



Indiana Department of Education

Glenda Ritz, Superintendent of Public Instruction

International Youth Exchange FAQ

INTERNATIONAL STUDENTS STUDYING IN INDIANA

1. Q. What is an Indiana “approved” International student exchange program?

- A. Indiana Code 20-26-11-10 (b) states that: A foreign student visiting in Indiana under any student exchange program approved by the state board is considered a resident student with legal settlement in the school corporation where the foreign exchange student resides. The student may attend a school in the school corporation in which the family with whom the student is living resides. A school corporation that receives a foreign student may not be paid any transfer tuition. The school corporation shall include the foreign exchange student in computations to determine the amount of state aid that it is entitled to receive.

In order to attend Indiana schools without providing transfer tuition, international exchange students may only participate in student exchange programs designated by the U.S. Department of State, as resolved by the Indiana State Board of Education. The U.S. Department of State maintains a list of “Organizations Designated to Administer a High School Exchange Visitor Program”

(<http://j1visa.state.gov/participants/how-to-apply/sponsor-search/?program=Secondary%20School%20Student>). Information is also found at the Council on Standards for International Educational Travel: (<http://www.csiet.org/>)

2. Q. What is a U.S. Department of State designated high school exchange visitor program?

- A. The U.S. Department of State designated high school visitor exchange programs are programs authorized to issue certificates of eligibility (IAP-66/DS-2019) for uses in securing a J-1 Visa and admission to the United States.

The J-1 Visa is a non-immigrant visa category intended for use by the U.S. government and private, nonprofit organizations to promote educational and cultural exchange. Organizations such as nonprofit exchange programs or colleges and universities, may be designated by the U.S. Department of State as approved J-1 exchange visitor programs.

3 Q. What are the responsibilities of the U.S. Department of State designated programs?

- A. The U.S. Department of State regulations controlling designated international exchange programs are outlined in federal rules and regulations, under Title 22, <http://www.ecfr.gov/cgi-bin/text-idx?SID=05afe8490682a15232d34b94c212d8ca&node=22:1.0.1.7.35&rgn=div5>. (<http://ecfr.gpoaccess.gov/>). Included in these rules are the requirements concerning mandatory health and accident insurance and the regulations on maintenance of accurate records for each participant. Other major provisions require that sponsors (exchange visitor programs):
- be tax exempt §62.25(b)(1)
 - require all participants to pursue a full course of study, of not less than one academic semester nor more than two academic semesters §62.25(c)(1);
 - assure that participants are secondary students in their home country who have not completed more than eleven years of primary and secondary study, exclusive of kindergarten; or limit their programs to participants of at least 15 years of age but not more than 18 years and six months of age as of the program start date §62.25(e)(1).
 - have not previously participated in an academic year or semester secondary school student exchange program in the United States §62.25(e)(3).
 - secure prior written acceptance for the enrollment of any student participant in a United States public or private secondary school §62.25(f)(1). (*The Indiana Department of Education's interpretation the intent of this regulation is that schools have the right to limit the number of foreign exchange students they will accept, regardless of whether they are from one or more sponsors.*)
 - 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 §62.25(f)5);
 - and ensure adequate orientation to participants and their host families §62.25(g) & §62.25(k).

4. Q. May schools deny enrollment to an exchange student?

- A. Under Indiana's Compulsory School Attendance law students between ages 7 to 18 must attend school. Indiana Code 20-26-11-10 (b) states that "A foreign exchange student visiting Indiana under any student exchange program approved by the state board is considered a resident student with legal settlement in the school corporation where the foreign exchange student resides. The student may attend a school in the school corporation in which the family with whom the student is living resides. A school corporation that receives a foreign student may not be paid any transfer tuition." An international exchange student should not "appear on the door step" of a school without knowledge and permission of the school administration. However, if this does occur the school must enroll the student.

Sponsors (high school exchange visitor programs) shall secure prior written acceptance for the enrollment of any student participant in a United States public or private secondary school.

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. Under no circumstances shall a sponsor facilitate the entry into the United States of a student for whom school placement has not been secured §62.25 (f).

If a change of home stay becomes necessary, the sponsor should make every effort to place the student with another family in the **same school district or same school**. If this is not possible, a different district should be identified and contracted first before a host family is contacted in that district. This will ensure consent from the school district before a family has made the commitment to host an exchange student.

