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State of Minnesota  
**HOUSE OF REPRESENTATIVES**

EIGHTY-NINTH SESSION

**H. F. No. 1542**

03/09/2015 Authored by Selcer, Pugh, Bly, Ward, Rosenthal and others  
The bill was read for the first time and referred to the Committee on Education Innovation Policy  
03/19/2015 By motion, recalled and re-referred to the Committee on Education Finance  
03/26/2015 Adoption of Report: Amended and re-referred to the Committee on State Government Finance

1.1 A bill for an act  
1.2 relating to education; reporting school and district data on foreign exchange  
1.3 and study abroad programs; encouraging foreign exchange and study abroad  
1.4 programs and policies; appropriating money; amending Minnesota Statutes 2014,  
1.5 sections 5A.03; 13.32, subdivision 5.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. Minnesota Statutes 2014, section 5A.03, is amended to read:

1.8 **5A.03 ORGANIZATION APPLICATION FOR REGISTRATION.**

1.9 Subdivision 1. **Placing high school students in Minnesota.** (a) An application for  
1.10 registration as an international student exchange visitor placement organization must be  
1.11 submitted in the form prescribed by the secretary of state. The application must include:

1.12 (1) evidence that the organization meets the standards established by the secretary of  
1.13 state by rule;

1.14 (2) the name, address, and telephone number of the organization, its chief executive  
1.15 officer, and the person within the organization who has primary responsibility for  
1.16 supervising placements within the state;

1.17 (3) the organization's unified business identification number, if any;

1.18 (4) the organization's Office of Exchange Coordination and Designation, United  
1.19 States Department of State number, if any;

1.20 (5) evidence of Council on Standards for International Educational Travel listing, if  
1.21 any;

1.22 (6) whether the organization is exempt from federal income tax; and

2.1 (7) a list of the organization's placements in Minnesota for the previous academic  
2.2 year including the number of students placed, their home countries, the school districts in  
2.3 which they were placed, and the length of their placements.

2.4 (b) The application must be signed by the chief executive officer of the organization  
2.5 and the person within the organization who has primary responsibility for supervising  
2.6 placements within Minnesota. If the secretary of state determines that the application is  
2.7 complete, the secretary of state shall file the application and the applicant is registered.

2.8 (c) Organizations that have registered shall inform the secretary of state of any  
2.9 changes in the information required under paragraph (a), clause (1), within 30 days of the  
2.10 change. There is no fee to amend a registration.

2.11 (d) Registration under this chapter is valid for one year. The registration may be  
2.12 renewed annually. The fee to renew a registration is \$50 per year.

2.13 (e) Organizations registering for the first time in Minnesota must pay an initial  
2.14 registration fee of \$150.

2.15 (f) Fees collected by the secretary of state under this section must be deposited in the  
2.16 state treasury and credited to the general fund.

2.17 **Subd. 2. Placing Minnesota students in travel abroad programs.** (a) A school  
2.18 district or charter school with enrolled students who participate in a foreign exchange or  
2.19 study or other travel abroad program under a written agreement between the district or  
2.20 charter school and the program provider must use a form developed by the Department  
2.21 of Education to annually report to the department by November 1 the following data  
2.22 from the previous school year:

2.23 (1) the number of Minnesota student deaths that occurred while Minnesota students  
2.24 were participating in the foreign exchange or study or other travel abroad program and  
2.25 that resulted from Minnesota students participating in the program;

2.26 (2) the number of Minnesota students hospitalized due to accidents and the illnesses  
2.27 that occurred while Minnesota students were participating in the foreign exchange or study  
2.28 or other travel abroad program and that resulted from Minnesota students participating  
2.29 in the program; and

2.30 (3) the name and type of the foreign exchange or study or other travel abroad  
2.31 program and the city or region where the reported death, hospitalization due to accident,  
2.32 or the illness occurred.

2.33 (b) School districts and charter schools must ask but must not require enrolled  
2.34 eligible students and the parents or guardians of other enrolled students who complete  
2.35 a foreign exchange or study or other travel abroad program to disclose the information  
2.36 under paragraph (a).

