

# Foreign Exchange Program Handbook

## J-1 Visa Program



College, Career, Equity, and School Choice Unit  
CCSD Foreign Exchange Program  
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The purpose of this handbook is to provide foreign exchange organizational representatives and schools hosting foreign exchange students with procedures and policies related to admission of students in the Clark County School District (CCSD) who are in the United States under a J-1 Visa.

For information regarding students who enroll with an F-1 visa, please contact the CCSD Foreign Exchange Office at (702) 799-8441.

CCSD Policy 5118 and Regulation 5118 provide for the acceptance of foreign exchange students.

## **PROCEDURES FOR ENROLLING FOREIGN EXCHANGE STUDENTS**

### **INITIAL DISTRICT APPROVAL OF SPONSORING ORGANIZATIONS**

The sponsoring foreign exchange organization must be approved by and registered with CCSD. In order to be recognized as an approved sponsoring organization in CCSD, the organization must do the following:

- A. Complete the *Organization Application*.
- B. Provide a copy of the Certificate of Acceptance issued by the Council for Standards for International Education Travel (CSIET) for the appropriate school year.
- C. Follow and provide written policies and procedures that are in compliance with the current regulations governing all aspects of the Exchange Visitor Program through the United States Department of State Exchange Visitor Program set forth at 22 CFR 62.25.
- D. Provide clearly defined and written policies and procedures for addressing issues related to host families, emergency situations, and placement issues, including terminating the student's placement.
- E. Provide clearly defined and written policies and procedures for providing adequate support services at the school and district level to assist with program-related needs and problems.
- F. Have clearly defined written policies and procedures for ensuring that the foreign exchange student's English proficiency is such that he/she will be able to function successfully in a CCSD high school.
- G. Have written procedures in place for providing English language assistance for the student, at no cost to CCSD, should this be necessary.
- H. Have a local representative living within 120 miles of all supervised students who will act as liaison between CCSD, the sponsoring foreign exchange organization, and the host parents. I. Provide the name and phone numbers of the local representative to CCSD.
- J. Provide the dates, times, and place that local representatives (who will be selecting host families and counseling students) received official program training. This training is to be a formal, recognized program conducted by professionally qualified trainers. Long-distance training by manual and/or telephone will not be considered adequate.
- K. Organizations that have not placed students in the district for more than one calendar year must reapply for approval.

### **ANNUAL REGISTRATION OF SPONSORING ORGANIZATION**

Once the sponsoring organization is approved, its local representative must complete the annual registration process. Before student applications will be accepted, the local representative must do the following:

- A. Review the *Foreign Exchange Program Handbook (J-1 Visa Program)* and sign and file with the Foreign Exchange Office, the *Local Representative Annual Form*.
- B. Complete and file with the Foreign Exchange Office the *Organization Annual Update Form*.
- C. Provide to CCSD a copy of the annual authorization letter provided by the Council on Standards for International Educational Travel (CSIET).

## **CRITERIA FOR ACCEPTANCE OF FOREIGN EXCHANGE STUDENTS**

To be granted approval as a foreign exchange student, the requesting student must be represented by an approved sponsoring foreign exchange organization. On behalf of the student, the organization must do the following:

- A. Apply to the CCSD Foreign Exchange Office by completing *J-1 Student Application*. To complete the appropriate *J-1 Student Application*, go to:

<https://ccsd.net/departments/guidance-counseling/j-1-visa-program>

- B. Provide proof of English proficiency as evidence that the enrolling foreign exchange student has adequate English language proficiency to acquire knowledge in a district high school general education program. **Students who were born and reside in an English-speaking country or one of the following countries are exempt from testing.**

- **Austria**      ☐      **Greenland**      ☐      **Sweden**
- **Australia**    ☐      **Iceland**        ☐      **Switzerland**
- **Denmark**     ☐      **Netherlands**   ☐      **United Kingdom**
- **Finland**      ☐      **New Zealand**
- **Germany**     ☐      **Norway**

- C. Adequate English language proficiency is defined as follows:

<b>Test</b>	<b>Minimum Score</b>
English Language Test for International Students (ELTiS)	222
Test of English as a Foreign Language Junior (TOEFL Jr.) Standard Version	750
Test of English as a Foreign Language Internet-Based Test (TOEFL iBT)	65
Secondary Level English Proficiency (SLEP) Test	50
American Council on the Teaching of Foreign Languages (ACTFL) Oral Proficiency Interview (OPI) <u>and</u> Written Proficiency Test (WPT)	Intermediate Mid (on both tests)
Michigan Test of English Language Proficiency (MTELP)	70
International Test of English Proficiency Secondary Level Assessment Test of English (iTEP SLATE)	4
General Test of English Language Proficiency (GTELP) Level 3	75% (on each skill area)
International English Language Testing System (IELTS) Academic Format	3.5

- D. If an organization places a student, who is later assessed as deficient in English language proficiency as deemed by the district, the organization will do one of the following:
1. Pay for the student to be retested for English proficiency using a testing instrument determined by the District.
  2. Provide and pay for tutorial assistance until the student reaches proficiency, as determined by the District.
  3. Terminate the student's placement.
- E. Provide one copy of the organization's student application packet which includes:
1. Personal identification information
  2. Health information (including immunization records)
  3. School transcripts (with English translation)

- F. Ensure in instances of double student placements, that the two students are not from the same country or speak the same native language. The organization must provide evidence that both students, their natural parents, and potential host parents, have accepted a double placement.

#### **NUMBER OF FOREIGN EXCHANGE STUDENTS PER HIGH SCHOOL**

- A. A sponsoring organization may not place more than five students in one school without first securing permission from the CCSD Foreign Exchange Office.
- B. During its first year of approved participation in CCSD, a sponsoring organization may place a **maximum** of three (3) students in the district. Organizations that reapply for authorization following one year of inactivity, who have previously been in good standing with the district, will not be subject to this limitation.

#### **DISTRICT REVIEW OF FOREIGN EXCHANGE STUDENT APPLICANTS**

All requests to enroll foreign exchange students must be initiated by the sponsoring foreign exchange organization to the CCSD Foreign Exchange Office.

Upon receipt of a fully completed application, the CCSD Foreign Exchange Office will do the following:

- A. Determine if the sponsoring organization is approved and in good standing to enroll students in CCSD.
- B. Determine if the student meets the minimum eligibility requirements for enrollment as a foreign exchange student in CCSD.
- C. Determine if an appropriate host family has been identified. Appropriate is defined as a family that:
  - 1. Resides in CCSD,
  - 2. Has met the sponsoring organization's qualification requirements,
  - 3. Has met the requirements for host families outlined in the current regulations governing all aspects of the Exchange Visitor Program through the United States Department of State exchange regulations, 22 CFR 62.25,
  - 4. Is not also serving in the capacity as the student's local representative.
- D. Identify the high school for which the student is zoned based on the host family's address.
- E. Provide the host school with a *Foreign Exchange Student Enrollment Authorization*.
- F. Prepare a host family packet for each student.

#### **ENROLLMENT OF ACCEPTED FOREIGN EXCHANGE STUDENTS**

Approximately three weeks before the beginning of the semester, the host family will receive by email the following items:

- A. *Foreign Exchange Host Parent Enrollment Instructions*
- B. *Acknowledgment of Foreign Exchange Policies*
- C. *Immunization Requirements/Grade Level Placement Limitations/Grade and Citizenship Policy*

Within two weeks of enrollment, the host parent must provide the CCSD Foreign Exchange Office with the following:

- A. *Acknowledgment of Foreign Exchange Policies*, dated and signed by the host parent and the student
- B. A copy of the foreign exchange student's passport identification page
- C. A copy of the foreign exchange student's passport page showing the J-1 Visa

The host parent must enroll the foreign exchange student in the high school for which the student is zoned, based on the host family's address, unless a **Change of School Assignment** has been approved per CCSD Regulation 5112 and a copy of the change in school assignment has been provided to the CCSD Foreign Exchange Office.

