



DEPARTMENT OF STATE

CSIET Annual Conference

San Diego, CA

October 23-25, 2008

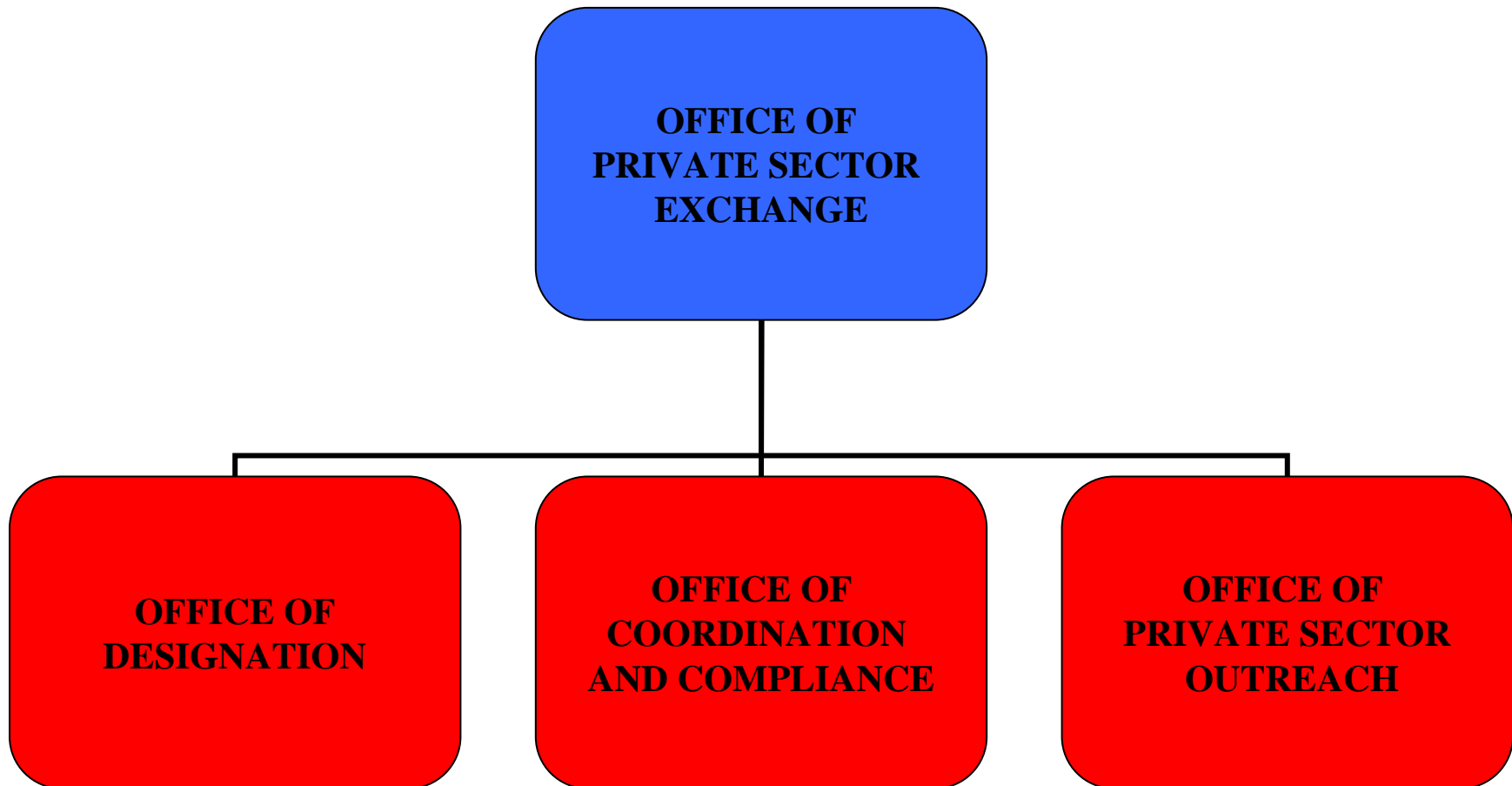


OFFICE REORGANIZATION

- Office of Exchange Coordination and Designation has been renamed and given expanded responsibilities
- The new Office of Private Sector Exchange operates under the leadership of Deputy Assistant Secretary Stanley Colvin.

