



STATE OF NEW MEXICO
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**Application for Requesting a Letter of No Objection
for J1 Visa Sponsors & Recruiters/Placement Agencies
June 7, 2019 Form Amended June 25, 2019**

All Applications for Requesting a Letter of No Objection for J1 Visa Sponsors shall be evaluated for compliance with 22 CFR, Part 62; current United States Department of State Bureau of Educational and Cultural Affairs Private Sector Exchange Guidance Directives; and the requirements herein. The New Mexico Public Education Department ("PED") may request additional documentation prior to completing evaluation of the Application. Only complete Applications will be evaluated. **Any Letters of No Objection issued as a result of a successful submission of this Application shall expire on December 20, 2019.**

Please email the completed Application and supporting documentation to Seana C. Flanagan, Director, Educator Quality Division, New Mexico Public Education Department, at Seana.Flanagan@state.nm.us.

I. NAMES AND CONTACT INFORMATION

Please provide the following information about the Applicant.

Name of Applicant (Individual or Entity):

Business Address of Applicant:

Business Type (S Corp, LLC, LLP, 501(c)(3), etc.):

Federal Tax ID / Employer Identification #:

Name of Parent Corporation (if applicable):

Name and Job Title of Responsible Officer with Authority to Sign this Application:

Physical Address, Telephone Number, Email Address of Responsible Officer:

Name and Job Title of Individual Completing this Application:

Physical Address, Telephone Number, Email Address of Individual Completing this Application:

II. ACKNOWLEDGEMENT REGARDING LETTERS OF NO OBJECTION

With my signature below, I, _____, acknowledge the following:

- PED is not obligated to issue a Letter of No Objection.
- The Applicant is not entitled to receive a Letter of No Objection.
- Any Letters of No Objection issued prior to 2019 either have been rescinded prior to June 7, 2019 or are hereby rescinded and considered null and void as of June 7, 2019, whichever is earlier. Any lawful actions undertaken prior to this rescission by recipients of pre-2019-issued Letters of No Objection will not be affected by this rescission.
- The purpose of the Letter of No Objection is the facilitation of the U.S. Department of State's promotion of an educational and cultural exchange through the placement of J1 visa teachers in U.S. schools. (See U.S. Department of State Bureau of Educational and Cultural Affairs Private Sector Exchange Guidance Directive 2019-01). Any actions by the Applicant in contravention of 22 CFR, Part 62 or current U.S. Department of State Bureau of Educational and Cultural Affairs Private Sector Exchange Guidance Directives shall be reported by the PED to the U.S. Department of State, the New Mexico Attorney General, and other federal and state authorities; shall result in automatic rescission of a Letter of No Objection; and may render the Applicant ineligible to apply in the future for a Letter of No Objection.

Responsible Officer's Signature: _____ Date: _____

III. ACKNOWLEDGEMENT REGARDING TEACHER INTERVIEWS

With my signature below, I, _____, acknowledge the following:

- J1 visa teachers may be interviewed and surveyed about their experiences as J1 visa teachers and their experiences with the Applicant and the Applicant's partnering entities, if applicable.
- J1 visa teachers shall not be subject to retaliation, sanction, abridgement of speech, or elimination from the Applicant's services on account of the J1 visa teachers participating fully in any such interviews or surveys.
- Any violation of this Acknowledgement shall be reported by the PED to the U.S. Department of State, the New Mexico Attorney General, and other federal and state authorities; shall result in automatic rescission of a Letter of No Objection; and may render the Applicant ineligible to apply in the future for a Letter of No Objection.

Responsible Officer's Signature: _____ Date: _____

IV. ACKNOWLEDGEMENT OF PUBLIC RECORD

With my signature below, I, _____, acknowledge the following:

- This Application, and any attachments, are public records that may be disclosed, disseminated, and published by the PED.
- A Letter of No Objection, and any attachments, are public records that may be disclosed, disseminated, and published by the PED.
- A Letter of Rescission, and any attachments, are public records that may be disclosed, disseminated, and published by the PED.

Responsible Officer's Signature: _____ Date: _____

V. SPONSORSHIP AND PARTNER INFORMATION

With my signature below, I, _____, attest that the below-provided answers and information are current and accurate:

Does the Applicant hold a J1 and J2 Visa Sponsor Designation from the U.S. Department of State

- Yes
- No

If the Applicant is not a U.S. State Department Designated Sponsor (“Sponsor”):

- Is the Applicant a Recruiter or Placement Agency?
 - Yes
 - No – if the answer is no, please:
 - Describe in detail the reasons why you are submitting this Application:

 - Describe the services you provide with regard to J1 visa teachers:

