What to expect during the program

Your teacher has arrived. Now what? Cultural Vistas will continue to be in contact with school representatives and supervisors throughout the year and is available for support at any time including the initial on boarding period when several steps are taking place. We will send you occasional email updates with helpful information and reminders as well as request feedback and share procedures for maintaining the program.

Upon approval, teachers receive an online orientation from us to help them navigate certain necessary procedures, understand the reporting expectations during the program, when and how to contact us along with details like applying for Social Security, U.S. taxes, healthcare and our 24-hour emergency service. Feel free to check out that information: https://culturalvistas.org/j-1-orientation-for-teachers/

Obtaining a Social Security Number

Application process: Teachers must contact us immediately to report arrival and their U.S. contact information. We then activate their visa status which allows Social Security to verify their immigration status during the application process. J-1s can start the form (SS-5) online but must appear in-person at an SSA office with the required documents.

Timeline: The advice from SSA is to wait to appear in-person 10 days after arriving and 2 business days after reporting to us. This is to ensure various government systems are updated and in sync. They may submit the online application form (SS-5) before then. Not following this raises the likelihood of *significant* SSN delays when they cannot verify someone's immigration status properly. They must appear in-person at SSA within 45 days of submitting the online application form (SS-5).

What if the worker doesn't have a Social Security number when wage reports (Forms W-2) are due to Social Security? (from SSA)

Paper Filers: If the worker applied for a card but didn't receive the number in time for filing, enter "Applied For" in Box a. (Reference: IRS Instructions for Forms W-2/W-3)

Electronic Filers: If the worker applied for a card but didn't receive the number in time for filing, enter all zeros in the field for the Social Security number. (Reference: Specifications for Filing Forms W-2 and W-2c Electronically)

Remember to instruct the worker to tell you the number and the exact name printed on the card, when he or she receives it.

My foreign worker received his or her Social Security number after I filed my wage report. What do I do? (from SSA)

When you receive the worker's Social Security number, file Form W-2c (Corrected Wage and Tax Statement), to show the worker's number. Go to How to File Correction Forms for instructions on filing W-2c's.

Link to SSA documentation: SSA guidance and IRS Delays in issuing SSNs to aliens

Work Authorization + First Payment

It is important to note that someone can start work if they have applied for SSN and not received it yet according to SSA. Applicants will have a receipt for their application which they can present to you. We understand that other state or local steps you require may impact their ability to begin teaching or be paid, including the fingerprinting process as it may require an SSN. Absent those barriers, we have found payroll system software can be a barrier when it requires a number and we encourage you to contact your provider to find a workaround. If there is no legal barrier, teachers should be paid regardless of SSN. No federal law prohibits making payment to a person without an SSN.

In case of SSN and background check delays, please consider what impact this will have on your teacher's ability to begin work and get paid. What activities are they allowed to do in the meantime and how can you facilitate compensation?

I-9 Verification: List A documents

- An unexpired foreign passport; and
- Form I-94 indicating J-1 nonimmigrant status and Form DS-2019 with the responsible officer's endorsement. (teacher will present these)

Do you use E-Verify?

My employee applied for a Social Security number (SSN) but has not yet received it. What should I do?

A case cannot be created in E-Verify without an SSN. If a newly hired employee has applied for, but has not yet received his or her SSN (e.g., the employee is a newly arrived immigrant), attach an explanation to the employee's Form I-9 and set it aside. Then create a case in E-Verify using the employee's SSN as soon as it is available. If you are unable to create a case by the third business day after the employee's first day of employment, select Awaiting Social Security number when prompted by E-Verify.

YOUR PARTICIPANT'S VISA DOCUMENTS:

Form DS-2019 Certificate of Eligibility.
A federal document issued by Cultural Vistas to the teacher upon approval as proof of sponsorship and which allows the participant to apply for a J-1 Visa at a U.S. Embassy or Consulate abroad and tracks their participation in the program via the SEVIS database. *Your participant must keep this document for the duration of their program.* The teaching period is indicated in section three of the DS-2019 form. Your participant cannot legally participate in teaching at your school outside the dates listed and cannot teach at any other location. Any extensions of the program beyond the initial period will be updated through updating SEVIS records and issuance of a new form. This form is needed for I-9 verification along with the I-94.

