

Spanish Visiting Teacher Program Contract 2020-2021

Background Information

Ohio's Memorandum of Understanding with the Ministry of Education of Spain was created to promote strong cross-cultural ties between the citizens of Ohio 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 institutions in January 2006.

Under this agreement, Ohio's Spanish Visiting Teacher Program was created. Through this program, visiting language and immersion content teachers from Spain can be brought to teach in Ohio schools for a period of up to three years, depending on the availability of each individual teacher, his or her willingness to stay for an extended period of time, and the school district's interest in extending the visiting teacher's contract. Some visiting teachers may be able to extend their service for two additional years if certain criteria are met and a successful extension application is submitted.

Ohio's Spanish Visiting Teacher Program closely adheres to the conditions and regulations of the U.S. Department of State's J-1 Visa Exchange Visitor Program. This program affords foreign teachers with the opportunity to teach in accredited U.S. primary 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.

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

All school/district officials and sponsoring institution representatives who sign the Spanish Visiting Teacher Program contract 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 contractual obligations ensure the well-being of our J-1 visa recipients, protect participating host institutions and satisfy U.S. Department of State and Homeland Security regulations. Hosting school or district administrators should write their initials on the first line provided, and representatives of hosting community schools' sponsor organizations additionally should initial the second line.

- a. Host districts and community schools (as assured by the community schools' sponsors) 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 teachers will have a minimum of two to three years of applicable experience as required for visiting teacher licensure in Ohio. An initial one-year contract can be followed by contract renewals of one or two years if all parties agree. Visiting teachers should receive the same amount of sick/personal leave as other teachers in the district or school. In districts/schools where collective bargaining agreements are in place for all teachers, compensation and benefits for Spanish visiting teachers must comply with the terms of those agreements.

Initials: _____

- b. To ensure compliance with federal J-1 visa regulations, districts and community schools will not request a visiting 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/community school finances and staffing levels.

Initials: _____

- c. Host districts and community schools will not issue "at will" employment contracts to visiting teachers. Additionally, 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.

Initials: _____

- d. Host districts and community schools will ensure safe and sanitary working conditions for their visiting teachers that are conducive to teaching and learning at all times. In the case of community schools, the sponsor will visit the community school after the visiting teacher arrives and before instruction begins to confirm that the working conditions are as specified, and will visit the community school bimonthly thereafter, while school is in session, to confirm that the working conditions continue to be acceptable.

Initials: _____

- e. Host districts and community schools (as assured by their sponsors) will ensure that each visiting teacher has the following types and minimum amounts of insurance coverage required by the U.S. Department of State, U.S. Homeland Security and the Ohio 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:

- Employee health insurance (minimum of \$100,000 benefit per accident/illness and a deductible not to exceed \$500 per accident/illness)
- Medical evacuation insurance (minimum of \$50,000 coverage)*
- Repatriation of remains insurance (minimum of \$25,000 coverage)*

* Currently, the Spanish Ministry of Education and ODE require the Spanish visiting 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 community school will assume responsibility for providing coverage.

Initials: _____

- f. Host districts and community schools will ensure that their visiting educators' teaching loads are appropriate and manageable at all times and that adequate time for planning and preparation is built into these teachers' daily schedules. In the case of community schools, the sponsor will review the visiting teachers' daily schedules during the bimonthly site visits to the community school.

Initials: _____

- g. Host districts and community schools will support the attendance of their visiting teachers at the Ohio Department of Education's summer pre-service orientation as required by the U.S. Department of State's J-1 Visa Exchange Visitor Program. The community school or district will pay for all costs associated with the pre-service training of their visiting teachers including lodging, meals, transportation, presenter honoraria, training materials and participation in cultural events. Districts will be invoiced for these expenses immediately following the completion of the pre-service training event and will expedite rapid payment to the fiscal agent. Note: Costs typically run approximately \$1000 per visiting teacher for the week. This amount cannot be deducted from the visiting teacher's salary.

Initials: _____

- h. Host districts and community schools will each send a support team to join their visiting teachers on the last day of their Department-led pre-service orientation to participate in dual training sessions (typically the last Friday in July or first Friday in August) and relay important programmatic information back to the appropriate school/district officials. Host district and community school representatives will be responsible for transporting their new visiting teachers and their belongings to their assigned communities at the end of their training.

Initials: _____

- i. Host districts and community schools will identify a suitable host family with whom each visiting teacher can live free of cost for up to the first three weeks s/he is in the community. 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 rapid acculturation and integration into the local community.

Initials: _____

- j. Host districts and community 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. Host districts and community schools will ensure that regular classroom observations will be made by mentors and administrators and that constructive feedback will be given, especially at the beginning of the school year, to provide these teachers with the guidance they need to adapt quickly to the U.S. system of education and effectively manage all aspects of their assigned teaching schedules. Returning visiting teachers should be afforded access to continuing mentoring on an "as needed" basis.

Initials: _____

k. Host districts and community schools will provide each visiting teacher with assistance to expedite all activities associated with “settling in.” Districts/Community 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/ Community schools will assist their visiting teachers with:

- securing a social security number;
- being fingerprinted and submitting their prints for required BCI and FBI background checks;
- opening an OH|ID account and securing an Ohio Educator ID number;
- ensuring that BCI and FBI background check results are submitted electronically to ODE;
- 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; and
- applying for Ohio’s 3-Year Visiting International Teacher License.