To register the student, the host parent should call or visit the assigned high school to make an appointment. The counselor will assist in class selection and registration. The host parent should bring to the school the following:

- A. The student's passport which includes the J-1 Visa.
- B. Personal identification of the host parent (driver's license, passport, etc.)
- C. Proof of the host family's residence address (utility bill, rent receipt, resident lease, or sales contract) or a completed and approved change of school assignment.
- D. A copy of the student's application packet.
- E. The student's immunization record. *Nevada state law states that unless excused because of religious belief, a child may not be enrolled in a public school within this state unless his parents or guardians submit documentation that the child has been immunized and has received proper boosters. (NRS 392.435). If the student is not current on his/her immunizations, he/she must go to the Clark County Health Department or a local doctor to receive the immunizations.*

The school registrar should list both the host parent and the local representative of the sponsoring organization as having the right to access student information and records. CCSD policies authorize the release of this information to them.

Foreign exchange students wishing to participate in interscholastic athletic competition must report to the host school's athletic office to determine whether he/she meets the eligibility requirements as set forth in NAC 386.795, **Nevada Interscholastic Activities Association (NIAA)**. Additional information can be located at <http://www.niaa.com> (click on forms and scroll down to foreign exchange information).

### **CHANGE OF SCHOOL ASSIGNMENT OR MAGNET SCHOOL ENROLLMENT**

Host parents or foreign exchange students who wish to attend a school other than the zoned school, are subject to the policies and procedures set forth in **CCSD Regulation 5112 – Change of School Assignment Approved for Administrative School Assignment Option, Transfer, and Magnet School Assignment**.

If a foreign exchange student is granted a change of school assignment or enrollment at a CCSD magnet program, the Local Representative must notify the CCSD Foreign Exchange Office within 24 hours to request a copy of an updated *Student Enrollment Authorization Form*.

Host parents are not to request a change of school assignment or enrollment in a magnet/CTA program before the student arrives.

### **SINGLE HOST PARENTS**

In instances where a foreign exchange student will be placed in the home of a single host parent, the District requires that the host organization notify the student's natural parents before authorization will be granted to enroll in CCSD schools. The host organization is also responsible for completing the appropriate section on the *J-1 Student Application*.

## **DOUBLE PLACEMENT**

On July 12, 2007, the U.S. Department of State put into temporary abeyance the requirement that host organizations obtain prior written approval for the placement of two students with a single family. CCSD policies require that the host organization provide the CCSD Foreign Exchange Office with appropriate documentation (student and natural parent consent and host family consent) before the student will be approved for enrollment in the district.

In all instances, the U.S. Department of State forbids host organizations from placing students from the same countries or with the same native languages in a single home. The Department also prohibits the placement of more than two students in a single home for any reason and for any length of time. Authorization to enroll students who are double placed will not be granted until proper paperwork has been received and approved by the CCSD Foreign Exchange Office.

## **STUDENT PLACEMENT CHANGES**

It is the responsibility of the local representative to notify the CCSD Foreign Exchange Office and the school of any change in student contact information, host parents, school, or withdrawal from the program within 24 hours.

The local representative must provide a completed *Student Placement Change* form with any required supporting documentation.

**In the case of a host parent or address change, the representative must submit the following:**

- 1. Personal identification (driver's license, passport, etc.) of the host parent(s)**
- 2. Proof of the host family's residence address (utility bill, rent receipt, resident lease, or sales contract)**

Use the link listed below to submit a *Foreign Exchange Student Placement Change* form and required supporting documentation electronically: <http://www.jotform.us/form/50485729966169>

Organizations that fail to notify the CCSD Foreign Exchange Office within a timely manner of student changes will result in the organization being placed on probationary or suspension status. Additionally, violations will be reported to the U.S. Department of State, which could result in the host organization's Exchange Visitor Program status being revoked.

Before a student may enroll in a new school, the CCSD Foreign Exchange Office will provide the school registrar with an updated *Foreign Exchange Student Enrollment Authorization* form. Students may not be enrolled without this form.

## **COURSE ASSIGNMENT**

All J-1 foreign exchange students must meet required course assignments and must be enrolled as **fulltime students**. J-1 students must be enrolled in a **minimum of four academic courses to include English (English 9 or English 9 Honors for 9<sup>th</sup> grade students, English 10 or English 10 Honors for 10<sup>th</sup> grade students, English 11 or English 11 Honors for 11<sup>th</sup> grade students, English 12 or English 12 Honors for 12<sup>th</sup> grade students) and either U.S. History or U.S. Government** and must take enough additional classes to meet attendance requirements established by the Nevada Administrative Code. The following areas of study are considered academic: English, Mathematics,

Science, Computer Science, Foreign Language, and Social Studies. This policy does not mean that students must only take four academic classes. If the individual school's policy is that students take more than four academic classes, foreign exchange students are subject to this policy as well.

J-1 foreign exchange students must be classified under “**English Exclusive**” status by the school registrar. U.S. State Department regulations forbid the enrollment of Foreign Exchange Students in English Language Learner (ELL) programs.

### **GRADE PLACEMENT AND ENROLLMENT LIMITATIONS**

In accordance with State and District policies, foreign exchange students are assigned to a grade level based on their date of birth.

- Grade 9 – The student will be 14 years old by August 1 of the year of enrollment.
- Grade 10 – The student will be 15 years old by August 1 of the year of enrollment.
- Grade 11 – The student will be 16 years old by August 1 of the year of enrollment.
- Grade 12 – The student will be 17 years old by August 1 of the year of enrollment.

Students who have graduated from high school in their home country **will not** be accepted as foreign exchange students in Clark County School District. Additionally, students assigned to the twelfth grade will only be accepted for full year placements when enrolling in August. Students will not be accepted for enrollment in the twelfth grade for a full year for enrollment in January.

### **GRADING AND CREDIT**

Foreign exchange students will be graded and evaluated based on **CCSD Regulation 5121 – Student Progress: Grading (Grades Kindergarten through Twelve)**. Foreign exchange students will be granted credits for successful completion of course work.

Students who require an official transcript following the completion of their time in the district should contact the appropriate school registrar.

Foreign exchange students are required to make adequate academic progress in all classes. If a student earns a grade lower than a C in any class, the student will be placed on warning status. This requires the organization to provide tutoring services for the student. If the student continues to earn consecutive grades below the minimum GPA required in the same class, the organization will be required to withdraw the student from CCSD.

Students are expected to demonstrate appropriate behavior and citizenship as well as in all classes excellent attendance. If a student's citizenship grades and attendance are “Needs Improvement” or “Unsatisfactory”, the student will be placed on probation. If the student continues to earn low citizenship grades or exhibit poor attendance patterns, the sponsoring organization will be required to withdraw the student from CCSD.

### **RIGHTS, PRIVILEGES, AND RESPONSIBILITIES OF FOREIGN EXCHANGE STUDENTS**

All foreign exchange students enrolled in CCSD are subject to the same state and federal laws and district policies, regulations, procedures, rules of conduct, attendance requirements, and academic performance requirements as non-foreign exchange students.

Foreign exchange students will be accorded all the rights and privileges of non-foreign exchange students, except as noted in this document, during their period of enrollment.

CCSD will not provide financial assistance or benefits to foreign exchange students.

Foreign exchange students will be responsible for all school fees and expenses.

Foreign exchange students may apply to attend CCSD magnet schools. Applicants must follow all application timelines and procedures. If the student is accepted, the student must attend the magnet school as a full-time student for the duration of the school year.

A foreign exchange student may participate in interscholastic athletic competition provided (a) the student meets all other rules and regulations regarding eligibility, (b) the student fills out and requests the principal to file the Request for Eligibility (NIAA Regulation 2070) with the Nevada Interscholastic Activities Association (NIAA), and (c) the student receives from the NIAA written permission to compete.

Additional information regarding the NIAA can be located at: <http://www.niaa.com/> (click on forms and scroll down to foreign exchange information).

Foreign exchange students are **not** eligible to earn a high school diploma. Students who are part of the senior class may be seated on the stage as guests at the discretion of the school principal. Foreign exchange students should **not** be dressed in caps and gowns. Foreign exchange students may be recognized during the ceremony either by the principal or by students (i.e. student body officers, class officers, etc.).