J-1 Visa.
Upon approval by the U.S. consulate for the visa, a physical visa will be placed in the passport (except Canadians). This is like a ticket for entry, and it must be valid for the date of arrival and be accompanied by the above Form DS-2019. It may expire during their time in the U.S. but this does not impact their ability to teach. As long as they are active in SEVIS with a valid DS-2019 and their I-94 status reflects J-1 Visa status, they can continue according to the dates on the DS-2019. The visa only needs to be renewed during the program should it be expired any time a teacher returns home or exits the U.S. but is coming back to continue teaching. They will schedule a new appointment at the local consulate and apply for a new visa.

I-94 Record.
The official entry and departure record of international travelers generated when the participant enters the U.S. at their port of entry and is updated upon any subsequent travel. Upon arriving, participants should print a copy of their I-94 record to carry with them at all times, as it serves as proof of their legal status. It will show the class of admission as J-1 and the period of admission as Duration of Stay rather than a specific date. This simply means that the DS-2019 controls the dates they are allowed to participate in the program.

https://i94.cbp.dhs.gov/I94/#/home

WELCOME SUPPORT – A whole teacher approach

What can you do to support J-1 teachers?

- ✓ Recognize this is a major transition for them and they are being asked to assimilate into a new community, new work culture, new curriculum, and more. They have the stress of the job along with setting up housing, ensuring family members are supported, and navigating the nuances of custom and communication that is different from their home.
- ✓ They may experience wide swings in their culture shock from everything is awesome to everything is horrible and then somewhere in between.

- ✓ Be patient. They will have many questions. Identify a welcome buddy that can be the go-to person for school or community questions.

Realize how differences in culture may show up in school.

- ✓ Some may come from cultures where authority is not questioned and they may be less used to direct communication, sharing feedback and opinions, etc. in their interactions with supervisors.
- ✓ This may also mean they are used to a quiet/more lecture-based classroom with students not as interactive, vocal, debating, etc.
- ✓ Expectations around parent communication and relationships may be very different.
- ✓ Gender norms may be different.
- ✓ Work relationships may be more formal or less formal than the U.S.
- ✓ The consistent feedback is that classroom management is the steepest area of learning. There are likely differences in how we handle many situations with students.
- ✓ Some areas you may want to review with them: hours and overtime, availability during off hours, punctuality, benefits. The corporate environment, workplace protections, and leave can vary widely in other countries.

PROGRAM MONITORING AND REPORTING

As sponsor, we are charged with monitoring the health, safety and welfare of teachers as well as their activities and will occasionally request feedback from them on how they are progressing and how we can assist with any challenges. We provide a 24-hour emergency service should they need to reach us outside business hours urgently.

J-1 Position requirements

- ❖ Full-time position as teacher of record (min. 32 hours) for in-person teaching
- ❖ Responsible for delivery of instruction, lesson planning, grading and assessment of student progress.
- ❖ K- 12th grade or in pre-kindergarten language-immersion
- ❖ Temporary appointments which are not tenured
- ❖ Not class assistant, librarian, counselor, or administrative positions
- ❖ No more than 20% of teaching staff are J-1.

Reporting requirements

Performance feedback. Please note supervisors will be requested to complete a brief evaluation annually to assist us with monitoring and evaluating program success and impact. This is typically sent in January, but you should reach out to us any time there are significant issues.

Program changes. Your teachers have been approved for the specific positions which you submitted to us at the time of approval and/or extension and at the specific school address listed on their DS-2019 form. **Any changes in school site or position should be requested in advance** of the change to ensure records are updated to authorize the change. Not keeping us updated may mean your teacher is not legally allowed to be teaching where you've moved them.

When to contact us.
You should always contact us immediately if the teacher:

- does not show up and does not respond to communication
- is hospitalized and/or seriously injured
- is arrested, victim of a crime or involved with law enforcement
- is unable to perform job, put on leave, no longer meets licensing requirements
- is under investigation due to an incident at school
- performance requires significant improvement and termination is under consideration

Emergencies: **516.210.8591**

Cultural Activities
We hope you are excited about these opportunities for your students and will provide support and resources for the teacher to complete these required activities. This is a critical part of the exchange program and is required by the visa. Teachers will report annually on the two cross-cultural activities they conduct in your school to promote exchange with their host culture. They will be asked to do this by the end of the school year or by the time they submit an extension request for the program.

Insurance Verification
Schools are expected to offer teachers the same salary and benefits as similar American teachers, and this includes medical insurance. As sponsor, we must verify any non-Cultural Vistas policies and ensure they are maintained at all times. If teachers utilize your insurance instead of ours at any point during the program, we will request that you or your insurance company complete a certification form to confirm the enrollment and its compliance with visa regulations. This will be done annually at a minimum or in advance of any expiring policy. If for any reason, you do not believe your policy matches the visa requirements, the teacher must remain on our plan. Not having insurance is grounds for program termination. Note that teachers must maintain an evacuation policy with CV even when enrolled in school plans ($7/mo).

