

## Host Family Application

### 1. Basic Family Information:

Family Introduction	Names	Birth date	Occupation	Level of Education	
Host father					
Host mother					
Address					
Phone Number					
Cell Phone No	Father		Mother		
Email	Father		Mother		
Other family members	Relation	Date Birth	of Gender	Occupation	Level of Education

2. Two personal references from within the community from individuals who are not relatives:

1). Name :  
 Address:  
 Contact No.:

2). Name :  
 Address:  
 Contact No.:

a. Is the residence the site of a functioning business? (e.g., daycare, farm)

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b. Description of each household member (profession, interests, community involvement, and relevant behavioral or other characteristics of such household members that could affect the successful integration of the exchange visitor into the household)

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c. Has any member of your household ever been charged with any crime?

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**Household Pets:**

a. Number of Pets

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b. Type of Pets

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**Financial Resources:**

a. Average Annual Income Range: (Please check)

Less than \$25,000(    )    \$25,000–\$35,000 (    )    \$35,000–\$45,000 (    )

\$45,000–\$55,000 (    )    \$55,000–\$65,000(    )    \$65,000–\$75,000 (    )

\$75,000 and above.(    )

Note: The form must include a statement stating that: “The income data collected will be used solely for the purposes of ensuring that the basic needs of the exchange students can be met, including three quality meals and transportation to and from school activities”

b. Describe if anyone residing in the home receives any kind of public assistance (financial needs-based government subsidies for food or housing)

c. Identify those personal expenses expected to be covered by the student

**Diet:**

a. Does anyone in the family follow any dietary restrictions?

(Y/N) If yes, describe:

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b. Do you expect the student to follow any dietary restrictions?

(Y/N) If yes, describe:

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c. Would you feel comfortable hosting a student who follows a particular dietary restriction (ex. Vegetarian, Vegan, etc.)?

(Y/N)

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d. Would the family provide three (3) square meals daily?

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**High School Information:**

a. Name and address of school (private or public school)

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b. Name, address, e-mail and telephone number of school official

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c. Approximate size of the school student body

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d. Approximate distance between the school and your home

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e. Approximate start date of the school year

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f. How will the exchange student get to the school (e.g. bus, carpool, walk)?

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g. Would the family provide special transportation for extracurricular activities after school or in the evenings, if required?

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h. Which, if any, of your family's children, presently attend the school in which the exchange visitor is enrolled? If applicable list sports/clubs/activities, if you're your child(ren) participate(s) in at the school

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i. Does any member of your household work for the high school in a coaching/teaching/or administrative capacity?

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j. Has any member of your household had contact with a coach regarding the hosting of an exchange student with particular athletic ability?

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**Community Information:**

a. In what type of community do you live (e.g.: Urban, Suburban, Rural, Farm)

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b. Population of community

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c. Nearest Major City (Distance and population)

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d. Nearest Airport (Distance)

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e. City or town website

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f. Briefly describe your neighborhood and community

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g. What points of interest are near your area (parks, museums, historical sites)?

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h. Areas in or near neighborhood to be avoided?

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**Home Description:**

a. Describe your type of home (e.g. single family home, condominium, duplex, apartment, mobile home) and include photographs of the host family home's exterior and grounds, kitchen, student's bedroom, student's bathroom, and family and living areas.

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b. Describe Primary Rooms and Bedrooms

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c. Number of Bathrooms

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d. Will the exchange student share a bedroom? (Y/N)  
If yes, with which household resident?

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e. Describe the student's bedroom

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f. Describe amenities to which the student has access

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g. Utilities

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\*\* Please attach the Photos of your home, bedroom, kitchen, exterior, living room.

**Family Activities:**

a. Language spoken in home

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b. Please describe activities and/or sports each family member participates in: (e.g., camping, hiking, dance, crafts, debate, drama, art, music, reading, soccer, baseball, horseback riding)

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c. Describe your expectations regarding the responsibilities and behavior of the student while in your home (e.g., homework, household chores, curfew (school night and weekend), access to refrigerator and food, drinking of alcoholic beverages, driving, smoking, computer/Internet/E-Mail) Would you be willing voluntarily to inform the exchange visitor in advance of any religious affiliations of household members? (Y/N)

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Would any member of the household have difficulty hosting a student whose religious beliefs were different from their own?

