

ADMISSION OF NON-IMMIGRANT FOREIGN EXCHANGE STUDENTS

Background and Introduction

Colorado Springs School District 11 (the District) recognizes the educational and cultural value of international exchange programs and foreign exchange students, and authorizes the admission of a limited number of non-immigrant foreign exchange students to various educational programs offered in the District's schools.

This regulation applies to non-immigrant foreign students who temporarily reside within the District's boundaries without their parents/legal guardians for the purpose of attending school. These students are those who qualify for J-1 visas under the regulations of the Immigration and Naturalization Service, and are referred to herein as "foreign exchange students." The J-1 visa category is used by students to enter the United States as exchange visitors in United States government approved exchange-visitor programs for the purpose of attending school.

This regulation does not apply to resident aliens, political exiles, or students from other countries residing within the District's boundaries with their parents/legal guardians. In other words, a student who is physically present in Colorado and seeks to enroll in the District is subject to the District's normal admissions policies and procedures, and the student's immigration status is irrelevant except to the extent that it may be used as evidence as to whether the student is a resident under Colorado law.

Foreign exchange students are responsible for their own immigration status, and the District's admission of such students should not be regarded as any indication regarding such students' legal immigration status. The District reserves the discretion to deny admission to any student not a resident of the District.

This regulation generally describes: (a) the District's Academic Requirements, General Requirements and Admissions Process applicable to J-1 visa students, (c) the District's special requirements and procedures for admitting J-1 visa students, (d) certain other provisions applicable to the District's foreign exchange students.

Academic Requirements

Admission and continued enrollment of a foreign exchange student shall be subject to the following "Academic Requirements":

1. No foreign exchange student will be admitted who has already graduated from the equivalent of the twelfth grade, or who is older than 18 years and 6 months at the beginning of the program. (22 C.F.R. § 62.25).
2. Generally, foreign exchange students are expected to take five classes per term, including one language arts or English class and one American history or government class, and are expected to maintain passing grades in all classes.

3. Foreign exchange students must demonstrate generally that they have sufficient aptitude and qualifications to be successful in the District's educational program including without limitation:
 - (a) The foreign exchange student must have average or above-average grades in school at home.
 - (b) The foreign exchange student must have sufficient knowledge of the English language to enable effective oral and written communication and to function in a regular educational setting without special assistance. If a foreign exchange student's English proficiency is found to be insufficient to function in the regular instructional program without special assistance, the exchange program or private sponsor must provide a tutor or make other educational arrangements for the student at their expense. If the program or sponsor fails to do so, the foreign exchange student may be withdrawn from the District.

General Requirements

Foreign exchange students will be subject to the following "General Requirements":

1. Foreign exchange students are responsible for complying with all District policies and regulations.
2. Foreign exchange students are expected to pay for all lunches, books, athletic and student activity fees, yearbook costs, and all other fees and expenses normally borne by students in the District.
3. Foreign exchange students are not entitled to free or reduced prices for lunches.
4. Foreign exchange students seeking to participate in athletics will be subject to the eligibility requirements of the Colorado High School Activities Association.
5. The foreign exchange student's sponsor, host family and local program representative must maintain personal contact with the school, must be available and willing to meet with school personnel when problems or circumstances require and must assume full and final responsibility for resolving problems, including the early return of the student if personal, family or school difficulties cannot be resolved.
6. If a foreign exchange student's grades, attendance, conduct or discipline are deemed unsatisfactory by the school, the student may be withdrawn from the District.

Admissions Process

All applications for admission as J-1 students will be screened by the District Foreign Exchange Committee before they are approved for the school where admission is being requested.

The foreign exchange student must attend the school in the attendance area in which the host family or sponsor lives unless an appropriate transfer is approved by the District. Upon the foreign exchange student's arrival in the District, the adult sponsor (host family and/or local representative of the exchange program) and foreign exchange student must come to the school to complete the enrollment process. Foreign exchange students must arrive in sufficient time for attendance on the first day of the first semester or the first day of the second semester of school, depending upon when the student is scheduled to begin school.

In addition to any other general District admissions requirements, students requesting admission as foreign exchange students must submit:

1. A birth certificate or other proof of age
2. A recent official transcript with English translation reflecting courses taken and grades earned
3. Records showing required immunizations
4. Evidence of medical insurance that will cover the foreign exchange student while residing in the District
5. A letter of application written in English by the foreign exchange student that provides pertinent information about the foreign exchange student, including the foreign exchange student's name, age, birth date, home address and phone number, level of education, reasons for wanting to attend school in the District, and the projected duration of enrollment.
6. The names, addresses and phone numbers of the foreign exchange student's own parents/guardians, the host family and the local exchange program representative.
7. Proof of English proficiency, including: (i) evidence that the foreign exchange student has successfully completed a minimum of three years of instruction in English, and (ii) a letter of recommendation from the English language teacher documenting the level of proficiency, and (iii) evidence that the foreign exchange student has passed a test of English language proficiency such as the ELTiS exam with a score of 222 or higher.
8. A current notarized temporary custody agreement between the foreign exchange student's parents and the host family and/or exchange program (the District may, at its discretion, accept similar documentation in lieu of a notarized temporary custody agreement).
9. A letter describing all known special needs or special circumstances relating to the foreign exchange student.

Special Provisions Applicable to Foreign Exchange Students Sponsored By an Approved Program (J-1 Visa)

Only programs designated by the United States Information Agency and/or the United States Department of State will be considered for placement of foreign exchange students on J-1 visas.

The program must have a local representative residing in or near the District who will meet with the student, host family, and school personnel on a regular basis.

Orientation, both pre-departure and upon arrival in the United States, must be provided to help foreign exchange students adjust to a new culture. Ongoing contact and support from the legal representative of the exchange program must also be provided.

Orientation must be provided to the host family in advance of the foreign exchange student's arrival. The family should be acquainted with the needs and requirements of housing a visitor for a long period of time, advised of potential problems in hosting a foreign exchange student and provided with suggestions for coping with these problems. Ongoing contact and support from the local representative of the exchange program must also be provided.

Other Provisions Applicable to Foreign Exchange Students.

Foreign exchange students admitted to the District are considered wards of the families with whom they reside.

Except as required by applicable law, the District ordinarily will not permit foreign exchange students to participate in fast track, post-secondary options, and other similar programs.

Adopted December, 2000
Revised January, 2011
Reviewed April 22, 2015
Revised May 8, 2019

LEGAL REF.: 8 USC 1184
8 USC 1101(a)(15)(F)(i)
22 C.F.R. § 62.25

CROSS REF.: JFABB, Admissions of Non-Immigrant Foreign Exchange Students