5. Q. How is the enrollment of international exchange student different than enrollment of immigrant students?

A. International exchange students must be accepted by an approved school prior to enrollment. Immigrant students not enrolling through a formal exchange program must be enrolled regardless of immigration status. The children of undocumented immigrants cannot be denied enrollment and they are not included in the SEVIS reporting that is required for international exchange students. (See SEVIS section)

6. Q. Do international exchange students have to be assessed for English proficiency level?

A. Under the Elementary and Secondary Education Act (ESEA), a foreign exchange student is not exempt from any Title I or Title III required English language proficiency placement assessment. LEAs are required to administer a Home Language Survey to all first-time enrollees (i.e. incoming Kindergarteners) and students enrolling from out of state. If a student, including a foreign exchange student, has a language other than English identified on the Home Language Survey, then an English language proficiency placement assessment test must be administered within 30 days of the beginning of the school year or two weeks after enrollment. If a foreign exchange student receives a score of something other than fluent English proficient on the placement test, then the student is considered Limited English Proficient (LEP) and begins receiving federally required English language development services. This policy applies even if the student's foreign exchange program required an English proficiency assessment. English language proficiency assessments aligned to Indiana's English proficiency assessment are required. A score that a foreign exchange program considers as English proficient may not correlate to Indiana standards. Therefore, foreign

exchange students should be treated like any other student if they indicate a language other than English on a home language survey.

A foreign exchange student that indicated a language other than English on the Home Language Survey would also be included in an LEA's Language Minority (LM) count for purposes of allocating funds under 3114(a) of the ESEA. If you have any further questions, please contact: Cole Dietrich, English Learner (EL) Specialist 317.233.0786 adietrich@doe.in.gov

7. Q. Are there other types of visa for international students?

A. The J-1 visa is specifically for students participating in the U.S. Department of State designated exchange visitor programs. International students may also study in the U.S. under an F-1 visa. This is a student visa under the administration of U.S. Immigration and Customs Enforcement (ICE). (<http://www.ice.gov/>) Information is also at Study in the States: <http://studyinthestates.dhs.gov/>.

8. Q. How is an F-1 visa obtained:

A. In order to be issued an F-1 visa, an I-20 (Certificate of Eligibility for Non-Immigrant Student Status) must be obtained and presented to the American Embassy or an American Consulate in the international student's home country.
<http://travel.state.gov/content/visas/english.html>.

SEVIS AND SEVP

1. Q. What are SEVIS and SEVP?

A. The Student Exchange and Visitor Program (SEVP) is designed to help the Departments of Homeland Security and State monitor school and exchange programs and F, M, and J category visitors. Exchange visitor and student information is maintained in the Student Exchange Visitor Information System (SEVIS). SEVIS is an internet based system that maintains accurate and current information on non-immigrant students (F and M visa), exchange visitors (J visa), and their dependents (F-2, M-2, and J-2). SEVIS enables schools and program sponsors to transmit mandatory information and event notification via the Internet, to the Department of Homeland Security and Department of State throughout a student or exchange visitor's stay in the United States (<http://www.ice.gov/sevis/>).

All student applicants must have a SEVIS generated I-20 issued by an education institution approved by the Department of Homeland Security, which they submit when they are applying for their student visa. The consular officer will need to verify the student's I-20 record electronically through the SEVIS system in order to process the student visa application.

