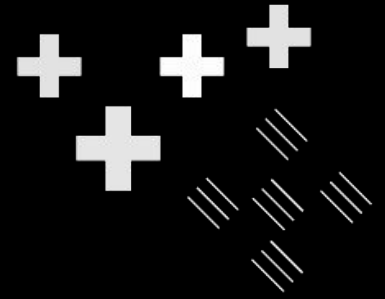The Leadership Conference
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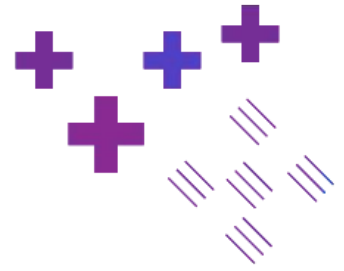
A Landscape Review

of State Race & Ethnicity

Data Collection

Acknowledgements

Note: This report was updated in October 2024 to remove Hawaii from the list of states with a data disaggregation law.

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Foreword

Neda Maghbouleh

The opinions expressed in this piece are solely the author's and do not reflect the official policy or position of the 2030 Census Advisory Committee, U.S. Census Bureau, or U.S. government.

"Disaggregation Nation: A Landscape Review of State Race & Ethnicity Data Collection" was originally published by The Leadership Conference Education Fund on December 12, 2023. An invaluable resource for advocates and policymakers, the report was the first of its kind to summarize and compare state-level standards for collecting race and ethnicity data across all 50 states. One major takeaway from the report was the sheer fact of data disaggregation laws around the country: 14 states already required some degree of disaggregation of race and ethnicity data beyond the minimum categories set by federal standards. Another takeaway was its timeliness: Illinois, Massachusetts, and Nevada had just passed laws in the months leading up to "Disaggregation Nation," and momentum for enhanced disaggregation was building in states like California (e.g., AB 2763, the MENA Inclusion Act). Finally, data disaggregation was a movement: 21 additional states had relevant related laws, bills, or advocacy activities in play. In short, "Disaggregation Nation" revealed an equity- and evidence-based warrant for data disaggregation well beyond the federal minimum standards.

Only four months after "Disaggregation Nation" was first published, the federal minimum standards changed for the first time in more than 25 years. On March 28, 2024, the Office of Management and Budget (OMB) announced revisions — effective immediately — to Statistical Policy Directive No. 15 (Directive 15). Federal agencies would now collect data using a single combined race and ethnicity question; add Middle Eastern or North African (MENA) as a minimum reporting category, separate and distinct from the White category; and require the collection of more detail beyond the minimum race and ethnicity categories. The potential for meaningful data disaggregation at the federal level has never been better — and state-level advocates have important experience and proof points to share.

Given the magnitude of the revision to Directive 15, this update to "Disaggregation Nation" is a most welcome and informative guide to current state-level data disaggregation laws for advocates, policymakers, and researchers. Timed to an impactful July 2024 Disaggregation Nation! Data Equity Summit being hosted by The Leadership Conference Education Fund in Detroit, Michigan, the updated report not only provides insight into new state laws passed since December 2023, but it also analyzes existing state-level disaggregation laws in light of the new Directive 15 revision to federal standards.

To be sure, state-level advocates and officials fighting for data disaggregation can rightly claim and celebrate OMB's announcement as a win. But the collection of more detailed data — at any level — does not necessarily ameliorate, or even shed light on, stubborn disparities. And at the federal level, critical questions about the breadth and implementation of Directive 15 remain. Advocates in states and local communities must continue to think expansively about the best possible laws and policies to further support detailed data collection for their populations. The work is not done, but a collective path forward — one that is both equity-centered and evidence-based — is in these pages.

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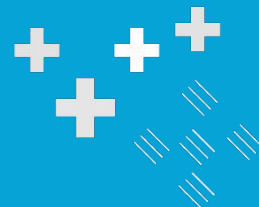
Introduction

In December 2023, The Leadership Conference Education Fund issued a report — "Disaggregation Nation: A Landscape Review of State Race and Ethnicity Data Collection" — summarizing laws and pending bills in 50 states and the District of Columbia to identify states that require disaggregation of race or ethnicity data beyond federal standards.

Since the report was issued, the Office of Management and Budget (OMB) finalized an update to Statistical Policy Directive 15 (Directive 15) with revised standards for federal agencies regarding the collection of race and ethnicity data.

