

U.S. Department of State

Bureau of Educational and Cultural Affairs

Office of Private Sector Exchange

North American Youth Exchange Network

DOS Session for Old Hands

Thursday, March 9, 2017



ECA Mission Statement

To increase mutual understanding between the people of the United States and the people of other countries by means of educational and cultural exchange that assist in the development of peaceful relations.

Fourth Object of Rotary

The advancement of international understanding, goodwill, and peace through a worldwide fellowship of business and professional persons united in the ideal of service



Our Public Diplomacy Mission: Opening America to the World

- Establishing Programs (15 categories)
 - Public-Private Partnership
- Gatekeeper & Overseer
 - Designate, Monitor, Sanction
 - Apply federal regulations
- Stakeholder Engagement
 - Health, Safety, and welfare
 - Incidents/complaints, hotline
 - Outreach and Monitoring
 - Conferences, site visits



Regulatory Authorities

- Post WWII
 - U.S. Information & Educational Exchange Act (1948), also known as the Smith-Mundt Act
 - Authorizes recognition of need for people-to-people exchange
 - Mutual Educational and Cultural Exchange Act (1961), also known as the Fulbright-Hays Act
 - Authorizes the J visa



The J Visa

- Purpose
 - Cultural exchange through Private Sector and Academic and Government programs
- EC Oversight
 - EC designates sponsors to administer programs for nonimmigrant participants
 - Key Public-Private Partnership
 - EC monitors sponsors, participants, and host entities through direct contact, using SEVIS data, incidents and complaint response, monitoring visits, site visits and more
 - Participant monitoring focuses on health, safety, and welfare
 - EC can levy sanctions on Sponsors



Regulatory Authorities for Secondary School Programs

- 22 CFR 62
 - Subpart A – Establishes the general regulations that apply to all EVPs
 - Subpart B – Establishes the regulations for the individual exchange visitor programs
 - 62.25 – Establishes the specific regulations for the Secondary School Student Program



