



Arbeitskreis gemeinnütziger
Jugendaustauschorganisationen

AJA · Neue Schönhauser Straße 12 · D – 10179 Berlin

U.S. Department of State
Office of Exchange Coordination and Designation
SA-44
301 4th Street
SW., Room 734

Washington, DC 20547

Anschrift Neue Schönhauser Straße 12
D-10178 Berlin

Telefon +49 (0)30 33309875
Fax +49 (0)30 33309876

Mail rstegen@aja-org.de
Internet www.aja-org.de

Bankverbindung Dresdner Bank, BLZ 200 800 00
Konto 0 904 570 300

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Statement on proposed changes by U.S. State Department for secondary school student exchanges

Mobility and intercultural learning of young people become more and more essential in order to contribute to and guarantee mutual understanding and tolerance in a globalized world.

Long-term high school student exchange programs as conducted by the AJA-organizations originate in the immediate aftermath of World War 2 when German students were first being invited to spend a school year in the United States and live with an American family. Gradually the AJA-organizations were able to reciprocally invite students from the US to come and live in Germany for a year. Over the past five decades the expansion of these programs has successfully contributed to increase intercultural learning around the world and to connect people with each other across borders and continents.

To this day, the AJA-members are highly committed to supporting the transatlantic exchanges and annually send around 2.000 German students to the US which equals 25% of all German students going to America. At the same time, they host around 80% of all American high school students coming to Germany.

We are worried that the new regulations for secondary school student exchanges that have recently been proposed by the State Department might effect this transatlantic partnership in a harmful way. We, therefore, would like to comment on the proposed alterations.

What is AJA?

AJA stands for “Arbeitskreis gemeinnütziger Jugendaustauschorganisationen” and is the umbrella organization of four non-profit educational youth exchange organizations in Germany. Its members are:

- AFS Interkulturelle Begegnungen e.V.
- Deutsches Youth For Understanding Komitee e.V.
- Experiment e.V.
- Partnership International e.V.

The AJA-organizations conduct long-term international youth exchange aiming at enabling the program participants (students and host families) to

- get to know and appreciate cultural diversity in our world,
- become aware of their own cultural identity and history and the resulting character and responsibility,
- learn attitudes and skills that make understanding possible across cultural boundaries,

AJA ist der Arbeitskreis gemeinnütziger Jugendaustauschorganisationen. Seine Mitglieder führen - gestützt auf ehrenamtliches Engagement - weltweit langfristige, bildungsorientierte Schüleraustauschprogramme durch. Unabhängig von Hautfarbe, Religion und politischer Überzeugung sollen das interkulturelle Lernen, Verständigung, Toleranz und der Respekt für andere Lebensweisen gefördert und damit Friedensbemühungen unterstützt werden.

AFS Interkulturelle Begegnungen e.V.

Friedensallee 48
D-22765 Hamburg
+49 (0)40 3992220
info-germany@afs.org

Deutsches Youth For Understanding Komitee e.V.

Averhoffstr. 10
22085 Hamburg
+49 (0)40 2270020
info@yfu.de

EXPERIMENT e.V.

Gluckstraße 1
53115 Bonn
+49 (0)228 957220
info@experiment-ev.de

Partnership International e.V.

Hansaring 85
50670 Cologne
+49 (0)221 9139733
office@partnership.de

- lay a foundation that contributes to solving interpersonal and international problems in order to promote, in the long run, understanding and peace between people.

Non-profit and volunteer-based

Youth exchange is organized by AJA organizations *not* with the aim of financial profit, but in the firm belief that exchange promotes skills that are an indispensable precondition of responsible behaviour in a world characterized by interdependence and increasing globalization.

AJA organizations are recognized in Germany as non-profit associations and supporters of independent youth welfare. For this reason they use an essential part of their financial means for educational programs, scholarships and program development and, at the same time, keep their expenses for publicity, personnel and logistics as low as possible. That is also why most of the work achieved by these organizations is done by volunteers. It is an important concern of all AJA organizations also to enable students with limited financial resources to spend an exchange year abroad by providing them with scholarships either from AJA organizations themselves or outside sponsors.

An international youth exchange pursuing the above mentioned aims makes demands on organizations that run such exchange programs as well as on the attitudes and behaviour of participants, parents and host families. On the basis that AJA organizations understand themselves as educational associations, in our following comment to the suggested alterations on high school student exchange by the US State Department we want to highlight some of our key principles to underline the impact that the proposed changes might have on quality-oriented youth exchange around the globe.

Proposed changes and their impact

1. New requirement that written school consent be obtained prior to the generation of the DS2019 form.

The visa application process for German high school students to study on a year program in the US has become more complex over the passed few years. To reduce the risk that visas might not be issued in time the US embassy in Berlin recommends that all students on a high school exchange program apply for their visa in May and June with the US consulates in Frankfurt and Berlin. To introduce the application process the student needs a DS2019 form.