Employing host districts/community 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.

Initials: _____

l. Visiting teachers are exempt from the provisions of Ohio’s Resident Educator Program since they are neither beginning educators nor candidates for further licensing in the state of Ohio.

Initials: _____

m. Host districts and community 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 community 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.

Initials: _____

n. Host districts and community 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.

Initials: _____

o. Host districts and community schools will arrange for first-year visiting teachers to spend some time during the first week of classes observing other teachers in the school who are known to be highly effective in building initial rapport with their students, establishing order and managing their classrooms, executing student-centered learning activities, incorporating student interests into their lessons, integrating technology, teaching with Ohio’s learning standards in mind, assessing, etc. The district community school will support the premise that guided observations, especially those afforded during the first week or two of the school year, will significantly improve their visiting teachers’ chances for rapid acclimation to the U.S. educational system and their overall chances for success.

Initials: _____

p. Host districts and community schools will cover the expenses (i.e., mileage, substitute teacher coverage, and lunch) for all new visiting teachers to attend a one-day professional development workshop sponsored by the Ohio Department of Education during the fall. The workshop will provide the visiting teachers with follow-up to their summer pre-service training. It will be designed to incorporate feedback on their initial performance in the classroom and the continuing professional development needs expressed by the visiting teachers.

Initials: _____

q. Host districts and community schools will cover the expenses (i.e., registration, one night’s hotel accommodation, meals, mileage, and substitute coverage) associated with their new visiting language teachers’ participation in the Ohio Foreign Language Association (OFLA) annual spring conference or, for immersion content teachers, a state-level, content-focused conference (e.g., OCTELA, OCTM, SECO, OCSS, etc.). Note: this requirement does not extend to returning visiting educators in their second or third year or beyond.

Initials: _____

- r. Per U.S. Department of State requirements, host districts and community schools will reimburse their exchange teachers for all expenses related to Homeland Security SEVIS registration, acquiring the required J-1 visa, and applying for Ohio's 3-Year Visiting International Teacher License, items which permit that teacher to lawfully work in the United States while participating in an educator exchange program.

Initials: _____

- s. Participating schools and districts will acknowledge that Ohio's Spanish 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 community 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 will ensure that each visiting teacher submits an end-of-year report to ODE detailing his or her high-quality, cross-cultural exchange activities and experiences, which is also required by the federal government.

Initials: _____

- t. Host districts and community schools will immediately report to ODE any infraction of the law or the educator code of conduct that is allegedly committed by a visiting teacher. In the case of community schools, the sponsor shall also be informed by the schools of any reports of infractions of the law or allegations of misconduct. Host districts and community schools and their sponsors will ensure that their visiting teachers receive due process in the event an alleged violation of the law or educator code of conduct occurs.

Initials: _____

- u. Host districts wishing to extend a current visiting teacher's employment for a 4th or 5th year must submit an extension application, all supporting paperwork and the required nonrefundable federal extension application fee to ODE by the advertised March deadline. Districts acknowledge that payment of the nonrefundable federal fee does not guarantee an automatic approval of the extension request by the federal government.

Initials: _____

- v. Visiting teachers must pay into STRS at the same rate as other Ohio teachers, but they may withdraw their personal contributions after they finish with their Ohio teaching assignment and return to their home country. Host districts and community schools will assist visiting teachers in withdrawing their contributions from STRS at the end of their stay in Ohio.

Initials: _____

Revised December 2019.

III. Acceptance of the Conditions and Requirements for Participation in the Spanish Visiting Teacher Program

This document must be signed by the superintendent or another school/district official who is authorized to approve participation in the Spanish Visiting Teacher Program.

Name of the Chief Administrator or Authorized Official: _____

Job Title: _____ Phone: _____

E-mail Address: _____

By signing this document, I certify that I have carefully read the *Conditions and Requirements for School/District Use of a Spanish Visiting Teacher* detailed above and will ensure my school or district's compliance with them at all times.

Signature of the Chief Administrator or Authorized Official

Date

Community schools must additionally present this document to their sponsoring institutions and secure their approval for the placement of each Spanish visiting teacher that is being requested.

Name of the Sponsoring Institution: _____

Name of the Authorized Official: _____

Job Title: _____ Phone: _____

E-mail Address: _____

By signing this document, I certify that I have carefully read the *Conditions and Requirements for School/District Use of a Spanish Visiting Teacher* detailed above and will ensure that the community school that my organization sponsors is in compliance with them at all times.

Signature of the Sponsoring Institution's Authorized Official

Date

Please send the original initialed and signed copy of this contract, along with your completed application, to:

Ohio Department of Education - Office of Learning & Instructional Strategies
Attn.: Ryan Wertz - Lead Consultant for World Languages
25 S. Front Street, Mailstop # 502
Columbus, OH 43215-4183
Ryan.Wertz@education.ohio.gov
Tel : (614) 728-4630

This contract and all application documents must be received by March 30, 2020.