Rules & Regulations

This section will focus on the federal regulations that AYA adheres to. These standards and regulations enable us to offer exchange opportunities for students around the world while providing a safe environment.

The DOS regulates exchange student programs. The DOS has designated AYA to issue visas that allow exchange students to live and study in the US for a semester or school year.

AYA has been reviewed annually by the Council on Standards for International Education Travel (CSIET). CSIET is an independent body that evaluates international exchange programs to ensure they provide a meaningful and safe exchange experience.

AYA has established their own program rules and guidelines to reflect the policies of the DOS and CSIET. This section provides all of the guidelines mentioned above. It is important as a Local Coordinator to understand each of the rules and guidelines prior to placing student. Please review any questions you may have with your Regional Director.

Reprint from the Code of Federal Regulations

United States Department of State (DOS) Washington, D.C. 20547

(a) Introduction. This section governs Department of State designated exchange visitor programs under which foreign national secondary school students are afforded the opportunity for up to one year of study in a United States accredited public or private secondary school, while living with an American host family or residing at an accredited U.S. boarding school.

(b) Program sponsor eligibility. Eligibility for designation as a secondary school student exchange visitor program sponsor is limited to organizations:

(1) With tax-exempt status as conferred by the Internal Revenue Service pursuant to section 501(c) (3) of the Internal Revenue Code; and

(2) Which are United States citizens as such terms are defined in § 62.2.

(c) Program eligibility. Secondary school student exchange visitor programs designated by the Department of State must:

(1) Require all participants to be enrolled and participating in a full course of study at an accredited educational institution;

(2) Allow entry of participants for not less than one academic semester (or quarter equivalency) nor more than two academic semesters (or quarter equivalency) duration; and

(3) Be conducted on a U.S. academic calendar year basis, except for students from countries whose academic year is opposite that of the United States. Exchange students may begin in the second semester of a U.S. academic year if specifically permitted to do so, in writing, by the school in which the exchange
visitor is enrolled. Both the host family and school must be notified prior to the exchange student’s arrival in the United States that the placement is for either an academic semester or year, or calendar year program.

(d) Program administration. Sponsors must ensure that all officers, employees, representatives, agents, and volunteers acting on their behalf:

(1) Are adequately trained and supervised and that any such person in direct personal contact with exchange students has been vetted through a criminal background check;

(2) Make no student placement beyond 120 miles of the home of a local organizational representative authorized to act on the sponsor’s behalf in both routine and emergency matters arising from an exchange student’s participation in the exchange visitor program;

(3) Ensure that no organizational representative act as both host family and area supervisor for any exchange student participant;

(4) Maintain, at minimum, a monthly schedule of personal contact with the student and host family, and ensure that the school has contact information for the local organizational representative and the program sponsor’s main office; and

(5) Adhere to all regulatory provisions set forth in this Part and all additional terms and conditions governing program administration that the Department may from time to time impose.

(e) Student selection. In addition to satisfying the requirements of § 62.10(a), sponsors must ensure that all participants in a designated secondary school student exchange visitor program:

(1) Are secondary school students in their home country who have not completed more than eleven years of primary and secondary study, exclusive of kindergarten; or are at least 15 years of age but not more than 18 years and six months of age as of the program start date;

(2) Demonstrate maturity, good character, and scholastic aptitude; and

(3) Have not previously participated in an academic year or semester secondary school student exchange program in the United States or attended school in the United States in either F–1 or J–1 visa status.

(f) Student enrollment.

(1) Sponsors must secure prior written acceptance for the enrollment of any exchange student participant in a United States public or private secondary school such prior acceptance must:

(i) Be secured from the school principal or other authorized school administrator of the school or school system that the exchange student participant will attend; and

(ii) Include written arrangements concerning the payment of tuition or waiver thereof if applicable.

(2) Under no circumstance may a sponsor facilitate the entry into the United States of an exchange student for whom a written school placement has not been secured.
(3) Sponsors must maintain copies of all written acceptances and make such documents available for Department of State inspection upon request.

(4) Sponsors must provide the school with a translated “written English language summary” of the exchange student’s complete academic course work prior to commencement of school, in addition to any additional documents the school may require. Sponsors must inform the prospective host school of any student who has completed secondary school in his/her home country.

(5) Sponsors may not facilitate the enrollment of more than five exchange students in one school unless the school itself has requested, in writing, the placement of more than five students.

(6) Upon issuance of Form DS 2019 to a prospective participant, the sponsor accepts full responsibility for placing the student, except in cases of voluntary student withdraw or visa denial.