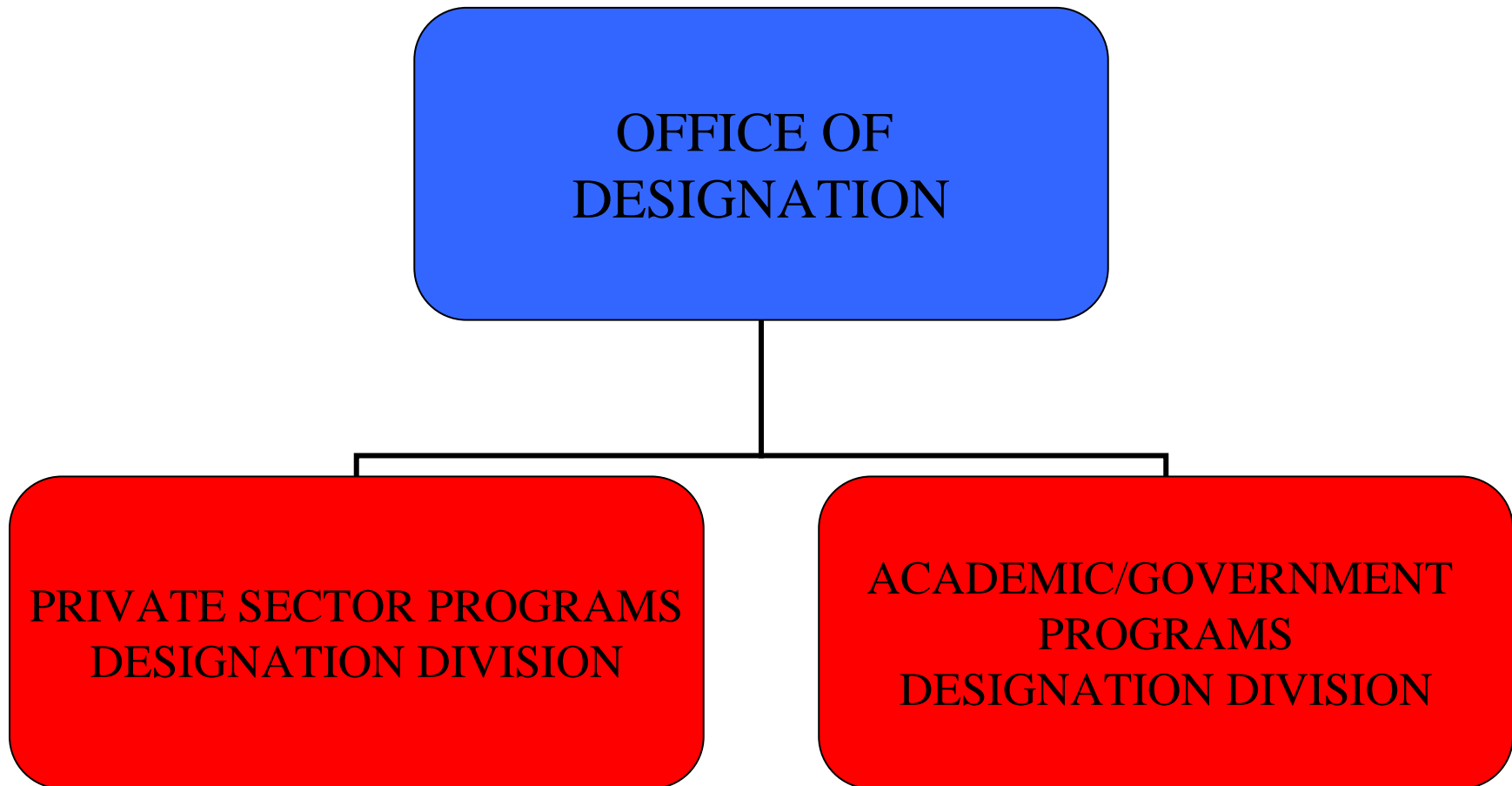


Stanley Colvin, Deputy Assistant Secretary



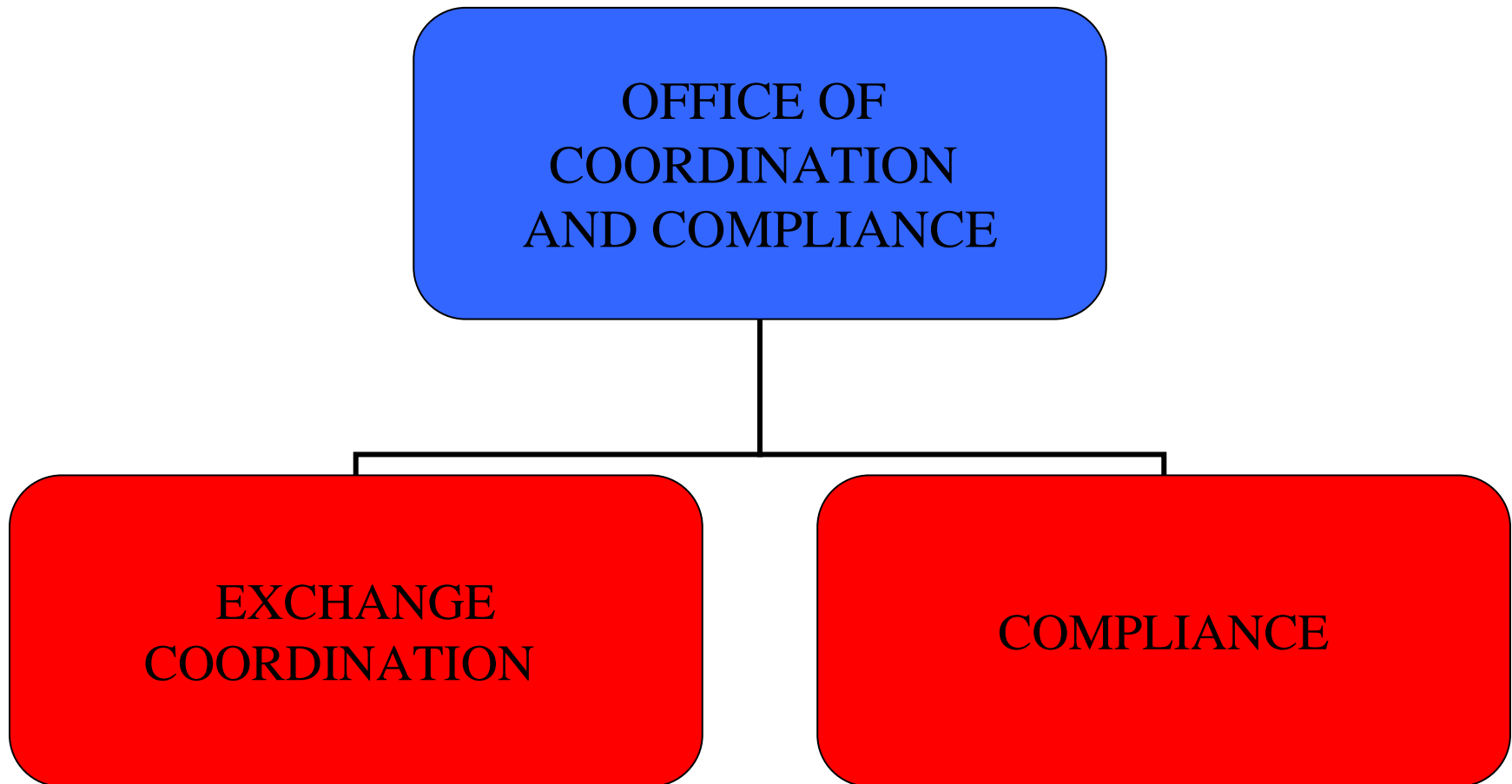


Sally Lawrence, Director





Susan Geary, Director





TBD

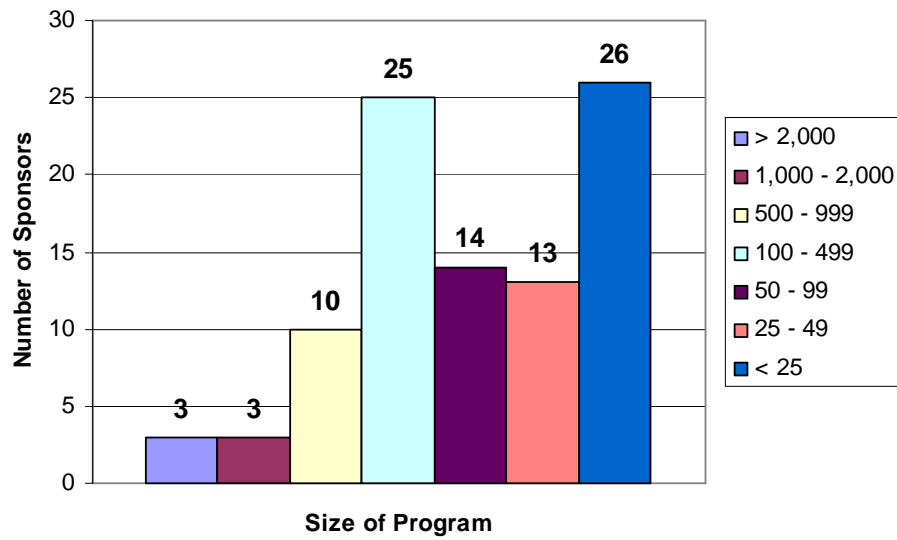
OFFICE OF
PRIVATE SECTOR
OUTREACH

TBD

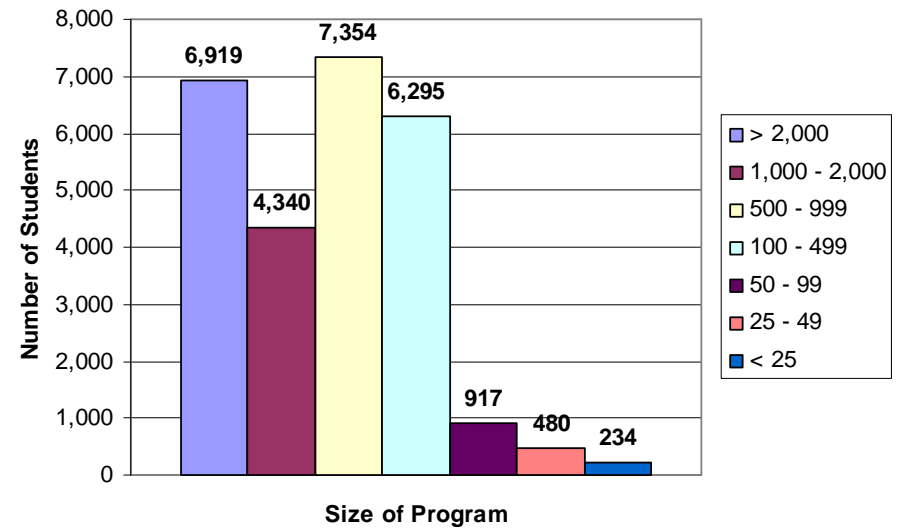
TBD



**Number of Sponsors by Size of Program
2008-2009 Academic Year**

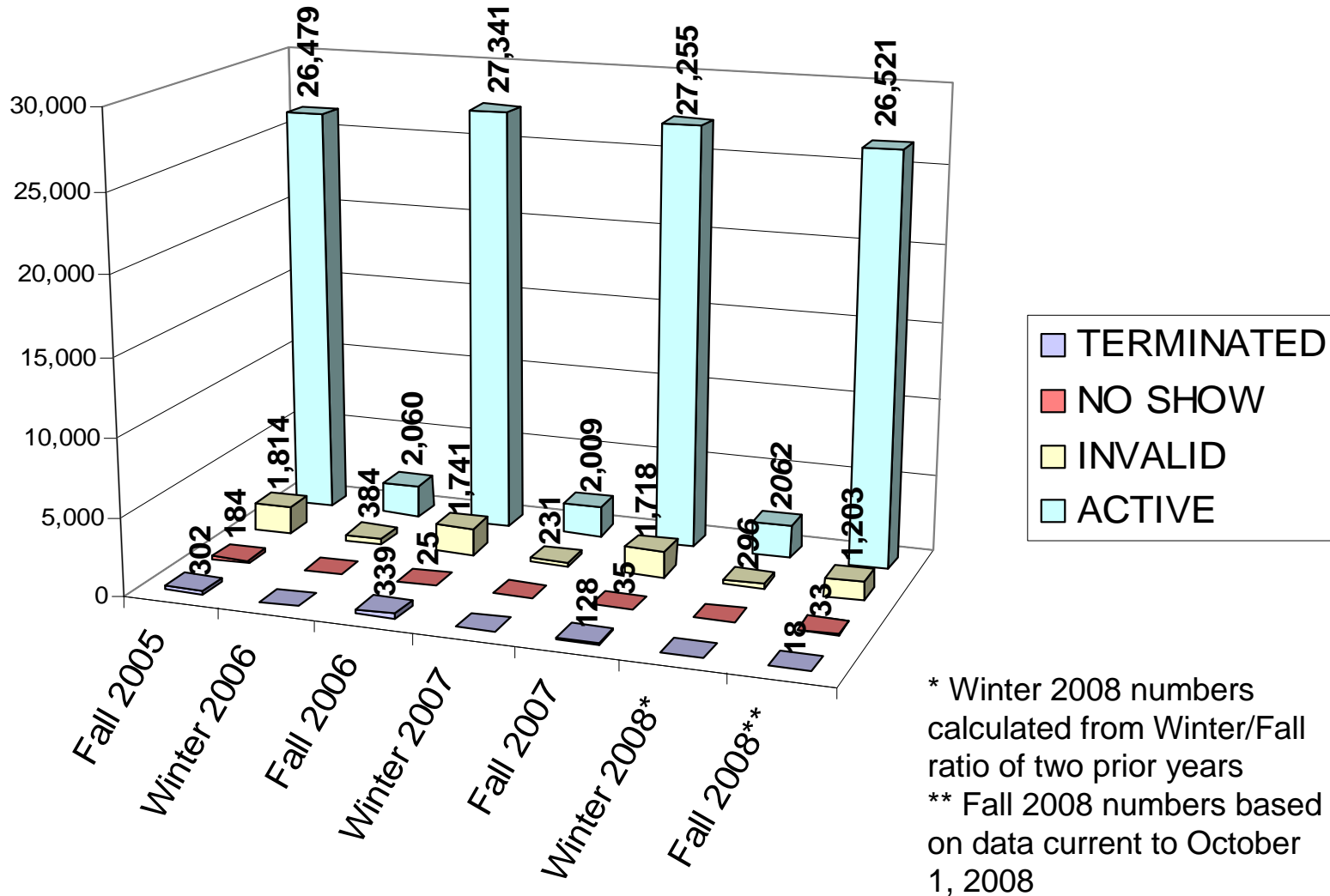


**Number of Students by Size of Program
2008-2009 Academic Year**



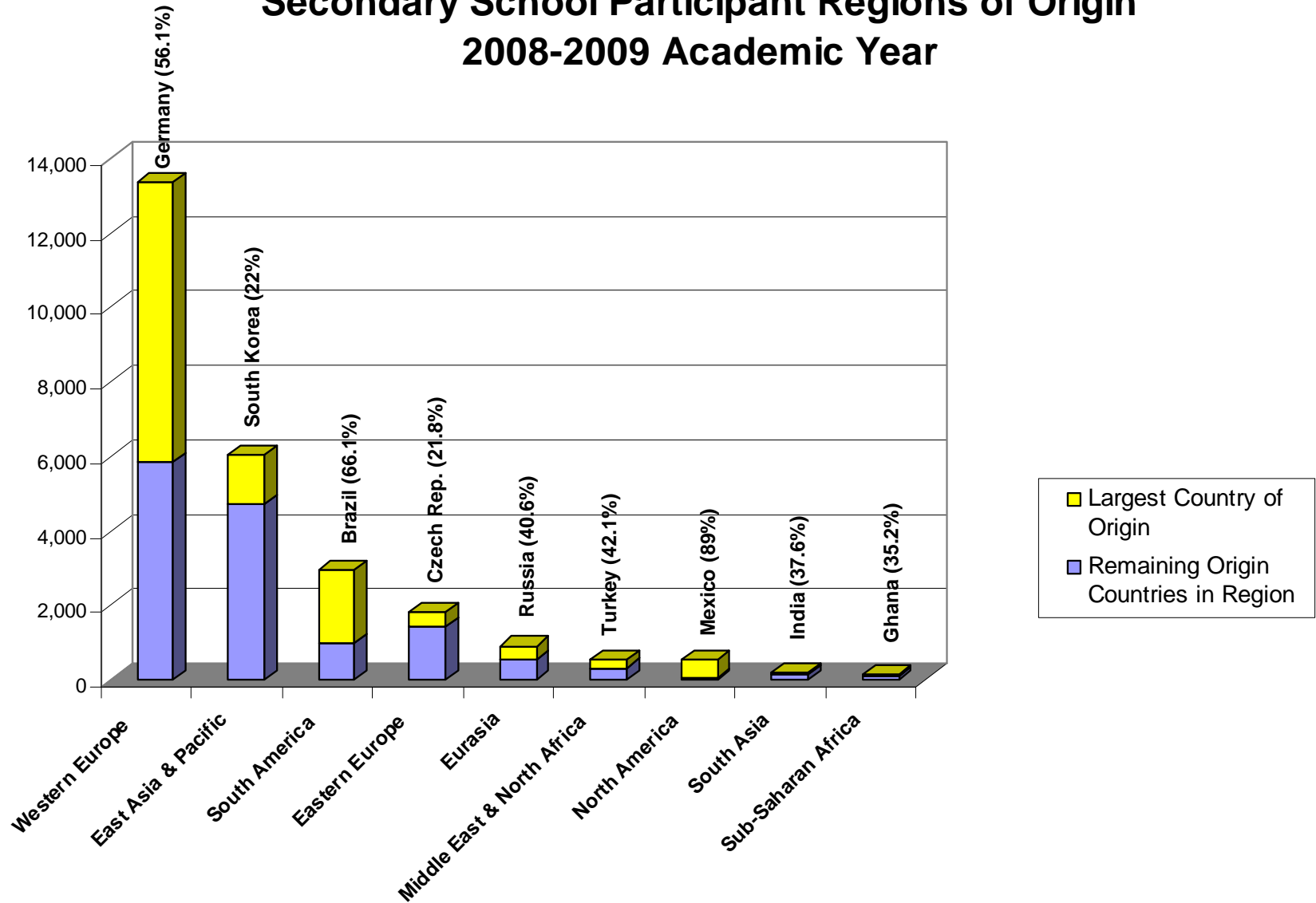


Secondary School Participants by SEVIS Status Academic Terms 2005-2008



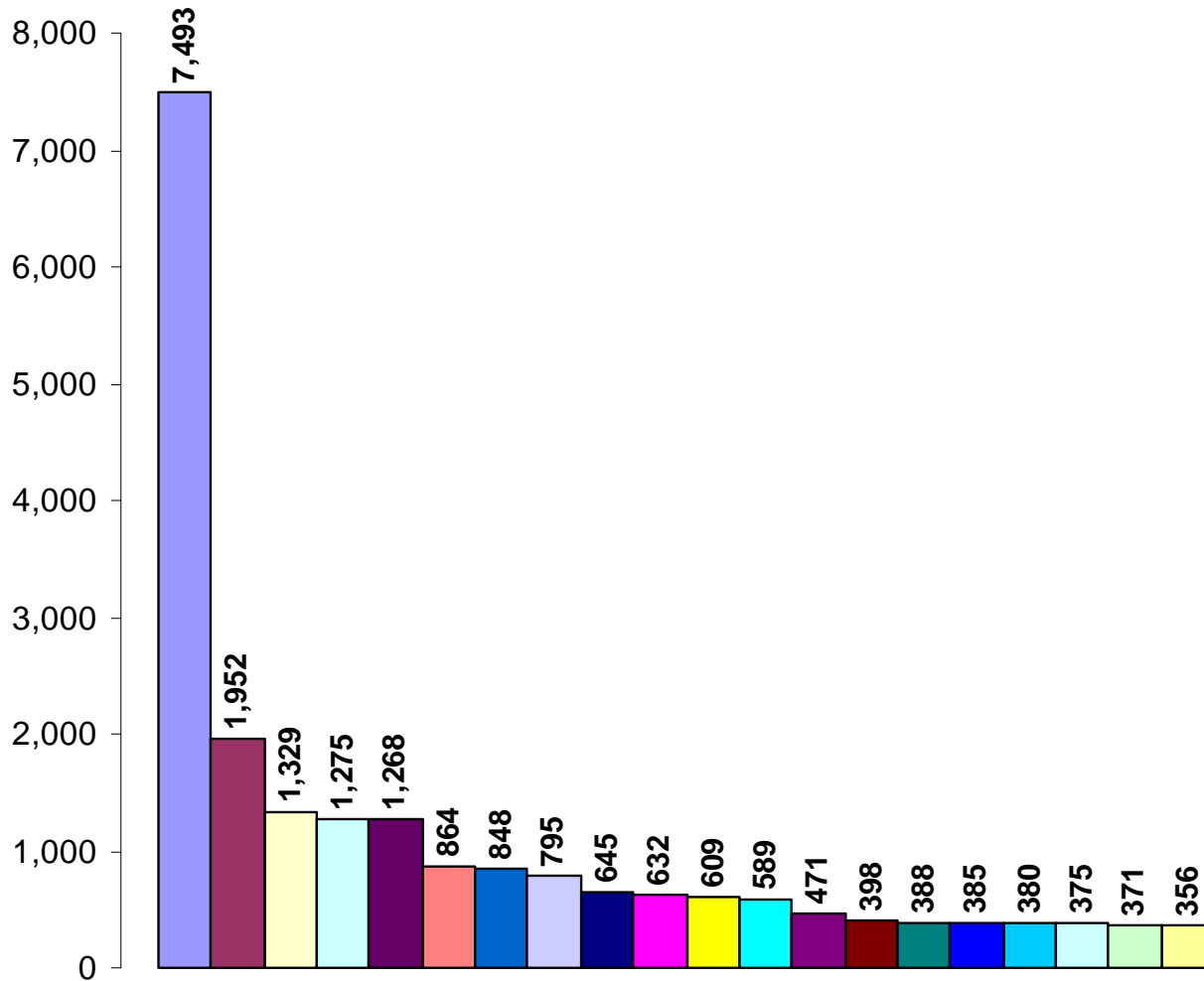


Secondary School Participant Regions of Origin 2008-2009 Academic Year

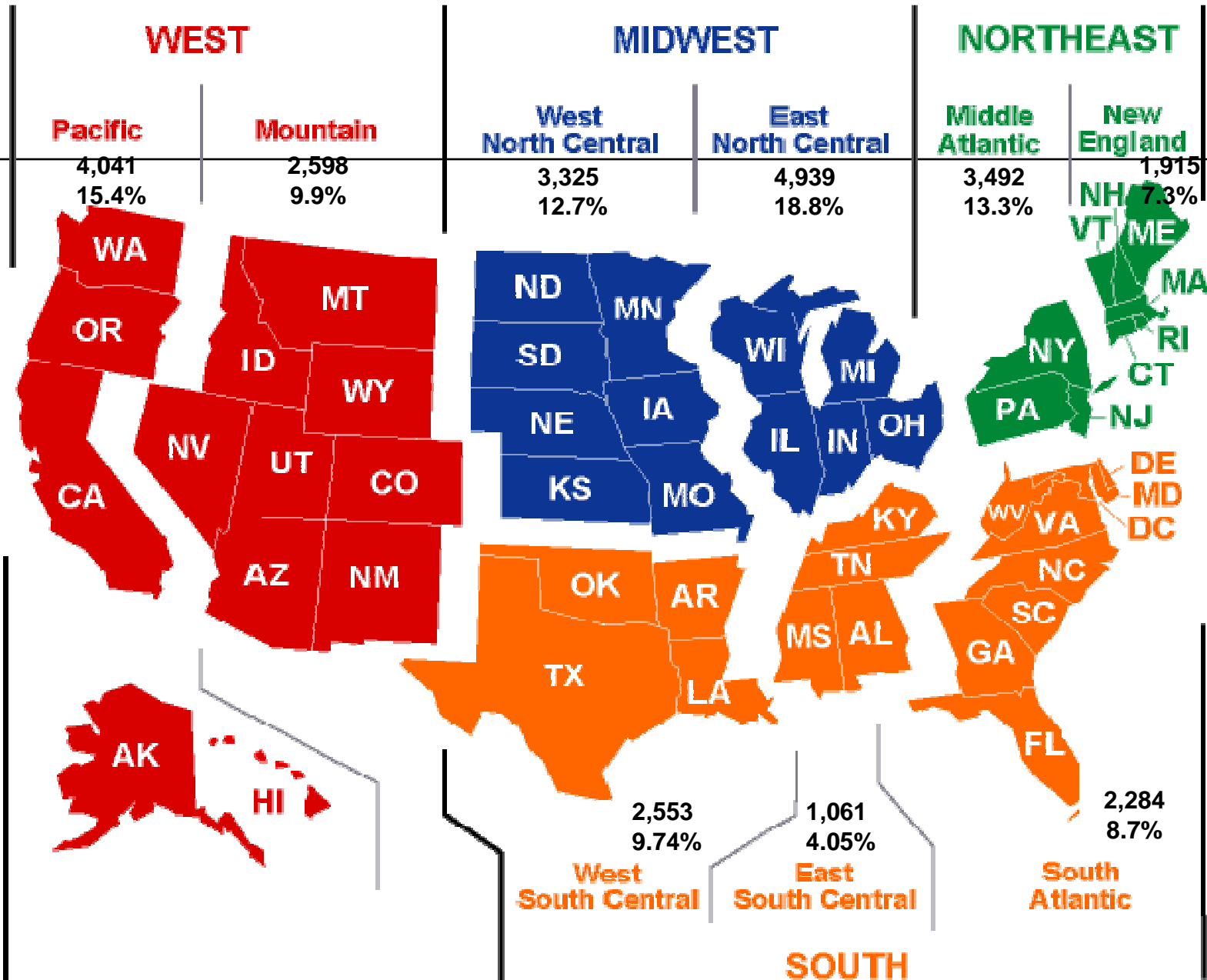




Top 20 Countries of Origin of Secondary School Participants 2008-2009 Academic Year

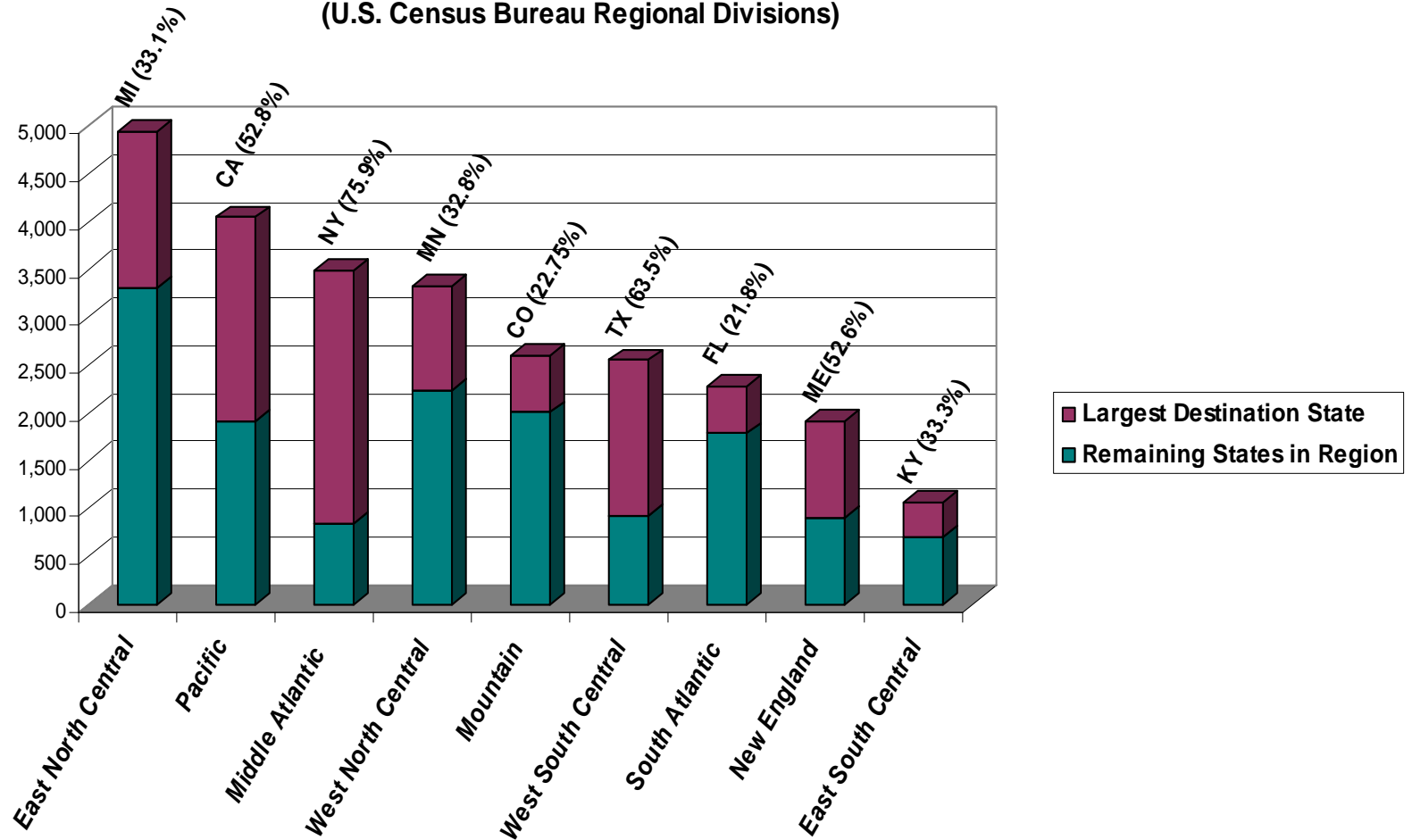


- Germany (28.2%)
- Brazil (7.4%)
- South Korea (5%)
- Thailand (4.8%)
- China (4.78%)
- Japan (3.3%)
- Norway (3.2%)
- Italy (3%)
- France (2.43%)
- Denmark (2.38%)
- Sweden (2.3%)
- Spain (2.2%)
- Mexico (1.8%)
- Czech Republic (1.5%)
- Taiwan (1.46%)
- Vietnam (1.45%)
- Switzerland (1.43%)
- Finland (1.41%)
- Russia (1.4%)
- Belgium (1.34%)





Secondary School Participant Regional Destinations 2008-2009 Academic Year (U.S. Census Bureau Regional Divisions)





