

<b>22 C.F.R. Part 62, Subpart A, General Provisions</b>		<i>This template is to be used in conjunction with the regulations governing the Exchange Visitor Program, 22 C.F.R. 62 (Subpart A, as well as Subpart B, 22 C.F.R. 62.24- Teachers), as found at - <a href="http://j1visa.state.gov/sponsors/current/regulations-compliance">http://j1visa.state.gov/sponsors/current/regulations-compliance</a></i>		
<b>Administrative responsibility</b>	<b>Regulatory Section 22 C.F.R. 62</b>	<b>Regulatory Language</b>	<b>Instructions:</b> If conditions noted in this column are not met, note the exception and failure of the testing point.	<b>Results:</b> # of files with all requirements  # of files without all requirements  % of complete files
General obligations of sponsors	62.9(d)(2)  62.9(d)(3)	Provide accurate information to the public when advertising their exchange visitor program(s) or responding to public inquiries;  Provide accurate program information and materials to prospective exchange visitors, host organizations, and host employers, if applicable, at the time of recruitment and before exchange visitors enter into agreements and/or pay non-refundable fees. This information must clearly explain program activities and terms and conditions of program, including the terms and conditions of any employment activities (job duties, number of work hours, wages and compensation, and any typical deductions for housing and transportation), have itemized list of all fees charged to the exchange visitor ( <i>i.e.</i> , fees paid to the sponsor or a third party, including the host employer), insurance costs, other typical costs, conditions, and restrictions of the exchange visitor program(s), and the type, duration, nature and importance of the cultural components of the program. Program recruitment information and materials also must make clear to prospective exchange visitors in the exchange categories with a work component that their stipend or wages might not cover all of	<ul style="list-style-type: none"> <li>• Review websites and all promotions materials.</li> <li>• Verify that the sponsor covers all items required by regulations.</li> <li>• Verify that the sponsor maintains standard operating procedures that outlines when the information is sent to the EV.</li> <li>• Verify that the</li> </ul>	

		their expenses and that they should bring additional personal funds.	sponsor has written procedures to ensure that the EV privacy and private information is properly protected.	
Selection	62.10(a)(2)	The exchange visitor possesses sufficient proficiency in the English language, as determined by an objective measurement of English language proficiency, successfully to participate in his or her program and to function on a day-to-day basis. A sponsor must verify an applicant's English language proficiency through a recognized English language test, by signed documentation from an academic institution or English language school, or through a documented interview conducted by the sponsor either in-person or by videoconferencing, or by telephone if videoconferencing is not a viable option.	<ul style="list-style-type: none"> <li>• Verify that each file has either test or interview documentation to assess English language proficiency.</li> </ul>	
Pre-arrival information	62.10(b)(1-9)	<p>Pre-arrival information. At the pre-arrival stage, sponsors must provide exchange visitors clear information and materials on, but not limited to, the following topics: Program activities, cultural goals and components of the program, employment information and terms and conditions of employment (including employer name and address, position duration, job duties, number of work hours, wages, other compensation and benefits, deductions from wages, including those taken for housing and transportation), insurance costs, and other conditions and restrictions of their exchange visitor. In addition, sponsors must provide clear information and materials on: (1-9).</p> <p>(1) The purpose of the Exchange Visitor Program;  (2) The home-country physical presence requirement;  (3) Travel to and entry into the United States (e.g., procedures to be followed by exchange visitors and accompanying spouses and</p>	<ul style="list-style-type: none"> <li>• Did the sponsor provide the appropriate materials to the EV?</li> <li>• Did the pre-arrival information address all nine items required in the regulation?</li> </ul>	