Foreign exchange students are **not** eligible to complete any high school equivalency examination leading to the Nevada Certificate of High School Equivalency (HSE).

## **RESPONSIBILITIES OF SPONSORING ORGANIZATION AND LOCAL REPRESENTATIVE**

**The local representative of the organization shall do the following:**

- A. Follow United States Department of State regulations governing visiting Secondary School Students.
- B. Ensure that no more than one exchange student is placed with a host family unless the appropriate documentation has been secured beforehand.
- C. Follow the rules, regulations, and standards of CSIET.
- D. Follow the guidelines set forth in the ***Foreign Exchange Program Handbook***.
- E. Act as liaison between CCSD, the sponsoring foreign exchange organization, and host parents.
- F. Check on the student's well-being in the host family on a monthly basis.
- G. Assist the school, as needed, in resolving any issues or concerns related to the foreign exchange student.
- H. Notify the CCSD Foreign Exchange Office and the school of any change in the host family, school, or withdrawal from the program within 24 hours. The local organization representative must provide a completed *Student Placement Change Form*.
- I. Ensure that the school is notified within 24 hours of any change in host parent or contact information. In the case of a host parent change, the new host parents must notify the school in person.
- J. Submit a copy of the *Change of School Assignment* for all students who are attending a school outside of the assigned attendance zone.
- K. Notify the CCSD Foreign Exchange Office and the local representative regarding any students with school disciplinary actions that require a suspension or notice of truancy.
- L. Ensure that all host parents have submitted the following documents to the CCSD Foreign Exchange Office **within two weeks of enrolling the student in school**:



1. *Acknowledgment of Foreign Exchange Policies* form, dated and signed by the host parent and the student.
2. A copy of the foreign exchange student's passport page providing photo and identification information.
3. A copy of the foreign exchange student's passport page showing the J-1 visa.

### **RESPONSIBILITIES OF CCSD AND/OR THE HOST SCHOOL**

#### **The CCSD Foreign Exchange Office shall maintain the following:**

- A. Complete file for each participating foreign exchange organization.
- B. Complete student file.

#### **The Host School shall do the following:**

- A. Provide, to the local representative, upon request, electronic access to the student's attendance and academic records.
- B. Notify the CCSD Foreign Exchange Office when there are issues regarding the actions of the local representative or the appropriateness of specific host family selections.
- C. Notify the CCSD Foreign Exchange Office and the local representative regarding any disciplinary actions that require a suspension or notice of truancy.
- D. Provide foreign exchange students with all the rights and privileges of non-foreign exchange students, except as noted in this document, during their period of enrollment.

### **STATUS OF SPONSORING ORGANIZATIONS**

Should the guarantee or documentation provided by a sponsoring organization prove to be invalid, further acceptance of foreign exchange students from that sponsoring organization will be dependent upon proof of compliance with CCSD policies, regulations, and procedures. The burden of proof rests with the sponsoring organization. The district reserves the right to verify that all information provided to the district or the school is correct.

Should the local representative of the sponsoring organization or the sponsoring organization fail to meet the responsibilities outlined in these procedures, the organization will be sent two warning letters and will be expected to immediately rectify any deficiencies.

Following the letters of warning, should the local representative continue to fail to fail to meet the responsibilities as outlined, the organization will be placed on probationary status for one year during which time the organization will be limited to placing a total of five students. If there are no further violations of policy during the year of probation, the organization will once again be in good standing with the district.

If, however, there are further violations during the year of probation, the organization will be suspended for a period of one year in which no students may be placed in the district. After the completion of the one-year suspension, the organization must reapply for CCSD approval and will be subject to a first-year placement maximum of three students in the district.

In certain instances, CCSD will forego placing an organization on probationary or suspension status and will instead require a change in local representative.

If an organization that was previously suspended once again fails to meet the responsibilities as outlined, the organization will be permanently prohibited from placing any students in the District.

## TIMELINES

- **Approval of a New Sponsoring Organization**  
All documentation must be complete, submitted, and approved before enrollment deadlines for the semester in which the organization intends to register the student in a CCSD school.
- **Annual Renewal of Approved Sponsoring Organization**  
Documentation for renewal for the next school year must be received before an organization may submit student placement applications.
- **Application for Permission to Enroll a Foreign Exchange Student in CCSD:**
  - **Fall Semester:** Applications are accepted electronically beginning the first Monday in March, through the third Friday in July.
  - The application deadlines are not adjusted for holidays, inclement weather, etc.
  - Any exceptions to these enrollments will be few and will only be made in cases of a documented emergency.

## INFINITE CAMPUS PORTAL (HOST PARENT INSTRUCTIONS AFTER APPROVAL BY CCSD FOREIGN EXCHANGE OFFICE)

### General instructions for host families with students enrolled in CCSD

- Access the Parent Portal website at <https://campus.ccsd.net/campus/portal/clark.jsp> with the credentials provided by the Parent Portal Liaison.
- After logging into the Parent Portal, click on the Online Registration PARENTS ONLY link at the bottom left side of the screen.
- Choose the appropriate registration year from the dropdown menu and begin the registration process (registration for the upcoming school year is open April through September).
- Add the foreign exchange student as a "Student" shown in the picture below.

Infinite Campus Online Registration

Application Number 468971

\* Indicates a required field

✓ Student(s) Primary Household > ✓ Parent/Guardian > ✓ Emergency Contact > ✓ Other Family Members > ✓ Student > Review > Staff Approval

Application Review

Household

The Home Address record is linked to a Campus record. HouseholdID 414814 will be updated when the application is posted.

Override HouseholdID

For technical assistance, contact the Portal Liaison at the foreign exchange student's school during school hours. You may also email [portalsupport@interact.ccsd.net](mailto:portalsupport@interact.ccsd.net), or call the Portal Help Desk at 702-799-PORT (702-799-7678), Monday-Friday between the hours of 6:00 AM-6:00 PM PST.

### General instructions for host families with no students enrolled in CCSD

- Go to <http://www.ccsd.net/parents/online-registration.php>.
- Scroll down to "New to CCSD District Students" as shown here:



- Follow the instructions to create an account.
  - **Important Note: write down the “Confirmation Number” as this will be needed to edit the account and for the zoned school to connect the account to the foreign exchange student.**
- Registration of foreign exchanges students for the upcoming school year is open April through September.
- Add the foreign exchange student as a “Student” as shown in the picture below.

**Infinite Campus Online Registration**

Application Number: 468971

\* Indicates a required field

Progress bar: ✓ Student(s) Primary Household > ✓ Parent/Guardian > ✓ Emergency Contact > **Not Here** Other Family Members > **Here** Student > Review > Staff Approval

**Application Review**

**Household**

The Home Address record is linked to a Campus record. HouseholdID 414814 will be updated when the application is posted.

[Override HouseholdID](#)

For technical assistance, email [portalsupport@interact.ccsd.net](mailto:portalsupport@interact.ccsd.net), or call the Portal Help Desk at 702-799-PORT (702-799-7678), Monday-Friday between the hours of 6:00 AM-6:00 PM PST.



## APPENDIX A: US STATE DEPARTMENT REGULATIONS 22 CFR 62.25

Federal Register / Vol. 75, No. 207 / Wednesday, October 27, 2010 / Rules and Regulations 65981

additional cost of travel for this sponsor representative, which the Department anticipates to not be substantial.