(g) Student orientation. In addition to the orientation requirements set forth at § 62.10, all sponsors must provide exchange students, prior to their departure from the home country, with the following information:

(1) A summary of all operating procedures, rules, and regulations governing student participation in the exchange visitor program along with a detailed summary of travel arrangements;

(2) Age and language appropriate information on how to identify and report sexual abuse or exploitation;

(3) A detailed profile of the host family in which the exchange student is placed. The profile must state whether the host family is either a permanent placement or a temporary arrival family;

(4) A detailed profile of the school and community in which the exchange student is placed; and

(5) An identification card, which lists the exchange student's name, United States host family placement address and telephone number, and a telephone number which affords immediate contact with the program sponsor, the program sponsor’s organizational representative, and Department of State in case of emergency. Such cards may be provided in advance of home country departure or immediately upon entry into the United States.

(h) Student extra-curricular activities. Exchange students may participate in school sanctioned and sponsored extracurricular activities, including athletics, if such participation is:

(1) Authorized by the local school district in which the student is enrolled; and

(2) Authorized by the State authority responsible for determination of athletic eligibility, if applicable.

(i) Student employment. Exchange students may not be employed on either a full or part-time basis but may accept sporadic or intermittent employment such as babysitting or yard work.

(j) Host family selection. Sponsors must adequately screen and select all potential host families and at a minimum must:

(1) Provide potential host families with a detailed summary of the exchange visitor program and the parameters of their participation, duties, and obligations;
(2) Utilize a standard application form that must be signed and dated by all potential host family applicants which provides a detailed summary and profile of the host family, the physical home environment, family composition, and community environment. Exchange students are not permitted to reside with relatives.

(3) Conduct an in-person interview with all family members residing in the home;

(4) Ensure that the host family is capable of providing a comfortable and nurturing home environment;

(5) Ensure that the host family has a good reputation and character by securing two personal references for each host family from the school or community, attesting to the host family’s good reputation and character;

(6) Ensure that the host family has adequate financial resources to undertake hosting obligations;

(7) Verify that each member of the host family household eighteen years of age and older has undergone a criminal background check; and

(8) Maintain a record of all documentation, including but not limited to application forms, background checks, evaluations, and interviews, for all selected host families for a period of three years.

(k) Host family orientation. In addition to the orientation requirements set forth in Sec. 62.10, sponsors must:

(1) Inform all host families of the philosophy, rules, and regulations governing the sponsor’s exchange visitor program;

(2) Provide all selected host families with a copy of Department of State promulgated Exchange Visitor Program regulations; and

(3) Advise all selected host families of strategies for cross-cultural interaction and conduct workshops which will familiarize the host family with cultural differences and practices.

(l) Host family placement.

(1) Sponsors must secure, prior to the student’s departure from his or her home country, a permanent or arrival host family placement for each exchange student participant. Sponsors may not:

(i) Facilitate the entry into the United States for an exchange student for whom a host family placement has not been secured;

(ii) Place more than one exchange student with a host family without the express prior written consent of the Department of State. Under no circumstance may more than two exchange students may be placed with one host family.

(2) Sponsors must advise both the exchange student and host family, in writing, of the respective family compositions and backgrounds of each, whether the host family placement is a permanent or temporary placement, and facilitate and encourage the exchange of correspondence between the two prior to the student’s departure from the home country.
(3) In the event of unforeseen circumstances which necessitate a change of host family placement, the sponsor must document the reason(s) necessitating such change and provide the Department of State with an annual statistical summary reflecting the number and reason(s) for such change in host family placement in the program’s annual report.

(m) Reporting requirements. Along with the annual report required by regulations set forth at § 62.15, sponsors must file with the Department of State the following information:

(1) Sponsors must immediately report to the Department any incident or allegation involving the actual or alleged sexual exploitation or abuse of an exchange student participant. Sponsors must also report such allegations as required by local or state statute or regulation. Failure to report such incidents to the Department and, as required by state law or regulation, to local law enforcement authorities shall be grounds for the summary suspension and termination of the sponsor’s Exchange Visitor Program designation.

(2) A summation of all situations which resulted in the placement of exchange student participants with more than one host family or school placement; and

(3) Provide a report of all final academic year and semester program participant placements by August 31 for the upcoming academic year or January 15 for the Spring semester and calendar year. The report must provide at a minimum, the exchange visitor student’s full name, Form DS 2019 number (SEVIS ID #), host family placement (current U.S. address), and school (site of activity) address.

U.S. Immigration Regulations and Procedures

As detailed in the DOS’s regulations, “... the United States Teenager-Visitor Program is designed to give teenage students from other countries an opportunity to spend from six months to one year studying at a high school or other educational institution in the United States. Under this program a foreign student is placed by the Exchange-Visitor sponsor (in our case the AIFS Foundation) with a United States family which serves as the host family for the duration of the visit. The primary purpose of this program is to improve the foreign student’s knowledge of American culture and language through active participation in family, school and community life. A secondary purpose is to improve American knowledge of a foreign culture.”