		<p>dependents in paying SEVIS fees and obtaining visas for entry to the United States, including the information and documentation needed for the interview; travel arrangements to the United States, and what to expect at the port of entry, including the necessity of having and presenting travel documents at the port of entry);</p> <p>(4) Housing, including specific information on what housing is provided by the program or otherwise available and the expected cost to the exchange visitor;</p> <p>(5) An itemized list of all fees to be paid by a potential exchange visitor (<i>i.e.</i>, fees paid to the sponsor or a third party);</p> <p>(6) Description and amount of other costs that the exchange visitor will likely incur (e.g., insurance, living expenses, transportation expenses) while in the United States;</p> <p>(7) Health care and insurance description, costs, and requirements for exchange visitors and their accompanying spouse and dependents, as applicable;</p> <p>(8) Arrival notification requirements (e.g., procedures that exchange visitors, spouses and dependents are to follow upon entry into the United States in reporting their arrival to the sponsor and reporting to the location of their program); and</p> <p>(9) Other information that will assist exchange visitors to prepare for their stay in the United States (e.g., how and when to apply for a social security number, if applicable; how to apply for a driver's license; how to open a bank account; employee rights and laws, including workman's compensation; and how to remain in lawful non-immigrant status.</p>		
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Orientation	62.10(c)(1-9)	<p>A sponsor must offer and record participation in an appropriate orientation for all exchange visitors. Sponsors are encouraged to provide orientation for the exchange visitor's accompanying spouse and dependents, especially for those exchange visitors who are expected to be in the United States for more than one year. Orientation must include, but is not</p>	<ul style="list-style-type: none"> <li>• Check the agenda or orientation documentation for the sponsor's orientation program. Does the information cover all the items (1-9)?</li> </ul>	
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		<p>limited to, information concerning (1-9).</p> <p>(1) Life and customs in the United States;</p> <p>(2) Local community resources (e.g., public transportation, medical centers, schools, libraries, recreation centers, and banks), to the fullest extent possible;</p> <p>(3) Available healthcare, emergency assistance, and health insurance coverage;</p> <p>(4) A description of the exchange visitor program in which the exchange visitor is participating such as information on the length and location of the program; a summary of the significant components of the program; information on any payment (<i>i.e.</i>, stipend or wage) an exchange visitor will receive; and deductions from wages, including for housing and transportation;</p> <p>(5) Sponsor rules that exchange visitors are required to follow while participating in their exchange visitor program;</p> <p>(6) Name and address of the sponsor and the name, email address, and telephone number of the Responsible Officer and Alternate Responsible Officer(s);</p> <p>(7) The Office of Designation's address, telephone number, facsimile number, Web site and email address, and a copy of the Exchange Visitor Program brochure or other Department of State materials as appropriate or required;</p> <p>(8) Wilberforce Pamphlet on the Rights and Protections for Temporary Workers; and</p> <p>(9) The requirement that an exchange visitor must report to the sponsor or sponsor designee within ten calendar days any changes in his or her telephone number, email address, actual and current U.S. address (<i>i.e.</i>, physical residence), and site of activity (if the exchange visitor is permitted to make such</p>		
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		change without prior sponsor authorization).		
Insurance	62.14	All insurance requirements under Section § 62.14.	<ul style="list-style-type: none"> <li>• Check that exchange visitors are insured for the amounts required in § 62.14(b) and for the anticipated duration of their exchange program.</li> </ul>	
<b>22 C.F.R. Part 62, Subpart B Specific Program Provisions – Teacher</b>				
Teacher Eligibility	<p>62.24(d)</p> <p>62.24(d)(1)(i-ii)</p>	<p>Foreign nationals are eligible to participate in exchange visitor programs as full-time teachers if, at the time of initial application to the sponsor, an individual making such application demonstrates to the satisfaction of the sponsor that he or she:</p> <p>Either:</p> <p>(i) Meets the qualifications for teaching at the primary, including pre-kindergarten, or secondary levels in schools in his or her home country; is working as a teacher in his or her home country at the time of application; and has at least two years of full-time teaching experience;</p> <p>(ii) Is not working as a teacher in his or her home country at the time of application, but otherwise meets the qualifications for teaching at the primary</p>	<ul style="list-style-type: none"> <li>• Check the exchange teacher files for record of an assessment and documentation.</li> <li>• Check the exchange teacher files for the documentation to confirm the three qualification requirements in (i) or the</li> </ul>	