"[W]hen you are invisible in the eyes of data, then you are invisible in the eyes of policymakers who rely on that data to make decisions."

—Michigan state Rep. Alabas Farhat

This supplement provides a mid-year update on state activity since the "Disaggregation Nation" report was issued. The supplement also compares state laws with major elements from the revised Directive 15.

In total, 13 states now have laws that require disaggregation of race or ethnicity data that exceed the prior version of Directive 15, and many of these states still exceed the requirements of the revised directive. See the Appendix for additional details about these state laws.
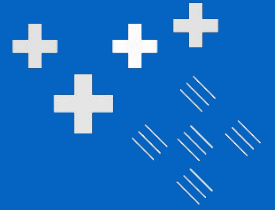
I. Revised OMB Regulations

On March 28, 2024, the OMB finalized changes to improve the collection of race and ethnicity data via Directive 15. Among the key changes, the revised directive requires:

- A combined race and/or ethnicity question on federal surveys and censuses;

- A new "Middle Eastern or North African" (MENA) ethnicity category; and

- Requiring, instead of simply encouraging, the collection and disaggregation of detailed race and ethnicity data by all federal agencies in most cases, which includes:

    - Providing detailed categories, including examples or subcategories;

    - Providing the option to select one or more racial or ethnic categories; and

    - Providing an opportunity to write in a response.

The Appendix contains more information about how the 13 states with data disaggregation laws regarding race and ethnicity compare to the revised directive. A number of states still exceed the updated federal race and ethnicity data collection requirements.

Additionally, the updated Directive 15 is spurring conversation in many states about implementing the OMB regulations and/or improving state data collection regarding race and ethnicity. Media coverage from Montana to Maine highlights the country's changing conversation about race and ethnicity. For example, a PBS NewsHour story highlighted the pending bills in Michigan to require a MENA category and why the state should act despite the revised OMB requirements.

"You can't underestimate the emotional impact this has on people," said Meeta Anand, senior director for Census & Data Equity at The Leadership Conference on Civil and Human Rights. "It's how we conceive ourselves as a society... You are seeing a desire for people to want to self-identify and be reflected in data so they can tell their own stories."
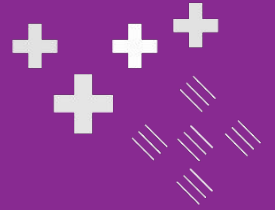
II. Recent State Activity

Since the "Disaggregation Nation" report was issued in December 2023, New Jersey and New York passed laws requiring disaggregation of data by race and ethnicity. A number of other states have introduced bills or proposed revised standards to improve the collection of race and ethnicity data.

New Laws

New Jersey: A new law will require state agencies to disaggregate data for Asian American, Native Hawaiian, and Pacific Islander (AANHPI), Middle Eastern and North African (MENA), and South Asian and Indian Diaspora communities. The law requires state agencies to use separate collection categories for the following:

- *Each major Asian group*, including but not limited to Chinese, Japanese, Filipino, Korean, Vietnamese, Asian Indian, Laotian, Cambodian, Bangladeshi, Hmong, Indonesian, Malaysian, Pakistani, Sri Lankan, Taiwanese, Nepalese, Burmese, Tibetan, and Thai;

- *Each major Pacific Islander group*, including but not limited to Native Hawaiian, Chamorro or Guamanian, Samoan, Fijian, and Tongan;

- *Each major Middle Eastern and North African group*, including but not limited to Algerian, Bahraini, Egyptian, Jordanian, Kuwaiti, Lebanese, Libyan, Moroccan, Omani, and Tunisian;

- *Each major South Asian and Indian Diaspora group*, including but not limited to Guyanese, Trinidadian and Tobagonian, and Surinamese; and

- *Other* Asian, Pacific Islander, South Asian and Indian Diaspora, or Middle Eastern and North African groups.

The legislature agreed with the governor's conditional veto to allow state agencies the flexibility to comply with data collection and reporting practices required by federal laws, regulations, programs, or surveys, and to account for evolving standards and guidance that may be issued by the OMB or the U.S. Census Bureau. The law's requirements take effect in July 2025.

