

Senator Howard A. Stephenson proposes the following substitute bill:

FOREIGN EXCHANGE STUDENT AMENDMENTS

2006 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Neal B. Hendrickson

Senate Sponsor: Peter C. Knudson

LONG TITLE

General Description:

This bill modifies the State System of Public Education Code by amending foreign exchange student provisions.

Highlighted Provisions:

This bill:

- ▶ allows a foreign exchange student to be included in the attendance count if the corresponding student who left to participate in a foreign exchange program in a foreign country returns to the school district or charter school before the conclusion of the school year; and

- ▶ requires a school district or charter school to enroll a certain number of foreign exchanges students who may take classes on a space-available basis.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53A-2-206, as last amended by Chapter 257, Laws of Utah 2004



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Be it enacted by the Legislature of the state of Utah:

Section 1. Section **53A-2-206** is amended to read:

53A-2-206. Exchange and interstate compact students -- Inclusion in attendance count -- Annual report -- Requirements for exchange student agencies.

(1) A school district or charter school may include the following students in the district's or school's membership and attendance count for the purpose of apportionment of state monies:

(a) a foreign exchange student sponsored by an agency approved by the district's local school board or charter school's governing board, subject to the limitation of Subsection (2);

(b) a student enrolled under an interstate compact, established between the State Board of Education and the state education authority of another state, under which a student from one compact state would be permitted to enroll in a public school in the other compact state on the same basis as a resident student of the receiving state; or

(c) a student receiving services under the Compact on Placement of Children.

(2) (a) The number of foreign exchange students that may be counted for the purpose of apportioning state monies shall be the lesser of:

~~[(a)]~~ (i) the number of foreign exchange students:

~~[(i)]~~ (A) enrolled in the school district or charter school; and

~~[(ii)]~~ (B) sponsored by an exchange student agency approved by the district's local school board or charter school's governing board; or

~~[(b)]~~ (ii) the number of students that have withdrawn from the school district or charter school to participate in a foreign exchange program in a foreign country.

(b) Notwithstanding the limitation of Subsection (2)(a)(ii), a foreign exchange student may be counted for the purpose of apportioning state monies if the corresponding student that withdrew from the school district or charter school to participate in a foreign exchange program in a foreign country returns to the school district or charter school before the conclusion of the school year.

(3) (a) A school district or charter school shall enroll three foreign exchange students who do not qualify for state monies for every foreign exchange student who does qualify for state monies as provided in Subsection (2), to the extent the school district or charter school

57 receives applications for enrollment from foreign students sponsored by an exchange student
58 agency approved by the district's local school board or charter school's governing board.

59 (b) A foreign exchange student who does not qualify for state monies shall be admitted
60 to a class only if space is available after all other students in the school have selected classes or
61 courses.

62 [~~3~~] (4) A school district or charter school may:

63 (a) enroll foreign exchange students that do not qualify for state monies in addition to
64 those enrolled pursuant to Subsection (3); and

65 (b) pay for the costs of those students with other funds available to the school district
66 or charter school.

67 [~~4~~] (5) Due to the benefits to all students of having the opportunity to become
68 familiar with individuals from diverse backgrounds and cultures, school districts are
69 encouraged to enroll foreign exchange students, as provided in Subsection (3), particularly in
70 schools with declining or stable enrollments where the incremental cost of enrolling the foreign
71 exchange student may be minimal.

72 [~~5~~] (6) The board shall make an annual report to the Legislature on the number of
73 exchange students and the number of interstate compact students sent to or received from
74 public schools outside the state.

75 [~~6~~] (7) (a) A local school board or charter school governing board shall require each
76 approved exchange student agency to provide it with a sworn affidavit of compliance prior to
77 the beginning of each school year.

78 (b) The affidavit shall include the following assurances:

79 (i) that the agency has complied with all applicable policies of the board;

80 (ii) that a household study, including a background check of all adult residents, has
81 been made of each household where an exchange student is to reside, and that the study was of
82 sufficient scope to provide reasonable assurance that the exchange student will receive proper
83 care and supervision in a safe environment;

84 (iii) that host parents have received training appropriate to their positions, including
85 information about enhanced criminal penalties under Subsection 76-5-406(10) for persons who
86 are in a position of special trust;

87 (iv) that a representative of the exchange student agency shall visit each student's place

88 of residence at least once each month during the student's stay in Utah;

89 (v) that the agency will cooperate with school and other public authorities to ensure
90 that no exchange student becomes an unreasonable burden upon the public schools or other
91 public agencies;

92 (vi) that each exchange student will be given in the exchange student's native language
93 names and telephone numbers of agency representatives and others who could be called at any
94 time if a serious problem occurs; and

95 (vii) that alternate placements are readily available so that no student is required to
96 remain in a household if conditions appear to exist which unreasonably endanger the student's
97 welfare.

98 [~~(7)~~] (8) (a) A local school board or charter school governing board shall provide each
99 approved exchange student agency with a list of names and telephone numbers of individuals
100 not associated with the agency who could be called by an exchange student in the event of a
101 serious problem.

102 (b) The agency shall make a copy of the list available to each of its exchange students
103 in the exchange student's native language.