



**U.S. Department of State
Bureau of Educational and Cultural Affairs
Private Sector Exchange**

May 17, 2012

Guidance Directive 2012-04

Secondary School Student Program – Advertising for the Recruitment of Host Families and the Use of Photographs of Potential Students

This Guidance Directive is issued to all sponsors conducting Secondary School Student (SSS) programs to clarify regulatory requirements on the use of advertising for the recruitment of host families. During the recent placement season, the Department conducted a review of the Web sites of all SSS program sponsors (utilizing Web sites). In addition, upon receipt of complaints and inquiries, we reviewed printed advertisements, primarily containing photos of students, for the appropriateness of the advertisements.

This Guidance Directive provides additional guidance regarding the regulations outlined below. We anticipate that this guidance will help to better ensure full compliance in the important areas of host family recruitment and vetting, and the use of photos and other personally identifying information of potential and actual SSS participants.

22 CFR 62.25(m)(1-4): *Advertising and Marketing for the recruitment of host families.* In addition to the requirements set forth in §62.9 in advertising and promoting for host family recruiting, sponsors must:

- (1) Utilize only promotional materials that professionally, ethically, and accurately reflect the sponsor's purposes, activities, and sponsorship;
- (2) Not publicize the need for host families via any public media with announcements, notices, advertisements, etc. that are not sufficiently in advance of the exchange student's arrival, appeal to public pity or guilt, imply in any way that an exchange student will be denied participation if a host family is not found immediately, or identify photos of individual exchange students and include an appeal for an immediate family;
- (3) Not promote or recruit for their programs in any way that compromises the privacy, safety or security of participants, families, or schools. Specifically, sponsors **shall not include personal**

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student data or contact information (including addresses, phone numbers or email addresses) **or photographs of the student** on Web sites or in other promotional materials [emphasis added]; and

(4) Ensure that access to **exchange student photographs** and **personally identifying information**, either online or in print form, is only made available to potential host families who have been **fully vetted and selected** for program participation. Such information, if available online, must also be **password protected** [emphasis added].

Frequently Asked Questions

1. What is a “fully vetted and selected” host family?

This regulatory language is intended to prevent the unscreened public from perusing “catalogues” of students, whether in print or in online format. For this purpose, the Department interprets the phrase “*fully vetted and selected*” as requiring that, at a minimum, the sponsor (as set forth in 22CFR 62.25(j)) will:

- Collect, review and accept a host family application for program participation.
- Conduct an in-person and in-home interview with all family members residing in the home.
- Collect, review and accept the results of the criminal background check for each adult member (18 years of age or turning 18 during the exchange year) living in the family home.
- Collect, review and accept at least two non-relative personal references for the host family.
- Determine final selection of a potential host family (applicant) for program participation.

Only when all of these key steps are completed may sponsors provide fully vetted and accepted host families/parents access to sponsor “catalogues” (lists, applications, etc.) of students.

2. What is “personal student data” and “personally identifying information” (per §62.25(j)(3) and (4))?

The Department interprets the phrases “*personal student data*” and “*personally identifying information*” as any information/data that can be used to (alone or with other sources) uniquely identify, contact, or locate a single individual (i.e., prospective or actual SSS student).

General (public) access to the amount of personal student data and personally identifying information should be broad and general in description so as not to identify any individual. SSS program sponsors should always err on the side of “less is best” in order to best ensure the privacy, safety and security of all SSS student participants both prior to and after their host family placement. Keep in mind that it may only take a single piece of information or data (e.g., date of birth) and/or a combination of information/data which can identify an individual SSS exchange visitor.

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In order to further assist SSS program sponsors in determining what is acceptable and not acceptable student information/data to provide to potential host families, a list has been developed

to identify acceptable and not acceptable data. Please note that the two lists are not exhaustive, but rather, intended to provide sponsors with a better understanding of our expectations and requirements concerning the governing regulations and ensuring the health, safety and welfare of prospective and actual SSS participants.

