

DOS REGULATIONS

**Final Rule – Secondary School Students –
Published October 27, 2010**

- **Effective Date: 30 days from publication**
- **Implementation: 2011/12 academic cycle**
 - 1698 Comments Received on Proposed Rule
 - 55 Comments Received from Public Meeting

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Final Rule – SSS – Successes as result of comments

- FBI fingerprint-based CBC with SSN is not yet required
- Single adult without child in home can be potential host parent
- Personal computers and telephones can be removed from students for discipline reasons
- Sponsor training is not subject to DOS review as part of sponsor's redesignation application

DOS REGULATIONS

Final Rule – SSS – Highlights

Program Administration

DOS REGULATIONS

Final Rule – SSS – Highlights:

1. *Procedures.*

Programs must have standard operating procedures to ensure compliance with DOS regulations and to prevent or deter fraud, abuse, or misconduct by local coordinators and volunteers.

DOS REGULATIONS

Final Rule – SSS – Highlights:

2. *Advertising and Marketing.*

- Can not include personal student information (including addresses, phone numbers, or email addresses) or photographs of student on Web site or other promotional material
- Student photographs and personally identifying information, either online or in print form, can only be accessed by host families who have been fully vetted and selected for program participation
 - Submitted application form
 - Passed CBC

Consider circulating the student's application without page 1, medical and dental forms, photographs with identifying information, and pages with detailed address information (e.g., school transcript) to potential host families and Rotary clubs

DOS REGULATIONS

Final Rule – SSS – Highlights:

3. *Material provided exchange student prior to arrival.*

- DOS welcome letter
- ID card that includes contact information for:
 - Host family
 - Sponsor's main office
 - Local coordinator
 - DOS Office of Designation
 - DOS emergency number for exchange students
 - Name and policy number for insurance provider

Note: ID card must be corrected, reprinted, and reissued to reflect any changes to the included information.

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Final Rule – SSS – Highlights:

4. *Prohibitions*

- Government issued documents (i.e., passports, Form DS-2019) can not be removed from possession of secondary school students. Copies can be made for safekeeping.
- Monetary payments and other incentives can not be provided to host families, e.g., gift cards, gas cards, etc. Hosting an exchange student is considered a volunteer activity.
- Students can be restricted in their access to computers and telephones as long as they still have reasonable access to their natural parents and family through telephone and email.

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Final Rule – SSS – Highlights:

5. *Record retention.*

The following documentation must be retained for a minimum of three years following program completion:

- Student's acceptance into school (guarantee form)
- Host family
 - Application form
 - Background checks
 - Evaluations
 - Interviews

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Final Rule – SSS – Highlights

Volunteers

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Final Rule – SSS – Highlights:

6. *Local Coordinators and Other Volunteers.*

All program officers, employees, representatives, agents, and volunteers, e.g., local coordinators, must be vetted annually through a criminal background check that includes a search of the Department of Justice's National Sex Offender Public Registry.

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7. *Local Coordinator Training (Part 1).*

Sponsor administered training that includes instruction on:

- Criteria for screening potential host families
- Awareness of child safety and sexual conduct standards
- Handling emergency situations, *e.g.*, sexual misconduct, allegations of abuse or neglect, etc.
- Conflict resolution

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8. *Local Coordinator Training (Part 2).*

DOS developed testing and certification program for all local coordinators to include instruction designed to provide a comprehensive understanding of:

- Exchange Visitor Program,
- Department of State public diplomacy objectives, and
- the Secondary School Student category regulations.

Annual refresher training is also required. These training components will be administered and paid for by the Department of State.

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Final Rule – SSS – Highlights:

9. *Local Coordinator Visits.*

- Exchange student and host family must be contacted monthly.
- First monthly contact with the exchange student must be in person. All other contacts may be in-person, on the phone, or via electronic mail.
- One monthly contact with the host family in the fall semester and one in the spring semester must be in person. All other contacts may be in-person, on the phone, or via electronic mail.
- All monthly contacts must be documented.

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Final Rule – SSS – Highlights:

10. Additional visit to the host family home.

- A required visit to the host family home of the exchange student must be completed within two months of placement by an organizational representative of the sponsor other than the local coordinator who screened and selected the host family and made the placement.
- The organizational representative does not have to be fully vetted for the program, *i.e.*, meet all the requirements to be a local coordinator, unless his/her visit is to count as the required visit by the local coordinator for that month.

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Host Families

DOS REGULATIONS

Final Rule – SSS – Highlights:

11. Prohibition of placement

- No secondary school student placement can be made beyond 120 miles of the home of the local organizational representative.
- Secondary School Student exchange participants can not be placed with host families receiving financial needs-based government subsidies for food or housing which are necessary to meet basic living needs.

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Final Rule – SSS – Highlights:

12. Standard Host Family Application

Appendix F to the regulations contains a list of standard information fields required to be collected on the host family application form, including information on host family composition, range of financial income, community and high school information, and a description of the home.

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(SSS) – Highlights:

13. *Requiring Photographs of the Host Family Home.*

Sponsors are required to photograph the exterior and grounds, kitchen, student's bedroom, bathroom, and family or living room of the potential host family's home as part of the host family application.

This is a current standard practice of many sponsors.

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Final Rule – SSS – Highlights:

14. Securing Personal References.

Two personal references for the host family must be obtained from individuals within the community who are not relatives of the potential host family or a representative of the sponsor. The checking of personal references must be documented as part of the host family application process.

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Final Rule – SSS – Highlights:

15. Criminal Background Checks.

All potential host family adults (age 18 or older) must be vetted annually through a criminal background check (CBC) before being able to host an exchange student each year. The CBC must include a search of the Department of Justice's National Sex Offender Public Registry.

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Final Rule – SSS – Highlights:

16. Host Family Composition.

Single adults without a child living in the home can host if:

- organizational representative other than the person who recruited and selected the applicant conducts a secondary review of the application to ensure an adequate support network exists
- both the exchange student and his/her natural parents agree in writing in advance to the placement

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17. Host Family Orientation.

- To be conducted after a potential host family has been fully vetted and accepted into the program, *i.e.*, after application is completed and criminal background check is passed.
- DOS letter must be provided to host family.
- Advise host families that they must inform sponsor of any material change in its address, finances, employment, etc.