

(4) approve each proposed plan that meets the requirements of this section; and

(5) monitor and help in the administration of each plan to ensure compliance.

(c) (1) In the preparation of a form that requires identification of individuals by race, a department or independent unit shall include the following racial categories:

- (i) American Indian or Alaska Native;
- (ii) Asian;
- (iii) Black or African American;
- (iv) Native Hawaiian or other Pacific Islander; and
- (v) White.

(2) A form that requires identification of individuals by race shall include instructions that multiracial respondents may select all applicable racial categories.

(3) (i) Respondents shall select their own answers, except when it is not possible for the respondent to do so.

(ii) In the event that a respondent is not able to select an answer, an observer, such as a family member or friend, may select the answer on behalf of the respondent.

(4) A form that requires identification of individuals by race shall include a separate question about whether a respondent is of Hispanic or Latino origin, with the question preceding the racial category question.

**Chapter 459 of the Acts of 1998, as amended by Chapter 91 of the Acts of 2000**

SECTION 2. AND BE IT FURTHER ENACTED, That, except as provided in Section 3 of this Act, the standards enacted under this Act shall be applicable to a data collection form that is created or revised after the effective date of this Act, and the standards shall be applicable to all data collection forms no later than January 1, 2002.

SECTION 3. AND BE IT FURTHER ENACTED, That the standards shall be applicable to all data collection forms for schools, school systems, and the State Department of Education [no later than] BY July 1, [2003] 2006, OR BY THE DATE ESTABLISHED BY THE UNITED STATES DEPARTMENT OF EDUCATION, WHICHEVER OCCURS SOONER.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2003.

Approved May 22, 2003.