

Public Comments Received During the 30-day Comment Period

June 2024

Early Childhood Longitudinal Study, Kindergarten Class of 2023-24 (ECLS-K:2024) Kindergarten & First-Grade National Data Collection and Transfer School Recruitment

ED-2023-SCC-0063

Comments on FR Doc # 2024-09312

Name: Quyen Dinh, Executive Director, Southeast Asia Resource Action Center (SEARAC)

I write on behalf of the Southeast Asia Resource Action Center (SEARAC) to comment on the Education Department's April 2024 materials revision of the Early Childhood Longitudinal Study, Kindergarten Class of 2023-24. SEARAC urges the Department to update the race and ethnicity question in the ECLS-K so that it explicitly includes, at a minimum, Cambodian, Hmong, Laotian, and Vietnamese as examples of Asian subgroups, so that the varied educational experiences and unique needs of Southeast Asian American (SEAA) students are made visible in education systems.

Founded in 1979, SEARAC is a national civil rights organization that builds power with diverse communities from Cambodia, Laos, and Vietnam to create a socially just and equitable society. As representatives of the largest refugee community ever resettled in the United States, SEARAC stands together with other refugee communities, communities of color, and social justice movements in pursuit of social equity. For decades, we have advocated at all levels of government for disaggregated race and ethnicity data to ensure that SEAA communities are seen and equitably supported by public policies.

Southeast Asian Americans are members of a diverse Asian American, Native Hawaiian, and Pacific Islander community.

Asian American, Native Hawaiian, and Pacific Islander (AA and NHPI) communities are extremely diverse, with dozens of subgroups falling under the aggregated "Asian" and "Native Hawaiian and Pacific Islander" racial groups. Within the "Asian" major race group, SEARAC considers Southeast Asian American as not only a geographic identity, but also a political identity that comes from the shared experiences of people who came to the U.S. as refugees from Cambodia, Laos, and Vietnam. SEAs now number over 3 million, and the vast majority are refugees, the children of refugees, and their family members. Today, Southeast Asian Americans include:

- Those from Cambodia, including Cham, Khmer, Khmer Loeu;
- Those from Laos, including Hmong, Khmu, Lahu, Lao, Iu Mien, Phutai, Tai Dam, Tai Deng, Tai Lue;
- And those from Viet Nam, including Cham, Hmong, Khmer Kampuchea Krom, Lahu, Iu Mien, Montagnards, Phutai, Tai Dam, Tai Deng, Tai Lue, Vietnamese.

The major race category of "Asian" renders SEAs invisible in public policy and effectively ignores the significant inequities SEAA communities experience in education. Additionally, it impedes our understanding of how our communities use important federal programs. Cambodian, Hmong, Laotian, and Vietnamese Americans comprise the four largest SEAA groups, and other SEAA groups are highly concentrated in particular areas, such as Iu Mien communities in California and Montagnards in North Carolina. Unfortunately, SEAs and other AA and NHPI communities, policymakers, researchers, and education stakeholders are all limited by the current available data provided by the Department and the Institute for Education Studies that do not disaggregate by detailed Asian and NHPI groups. With a lack of disaggregated data from federal and state education agencies, NHPI and SEAA students have particularly been rendered invisible in educational research and data-driven decisions.

Data disaggregation is one of the most important civil rights issues for AA and NHPIs today and is important in gathering how education disparities impact SEAA children.

For example, in 2014, the Office of Civil Rights (OCR) issued a report that used a national dataset that did not disaggregate beyond “Asian” or “NHPI” categories. OCR concluded that Black students are disproportionately affected by exclusionary discipline, including being suspended and expelled three times more often than White students. However, the difference in the discipline gap between students under the aggregated “Asian” umbrella in the report was not detectable.¹ Yet, studies have found that discipline outcomes varied considerably among AA and NHPI subgroups. SEAA students had suspensions and expulsion rates that were 2-3 times higher than East Asian students, while NHPI students were nearly twice as likely than White students to be disciplined.² When aggregated into one Asian category, however, the disproportionate rates of discipline for SEAA and NHPIs was not perceivable. Additionally, while research has shown a strong link between early childhood education and K12 achievement, SEAA students experience higher rates of poverty and instability during childhood years that influence their long-term performance. For example, 31% of Hmong and 22% of Cambodian children in Minnesota under 5 years of age live in poverty, compared to 18% of Asians overall and 11% of White children in the state. Only about 40% of Hmong and Cambodian students in Minnesota are considered proficient in math compared to 70% of Asian students overall and 63% White students.³

The Department should, at a minimum, update the self-reported race and ethnicity questions in the ECLS-K in the format of the sample question in Figure 1 of Statistical Policy Directive No. 15: Standards for Maintaining, Collecting, and Presenting Federal Data on Race and Ethnicity (SPD 15), with the additions of “Cambodian” and “Laotian” to the examples in the write-in response area.

