
July 15, 2021

Spanish Exchange Visiting Teacher Program in Agreement

In recognition of the importance that English and Spanish languages carry means of communication between individuals as well as countries, and of the valuable role they play in the exchange of ideas in the fields of economics, science and culture; Iowa's Memorandum of Understanding with the Ministry of Education of Spain was created to promote strong cross-cultural ties between the citizens of Iowa and the people of Spain and to address the shortage of qualified Spanish language teachers and Spanish immersion content teachers in many areas of our state. The Memorandum of Understanding was signed by the two educational organizations in April 2008.

Under this agreement, Iowa's Spanish Visiting Exchange Teacher Program was created. Through this program, visiting Spanish and immersion content teachers from Spain can be brought to teach in Iowa accredited districts and schools for a period of up to three years. Due to a recent review of the program, Iowa will not be offering the option of 1-2-year extension until further notice.

The Spanish Visiting Exchange Teacher Program in Iowa closely adheres to the conditions and regulations of the U.S. Department of State's J-1 Visa Exchange Visitor Program. This program provides foreign teachers with the opportunity to teach in accredited U.S. elementary and secondary schools, learn and practice U.S. teaching methods, engage in rich cross-cultural experiences and bring an international perspective to U.S. classrooms. The purpose of the Exchange Visitor Program is to promote cultural and educational exchange between citizens of the United States and those of other countries. The program provides foreign nationals with opportunities to participate in exchange programs in the US and then return home to share their experiences.

Conditions and Requirements for District/School Use of a Spanish Visiting Exchange Teacher

All accredited school/district officials and sponsoring institution representatives who sign the Spanish Visiting Teacher Program agreement should carefully read and initial each of the following program requirements to indicate their understanding of each requirement and their school's or district's assured compliance with them at all times. These agreement obligations ensure the well-being of our visiting exchange teachers (J-1 visa holders), protect participating host institutions and satisfy U.S. Department of State and Homeland Security regulations.

- a. The purpose of the Exchange Visitor Program is to promote cultural and educational exchange between citizens of the United States and those of other countries. The program provides foreign nationals with opportunities to participate in exchange programs in the US and then return home to share their experiences. Participating districts and nonpublic schools commit to comply with the purpose of the program for the duration of the participation in the program. Districts and schools will not pursue a permanent hire of the visiting exchange teacher during the participation period of the exchange visiting teacher.
- b. Participating schools and nonpublic districts will acknowledge that Iowa's Spanish Exchange Visiting Teacher Program is, first and foremost, a cross-cultural program designed to increase cultural understanding on the part of all local and foreign program participants. Additionally, host districts and nonpublic schools will ensure that visiting teachers have every opportunity to participate in the required, two-way cross-cultural exchange activities with a home school in their country of origin and cultural sharing activities with the greater host community as required by the U.S. Department of State's Exchange Visitor Program. Finally, districts and nonpublic schools will ensure that each visiting exchange

- teacher submits an end-of-year report to the Iowa Department of Education detailing his or her high-quality, cross-cultural exchange activities and experiences, which is also required by the federal government. DS-2019s will be signed upon completion and submission of cross-cultural activities. Failure to comply with all required cross-cultural exchange activities, may result in immediate removal of the program and the teaching license will be void.
- c. Accredited host districts and nonpublic schools will place their visiting teachers under contract in guaranteed, year-long, full-time positions and pay them the same salary that they would pay any other teacher, commensurate with their level of educational attainment and years of documented prior service in both the U.S. (if any) and abroad. Note: All visiting exchange teachers will have a minimum of two to three years of applicable experience as required for participating in the program. An initial one-year contract can be followed by contract renewals of one or two years if all parties agree, and based on a positive annual teacher evaluation. Visiting exchange teachers should receive the same amount of sick/personal leave as other teachers in the accredited district or nonpublic school. In accredited districts/schools where collective bargaining agreements are in place for all teachers, compensation and benefits for Spanish visiting exchange teachers must comply with the terms of those agreements.
 - d. To ensure compliance with federal J-1 visa regulations, accredited districts and nonpublic schools will not request a visiting exchange teacher or place a visiting teacher in a position unless they can ensure the permanency of that position for the duration of the entire school year and can guarantee that the position will not be eliminated due to budgetary cuts, reduction in force, tax levy failure or other factors which result in adverse changes in district/school finances and staffing levels.
 - e. To ensure compliance with federal J-1 visa regulations and to meet the purpose of the program, accredited districts and nonpublic schools are committed to offer annual contracts to teachers for up to 3 years (no longer than the 3 years). Failure to comply may result in immediate removal from the program, suspension, and report to the federal program at the U.S. Department of State. In addition, the hosting accredited school and exchange teacher may not seek a change in teaching licensure during the duration of the program, as it indicates that the purpose for participating in the program may have changed.
 - f. To ensure compliance with federal J-1 visa regulations and to meet the purpose of the program, EVT's are committed to meet the purpose of the program for the duration of the participation in the program. Failure to comply may result in immediate removal from the program, suspension, and report to the federal program at the U.S. Department of State. In addition, the EVT may not seek a change in teaching licensure during the duration of the program, as it indicates that the purpose for participating in the program may have changed. Obtaining a waiver may also be considered a change of the intention to meet the purpose of the program.
 - g. Contracts offered to visiting teachers must ensure adequate due process and intervention safeguards if their performance falls into an unsatisfactory status or if there is an allegation of misconduct.
 - h. Accredited host districts and nonpublic schools will ensure safe and sanitary working conditions for their visiting teachers that are conducive to teaching and learning at all times. The sponsor (Iowa Department of Education) will visit the teacher after the visiting teacher begins teaching to confirm that the working conditions are as specified, and will visit the school at least one more time during the school year, while school is in session.
 - i. Each visiting teacher must have the following types and minimum amounts of insurance coverage required by the U.S. Department of State, U.S. Homeland Security and the Iowa Department of Education at all times, beginning on the day the teacher arrives in the United States through his/her last day in the country (accredited host districts and nonpublic schools will ensure that each visiting teacher has minimum amounts of insurance coverage):
 - a. Employee health insurance
 - b. Medical evacuation insurance (minimum of \$50,000 coverage)
 - c. Repatriation of remains insurance (minimum of \$25,000 coverage)
 - d. A deductible not to exceed \$500 per accident or illness.

