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August 23, 2017

Today, USBE was informed of some miscommunication of student data collection requirements. Title III funding requires that student immigrant status be collected and reported to the United States Department of Education. Therefore, Utah's Student Information Systems (SIS), including Aspire, have developed an immigrant status field.

This was incorrectly interpreted as a requirement to collect citizenship status of students. This is NOT correct. Do not ask for student citizenship status in any way. Doing so would be a significant breach of student and family privacy, and it is illegal.

Local Educational Agencies (LEAs) and schools can ask for immigrant status, but not citizenship status.

This is the federal definition that is also included in the UTREx specifications:

Immigrant:

(Required if student meets immigrant criteria) Indicates the student is an immigrant if the student meets all three of the following conditions:

1. Age is 3-21.
2. Not born in any State.
3. Has not attended one or more schools in any State for more than 3 full academic years (the 3 full academic years do NOT need to be consecutive).

Code	Meaning
Y	Immigrant
Blank	All others, not an immigrant

For any questions or concerns contact Dr. Christelle Estrada at 801-538-7888

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Thank you in advance,

Dr. Whitney Phillips
Utah State Board of Education
Chief Privacy Officer
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