When an international student has been matched with a host family and he/she has been accepted for admission to a U.S. school, the student may then be issued a visa to enter the United States. For students enrolled in the Academic Year in America (AYA) program, the AIFS Foundation issues DS 2019 forms. The DS 2019 form enables the student to obtain a J-1 exchange visitor visa from the nearest U.S. consulate or embassy in his or her native country so that he/she may enter the U.S. and participate in the AYA program.

A U.S. visa is a stamp placed by a U.S. consular officer on a page of a valid passport. It indicates that the consular officer has determined that the holder is qualified to apply for admission to the United States in a particular immigration classification.

The AIFS Foundation assumes full responsibility for all students participating in the AYA program.
AYA Student Rules

Any infraction of the rules below may result in immediate dismissal from the program and termination of your visa:

Students must abide by all U.S. laws.

It is against the law in the United States for high school students to buy or drink alcohol. This law applies to all AYA students as well. The legal age for buying and consuming alcohol in the United States is 21.

The use of drugs for non-medical reasons by AYA students under any circumstances is strictly forbidden. Examples of non-medical (illegal) drugs are cocaine, LSD and marijuana.

AYA students are not permitted to hitchhike. AYA students are not permitted to purchase, carry or use firearms under any circumstances.

AYA students are not permitted to hold part-time jobs; the J-1 visa does not allow it. A non-immigrant alien who accepts paid employment is subject to deportation. If students would like to earn spending money during their stay, they are permitted to hold small jobs (no more than 10 hours per week) such as baby-sitting, grass cutting and newspaper delivery.

Students are not permitted to drive any motor vehicle (including motorcycles, mopeds and cars) except during the course of an accredited driver education class. Students may enroll in a school-sponsored driver education class if their Host and Natural Parents permit it.

Any continuous failure to abide by the following rules may result in dismissal from the program and termination of your visa:

The legal age for buying cigarettes in the United States is 18. Smoking at home is allowed only with the permission of the host parents. Smoking at school is permitted only within the guidelines established by the high school. The school may prohibit smoking altogether or permit it only in specific locations. If you have indicated that you are a non-smoker on your application and you do, in fact, smoke at your host family’s home, you will automatically be placed on probation.

Students must always be aware of their responsibility as exchange students and make a determined effort in their school, host family and host community.

Students must attend school daily unless sick and under a doctor’s care or with special permission from host parents. Students must complete all homework and assignments.

Students must carry a full course load and maintain a “C” average or better in all classes. Students must also enroll in an appropriate English language or literature course and an American Studies course.

Students are not permitted to visit such places as pornographic shops, adult theaters, drinking establishments or any websites related to pornography.

Students must show respect for their host families and act as a member of the family.

Students must abide by all host family rules and must voluntarily help with household chores.
Students are not permitted to talk about the host family’s private affairs with others.

Students cannot change families and schools without mediation or due process. Students are not to change host families within the first 30 days of the program.

Students are allowed to travel only if accompanied by a responsible adult (21 years of age or older), if: a.) their AYA Regional Director has received a Travel Information form signed by their natural parents; b.) their host family approves; and c.) the trip does not involve missing any school. The exception is a school-sponsored trip. Students must notify their Local Coordinator of all travel plans at least one week prior to the trip. Students may not return to their homeland for Christmas or for any reason other than an emergency.

Students must show respect for their Local Coordinators and obey their instruction.

Students must not participate in any sexual contact or sexual activity that is culturally inappropriate in the U.S. including (but not limited to) contact with minors or with any members of the Host Family household.

Athletic eligibility or participation is not guaranteed. It is dependant on the local and national rules and school policies.

All students must have insurance coverage through AYA or coverage through their overseas partner.

Students cannot have participated in an academic year or semester, secondary school student exchange program in the United States or attended school in the United States in either F-1 or J-1 visa status before joining the AYA program.

Other guidelines to consider:

Students should limit contact with other exchange students during the program and make all necessary efforts to have contact with U.S. citizens. On special occasions (Christmas, birthdays, etc.) student’s priority must be to spend this time with the host family.

Students should limit international phone calls and e-mails to parents or friends and should pay for all calls made promptly.

Parents and friends may not visit the student during the program and may not disturb the host family life. If relatives and friends would like to visit, they must wait until the end of the program.

No student may enter into any contractual agreement, be it business, marital or religious, while on the program.

It is your responsibility to know and abide by the rules outlined here which are for your safety and well-being. We expect you to cooperate with these rules and we encourage you to ask your host family, Local Coordinator or call AYA directly to explain the rules if you do not understand them.

Termination from the AYA Program: Any student who fails to comply with the AYA rules, the host family rules or local, state and federal laws may be terminated from the AYA program and sent home. All costs for any expenses involved in doing so will be the student’s responsibility and no refund of program fees will be issued.