

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
89th General Assembly
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As Engrossed: S2/13/13 S2/25/13
A Bill

SENATE BILL 239

By: Senator J. Hendren

For An Act To Be Entitled

AN ACT TO ENHANCE THE PROTECTIONS PROVIDED FOR
INTERNATIONAL STUDENT EXCHANGE STUDENTS; AND FOR
OTHER PURPOSES.

Subtitle

TO ENHANCE THE PROTECTIONS PROVIDED FOR
INTERNATIONAL STUDENT EXCHANGE STUDENTS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 6-18-1708 is amended to read as follows:
6-18-1708. Violations.

An organization ~~that fails to register as required by this subchapter or that submits false or incorrect information to the Secretary of State in filing statements required by this subchapter, whether or not the statement or report is verified,~~ shall be prohibited from placing not place foreign exchange students with a host family or in a public or private school in this state during the following academic year- if the organization:

- (1) Fails to register as required under this subchapter;
- (2) Submits false or incorrect information to the Secretary of State in filing statements required under this subchapter; or
- (3) During a one-year period, places three (3) or more foreign exchange students in the home of a host family where a member of the host family has a true report in the Child Maltreatment Central Registry.

SECTION 2. Arkansas Code Title 6, Chapter 18, Subchapter 17, is amended to add additional sections to read as follows:



6-18-1709. Current international student exchange list.

(a) By September 1 each year, each organization shall provide a list of foreign exchange students placed in Arkansas for the current school year, including the:

- (1) Name of the student;
- (2) Home country of the student;
- (3) Name, address, and telephone number of the student's parent or legal guardian;
- (4) Name, address, and telephone number of the student's host family; and
- (5) Public or Private school the student attends.

(b) The Secretary of State shall maintain a list of foreign exchange students placed in Arkansas for the current school year using the information provided under subsection (a) of this section.

(c) The information in subsections (a) and (b) is confidential and is only available to law enforcement, prosecuting attorneys, the Attorney General, the Department of Human Services, the Department of Education, and the United States Department of State.

6-18-1710. Safety – Fines.

(a) An organization shall adopt policies to ensure that no foreign exchange student is subjected to child maltreatment.

(b)(1) If a member of a host family in which a foreign exchange student is placed has a true report in the Child Maltreatment Central Registry, the department shall notify the Secretary of State and the organization shall be:

(A) Issued a warning from the Secretary of State for the first occurrence in a one-year period;

(B) Fined five thousand dollars (\$5,000) for the second occurrence in a one-year period; and

(C) Fined ten thousand dollars (\$10,000) and banned for a period of one (1) year from registering in the state for the third occurrence in a one-year period.

(2) Fines collected by the Secretary of State under this section shall be deposited into the State Treasury and credited to the General Revenue Fund.

(3) The Department of Human Services shall not disclose the name or any identifying information, except as permitted by law, pertaining to:

(A) The person with the true report in the Child Maltreatment Central Registry;

(B) The foreign exchange student named as a victim; or

(C) The investigation of child maltreatment.

(c) The Secretary of State, upon notification of a true finding of child maltreatment against a foreign exchange student, shall report the occurrence and the organization to the Council on Standards for International Educational Travel and the United States Department of State.

SECTION 3. Arkansas Code § 12-18-503, concerning notification of a child maltreatment report, is amended to add an additional subdivision to read as follows:

(9) An international student exchange visitor placement organization as defined under § 6-18-1703 that has a foreign exchange student currently placed in the:

(A) Home in which an alleged offender resides; or

(B) State and the foreign exchange student is named as the victim.

SECTION 4. Arkansas Code § 12-18-506(a), concerning notice of a child maltreatment report when the alleged offender works with children or is engaged in child-related activities, is amended to add an additional subdivision to read as follows:

(5) The international student exchange visitor placement organization as defined under § 6-18-1703 that has a foreign exchange student currently placed in the:

(A) Home in which an alleged offender resides; or

(B) State and the foreign exchange student is named as the victim.

SECTION 5. Arkansas Code § 12-18-620(e), concerning the release of information on a pending child maltreatment investigation, is amended to add an additional subdivision to read as follows:

(11) An international student exchange visitor placement

organization as defined under § 6-18-1703, receiving notice of a Child Abuse Hotline report under this chapter.

SECTION 6. Arkansas Code § 12-18-710(e), concerning the release of information on a true investigative determination pending due process, is amended to add an additional subdivision to read as follows:

(12) An international student exchange visitor placement organization as defined under § 6-18-1703 receiving notice of a Child Abuse Hotline report under this chapter.

SECTION 7. Arkansas Code § 12-18-813(c)(1), concerning notice of investigative determination upon satisfaction of due process, is amended to add an additional subdivision to read as follows:

(E) An international student exchange visitor placement organization as defined under § 6-18-1703 receiving a notice of a Child Abuse Hotline report under this chapter.

SECTION 8. Arkansas Code § 12-18-909(g)(16), concerning the availability of true reports of child maltreatment from the central registry, is amended to add an additional subdivision to read as follows:

(C) A volunteer agency includes an international student exchange visitor placement organization as defined under § 6-18-1703;

SECTION 9. Arkansas Code § 12-18-909(g), concerning the availability of true reports of child maltreatment from the central registry, is amended to add an additional subdivision to read as follows:

(22) An international student exchange visitor placement organization as defined under § 6-18-1703, that places foreign exchange students in the state.

/s/J. Hendren