

Operational Policy

Policy title:	Race, Ethnicity, Language, and Disability Demographic (REALD) Data		
Policy number:	ODHS 010-026		
Original date:	12/01/2020	Last update:	12/01/2020
Approved:	Don Erickson, ODHS Deputy Chief Administrator		

Purpose

The Oregon Department of Human Services (ODHS) is committed to ensuring that implementation of REALD data collection standards, analysis and reporting is managed in a way that is consistent, efficient and timely, in compliance with Oregon legislative and rule requirements and agency resources. The agency is committed to setting standards that recognize diverse identities; respects how people self-identify; addresses health, socioeconomic and program inequities; and addressing standards for gender identity and sexual orientation.

Description

This policy guides the development of system specific workplans for each agency program and creates timetables for implementation. For systems shared between programs, a collaborative approach will be necessary. Work plans are required for each system that collects demographic data and it is recommended that work plans be developed for each REALD data set.

Applicability

This policy applies to all DHS staff including employees, volunteers, trainees and interns as well as contractors and sub-contractors who collect and record any demographic data by any means.

As keepers of the public trust, all agency employees have a responsibility to comply with state and agency policies, administrative rule, and state and federal law. The agency takes this responsibility seriously and failure to fulfill this responsibility is not treated lightly. Employees who fail to comply with state or agency policy, administrative rule, or state and federal law may face progressive discipline, up to and including dismissal from state service.

Policy

1. All data systems collecting individual level demographic information and go online after the date this policy is approved shall be fully compliant with REALD standards before going online.
2. Data systems collecting individual level demographic data that exist at the time this policy is approved shall be compliant with REALD standards as specified in Table 1, Work Plan and Compliance Timeline.
3. Prioritized data sets shall follow the compliance schedule in Table 2 based on the degree of control factors outlined in the table.

4. Control refers to the level ODHS staff have on making changes to the data collection instrument; the degree of control does not depend on the availability of sufficient resources.
 - a. Directly means ODHS or an ODHS contracted data vendor collects the demographic data directly from individuals.
 - b. Indirectly means that the demographic data from individuals is collected by external partners.
5. Non-prioritized datasets shall follow the compliance schedule in Table 3 based on the degree of control factors outlined in the table.
6. As specified in Table 1, programs with data systems existing when this policy goes into effect and not in full REALD compliance shall complete:
 - a. A work plan for compliance; and
 - b. An online assessment survey considering routine agency planning, budgeting, resources, and data collection cycles. DHS shall make records related to DHS business available to the public for review, unless those records are specifically exempt from disclosure.
7. For data sets where ODHS has a medium to high degree of control and data is collected by ODHS or a contracted vendor, compliance shall be:
 - a. Within six months of policy approval for prioritized data sets.
 - b. Within nine months of policy approval for all other data sets.
8. For all other data sets compliance shall be:
 - a. Within 12 months of policy approval for prioritized data sets.
 - b. Within 24 months of policy approval for all other data sets.
9. Data sets not categorized at the time the policy is approved will be reviewed by the ODHS REALD Implementation Team and categories set.
10. Workplans shall:
 - a. Be completed following the guidance in the REALD Implementation Guide. A sample work plan is available in the implementation guide.
 - b. Reflect an actionable plan with timeline detailing how the program intends to achieve compliance with REALD standards.
 - c. Contain the key elements listed in the REALD Implementation Workplan Template (Table 6).
 - d. Be submitted to the Office of Equity and Multicultural Services (OEMS) REALD Equity and Inclusion Research and Data Analyst.
11. For data sets that rely on data collected indirectly (meaning collected by external partners), the workplan submitted to the OEMS Data Analyst shall also include:
 - a. Required system level changes.
 - b. Resources to bring the data system into compliance.
 - c. A list of the needed data agreements or contracts with subcontractors and external partners.
 - d. Estimated timelines for full compliance with REALD standards.
12. Because exemptions or substantial changes to the standards require review and approval by the REALD Governance Committee, if programs want to make changes or modifications to the categories, or think particular categories or questions are not appropriate to particular circumstances, the program shall attach the REALD Modification Checklist (Table 7) to the initial workplan. Programs are advised to first consult the REALD Equity and Inclusion Research and Data Analyst.
13. To support accountability and compliance, the OEMS Director, in consultation with the REALD Equity and Inclusion Research and Data Analyst, shall approve all work plans.
14. Upon passage of this policy, OEMS shall collaborate with the Oregon Health Authority (OHA) Office of Equity and Inclusion (OEI) in developing recommendations for data collection standards through a community engagement process that includes internal and external stakeholders, and centers on those reflected in and most affected by the gender identity and sexual orientation data collection standards.

15. The ODHS REALD workgroup shall join and merge with the OHA REALD Data Governance Committee which will transition to a subcommittee of the OHA|ODHS REALD Advisory Committee by the end of 2020.
16. ODHS programs shall use the disaggregated REALD data categories as much as possible when generating existing reports and publicly available data.
17. ODHS shall provide biannual dashboard tracking progress on workplans and compliance to DHS leadership and program managers overseeing data sets with demographics.
18. In odd numbered years, OEMS shall submit to ODHS leadership and legislators the results of the annual survey assessing datasets or data systems not yet in full compliance with REALD data collections standards. This will be included in the OHA submitted REALD Legislative Report.
19. The data standards required by this policy represent minimum standards and do not limit the collection of additional necessary data.
 - a. Data collection systems such as surveys, that are not client or member-based shall use the language questions listed in Table 3b on page 35 of the implementation guide.
 - b. REALD categories and questions shall not be omitted due to issues inherent in disparity research, including but not limited to limitations in data systems like the number of fields or comparability of categories among systems; the space on the paper or electronic collection forms; or privacy concerns.
20. The collection of data shall be sensitive to constituent concerns about potential misuse or abuse.
 - a. Reporting shall not violate the privacy of individuals represented in the data set.
 - b. Information on the validity and reliability of the data shall be included in the reporting, if available.

References

[ORS 413.161](#)

[OAR 943-070-000 through 943-070-0070](#)

[ACA Rule 1557](#)

[REAL D Implementation Guide](#)

Table 1. Work Plan and Compliance Timeline

Degree of control	Workplan Timelines	Compliance Timelines
Medium to high control AND data is collected directly by DHS or DHS vendor	Work Plans: June 30, 2021	Compliance: June 30, 2022
Low control AND data is collected directly by external partners	Work Plans: Dec.31, 2021	Compliance: Dec. 31, 2022
Medium to high control AND data is collected directly by external partners	Work Plans: Dec.31, 2021	Compliance: Dec 31, 2022
Low control AND data is collected indirectly by external partners	Work Plans: Dec 31, 2021	Compliance: TBD *

*The compliance date will be determined from the workplan assessment.

Table 2. DHS and Shared Datasets with Timelines for Work Plans and Compliance

Currently Identified ODHS Data Systems	Control/How collected as determined in 2018 REALD Legislative Report
Oregon Rehabilitation Case Automation (ORCA)	High control/direct
Client Index System (CI)	Low control/both
Client Maintenance System (CM)	Low control/direct
Client Process Monitoring System (CPMS)	High control/direct
Oregon Automated Computer Capture & Storage System (ACCESS)	Medium control/direct
OR-Kids Statewide Automatic Child Welfare Information System	Medium control/direct

Forms referenced

- REALD Implementation Guide
- Table 6: REALD Implementation Workplan Template
- Table 7 REALD Modification Checklist

Related policies

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