

HOUSE BILL REPORT

SHB 1051

As Amended by the Senate

Title: An act relating to international student exchange programs.

Brief Description: Requiring international student exchange visitor placement organizations to be registered.

Sponsor(s): By House Committee on Higher Education (originally sponsored by Representatives Fraser, Forner, Prince, Jacobsen, Van Luven, Peery, Brough, Miller, Cantwell, Basich, Valle, Ogden, Dellwo, Wood, Ludwig, Sheldon, Morris, Tate, Ferguson, Silver, May, Ballard, Bowman, Haugen, Brumsickle, Jones, Broback, R. King, Mitchell, McLean and Winsley).

Brief History:

Reported by House Committee on:
Higher Education, January 31, 1991, DPS;
Passed House, March 8, 1991, 96-0;
Amended by Senate.

**HOUSE COMMITTEE ON
HIGHER EDUCATION**

Majority Report: *That Substitute House Bill No. 1051 be substituted therefor, and the substitute bill do pass.*
Signed by 13 members: Representatives Jacobsen, Chair; Ogden, Vice Chair; Wood, Ranking Minority Member; May, Assistant Ranking Minority Member; Basich; Dellwo; Fraser; Ludwig; Miller; Prince; Sheldon; Spanel; and Van Luven.

Staff: Marilee Scarbrough (786-7196).

Background: Currently, the state of Washington does not require organizations which place international exchange student visitors in public schools to register. Many questions and concerns have arisen over the past several months concerning organizations who place students in Washington. Some of the problems in Washington included recruiting of host families in shopping center parking lots, foreign students seeking enrollment with a lack of English speaking skills, students not having a local representative to contact in their area, misrepresentation of the medical condition of a foreign exchange student and sexual abuse of a foreign student.

Two organizations currently exist which set standards for international travel and monitor compliance with those standards. Those organizations are the United States Information Agency and the Council on Standards for International Education. The United States Information Agency (USIA) is the federal agency which issues the IAP-66 forms which are necessary for the international student to obtain a J-1 visa. Prior to designation and issuance of the IAP-66 forms, USIA requires an organization to meet a set of standards. Those standards address a wide range of issues including selection of students, orientation of students and host families, health and accident insurance, acceptance of students, employment of students, and supervision of the sponsor.

The Council on Standards for International Educational Travel (CSIET) was created in December 1984. CSIET was created after a study by the Council of Chief State School Officers, assessed the need for industry-wide exchange standards and pointed out a number of problems and potential problems in the exchange and international educational travel field. Representatives of a group of educational associations, community/volunteer based groups and exchange program sponsors then met in 1984 to consider and develop standards and a system of program evaluation. CSIET sets standards for international travel programs, evaluates travel programs, and publishes an advisory list of international educational travel and exchange programs as a service to schools and prospective international high school programs.

Summary of Bill: The Office of Superintendent of Public Instruction is given the responsibility of maintaining a registry of international student exchange visitor placement organizations who place students in Washington public schools. It is unlawful for an international student exchange placement organization to place students in Washington public schools unless the organization is registered with the superintendent and meets one of the following criteria: (1) is designated as qualified by USIA; (2) is listed with the Council on Standards for International Educational Travel; or (3) is an organization, approved by the superintendent, to place students in Washington public schools. It is a misdemeanor for organizations to place students in Washington state in violation of these provisions.

The superintendent will notify the public and private schools which organizations are eligible to place in Washington public schools. The superintendent will provide organizations a summary of this legislation.

The information required in the registration form is outlined. That information includes: (1) the name, address, and telephone number of the person within the organization responsible for placement; (2) the name, address and telephone number of the organization and of its chief executive officer; (3) the organizations unified business identification number; and (4) information on whether the organization belongs to CSIET or USIA. The superintendent may require additional information as necessary to carry out the functions assigned to the superintendent.

The superintendent will provide a leadership information role to public school districts regarding international student exchange visitors. The superintendent will forward complaints about an organization to the organization involved. When appropriate, the superintendent will notify USIA or CSIET of complaints.