The Department has examined the costs and benefits associated with this rule and declares that educational and cultural exchanges are both the cornerstone of U.S. public diplomacy and an integral component of U.S. foreign policy. The Secondary School Student exchange programs conducted under the authorities of the Exchange Visitor Program promote mutual understanding by providing foreign students the opportunity to study in U.S. high schools while living with American host families. Not only are the students themselves transformed by these experiences, but so too are their families, friends, and teachers in their home countries. By studying and participating in daily student life in the United States, Secondary School Student program participants gain an understanding of and an appreciation for the similarities and differences between their culture and that of the United States. Upon their return home, these students enrich their schools and communities with different perspectives of U.S. culture and events, providing local communities with new and diverse perspectives. Secondary School Student exchanges also foster enduring relationships and lifelong friendships which help build longstanding ties between the people of the United States and other countries. In reciprocal fashion, American secondary school students are provided opportunities to increase their knowledge and understanding of the world through these friendships. Participating schools gain from the experience of having international students in the classroom, at after-school activities, and in their communities. Although the benefits of these exchanges to the United States and its people cannot be monetized, the Department is nonetheless of the opinion that these benefits outweigh the costs associated with this rule.

### *Executive Order 12988*

The Department has reviewed this regulation in light of sections 3(a) and 3(b)(2) of Executive Order 12988 to eliminate ambiguity, minimize litigation, establish clear legal standards, and reduce burden.

### *Executive Orders 12372 and 13132*

This regulation will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in

accordance with section 6 of Executive Order 13132, it is determined that this rule does not have sufficient federalism implications to require consultations or warrant the preparation of a federalism summary impact statement. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities do not apply to this regulation.

### *Paperwork Reduction Act*

The information collection requirements contained in this rulemaking are pursuant to the Paperwork Reduction Act, 44 U.S.C. Chapter 35 and OMB Control Number 1405-0147, Form DS-7000.

### **List of Subjects in 22 CFR Part 62**

Cultural exchange program.

■ Accordingly, 22 CFR part 62 is to be amended as follows:

### **PART 62—EXCHANGE VISITOR PROGRAM**

■ 1. The Authority citation for part 62 is revised to read as follows:

**Authority:** 8 U.S.C. 1101(a)(15)(J), 1182, 1184, 1258; 22 U.S.C. 1431–1442, 2451 *et seq.*; Foreign Affairs Reform and Restructuring Act of 1998, Pub. L. 105–277, Div. G, 112 Stat. 2681 *et seq.*; Reorganization Plan No. 2 of 1977, 3 CFR, 1977 Comp. p. 200; E.O. 12048 of March 27, 1978; 3 CFR, 1978 Comp. p. 168; the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) of 1996, Pub. L. 104–208, Div. C, 110 Stat. 3009–546, as amended; Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (USA PATRIOT ACT) (Pub. L. 107–56), Section 416, 115 Stat. 354; and the Enhanced Border Security and Visa Entry Reform Act of 2002, Pub. L. 107–173; 116 Stat. 543.

■ 2. Section 62.25 is revised to read as follows:

### **§ 62.25 Secondary school students.**

(a) *Purpose.* This section governs Department of State designated exchange visitor programs under which foreign secondary school students are afforded the opportunity to study in the United States at accredited public or private secondary schools for an academic semester or an academic year, while living with American host families or residing at accredited U.S. boarding schools.

(b) *Program sponsor eligibility.* Eligibility for designation as a secondary school student exchange visitor program sponsor is limited to organizations:

(1) With tax-exempt status as conferred by the Internal Revenue Service pursuant to section 501(c)(3) of the Internal Revenue Code; and

(2) Which are United States citizens as such term is defined in § 62.2.

(c) *Program eligibility.* Secondary school student exchange visitor programs designated by the Department of State must:

(1) Require all exchange students to be enrolled and participating in a full course of study at an accredited academic institution;

(2) Allow entry of exchange students for not less than one academic semester (or quarter equivalency) and not more than two academic semesters (or quarter equivalency) duration; and

(3) Ensure that the program is conducted on a U.S. academic calendar year basis, except for students from countries whose academic year is opposite that of the United States. Exchange students may begin an exchange program in the second semester of a U.S. academic year only if specifically permitted to do so, in writing, by the school in which the exchange student is enrolled. In all cases, sponsors must notify both the host family and school prior to the exchange student's arrival in the United States whether the placement is for an academic semester, an academic year, or a calendar year.

(d) *Program administration.* Sponsors must ensure that all organizational officers, employees, representatives, agents, and volunteers acting on their behalf:

(1) Are adequately trained. Sponsors must administer training for local coordinators that specifically includes, at a minimum, instruction in: Conflict resolution; procedures for handling and reporting emergency situations; awareness or knowledge of child safety standards; information on sexual conduct codes; procedures for handling and reporting allegations of sexual misconduct or any other allegations of abuse or neglect; and the criteria to be used to screen potential host families and exercise good judgment when identifying what constitutes suitable host family placements. In addition to their own training, sponsors must ensure that all local coordinators complete the Department of State mandated training module prior to their appointment as a local coordinator or assumption of duties. The Department of State training module will include instruction designed to provide a comprehensive understanding of the Exchange Visitor Program; its public diplomacy objectives; and the Secondary School Student category rules and regulations. Sponsors must demonstrate the individual's successful completion of all initial training



requirements and that annual refresher training is also successfully completed.

(2) Are adequately supervised. Sponsors must create and implement organization-specific standard operating procedures for the supervision of local coordinators designed to prevent or deter fraud, abuse, or misconduct in the performance of the duties of these employees/agents/volunteers. They must also have sufficient internal controls to ensure that such employees/agents/volunteers comply with such standard operating procedures.

(3) Have been vetted annually through a criminal background check (which must include a search of the Department of Justice's National Sex Offender Public Registry);

(4) Place no exchange student with his or her relatives;

(5) Make no exchange student placement beyond 120 miles of the home of the local coordinator authorized to act on the sponsor's behalf in both routine and emergency matters arising from that exchange student's participation in the Exchange Visitor Program;

(6) Make no monetary payments or other incentives to host families;

(7) Provide exchange students with reasonable access to their natural parents and family by telephone and e-mail;

(8) Make certain that the exchange student's government issued documents (i.e., passports, Forms DS-2019) are not removed from his/her possession;

(9) Conduct the host family orientation after the host family has been fully vetted and accepted;

(10) Refrain, without exception, from acting as:

(i) Both a host family and a local coordinator or area supervisor for an exchange student;

(ii) A host family for one sponsor and a local coordinator for another sponsor; or

(iii) A local coordinator for any exchange student over whom he/she has a position of trust or authority such as the student's teacher or principal. This requirement is not applicable to a boarding school placement.

(11) Maintain, at minimum, a monthly schedule of personal contact with the exchange student. The first monthly contact between the local coordinator and the exchange student must be in person. All other contacts may take place in-person, on the phone, or via electronic mail and must be properly documented. The sponsor is responsible for ensuring that issues raised through such contacts are promptly and appropriately addressed.

(12) That a sponsor representative other than the local coordinator who recruited, screened and selected the host family visit the exchange student/ host family home within the first or second month following the student's placement in the home.

(13) Maintain, at a minimum, a monthly schedule of personal contact with the host family. At least once during the fall semester and at least once during the spring semester, (i.e., twice during the academic year) the contact by the local coordinator with the host family must be in person. All other contacts may take place in person, on the phone, or via electronic mail and must be properly documented. The sponsor is responsible for ensuring the issues raised through such contacts are promptly and appropriately addressed.

(14) That host schools are provided contact information for the local organizational representative (including name, direct phone number, and e-mail address), the program sponsor, and the Department's Office of Designation; and

(15) Adhere to all regulatory provisions set forth in this Part and all additional terms and conditions governing program administration that the Department may impose.

(e) *Student selection.* In addition to satisfying the requirements of § 62.10(a), sponsors must ensure that all participants in a designated secondary school student exchange visitor program:

(1) Are secondary school students in their home countries who have not completed more than 11 years of primary and secondary study, exclusive of kindergarten; or are at least 15 years of age, but not more than 18 years and six months of age as of the program start date;

(2) Demonstrate maturity, good character, and scholastic aptitude; and

(3) Have not previously participated in an academic year or semester secondary school student exchange program in the United States or attended school in the United States in either F-1 or J-1 visa status.

(f) *Student enrollment.* (1) Sponsors must secure prior written acceptance for the enrollment of any exchange student in a United States public or private secondary school. Such prior acceptance must:

(i) Be secured from the school principal or other authorized school administrator of the school or school system that the exchange student will attend; and

(ii) Include written arrangements concerning the payment of tuition or waiver thereof if applicable.