Acceptable Student Information/Data – Available to Potential Host Families Prior to being “Fully Vetted and Accepted” for Participation:

- First name only
- Age (not Date of Birth)
- Home country
- Gender
- Hobbies/General Interests (keep very general); e.g., sports, music, art, awards, recognitions
- Natural family (keep very general): e.g., lives with parents and two siblings (no names or ages)
- Personal letter or essay edited/redacted with no personally identifiable information contained in the NOT acceptable list

Not Acceptable Student Information/Data (at a minimum) – Available to Potential Host Families Prior to being “Fully Vetted and Accepted” for Participation:

- SEVIS number
- Last name of student
- Date of birth
- Birthplace or home city or town
- Natural family: e.g., providing first/last names of parents and siblings
- Student’s (and natural family members’) mailing addresses and telephone/mobile numbers
- Personal letter or essay not edited or not redacted
- Student’s (and natural family members’) email addresses and IP addresses
- GPS locations, information or images from social media applications
- Student’s social media page(s) or instant messenger (IM) name

3. What do acceptable and not acceptable host family advertisements look like which do not include a student’s photo, but does use a student’s personally identifying information?

Acceptable – *“Carla is a 17-year-old girl from Chile who has a passion for music. She is part of her school’s band where she sings and plays guitar. Carla also enjoys gymnastics. She loves children and spends a lot of time playing with her younger siblings.”*

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Not Acceptable – *“Carla is a 17-year-old girl from Santiago, Chile who has a passion for music. She is part of The Grange School’s band where she sang and played the guitar in the school performance of the Nutcracker last December. Carla also has practiced gymnastics in the Level 5 competitive level in her regional competition. She loves children and spends a lot of time playing with her two- and four-year old brothers, Carlos and Juan.”*

Not Acceptable - *“... The student does not have to have her own room, and can share a room with a host sibling, 8 years or older. Will say more as I continue to get responses. Please think about this, and seriously consider hosting her. **I will paste her picture and profile box below, and also her essay to prospective host family...**”*

4. Are “sample” student photos or descriptions permitted in advertisements to recruit host families?

Yes. Generic or alumni pictures may be used. Photos and descriptions of actual, prospective (or currently available) students cannot be used in advertisements to recruit host families. When using student photos and/or descriptions, SSS sponsors must state clearly and make plainly visible a “disclaimer” in the same advertisement, or on the same web page. Such “disclaimer” must state that the student photos and/or descriptions included in the advertisement are not actual, prospective (or currently available) students to host, but rather examples of the types of students available to host.

In addition, a general host family advertisement highlighting the SSS program sponsor may contain a photo or description of a former SSS participant and only with written consent from the former SSS participant in the photo.

Note that some phrases used in advertisements to recruit host families or on sponsors’ web sites can be very misleading and may not be used. For example, the phrase *“select your student today”* gives the impression that a sponsor is prepared to offer information about a student without having first fully vetted and accepted host families.

5. Can student photos be altered by “distorting” or “cartooning” the faces of actual, prospective students when recruiting/advertising for host families?

The practice of distorting, cartooning or digitally manipulating a photo of any actual, prospective SSS student is not permitted unless the photos do not resemble and are not identifiable to the student.

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6. Do the regulations apply fully to in-home or community visits when recruiting/advertising for host families?

Yes. In all cases, until a potential host family, including all members 18 years old and older, has been “*fully vetted and accepted*” as a participating host family, members of that family cannot view student photos, cannot see unedited full student descriptions, and cannot read unrevised student essays, student applications, etc.

All prospective/potential host families, including all family members 18 years old and older, must be “fully vetted and accepted” for participating as a host family in the SSS program. Until a prospective host family has been “fully vetted and accepted” into a SSS sponsor’s program, the family (including all family members) **cannot**:

- Have access to or view any printed student materials (student applications, binders, etc.) showing students’ photos, personal descriptions, letters/essays (that have not been edited or redacted with no personally identifiable information), etc.; or,
- Have access to or view any electronic student materials (online student applications, lists of students, catalogues of students, etc.) showing students’ photos, personal descriptions, letters/essays (that have not been edited or redacted with no personally identifiable information), etc.

Thank you for your attention to these important matters and for your continued commitment to the work of international exchange.



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for Private Sector Exchange