3.1 (c) When reporting the data under paragraph (a), a school district or charter school  
3.2 may supplement the data with a brief explanatory statement. The Department of Education  
3.3 annually must aggregate and publish the reported data on the department Web site in  
3.4 a format that facilitates public access to the aggregated data and include links to both  
3.5 the United States Department of State's Consular Information Program that informs the  
3.6 public of conditions abroad that may affect students' safety and security and the publicly  
3.7 available reports on sexual assaults and other criminal acts affecting students participating  
3.8 in a foreign exchange or study or other travel abroad program.

3.9 (d) School districts and charter schools with enrolled students who participate in  
3.10 foreign exchange or study or other travel abroad programs under a written agreement  
3.11 between the district or charter school and the program provider are encouraged to adopt  
3.12 policies supporting the programs and to include program standards in their policies to  
3.13 ensure students' health and safety.

3.14 (e) To be eligible under this subdivision to provide a foreign exchange or study or  
3.15 other travel abroad program to Minnesota students enrolled in a school district or charter  
3.16 school, a program provider annually must register with the secretary of state and provide  
3.17 the following information on a form developed by the secretary of state: the name,  
3.18 address, and telephone number of the program provider, its chief executive officer, and  
3.19 the person within the provider's organization who is primarily responsible for supervising  
3.20 programs within the state; the program provider's unified business identification number,  
3.21 if any; evidence of Council on Standards for International Educational Travel listing,  
3.22 if any; whether the program provider is exempt from federal income tax; a list of the  
3.23 program provider's placements in foreign countries for the previous school year including  
3.24 the number of Minnesota students placed, where Minnesota students were placed,  
3.25 and the length of their placement; and the signatures of the program provider's chief  
3.26 executive officer and the person primarily responsible for supervising Minnesota students'  
3.27 placements in foreign countries. If the secretary of state determines the registration is  
3.28 complete, the secretary of state shall file the registration and the program provider is  
3.29 registered. Registration with the secretary of state must not be considered or represented  
3.30 as an endorsement of the program provider by the secretary of state. The secretary of  
3.31 state annually must publish on its Web site aggregated data under paragraph (c) received  
3.32 from the Department of Education.

3.33 (f) Program providers, annually by August 1, must provide the data required under  
3.34 paragraph (a), clauses (1) to (3), to the districts and charter schools with enrolled students  
3.35 participating in the provider's program.

4.1 (g) The school district, the charter school, the Department of Education, and their  
4.2 respective employees, when acting in their official capacity, are immune from civil and  
4.3 criminal liability with respect to all activities related to implementing this subdivision.

4.4 **EFFECTIVE DATE.** This section is effective for the 2015-2016 school year and  
4.5 later.

4.6 Sec. 2. Minnesota Statutes 2014, section 13.32, subdivision 5, is amended to read:

4.7 Subd. 5. **Directory information.** (a) Information designated as directory  
4.8 information pursuant to the provisions of United States Code, title 20, section 1232g and  
4.9 Code of Federal Regulations, title 34, section 99.37 which are in effect on January 1, 2007,  
4.10 is public data on individuals. When conducting the directory information designation and  
4.11 notice process required by federal law, an educational agency or institution shall give  
4.12 parents and students notice of the right to refuse to let the agency or institution designate  
4.13 any or all data about the student as directory information. This notice may be given by any  
4.14 means reasonably likely to inform the parents and students of the right.

4.15 (b) An educational agency or institution may not disclose directory information to a  
4.16 foreign exchange or study or other travel abroad program provider under section 5A.03,  
4.17 subdivision 2, unless the program provider is registered with the Office of the Secretary  
4.18 of State.

4.19 **EFFECTIVE DATE.** This section is effective for the 2015-2016 school year and  
4.20 later.

4.21 Sec. 3. **APPROPRIATION; TRAVEL ABROAD PROGRAM OVERSIGHT.**

4.22 \$..... in fiscal year 2016 is appropriated from the general fund to the commissioner  
4.23 of education for purposes of Minnesota Statutes, section 5A.03, subdivision 2. Any funds  
4.24 unexpended in fiscal year 2016 do not cancel but carry forward to the next fiscal year.

4.25 Sec. 4. **APPROPRIATION; TRAVEL ABROAD PROGRAM REGISTRATION.**

4.26 \$..... in fiscal year 2016 is appropriated from the general fund to the secretary  
4.27 of state for purposes of Minnesota Statutes, section 5A.03, subdivision 2. Any funds  
4.28 unexpended in fiscal year 2016 do not cancel but carry forward to the next fiscal year.