

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 87th General Assembly
3 Regular Session, 2009

A Bill

SENATE BILL 903

4
5 By: Senator Madison
6
7

For An Act To Be Entitled

8
9 TO ENACT THE INTERNATIONAL STUDENT EXCHANGE
10 VISITOR PLACEMENT ORGANIZATION REGISTRATION ACT;
11 AND FOR OTHER PURPOSES.
12

Subtitle

13
14 THE INTERNATIONAL STUDENT EXCHANGE
15 VISITOR PLACEMENT ORGANIZATION
16 REGISTRATION ACT.
17
18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
20

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

23 6-18-1701. Title.

24 This subchapter shall be known as the "International Student Exchange
25 Visitor Placement Organization Registration Act".
26

27 6-18-1702. Legislative findings.

28 The General Assembly finds that:

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

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

36 (3) Arkansas's own former United States Senator James William



1 Fulbright championed efforts to establish international exchange programs,
 2 the most famous of which bears his name, the "Fulbright Fellowships"; and

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

6
 7 6-18-1702. Definitions.

8 As used in this subchapter:

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

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

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

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

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

23
 24 6-18-1703. Compliance required.

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

28
 29 6-18-1704. Rules.

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

33
 34 6-18-1705. International student exchange visitor placement
 35 organization - Registration.

36 (a)(1) An international student exchange visitor placement

1 organization that proposes to place a foreign exchange student in a public or
2 private school in this state shall have a certificate of registration on file
3 with the Secretary of State by January 1 immediately preceding the next
4 regular school year in which the organization proposes to place a foreign
5 exchange student.

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

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

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

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

23 (B)(i) The compensation, both monetary and nonmonetary, of
24 the persons within the organization who have primary responsibility for
25 supervising placements within the state shall be reported to and filed with
26 the Secretary of State annually.

27 (ii) The compensation information shall be
28 confidential and shall not be disclosed publicly;

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

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

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

34 (5) A list of the organization's placements in Arkansas for the
35 previous academic year, including the number of students placed, their home
36 countries, the school districts in which they were placed if placed in a

1 public school or the private school in which they were placed, and the length
2 of time of their placements;

3 (6) The organization's most recent brochure describing its
4 programs;

5 (7) Evidence of the organization's health, accident, and bonding
6 insurance;

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

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

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

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

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

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

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

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

26 (g) The information provided the Secretary of State under this
27 section, except compensation information under subdivision (b)(1)(B)(i) of
28 this section, is a public record and shall be open to inspection and copying
29 by any citizen of the State of Arkansas during the regular business hours of
30 the Secretary of State's office.

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

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

1 for approval.

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

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

9 (k)(1) An international student exchange visitor placement
10 organization shall not place a foreign exchange student in a home or seek
11 admission of a student in a public or private school until the international
12 student exchange visitor placement organization has been registered with the
13 Secretary of State for that school year.

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

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

23
24 6-18-1706. Informational document.

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

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

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

36 (B) The responsibilities and duties of the local

1 representative of the placement organization and the local representative's
 2 immediate superior;

3 (2) A summary of this subchapter; and

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

7 (i) The United States Department of State;

8 (ii) The Council on Standards for
 9 International Educational Travel; and

10 (iii) The Committee for Safety of Foreign
 11 Exchange Students.

12 (B) The telephone numbers shall include, at a minimum, an
 13 in-state telephone number for the organization and the telephone numbers of
 14 the organization's national headquarters if any.

15
 16 6-18-1707. Information for contacting authorities.

17 (a) An approved international student exchange visitor placement
 18 organization shall compile a list of names and telephone numbers of
 19 individuals not associated with the organization who may be called by a
 20 foreign exchange student if there is a serious problem.

21 (b) The organization shall make a copy of the list available to each
 22 of its host families and to each of its foreign exchange students in the
 23 exchange student's native language.

24 (c) An exchange student shall be provided in the exchange student's
 25 native language names and telephone numbers of the organization
 26 representatives and others who may be called at any time if a serious problem
 27 occurs.

28
 29 6-18-1708. Violations.

30 A person who fails to register as required by this subchapter or who
 31 willfully and knowingly gives false or incorrect information to the Secretary
 32 of State in filing statements required by this subchapter, whether or not the
 33 statement or report is verified, is guilty of a Class A misdemeanor.