

International Students in Utah Public Schools for 2011-12, Grades Kindergarten – 12th

Bringing Relatives or Friends from Other countries to Utah to Attend School

Sometimes individuals living in the State of Utah wish to bring a school-aged relative or close friend who lives in another country to live with them and attend school here. There are a host of immigration matters one must address in order to do that legally. Federal immigration laws do not authorize foreign students in the United States on short-term tourist visas to enroll in public school, and foreign students in grades K-8 are not eligible to attend public school in the United States as international exchange students. Only students in grades 9-12 are eligible to attend public school in the United States as foreign exchange students (details below).

The Utah State Office of Education (USOE) has no authority over immigration matters and is not able to provide individuals with advice regarding immigration issues. The Utah public school systems must enroll all students residing in their geographic boundaries, regardless of their immigration status. However, each student and his/her family are subject to federal immigration law. Students whose status is not clear could face deportation or other consequences from federal authorities. The USOE recommends consulting with a competent and experienced immigration attorney in order to pursue bringing a relative or friend to the United States to attend school properly and legally.

Attending Public High School as an International Exchange Student on an F-1 Visa

Some individuals express interest in obtaining an I-20 form so that they can apply for an F-1 visa for their student to study in the United States for one year. For public schools, F-1 visas are available for public high schools (grades 9-12) and only for one year. Attendance at a public elementary school (grades K-8) is not permitted on an F-1 visa.

The vast majority of Utah public school districts/charters are not authorized to issue the I-20 forms that are necessary for students to apply for an F-1 visa. Additionally, students on F-1 visas are required to pay the local school district the full, unsubsidized cost of their student's education for the year, including the cost in local, state and federal funds.

Private schools may be authorized to issue an I-20 visa for students to attend any grade for an indefinite amount of time. The USOE does not maintain information regarding private schools that are authorized to issue F-1 visas.

Attending High School as an International Exchange Student on a J-1 Visa

Students from other countries who are in grades 9-12 may want to consider the option of attending school in the State of Utah for one year as a foreign exchange student. Parents or guardians who wish to send their student to the United States to study for a year as an foreign exchange student on a J-1

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visa are advised to visit the website of the Council on Standards in International Educational travel at www.CSIET.org for a list of organizations that provide international educational travel services. The USOE no longer monitors foreign exchange organizations and recommends that schools and parents work only with organizations that have a full listing with CSIET. These organizations charge a fee for their services, but they should handle the J-1 visa, placement with a public school district/charter and with a host family, and should provide ongoing support for the foreign exchange student throughout the duration of their program.

The USOE also advises parents to be certain that the organization they choose has a well-established professional relationship with the public school district/charter where the student is to be placed and provides local staff in the State of Utah to support foreign exchange students. Local public school districts/charters have jurisdiction to determine whether or not to accept foreign exchange students and how many to accept per year based on the quota or allocation from the USOE. If schools are over-crowded, or if funding cuts have resulted in larger class sizes than the local public school district/charter feels is in the best interests of students, the public school district/charter may choose not to accept foreign exchange students for a period of time, or may limit the number. In addition, public school districts/charters have the right to determine with which foreign exchange organization they work. However, if the student is presently residing in the school district, the school district must enroll the student regardless of immigration status.

State Reimbursement of 328 WPU for J-1 foreign exchange students

Utah Senate Bill 5 (2007), Amendments to the Minimum School Program Budget included changes in policy for J-1 foreign exchange students. The funding formula for J-1 foreign exchange students is set in state law (see 53A-2-206).

State funding for J-1 foreign exchange students is limited to a total of 328 students. The quota or allocation of J-1 foreign exchange students per public school district/charter will be set by the USOE no later than April 1. Public school districts/charters will be reimbursed the equivalent of the current year's value of the *Weighted Pupil Unit* for each foreign exchange student. Verification of the J-1 foreign exchange student will be based on the October 1 Report and funding will be based on the End of Year Report. Public school districts/charters are permitted to transfer students to other public school districts/charters for any reason; however the USOE must be notified by e-mail (gregg.roberts@schools.utah.gov).

NO J-1 foreign exchange student may be placed in the State of Utah after August 1.

NO J-1 or F-1 foreign exchange student will be granted a Utah High School Diploma, but at the discretion of the school district/charter may participate in the graduation ceremony and activities.