

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013
4

As Engrossed: S2/13/13 S2/25/13

A Bill

SENATE BILL 239

5 By: Senator J. Hendren
6

For An Act To Be Entitled

8 AN ACT TO ENHANCE THE PROTECTIONS PROVIDED FOR
9 INTERNATIONAL STUDENT EXCHANGE STUDENTS; AND FOR
10 OTHER PURPOSES.
11

Subtitle

14 TO ENHANCE THE PROTECTIONS PROVIDED FOR
15 INTERNATIONAL STUDENT EXCHANGE STUDENTS.
16

17
18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
19

20 SECTION 1. Arkansas Code § 6-18-1708 is amended to read as follows:
21 6-18-1708. Violations.

22 An organization ~~that fails to register as required by this subchapter~~
23 ~~or that submits false or incorrect information to the Secretary of State in~~
24 ~~filing statements required by this subchapter, whether or not the statement~~
25 ~~or report is verified,~~ shall be prohibited from placing not place foreign
26 exchange students with a host family or in a public or private school in this
27 state during the following academic year- if the organization:

28 (1) Fails to register as required under this subchapter;

29 (2) Submits false or incorrect information to the Secretary of
30 State in filing statements required under this subchapter; or

31 (3) During a one-year period, places three (3) or more foreign
32 exchange students in the home of a host family where a member of the host
33 family has a true report in the Child Maltreatment Central Registry.
34

35 SECTION 2. Arkansas Code Title 6, Chapter 18, Subchapter 17, is
36 amended to add additional sections to read as follows:



1 6-18-1709. Current international student exchange list.

2 (a) By September 1 each year, each organization shall provide a list
3 of foreign exchange students placed in Arkansas for the current school year,
4 including the:

5 (1) Name of the student;

6 (2) Home country of the student;

7 (3) Name, address, and telephone number of the student's parent
8 or legal guardian;

9 (4) Name, address, and telephone number of the student's host
10 family; and

11 (5) Public or Private school the student attends.

12 (b) The Secretary of State shall maintain a list of foreign exchange
13 students placed in Arkansas for the current school year using the information
14 provided under subsection (a) of this section.

15 (c) The information in subsections (a) and (b) is confidential and is
16 only available to law enforcement, prosecuting attorneys, the Attorney
17 General, the Department of Human Services, the Department of Education, and
18 the United States Department of State.

19
20 6-18-1710. Safety – Fines.

21 (a) An organization shall adopt policies to ensure that no foreign
22 exchange student is subjected to child maltreatment.

23 (b)(1) If a member of a host family in which a foreign exchange
24 student is placed has a true report in the Child Maltreatment Central
25 Registry, the department shall notify the Secretary of State and the
26 organization shall be:

27 (A) Issued a warning from the Secretary of State for the
28 first occurrence in a one-year period;

29 (B) Fined five thousand dollars (\$5,000) for the second
30 occurrence in a one-year period; and

31 (C) Fined ten thousand dollars (\$10,000) and banned for a
32 period of one (1) year from registering in the state for the third occurrence
33 in a one-year period.

34 (2) Fines collected by the Secretary of State under this section
35 shall be deposited into the State Treasury and credited to the General
36 Revenue Fund.

1 (3) The Department of Human Services shall not disclose the name
2 or any identifying information, except as permitted by law, pertaining to:

3 (A) The person with the true report in the Child
4 Maltreatment Central Registry;

5 (B) The foreign exchange student named as a victim; or

6 (C) The investigation of child maltreatment.

7 (c) The Secretary of State, upon notification of a true finding of
8 child maltreatment against a foreign exchange student, shall report the
9 occurrence and the organization to the Council on Standards for International
10 Educational Travel and the United States Department of State.

11
12 SECTION 3. Arkansas Code § 12-18-503, concerning notification of a
13 child maltreatment report, is amended to add an additional subdivision to
14 read as follows:

15 (9) An international student exchange visitor placement
16 organization as defined under § 6-18-1703 that has a foreign exchange student
17 currently placed in the:

18 (A) Home in which an alleged offender resides; or

19 (B) State and the foreign exchange student is named as the
20 victim.

21
22 SECTION 4. Arkansas Code § 12-18-506(a), concerning notice of a child
23 maltreatment report when the alleged offender works with children or is
24 engaged in child-related activities, is amended to add an additional
25 subdivision to read as follows:

26 (5) The international student exchange visitor placement
27 organization as defined under § 6-18-1703 that has a foreign exchange student
28 currently placed in the:

29 (A) Home in which an alleged offender resides; or

30 (B) State and the foreign exchange student is named as the
31 victim.

32
33 SECTION 5. Arkansas Code § 12-18-620(e), concerning the release of
34 information on a pending child maltreatment investigation, is amended to add
35 an additional subdivision to read as follows:

36 (11) An international student exchange visitor placement

1 organization as defined under § 6-18-1703, receiving notice of a Child Abuse
2 Hotline report under this chapter.

3
4 SECTION 6. Arkansas Code § 12-18-710(e), concerning the release of
5 information on a true investigative determination pending due process, is
6 amended to add an additional subdivision to read as follows:

7 (12) An international student exchange visitor placement
8 organization as defined under § 6-18-1703 receiving notice of a Child Abuse
9 Hotline report under this chapter.

10
11 SECTION 7. Arkansas Code § 12-18-813(c)(1), concerning notice of
12 investigative determination upon satisfaction of due process, is amended to
13 add an additional subdivision to read as follows:

14 (E) An international student exchange visitor placement
15 organization as defined under § 6-18-1703 receiving a notice of a Child Abuse
16 Hotline report under this chapter.

17
18 SECTION 8. Arkansas Code § 12-18-909(g)(16), concerning the
19 availability of true reports of child maltreatment from the central registry,
20 is amended to add an additional subdivision to read as follows:

21 (C) A volunteer agency includes an international student
22 exchange visitor placement organization as defined under § 6-18-1703;

23
24 SECTION 9. Arkansas Code § 12-18-909(g), concerning the availability
25 of true reports of child maltreatment from the central registry, is amended
26 to add an additional subdivision to read as follows:

27 (22) An international student exchange visitor placement
28 organization as defined under § 6-18-1703, that places foreign exchange
29 students in the state.

30
31 /s/J. Hendren
32
33
34
35
36