		(including pre-kindergarten) or secondary levels in schools in the home country; has had at least two years of full-time teaching experience within the past eight years; and, within 12 months of his or her application submission date for the program, has or will have completed an advanced degree (beyond a degree equivalent to a U.S. bachelor's degree) in education or in an academic subject matter that he or she intends to teach or that is directly related to his or her teaching subject field;	two qualification requirements in (ii) are met.	
	62.24(d)(2)	Possesses, at a minimum, a degree equivalent to a U.S. bachelor's degree in either education or the academic subject field in which he or she intends to teach;		
	62.24( d)(3)	Satisfies the teaching eligibility standards of the U.S. state in which he or she will teach (e.g., meets minimum educational requirements, has passed teacher training coursework at a sufficiently proficient level, has provided an evaluation of foreign teaching preparation coursework, has demonstrated the requisite prior teaching experience), to include any required criminal background or other checks;	<ul style="list-style-type: none"> <li>• Confirm the sponsor has a process to evaluate each state's teaching eligibility standards.</li> </ul>	
	62.24(d)(4)	Is of good reputation and character;	<ul style="list-style-type: none"> <li>• Confirm the sponsor has a process on assessing the teacher's reputation and character.</li> </ul>	
Teacher Selection	62.24(e)	Sponsors must screen foreign teachers carefully before accepting them for the program. In addition to the requirements set forth in §62.10 and all security checks required by U.S. state departments of education and host schools, sponsors also must:	<ul style="list-style-type: none"> <li>• The screening process must be completed before the exchange teacher was accepted into the program.</li> </ul>	

	62.24(e)(2)	Secure references from one colleague and one current or former supervisor of each foreign teacher, attesting to that teacher's good reputation, character and teaching skills;	<ul style="list-style-type: none"> <li>• Check the exchange teacher files for references.</li> </ul>	
	62.24(e)(4)	Verify that each foreign teacher who is eligible for the program under paragraph (d)(1)(ii) of this section has a letter from the head of a school in another country, preferably that teacher's home country, which states that school's willingness to work with the exchange teacher on the cross-cultural activity component set forth in paragraph (h)(1)(ii). The foreign school with which the exchange teacher plans to work must be at the same academic level as the foreign teacher's proposed host school. The letter submitted as part of the foreign teacher's application package must be signed by the head of the school or another individual in an appropriate position of authority to speak for the school within the foreign country's school system; the official signing the letter must list both email and telephone contact information. The letter may be submitted in English or in the original language of the home country with an English translation; the name, title/organization and contact information of the translator must be noted on the translation.	<ul style="list-style-type: none"> <li>• Check the exchange teacher files for letter from head of a school in another country.</li> </ul>	

Teaching Position	62.24(f)(1)	Sponsors must ensure that: Forms DS-2019 are not issued until foreign teacher applicants have received and accepted written offers of full-time teaching positions from the accredited primary (including pre-kindergarten level) or secondary schools in which they will teach;	<ul style="list-style-type: none"> <li>• Check if the Form DS-2019 is not signed and dated prior to the date the exchange teacher received and accepted written offer.</li> </ul>	
	62.24(f)(4)	Exchange teacher appointments to positions within accredited primary or secondary schools are temporary, even if the teaching positions are permanent, and do not lead to tenure; exchange teachers must be employees of either the host or home school during their exchange.	<ul style="list-style-type: none"> <li>• Confirm if primary or secondary school is accredited.</li> </ul>	
	62.24(f)(5)	Teaching positions, including duties, responsibilities, hours of employment, and compensation, are commensurate with those of similarly-situated U.S. teachers in the school district or host school where that exchange teacher is assigned to teach; an exchange teacher, unless he or she is on a program where the Department is the sponsor, must be employed by and under the direct supervision and guidance of his or her host school and, where applicable, host school district; and	<ul style="list-style-type: none"> <li>• A summary of the significant components of the program including a written statement of the teaching requirements and related professional obligations should be provided to the exchange teacher, along with a written statement which clearly states the compensation, if any, to be paid to the exchange teacher and any other financial arrangements in regards to the exchange visitor program as required in §62.10(b).</li> </ul>	
	62.24(f)(6)	A pre-kindergarten level exchange teacher is assigned to teach full-time in an accredited host school (or in several schools within the same host school district, including at several academic levels, with prior permission from the Department). If an exchange teacher is placed in a private school where there is no host school district, then he or she must teach a full-time schedule of at least 32 hours in a school or schools located no more than 25 miles from the main host school; in such a situation, sponsors must ensure that reasonable and effective		