New York: In June 2024, New York passed a bill to require separate collection categories for Middle Eastern and North African groups in New York state. As of the time of publication, the bill was awaiting signature by the governor. The specified categories are:

- *Each major North African (NA) group*, including but not limited to Egyptian, Moroccan, Algerian, Tunisian, and Libyan;

- *Each major Middle Eastern (ME) group*, including but not limited to Yemeni, Iranian, Palestinian, Iraqi, Lebanese, Israeli, Syrian, Armenian, and Saudi; and

- *Other Middle Eastern and North African (MENA) groups*, including but not limited to transnational indigenous MENA communities like Amazigh and Syriac people.

Pending Bills and Policy Changes

California: In 2024, the state legislature introduced the Latino and Indigenous Disparities Reduction Act ([SB 1016](#)). The bill, which passed the state senate in May 2024, would require the Department of Public Health to collect data on:

- *Each major Latino group*, including but not limited to Mexican, Guatemalan, Salvadoran, Honduran, Nicaraguan, Costa Rican, Panamanian, Belizean, Puerto Rican, Dominican, Cuban, Argentinean, Bolivian, Brazilian, Chilean, Colombian, Ecuadorian, Guyanese, Paraguayan, Peruvian, Surinamese, Uruguayan, and Venezuelan;

- *Each major Mesoamerican Indigenous nation*, including but not limited to Maya, Aztec, Mixteco, Zapoteco, and Triqui; and

- *Each major Mesoamerican Indigenous language group*, including but not limited to Zapoteco, Chinanteco, K'iche, Nahuatl, Mixteco, Purépecha, Tzotzil, Mayan, Amuzgo, Ayuujk (Mixe), Mam, Popti', Q'anjob'al, Triqui, and Chatino.

The California legislature passed a similar bill in 2023, but the governor vetoed it ([SB 435](#)).

Michigan introduced two bills in 2024 to require that state data collection efforts include a MENA category and the ability to identify as "multiracial."

- [HB 5447](#) would require state agencies that collect racial and ethnic data to include "Middle Eastern or North African" and "multiracial" as classification options, and to remove "other" as an option.

- [HB 5448](#) would require public universities to include "Middle Eastern or North African" as an option for individuals to select when designating their race or ethnicity; to require "multiracial" instead of "other" as a classification option; and to define "multiracial" as having parents of different races.

Additionally, the Michigan Department of Health and Human Services (MDHHS) proposed changes in their race/ethnicity data collection in late 2023. The [proposed changes](#) mirror the changes finalized in the most recent revised federal standards.

Oregon is proposing to update its race and ethnicity data collection requirements to increase the number of racial and ethnic categories offered to respondents from 39 to 72. The [proposed rules](#) are in response to the new OMB standards, feedback from the Rules Advisory Committee (RAC), and implementation of a 2021 [state law](#) requiring collection of data on sexual orientation and gender identity.
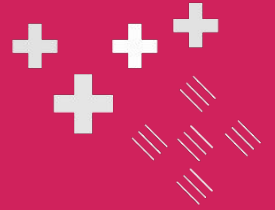
III. Further State Action

Like its predecessor, the revised Directive 15 sets a minimum floor for data collection regarding race and ethnicity. States can exceed — and are exceeding — the federal requirements as appropriate for their state's population. For example, Washington state offers 69 different race and ethnicity options, and California is beginning to collect data on African Americans who are descendants of persons who were enslaved in the United States.

States can continue this momentum by:

- Implementing the revised OMB requirements on the state level;

- Adopting new state laws or policies to expand race and ethnicity data disaggregation requirements beyond the OMB standards, particularly tailored to make visible the unique racial and ethnic profiles of individual states and localities; and/or

- Advise the Interagency Committee on Race and Ethnicity Standards on the Topics for Future Research identified in the Federal Register and provide additional potential research topics relevant for your community.

Though most states do not currently have laws requiring disaggregation of race or ethnicity data, recent momentum from the revised OMB standards, and other ongoing advocacy and legislative activity, may ultimately lead to further progress in states across the country. This vital state-level work must and will continue alongside the implementation and ongoing revision of federal standards.
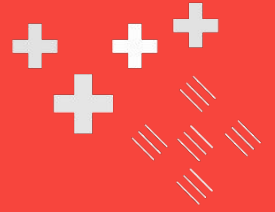
"It feels good to be seen."

