

2 **SHB 1051** - S COMM AMD
3 By Committee on Education

4 Adopted as Amended 4/15/91 - Voice Vote
5 Strike everything after the enacting clause and insert the
6 following:

7 "NEW SECTION. **Sec. 1.** It is the intent of the legislature to:

8 (1) Promote the health, safety, and welfare of international
9 student exchange visitors in Washington in accordance with uniform
10 national standards;

11 (2) Promote quality education and living experiences for
12 international student exchange visitors living in Washington;

13 (3) Promote international awareness among Washington residents, by
14 encouraging Washington residents to interact with international student
15 exchange visitors;

16 (4) Encourage public confidence in international student exchange
17 visitor placement organizations operating in Washington;

18 (5) Encourage and assist with compliance with United States
19 information agency regulations and nationally established standards;
20 and

21 (6) Promote the existence and quality of international student
22 visitor exchange programs operating in Washington."

23 "NEW SECTION. **Sec. 2.** Unless the context clearly requires
24 otherwise, the definitions in this section apply throughout this
25 chapter.

26 (1) "International student exchange visitor placement organization"
27 or "organization" means a person, partnership, corporation, or other

1 entity that regularly arranges the placement of international student
2 exchange visitors for the purpose, in whole or in part, of allowing the
3 student an opportunity to attend school in the United States.

4 (2) "International student exchange visitor" or "student" means any
5 person eighteen years of age or under, or up to age twenty-one if
6 enrolled or to be enrolled in high school in this state, placed by an
7 international student exchange visitor placement organization, who
8 enters the United States with a nonimmigrant visa."

9 "NEW SECTION. Sec. 3. (1) All international student exchange
10 visitor placement organizations that place students in public schools
11 in the state shall register with the secretary of state.

12 (2) Failure to register is a violation of this chapter.

13 (3) Information provided to the secretary of state under this
14 chapter is a public record.

15 (4) Registration shall not be considered or be represented as an
16 endorsement of the organization by the secretary of state or the state
17 of Washington."

18 "NEW SECTION. Sec. 4. The secretary of state shall adopt
19 standards for international student exchange visitor placement
20 organizations. In adopting the standards, the secretary of state shall
21 strive to adopt standards established by the United States Information
22 Agency and the council on standards for international educational
23 travel and strive to achieve uniformity with national standards. The
24 secretary of state may incorporate standards established by the United
25 States Information Agency or the council on standards for international
26 educational travel by reference and may accept an organization's
27 designation by the United States Information Agency or acceptance for

1 listing by the council on standards for international educational
2 travel as evidence of compliance with such standards."

3 "NEW SECTION. **Sec. 5.** (1) An application for registration as
4 an international student exchange visitor placement organization shall
5 be submitted in the form prescribed by the secretary of state. The
6 application shall include:

7 (a) Evidence that the organization meets the standards established
8 by the secretary of state under section 4 of this act;

9 (b) The name, address, and telephone number of the organization,
10 its chief executive officer, and the person within the organization who
11 has primary responsibility for supervising placements within the state;

12 (c) The organization's unified business identification number, if
13 any;

14 (d) The organization's United States Information Agency number, if
15 any;

16 (e) Evidence of council on standards for international educational
17 travel listing, if any;

18 (f) Whether the organization is exempt from federal income tax; and

19 (g) A list of the organization's placements in Washington for the
20 previous academic year including the number of students placed, their
21 home countries, the school districts in which they were placed, and the
22 length of their placements.

23 (2) The application shall be signed by the chief executive officer
24 of the organization and the person within the organization who has
25 primary responsibility for supervising placements within Washington.
26 If the secretary of state determines that the application is complete,
27 the secretary of state shall file the application and the applicant is
28 registered.

1 (3) International student exchange visitor placement organizations
2 that have registered shall inform the secretary of state of any changes
3 in the information required under subsection (1) of this section within
4 thirty days of the change.

5 (4) Registration under this chapter is valid for one year. The
6 registration may be renewed annually."

7 "NEW SECTION. Sec. 6. The secretary of state may adopt rules
8 as necessary to carry out its duties under this chapter. The rules may
9 include providing for a reasonable registration fee, not to exceed
10 fifty dollars, to defray the costs of processing registrations."

11 "NEW SECTION. Sec. 7. International student exchange
12 organizations that have agreed to provide services to place students in
13 the state shall provide an informational document, in English, to each
14 student, host family, and superintendent of the school district in
15 which the student is being placed. The document shall be provided
16 before placement and shall include the following:

17 (1) An explanation of the services to be performed by the
18 organization for the student, host family, and school district;

19 (2) A summary of this chapter prepared by the secretary of state;

20 (3) Telephone numbers that the student, host family, and school
21 district may call for assistance. The telephone numbers shall include,
22 at minimum, an in-state telephone number for the organization, and the
23 telephone numbers of the organization's national headquarters, if any,
24 the United States Information Agency, and the office of the secretary
25 of state."