CONGRESSIONAL INTEREST

- Senate Foreign Relations Committee staff members received complaints during the recent placement cycle
- Committee has requested information from the Department
- Plans are to meet with sponsors



ISSUES OF INTEREST

- ❑ Students entering U.S. without school and host family placements
- ❑ Whether to require documents confirming school and host family placements for visa issuance
- ❑ Selection and training of field staff/volunteers
- ❑ Selection of appropriate host families
- ❑ Effectiveness of temporary/arrival families
- ❑ Summer language/enrichment programs



COMMITTEE INQUIRY

- As of **October 1st**, how many of 26,790 participants in fall 2008 academic year/semester program
 - Were still living with temporary families
 - Were not attending school
 - Attended private schools
- **Sponsors replied:**
 - 1,015 students are living with temporary families
 - All students are enrolled in and attending school
 - 1,384 students are placed at private schools



ISSUES OF INTEREST TO DOS

- ❑ 2008-09 academic year placements
- ❑ Allotments: quality of placements, not quantity
- ❑ Host family placements
 - Payments
 - Summer language/enrichment programs
 - Double placements
- ❑ The role of field staff



ISSUES OF INTEREST TO DOS

- Required Reporting
- Revision of Subpart A
- SEVIS II



2008-2009 ACADEMIC YEAR

- Better placement year than 2007-2008
 - Fewer complaints
 - Data shows better trends
- Still have a long way to go
 - Global economic crisis creates new challenges
- Department's focus: working with sponsors to identify problems and find solutions



ANNUAL ALLOTMENT PROCESS

You said: We plan two years in advance.

We acted: Developed new process to assist in your resource planning.

- DoS will review allotment requests a year in advance
 - Sponsors submit requests in June
 - DoS evaluates and responds in July/August
 - DoS releases forms in January – contingent on successful placements in the fall



ALLOTMENTS

- ❑ The program runs on an academic, not calendar year (July 1 – June 30)
- ❑ Allotments cover the entire academic year – fall semester and spring semester
- ❑ One request annually - no additional allotments granted for spring semester



HOST FAMILY PLACEMENTS

- Payments
- Summer language/enrichment programs
- Double placements



HOST FAMILY PAYMENTS

- **We asked:**
 - Provide feedback on paying families to host students
- **You replied:**
 - A few support payments and are currently compensating families
 - The vast majority of sponsors oppose compensation
- **We concluded:**
 - As a matter of policy, host families should not be paid for hosting exchange students in the J-1 Exchange Visitor Program



WHAT'S WRONG WITH PAYING HOST FAMILIES?