If the new regulation by the State Department comes into effect a large number of students would not be able to receive the DS2019 before the placement with a host family and the written school consent. As, unfortunately, many students are not placed until July or August the entire visa application process would be postponed. We see a significant risk that these students might not be able to obtain their visa on time.

2. Change in the eligibility of participants: the proposed rule would deem ineligible all prospective students that have graduated, or are not attending school in their home countries at the time of application.

Whereas high school education in the US is a comprehensive system, secondary school institutions in Germany give pupils the opportunity to conduct and complete their studies on three different levels. These are: "secondary general school" (Hauptschule), "intermediate school" (Realschule), and "grammar school" (Gymnasium).

- a) *Secondary general school* imparts a basic general education to its pupils, including artistic, political and physical education. Successful completion of secondary general school and receipt of the graduation certificate after grade 9 (age 14/15) enable admittance to a vocational training program offered in the context of the German dual system and opens doors to many occupations in the craft trades and industry for which formal training is required.

- b) *Intermediate school* imparts a more comprehensive general education to pupils. As a rule, it involves six years of schooling from grade 5-10, and leads to an intermediate school-leaver's certificate qualifying the recipient to continue his or her education at upper-school level, such as at a "Berufsfachschule" or full-time vocational college, a vocationally oriented upper secondary school or to attend the upper stage of a grammar school.
- c) *Grammar school* imparts a more in-depth general education. The upper stage of a grammar school encompasses grades 11 through 13 (in some states grades 10-12 or 11 and 12) and features a course system instead of conventional year-classes. Upper secondary education at a grammar school concludes with the "Abitur". On completion of 13 years of schooling, and having successfully passed the written and oral Abitur examinations, pupils are awarded the "certificate of general higher education entrance". The certificate entitles the recipient to study any subject at a university or equivalent institution.

In general, most program participants of the AJA-organizations for long-term high school student exchanges are pupils of grammar schools in Germany who, at the time of their stay abroad and enrolment in an American high school, have successfully completed grade 10 of the German "Gymnasium". However, on the basis of the diversity approach the AJA-organizations aim at including more students of intermediate and secondary general schools into their programs. At the time of their exchange year they will have completed their studies at either school and would, thus, be considered graduates. Upon their return to Germany they might not continue school education but instead go into vocational training.

In our understanding, the new regulation proposed by the State Department to not admit students who are not enrolled in a secondary school in their home country would per se exclude the above described group of students (around 5% of all students being sent to the US each year) from applying for the long-term educational exchange programs with the United States.

In addition, an increasing number of German States are reducing the current school period of grammar school from 13 to 12 years. So far, for a large number of students it was possible to receive recognition for a study period spent abroad during grade 10 or 11. This will, most likely, not be possible in the future anymore. Thus, the lack of a system that guarantees recognition of international study periods might result in the fact that students in Germany postpone their interest in high school student exchange programs until after their graduation in order not to "lose" a year during their school studies. On the other hand, these students will finish high school in Germany earlier than so far and, thus, be younger (less than 18 years). An increasing number of German students might, therefore, become interested in spending a high school year abroad *after* completing their secondary school education in Germany – just as is already the case in numerous other European countries (e.g. Belgium).

This group, as well, would be excluded from the programs if the proposed alterations by the State Department come into effect.

We would also like to remark that about 30-40% of the American exchange students that the AJA-organizations host in Germany and who are mostly participants of a government sponsored program are graduates from high school in the US. As long as these students comply with the age limit of the program and accept that they have an obligation to attend school in Germany there is no limitation for their participation in the program.

On the basis of these circumstances, we are strongly in favour of applying an age limit rather than a regulation concerning the status of graduation in the student's home country.

Concerning the following aspects (3-5) of the proposed alterations we would like to point out that secondary school exchange organizations around the globe are subject to the specific conditions and regulations in their country. Our statement, therefore, is based on the experiences and knowledge we have acquired with the different topics in our sending and hosting programs in Germany.

Some of our specific conditions include the fact that our work is first and foremost volunteer based. Also, in Germany, only civil servants and those applying to serve state institutions are subject to criminal background checks. The requirement to have all volunteers as well as staff checked on criminal background would in Germany, consequently, stand in contradiction to the general application of such means. In addition, due to its possible incomplete content stemming from the legal understanding that every person should be appointed the right for re-socialization, the criminal background check in Germany cannot be considered a complete “reputation certificate”.

Furthermore, sexual offender registries as such do not exist in Germany as German law principally foresees the re-socialization of the perpetrator. In cases where the environment is perceived as being threatened the perpetrator will be imprisoned. German law does not know the approach of freedom for the perpetrator where, at the same time, his immediate environment is informed of the potential menace stemming from this person.

