

Guidelines to Sponsor for Permanent Residency at Denver Public Schools

Denver Public Schools will sponsor international teachers to become Permanent Residents if the following is in place:

- The District has funding available to pay for the PERM application. Effective July 16, 2007, a new rule requires employers to pay the attorneys' fees and costs associated with the preparation and filing of PERM applications on foreign workers' behalf. The estimated fee for the Labor Condition application is \$3,000; which includes the posting in a local newspaper and attorney fees.
- The candidate is currently employed in good standing and has obtained non-probationary status in the district
- The candidate is currently teaching in a hard to staff position as defined by the district. For example, math, special education (including Special Service Providers: School Psychologists, Nurses, Social Workers, and Speech Pathologists), and bilingual teaching assignments.
- The candidate is recommended by their current school principal to begin the sponsorship process
- The candidate is willing to cover the cost of the remaining steps of the process (see chart below).

Note: The timelines for each of the processing steps are unpredictable and are subject to change. The process is governed by the U.S. Department of Labor and the U.S. Department of Homeland Security.

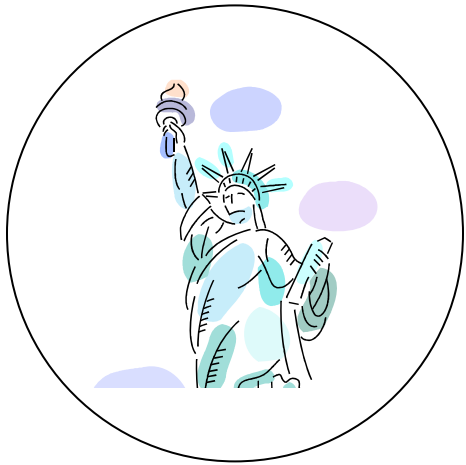
1

Determination of pathway to become Permanent Resident

2

Labor Certification request (Form ETA 750)
Employer Responsibility

Immigration through employment



3

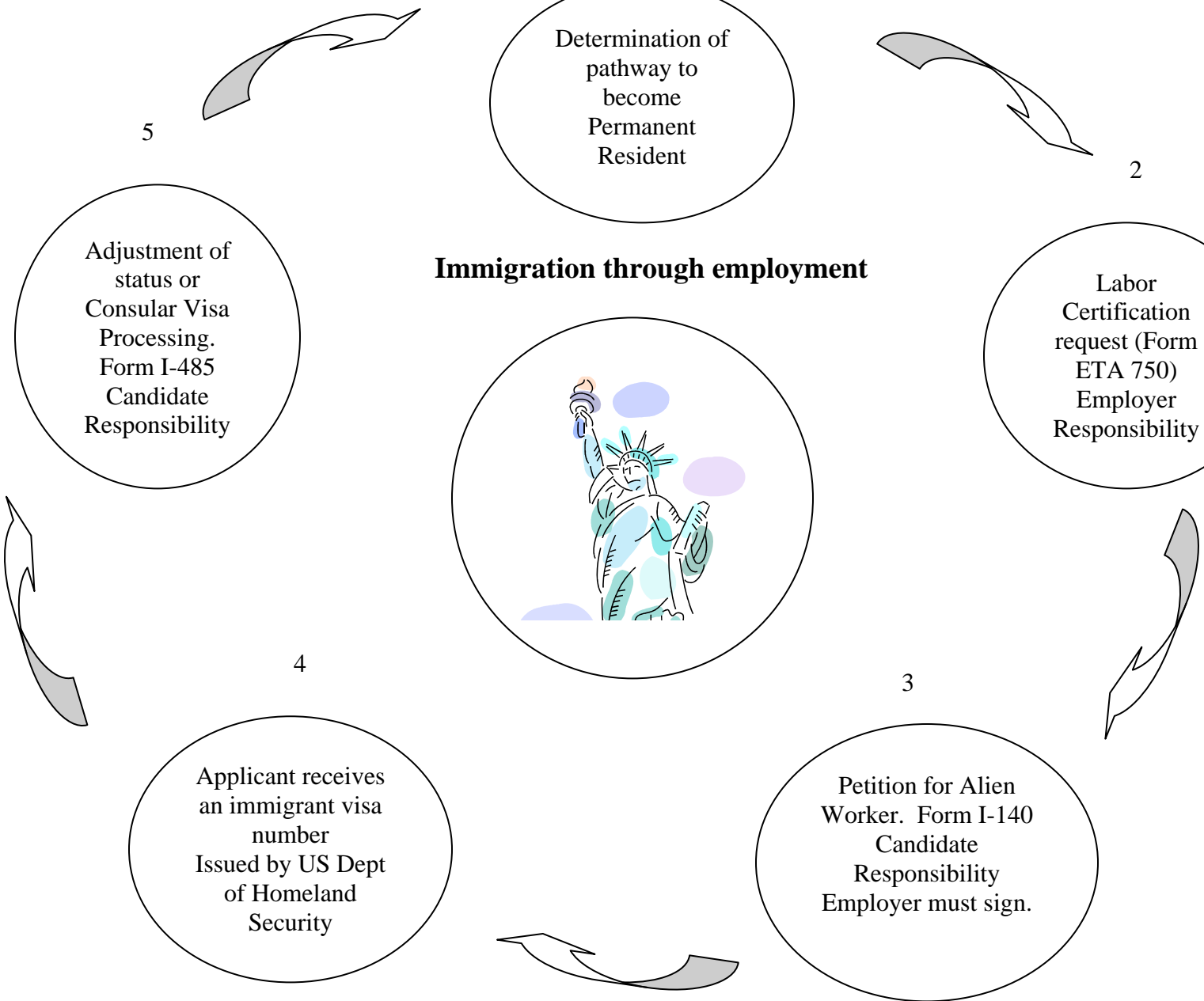
Petition for Alien Worker. Form I-140
Candidate Responsibility
Employer must sign.