- Compensating host families is inconsistent with the spirit of the public diplomacy mission of the Exchange Visitor Program
- **What is compensation?**
 - Payment that suggests the student is a boarder rather than a guest. Some sponsors do this - you know who you are.
 - Advanced cash, reimbursements, gifts in kind, natural parent contributions, stipends, etc.



IF YOU WISH TO PAY HOST FAMILIES

- We encourage programs that wish to pay families to host students to voluntarily withdraw from the Exchange Visitor Program so they might focus their efforts on a business model better suited for the DHS F-1 student program.



SUMMER PROGRAMS

- ❑ 16 sponsors operate summer programs
- ❑ Summer programs must comport with current regulations
- ❑ Department is evaluating whether the benefits outweigh the problems



REGULATIONS THAT SUMMER PROGRAMS MAY COMPROMISE

- ❑ Securing schools and host families for the academic year/semester prior to student's departure from home country. 62.25(f) and (l)
- ❑ Notifying students of these placements (and whether tuition will be charged) prior to departure. 62.25(g)
- ❑ Entering the U.S. no more than 30 days before the report date or start of the approved program listed on Form DS-2019. 8 CFR 214.2(j)(ii)



PROGRAM BEGIN DATE

□ **What it is not:**

- Start date of summer program
- Estimated date school starts
- Average start date of school in geographic region



PROGRAM BEGIN DATE

□ **What it is:**

- Actual start of school for each student
- Actual start of one or two semester (or quarter equivalency) academic program 62.25(c)(2)
- Actual start date of full course of study at accredited academic institution 62.25(c)(1)

Update SEVIS record when school placement is finalized or upon validation



DOUBLE PLACEMENTS

- Policy essentially unchanged
 - Except for DoS prior approval requirement
- All paperwork still needs to be collected
- Periodic data requests to monitor compliance
- DoS will impose sanctions for noncompliance



ROLE OF FIELD STAFF

- ❑ To the exchange visitors, field staff represents the U.S. government
- ❑ Critical screening and selection occurs in the field
- ❑ Field staff selection, training, and oversight is key

*We must not lose sight of the
public diplomacy mission*



ROLE OF FIELD STAFF IN HOST FAMILY SELECTION

Major problem: Inadequate screening and selection of host families

Sponsors' responsibility:

- Define an “appropriate” host family
- Adopt standard selection procedures
- Hire, train and monitor field staff



SELECTION MISTAKES ENDANGER STUDENTS

- ❑ Exchange visitors placed with convicted felons
- ❑ Exchange visitors placed with sexual predators
- ❑ Exchange visitors placed with host families before criminal background checks are performed
- ❑ Devout exchange visitors placed in religious intolerant homes and vice versa



WHAT IS AN APPROPRIATE FAMILY?

- ❑ **Suitability of home** – cleanliness, privacy, transportation, animals
- ❑ **Family availability** – support, care for student
- ❑ **Age of family** – too old or too young?
- ❑ **Single adults** – are single placements appropriate?
- ❑ **Consider motivation** – is family seeking help with child care, elder care, family business?
- ❑ Is **English** spoken in the home?



DEVELOP STANDARDS FOR EACH SCREENING STEP

- Criminal background checks
 - How to evaluate a prior record?
 - Should specific databases be checked?
 - What about fingerprints?
- Character references
 - Are family members reliable sources?
 - How long have they known the family?



DEVELOP STANDARDS FOR EACH SCREENING STEP

- Financial Ability
 - How to approach delicate topic?
 - How to evaluate resources?
- Interview and home inspection
 - Do they meet baseline requirements, e.g., electricity, running water?
 - Do they pass “white picket fence” test?

Standards will be measured in Management Audit.



NATIONAL STANDARDS FOR SELECTION AND TRAINING OF FIELD STAFF

- ❑ Addresses host family selection problem at its root
- ❑ Establishes professional association for local and regional coordinators
- ❑ Adopts code of ethics
 - Knowledge of public diplomacy
 - Child safety literacy
- ❑ Requires certification
 - Outsourced to a recognized accrediting authority
- ❑ Establishes central registry



REQUIRED REPORTING

- ❑ Annual reports 62.15
- ❑ Placement reports 62.25(m)(3)
- ❑ Placement change reports 62.25(1)(3) and 62.25(m)(2)
- ❑ Reporting incidents or allegations of actual/alleged sexual exploitation or abuse 62.25(m)(1)
- ❑ Reporting serious problem or controversy which could bring notoriety or disrepute 62.13(9)(b)



ANNUAL REPORTS

- ❑ Annual report due by end of July
- ❑ Annual reporting cycle: academic year
 - July 1st through June 30th
- ❑ Include new information, financial statements, Forms 990, insurance updates, narrative to address highlights/problems
- ❑ Complete annual report in SEVIS and then fax/mail to DoS



PLACEMENT REPORTS

- Due dates
 - August 31st for fall semester
 - January 15th for spring semester
- If an exchange visitor is not on the placement report, the exchange visitor may not start the program that semester
 - May enter U.S. after date of report



PLACEMENT REPORTS

- Use Excel 2003 template provided by DoS
- Email reports to
PlacementReports@state.gov
- Format may change over time
 - Addition of local coordinator very helpful
- Submit report even if no students that semester



REPORTING REQUIREMENTS

- Must report as soon as incident/allegation or problem/controversy becomes known – do not wait!
 - Leave voice message
 - Send email/fax
- Update as facts evolve
- Use template for faster reporting



PLACEMENT CHANGE REPORTS

- Annual statistical summary
 - Number and reason(s) for changes in host family placement 62.25(1)(3)
- Summation of all situations resulting in placement of exchange visitor with more than one host family or school 62.25(m)(2)
- Department will provide guidance on a standardized format for these reports



TITLE 22 CFR PART 62

SUBPART A

- Redrafted and seeking clearance on modifications to 1993 version of Subpart A
 - Reflects introduction of SEVIS in 2003 and resulting amendments
 - Reflects changes in regulations
 - Reflects new categories and programs
- Will be posted on our website when published in the Federal Register (with 60 days comment period)
- Please take time to review and respond!



SEVIS II

- Target date: October 2009
- Retains all functions of current system with better interfaces
- Adds flexible searching and reporting for all users
- Extracts SEVIS data into spreadsheet format
 - Facilitates improved self-monitoring



SEVIS II

- ❑ Establishes “one person-one record”: each nonimmigrant exchange visitor assigned unique Immigration Identification Number (IIN)
- ❑ Upon entry of IIN, SEVIS will automatically populate Form DS-2019 with biographic information stored in system
- ❑ Paperless environment – no printing, signing, mailing forms to potential EVs
- ❑ Information electronically available to DoS and DHS
- ❑ “Admissibility” indicator alerts officials at port of entry when record has been cancelled

Stay informed: www.ice.gov.sevis.outreach



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STAY TUNED ...

...For more words for our sponsors



The Compliance Office

- Director: Susan Geary
- Compliance Officers: Elizabeth Dickerson and Tamara Martin
- Program Officer: Vicki Rose
- Program Coordinators: Michael James, Christopher Morrison, and Len Carretti

Can't have too much of a good thing!



Three Purposes of the Compliance Office

- ❑ Information collection and analysis
- ❑ Education and information dissemination
- ❑ Last resort: Off to the tool shed!

*Remember the Exchange Visitor Program is a
cornerstone of American foreign diplomacy*



Focus on Information

- ❑ Statistical data of industry in general as well as specific categories
- ❑ Ad hoc data requests
- ❑ Management audit templates
- ❑ Standard formats for regulatory reports

Moving from anecdotal evidence to statistically valid industry-wide trends



Why Data Requests?

- Largest 20 sponsors = nearly 80%
- Noticed non-compliance in two sponsors
 - Systemic or sponsor-specific?
- Evaluated compliance with key screening and selecting regulatory requirements

Serves as baseline for future analyses



First Data Request

- 2006 – 2007 Academic Year
- Checked for existence and timeliness of documentation demonstrating mandatory screening steps:
 - Host Family Applications
 - Character References
 - Criminal Background Checks
 - Student Notification
 - School Acceptance



Sponsor Is Compliant When

- ❑ Required evidence exists
- ❑ Evidence/documents are dated
- ❑ **On or before:**
 - Date student left home country
 - Date student joined host family
 - ❑ Subsequent host family placements



Second Data Request

- ❑ 2007 – 2008 academic year
- ❑ Again, largest 20 sponsors
- ❑ Adds family interview



Three's a Charm

- Yes, Virginia, we will ask for data for the 2008 – 2009 academic year
- What works best for you?
 - Between now and next fall
- Need continuous data until DOS implements management audit



It's an Art, Not a Science

- ❑ Disconnect between Data Request #1 results and CSIET audit results
- ❑ Recognize that we are ...

Data Request #1 (2006-2007)



CSIET Audit (2007-2008)





It's an Art, Not a Science

- CSJET results: too good to be true
 - Initial Year
 - Modifications to instructions
 - Audits are not easy to draft
- Even though different years
 - Differences in results too great to ignore



Average CSIET Scores for 15 Sponsors

- 37 Questions
 - 11 = 100%
 - Four > 99%
 - Two > 98%
 - One > 96%
 - One > 95%
 - Five > 93%

NO SCORES UNDER 93%!