(Y/N)

Note: A host family may want the exchange visitor to attend one or more religious services or programs with the family. The exchange visitor cannot be required to do so, but may decide to experience this facet of U.S. culture at his or her discretion. How did you learn about being a host family?

***(j) Host family application and selection.***

Sponsors must adequately screen and select all potential host families and at a minimum must:

- (1) Provide potential host families with a detailed summary of the Exchange Visitor Program and of their requirements, obligations and commitment to host;
- (2) Utilize a standard application form developed by the sponsor that includes, at a minimum, all data fields provided in Appendix F, "Information to be Collected on Secondary School Student Host Family Applications". The form must include a statement stating that: "The income data collected will be used solely for the purposes of determining that the basic needs of the exchange student can be met, including three quality meals and transportation to and from school activities." Such application form must be signed and dated at the time of application by all potential host family applicants. The host family application must be designed to provide a detailed summary and profile of the host family, the physical home environment (to include photographs of the host family home's exterior and grounds, kitchen, student's bedroom, bathroom, and family or living room), family composition, and community environment. Exchange students are not permitted to reside with their relatives.

***DOS Guidance*** – *The Department notes that sponsors are not required to use specific language set forth in Subpart F word for word, so long as all the required information is gathered. Sponsors are responsible for review host family application materials for completeness and suitability. A sponsor's failure to collect all of the data collection items could result in finding of non-compliance on the part of the sponsor. Sponsors who approve whose application materials are incomplete as enumerated in Appendix F have not sufficiently screened such families.*

- (3) Conduct an in-person interview with all family members residing in the home where the student will be living;
- (4) Ensure that the host family is capable of providing a comfortable and nurturing home environment and that the home is clean and sanitary; that the exchange student's bedroom contains a separate bed for the student that is neither convertible nor inflatable in nature; and that the student has adequate storage space for clothes and personal belongings, reasonable access to bathroom facilities, study space if not otherwise available in the house and reasonable, unimpeded access to the outside of the house in the event of a fire or similar emergency. An exchange student may share a bedroom, but with no more than one other individual of the same sex.
- (5) Ensure that the host family has a good reputation and character by securing two personal references from within the community from individuals who are not relatives of the potential host family or representatives of the sponsor (i.e., field staff or volunteers), 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 is not receiving needs-based government subsidies for food or housing;
- (7) Verify that each member of the host family household 18 years of age and older, as well as any new adult member added to the household, or any member of the host family household who will turn eighteen years of age during the exchange student's stay in that household, has undergone a criminal background check (which must include a search of the Department of Justice's National Sex Offender Public Registry);

- (8) Maintain a record of all documentation on a student's exchange program, including but not limited to application forms, background checks, evaluations, and interviews, for all selected host families for a period of three years following program completion; and
- (9) Ensure that a potential single adult host parent without a child in the home undergoes a secondary level review by an organizational representative other than the individual who recruited and selected the applicant. Such secondary review should include demonstrated evidence of the individual's friends or family who can provide an additional support network for the exchange student and evidence of the individual's ties to his/her community. Both the exchange student and his or her natural parents must agree in writing in advance of the student's placement with a single adult host parent without a child in the home.

***(k) Host family orientation.***

In addition to the orientation requirements set forth in § 62.10, sponsors must:

- (1) Inform all host families of the philosophy, rules, and regulations governing the sponsor's exchange visitor program, including examples of "best practices" developed by the exchange community;
- (2) Provide all selected host families with a copy of the Department's letter of appreciation to host families;
- (3) Provide all selected host families with a copy of Department of State promulgated Exchange Visitor Program regulations;
- (4) Advise all selected host families of strategies for cross-cultural interaction and conduct workshops to familiarize host families with cultural differences and practices; and
- (5) Advise host families of their responsibility to inform the sponsor of any and all material changes in the status of the host family or student, including, but not limited to, changes in address, finances, employment and criminal arrests.

