

## INTERN & TRAINEE PROGRAM INCIDENT REPORTING RUBRIC

This reporting rubric is to be used as a general guideline for reporting incidents to the U.S. Department of State (DOS) pursuant to 22 CFR 62.13(d). The examples provided below are not meant to be exhaustive (e.g., there may be other serious situations, not listed below, that could endanger the health, safety, or welfare of an exchange visitor or otherwise could be expected to bring the Department of State, the Exchange Visitor Program, or the sponsor's exchange visitor program into notoriety or disrepute). Please inform DOS' Office of Private Sector Exchange Administration (OPA) of the following by emailing an incident report to OPA at: [InternTraineeNotify@state.gov](mailto:InternTraineeNotify@state.gov). An incident report is preferred in all situations, but an e-mail regarding an evolving situation, to be followed later by an incident report, is acceptable.

### Natures of Incident or Allegation

- **Dangerous and Unsuitable Living Conditions** (exchange visitor removal from housing for health, safety, and/or welfare reasons [crime, overcrowding, pest infestations, mold, filth, etc.])
- **Exchange Visitor Death**
- **Exchange Visitor Missing/Absconder**
- **Harassment, Violent Behavior, Threats, or Bullying** (verbal and/or physical aggressions against an exchange visitor)
- **Inappropriate Training Activities, Including Those on the Program Exclusions List** (program exclusions are listed at 22 CFR 62.22(j) *Program exclusions*)
- **Incidents Involving the Criminal Justice System** (e.g. arrest, charges, imprisonment, incarceration, detention, etc.)
- **Patterns of Behavior Problems** (substance abuse, aggressive physical contact, severe bullying, etc.)
- **Public Events or Natural Disasters Directly Impacting Exchange Visitor Safety** (bombing/shooting/stabbing/violence, civil unrest, earthquake, fire, flood, hurricane, tornado, etc.)
- **Serious Medical Issues** (e.g., brain injury, severe burn, major surgery, communicable disease, mental health crisis, seizure disorder, any condition requiring hospitalization of 48 hours or more, etc.)
- **Serious Third Party Issues** (sponsor terminating partnership agreement with a third party due to repeat serious concerns and/or regulatory infractions)
- **Sexually Related Incidents or Abuse** (incident or allegation involving actual or alleged sexual exploitation, harassment, or any other allegations of abuse)
- **Sponsor Violations** (self-recognition of errors in vetting, oversight, staffing, etc.)
- **Threat of Negative Press** (incident expected to bring DOS or the exchange visitor program into notoriety or disrepute, including litigation in which a sponsor or exchange visitor may be named a party, negative press, or foreign government or embassy involvement, etc.)
- **Unsuitable Host Conditions** (exchange visitor removal from host organization for health, safety, and/or welfare reasons)
- **Work Hour and Wage Violations Involving Exchange Visitors** (DOL findings of violation by, or pursuit of enforcement actions against, host organizations for work hour and wage violations, or repeat work hour and/or wage-related complaints reported to sponsor by exchange visitors)
- **Lost or Stolen Immigration Documents** (i.e., passport and visa or DS-2019 form)

### Report Incidents within One Business Day

**22 CFR 62.13(d) Serious problem or controversy.** Sponsors must inform the Department of State on or before the next business day by telephone (confirmed promptly in writing by facsimile or email) of any investigations of an exchange visitor's site of activity or serious problem or controversy that could be expected to bring the Department of State, the Exchange Visitor Program, or the sponsor's exchange visitor program into notoriety or disrepute, including any potential litigation related to a sponsor's exchange visitor program, in which the sponsor or an exchange visitor may be a named party.

## INTERN & TRAINEE PROGRAM REPORTING REQUIREMENTS

The following federal regulations (22 CFR 62 Exchange Visitor Program: Subpart A - General Provisions) pertain to the sponsors' responsibility to inform DOS of serious problems or incidents, and cooperate with inquiries and investigations:

- **22 CFR 62.10(d) *Monitoring of exchange visitors.*** Exchange visitors' participation in their exchange program must be monitored by employees of the sponsor. Sponsors must:
  - (1) Ensure that the activities in which exchange visitors are engaged are consistent with the category and activity listed on their Forms DS-2019;
  - (2) Monitor the physical location (site of activity), and the progress and welfare of exchange visitors to the extent appropriate for the category;
  
- **22 CFR 62.10(e) *Requests by the Department of State.*** Sponsors shall, to the extent lawfully permitted, furnish to the Department of State within the Department-requested timeframe all information, reports, documents, books, files, and other records or information requested by the Department of State on all matters related to their exchange visitor program.
  
- **22 CFR 62.10(f) *Inquiries and Investigations.*** Sponsors must cooperate with any inquiry or investigation that may be undertaken by the Department of State or the Department of Homeland Security.