—Florida state Rep. Anna Eskamani, a Democrat from Orlando, whose parents are from Iran

Appendix: State Data Collection Requirements Related to Race and Ethnicity

Table 1: Comparison of Directive 15 and States with Laws Requiring Collection of Race and Ethnicity Data

Jurisdiction	Combined race & ethnicity question required?[1]	MENA category required?	Examples and/or check boxes for subgroups?	Option to select one or more categories?	Option to write in a response?	What agencies do the requirements apply to?
Directive 15	Yes	Yes	Yes	Yes	Yes	All federal agencies (exemption process provided)
California	No	No	Yes	No	No	State agencies (Asian); State Controller's Office & Dept of Human Resources (Black)
Connecticut	No	Yes	Yes	Yes	Yes	State data collected for public health or health care purposes
Illinois	No	Yes	No	No	No	State agencies
Massachusetts	Yes[2]	No	Yes	Yes	Yes	State agencies
Minnesota	No	No	Yes	No	Yes	Certain school districts
Nevada	No	Yes	No	No	No	State agencies (except criminal justice)
New Jersey	No	Yes	Yes	No	No	State agencies
New Mexico	No	No	Yes	Yes	No	Hospitals and health care facilities
New York	No	No	No	No	No	State agencies
Oklahoma	No	No	No	No	No	Board of Education
Oregon	Yes	Yes	Yes	Yes	No[3]	Health care providers
Rhode Island	No	No	Yes	No	No	Department of Education
Washington	No	Yes	Yes	Yes[4]	No[5]	Hospitals

Table 1 Notes

1. This column addresses whether state law requires a combined question. In practice, some states may be using a combined question without a requirement in state law.

2. The Massachusetts law lists the race/ethnicity groups sequentially and does not say that the Hispanic/Latino question should be separate.

3. A write-in response is not provided, but the state provides 39 categories to choose from, including "other."

4. One or more categories may be selected for patient's race. However, patients must choose one category for ethnicity.

5. A write-in response is not provided, but the state provides 69 categories to choose from, including "other."

American Indian or Alaska Native Data Collection Requirements*

Six states require collection of data for subcategories of American Indian or Alaska Native.

1. **Connecticut**: American Indian or Alaska Native, Cherokee, Iroquois, Mashantucket Pequot, Mohegan, Other American Indian/Alaska Native

2. **Minnesota**: Three of the most populous Native groups based on the most recent American Community Survey.

3. **New Mexico**: Classification(s) of patient's stated New Mexico tribal affiliation: T1 - Acoma pueblo; T2 - Cochiti pueblo; T3 - Isleta pueblo; T4 - Jemez pueblo; T5 - Jicarilla Apache nation; T6 - Kewa/Santo Domingo pueblo; T7 - Laguna pueblo; T8 - Mescalero Apache nation; T9 - Nambe pueblo; T10 - Ohkay Owingeh pueblo; T11 - Picuris pueblo; T12 - Pojoaque pueblo; T13 - San Felipe pueblo; T14 - San Ildefonso pueblo; T15 - Sandia pueblo; T16 - Santa Ana pueblo; T17 - Santa Clara pueblo; T18 - Taos pueblo; T19 - Tesuque pueblo; T20 - Zia pueblo; T21 - Zuni pueblo; T22 - New Mexico Navajo nation; T100 - other tribal affiliation

4. **Oklahoma**: Demographic data and program participation information, including tribal affiliation and other data associated with students who have been identified as having American Indian heritage.

5. **Oregon**: American Indian, Alaska Native, Canadian Inuit, Metis or First Nation

6. **Washington**: Alaska Native, American Indian, First Nations

Directive 15: American Indian or Alaska Native: Enter, for example, Navajo Nation, Blackfeet Tribe of the Blackfeet Indian Reservation of Montana, Native Village of Barrow Inupiat Traditional Government, Nome Eskimo Community, Aztec, Maya, etc.

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*The required race and ethnicity categories are listed in alphabetical order, as published in the revised directive. "White" is not included in this appendix.