Currently, the Spanish Ministry of Education and the Iowa Department of Education require the Spanish visiting exchange teachers to purchase their own medical evacuation and repatriation of remains insurance policies prior to their arrival in the U.S. If this requirement changes, the district or school will assume responsibility for providing coverage, and the teacher is required to accept it.

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- j. Accredited host districts and nonpublic schools will ensure that their visiting exchange teachers' teaching loads are always appropriate and manageable and that adequate time for planning and preparation is built into these teachers' daily schedules.
 - k. Accredited host districts and nonpublic schools will support the attendance of their visiting teachers at the Iowa Department of Education's pre-service orientation as required by the U.S. Department of State's J-1 Visa Exchange Visitor Program. The fee of \$895 paid by host schools will cover the cost associated with the preservice orientation, costs associated with the program, and licensure of their visiting teachers. This amount cannot be deducted from the visiting teacher's salary.
 - l. Accredited host districts and nonpublic schools will each send a mentor, or administrator to join their visiting teacher(s) on the last day of their Department-led pre-service orientation to relay important programmatic information back to the appropriate school/district officials. Accredited host district and nonpublic school representatives will be responsible for transporting their new visiting exchange teachers and their belongings to their assigned communities at the end of their orientation.
 - m. Accredited host districts and nonpublic schools will identify a suitable host family with whom each visiting teacher can live free of cost for up to the first two weeks s/he is in the community, until the teacher finds a suitable housing. This will give the visiting teachers a safe place to stay and an initial opportunity for cultural immersion and adjustment while engaging in numerous tasks associated with settling in, such as applying for a social security number, opening bank accounts, locating and furnishing an apartment, buying and insuring a car, etc. It also provides the visiting teacher with a family that can help mentor the teacher in order to facilitate integration into the local community. If a host family is not an option, the school should help the teacher find housing prior to arriving in the U.S. Accredited host districts and nonpublic schools will provide each visiting teacher with assistance to expedite all activities associated with "settling in." Districts/schools will acknowledge that visiting teachers will not be able to fully focus on their teaching responsibilities until their basic personal needs have been fully met. Host districts/schools will assist their visiting teachers with:
 - securing a social security number;
 - opening a bank account and setting up direct payroll deposit;
 - renting and furnishing an apartment, setting up utilities and securing renter's insurance coverage;
 - buying a reliable and affordable used vehicle and securing appropriate auto insurance.Employing host districts/schools will demonstrate a certain degree of flexibility so that their visiting teachers can accomplish these tasks during regular business hours, preferably before the academic year begins.
 - n. Accredited host districts and nonpublic schools will provide their new visiting teachers with a regular schedule of mentoring by trained mentors who will regularly observe and work with the visiting teachers over the course of the entire school year. The mentoring program should emulate the mentoring that is received by other first-year teachers in the school or district in Iowa. Returning visiting teachers should be afforded access to continuing mentoring on an "as needed" basis.
 - o. Accredited host districts and nonpublic schools will deduct applicable federal, state and local income taxes, union dues, etc., from visiting teachers' pay just as they normally would for non-visiting teachers. However, per the U.S. IRS Publication titled Alien Liability for Social Security and Medicare Taxes of Foreign Teachers, Foreign Researchers, and Other Foreign Professionals, which details an exemption for nonresident aliens who are temporarily living and working in the U.S. under authority of a J-1 visa, host districts and schools will not deduct FICA (i.e., Medicare and Social Security) taxes while the visiting teachers are working under contract as visiting educators during their first two calendar years in the U.S.
 - p. Accredited host districts and nonpublic schools will provide adequate orientation for the visiting teacher prior to the start of the school year. If a new teacher orientation is held or professional development is provided prior to the start of classes, the visiting teacher should be included. If a stipend for these events is paid to the regular teaching staff, the visiting teachers must also be given the same compensation.
 - q. Accredited host districts and nonpublic schools will allow teachers to attend the Iowa Culture and Language conference in the fall (during the first year of teaching).
 - r. Per U.S. Department of State requirements, host districts and nonpublic schools will pay a one-time program fee of \$895 to cover the cost of the teaching license, orientation week, presenters and facilitators, background check, international mail, etc. which permits that teacher to lawfully work in the United States while participating in an educator exchange program.

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- s. Accredited host districts and nonpublic schools will immediately report to the Iowa Department of Education any infraction of the law or the educator code of conduct that is allegedly committed by a visiting teacher. Host districts, schools and sponsor will ensure that their visiting teachers receive due process in the event an alleged violation of the law or educator code of conduct occurs.
 - t. Due to recent review of the program in Iowa, the option of extensions will not be offered until further notice.