***(l) Host family placement.***

- (1) Sponsors must secure, prior to the student's departure from his or her home country, a permanent or arrival host family placement for each exchange student participant. Sponsors may not:
  - (i) Facilitate the entry into the United States of an exchange student for whom a host family placement has not been secured;
  - (ii) Place more than one exchange student with a host family without the express prior written consent of the host family, the natural parents, and the students being placed. Under no circumstance may more than two exchange students be placed with a host family, or in the home of a local coordinator, regional coordinator, or volunteer. Sponsors may not place students from the same countries or with the same native languages in a single home.
- (2) Prior to the student's departure from his or her home country, sponsors must advise both the exchange student and host family, in writing, of the respective family compositions and backgrounds of each, whether the host family placement is a permanent or arrival placement, and facilitate and encourage a change of host family placement, the sponsor must manage the exchange of correspondence between the two.
- (3) In the event of unforeseen circumstances that necessitate a change of host family placement, the sponsor must document the reason(s) necessitating such change and provide the Department of State with an annual statistical summary reflecting the number and reason(s) for such change in host family placement in the program's annual report.

***(m) Advertising and Marketing for the recruitment of host families.***

In addition to the requirements set forth in § 62.9 in advertising and promoting for host family recruiting, sponsors must:

- (1) Utilize only promotional materials that professionally, ethically, and accurately reflect the sponsor's purposes, activities, and sponsorship;
- (2) Not publicize the need for host families via any public media with announcements,

notices, advertisements, etc. that are not sufficiently in advance of the exchange student's arrival, appeal to public pity or guilt, imply in any way that an exchange student will be denied participation if a host family is not found immediately, or identify photos of individual exchange students and include an appeal for an immediate family;

(3) Not promote or recruit for their programs in any way that compromises the privacy, safety or security of participants, families, or schools. Specifically, sponsors shall not include personal student data or contact information (including addresses, phone numbers or email addresses) or photographs of the student on Web sites or in other promotional materials; and

(4) Ensure that access to exchange student photographs and personally identifying information, either online or in print form, is only made available to potential host families who have been fully vetted and selected for program participation. Such information, if available online, must also be password protected.

**DOS Guidance** – *This new language establishes guidelines for advertising and marketing for the recruitment of host families. Oversight and compliance initiatives undertaken by the Department may require sponsors to participate in routine or ad hoc data requests, or other types of reviews and the results of such initiatives may be shared with sponsors. Sponsors may not use their "rankings" in any such Department mandated oversight or compliance initiatives in any promotional materials or otherwise utilize this information in any effort to claim regulatory compliance unless the Department explicitly approves such use. Further, this language is intended to prevent the **unscreened** public from perusing "catalogues" of students, whether in print or in on-line format. For this purpose, the Department interprets the phrase "fully vetted and accepted" as requiring that the sponsor secure, review, and accept a host family application for program participation, then collect and accept the results of the criminal background check for each adult member of the family as set forth in 22 CFR 62.25(j). (n) Reporting requirements.*

Along with the annual report required by regulations set forth at § 62.15, sponsors must file with the Department of State the following information:

(1) Sponsors must immediately report to the Department any incident or allegation involving the actual or alleged sexual exploitation or any other allegations of abuse or neglect of an exchange student. Sponsors must also report such allegations as required by local or state statute or regulation. Failure to report such incidents to the Department and, as required by state law or regulation, to local law enforcement authorities shall be grounds for the suspension and revocation of the sponsor's Exchange Visitor Program designation;

(2) A report of all final academic year and semester program participant placements by August 31 for the upcoming academic year or January 15 for the Spring semester and calendar year. The report must be in the format directed by the Department and must include at a minimum, the exchange student's full name, Form DS-2019 number (SEVIS ID #), host family placement (current U.S. address), school (site of activity) address, the local coordinator's name and zip code, and other information the Department may request; and

(3) A report of all situations which resulted in the placement of an exchange student with more than one host family or in more than one school. The report must be in a format directed by the Department and include, at a minimum, the exchange student's full name, Form DS-2019 number (SEVIS ID #), host family placements (current U.S. address), schools (site of activity address), the reason for the change in placement, and the date of the move. This report is due by July 31 for the previous academic school year.