Table 2: Asian Data Collection Requirements[1]

Directive 15a	CA		CT	MA	NJ[2]	NY[3]	OR	RI	WA
	All state agencies	Dept. of Public Health							
Chinese	Chinese	Chinese	Chinese	Chinese	Chinese	Chinese	Chinese		Chinese
Japanese	Japanese	Japanese	Japanese	Japanese	Japanese	Japanese	Japanese		Japanese
Filipino	Filipino	Filipino	Filipino	Filipino	Filipino	Filipino	Filipino/a	Filipino	Filipino
Korean	Korean	Korean	Korean	Korean	Korean	Korean	Korean		Korean
Vietnamese	Vietnamese	Vietnamese	Vietnamese	Vietnamese	Vietnamese	Vietnamese	Vietnamese	Vietnamese	Vietnamese
Asian Indian	Asian Indian	Asian Indian	Asian Indian	Asian Indian	Asian Indian	Asian Indian	Asian Indian		Asian Indian
Other (Enter, for example, Pakistani, Hmong, Afghan)	Laotian	Laotian	Laotian	Laotian	Laotian		Laotian	Laotian	Lao
	Cambodian	Cambodian	Cambodian	Cambodian	Cambodian		Cambodian	Cambodian	Khmer/ Cambodian
		Bangladeshi	Bangladeshi	Bangladeshi	Bangladeshi	Bangladeshi			Bangladeshi
		Hmong	Hmong	Hmong	Hmong		Hmong	Hmong	Hmong/ Mong
		Indonesian	Indonesian	Indonesian	Indonesian			Other Southeast Asian ethnic groups	Indonesian
		Malaysian	Malaysian	Malaysian	Malaysian				Malaysian
		Pakistani	Pakistani	Pakistani	Pakistani	Pakistani			Nepalese
		Sri Lankan	Sri Lankan	Sri Lankan	Sri Lankan	The 10 most populous Asian groups in the ACS			

Table 2: Asian Data Collection Requirements (continued)

Directive 15	CA		CT	MA	NJ	NY	OR	RI	WA
	All state agencies	Dept. of Public Health							
		Taiwanese	Taiwanese	Taiwanese	Taiwanese		Communities of Myanmar		Taiwanese
		Thai	Thai	Thai	Thai		South Asian		Thai
			Burmese	Burmese	Burmese		Other Asian		Bamar/ Burman/ Burmese
			Nepalese	Nepalese	Nepalese				Bhutanese
			Other Asian	Tibetan	Tibetan				Cham
					Other Asian				Karen
									Mien
									Asian

Table 2 Notes

1. This table does not include Minnesota, which requires certain school districts to collect data on "7 of the most populous Asian and Pacific Islander groups" based on the most recent American Community Survey, but it does not name the groups in the law.

2. "Each major Asian group, including but not limited to . . . ." Additionally, the law requires data collection for "Each major South Asian and Indian Diaspora group, including, but not limited to, Guyanese, Trinidadian and Tobagonian, and Surinamese."

3. The New York law allows a category for "other Asian or Pacific Islander group" instead of listing detailed categories.

Table 3: Black or African American Data Collection Requirements[1]

Directive 15	CA[2]	CT	MA[3]	OR[4]	WA[5]
African American	African Americans who are descendants of persons who were enslaved in the United States	African American	African American	African American	Black or African American
Haitian	Blacks who are not descendants of persons who were enslaved in the United States, including, but not limited to, African Blacks, Caribbean Blacks, and other Blacks	Haitian	Haitian		Congolese
Jamaican		Jamaican	Jamaican		Eritrean
Nigerian		West Indian	Nigerian		Egyptian
Ethiopian		Other Black or African American	Ethiopian	Ethiopian	Ethiopian
Somali		African	Cape Verdean	Afro-Caribbean	Afro-Caribbean
Other (Enter, for example, Trinidadian, Tobagonian, Ghanaian, Congolese, etc.)		Dominican	Somali	Somali	Somali
				Other African (Black)	Kenyan
				Other Black	Moroccan
					North African
					Oromo
					South African
					Ugandan

Table 4: Hispanic or Latino Data Collection Requirements[1]