So, You Want to See the Results?

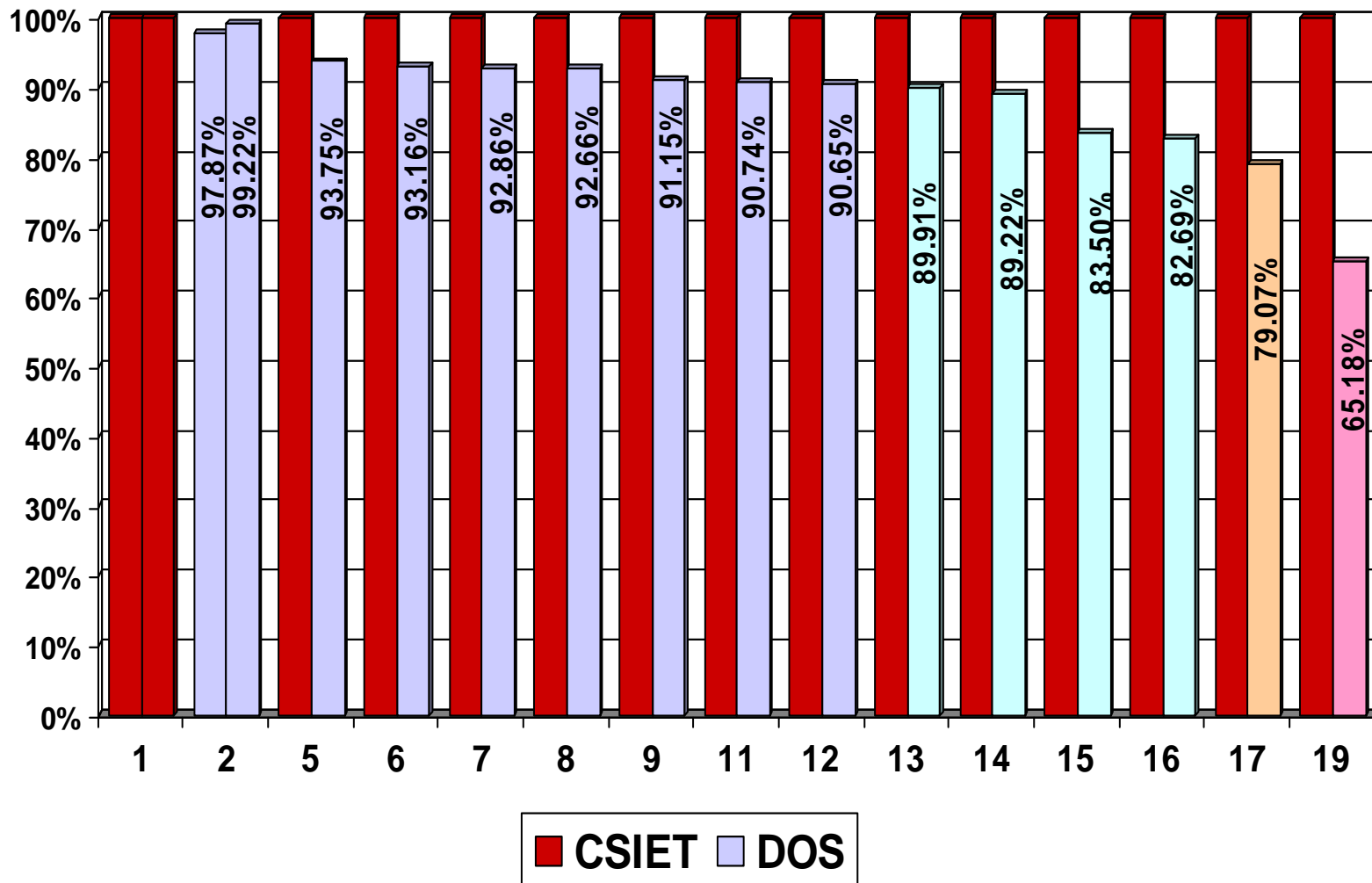
- ❑ 15 of 20 largest sponsors submitted audit results
- ❑ Aimed to compare similar questions
- ❑ On Data Request, erred in favor of the sponsors

Names have been altered to protect ...