- Please provide the following information regarding the Sponsor:
 - Name: _____
 - Address: _____
 - Responsible Officer: _____
 - Applicable dates of the Sponsor’s Letter of Designation:
 - Date of Issuance of current designation: _____
 - Date of Expiration of current designation: _____

If the Applicant is a U.S. State Department Designated Sponsor (“Sponsor”):

- Does the Sponsor work with a Recruiter or Placement Agency?
 - Yes – if the answer is Yes, please provide the following information:
 - Name of Recruiter/Placement Agency #1:

 - Address, Email Address, Phone #:

 - Responsible Officer: _____

 - Name of Recruiter/Placement Agency #2:

 - Address, Email Address, Phone #:

 - Responsible Officer: _____

 - Name of Recruiter/Placement Agency #3:

 - Address, Email Address, Phone #:

 - Responsible Officer: _____
 - No
- (Attach additional pages if necessary)

PLEASE ATTACH THE FOLLOWING DOCUMENTATION:
• **The Sponsor’s Letter of Designation from the U.S. Department of State**

Responsible Officer’s Signature: _____ Date: _____

**VI. FEES CHARGED FOR J1 AND J2 VISA SERVICES - DISCLOSURE,
ACKNOWLEDGEMENT & ATTESTATION**

With my signature below, I, _____:

- Acknowledge that, for purposes of this section:
 - “Fees” includes and is not limited to any type of payments, costs, reimbursements, governmental filing fees, finders fees, recruiting fees, transfer fees, document replacement fees, record fees, surcharges, late charges, fines, and fees paid to third parties, including third-party recruiters, paid to anyone and by anyone, for J1 and J2 visa services
 - “Complete and accurate” means that:
 - the Applicant’s disclosure of fees is exhaustive
 - no other fees are payable by or on behalf of a J1 visa teacher or a J2 visa holder, regardless of whether the fees are payable:
 - to Applicant or a third party
 - by the J1 visa teacher or J2 visa holder or another person or entity
 - domestically or internationally
- Acknowledge that the Applicant has an ongoing duty to disclose complete and accurate fees at the time of Application and for the duration of the term of any Letter of No Objection issued
- Acknowledge that incomplete or inaccurate disclosures of fees:
 - If discovered by PED at the time of processing the Application, will result in the non-approval of the Application
 - If discovered after the issuance of a Letter of No Objection, will be reported by the PED to the U.S. Department of State, the New Mexico Attorney General, and other federal and state authorities; shall result in automatic rescission of a Letter of No Objection; and may render the Applicant ineligible to apply in the future for a Letter of No Objection.

Responsible Officer’s Signature: _____ Date: _____

A. FEES FOR SPONSORSHIP REQUIREMENT SERVICES

With my signature below, I, _____:

- Attest that I am disclosing below a complete and accurate description of fees charged for sponsorship requirement services pursuant to 22 CFR, Part 62 and United States Department of State Bureau of Educational and Cultural Affairs Private Sector Exchange Guidance Directive 2019-1 and listed at <https://j1visa.state.gov/programs/teacher#program-sponsors>.

	Amount of Fee in US \$	Description of Fee	Fee is Paid to Whom?	Fee is Paid by Whom?	One-time or recurring / annual / periodic fee
1	\$	Providing a U.S. Form DS-2019 for the J1 visa teacher			
2	\$	Providing a U.S. Form DS-2019 for the J2 visa holder			
3		Collecting Student and Exchange Visitor Information System Fee for U.S. Department of Homeland Security			
4	\$	Providing guidance to the teacher or family member for obtaining the J1 or J2 visa from the U.S. Consulate			

5	\$	Obtaining copies of teachers' diplomas and teaching certificates and providing them to employers upon request, including translations and foreign equivalencies if requested (same as 4 otherwise)			
6	\$	Screening for English language proficiency			
7	\$	Ensuring the J1 visa teachers are eligible for a New Mexico teacher's license			
8	\$	Obtaining background checks and providing to the employer copies of background check reports			
9	\$	Providing guidance for obtaining a Social Security Number			
10	\$	Providing guidance for obtaining a federally insured bank or credit union account			
11	\$	Providing guidance regarding on cost of living			
12	\$	Providing guidance about local public transportation options and driver's license requirements			
13	\$	Ensuring J1 teachers are covered under the medical and dental insurance policies of the employer or the Applicant			
14	\$	Providing culturally relevant programing			
15	\$	Ensuring access to cultural enrichment activities in New Mexico and United States			
16	\$	Delegating services to, and charging fees for services performed by, a third party and/or recruiter for any service, including fees listed above. Indicate service and cost amount in the lines that follow, attaching additional pages if necessary.			
17	\$	Additional fee:			
18	\$	Additional fee:			
19	\$	Additional fee:			
20	\$	Additional fee:			
21	\$	Additional fee:			
22	\$	Additional fee:			
23	\$	Additional fee:			
24	\$	Additional fee:			
25	\$	Additional fee:			

Please feel free to aggregate the above-listed fees if, for instance, one fee is provided for multiple sponsorship requirement services.