**DOS Guidance** – *The Change of Placement Report is based on the format of the existing Placement Report, and with minor exceptions only requires sponsors to add a new student record for each change of host family and/or school. Sponsor with no students changing homes or schools are expected to submit a Change of Placement that lists no students. A template will be provided to all sponsors in order to submit the report electronically. This report will be due for the 2010/11 academic year.*

## **A new Appendix F is added to Part 62, as follows:**

Appendix F to Part 62—Information To Be Collected on Secondary School Student Host Family Applications Basic Family Information:

### **INTRODUCTION**

#### **1. Standard Host Family Application Form**

1. Standard Host Family Application Form. The Department proposed that a new regulatory provision be added at §62.25(j)(2) to require the use of standard information fields on sponsors' host family application forms. The information set forth at Appendix F to Part 62, "Information to be Collected on Secondary School Student Host Family Applications," includes all data fields that, at a minimum, must be collected. The Department received 93 comments, 85 of which supported this change indicating that it is important that all sponsors collect the same information on potential host families. The eight parties opposing this proposal argued that sponsor organizations are sufficiently able to determine information to be collected on the Host Family Application without guidance from the Department. The Department disagrees with these eight parties. Based on the Department's administration of this program, the collection of uniform information by all sponsors will establish a consistent, program-wide base for evaluating potential host families. Having considered all points of view on this issue, the Department hereby adopts, without change, this proposed language set forth at at § 62.25(j)(2).

#### **2. Requiring Photographs of the Host Family Home**

2. Requiring Photographs of the Host Family Home. The Department proposed that a new regulatory provision be added at § 62.25(j)(2) to require sponsors 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. The Department received 81 comments, 38 of which supported this change. Parties supporting this proposal explained that requiring photographs of the host family home would provide an objective visual means of evaluating the suitability of the home and is currently a standard practice of many sponsors. Many of the parties who did not support this requirement submitted comments that were general in nature, *i.e.*, merely voicing opposition to the proposal but without an explanation. A few comments stated that requiring photographs was an invasion of privacy. The Department disagrees with comments opposed to this proposed change and has determined that the safety of students outweighs any privacy issues that could be raised. The Department hereby adopts, without change, this proposed language set forth at § 62.25(j)(2). Refers to Sponsor taking the host family home photographs.

#### **3. Personal Character References for Host Family Applicants**

As a procedural safeguard, the Department proposed that a new regulatory provision be added at § 62.25(j)(5) to eliminate host family members, and sponsor representatives from serving as character references for potential host families. The Department received 45 comments, 37 of which supported this change. Parties who did not support this requirement submitted comments that were general in nature, *i.e.*, merely voicing opposition to the proposal but without an explanation. The Department believes that the obtainment of personal character references from family members and persons affiliated with the sponsor organization does not provide a sufficiently impartial recommendation of a family's suitability to host. Having considered all points of view on this issue, the Department thereby adopts, without change, the proposed language set forth at § 62.25(j)(5).

#### **4. Measuring Host Family Financial Resources**

The Department proposed that a new regulatory provision be added at § 62.25(j)(6) to prohibit the placement of exchange students with host families receiving financial needs-based government subsidies for food or housing and to require that program sponsors collect the range of annual household income of potential host families on the host family application. The Department received 150 comments, 43 of which supported the collection of host family financial information. No comments were received opposing prohibiting a family that receives needs-based government subsidies for food or housing from hosting exchange students. Parties opposed to the proposed change regarding collection of information on host family income expressed the following concerns: Host families would not want to disclose their annual income levels; the requirement of such disclosure could discourage families from hosting; and income level is not a determinant of whether a family will be a good host family. The Department disagrees with those comments opposed to collecting household income information and has determined that the benefits of knowing a potential host family's range of income is an important factor in assessing a family's financial ability to care for an exchange student and outweighs any concerns that such information collection would discourage some families from hosting. Having considered all points of view on this issue, the Department hereby adopts, without change, the proposed language set forth at § 62.25(j)(6). Refers to "needs-based" subsidies for food or housing and the requirement for sponsors to collect host family income data. The Department disagrees with those comments opposed to collecting household income information and has determined that the benefits of knowing a potential host family's range of income is an important factor in assessing a family's financial ability to care for an exchange student and outweighs any concerns that such information collection would discourage some families from hosting. Having considered all points of view on this issue, the Department hereby adopts, without change, the proposed language set forth at § 62.25(j)(6).