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Advance public diplomacy

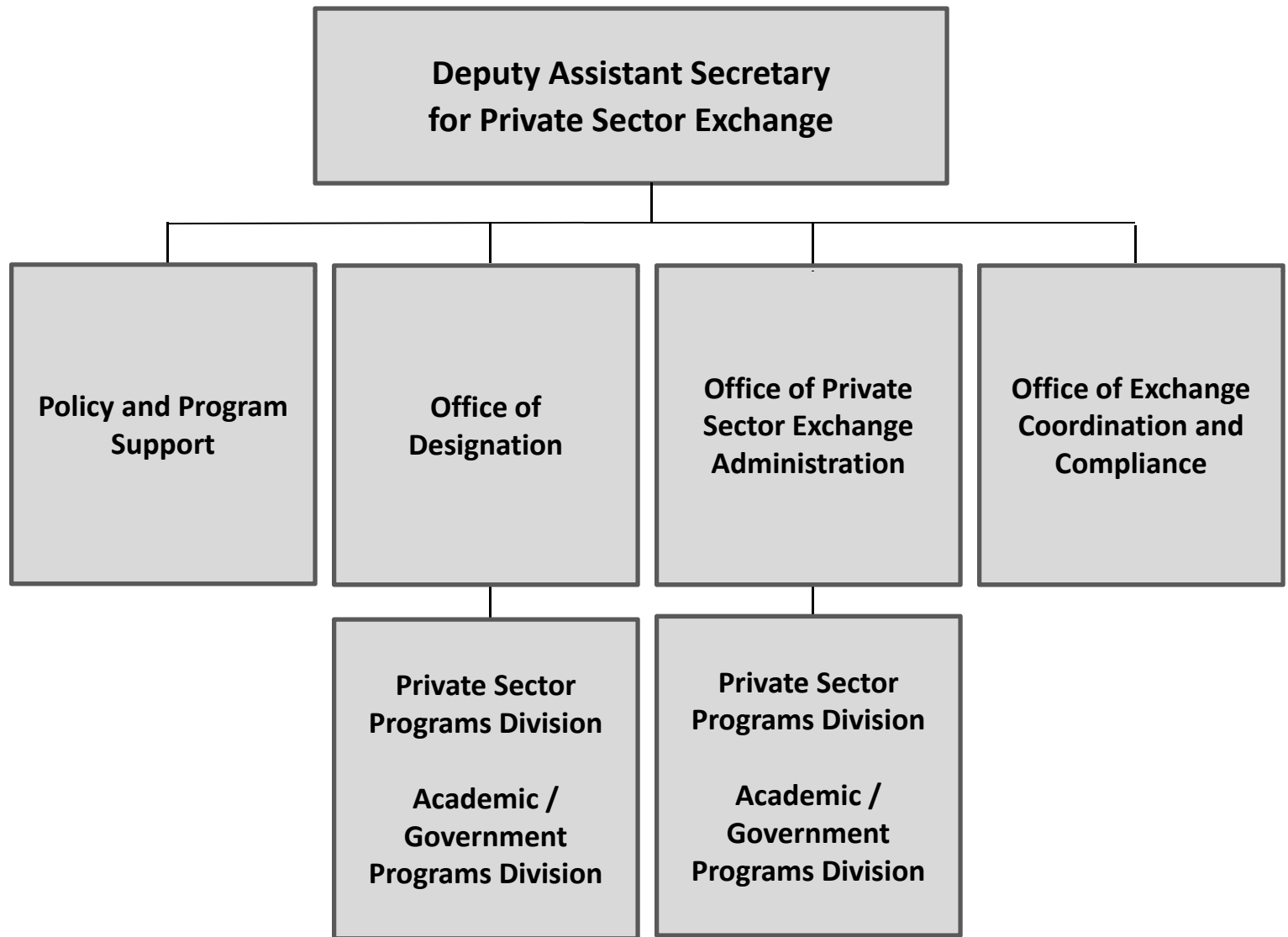
Monitor the health, safety, and welfare of
program participants

Protect the public reputation of the program
and Department



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Office of Designation (ECA/EC/D)

- ROs and AROs
- Management Review
- Category Review
- Category Reminders
- Outreach
- Introduction of Team



ROs and AROs

- ROs/ARO must be employees of sponsor
- DoS can only accept documents from ROs and AROs
- ROs and AROs are expected to know the regulations.
- CBCs and Evidence of Citizenship are now required of all AROs and ROs
- Replacement of ROs/ARO within 10 calendar days

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Timelines of Redesignation Submission

- Treating all sponsors equally
- Please submit within 6 to 3 months of redesignation expiration date.
- Four reminders



Management Reviews

Per 22 CFR 62.15 Management Reviews are now required every two years for sponsors whose annual allotment is above 20 secondary school students

Review will require independent auditors to collect and review information and documents that sponsors are already required to have per the exchange visitor regulations

Management Review Due – If MISSED we will refer to compliance.



Category Review (CR)

- A CR is generalized review of the category by assembling information and data about the category from a variety of sources and making analysis of this information
- A CR is non-punitive and has the purpose of learning as much as possible about a J-1 particular category -- its strengths, weaknesses, opportunities, and challenges, as well as areas for regulatory change
- The CR is lead by our Office of Policy and Program Support Unit and welcomes sponsor suggestions about issues sponsors feel are important to the category and methods for best studying the category. Send suggestions to JExchanges@state.gov.