26 "NEW SECTION. Sec. 8. The secretary of state may, upon receipt
27 of a complaint regarding an international student exchange

1 organization, report the matter to the organization involved, the
2 United States Information Agency, or the council on standards for
3 international education travel, as he or she deems appropriate."

4 "NEW SECTION. Sec. 9. Any person who violates any provision of
5 this chapter or who willfully and knowingly gives false or incorrect
6 information to the secretary, attorney general, or county prosecuting
7 attorney in filing statements required by this chapter, whether or not
8 such statement or report is verified, is guilty of a misdemeanor
9 punishable under chapter 9A.20 RCW."

10 "NEW SECTION. Sec. 10. The legislature finds that the practices
11 covered by this chapter are matters vitally affecting the public
12 interest for the purpose of applying the consumer protection act,
13 chapter 19.86 RCW. Violations of this chapter are not reasonable in
14 relation to the development and preservation of business. A violation
15 of this chapter is an unfair or deceptive act in trade or commerce and
16 an unfair method of competition for the purpose of applying the
17 consumer protection act, chapter 19.86 RCW."

18 "NEW SECTION. Sec. 11. A new section is added to chapter 28A.300
19 RCW to read as follows:

20 (1) The superintendent of public instruction shall annually make
21 available to school districts and approved private schools, from data
22 supplied by the secretary of state, the names of international student
23 exchange visitor placement organizations registered under chapter
24 19.--- RCW (sections 1 through 10 of this act) to place students in
25 public schools in the state and a summary of the information the
26 organizations have filed with the secretary of state under chapter
27 19.-- RCW (sections 1 through 10 of this act).

1 (2) The superintendent shall provide general information and
2 assistance to school districts regarding international student exchange
3 visitors, including, to the extent feasible with available resources,
4 information on the type of visa required for enrollment, how to promote
5 positive educational experiences for visiting exchange students, and
6 how to integrate exchange students into the school environment to
7 benefit the education of both the exchange students and students in the
8 state."

9 "NEW SECTION. **Sec. 12.** (1) The secretary of state shall create
10 and chair a task force on international student exchange. The task
11 force shall include representatives of the legislature, the office of
12 the superintendent of public instruction, international student
13 exchange visitor placement organizations operating in Washington,
14 school districts, business, exchange students, and other
15 representatives as the secretary deems appropriate. Members shall be
16 selected by the secretary of state.

17 (2) The task force shall, within available resources:

18 (a) Estimate the number of foreign exchange students studying in
19 Washington schools in a given year, and provide summary information
20 about the countries they are from, the school districts in which they
21 are placed, the type of organization placing them, and the students'
22 average length of stay;

23 (b) Estimate the number of public school students from this state
24 who are foreign exchange students in other nations in a given year, and
25 provide summary information about the school districts they are from,
26 the countries in which they are placed, the type of organization
27 placing them, and the students' average length of stay;

1 (c) Investigate ways to promote student and teacher exchanges with
2 K-12 schools in other nations, with an emphasis on sending more
3 Washington students to other nations;

4 (d) Examine reported problems in the international student exchange
5 visitor placement industry operating in the public schools of the state
6 and the effect of sections 1 through 10 of this act on these problems;

7 (e) Examine the adequacy of the fee structure established under
8 section 6 of this act.

9 (3) The task force shall report findings and recommendations to the
10 legislature by December 1, 1992.

11 (4) This section shall expire December 1, 1992."

12 "**Sec. 13.** RCW 28A.300.200 and 1990 c 243 s 9 are each amended to
13 read as follows:

14 To complement RCW 28A.630.230 and chapter 28B.107 RCW, the
15 superintendent of public instruction shall ((encourage school districts
16 to establish exchange programs for teachers with)), subject to
17 available funding, coordinate and sponsor student and teacher exchanges
18 between Washington schools and schools in Pacific Rim nations and other
19 nations. The superintendent may solicit and accept grants and
20 donations from public and private sources for the student and teacher
21 exchange program."