## **5. Criminal Background Checks**

The Department proposed that a new regulatory provision be added at § 62.25(j)(7) to require that all potential host family adults (age 18 or older) complete an FBI fingerprint-based criminal background check before the family is able to host an exchange student. The Department received 882 comments, 160 of which supported this change. Opponents of the proposed FBI fingerprint-based criminal background check requirement suggested it would "criminalize" host families participating in the program and could potentially reduce by as much as 30% the number of families willing to host. This estimate was calculated by sponsors and industry trade associations involved in the program through surveys of current host families. Opponents also suggested that this proposal could not be executed in a timely, cost effective, or convenient manner as there is no existing mechanism for such checks to be performed directly by placement organizations. Supporters of this proposed requirement explained that the extra level of protection that FBI fingerprint-based criminal background checks of host family adults would provide exchange students far outweighs the inconveniences that such checks would impose on host families. The Department notes that the proposal to require FBI fingerprint-based criminal history checks for all adult members of potential host families is responsive to public demands for the increased protections and reflects a trend at both the state and federal levels towards requiring FBI fingerprint-based criminal background checks for volunteers working with children. Specifically, the Congress created the Child Safety Pilot Program to be administered by the National Center for Missing and Exploited Children (see the National Child Protection Act/ Volunteers for Children Act) to provide a national means to complete FBI fingerprint-based criminal background checks on volunteers working with children, a category that includes adult members of potential host families. Given the National Center for Missing and Exploited Children's limited authorization and resources to perform these checks, a number of cost, administrative, and statutory issues need to first be addressed before this proposal can be adopted. Accordingly, the Department will conduct further fact-finding and analysis on this matter and will not adopt at this time the proposed language set forth at § 62.25(j)(7). The

existing requirements for criminal background checks remain. As a matter of clarification, sponsors must verify that each member of the host family household eighteen years of age and older, as well as any new adult member added to the household, or any member of the host family household who will turn eighteen years of age during the exchange student's stay in that household, has undergone a criminal background check (which must include a search of the Department of Justice's National Sex Offender Public Registry).

See <http://www.nsopk.gov>

## **6. Host Family Composition.**

The Department proposed that a new regulatory provision be added at §62.25(j)(9) to prohibit single adults without a school aged child living in the home or without a child who visits the home frequently from hosting exchange students. The Department received 1,190 comments, 77 of which supported this change. Supporters of this proposed change believe that the placement of an exchange student or students with a single adult without a school-aged child who lives in or frequently visits the home necessarily increases potential risk to the exchange student as there is no additional person in the home with whom the student can communicate, should the relationship with the host parent become strained or abusive. However, parties opposing this proposal argued that the exclusion of single adults without school-aged children in the home or who frequently visit is discriminatory and would unnecessarily eliminate approximately ten percent (10%) of current host families many of whom, sponsors reported, provide excellent experiences for their exchange students and who tend to repeatedly volunteer to participate in this exchange program. This potential reduction of host families was provided by trade associations involved in this program through a survey of current host families. The Department notes that numerous public comments submitted by sponsor organizations outlined best practices regarding the placement of exchange students in single adult host homes, including additional screening measures for single adults. Having considered competing points of view, the Department finds that the language set forth at § 62.25(j)(9) should be amended to impose additional screening procedures for exchange student placements involving single adult parents with no school-aged children in the home, including a secondary level of review by an organizational representative other than the individual who recruited and selected the applicant. Such secondary review should include demonstrated evidence from the individual's friends or family who can provide an additional support network for the exchange student and evidence of the individual's ties to the community. Finally, both the exchange student and his or her natural parents must agree in writing to any placement with a single adult host parent without a school-aged child in the home. These additional screening procedures for single adult homes will be monitored by the Department over an experimental period of not more than three years, following which the success of this approach will be further reviewed and any necessary adjustments will be considered for adoption.

## **7. Local Coordinator Training Course**

The Department proposed that a new regulatory provision be added at § 62.25(d)(1) to require that all local coordinators complete a training program, to be developed and administered by the Department. The Department received 108 comments, 65 of which supported this proposal. The Department notes that local coordinators, who serve as representatives (as either employees or volunteers) of program sponsors and who have responsibility for obtaining school enrollment and locating and recruiting host families, are the critical component in a successful exchange program. Local coordinators exercise a degree of independent judgment when determining whether a potential host family is capable of providing a comfortable and nurturing home environment for an exchange student, whether that family is an appropriate match for the student, and whether it has adequate financial resources to undertake hosting obligations. Opponents of this proposed change

explained that the local coordinator training programs currently offered by sponsors are sufficient and that a Department-administered training course is redundant. The Department disagrees with those comments and determines that a uniform and program-wide local coordinator training course will better ensure that all agents and employees placing exchange students on behalf of a sponsor are equally educated and informed of their responsibilities. Having considered all points of view on this issue, the Department hereby adopts, without change, the proposed language set forth at §62.25(d)(1).