3. New requirement that all program sponsor officers, employees, representatives, agents and volunteers must have successfully completed a criminal background check.

AJA organizations – as well as their partner organizations in the US – are sustained by the work and enthusiasm of their volunteers, who are, for the most part, former participants in exchange programs. Volunteer work is one of the essential foundations and strengths of AJA exchange work, enabling its members to carry out on a large scale their demanding tasks, such as careful individual counselling of students and host families and holding seminars to prepare and evaluate exchange programs. Moreover, voluntary commitment gives program participants an opportunity to maintain their experience beyond the end of the program and to pass on to others what they have learnt. AJA organizations, thus, provide their former program participants with an opportunity to assume social responsibility at an early age and to acquire the capacity for leadership and teamwork.

Internal training sessions and measures to qualify these volunteers are an important part of our work and guarantee its high standards and further development.

From our experience, former exchange participants are not only the best ambassadors to promote long-term exchange programs and, thus, mutual understanding and intercultural learning; in addition, their commitment to volunteering with fellow students, parents, and host families who have a similar background forms a relatively close-knit network based on trust which in itself contains a controlling function towards misconduct of any kind.

However, volunteer commitment is a sensitive system, and the new requirement that all program sponsors, employees, representatives, and volunteers in long-term secondary school exchange must successfully have completed a criminal background check might be perceived as an offence as it implies a general suspicion towards every citizen involved in the field. We, therefore, feel that the new requirement by the State Department could, in the long run, endanger volunteer recruitment and, so, might have a significant impact on the quality that we can guarantee and ensure for our programs.

4. New regulation that all adult members (18+ years old) of the host family must be vetted through a sexual offender registry in their state.

The AJA-organizations take the risk of sexual harassment or abuse that exchange students might become victim of during their stay abroad very seriously. We welcome the proposed regulation in the US as we support the belief that every possible step has to be taken to ensure the safety of our program participants and to limit potential risks as far as possible. Unfortunately, a risk can never be excluded completely. Just like other educational institutions, we feel, secondary school student exchange organizations, therefore, have a specific responsibility. The AJA-organizations have, therefore, drafted concepts on how to integrate the topic of sexual misconduct into pre-departure and in-stay seminars for students as well as host family orientations and training sessions for volunteers. Such seminars are being conducted with the support of government run institutions on health care.

In Germany, every family applying to become a host family has to fill in a detailed questionnaire on the basis of which the AJA-organizations already conduct a pre-selection. Before the placement of a student every family is being visited by specifically trained and experienced volunteers or staff members. The AJA-organizations get to know every host family in person and, hence, have a personal impression of the future living situation and conditions for the student. During their stay each exchange student is in frequent contact with at least one individually designated representative of the organization who lives in the immediate area and acts as a counsellor for both, student and host family. The counsellors are mostly volunteers who have been specifically trained. They provide individual assistance with adjustment and with problems in the course of the exchange year. In particular, they act as mediators in case of interpersonal problems.

Furthermore, all AJA-organizations are equipped with a support system of qualified, trained and experienced staff which is specialized in counselling and conflict intervention and cooperates with external professionals.

If students throughout the course of their exchange year feel uncomfortable or become victim of sexual misconduct the AJA-organizations react immediately upon any allegation: with the support of the above described staff the student is removed from the host family and an investigation is conducted.

5. New regulation that program sponsors must immediately report any incident or allegation of actual or alleged sexual exploitation or abuse of an exchange participant to the State Department and to the police.

As exchange organizations have a responsibility towards all their program participants – that is the student as well as the host family – and are obliged to protect all parties from false accusation we strongly feel that an investigation of any allegation is necessary before it is reported.

Complaints should be checked thoroughly and carefully to determine whether they are genuine. However, as soon as an allegation seems legitimate as an actual offence any organization is obliged to advise and assist the student in reporting the claim to authorities.

Nevertheless, we ask to take the following aspects into consideration when reviewing the proposed requirement:

1. Cultural differences cause different interpretations of incidents. This can, in many cases be the “root” to the problem, and can be solved through competent counselling.
2. The proposed regulation could potentially encourage students with a legitimate and serious complaint to remain silent in order to avoid the situation becoming public. By immediately reporting to the police an exchange organization might be doing something that is not in the best interest of the student. Instead, students might endure the abuse in order to avoid any public knowledge of the problem.
In our opinion, this should be taken into consideration as a serious concern. Therefore, we feel, the student’s privacy as well as discretion should be ensured to encourage him to be comfortable in contacting our staff with any concerns.

Instead of immediately reporting any incident or allegation of actual or alleged sexual exploitation or abuse of an exchange participant to the State Department and to the police a close cooperation between child protection services and the youth exchange organizations could be a fruitful as well as protective means to all parties involved.