

ADMINISTRATIVE PROCEDURE

CATEGORY: **Students, Admission/Withdrawal**

SUBJECT: **International Exchange Students and other Nonimmigrant Students**

A. PURPOSE AND SCOPE

1. To outline administrative procedures governing the enrollment of International Student Exchange Visitors and other nonimmigrant students in elementary and secondary schools.

B. LEGAL AND POLICY BASIS

1. **Reference:** Board policy: F-2110, F-2915, H-2220; Board minutes, 1-23-79; Government Code Sections 12620 et seq., Education Code Section 35185, 8 USC 1184 et. seq, 22 CFR part 62.
2. **Board Policy Governing Noncitizen, Nonimmigrant Students.** Since January 23, 1979, it has been district practice *not* to issue I-20 forms. Inquiries may be directed to the Office of the Deputy Superintendent of Academics.

C. GENERAL

1. **Originating Office.** Suggestions or questions concerning this procedure should be directed to the Office of the Deputy Superintendent of Academics.
2. **Definitions**
 - a. **International Student Exchange Visitor:** a non resident student who does not intend to change his domicile but has been issued a J-1 or F-1 nonimmigrant visa in order to enroll in a school in the district.
 - b. **International Student Exchange Visitor Placement Organization:** a non profit organization registered with the Student Exchange Visitor Program (SEVP), that regularly arranges the placement of international student exchange visitors for the purpose of providing the students with the opportunity to attend school in the United States.
 - c. **Nonimmigrant visa:** a visa category assigned by the federal Department of Homeland Security to nonresident aliens whose primary purpose for visiting the United States is to study at a secondary school level.
 - d. **F-1 visa:** a category of nonimmigrant visa for use by a nonresident alien with the primary purpose of studying at an academic university or secondary school. A student must pay tuition to the local school district or university. The school district is not a registered exchange organization and cannot facilitate placement

other than through a registered placement organization. The district does not issue I-20 forms and does not admit students with F-1 visas.

- e. J-1 visa: a category of nonimmigrant visa for use by nonresident aliens to participate in an educational or cultural exchange program. The student is admitted through an International Student Exchange Organization registered with SEVP. The district is not required to issue any visa documents for students with J-1 visas. The sponsoring exchange organization is responsible to comply with all laws and requirements for placing a student within the school district.

3. **Enrollment of Nonimmigrant Students other than International Exchange Students.**

- a. Administration and enforcement of immigration laws and procedures is the province of the United States Department of Homeland Security. It is district practice *not* to request documentation of a child's status in the United States. If a parent does not *offer* such information, the school may not withhold enrollment.
- b. **District policy** holds that all students residing within the San Diego Unified School District attendance area can enroll in their school of residence.
- c. Students visiting the State for a short stay, such as a vacation or visit with friends or family, may not enroll in a school in the district.
- d. An International Exchange Visitor Student's permanent residency remains in their country and they are visitors to the United States, not residents and must comply with this procedure and all laws relating to International Exchange Visitor Students.

4. **Enrollment of International Exchange Visitor Students**

- a. International exchange students who come the U.S. for a long-term visit (with a J-1 visa) with the intention of attending school may register to attend school in the district only through a recognized international exchange program subject to the terms of this procedure.
- b. The district will admit international exchange students when admission does not adversely impact the instructional program of the district.

- c. The district does not accept students with F-1 visas and does not function as the sponsoring organization for placement of any foreign exchange student.
- d. Sponsoring organizations may not under any circumstance facilitate the entry of any foreign student into the United States without obtaining a school placement. They must obtain written notice of a participant's acceptance by the school from the principal or other authorized school administrator. Sponsors may not enroll more than five students in one school unless so requested in writing by the school.

5. International Exchange Student Requirements

- a. Exchange students must be qualified to participate in regular classes and maintain a regular schedule. A sufficient level of proficiency in English to enable them to participate in regular classes is a pre-requisite. The sponsoring agency is required to determine that the student is sufficiently proficient in English.
- b. May participate in extracurricular activities such as athletics, music and other such activities but athletic participation may be limited and is determined by the rules of the district and state athletic eligibility regulations.
- c. Must attain passing grades (a 2.0 grade point average for academics and citizenship with no failing grades) by the end of the first semester.
- d. Maximum term for enrollment is one year.
- e. If the student would be classified as a senior in their home school they may participate in graduation ceremonies but are awarded a certificate of attendance in lieu of a diploma.
- f. The exchange organization must provide and pay for tutorial help if the student requires it due to lack of sufficient knowledge of the English language as it is their responsibility to ensure the student is proficient in English.

D. IMPLEMENTATION

- a. The Office of the Deputy Superintendent of Academics or its designee processes all requests for placement of students from international organizations. All inquiries are to be forwarded to that office. The district will only accept students from International Exchange Organizations Registered with SEVP for whom placement is secured in advance of their arrival to the United States. The Office of the Deputy Superintendent of Academics or its designee will be responsible for assuring applicants have applied through a registered organization.
- b. The district reserves the right to work with International Exchange Organizations that have proven their commitment to high standards and responsiveness to student and district needs.
- c. International Exchange Students do not have an automatic right to enrollment in the district. The district determines the number of international students for placement in each school based on the capacity of the school to integrate the international student in a way that is beneficial and based upon space at the school. No more than five students shall be placed in any one high school and no more than two students may be placed in a school by the same exchange organization.
- d. An International Exchange Organization seeking to enroll students in the district must submit a request with all required information to the Office of the Deputy Superintendent of Academics or its designee by May 1 for students planning to begin school during first semester the following fall or by October 1 for students planning to begin school in second semester the following spring.
- e. If accepted, the student will attend school based upon the location of the host family's home. The Area Superintendent, in consultation with the appropriate principal, reviews the application. The Area Superintendent or principal will provide notification of approval or denial in writing to the program representative in a timely manner, but not later than June 1 for the first semester and November 1 for the second semester.
- f. If prior authorization is not obtained by the exchange organization, the student will be denied enrollment in the district.

- g. The International Exchange Organization must provide the name, address and telephone number of the local program representative who will be responsible for responding to student and school needs. The Organization must forward the student cumulative record to the district prior to the approval of admission. The cumulative record must be in English.

- h. Exchange students will be enrolled as full time students and are subject to the same policies, rules of conduct and attendance requirements as other students.

E. FORMS AND AUXILIARY REFERENCES

F. REPORTS AND RECORDS

G. APPROVED BY



General Counsel, Legal Services
San Diego Unified School District