Other/Summer Employment
Teachers cannot be employed by any other organization outside of your school including any external operators such as an afterschool program. This means no private tutoring, self-employment or compensation for professional development from external sources.

Summer: They can teach in part-time, teacher of record positions in summer positions which are the same academic positions as the school year (not day camps or tutoring) and only at the current site listed on their DS-2019. This means similar grade levels and subjects to their regular position.

Taxes

Generally speaking, a J-1 teacher is likely considered to be a Non-Resident alien for tax purposes during the first two calendar years. However, this determination is made according to each person's immigration history. Thus, a teacher may move from Non-Resident to Resident over the course of their program and the withholdings from their paycheck may change. ***While a Non-Resident, the teacher should NOT pay FICA (Social Security and Medicare) or FUTA (Unemployment) taxes.*** Otherwise, J-1 teachers are subject to all other federal, state and local taxes unless exempted such as in accordance with country-specific tax treaties. It is important to note that J-1 visitors may be subject to the requirements of the PPACA which is also based on the teacher's tax status. Note: Any J-2s you employ do not benefit from the above potential exemption.

Cultural Vistas provides a free software for Non-Residents for federal tax returns which also allows the teacher to file state taxes where available for a fee.

For additional information, check out our international tax partner, **Sprintax**:
http://blog.sprintax.com/hiring-j1-visa-workers-tax-info/

IRS Information
Taxation of J-1
Publication 519, U.S. Tax Guide for Aliens

You may be interested in the Sprintax product to assist with filling the necessary new hire forms: https://www.sprintax.com/forms/

OTHER IMPORTANT DETAILS

Program Extensions
We can initially approve up to 3 years for their program period. Then, in the 3rd year, we can request an extension for 2 years. The currently approved period is on the DS-2019. Each spring we send eligible teachers and their supervisors instructions on how to do this. Extensions entail verifying the position for the next year, a written offer, completion of the annual cultural

activities and completion of the mid- year evaluation. With all this, we can determine if the teacher remains in good standing with our program and has been offered an appropriate position for his or her background under visa rules. We then issue a new DS-2019 extending the end date of the program through the next school year.

When we issue the DS-2019, that means the teacher is able to continue in the program through the new end date listed. They do not have to exit the U.S. to apply for a new visa unless they choose to travel abroad. The J-1 Visa is unique in this sense that we as visa sponsors can extend their authorized program period once they are here. Again, any time they exit the U.S. in the future and intend to re-enter, the visa in the passport must be valid which means they need to revisit the U.S. embassy while abroad. They will receive these instructions from us every spring.

Travel abroad

Teachers are allowed to exit and re-enter the U.S. during the program as long as they have a valid visa for entry. We do ask them to inform us, and they do need a special travel signature on the DS2019. Any time they exit the U.S. and the visa in their passport is expired, even if their program period approved by us for teaching is still valid, they need to visit a U.S. embassy or consulate to apply for a new visa.

Dependents

Spouse and children under 21 can join the teacher in the U.S. during the program and will be under J-2 visa status. This can be at any point during the program. The teacher must be able to support the family on his or her salary alone. J-2 Visa holders may apply for work permits after arriving through U.S. Citizenship and Immigration Services.

Other ways to participate in cultural exchanges

Cultural Vistas has many different program models in addition to this program. Keep on the lookout for opportunities!

- Short tours - a delegation of teachers or principals from another country may be visiting the U.S. and we are looking for schools to host them for tours and meetings.
- We may ask schools to be part of a grant application we are writing.
- Organizing trips for administrators or teachers overseas to study education systems.
- We sponsor college interns from other countries in the classroom assisting the American teacher or education specialists who you can hire as consultants.

Check out some other resources:

- Learn about the many resources available to schools for engaging with classrooms abroad and get your American teachers involved. We recommend Empatico, Generation Global, iEARN and (GAVE) German American Virtual Exchange

- Learn about the U.S. government funded programs for Americans to go overseas on exchanges that your students can apply for now or in future. https://exchanges.state.gov/us/special-focus-areas YOUTH

- Learn about hosting foreign high school exchange students in your school including U.S. government funded programs.
- Learn about funded Fulbright teacher programs for your teachers.

FAQs

Never hesitate to reach out if you need assistance.

And don't hesitate to let us know about your awesome teacher experiences so we can highlight them!!