#### **8. Number of Students and Host Families for Whom a Local Coordinator May Be Responsible.**

The Department sought public comment on whether limiting the number of student and host family placements that a local coordinator may oversee would enhance the quality of host family placements. The Department received 61 comments, 17 of which supported this proposal. Opponents of the proposal opined that such a ratio was a decision best left to, and most accurately set by, the sponsor organization. The Department agrees with the 44 parties opposing this proposal, and, having considered all points of view on this issue, does not adopt this requirement.

#### **9. Athletic Participation in the United States**

The Department proposed that a new regulatory provision be added at §62.25(h)(2). This provision would prohibit exchange student selection and placement based on athletic ability. The Department received 37 comments, 35 of which supported this proposal. Comments in support of this requirement noted that this proposal is an existing CSIET provision and that the adoption of this standard would establish a uniform policy across the Secondary School Student program industry. The two parties opposed to this requirement provided no explicit reasons. Having considered all points of view on this issue, the Department hereby adopts, without change, the proposed language set forth at § 62.25(h)(2).

#### **10. Prohibition of Payments to Host Families**

The Department proposed that a new regulatory provision be added at §62.25(d)(6) to prohibit payments to host families for hosting exchange students. The Department received 141 comments, 122 of which supported this proposal. Parties who supported the proposal cited the established Secondary School Student program practice of not paying host families to ensure that host families are involving themselves in the program with the correct motives, i.e., for the experience, and not for compensation. The parties who opposed this requirement suggested that host families were providing a service for which the family should be compensated. The Department disagrees with the 19 parties opposing this proposal and maintains its position that hosting an exchange student must remain a volunteer activity. Having considered all points of view on this issue, the Department hereby adopts without change, the proposed language set forth at §62.25(d)(6)

#### **11. Separate Orientation for Host Families.**

The Department proposed that a new regulatory provision be added at § 62.25(d)(9). This provision would clarify that sponsors must conduct the host family orientation at the end of the host family application process, i.e., after the host family has been fully vetted and accepted into the program. The Department received 519 comments, 75 of which supported this proposal. Parties opposed to this proposed change argued that the host family orientation is often used as the initial recruitment session. The Department disagrees with those comments opposed to requiring a separate host family orientation and has determined that a separate orientation, to be conducted following the recruitment, screening, and selection of host families, will better ensure that the host family fully understands and accepts the obligations it assumes when choosing to host an exchange student. Having considered all points of view on this issue, the Department hereby adopts, without change,

the proposed language set forth at § 62.25(d)(9).

### **12. Additional Visit to Host Family Homes.**

The Department proposed that a new regulatory provision be added at § 62.25(d)(12) to require that a visit to the host family home be conducted, 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 Department received 91 comments, 31 of which supported this proposal. Opponents focused on additional administration and cost burdens for sponsors required for a second organizational representative to make these visits. The Department disagrees with those comments opposed to this proposed change and has determined that the enhanced monitoring outweighs any possible administrative inconveniences. The Department also recognizes that some sponsors will need to adjust their current business models to satisfy this new requirement but has determined that this requirement is a minimal cost to sponsors. Having considered all points of view on this issue, the Department hereby adopts, without change, the proposed language set forth at § 62.25(d)(12).

### **13. Local Coordinator Distance from Exchange Students.**

The Department proposed that a new regulatory provision similar to that which has been successfully incorporated into the Au Pair category regulations be added at § 62.25(d)(5) to require that no secondary school student placement be made beyond one hour's drive of the home of the local organizational representative responsible for monitoring the student. The Department received 54 comments, 22 of which supported this proposal. Opponents of this change explained that such a requirement would serve only to the limit number of exchange student placements in rural locations, especially the Mountain West region. The Department agrees with those comments opposed to this proposed change.