(2) Under no circumstance may a sponsor facilitate the entry into the United States of an exchange student for whom a written school placement has not been secured.

(3) Under no circumstance may a sponsor charge a student private school tuition if such arrangements are not finalized in writing prior to the issuance of Form DS-2019.

(4) Sponsors must maintain copies of all written acceptances for a minimum of three years and make such documents available for Department of State inspection upon request.

(5) Sponsors must provide the school with a translated "written English language summary" of the exchange student's complete academic course work prior to commencement of school, in addition to any additional documents the school may require. Sponsors must inform the prospective host school of any student who has completed secondary school in his/her home country.

(6) Sponsors may not facilitate the enrollment of more than five exchange students in one school unless the school itself has requested, in writing, the placement of more than five students from the sponsor.

(7) Upon issuance of a Form DS-2019 to a prospective participant, the sponsor accepts full responsibility for securing a school and host family placement for the student, except in cases of voluntary student withdrawal or visa denial.

(g) *Student orientation.* In addition to the orientation requirements set forth at § 62.10, all sponsors must provide exchange students, prior to their departure from their home countries, with the following information:

(1) A summary of all operating procedures, rules, and regulations governing student participation in the exchange visitor program along with a detailed summary of travel arrangements;

(2) A copy of the Department's welcome letter to exchange students;

(3) Age and language appropriate information on how to identify and report sexual abuse or exploitation;

(4) A detailed profile of the host family with whom the exchange student will be placed. The profile must state whether the host family is either a permanent placement or a temporary-arrival family;

(5) A detailed profile of the school and community in which the exchange student will be placed. The profile must state whether the student will pay tuition; and

(6) An identification card, that lists the exchange student's name, United States host family placement address



and telephone numbers (landline and cellular), sponsor name and main office and emergency telephone numbers, name and telephone numbers (landline and cellular) of the local coordinator and area representative, the telephone number of Department's Office of Designation, and the Secondary School Student program toll free emergency telephone number. The identification card must also contain the name of the health insurance provider and policy number. Such cards must be corrected, reprinted, and reissued to the student if changes in contact information occur due to a change in the student's placement.

(h) *Student extra-curricular activities.* Exchange students may participate in school sanctioned and sponsored extra-curricular activities, including athletics, if such participation is:

(1) Authorized by the local school district in which the student is enrolled; and

(2) Authorized by the state authority responsible for determination of athletic eligibility, if applicable. Sponsors shall not knowingly be party to a placement (inclusive of direct placements) based on athletic abilities, whether initiated by a student, a natural or host family, a school, or any other interested party.

(3) Any placement in which either the student or the sending organization in the foreign country is party to an arrangement with any other party, including receiving school personnel, whereby the student will attend a particular school or live with a particular host family must be reported to the particular school and the National Federation of State High School Associations prior to the first day of classes.

(i) *Student employment.* Exchange students may not be employed on either a full or part-time basis but may accept sporadic or intermittent employment such as babysitting or yard work.

(j) *Host family application and selection.* Sponsors must adequately screen and select all potential host families and at a minimum must:

(1) Provide potential host families with a detailed summary of the Exchange Visitor Program and of their requirements, obligations and commitment to host;

(2) Utilize a standard application form developed by the sponsor that includes, at a minimum, all data fields provided in Appendix F, "Information to be Collected on Secondary School Student Host Family Applications". The form must include a statement stating that: "The income data collected will be used solely for the purposes of determining that the basic needs of the exchange

student can be met, including three quality meals and transportation to and from school activities." Such application form must be signed and dated at the time of application by all potential host family applicants. The host family application must be designed to provide a detailed summary and profile of the host family, the physical home environment (to include photographs of the host family home's exterior and grounds, kitchen, student's bedroom, bathroom, and family or living room), family composition, and community environment. Exchange students are not permitted to reside with their relatives.

(3) Conduct an in-person interview with all family members residing in the home where the student will be living;

(4) Ensure that the host family is capable of providing a comfortable and nurturing home environment and that the home is clean and sanitary; that the exchange student's bedroom contains a separate bed for the student that is neither convertible nor inflatable in nature; and that the student has adequate storage space for clothes and personal belongings, reasonable access to bathroom facilities, study space if not otherwise available in the house and reasonable, unimpeded access to the outside of the house in the event of a fire or similar emergency. An exchange student may share a bedroom, but with no more than one other individual of the same sex.

(5) Ensure that the host family has a good reputation and character by securing two personal references from within the community from individuals who are not relatives of the potential host family or representatives of the sponsor (i.e., field staff or volunteers), attesting to the host family's good reputation and character;

(6) Ensure that the host family has adequate financial resources to undertake hosting obligations and is not receiving needs-based government subsidies for food or housing;

(7) Verify that each member of the host family household 18 years of age and older, as well as any new adult member added to the household, or any member of the host family household who will turn eighteen years of age during the exchange student's stay in that household, has undergone a criminal background check (which must include a search of the Department of Justice's National Sex Offender Public Registry);

(8) Maintain a record of all documentation on a student's exchange program, including but not limited to application forms, background checks, evaluations, and interviews, for all selected host families for a period of

three years following program completion; and

(9) Ensure that a potential single adult host parent without a child in the home undergoes a secondary level review by an organizational representative other than the individual who recruited and selected the applicant. Such secondary review should include demonstrated evidence of the individual's friends or family who can provide an additional support network for the exchange student and evidence of the individual's ties to his/her community. Both the exchange student and his or her natural parents must agree in writing in advance of the student's placement with a single adult host parent without a child in the home.

(k) *Host family orientation.* In addition to the orientation requirements set forth in § 62.10, sponsors must:

(1) Inform all host families of the philosophy, rules, and regulations governing the sponsor's exchange visitor program, including examples of "best practices" developed by the exchange community;

(2) Provide all selected host families with a copy of the Department's letter of appreciation to host families;

(3) Provide all selected host families with a copy of Department of State-promulgated Exchange Visitor Program regulations;

(4) Advise all selected host families of strategies for cross-cultural interaction and conduct workshops to familiarize host families with cultural differences and practices; and

(5) Advise host families of their responsibility to inform the sponsor of any and all material changes in the status of the host family or student, including, but not limited to, changes in address, finances, employment and criminal arrests.

(l) *Host family placement.* (1) Sponsors must secure, prior to the student's departure from his or her home country, a permanent or arrival host family placement for each exchange student participant. Sponsors may not:

(i) Facilitate the entry into the United States of an exchange student for whom a host family placement has not been secured;

(ii) Place more than one exchange student with a host family without the express prior written consent of the host family, the natural parents, and the students being placed. Under no circumstance may more than two exchange students be placed with a host family, or in the home of a local coordinator, regional coordinator, or volunteer. Sponsors may not place students from the same countries or



with the same native languages in a single home.

(2) Prior to the student's departure from his or her home country, sponsors must advise both the exchange student and host family, in writing, of the respective family compositions and backgrounds of each, whether the host family placement is a permanent or arrival placement, and facilitate and encourage the exchange of correspondence between the two.

(3) In the event of unforeseen circumstances that necessitate a change of host family placement, the sponsor must document the reason(s) necessitating such change and provide the Department of State with an annual statistical summary reflecting the number and reason(s) for such change in host family placement in the program's annual report.

(m) *Advertising and Marketing for the recruitment of host families.* In addition to the requirements set forth in § 62.9 in advertising and promoting for host family recruiting, sponsors must:

(1) Utilize only promotional materials that professionally, ethically, and accurately reflect the sponsor's purposes, activities, and sponsorship;

(2) Not publicize the need for host families via any public media with announcements, notices, advertisements, etc. that are not sufficiently in advance of the exchange student's arrival, appeal to public pity or guilt, imply in any way that an exchange student will be denied participation if a host family is not found immediately, or identify photos of individual exchange students and include an appeal for an immediate family;

(3) Not promote or recruit for their programs in any way that compromises the privacy, safety or security of participants, families, or schools. Specifically, sponsors shall not include personal student data or contact information (including addresses, phone numbers or email addresses) or photographs of the student on Web sites or in other promotional materials; and

(4) Ensure that access to exchange student photographs and personally identifying information, either online or in print form, is only made available to potential host families who have been fully vetted and selected for program participation. Such information, if available online, must also be password protected.

