

Frequently Asked Questions (FAQ)

Regarding [Application for Requesting a Letter of No Objection](#)

1. What is a Letter of No Objection?

A Letter of No Objection allows sponsors to place international teachers in U.S. schools through use of a J1 Visa. A J1 Visa is a cultural exchange visa for teachers from foreign countries to teach in U.S. schools. Without a Letter of No Objection, sponsors cannot do business in the state under the requirements of the U.S. Department of State.

2. What is a sponsor?

A sponsor is a company that receives from the U.S. Department of State a 2-year letter of permission allowing the sponsor to issue a Form DS-2019 that leads to a J1 visa for international teachers.

3. Are there companies besides sponsors that place international teachers in schools?

Yes. There are recruitment companies, also commonly known as placement agencies, which place international teachers in schools. The fees of recruiters/placement agencies must be added to the fees of sponsors to ascertain the total costs of a J1 visa.

It is possible that an international teacher would enter into a contract with a recruiter/placement agency in the home country; a recruiter/placement agency in the U.S.; and a sponsor in the U.S. All entities' fees would have to be added up to determine how much a J1 visa costs an international teacher.

4. Does federal law require an international teacher to use a recruiter/placement agency to obtain a J1 visa?

No.

5. Does federal law require an international teacher to use a sponsor to obtain a J1 visa?

Yes.

6. Are sponsors entitled to a Letter of No Objection?

There is no right to a Letter of No Objection in federal or state law.

It is within the discretion of the agency to issue a No Objection letter. Receiving a Letter of No Objection is not an entitlement. The decision to grant, withhold or rescind a Letter of No Objection is made at the sole discretion of PED.

7. Why does the PED require an Application for a Letter of No Objection?

The PED seeks to promote awareness and transparency in the J1 visa process. The PED will post on its website the Letters of No Objection after they are issued, as well as the Applications and supporting documents submitted by applicants.

8. How may school districts and schools benefit from the PED posting the Letters of No Objection, Applications and supporting documents?

School districts and schools will have the ability to review the Applications and supporting documents, posted on the PED website, to obtain information about the amounts that international teachers pay in order to be placed in their schools. School districts and school may then add up all of the disclosed fees listed in the Applications then ask sponsors, recruiters/placement agencies, and international teachers to disclose any additional fees paid for the J1 visa.

School districts and schools are also encouraged to communicate with each other to share their experiences with, and to compare the fees and services of sponsors and recruiters/placement agencies.

9. Why is there an expiration date of December 20, 2019 for Letters of No Objection issued for June 7, 2019 Application form submissions?

The PED will continue to evaluate and refine the J1 visa process to increase transparency and awareness. Information received from school districts, schools, international teachers, interest groups, and other individuals and entities will be taken into account in refining the J1 visa process for placement of international teachers for the 2020-2021 school year.

Letters of No Objection expiring on December 20, 2019 allow for the placement of international teachers for the 2019-2020 school year. The contractual duties and obligations of sponsors and recruiters/placement agencies to teachers who paid their fees will not end on December 20, 2019, since the duties and obligations set forth in lawful contracts executed through December 20, 2019 must be implemented until the termination date set forth in such lawful contracts.

The December 20, 2019 expiration date is separate and independent from contractual duties set forth between the parties, and the PED is not a party to those contracts. The December 20, 2019 expiration date simply restricts sponsors and recruiters/placement agencies from placing international teachers in schools for the 2020-2021 school year and beyond without subsequent applications to the PED.

10. Does the December 20, 2019 expiration date of the Letter of No Objection cancel the obligations of sponsors and recruiters/placement agencies to international teachers?

No - each party is still bound by its obligations already incurred for performance or failure to perform prior to the date of expiration of the Letter of No Objection.

11. Are former educators disqualified from applying for a Letter of No Objection?

Educators who left the school system more than twelve months prior to the Application may apply for a Letter of No Objection.

12. Why is the PED eliminating the \$300 Application processing fee for applicants using the June 7, 2019 Application?

With the Application process being new, and companies having expressed some confusion about this recently developed process, the NMPED will not be imposing a \$300 fee during this Application period.

13. If I have additional questions, whom should I contact?

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