- ❑ *...ME!*

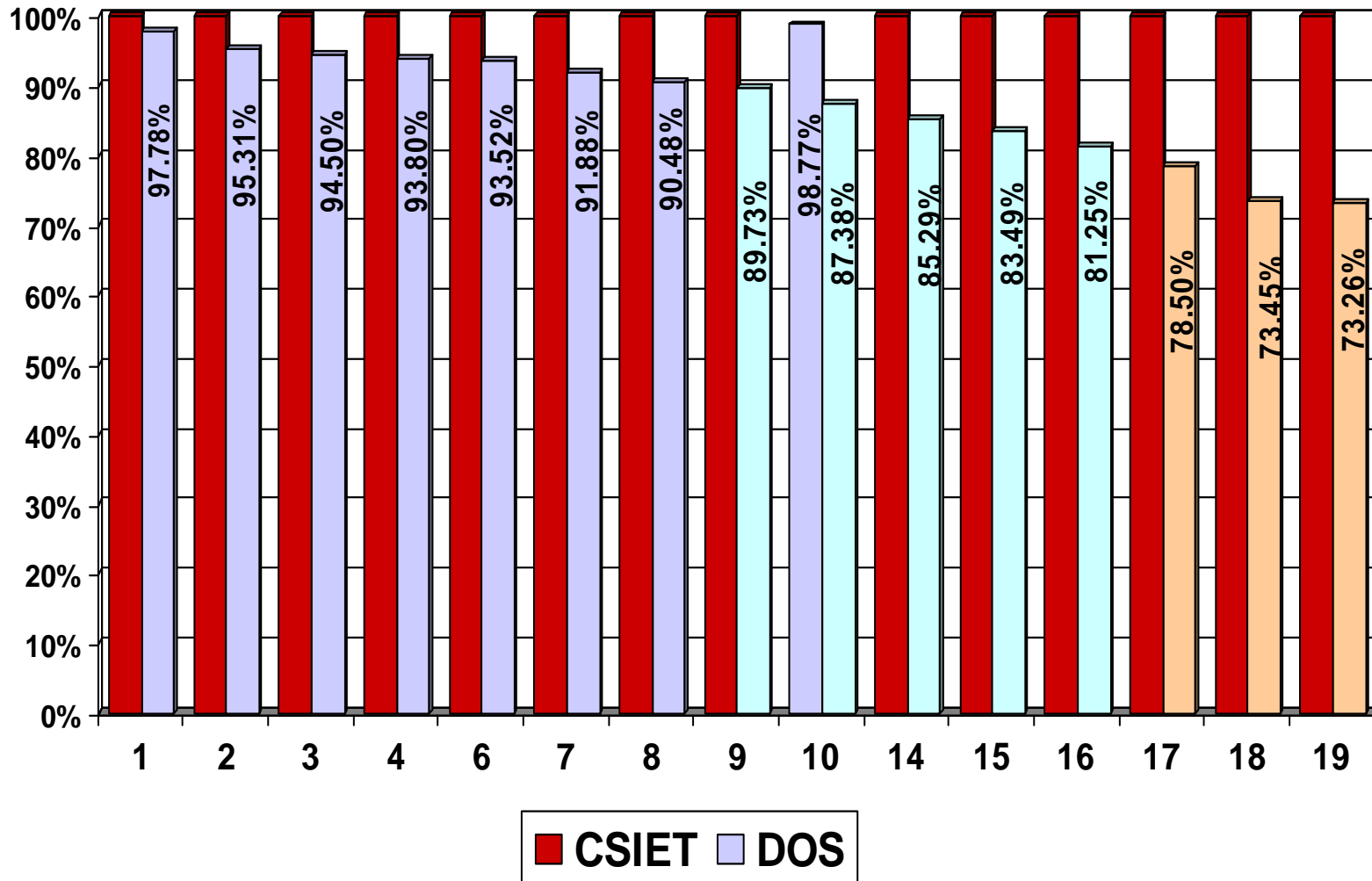


HOST FAMILY APPLICATIONS



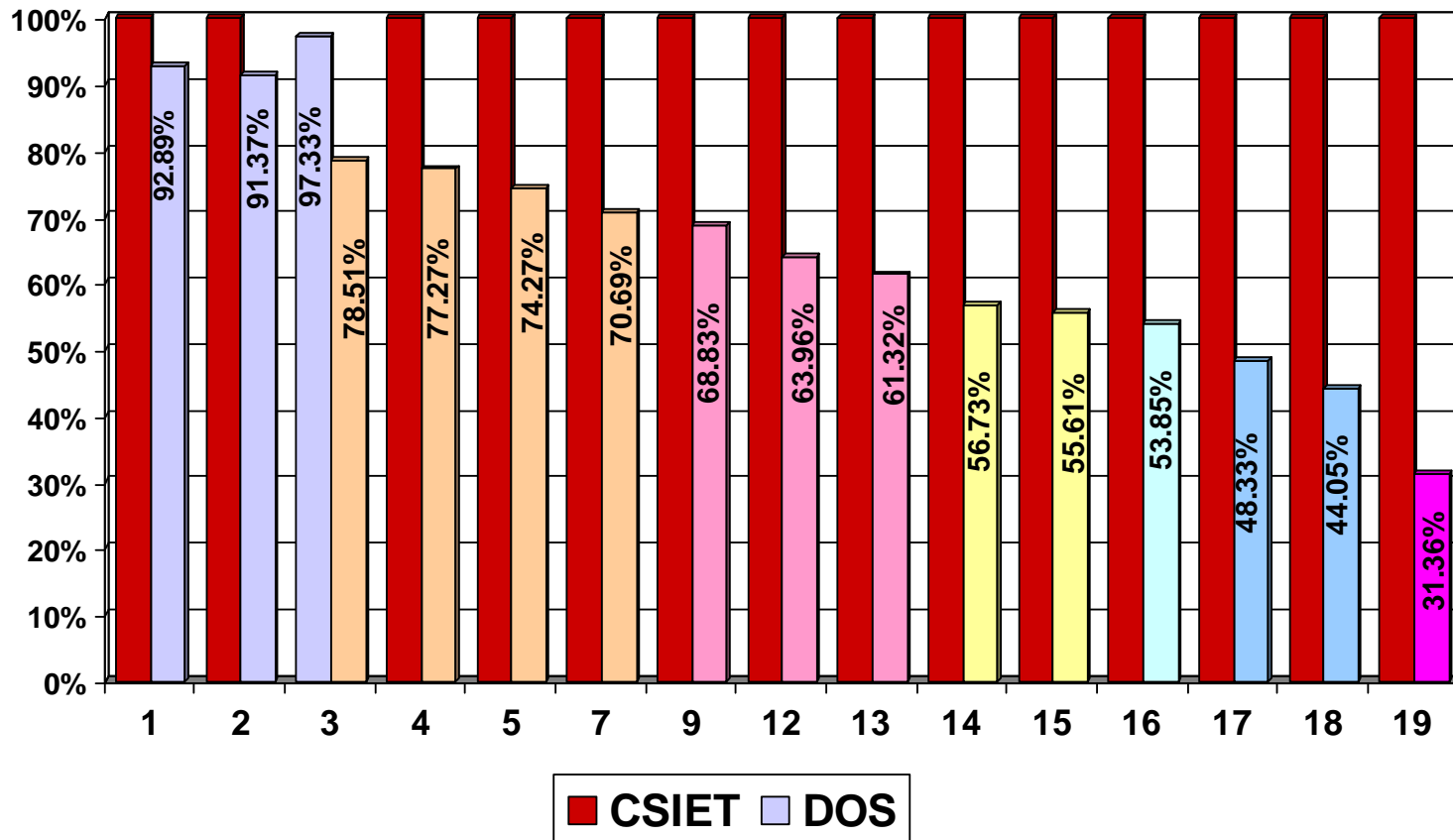


CHARACTER REFERENCES



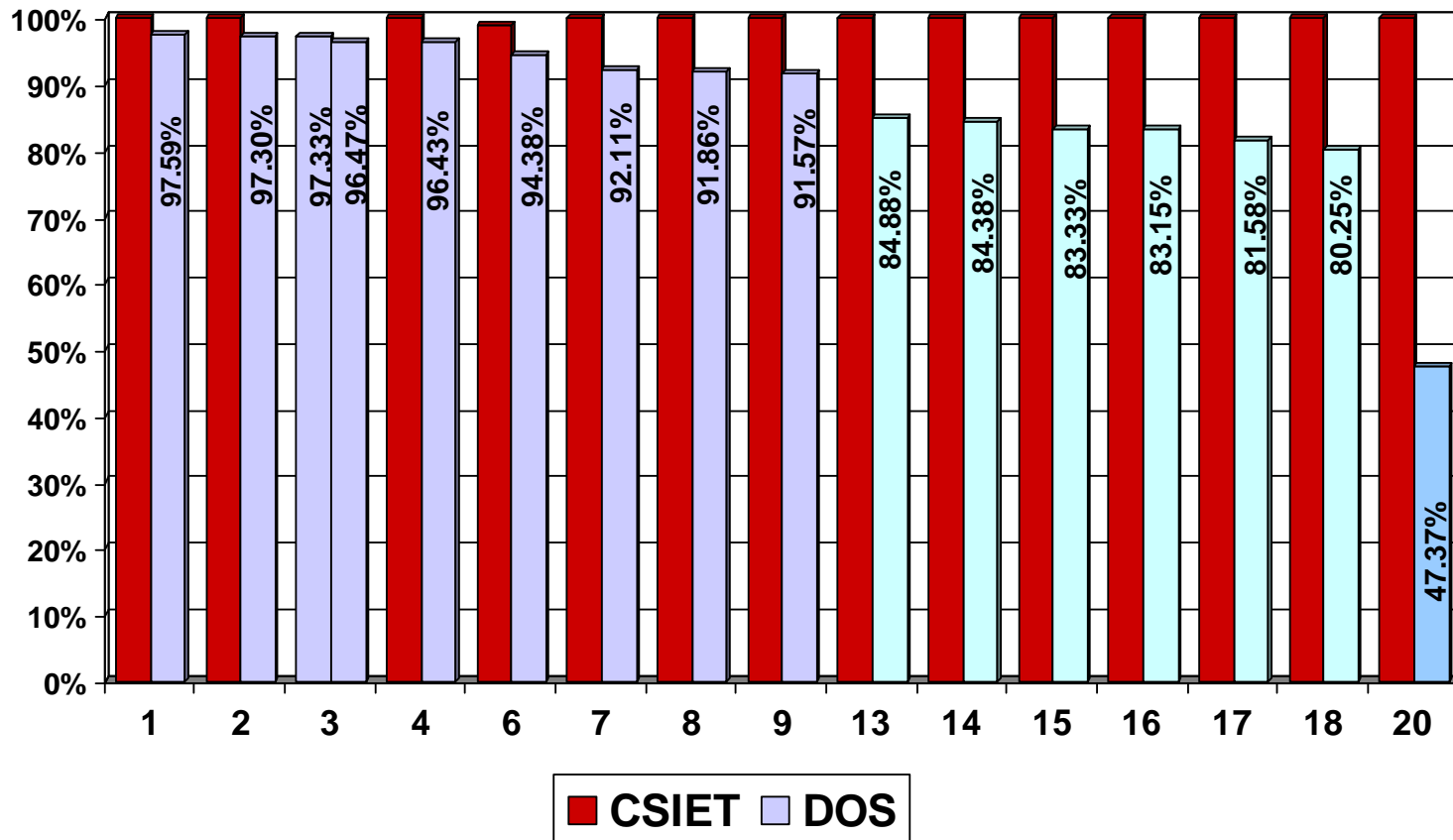


TIMELY CBCS



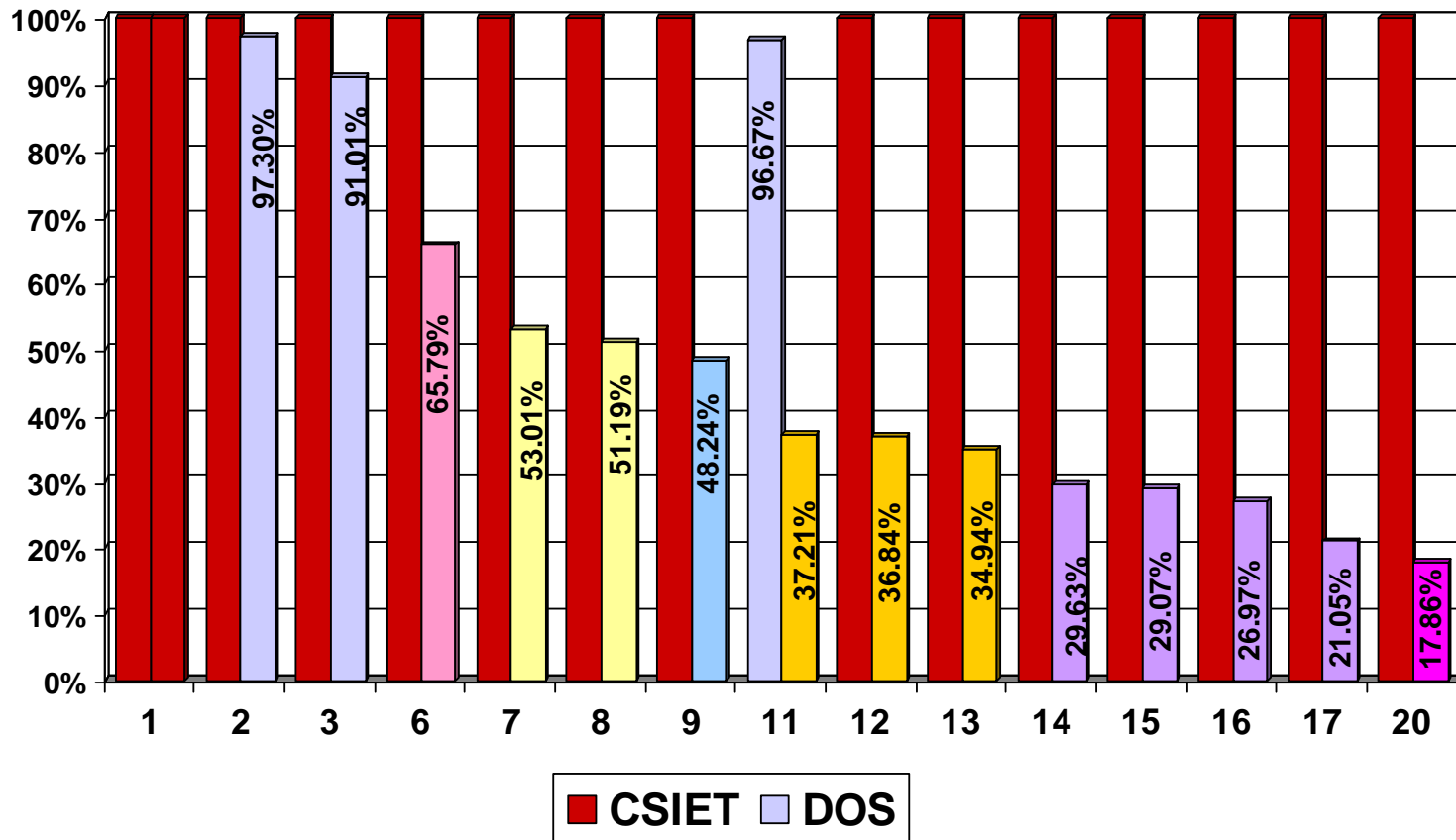


SCHOOL PLACEMENTS





NOTIFICATIONS



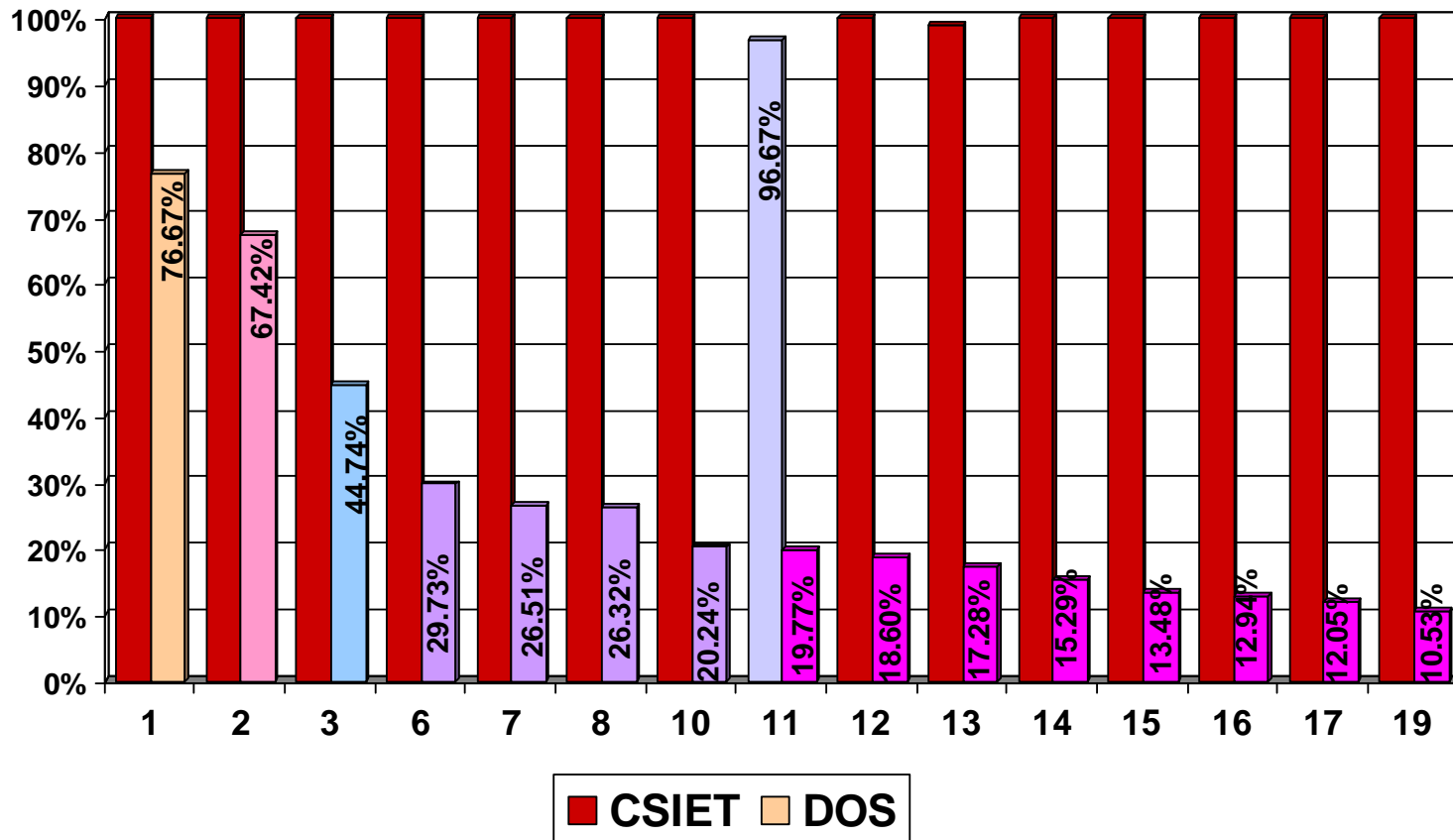


What's With Notifications?

- Cannot be dated prior to dates sponsor secures host family and school
- Purposes
 - Allay anxiety of young exchange visitors
 - Sets reasonable expectations for this young and vulnerable group



COMPLETE RECORDS





What Are “Complete Records”?

- Getting it right on all counts
- For individual exchange visitor record
 - Complied with all screening/selecting requirements
 - Remember: timing is critical
- Ranged from 3.57% to 78.87%



Enough About the Data Request: What About the DOS Audit?

- About to be published in *Federal Register*
- Opportunity for comments
- Goal: in place to measure 2009-2010 academic year



Two Heads Are Better than One: Also True for Audits?

- They measure compliance with the same regulation
 - Give or take a few
 - Wording is very different
- Department audit:
 - Is mandatory
 - Will include questions to meet CSIET information requirements
- Can see no reason there would be two

But, it's not my place to say!



When to Conduct DOS Audit?

- What works best for you?
 - After fall placement season
 - After students are settled
 - Before December 31st – Auditors get expensive in the new year
- Should discuss timing in comments



DOS Audit

- Only test for compliance with regulations for which:
 - There is evidence other than self-attestation
 - There is no other source for information
- Two types of audit questions:
 - Single Testing Point
 - Sample Population



Single Testing Point

- Matters not driven by exchange visitors
 - General sponsor matters
- Dissemination of information
 - Creation of documentation
- Existence of standards or standard operating procedures
 - Must exist to assess compliance



Matters Not Driven by Exchange Visitors

- Sample population irrelevant
 - Training of personnel
 - Criminal background checks for personnel
 - Existence of emergency telephone number



Dissemination of Information

- How to verify?
 - Checklist?
 - Return receipt?
 - Photo of mail carrier handing package to student?
- Instead: simply test that information exists
- Assumption: build it, they will come (have it, they will send)



Standards and SOPs

- Identification of standards/procedures against which to evaluate:
 - Performance
 - Suitability
 - Language Proficiency
 - Host family screening steps
 - Accreditation of schools