(n) *Reporting requirements.* Along with the annual report required by regulations set forth at § 62.15, sponsors must file with the Department of State the following information:

(1) Sponsors must immediately report to the Department any incident or allegation involving the actual or alleged sexual exploitation or any other allegations of abuse or neglect of an exchange student. Sponsors must also report such allegations as required by local or state statute or regulation. Failure to report such incidents to the Department and, as required by state law or regulation, to local law enforcement authorities shall be grounds for the suspension and revocation of the sponsor's Exchange Visitor Program designation;

(2) A report of all final academic year and semester program participant placements by August 31 for the upcoming academic year or January 15 for the Spring semester and calendar year. The report must be in the format directed by the Department and must include at a minimum, the exchange student's full name, Form DS-2019 number (SEVIS ID #), host family placement (current U.S. address), school (site of activity) address, the local coordinator's name and zip code, and other information the Department may request; and

(3) A report of all situations which resulted in the placement of an exchange student with more than one host family or in more than one school. The report must be in a format directed by the Department and include, at a minimum, the exchange student's full name, Form DS-2019 number (SEVIS ID #), host family placements (current U.S. address), schools (site of activity address), the reason for the change in placement, and the date of the move. This report is due by July 31 for the previous academic school year.

A new Appendix F is added to Part 62, as follows:

#### **Appendix F to Part 62—Information To Be Collected on Secondary School Student Host Family Applications**

##### **Basic Family Information:**

- a. Host Family Member—Full name and relationship (children and adults) either living full-time or part-time in the home or who frequently stay at the home)
- b. Date of Birth (DOB) of all family members
- c. Street Address
- d. Contact information (telephone; e-mail address) of host parents
- e. Employment—employer name, job title, and point of contact for each working resident of the home
- f. Is the residence the site of a functioning business? (e.g., daycare, farm)
- g. Description of each household member (e.g., level of education, profession, interests, community involvement, and relevant behavioral or other characteristics of such household members that could affect the

successful integration of the exchange visitor into the household)

h. Has any member of your household ever been charged with any crime?

##### **Household Pets:**

- a. Number of Pets
- b. Type of Pets

##### **Financial Resources:**

- a. Average Annual Income Range: Less than \$25,000; \$25,000–\$35,000; \$35,000–\$45,000; \$45,000–\$55,000; \$55,000–\$65,000; \$65,000–\$75,000; and \$75,000 and above.

Note: The form must include a statement stating that: "The income data collected will be used solely for the purposes of ensuring that the basic needs of the exchange students can be met, including three quality meals and transportation to and from school activities"

b. Describe if anyone residing in the home receives any kind of public assistance (financial needs-based government subsidies for food or housing)

c. Identify those personal expenses expected to be covered by the student

##### **Diet:**

a. Does anyone in the family follow any dietary restrictions? (Y/N)

If yes, describe:

b. Do you expect the student to follow any dietary restrictions? (Y/N)

If yes, describe:

c. Would you feel comfortable hosting a student who follows a particular dietary restriction (ex. Vegetarian, Vegan, etc.)? (Y/N)

d. Would the family provide three (3) square meals daily?

##### **High School Information:**

a. Name and address of school (private or public school)

b. Name, address, e-mail and telephone number of school official

c. Approximate size of the school student body

d. Approximate distance between the school and your home

e. Approximate start date of the school year

f. How will the exchange student get to the school (e.g. bus, carpool, walk)?

g. Would the family provide special transportation for extracurricular activities after school or in the evenings, if required?

h. Which, if any, of your family's children, presently attend the school in which the exchange visitor is enrolled?

If applicable list sports/clubs/activities, if any, your child(ren) participate(s) in at the school

i. Does any member of your household work for the high school in a coaching/teaching/or administrative capacity?

j. Has any member of your household had contact with a coach regarding the hosting of an exchange student with particular athletic ability?

If yes, please describe the contact and sport.

##### **Community Information:**

a. In what type of community do you live (e.g.: Urban, Suburban, Rural, Farm)

b. Population of community

c. Nearest Major City (Distance and population)

d. Nearest Airport (Distance)

e. City or town website

f. Briefly describe your neighborhood and community



g. What points of interest are near your area (parks, museums, historical sites)?

h. Areas in or near neighborhood to be avoided?

Home Description:

a. Describe your type of home (e.g. single family home, condominium, duplex, apartment, mobile home) and include photographs of the host family home's exterior and grounds, kitchen, student's bedroom, student's bathroom, and family and living areas.

b. Describe Primary Rooms and Bedrooms

c. Number of Bathrooms

d. Will the exchange student share a bedroom? (Y/N)

If yes, with which household resident?

e. Describe the student's bedroom

f. Describe amenities to which the student has access

g. Utilities

Family Activities:

a. Language spoken in home

b. Please describe activities and/or sports each family member participates in: (e.g., camping, hiking, dance, crafts, debate, drama, art, music, reading, soccer, baseball, horseback riding)

c. Describe your expectations regarding the responsibilities and behavior of the student while in your home (e.g., homework, household chores, curfew (school night and weekend), access to refrigerator and food, drinking of alcoholic beverages, driving, smoking, computer/Internet/E-Mail)

Would you be willing voluntarily to inform the exchange visitor in advance of any religious affiliations of household members? (Y/N)

Would any member of the household have difficulty hosting a student whose religious beliefs were different from their own? (Y/N)  
Note: A host family may want the exchange visitor to attend one or more religious services or programs with the family. The exchange visitor cannot be required to do so, but may decide to experience this facet of U.S. culture at his or her discretion.

How did you learn about being a host family?

References:

Dated: October 21, 2010.

**Sally J. Lawrence,**

*Director, Office of Designation, Bureau of Educational and Cultural Affairs, Department of State.*

[FR Doc. 2010-27200 Filed 10-26-10; 8:45 am]

**BILLING CODE 4710-05-P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[Docket No. USCG-2010-0901]

RIN 1625-AA00

#### Safety Zone: Epic Roasthouse Private Party Firework Display, San Francisco, CA

**AGENCY:** Coast Guard, DHS.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a temporary safety zone in the navigable waters of San Francisco Bay 1,000 yards off Epic Roasthouse Restaurant, San Francisco, CA during a fireworks display in support of the Epic Roasthouse Private Party. This safety zone is established to ensure the safety of participants and spectators from the dangers associated with the pyrotechnics. Unauthorized persons and vessels are prohibited from entering into, transiting through, or remaining in the safety zone without permission from the Captain of the Port or her designated representative.

**DATES:** This rule is effective from 10:45 a.m. through 9:30 p.m. on November 5, 2010.

**ADDRESSES:** Documents indicated in this preamble as being available in the docket are part of docket USCG-2010-0901 and are available online by going to <http://www.regulations.gov>, inserting USCG-2010-0901 in the "Keyword" box, and then clicking "Search." They are also available for inspection or copying at the Docket Management Facility (M-30), U.S. Department of Transportation, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this temporary rule, call or e-mail Ensign Liz Ellerson, U.S. Coast Guard Sector San Francisco; telephone 415-399-7436, e-mail [D11-PF-MarineEvents@uscg.mil](mailto:D11-PF-MarineEvents@uscg.mil). If you have questions on viewing the docket, call Renee V. Wright, Program Manager, Docket Operations, telephone 202-366-9826.