Timeliness of Required Reports

- **Annual Report:** Academic Year, July 31
- **Placement Report:** August 31 and January 15
- **Change of Placement Report:** July 31

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Annual Reports

- Due July 31
- If not submitted two years in a row the program will be TERMINATED.
- We need robust reports with accurate information.
- All required element will need to be in report



Allotment and Expansion Requests

- Allotment level versus participant level
- Expansion requests must include:
 - the source of program growth,
 - staff increases,
 - confirmation of adequately trained employees,
 - noted programmatic successes,
 - current financial information,
 - additional overseas affiliates,
 - additional third party entities,
 - explanations of how the sponsor will accommodate the anticipated program growth, and
 - any other information requested by the Department
- Combining Rotary Districts



Reinstatements

Avoid the \$367 Fee

- 22 CFR §62.45 *Reinstatement to valid program status*
- *Please validate the program within 30 days of the program start date.*
- An exchange visitor's status in SEVIS must be accurate. An incorrect status may have adverse, or negative, effect on the Exchange Visitor's record
- Supporting documentation for a reinstatement request includes:
 - An official request/cover letter on letterhead asking for reinstatement with an explanation of what has occurred
 - A copy of the Pay.gov receipt - \$ 367
 - A copy of the DS-2019 form (stamped with the initial date of entry)
 - A copy of the I-94 form
 - A copy of the Visa page
 - A Copy of Photo page of passport
 - Evidence that the SEVIS I-901 Fee has been paid

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Office of Private Sector Exchange (OPA)

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Keeping sponsors in line since 2013



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Incident Reporting

What to report to OPA:

- Incidents involving actual or alleged abuse, neglect, or sexual exploitation **must be reported IMMEDIATELY.**
- Sponsors **must report** cases of a sexual nature to the authorities as required by local/ state law.
- **On/before next business day:** Serious problem or controversy.

How to report:

- HighSchoolExchanges@State.gov
- Incident Report with known details
- Documentation
 - EV and HF Applications
 - Background Check
 - References
 - Monthly Reports

Keep your RO and AROs in the loop early!!!!

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Secondary Student Category Incident Report

A. REPORTER INFORMATION			
Date:		Sponsor Name:	
From:		Program Number:	
Email:		Telephone #:	
B. PARTICIPANT INFORMATION			
EV Last Name:		EV First Name:	
SEVIS Number:		Country:	
DOB:		Program Dates:	
Overseas Partner:		Regional Manager:	
Host Family Name & Address:		Regional Director:	
Host Family Phone:			
Other Parties Involved: (contact information)			
C. SUMMARY			
Nature of Incident:			
Date of Occurrence:		Date 1 st Reported to Sponsor:	
D. ACTION TAKEN			
E. NEXT STEPS / PROPOSED SOLUTION			
F. UPDATE (please number and date each update submitted)			

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Incident Reporting Rubric

Nature of Incident or Allegation*	
<ul style="list-style-type: none"> • Sexually Related Incidents or Abuse (incident or allegation involving actual or alleged sexual exploitation or any other allegations of abuse) • Incident Involving the Criminal Justice System (police, child protective services, law enforcement, etc.) • Exchange Visitor Death • Exchange Visitor Missing • Threat of Negative Press, Foreign Government, or Embassy Involvement (incident expected to bring DOS or the exchange visitor program into notoriety or disrepute) • Public Events or Natural Disasters Directly Involving Student Safety (school shooting/violence/stabbing, earthquake, tornado, flood, etc.) 	<ul style="list-style-type: none"> • Sponsor Violations (self-recognition of errors in vetting, oversight, staffing, etc.) • Patterns of Behavior Problems (substance abuse, aggressive physical contact, severe bullying, etc.) • Host Parent Substance Abuse • Mental Health Issues (eating disorder, cutting, suicidal ideation, suicide attempt, planned program termination due to mental health concerns, etc.) • Dangerous and Unsuitable Living Conditions (non-vetted people in the home, theft, inappropriate relationship, pest infestations, mold, filth, etc.) • Life Threatening Health Condition (traumatic brain injury, severe burn, <i>debilitating</i> heart condition, major surgery, seizure disorder, etc.)

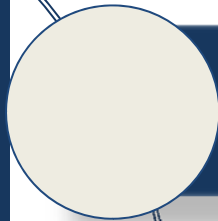
*Reporting depends on the level of seriousness, the impact to the health, safety, and welfare of the exchange student, and the impact to the surrounding community. It is a Department of State **best practice** for sponsors to report particularly serious matters within 24 hours, and other matters within 72 hours, depending on the seriousness of an incident.

