that by requiring CDE to post statewide aggregate educational

outcome data for AI/AN pupils, by using a revised definition of AI/AN pupils that is considered more inclusive.

For an example of how this may work, AI/AN pupils—whose data is currently reported to the federal government as Hispanic or Latino or as multi-racial—would be included in the CDE’s annual post of statewide educational outcome data on AI/AN pupils, which would be more consistent with the recommendations of the 2023 report.

SUPPORT

Soboba Band of Luiseño Indians (source)
California Charter Schools Association
California Commission on the Status of Women and Girls
Hispanas Organized for Political Equality
Morongo Band of Mission Indians
Rancho Santiago Community College District
SEIU California
Yurok Tribe

OPPOSITION

None received

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