

ARKANSAS SENATE
87th General Assembly - Regular Session, 2009
Amendment Form

Subtitle of Senate Bill No. 903

"THE INTERNATIONAL STUDENT EXCHANGE VISITOR PLACEMENT ORGANIZATION
REGISTRATION ACT."

Amendment No. 1 to Senate Bill No. 903.

Amend Senate Bill No. 903 as originally introduced:

Delete Section 1 and substitute the following:

"SECTION 1. Arkansas Code Title 6, Chapter 18, is amended to add an additional subchapter to read as follows:

6-18-1701. Title.

This subchapter shall be known as the "International Student Exchange Visitor Placement Organization Registration Act".

6-18-1702. Legislative findings.

The General Assembly finds that:

(1) Many international student exchange visitor placement organizations have been established to provide students from other countries the opportunity to share their histories, languages, and cultures with their counterparts in this state;

(2) International exchange programs give the state's students and school faculty the opportunity to share their histories, languages, and cultures with foreign students;

(3) Arkansas's own former United States Senator James William Fulbright championed efforts to establish international exchange programs, the most famous of which bears his name, the "Fulbright Fellowships"; and

(4) This subchapter is necessary to provide a registration procedure and process for these organizations in order to make information concerning these organizations accessible to the people of Arkansas.

6-18-1703. Definitions.

As used in this subchapter:

(1) "International student exchange visitor placement organization" or "organization" means a person, partnership, corporation, or other entity that regularly arranges the placement of international student exchange visitors for the purpose, in whole or in part, of allowing the student an opportunity to attend school in the United States; and

(2) "Representative" means a natural person who is responsible on behalf of an international student exchange visitor placement organization



for:

(A) The selection of a suitable host family for the placement of a foreign exchange student;

(B) The enrollment of a foreign exchange student in a local public or private school; and

(C) The periodic monitoring of the foreign exchange student and his or her living conditions and educational progress.

6-18-1704. Compliance required.

An international student exchange visitor placement organization shall not place a foreign exchange student with a host family or in a public or private school in this state without complying with this subchapter.

6-18-1705. Rules.

The Secretary of State shall adopt by rule necessary regulations concerning the registration of international student exchange visitor placement organizations for the implementation of this subchapter.

6-18-1706. International student exchange visitor placement organization - Registration.

(a)(1)(A) An international student exchange visitor placement organization that proposes to place a foreign exchange student in a public or private school in this state shall submit an application for a certificate of registration with the Secretary of State by January 1 immediately preceding the next regular school year in which the organization proposes to place a foreign exchange student.

(B) The Secretary of State shall issue a certificate of registration to the organization by February 1 if the application is in order, otherwise the application shall be returned to the organization with resubmission instructions.

(2)(A) For the purpose of service of process and service of notices, an international student exchange visitor placement organization shall provide the name, address, and telephone number of an officer or employee of the organization authorized to receive and accept service of process and service of notices.

(B) If service of process and service of notices cannot be reasonably given to the officer as provided by the organization, service of process and service of notices shall be effected by service upon the Secretary of State who shall make a reasonable effort to contact and provide any process and notices to the organization.

(b) An application for registration as an international student exchange visitor placement organization shall be submitted in the form prescribed by the Secretary of State. The application shall include:

(1) The name, address, and telephone number of the organization, its chief executive officer, and the person within the organization who has primary responsibility for supervising placements within the state.

(2) The organization's unified business identification number if any;

(3) Evidence of Council on Standards for International Educational Travel listing if any;

(4) The organization's federal income tax exemption status;

(5) A statement of compliance declaring that all monetary and

nonmonetary compensation paid to employees who are residents of Arkansas has been reported in accordance with current state income tax law.

(6) A list of the organization's placements in Arkansas for the previous academic year, including the number of students placed, their home countries, the school districts in which they were placed if placed in a public school or the private school in which they were placed, and the length of time of their placements;

(7) The organization's most recent brochure describing its programs;

(8) Evidence of the organization's health and accident insurance;

(9) The names, addresses, and telephone numbers of the organization's local representatives for Arkansas; and

(10) Any other information the Secretary of State determines is necessary for his or her examination of the request by the organization.

(c) The application must be signed by the chief executive officer of the organization and the person within the organization who has primary responsibility for supervising placements within Arkansas.

(d) Organizations that have registered shall inform the Secretary of State of any changes in the information required under subsection (b) of this section within thirty (30) days of the change.

(e)(1) Registration is valid for one (1) year and may be renewed annually.

(2) Organizations registering for the first time in Arkansas must pay an initial registration fee of one hundred fifty dollars (\$150).

(3) The fee to renew a registration is fifty dollars (\$50) per year.

(f) Fees collected by the Secretary of State under this section shall be deposited into the State Treasury and credited to the General Revenue Fund.

(g) The information provided the Secretary of State under this section is a public record and shall be open to inspection and copying by any citizen of the State of Arkansas during the regular business hours of the Secretary of State's office.

(h) Registration shall not be considered or be represented as an endorsement of the organization by the Secretary of State or the State of Arkansas.

(i)(1) Only an international student exchange visitor placement organization for students from other countries to attend a public or private school approved by the United States Department of State may be considered for approval.

(2) Only an international student exchange visitor placement organization on the Advisory list of the Council on Standards for International Educational Travel may be considered for approval.

(j) An international student exchange visitor placement organization shall have a local representative who lives within one hundred twenty (120) miles of his or her assigned students, and who bears responsibility for the organization and its participants in Arkansas.

(k)(1) An international student exchange visitor placement organization shall not place a foreign exchange student in a home or seek admission of a student in a public or private school until the international student exchange visitor placement organization has been registered with the

Secretary of State for that school year.

(2) Each year, the Secretary of State shall publish a list of international student exchange visitor placement organizations registered to place foreign exchange students in host homes.

(3) Unless the Secretary of State determines that an application for registration does not comply with the filing requirements of this chapter, the Secretary of State, upon payment of all filing fees, shall file the application, prepare, sign, and file a certificate of registration, and send a copy of the filed certificate of registration with a receipt for the fees to the organization.

6-18-1707. Informational document.

International student exchange visitor placement organizations that provide services to place students in this state shall provide prior to arrival to each student, host family, and school principal of the school in which the student is being placed, an informational document in English that shall include the following:

(1) An explanation of the services to be performed by the organization for the student, host family, and school district, which shall include:

(A) The name, address, and telephone number of the local representative of the placement organization and the local representative's immediate superior; and

(B) The responsibilities and duties of the local representative of the placement organization and the local representative's immediate superior;

(2) A copy of this subchapter; and

(3)(A) Telephone numbers and email addresses that the student, host family, and school district may use for assistance, which shall include the telephone numbers and email addresses of the following organizations:

(i) The United States Department of State; and

(ii) The Council on Standards for International

Educational Travel.

(B) The telephone numbers shall include, at a minimum, a telephone number for the organization and the telephone numbers of the organization's national headquarters if any.

6-18-1708. Violations.

An organization that fails to register as required by this subchapter or that submits false or incorrect information to the Secretary of State in filing statements required by this subchapter, whether or not the statement or report is verified, shall be prohibited from placing students in this state during the following academic year."

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator Madison
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Secretary