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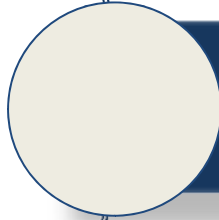
Incidents and Complaints

Academic Year 2015/2016

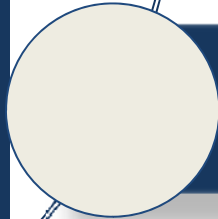
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Number of Incidents & Complaints



Nature of Key Incidents



Nature of Key Complaints



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Non Reporting Sponsors

- Compared EV count (active and initial) to number of reported incidents and complaints
- Calculated reporting ratio of 1.3%
- Several NAYEN sponsor identified as non-reporting and under reporting
- Internal processes for addressing incidents?
- How often are EVs contacted? How?
- Are EVs monitored by the same LC?



Local Coordinator Training

- Sponsors must ensure that all local coordinators, counselors, Youth Exchange Officers, District Youth Exchange Chairs, and other Rotary Club members affiliated with an exchange visitor's program complete the Department of State training module prior to their appointment as a LC or assumption of duties. The training includes:
 - Instruction designed to provide a comprehensive understanding of the Exchange Visitor Program
 - Secondary School Student Program category regulations.
 - Public diplomacy objectives
- Sponsors must demonstrate the LC's, counselor's, and other officials' completion of training requirements and that annual refresher training is successfully completed.



Local Coordinator Training

- System can be accessed via YEAH system or www.dos.gyrus.com/GyrusAim/Auth/Login
- Training reminders sent in intervals:
 - Two weeks before training expires
 - The day training expires
 - Daily after training expires
- Be sure to search spam inbox for Gyrus related emails
- Direct all Gyrus / training related inquiries to your Training / Compliance staff who will contact DOS for support.



Monitoring Visits

- **Site Visits**
 - Randomized selection
 - Various locations
 - Cluster of exchange students and sponsors
 - Have me met students from sponsor X?
- **Fact-Finding visits**
 - Follow-up on an incident or complaint
 - Targeted location
 - Problem with an specific sponsor
 - Complaints about housing, local coordinators, safety, etc.

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Monitoring Visits

Academic Year 2015/2016

- **States:** Nevada, Georgia, New York, South Carolina, North Carolina, Arkansas, and more!
- **Interviewees:** Exchange Students, School Administrators, Principals, Guidance Counselors
- **Sponsor Staff:** Local Coordinators, Regional Managers, Responsible Officers



Monitoring Trip Findings

- **Students and school officials were positive**
 - Students would recommend it to their friends
 - School administrators like the diversity it brings to the schools and communities
- **Areas for improvement**
 - Sponsors must provide students with information on their placements in a timely manner prior to their arrival in the U.S.
 - Students arriving in the U.S. after school year begins
 - Some students reported less than monthly contact with their local coordinator, others reported contact via non-traditional avenues (social media, texting, etc.)
- **Post Trip Activities**
 - Follow-up calls made to sponsors to communicate concerns and positive feedback from trips



Outreach

 **J-1 VISA**
EXCHANGE VISITOR PROGRAM

Search J-1 Visa

J-1 VISA BASICS | PROGRAMS | *for* | PARTICIPANTS | PROGRAM SPONSORS | HOST FAMILIES/EMPLOYERS

Route J-1

Follow Robin Lerner
as she travels to J-1 participant sites.

Discovering the World in Your Hometown

Employee of the Quarter!

Posted on Wednesday, September 17th, 2014 at 1:19 pm.

About Robin
Deputy Assistant Secretary of State for Private Sector Exchange

Ms. Lerner serves as the Deputy Assistant Secretary of State for Private Sector Exchange at the U.S. Department of State's Bureau

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*Call or email with any questions
Submit documents electronically*

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Call or email with any questions