

BOARD OF REGENTS
BRIEFING PAPER
HANDBOOK REVISION: Race and Ethnicity Identification of Employees

BACKGROUND & POLICY CONTEXT OF ISSUE:

The U.S. Department of Education recently passed regulations concerning the collection of data on student race and ethnicity for all higher education institutions. No later than Fall 2010, institutions will be required to collect race and ethnicity in a two-question format for all students and employees. The first question is whether the respondent is Hispanic/Latino. The second question must ask if the respondent is from one or more races from the following list: American Indian or Alaska Native, Asian, black or African American, Native Hawaiian or other Pacific Islander, or white.

Collection and reporting of the data using the new format are required for 2010-11. However, under the federal guidelines, institutions may choose to begin collecting and reporting the data using the new format in 2008-09 or 2009-10. In order to report comparable data on race and ethnicity, staff recommends that NSHE institutions begin implementation of the new format simultaneously beginning Fall 2009 to coincide with same provision that is effective for the collection of student race and ethnicity data (passed at the February 2008 Board meeting).

SPECIFIC ACTIONS BEING RECOMMENDED OR REQUESTED:

Amend Board policy (*Title 4, Chapter 21, Section 2*) to require that each NSHE institution collect employee race and ethnicity information as required by the federal regulations established by the U.S. Department of Education. (See attached Policy Proposal.) The Chancellor's Office shall develop procedures for the uniform collection of student race and ethnicity data. The NSHE Procedures and Guidelines Manual will specify the uniform format that institutions must follow in the actual collection of the race and ethnicity data from students. (See attached *Policy and Procedures Manual Proposal*.)

IMPETUS (WHY NOW?):

This item is brought forward at this time in response to changes in the regulations established by the U.S. Department of Education concerning collection of data on race and ethnicity.

BULLET POINTS TO SUPPORT REQUEST/RECOMMENDATION:

Amendment of the policy will ensure that uniform and comparable data on employee race and ethnicity is collected and reported by all NSHE institutions.

POTENTIAL ARGUMENTS AGAINST THE REQUEST/RECOMMENDATION:

None have been brought forward.

ALTERNATIVE(S) TO WHAT IS BEING REQUESTED/RECOMMENDED:

No alternative recommendations are being proposed.

COMPLIANCE WITH BOARD POLICY:

- Consistent With Current Board Policy: Title # _____ Chapter # _____ Section # _____
- Amends Current Board Policy: *Title 4, Chapter 21, Section 2*
- Amends Current Procedures & Guidelines Manual: *Chapter 6, Section 5*
- Other: _____
- Fiscal Impact: Yes _____ No _____
Explain: _____

POLICY PROPOSAL
TITLE 4, CHAPTER 21, SECTION 2
Race and Ethnicity Identification of Employees

Additions appear in *boldface italics*; deletions are [~~stricken~~ and bracketed]

Section 2. Student *and Employee* Race and Ethnicity Identification

Effective Fall 2009, each NSHE institution must collect student *and employee* race and ethnicity information as required by the federal regulations established by the U.S. Department of Education. The Chancellor's Office shall develop procedures for the uniform collection of student *and employee* race and ethnicity data. This information will be reported to the National Center for Education Statistics as required by the U.S. Department of Education.

PROPOSED REVISIONS
PROCEDURES AND GUIDELINES MANUAL
CHAPTER 6, *new* SECTION 5

Additions appear in *boldface italics*; deletions are [~~stricken~~ and bracketed]

Section 5. Race and Ethnicity Identification – Collection Procedures

1. Each NSHE institution shall collect student *and employee* race and ethnicity information in compliance with federal reporting requirements of the U.S. Department of Education. Institutions must use a two question format to collect race and ethnicity data on all written and on-line applications for admission *and employment* as follows:

Question 1: Are you Hispanic or Latino? (A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.) Yes No

Question 2: Please select the racial category or categories with which you most closely identify by placing an “x” in the appropriate box. Check as many as apply.

- American Indian or Alaska Native
- Asian
- Black or African American
- Native Hawaiian or Other Pacific Islander
- White

2. This format is required to meet the U.S. Department of Education requirements for collection of all student *and employee* race and ethnicity information effective Fall 2009. Admission *and employment* applications may include definitions for each racial category as defined by the U.S. Department of Education. This does not preclude an institution from collecting additional information.