The next iteration of ECLS-K is a great opportunity to administer the revised SPD-15 disaggregated racial/ethnic categories, with the additions of “Cambodian” and “Laotian” so that, at a minimum, the four most populous SEAA communities are clearly listed as examples. While implementation of a more detailed race and ethnicity question will be complex and necessitate revised checkboxes and survey items, the benefits of more detailed demographic data will be significant for education stakeholders. Implementing these changes can also inform lessons learned and guidance for other IES surveys and data collection from the Department. ECLS-K is currently one of the most comprehensive and nationally-representative longitudinal datasets offered by NCES. Data from ECLS-K can be used by researchers, policymakers, and civil rights organizations to understand the educational experiences and outcomes for young learners as well as used to drive policy and programmatic changes.

Given that the other nationally-representative, longitudinal datasets from NCES are either outdated (ELS: 2002; HSLs: 2009) or not publicly usable (MGLS: 2017), ECLS-K provides the best opportunity for diverse AA and NHPI communities to understand how our young people are doing in their elementary school systems. While ELS: 2002 and HSLs: 2009 were both promising datasets as they included disaggregated racial/ethnic data in their survey questionnaires, these datasets are limited by relevance (i.e., they have not been recently updated over the past five years) and access (i.e., the disaggregated racial/ethnic data are restricted-use only). Still, there is value in these datasets when researchers are able to access them to understand educational disparities. For example, when school safety measures were disaggregated by AA and NHPI ethnicities, significant variation across their educational experiences emerged. SEAs are almost

¹ U.S. Department of Education Office for Civil Rights. (2014). Civil Rights Data Collection. Data Snapshot: School Discipline. Washington, D.C. Retrieved July 21, 2021 from: <https://ocrdata.ed.gov/assets/downloads/CRDC-School-Discipline-Snapshot.pdf>

² Nguyen, BMD., Noguera, P., Adkins, N., & Teranishi, R. (2019). Ethnic Discipline Gap: Unseen Dimensions of Racial Disproportionality in School Discipline. *American Educational Research Journal*, 56(5): 1-29.

³ “Early Childhood Education: Opportunities for Southeast Asian Children.” 2015. A Council on Asian Pacific Minnesotans Report. Retrieved 29, May 2024: https://mn.gov/capm/assets/ECE%20Report_tcm1051-114466.pdf

twice as likely to report feeling unsafe at school compared to Japanese, Korean, and White students, but this difference would not be noticeable without disaggregated racial data.⁴

A more detailed revision of the ECLS-K that better captures the diversity of America's children would provide the same rich information that is more timely and relevant. To better serve our nation's diverse students and ensure that their varied educational experiences and unique needs are made visible, and therefore actionable, SEARAC urges the Department to update the race and ethnicity question in the ECLS-K so that it explicitly includes, at a minimum, Cambodian, Hmong, Laotian, and Vietnamese as examples of Asian subgroups. Thank you for the opportunity to comment on this important data collection. If you have any questions, please contact Natalie Truong (she/her), SEARAC Associate Director of Education Policy, at natalie@searac.org.

Sincerely,

Quyên Dinh
Executive Director

Dear Ms. Dinh,

Thank you for your interest in the Early Childhood Longitudinal Study (ECLS) Program and the Early Childhood Longitudinal Study, Kindergarten Class of 2023-24 (ECLS-K:2024).

As you may know, the National Center for Education Statistics (NCES), the part of the U.S. Department of Education that is responsible for the ECLS-K:2024, has as one of our goals to “embed the principles of diversity, equity, inclusion, and accessibility in all aspects of the Center’s work, studies, and data products.” One way in which we work toward this goal is by collecting data on students’ race and ethnicity to inform numerous research questions; we recognize that often research questions require greater detail than is captured in the minimum reporting categories for race and ethnicity.

The ECLS-K:2024 has been facing some challenges in the collection of more detailed race and ethnicity groups, but is working toward the collection of these more detailed groups. For instance, the ECLS-K:2024 collects not only self-reports of adults’ race and ethnicity, but parent reports of their study child and other household members, teacher reports of their children in their classroom, and school administrator reports of their staff. We also collect student race from school records. Other-than-self-reports can be challenging to obtain at times; for example, many schools do not have the detail on students at levels beyond the minimum reporting categories.

The current ECLS-K:2024 OMB package up for public review and comment is our third revision request for our national kindergarten-first grade data collections, with a focus on our spring first-grade (spring 2025) round. We have one more OMB revision request package for this spring first-grade data collection, which will be posted for public comment in late summer/early fall 2024. At that time, we will have had the time to more thoroughly consider the best way to bring our items on race/ethnicity in accordance with the OMB Updated Statistical Policy Directive No. 15, and you will be able to see the revised items that meet the new Standard. I hope that you attend to the items at that time and are pleased with the revisions made.

Sincerely,

Jill McCarroll
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⁴ Viano, S., & Truong, N. (2022). Black, Indigenous, People of Color and feelings of safety in school: Decomposing variation and ecological assets. *AERA Open*, 8, doi: 23328584221138484.