# FINAL BILL REPORT
# SHB 1051

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

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).

House Committee on Higher Education
Senate Committee on Education

*Background:* Currently, the state of Washington does not require registration of organizations that place international exchange student visitors in public schools. Many questions and concerns have arisen over the past several months concerning such organizations. Some of the practices that have caused concern in Washington include: recruitment of host families in shopping center parking lots; application for enrollment by foreign students who lack English speaking skills; lack of a local representative for students to contact; misrepresentation of the medical condition of a foreign exchange student; and the 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 responsible for managing the J Visa Program. An exchange visitor sponsored by an exchange program must have a J Visa to enter the United States. In order to obtain the J Visa an organization obtains a Certificate of Eligibility for Exchange Visitor Status (IAP-66 form) from the USIA and then provides the form to potential participants. This form is issued by USIA to organizations that have been designated as program sponsors, pursuant to the Immigration and Nationality Act. 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.

There is also a third category of organizations that place international exchange students in Washington public schools.  These organizations provide services for F Visa students.  Students who enter the country on an F Visa are sponsored by the school which they attend.  Schools may initiate this process, or organizations may coordinate the program and seek sponsorship from individual schools.  The Immigration and Naturalization Service is the agency responsible for managing the F Visa Program.  An academic student, sponsored by the school which the student will attend, must have an F Visa.  In order to obtain the F Visa the student or an organization representing the student must obtain a Certificate of Eligibility of Academic Status (I-20AB form).  This form is issued by a school authorized to accept and enroll foreign students.  The student must meet certain conditions established by the Immigration and Naturalization Service before the F Visa is issued.

In the past, Washington public schools have placed students from organizations that are USIA designated, students from programs listed with CSIET, and F Visa students.  No procedure exists on a state level, however, to determine the status of international exchange student visitors in public schools.

*Summary:*  International student exchange visitor placement organizations that place students in Washington public schools must register with the Secretary of State. Registration is not considered an endorsement by the Secretary of State or the state.  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.

The information required in the registration form is outlined.  The information includes: (1) the name, address, and telephone number of the person within the organization responsible for placement; (2) evidence that the organization meets the Washington standards; (3) the organization's unified business identification number; (4) whether the organization is exempt from federal income tax; and (5) 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, or deliberately failing to provide students, host families, and school districts the information prescribed is a misdemeanor. A violation of the act is also a violation of the Consumer Protection Act.

Annually, the Superintendent of Public Instruction (SPI) will make available to schools summary information about registered international student exchange visitor placement organizations and provide 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 is to report its findings and recommendations to the Legislature by December 1, 1992.

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.

*Votes on Final Passage:*

House   96      0
Senate  44      1       (Senate amended)
House   94      0       (House concurred)

*Effective:*        July 28, 1991     (Section 12)
                    January 1, 1992   (Sections 1 - 11 and 8 - 16)

*Partial Veto Summary:*  The governor vetoed Section 12 of the legislation eliminating the requirement for a Task Force on International Student Exchange.