	9.3.2 User Manual for Temporary Users of SEVIS	<p>modes of transportation exist to such additional sites of activity. An exchange teacher may teach at the pre-kindergarten level only in a language immersion program offered as regular course of study by an accredited primary school.</p> <p>Copies of the approval letters obtained from the State Department of Education for each state in which foreign exchange teachers will be placed.</p>	<ul style="list-style-type: none"> <li>• Confirm the Dept of Education approval letter is on file for the state in which placed.</li> </ul>	
Program disclosure	<p>62.24(g)(1)</p> <p>62.24(g)(2)</p>	<p>As part of recruitment, in addition to the information required by 62.10(b)-(c), sponsors must provide on their main Web sites and in their recruiting materials a general summary of fees and other costs for the program. This summary should include, but not be limited to, the sponsor fee; foreign or domestic third party or partner fees; visa fee; the Student and Exchange Visitor Information System (SEVIS) fee; insurance costs; estimates for food, housing and local transportation costs; expected work-related deductions; and estimates or ranges for all other fees charged for and significant general costs related to participation in the teacher exchange program.</p> <p>At the time a foreign teacher is selected for the program, and before the exchange visitor signs any contracts with the host school, sponsors and/or the host school must provide each individual exchange teacher the following information, either within the teacher's contract or in a separate document: The name, location, and brief description of the host school; the terms and conditions of compensation (with deductions from gross salary); any provisions affecting the ability of the exchange teacher to be accompanied abroad by a spouse or dependents (including any related assistance and allowances); a</p>	<ul style="list-style-type: none"> <li>• Review sponsor web sites and recruiting materials.</li> <li>• Verify that the sponsor covers all item required in the regulation.</li> <li>• Check the exchange teacher files for employment contract or documentation.</li> <li>• Confirm the contracts full execution – signature and date.</li> </ul>	

		summary of the significant components of the program (including a statement of the teaching requirements and related professional obligations, as well as the required cross-cultural activity component as set forth in paragraph (h) of this section); specific information on the fees and costs for which the exchange teacher will be responsible while on exchange in that school district in accordance with paragraph (g)(1); anticipated housing options and cost implications; specific local transportation options between the exchange teacher's residence and the host school and transportation cost estimates; insurance costs for accident or illness coverage, repatriation of remains and medical evacuation as required by 62.14; estimated personal expense money for initial costs the exchange teacher may incur upon arrival in the United States prior to receiving his or her first paycheck; certification or licensure procedures and costs at the host school; administrative fees; and any placement fees. Exchange teacher compensation, unless provided directly to the exchange teacher through government funding, through continued support from the exchange teacher's home school, or from both the teacher's home and host school in a shared cost arrangement, must be paid directly by the host school or host school district in which the exchange teacher is placed.		
Cross-cultural activity component	62.24(h)(1)(i-ii)(2)(i-v)	<p>In addition to the requirements of § 62.10:</p> <p>(1) Sponsors must require each exchange teacher to complete, within the United States, and during each academic year of program participation, at least one cross-cultural activity from each of the following two categories:</p>	Check exchange teacher files for cross-cultural activity annual report.	

		<p>(i) An activity for the teacher's classroom, larger host school or host school district population, or the community at large designed to give an overview of the history, traditions, heritage, culture, economy, educational system and/or other attributes of his or her home country. Sponsors of exchange teachers placed at international schools must require their exchange teachers to conduct at least one cross-cultural activity per academic year outside the host school in nearby schools or communities where international opportunities may be more limited than those found in their host school; and</p> <p>(ii) An activity that involves U.S. student dialogue with schools or students in another country, preferably in the exchange teacher's home school, through virtual exchange or other means, in order to supplement the goals of the in-person exchange.</p> <p>(2) Sponsors must collect annual reports from their exchange teachers detailing the cross-cultural activity component of their exchange program. The annual report does not have to be in a specific format, but must include the exchange teacher's full name and the program sponsor's name. The report section about the cross-cultural activity component must contain the following information:</p> <p>(i) The date(s) of each activity;</p> <p>(ii) The location of each activity;</p> <p>(iii) The audience for and participants in each activity;</p> <p>(iv) A general overview of each activity, including the topic; and</p> <p>(v) The estimated impact of each activity.</p>		