If there are any services listed above that are not provided by the Applicant or a third party, then please describe in detail the reasons:

Please attach additional pages as required.

Responsible Officer's Signature: _____ Date: _____

B. FEES FOR ADDITIONAL SERVICES

With my signature below, I, _____:

- Attest that I am disclosing below a complete and accurate list of fees for additional services that are not required by the U.S. Department of State for Designated Sponsors under 22 CFR, Part 62 and current U.S. Department of State Bureau of Educational and Cultural Affairs Private Sector Exchange Guidance Directives. These fees for additional services are charges for services that may be provided by a Designated Sponsor, a recruiter/placement agency, a partnering entity, the employer, a community member, or another third party. For purposes of this section:
 - These fees for additional services may include, and are not limited to, for example:
 - Airfare to and from the teacher's home country
 - Transportation to host community and temporary lodging upon arrival in host community
 - Housing-location assistance or long-term housing arrangement
 - Local transportation assistance and assistance obtaining a New Mexico driver's license
 - Health, disability, and life insurance
 - Repatriation assistance
 - Emergency healthcare assistance
 - Customer service support for J1 visa teachers and J2 visa holders and employers for the duration of their visa

	Amount of Fee in US \$	Description of Fee	Fee is Paid to Whom?	Fee is Paid by Whom?	One-time or recurring / annual / periodic fee
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
17					
18					
19					
20					

Please do not aggregate fees and services for purposes of completing this disclosure of fees for additional services.

Please attach additional pages as required.

Responsible Officer's Signature: _____ Date: _____

VIII. CONFLICT OF INTEREST ATTESTATIONS

With my signature below, I, _____:

- Attests that the Applicant has complied with, and will continue to comply with, all applicable provisions of the Governmental Conduct Act, Chapter 10, Article 16 NMSA 1978.
- Attests that, currently, for the past twelve months, and until the expiration of a Letter of No Objection, it does not have, has not had, and will not have, any, financial interest, direct or indirect, which would conflict in any manner or degree with the provision of services to J1 visa teachers; their family members receiving J2 visas; school districts; charter schools; and other public schools. Without in any way limiting the generality of the foregoing, the Applicant specifically represents and warrants that:
 - 1) The Applicant does not employ, has not employed, and will not employ, a PED public officer or PED employee, school district or school employee, local school board member, charter school employee, or charter school governing body member.
 - 2) The Applicant is not, has not been, and will not be a PED public officer or PED employee, school district or school employee, local school board member, charter school employee, or charter school governing body member.
 - 3) No PED public officer or PED employee, no school district or school employee, no local school board member, no charter school employee, and no charter school governing body member is an immediate family member of the Applicant or the applicant's officers, agents or employees. "Immediate family member" means mother, father, daughter, son, sister, brother, wife, husband, or domestic partner.
 - 4) No PED public officer or PED employee, no school district or school employee, no local school board member, no charter school employee, and no charter school governing body member has, has had, or will have, a financial interest in the Applicant.
 - 5) The Applicant is not being represented, has not been represented, and will not be represented by, a person who has been a public officer or employee of the State, a school district or school employee, a local school board member, a charter school employee, or a charter school governing body member.
 - 6) The Applicant is not being assisted, has not been assisted, and will not be assisted, in any way, regarding the placement of J1 visa teachers in New Mexico public schools, by a public officer or employee of the State, a school district or school employee, a local school board member, a charter school employee, or a charter school governing body member.
 - 7) Neither the Applicant nor any of the Applicant's officers, agents and employees, or their immediate family members, is, has been, or will be a legislator.
 - 8) No legislator or immediate family member of a legislator has, has had, or will have a substantial financial interest in the Applicant.
 - 9) Neither the Applicant nor any of the Applicant's officers, agents and employees, or their immediate family members, is contributing, has contributed, or will contribute, anything of value to a PED public officer or PED employee, school district or school employee, local school board member, charter school employee, or charter school governing body member.

- Acknowledge that the Applicant has an ongoing duty to inform the PED of any changes to the attestations in this section.
- Acknowledge that any inaccuracies and any failure to inform the PED about changes to the attestations in this section shall be reported by the PED to the U.S. Department of State, the New Mexico Attorney General, and other federal and state authorities; shall result in automatic rescission of a Letter of No Objection; and may render the Applicant ineligible to apply in the future for a Letter of No Objection.

Responsible Officer's Signature: _____ Date: _____

*Once the non-refundable Application processing fee is received by PED, it will not be refunded for any reason.