Directive 15	CT[2]	MA	OR	WA
Mexican	Mexican, Mexican American, Chicano/a	Mexican	Indigenous Mexican, Central American or South American	Mexican/Mexican American
Cuban	Cuban	Cuban	Hispanic or Latino/a/x Mexican	Cuban
Puerto Rican	Puerto Rican	Puerto Rican	Hispanic or Latino/a/x Central American	Puerto Rican
Dominican	Dominican	Dominican	Hispanic or Latino/a/x South American	Dominican
Salvadoran	Salvadorian	Salvadoran	Other Hispanic or Latino/a/x	Central American
Guatemalan	Argentinian	Colombian		Chicano/a or Chicanx
Other (Enter, for example Colombian, Honduran, Spaniard, etc.)	Chilean			Mestizo
	Columbian (sic)			Indigenous-Latino /a or Indigenous-Latinx
	Ecuadorian			South American
	Guatemalan			
	Honduran			
	Nicaraguan			
	Panamanian			
	Peruvian			
	Spaniard			
	Spanish			
	Uruguayan			
	Venezuelan			
	Other Spanish			

Table 3 Notes

1. This chart does not include Minnesota, which requires certain school districts to collect data on "5 of the most populous Black and African Heritage groups" based on the most recent American Community Survey, but it does not name the groups in the law.

2. This law applies to the state Controller's Office and Department of Human Resources, when collecting demographic information from applicants.

3. "Each major Black or African American group, as reported by the Census Bureau, including but not limited to . . ."

4. Also includes categories for "Middle Eastern" and "North African."

5. Egyptian, Moroccan, and North African are also listed in Table 5: Middle Eastern or North African Data Collection Requirements.

Table 4 Notes

1. This chart does not include Minnesota, which requires certain school districts to collect data on "7 of the most populous Hispanic/Latino groups" based on the most recent American Community Survey, but it does not name the groups in the law.

2. "Each major Latino group, as reported by the U.S. Census Bureau, including but not limited to . . ."

Table 5: Middle Eastern or North African Data Collection Requirements

Directive 15	CT	IL	NV	NJ	OR	WA[1]
Middle Eastern or North African	Middle Eastern or North African (subcategory of White)	Middle Eastern or North African	Middle Eastern or North African	Each major Middle Eastern and North African group, including, but not limited to . . .	Middle Eastern	Middle Eastern
Lebanese				Algerian	North African	North African
Syrian				Bahraini		Afghan
Iranian				Egyptian		Arab
Iraqi				Jordanian		Egyptian
Egyptian				Kuwaiti		Iranian
Israeli				Lebanese		Iraqi
Other (Enter, for example, Moroccan, Yemeni, Kurdish, etc.)				Libyan		Jordanian
				Moroccan		Kuwaiti
				Omani		Lebanese
				Tunisian		Moroccan
				Other Middle Eastern or North African		Pakistani
						Saudi Arabian

Table 6: Native Hawaiian or Other Pacific Islander Data Collection Requirements[1]

Directive 15	CA[2]	CT	MA[4]	NJ[5]	NY[6]	OR	WA
Native Hawaiian	Hawaiian	Native Hawaiian	Native Hawaiian	Native Hawaiian	Native Hawaiian	Native Hawaiian	Native Hawaiian
Samoan	Samoan	Samoan	Samoan	Samoan	Samoan	Samoan	Samoan
Chamorro	Guamanian	Guamanian or Chamorro	Guamanian	Chamorro or Guamanian	Guamanian and Chamorro	CHamoru (Chamorro)	Guamanian or Chamorro
Tongan	Tongan	Other Pacific Islander	Tongan	Tongan		Communities of the Micronesian Region	Tongan
Fijian	Fijian		Fijian	Fijian		Other Pacific Islander	Fijian
Marshallese				Guamanian		Marshallese	Marshallese
Other (Enter, for example, Chuukese, Palauan, Tahitian, etc.)				Other Pacific Islander			Pacific Islander

Table 5 Notes

1. Egyptian, Moroccan, and North African are also listed in Table 3: Black or African American Data Collection Requirements.

Table 6 Notes

1. This chart does not include Minnesota, which requires certain school districts to collect data on "7 of the most populous Asian and Pacific Islander groups" based on the most recent American Community Survey, but it does not name the groups in the law.

2. California's 2012 law requires collection for each major Pacific Islander group, including but not limited to Hawaiian, Guamanian, and Samoan. The 2022 law, which applies to the Department of Health, requires collection of additional major Native Hawaiian and other Pacific Islander groups, including but not limited to Fijian and Tongan.

3. "Each major Pacific Islander group, as reported by the United States Census Bureau, including but not limited to . . ."

4. "Each major Pacific Islander group, including but not limited to . . ."

5. The New York law allows a category for "other Asian or Pacific Islander group" instead of listing detailed categories.

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