Standard must exist for sponsor to be compliant



Sample Population

- Designed for 95% confidence with +/- 10% margin of error
- Driven by individual exchange visitors
 - May have more than one family
 - Sample may be 93
 - Number of families may be 106
 - May have more than one school
 - Similar outcome – score is a percentage



Guidelines for Auditors

- ❑ Identifying sponsor standards
- ❑ Confirming existence of evidence in file
- ❑ Parsing the regulatory language



Identifying Standards

- “The sponsor has established standard operating procedures and selection criteria for evaluating whether....”
 - Does not define standards
 - Standard must exist
 - Screening regulations are not just check-list items



Confirming Evidence Exists

- “Evidence exists that confirms [a specific condition] is met.”
 - Does not specify required evidence
 - Does identify documents that may suffice
 - Does identify inadequate evidence
 - Calls attention to “timing” when action must precede another action
 - May provide definition



Anything Else About the Audit?

- Standard Excel spreadsheet
 - 2003 until notified otherwise
- Question-specific and Aggregated results
- 53 Testing Points and Six Categories
 - Not including CSIET questions



You Asked for It ... You Got It!

- We have provided CSIET with the latest draft version of the template for distribution to you
- Please: consolidate your comments and submit in response to Federal Register notice



The Last Word on the Audit

- ❑ Subpart A is being revised
- ❑ Will be published at same time as audit
- ❑ We are in process of drafting audit questions for Subpart A



Participant Surveys

A good idea gone bad

Back to the drawing board

Mea culpa



Participant Surveys

- ❑ Too important not to get right
- ❑ Your comments were right on point
- ❑ New draft will reflect community feedback



Department Response to Sponsor Comments

- The purpose of the survey: to collect information directly from EVP participants
- The focus of the survey: participant satisfaction and confirmation of results of management audit
- The style of the survey: shorter and in more simplistic English



Department Response to Sponsor Comments

- Next draft will reflect:
 - Improved stylistic structure and wording
 - Elimination of American bias and complex terminology
- Next draft will include:
 - More thoroughly developed procedures
 - More details about methodologies
- There will be pilot testing and collaboration with industry



Post Script: Hints from Heloise

- 8 USC § 1762
- 18 USC §1001
- 26 USC §501(c)(3)



What's Next?

- Time to clap enthusiastically
- The floor is open to questions