#### SUPPLEMENTARY INFORMATION:

##### Regulatory Information

The Coast Guard is issuing this temporary final rule without prior notice and opportunity to comment pursuant to authority under section 4(a) of the Administrative Procedure Act

(APA) (5 U.S.C. 553(b)). This provision authorizes an agency to issue a rule without prior notice and opportunity to comment when the agency for good cause finds that those procedures are "impracticable, unnecessary, or contrary to the public interest." Under 5 U.S.C. 553(b)(B), the Coast Guard finds that it would be impracticable to publish a notice of proposed rulemaking (NPRM) with respect to this rule because the event would occur before the rulemaking process would be completed. Because of the dangers posed by the pyrotechnics used in this fireworks display, the safety zone is necessary to provide for the safety of event participants, spectators, spectator craft, and other vessels transiting the event area. For the safety concerns noted, it is in the public interest to have these regulations in effect during the event.

##### Basis and Purpose

The Epic Roasthouse Private Party is scheduled to take place on November 5, 2010, on the navigable waters of San Francisco Bay, 1,000 yards off Epic Roasthouse Restaurant, San Francisco, CA. The fireworks display is meant for entertainment purposes. This safety zone is issued to establish a temporary restricted area on the waters surrounding the fireworks launch site during loading of the pyrotechnics, and during the fireworks display. This restricted area around the launch site is necessary to protect spectators, vessels, and other property from the hazards associated with the pyrotechnics on the fireworks barges. The Coast Guard has granted the event sponsor a marine event permit for the fireworks display.

##### Discussion of Rule

During the set up of the fireworks and until the start of the fireworks display, the temporary safety zone applies to the navigable waters around the fireworks site within a radius of 100 feet. From 8:45 p.m. until 9:30 p.m., the area to which the temporary safety zone applies will increase in size to encompass the navigable waters around the fireworks site within a radius of 1,000 feet.

The effect of the temporary safety zone will be to restrict navigation in the vicinity of the fireworks site while the fireworks are set up, and until the conclusion of the scheduled display. Except for persons or vessels authorized by the Coast Guard Patrol Commander, no person or vessel may enter or remain in the restricted area. These regulations are needed to keep spectators and vessels away from the immediate vicinity of the fireworks barge to ensure



## **APPENDIX B: CSIET STANDARDS**



### **CSIET Standards for Long-Term, Inbound International Student Exchange Program**

**Note:** For Long-Term Outbound activity, please reference the Long-Term, Inbound Standards along with the following supplemental guideline:

- Outbound Student Registry: Programs must register U.S. students traveling abroad with the U.S. consulate or embassy.

These standards are intended for use in evaluating inbound international student exchange programs of eight or more weeks' duration.

**Agent:** Individual or organization authorized to represent or act on behalf of the organization in administering one or more aspects of the program, for example, an overseas partner.

**Organization:** Entity that sponsors international student exchange activities.

**Program:** Organized international student exchange activity that begins with participant recruitment and selection, includes the components outlined in the standards that follow, and terminates when the participant returns to his or her point of origin or otherwise severs the relationship with the program sponsor. Programs applying for CSIET listing must have a minimum of one current international student exchange participant in each cycle that is being evaluated for each program (*i.e. J-1/F-1 inbound*).

**Volunteer:** 1. A representative who is compensated for out-of-pocket expenses only. If a representative receives regular compensation, such as a per student placement fee, this individual cannot be considered a volunteer. 2. A host family that provides room and board gratis to a student.

**Federal Waivers:** The CSIET Board of Directors has ruled that if the State Department or an agency of the U.S. government provides an exception that may affect compliance with CSIET standards, the organization to which the waiver has been granted may operate under that exemption upon written presentation of such waiver to CSIET upon application for CSIET listing.

#### **STANDARD 1: EDUCATIONAL PERSPECTIVE**

- A. Programs shall be designed to fulfill educational purposes related to an international experience.
- B. The organization sponsoring the program shall have clearly established goals and learning objectives to fulfill the educational purposes of its programs.

#### **STANDARD 2: ORGANIZATIONAL PROFILE**

- A. The structure and administration of the organization shall be clearly defined.
- B. The organization shall have the personnel needed to administer its programs effectively.
  - 1. The organization is accountable for the full scope of the programs it administers, including actions taken and representations made by its agents, and maintains responsibility for its students both within the United States and abroad.
  - 2. The organization shall maintain direct, hands-on control of the placement and supervision of inbound students and the hiring, firing, and remuneration of local representatives. It may not enter into a relationship with another entity that appears to exercise such control.
- C. The organization shall be organized under the laws of one of the 50 states of the United States or the District of Columbia.
- D. The organization shall demonstrate success in international student exchange through at least one full year since its incorporation.

*Supplemental Guideline: Date of Incorporation*

*The CSIET Board of Directors has determined that the intent of this Standard is to ensure that programs have participants on international student exchange for the Evaluation Committee to review in the current cycle. Accordingly, compliance with Standard 2D could be demonstrated if the applying organization documents one year of incorporation by the final Evaluation Committee meeting of the current cycle.*

### STANDARD 3: FINANCIAL RESPONSIBILITY

- A. The organization shall be capable of discharging its financial responsibilities to all participants.
- B. The organization shall have sufficient financial backing to protect all monies paid by participants and to ensure fulfillment of all responsibilities to participants.
- C. The organization shall have an independent Certified Public Accountant annually prepare an audited or review financial statement.

### STANDARD 4: PROMOTION

- A. The organization's promotional materials shall professionally, ethically, and accurately reflect its purposes, activities, and sponsorship.
- B. The organization shall not publicize the need for host families via any public media with announcements, notices, advertisements, etc., that:
  - 1. are not sufficiently in advance of the student's arrival
  - 2. appeal to public pity or guilt
  - 3. imply in any way that a student will be denied participation if a host family is not found
  - 4. identify photos of individual students and include an appeal for an immediate family.

#### Supplemental Guideline: Public Media Advertisements

*CSJET has found the following words or phrases to be unacceptable: Urgently Needed, Don't let me be homeless, This is an emergency...*

*CSJET has found the following words or phrases to be acceptable: Open your hearts and homes, Host an International Exchange Student...*

*It is permissible to use a picture of a student, a first name, age, country of origin, and a composite or generic listing of interests in an advertisement in order to demonstrate the personal nature of the program and the types of interests that students have. It is not permissible to identify that specific student as needing a home, nor is it permissible to refer to a student's athletic ability or accomplishments. Written waivers must be obtained for the use of any student photographs. C.*

The organization shall not promote or recruit for its programs in any way that compromises the privacy, safety or security of participants, families or schools. Specifically, programs shall not include personal student data or contact information (including address, phone or email addresses) on websites or other promotional materials.

- D. All promotional materials/activities shall distinguish the program and the sponsoring organization from others operating under:
  - 1. affiliated or related corporate structures
  - 2. the same or similar names or symbols.

E. The organization shall fully disclose all fees, including school tuition, host family reimbursements, and other required or optional costs to prospective students and their natural families before enrollment. *(If host families provide room and board gratis to the students, publicity should state that fees cover "selection and placement in host families" and not imply in any way that the fees paid by the students cover "room and board.")*

F. Neither the organization nor its agents shall promote its programs as providing opportunities for school immediately athletic participation, high school graduation, driver's education instruction, household domestic service, child care, employment, or other activities that might compromise the student, program, or school. Standard 4F specifically prohibits the organization and its agents *(this includes foreign partners)* from promoting its programs as providing any of the aforementioned activities. The word "promote" as it is used in Standard 4F includes any specific focus on or prominence of pictures and/or text depicting these activities. No prominent pictures and/or text will be considered to be in compliance.

G. The organization shall not state or imply in its promotional materials/activities that persons who are compensated other than out-of-pocket expenses are volunteers.

### STANDARD 5: STUDENT SELECTION AND ORIENTATION

- A. The organization shall screen and select student participants on the basis of criteria appropriate to the program.

#### Supplemental Guideline: Athletic Participation in the United States

*The following statement must be included on either the student application or other written rules documents: "Athletic eligibility or participation is not guaranteed."*

B. Screening procedures shall include personal interviews with student applicants.

C. Selection shall be completed sufficiently in advance of the student's departure to ensure adequate time for preparation and orientation.

D. Students shall be given a suitable orientation before departure and after arrival in the host country, including information on how to identify and report cases of suspected student abuse.