22 "**Sec. 14.** RCW 74.15.020 and 1988 c 176 s 912 are each amended to
23 read as follows:

24 For the purpose of chapter 74.15 RCW and RCW 74.13.031, and unless
25 otherwise clearly indicated by the context thereof, the following terms
26 shall mean:

27 (1) "Department" means the state department of social and health
28 services;

1 (2) "Secretary" means the secretary of social and health services;

2 (3) "Agency" means any person, firm, partnership, association,
3 corporation, or facility which receives children, expectant mothers, or
4 persons with developmental disabilities for control, care, or
5 maintenance outside their own homes, or which places, arranges the
6 placement of, or assists in the placement of children, expectant
7 mothers, or persons with developmental disabilities for foster care or
8 placement of children for adoption, and shall include the following
9 irrespective of whether there is compensation to the agency or to the
10 children, expectant mothers or persons with developmental disabilities
11 for services rendered:

12 (a) "Group-care facility" means an agency, other than a foster-
13 family home, which is maintained and operated for the care of a group
14 of children on a twenty-four hour basis;

15 (b) "Child-placing agency" means an agency which places a child or
16 children for temporary care, continued care, or for adoption;

17 (c) "Maternity service" means an agency which provides or arranges
18 for care or services to expectant mothers, before or during
19 confinement, or which provides care as needed to mothers and their
20 infants after confinement;

21 (d) "Day-care center" means an agency which regularly provides care
22 for a group of children for periods of less than twenty-four hours;

23 (e) "Foster-family home" means an agency which regularly provides
24 care on a twenty-four hour basis to one or more children, expectant
25 mothers, or persons with developmental disabilities in the family abode
26 of the person or persons under whose direct care and supervision the
27 child, expectant mother, or person with a developmental disability is
28 placed;

29 (f) "Crisis residential center" means an agency which is a
30 temporary protective residential facility operated to perform the

1 duties specified in chapter 13.32A RCW, in the manner provided in RCW
2 74.13.032 through 74.13.036.

3 (4) "Agency" shall not include the following:

4 (a) Persons related by blood or marriage to the child, expectant
5 mother, or persons with developmental disabilities in the following
6 degrees: Parent, grandparent, brother, sister, stepparent,
7 stepbrother, stepsister, uncle, aunt, and/or first cousin;

8 (b) Persons who are legal guardians of the child, expectant mother,
9 or persons with developmental disabilities;

10 (c) Persons who care for a neighbor's or friend's child or
11 children, with or without compensation, where the person does not
12 engage in such activity on a regular basis, or where parents on a
13 mutually cooperative basis exchange care of one another's children, or
14 persons who have the care of an exchange student in their own home;

15 (d) A person, partnership, corporation, or other entity that
16 provides placement or similar services to exchange students or
17 international student exchange visitors;

18 (e) Nursery schools or kindergartens which are engaged primarily in
19 educational work with preschool children and in which no child is
20 enrolled on a regular basis for more than four hours per day;

21 ~~((e))~~ (f) Schools, including boarding schools, which are engaged
22 primarily in education, operate on a definite school year schedule,
23 follow a stated academic curriculum, accept only school-age children
24 and do not accept custody of children;

25 ~~((f))~~ (g) Seasonal camps of three months' or less duration
26 engaged primarily in recreational or educational activities;

27 ~~((g))~~ (h) Hospitals licensed pursuant to chapter 70.41 RCW when
28 performing functions defined in chapter 70.41 RCW, nursing homes
29 licensed under chapter 18.51 RCW and boarding homes licensed under
30 chapter 18.20 RCW;

1 ~~((h))~~ (i) Licensed physicians or lawyers;

2 ~~((i))~~ (j) Facilities providing care to children for periods of
3 less than twenty-four hours whose parents remain on the premises to
4 participate in activities other than employment;

5 ~~((j))~~ (k) Facilities approved and certified under chapter 71A.22
6 RCW;

7 ~~((k))~~ (l) Any agency having been in operation in this state ten
8 years prior to June 8, 1967, and not seeking or accepting moneys or
9 assistance from any state or federal agency, and is supported in part
10 by an endowment or trust fund;

11 ~~((l))~~ (m) Persons who have a child in their home for purposes of
12 adoption, if the child was placed in such home by a licensed child-
13 placing agency, an authorized public or tribal agency or court or if a
14 replacement report has been filed under chapter 26.33 RCW and the
15 placement has been approved by the court;

16 ~~((m))~~ (n) An agency operated by any unit of local, state, or
17 federal government or an agency, located within the boundaries of a
18 federally recognized Indian reservation, licensed by the Indian tribe;

19 ~~((n))~~ (o) An agency located on a federal military reservation,
20 except where the military authorities request that such agency be
21 subject to the licensing requirements of this chapter.

22 (5) "Requirement" means any rule, regulation or standard of care to
23 be maintained by an agency."

24 "NEW SECTION. Sec. 15. Sections 1 through 10 of this act shall
25 constitute a new chapter in Title 19 RCW."

26 "NEW SECTION. Sec. 16. If any provision of this act or its
27 application to any person or circumstance is held invalid, the

