



USIA REGULATIONS (Revised, Effective March 3, 1993)

The regulations printed here are taken from 22 CFR Part 514, and pertain to exchange visitors programs. We have duplicated those pertaining to secondary school students that apply to our program. Please review them, as they are the regulations of the U.S. Information Agency, a branch of the Department of State, governing most exchange programs in the USA.

22 CFR Part 514

514.1 (a) The regulations set forth in this part implement the Mutual Educational and Cultural Exchange Act of 1961 (the "Act"), as amended, Public Law 87-256, 22 U.S.C. 2451, et seq. (1988). The purpose of the Act is to increase mutual understanding between the people of the United States and the people of other countries by means of educational and cultural exchanges. Educational and cultural exchanges assist the Agency in furthering the foreign policy objectives of the United States. These exchanges are defined by section 102 of the Act, 22 U.S.C. 2452 and section 101(a)(15)(J) of the Immigration and Nationality Act, as amended, 8 U.S.C. 1101(a)(15)(J).

(b) The Director of the United States Information Agency facilitates activities specified in the Act, in part, by designating public and private entities to act as sponsors of the Exchange Visitor Program. Sponsors may act independently or with the assistance of third parties. The purpose of the Program is to provide foreign national with opportunities to participate in educational and cultural programs in the United States and return home to share their experiences, and to encourage Americans to participate in educational and cultural programs in other countries. Exchange visitors enter the United States on a J visa. The regulations set forth in this subpart apply to all sponsors.

Subpart B-Specific Program Provisions

514.25 Secondary School Students

(a) **Introduction.** These regulations govern Agency designated exchange visitor programs under which foreign national secondary students are afforded the opportunity for up to one year of study in a United States public or private secondary school, while living with an American host family or residing at an accredited U.S. boarding school.

(b) **Program sponsor eligibility.** Eligibility for designation as a secondary school student exchange program sponsor shall be limited to: (1) Organizations with tax-exempt status as conferred by the Internal Revenue service pursuant to section 501(c)(3); and (2) Organizations which are United States citizens as such terms is defined in 514.2

(c) **Program eligibility.** Secondary school students exchange programs designated by the Agency shall: (1) Require all participants to pursue a full course of study at an accredited educational institution as such terms are defined in this Part of not less than one nor more than two academic semesters' (or quarter equivalencies) duration; and (2) Be conducted on an academic calendar year basis provided, however, participants may begin in the second semester of an academic year if specifically permitted to do so, in writing, by the school in which the exchange visitor is enrolled.

(d) **Program administration.** Sponsors shall ensure that all officers, employees, agents, and volunteers acting on their behalf: (1) Are adequately trained and supervised; (2) Make no student placement outside a 150 mile radius of the home of an organizational representative authorized to act on the sponsor's behalf in both routine and emergency matters arising from a student's participation in their exchange program; (3) Ensure that no organizational representative act as both host family and area supervisor for any student participant whom that representative may host; (4) maintain a regular schedule of personal contact with the student and host family, and ensure that the school has contact information for the local organizational representative and U.S. offices of the sponsor; and (5) Adhere to all regulatory provisions set forth in this part and all additional terms and conditions governing program administration that the Agency may from time to time impose.

(e) **Student selection.** In addition to satisfying the requirements of 514.10 (a), sponsors shall ensure that all participants in a designated secondary school student exchange program: (1) Are bona fide students who: (i) Are secondary school students in their home country who have not completed more than eleven years of primary and secondary study, exclusive of kindergarten; or (ii) Are at least 15 years of age but not more than 18 and six months years of age at the time of initial school enrollment; (2) Demonstrate maturity, good character, and scholastic aptitude; and (3) Have not previously participated in an academic year or semester secondary school student exchange program in the United States.

(f) **Student enrollment.** (1) Sponsors shall secure prior written acceptance for the enrollment of any student participant in a United States public or private secondary school. Such prior acceptance shall: (i) Be secured from the school principal or other authorized school administrator of the school or school system that the student participant will attend; and (ii) Include written arrangements concerning the payment of tuition or waiver thereof if applicable. (2) Sponsors shall maintain copies of all written acceptances and make such documents available for Agency inspection upon request. (3) Sponsor shall submit to the school a written English language summary of the student's completed academic course work prior to commencement of school. (4) Under no circumstance shall a sponsor facilitate the entry into the United States of a student for whom a school placement has not been secured. (5) Sponsors shall not facilitate the enrollment of more than five students in one school unless the school itself has requested, in writing, the placement of more than five students.

(g) **Students orientation.** In addition to the orientation requirements set forth herein at 514.10 all sponsors shall provide students, prior to their departure from the home country, with the following information; (1) A summary of all operating procedures, rules, and regulations governing student participation in the exchange program; (2) A detailed profile of the school, family, and community in which the student is placed; (3) A detailed summary of travel arrangements; (4) An identification card which lists the student's name, United States home placement address and telephone number, and a telephone number which affords immediate contact with both the Agency and sponsor in case of emergency. Such cards may be provided in advance of home country departure or immediately upon entry into the United States.

(h) **Students extra-curricular activities.** Student may participate in school sanctioned and sponsored extra-curricular activities, including athletics, if such participation is: (1) Authorized by the local school district in which the student is enrolled and (2) Authorized by the state authority responsible for determination of athletic eligibility, if applicable.

(i) **Students employment.** Students may not be employed on either a full or part-time basis but may accept sporadic or intermittent employment such as baby-sitting or yard work.

(j) **Host Family selection.** Sponsors shall adequately screen all potential host families and at a minimum shall: (1) Provide potential host families with a detailed summary of the exchange program and parameters of their participation, duties, and obligations; (2) Utilize a standard application form for all host family application which provides a detailed summary and profile of the host family, the physical home environment, family composition and community environment; (3) Conduct an in person interview with all family members residing in the home; (4) Ensure that the host family is capable of providing a comfortable and nurturing home environment; (5) Ensure that the host family is of good reputation and character by securing two personal references for each host family from the school or community, attesting to the host family's good reputation and character; (6) Ensure that the host family has adequate financial resources to undertake hosting obligations; and (7) Maintain a record of application forms, evaluations, and interviews for all selected host families for a period of three years.

(k) **Host Family orientation.** In addition to the orientation requirements set forth in 514.10 sponsors shall: (1) Inform all host families of the philosophies, rules, regulations governing the sponsor's exchange program; (2) provide all selected host family with a copy of Agency promulgated Exchange Visitor Programs regulations; and (3) Advise all selected host families of strategies governing cross-cultural interaction and conduct workshops which will familiarize the host family with cultural difference and practices.

(l) **Host Family placement.** (1) Sponsors shall secure, prior to the student's departure from the home country, a host family placement for each student participant. Sponsors shall not: (i) Facilitate the entry into the United States for a student whom a host placement has not been secured; and (ii) Place more than one student with a host family without the express written consent of the Agency. (2) sponsors shall advise both the student and host family, in writing, of the respective family compositions and background of each and shall facilitate and encourage the exchange of corespondence between the two prior to the student's departure from the home country. (3) In the event of unforeseen circumstances which necessitate a change of host family placement, the sponsor shall document the reasons necessitating such change and provide the Agency with an annual statistical summary reflecting the number and the reason for such change in host family placement.

(m) **Placement report.** In lieu of listing the name and address of the host family and school placement on a participant's form IAP-66, sponsors must, no later than August 31st of each academic year, submit to the Agency a report of all academic year program participants. Such reports shall set forth the participant's name, school, and host family placements. A report of semester participants entering the United States during the January to June term shall be submitted to the Agency by January 15th.