E. All inbound students enrolled in a U.S. high school must have adequate English language proficiency to function successfully.

F. All inbound students enrolled in school must have adequate academic preparation to function successfully.

### STANDARD 6: STUDENT PLACEMENT

- A. For programs that include a homestay, the organization shall:

- 1. select host families on the basis of criteria appropriate to the program.
- 2. personally interview all prospective host families in their home.
- 3. match students and host families on the basis of criteria appropriate to the program
- 4. complete placement arrangements sufficiently in advance of the student's departure from home to ensure adequate time for preparation and orientation of the host family *(Whenever possible, a student should be placed with a host family who has made a long-term commitment to host the student prior to the student's*

departure from his/her home country. In cases where this is not possible, a student may be placed with a short-term host family until long-term arrangements can be made. All short-term families must be selected and oriented according to the same criteria as are long-term families. The short-term nature of the host family placement must be fully disclosed in advance to the student, his/her natural parents, and the school principal and be acceptable to them. Short-term families may, of course, also be utilized when a host family placement has not worked out and a new family must be found).

5. provide suitable orientation and training to the host family (When a family expresses an interest in hosting a student and a representative makes the initial home visit to explain the program, this is not to be considered the "host family orientation." CSJET suggests that host family orientation include information on the student's expectations about family and school life, customs, religion, and mores of the student's native country, the academic program in which the student will be enrolled, potential problems in hosting international exchange students, and suggestions on how to cope with such problems. 6. vet all adult members of the U.S. host family residing in the home through a national criminal background check in the United States.

Supplemental Guideline: Criminal Background Checks in the United States

Criminal background checks must be based on Social Security # and include a search of the

Department of Justice's National Sex Offender Public Registry.

- B. Organizations shall not knowingly be party to a placement (inclusive of direct placements) based on athletic abilities, whether initiated by a student, a natural or host family, a school, or any other interested party. J-VISA Direct Placements must be reported to the particular school and the National Federation of State High School Associations. F-VISA placements must be reported as Direct Placements to the National Federation of State High School Associations only if interscholastic varsity athletics was a known motivating factor at the time of application. An initial/first report is due by August 1st. A final report is due immediately prior to the first day of classes. The reports to the NFHS should clearly delineate the type of VISA.

Supplemental Guideline: J-1 and F-1 Distinction

The CSJET Board of Directors has provided additional guidelines regarding the definition of the term direct placement:

- J-1: A Direct Placement is one in which either the student or the sending organization in the foreign country is party to an arrangement with any other party, including school personnel, for the student to attend a particular school or live with a particular host family; however,
- F-1: The term Direct Placement, in the context of the original J-1 definition, does not apply because federal regulation requires all international students to "apply and be accepted by an SEVP approved school" prior to applying for the F-1 visa. Therefore, in its continuing effort to facilitate the needs of its partners at state associations, CSJET asks that programs provide transparency and report to the NFHS any F-1 student for whom participation in interscholastic varsity athletics was a known motivating factor at the time of application.

The intent of the Board in requiring these placement reports to be sent to the National Federation is to provide each state athletic association with additional information to assist in the determination of athletic eligibility of each international exchange student. Report Format

Reports should be sorted by U.S. state and include the following information:

U.S. State:

Name of Student:

Country of Origin:

Local Rep Name/Number:

Name/City of U.S. Host School:

Nature of the Direct Placement:

Visa Type (J or F):

Reports should be emailed to: [CSJETREPORT@NFHS.ORG](mailto:CSJETREPORT@NFHS.ORG)

- C. For programs that include accommodations other than a homestay, the organization shall:

1. arrange accommodations on the basis of criteria appropriate to the program
2. ensure the adequacy of the accommodations with respect to location, cleanliness, safety, nutrition and supervision
3. confirm the accommodations sufficiently in advance of the student's departure from home. D. For programs that include enrollment in U.S. high schools, the organization shall:
  1. secure written, student-specific acceptance from the school principal or other designated responsibility school administrator prior to the international exchange student's departure from his or her home country.
  2. provide the school with the following information about the student:
    - a. academic history, including
    - i. academic records, translated into English or other language as appropriate
    - ii. number of years of school completed prior to arrival and number of years

- required in home country for the completion of secondary school b. level of English language proficiency
- c. appropriate background information
- e. expectations regarding school experience.

## **STANDARD 7: OPERATIONS**

- A. The organization shall ensure adequate care and supervision of students.
- B. Local representatives of the organization shall maintain regular personal contact with students and host families. *(Contact should be initiated by the organization's representative at least once a month be it by telephone, a visit to the home, personal contact at a gathering or other means. Regular contact, which should be monthly, is to include separate communication with the student and the host family in order to provide each with the opportunity to discuss issues they might not raise in the presence of the other. CSIET expects that there be formal documentation of this contact such as a monthly form, written journal, written log, etc. This is not to imply that representatives have to record every interaction. Rather it is to provide a record for the organization's office of the pattern of student and host family adjustments, activities, and relationships through at least monthly contact with each student and host family.)*
- C. The organization shall notify the student, host family, and/or other supervisor of accommodations regarding the travel itinerary sufficiently in advance of the student's departure from the home country.
- D. The organization shall provide adequate support services at the local level to assist with program-related needs and problems, for example, counseling services, travel, medical care, language problems, changes in host family, emergencies.
- E. The organization shall maintain an effective system of screening (including a national criminal background check for U.S. representatives with direct in-person contact with student participants), selecting, training, and supervising program representatives and group leaders.  
Supplemental Guideline: Criminal Background Checks in the United States  
*Criminal background checks must be based on Social Security # and include a search of the Department of Justice's National Sex Offender Public Registry.*
- F. The organization shall provide all students with an identification card that includes the student's name; the host family's name, address, and telephone; the local representative's name, address, and telephone; the address and telephone of the organization's appropriate national office. G. For programs involving school enrollment, the organization shall maintain regular communication with school authorities.
- H. The organization shall provide an opportunity to the student, host family, and school to participate in a post-exchange evaluation.
- I. The organization shall have in place adequate plans and procedures for dealing with emergency situations that may arise during the program.
- J. The organization shall respond in a timely and appropriate fashion to complaints received from students, families, schools or others concerned with the program and its quality.
- K. For programs utilizing electronic or automated program databases to demonstrate compliance with CSIET Standards, such entries must identify the date and user recording the data. Programs shall also maintain a backup system. To prevent online access to sensitive student information by unauthorized persons, program databases need to be secured by an initial screening prior to issuance of a unique username and password.

## **STANDARD 8: STUDENT INSURANCE**

- A. The organization shall guarantee that every student is covered with adequate health and accident insurance. Such insurance shall:
  - 1. Protect students for the duration of their program
  - 2. Provide for the return of the student to his/her home in the event of serious illness,
- B. The organization shall provide students, host families, and appropriate supervisor(s) with detailed printed information regarding the terms and limits of insurance coverage and procedures for filing a claim.
- C. Compensated officials and employees of the organization shall not receive compensation from the sale of insurance to its participants.

## **STANDARD 9: ADHERENCE TO GOVERNMENT REGULATIONS**

- A. The organization shall comply with all appropriate government regulations regarding international student exchange.
- B. It shall be the responsibility of the organization to notify the Council of any change in status with respect to government designation, acknowledgment, acceptance, endorsement and/or sanction. It shall also be the responsibility of the organization to notify the Council of any current year deficiency in compliance with appropriate governmental regulations.

### Supplemental Guideline: Program Transparency

*Programs shall inform CSIET if they:*

- 1. Cease operation

2. Merge with or become acquired by another organization
3. Receive a notice of intent to sanction, or receive sanction/s (including but not limited to letter of reprimand, probation, suspension, and/or forms reduction) by the US Department of State or any other government agency.

*As revised by the Board of Directors, April 2016*

## **APPENDIX C: NEVADA INTERSCHOLASTIC ATHLETICS ASSOCIATION (NIAA) POLICIES**

NAC 385B.738

NAC 386.795