There is a legislative finding that unfair or deceptive acts or practices in trade or commerce related to the placement of or contracting for services to international student exchange visitors are violations of the Consumer Protection Act. Three additional practices are listed as unfair or deceptive acts affecting the public interest. They are misrepresentations regarding future services, misrepresentations regarding the host home, and placing a student in violation of section 3 of the act.

The child care agency licensing statute is clarified. Organizations which place exchange students or international student exchange visitors are specifically excluded from the definition of agency used in the child care licensing statute. Therefore, international student exchange visitor placement organizations are not subject to licensing by the Secretary of Social and Health Services.

EFFECT OF SENATE AMENDMENT(S): International student exchange visitor placement organizations must register with the secretary of state rather than the superintendent of public instruction. Registration is not considered an endorsement by the secretary of state or the State, but all organizations that regularly place international exchange students in Washington public schools must register. Failure to register is a misdemeanor.

The secretary of state will adopt standards which the organizations must meet to be eligible for registration. In adopting the standards, the secretary will strive to adopt USIA and CSIET standards and will strive to achieve uniformity with national standards. The secretary of state may incorporate standards established by USIA and CSIET by

reference. A designation by USIA or a listing by CSIET may also be accepted as evidence of compliance with the standards adopted by the secretary of state.

Additional information must be filed to register, including whether the organization is exempt from federal income tax, and a list of the organization's placements in Washington for the previous academic year, including the number of students placed, their home countries, the school districts in which they were placed, and the length of their placements. The secretary of state may charge fees not to exceed \$50 to defray the cost of processing the registrations.

The student exchange organizations must provide their exchange students, host families, and superintendent of the school district in which the student is being placed an informational document regarding services to be provided and telephone numbers for assistance.

Placing students without being registered, deliberately providing false registration information, and deliberately failing to provide students, host families, and school districts the information prescribed is a misdemeanor. The consumer protection provisions are clarified.

The amendment requires the superintendent of public instruction (SPI) to annually make available to schools summary information about registered international student exchange visitor placement organizations and general information and assistance to school districts regarding international student exchange visitors.

The superintendent of public instruction is also authorized to coordinate and sponsor student and teacher exchanges between Washington schools and schools in Pacific Rim nations and other nations, subject to available funding.

A Task Force on International Student Exchange is created to be chaired by the secretary of state. The task force will estimate the number of exchange students going to and from Washington, investigate ways to promote international student and teacher exchanges, with an emphasis on sending more Washington students to other nations, examine reported problems in the industry and the effect of the act on those problems, and examine the adequacy of the fee structure established in the act. The task force shall report its findings and recommendations to the Legislature by December 1, 1991.

Fiscal Note: Requested January 18, 1991.

Effective Date: This act shall take effect January 1, 1992.

Testimony For: The legislation is necessary because of the increasing number of complaints from international exchange students. The demographics of the country and the world are changing. The legislation will provide regulation for international exchange students in Washington state. Standards adopted by Washington state should be consistent with uniform national standards. The legislation provides safety and accountability to the international exchange visitor placement programs in Washington state. The legislation will help students and help schools provide a better service. The provisions requiring the superintendent to provide a leadership role for international student exchange programs is needed. International students make a valuable contribution to the state of Washington.

Testimony Against: F-1 organizations which are not listed with the Council on Standards for Educational Travel or designated by the United States Information Agency should have an opportunity to place students in Washington public schools. (The substitute bill addressed this issue.)

Witnesses: Persons speaking in favor of the bill: Representative Karen Fraser, Prime Sponsor; Representative Elmira Forner; Mike Middleton; Cliff Julius, Washington Interscholastic Activities Association; Tim McDonald; Karen Tweet, Department of Social and Health Services; Denise Keegan (in favor with amendment); and Clark Sitzes, Sara Viccello, Steve Johnson, Bonnie Mortell, John Richards, members of the Washington International Student Exchange Coalition.

VOTE ON FINAL PASSAGE:

Yeas 96; Nays 0; Excused 2

Excused: Representative Ogden and Mr. Speaker.