

**EMIS Change 24-87**

This change updates the reporting instructions for Immigrant Status regarding foreign exchange and international students.

## SECTION 2.5: STUDENT ATTRIBUTES—EFFECTIVE DATE (FD) RECORD

### **Immigrant Status Element**

Record Field Number	FD200
Definition	Per Section 3301 (6) of the Elementary and Secondary Education Act, an immigrant student is a student who <ol style="list-style-type: none"><li>is age 3 through 21;</li><li>was not born in any State; and</li><li>has not been attending one or more schools in any one or more states for more than 3 full academic years.</li></ol>

#### **Valid Options**

N No  
Y Yes

**Reporting Instructions.** Per Section 9101 (39) of ESEA, a State is defined as each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, and each of the outlying areas. Per Section 9101 (30), the outlying areas include the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands. [Foreign exchange and international students who meet the definition of immigrant children and youth under the ESEA can be counted as immigrant youth for purposes of Title III.](#)

A change in this element requires that the current FD Record be closed and a new record opened with appropriate Effective Start and End dates. Therefore, a student may have multiple values for this element in the course of a school year. Note that the correction of an error does not constitute a “change” in the value of this element. As long as the correction represents the true value for a student as of the Effective Start Date on the record, an update to the value should be made without closing/opening a new record. Given the definition of this element, the only time there should be a true change in the value of this element is when a student who was previously reported as an immigrant reaches three years in school in one or more States.

~~Foreign Exchange students are not to be reported as Immigrant students.~~