### **14. Restrictions on Local Coordinators.**

The Department proposed that a new regulatory provision be added at § 62.25(d)(10) to limit the functions and responsibilities of a local coordinator. Such limitations would prohibit a local coordinator from performing the duties of both a host family and a local coordinator/area supervisor for an exchange student; or performing the duties of both a host family for one sponsor and a local coordinator for another. A local coordinator would also be prohibited from performing the duties of a local coordinator for a student if the coordinator also holds a position of direct authority over the student that is not related to or arising from the coordinator's placement of a student with a host family. Many local coordinators are teachers and principals in the schools where a student is placed. The Department received 62 comments, 31 of which supported this proposal. Opponents specifically argued that school officials (both teachers and principals) best know the school and student environment in which exchange students will be immersed and to exclude such a cohort needlessly eliminates some of the most important volunteers in the Secondary School Student program. The Department adopts, without change, the proposed language set forth at § 62.25(d)(10)(i) and (ii) but finds that the language set forth at § 62.25(d)(10)(iii) should be amended so that principals and teachers are not excluded from serving as local coordinators. However, a teacher cannot serve as a local coordinator for a student in his/her class. A principal cannot serve as a local coordinator for a student in his/her school. The Department also notes that students are placed in U.S. boarding schools.

### **15. Removing Exchange Student Property.**

The Department proposed that a new regulatory provision be added at § 62.25(d)(8) to prohibit the removal of exchange students' government issued documents, personal computers, and telephones from their possession. The Department received 550 comments, 68 of which supported this proposal. Comments opposed to this proposed requirement argued both that students often do not understand the importance of safekeeping their

government issued documents and that confiscating cell phones and computers is a time-tested and acceptable disciplinary action for host parents. Comments supporting this proposed requirement explained that exchange students should always have access to their telephones and computers to maintain contact with parents, authorities, or friends in case of a problem, thus viewing such access as a safeguard for the student. Federal law prohibits the removal of official governmental documents from foreign nationals. The Department agrees with the comments opposed to these proposed requirements regarding the removal of cell phones and computers and has determined that the language set forth at § 62.25(d)(8) should be amended to delete the prohibition against removing an exchange student's personal computer or cell phone. However, under no circumstance is a sponsor or a host family permitted to prohibit a student from communicating with his/her natural parents and families by telephone and email.

#### **16. Limits to Advertising.**

The Department proposed that new regulatory provisions be added at § 62.25(m)(3) and (4) to prohibit sponsors from including personal data, contact information, or photographs of potential exchange students on web sites or in other promotional materials and would require sponsors to ensure that access to student profiles be password protected and available only to potential host families who have been fully vetted and selected for program participation. The Department received 103 comments, 27 of which supported this proposal. Parties supporting this proposal stated that prohibiting the use of photographs and personal information of potential exchange students for recruiting un-vetted host families would better ensure the safety of exchange students as it makes such information more difficult for predators to access. Opponents stated that use of photographs in a restricted and limited manner is essential for host family recruiting.

Opponents also described this type of "photo-listing," or using a photograph with a student's first name but no last name, address, or contact information to be a safe and responsible practice and one widely used in the U.S. adoption of children process. The Department disagrees with those comments opposing this proposed change and notes that the family selection process in the U.S. adoption system is much more lengthy and comprehensive than the selection of exchange student host families, and is therefore an inexact comparison. Having considered all points of view on this issue, the Department hereby adopts, without change, the proposed language set forth at § 62.25(m)(3) and § 62.25(m)(4).

#### **REPORTING REQUIREMENTS**

Finally, in drafting the Proposed Rule, the language contained in section 62.25(n) Reporting requirements, paragraph 3 was amended to clarify the information the report was to contain. The Department views this as a clarification and not a change in requirements. Currently, a sponsor cannot prepare a report on changes in student placement with more than one host family or school without having the data, requested in the proposed rule, readily available. Likewise, a sponsor cannot perform requisite monitoring of a student without having this information on each student in their exchange program. In addition, consistent with the current process required for completion of the Placement Reports, this report is being requested in electronic format to enable the data submitted from all sponsor organizations to be compared and analyzed. The Department received no comments on this section of the proposed requirement and hereby adopts the proposed language set forth at 62.25(n)(3) as stated. For additional clarification, a final sentence was added to reflect the date by which the report is required. The sentence reads: This report is due by July 31 for the previous academic school year.