- 2. Q. Who is authorized to issue the I-20 Visa**
- A. Any educational institution, including public and nonpublic high schools, that have received approval for attendance of non-immigrant alien students from the Department of Homeland Security may issue the I-20.
(http://www.ice.gov/sevis/schools/new_schools/index.htm)
- 3. Q. How does a school apply for authorization to issue an I-20?**
- A. To apply for authorization to issue I-20s, a school must submit an I-17 (Petition for Approval of School Attendance of Non-immigrant Alien Students) and an I-17A (Designated School Official) to USCIS, http://www.ice.gov/sevis/i17/i17_2.htm.
- 4. Q. Are there any schools in Indiana which currently have authorization to issue I-20s?**
- A. Yes. In some cases, schools are not aware that they have this authorization because of an administration change. Contact USCIS to confirm your I-20 authorization status. In some cases, a school may need to resubmit an I-17. If a school has had authorization, it may just need to submit an I-17A for a new designation of signatories.
- 5. Q. What are the Legal Requirements for F-1 international Students in Public Schools?**
- A. Congress enacted limitations on certain international students planning to study in U.S. public schools. Restrictions for students on F-1 immigration status are the following:
- Prohibits their attendance in public elementary schools (Grades K-8 or publically funded adult education programs);
 - Limits attendance in public secondary schools (Grades 9-12) to a maximum of 12 months; and
 - Requires them to reimburse public secondary school for the full, unsubsidized per capita cost of education during the intended period of study
- 6. Q. Who determines what credit is granted for transferred course work?**
- A. The granting of credit when a student transfers from out-of-state or another country is determined by the receiving school's principal or designee.
- 7. Q. Who determines how to evaluate the transcript from an international exchange student?**
- A. The local school system is responsible for the final determination of what credits to grant and how to interpret the transcript of any transferring student.
<http://www.doe.in.gov/elme/legal-guidance>.
- 8. Q. How are exchange students reported to the Indiana Department of Education?**
- A. Foreign exchange students should be reported just as any other enrolled student is reported. This means that the student should be reported on the Real Time and

Attendance reports; Membership report (if the student is enrolled on count day – foreign exchange students enrolled on count day are reported as resident enrollment); and any other relevant reports (such as Additional Student Information, Language Minority, etc.). When the student leaves the school (at the conclusion of the school year or on another date during the school year, as applicable), report the student on Real Time with a Code 27 (foreign exchange student) and the appropriate exit date. If the school places the student in 12th grade and does not report mobility at the end of the year, the student remains in the Cohort as if they completed the year.

9. Q. Are international exchange students required to participate in ISTEP or ECA Assessments?

- A. All students are required to participate in the ISTEP+ assessment program and ECA assessment. This includes English Language Learner (ELL) students who are Limited English Proficient (LEP), Level 1-4, migrant students, foreign exchange students, and foreign students not participating in a foreign exchange program. Assessment outcomes will not affect the AYP results of the school since the student will not have two data points to compare.

10. Q. Who determines when a high school may issue a diploma to a student?

- A. This is a local decision. Exchange programs are prohibited from advertising that a High School diploma will be obtained by the student. To qualify for a diploma, international exchange students must meet all credit and course requirements for graduation and ISTEP+, End of Course Assessments (ECA) state assessments, like all other students. If the school decides to award a certificate to an international exchange student attending school as a senior, it should not be reported on the DOE-GR.

11. Q. If a student will be transferring out of the country to attend school and needs a transcript notarized, what do they do?

- A. Some countries require that the family provide notarized, signed documents including letters from the school corporation superintendent, the school principal, and grade transcripts. Once these documents are notarized, they also must be sealed by the Secretary of State with an **apostille** (<http://www.in.gov/sos/business/apostille/>). The person in charge of the apostilles is located in the Indiana Secretary of State's Office. For information contact:

Authentication Clerk
Indiana Government Center South
302 West Washington Street, Room E018
Mailing Address: Room 201, Statehouse
Indianapolis, IN 46204
317/232-2677 (phone)
317/233-3283 (fax)

INDIANA STUDENTS STUDYING ABROAD

1. Q. Who determines what credits a student from Indiana receives for completing study as an international exchange student?

A. When the student returns to an Indiana school, credits are determined by the local school corporation. Students may be requested to provide proper course titles and descriptions, examples of coursework completed, a list of textbooks used, and a statement concerning the length of time in school. Although this information is not required, it may assist the school corporation in granting credit.

2. Q. What programs are available for students to study abroad?

A. Information on study abroad and list of U.S. Department of State designated international exchange programs may be accessed on <http://exchanges.state.gov/us/find-programs>.

CONTACT INFORMATION:

INTERNATIONAL EXCHANGE STUDENTS

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SEVIS

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Washington, DC. 20526

800/892-4829

<http://www.ice.gov/sevis/sevis.htm>.

SEVIS.Source@dhs.gov

F-1 VISA

U.S. Department of State

<http://www.state.gov/>

201/203-5096

USCIS National Customer Service Center

Local USCIS

800/375-5283

950 North Meridian Street

www.uscis.gov

Indianapolis, IN 46204

800/375-5283

Study in the States

<http://studyinthestates.dhs.gov/>.

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