4

Applicant receives an immigrant visa number
Issued by US Dept of Homeland Security

5

Adjustment of status or Consular Visa Processing.
Form I-485
Candidate Responsibility



PERM Process outline:

1. First, foreign nationals and employers must determine if the foreign national is eligible for lawful permanent residency under one of USCIS' paths to lawful permanent residency.

There are four categories for granting permanent residence to foreign nationals based upon employment:

EB-1 Priority workers

- Foreign nationals of extraordinary ability in the sciences, arts, education, business or athletics
- Foreign national that are outstanding professors or researchers
- Foreign nationals that are managers and executives subject to international transfer to the United States

EB-2 Professionals with advanced degrees or persons with exceptional ability

- Foreign nationals of exceptional ability in the sciences, arts or business
- Foreign nationals that are advanced degree professionals
- Qualified alien physicians who will practice medicine in an area of the U.S. which is underserved. Read more about this particular program.

EB-3 Skilled or professional workers: Teachers are under this category regardless of their postgraduate preparation.

- Foreign national professionals with bachelor's degrees (not qualifying for a higher preference category)
- Foreign national skilled workers (minimum two years training and experience)
- Foreign national unskilled workers

EB-4 Special Immigrants

- Foreign national religious workers
 - Employees and former employees of the U.S. Government abroad
2. Second, most employment categories require that the U.S. employer complete a labor certification request (Form ETA 750) for the applicant, and submit it to the Department of Labor's Employment and Training Administration. Labor must either grant or deny the certification request. Qualified alien physicians who will practice medicine in an area of the United States which has been certified as underserved by the U.S. Department of Health and Human Services are relieved from this requirement.
 3. Third, USCIS must approve an immigrant visa petition, Form I-140, Petition for Alien Worker, for the person wishing to immigrate to the United States. The employer wishing to bring the applicant to the United States to work permanently files this petition. However, if a Department of Labor certification is needed the application can only be filed after the certification is granted. The employer acts as the sponsor (or petitioner) for the applicant (or beneficiary) who wants to live and work on a permanent basis in the United States.
 4. Fourth, the State Department must give the applicant an immigrant visa number, even if the applicant is already in the United States. When the applicant receives an immigrant visa number, it means that an immigrant visa has been assigned to the applicant. You can check the status of a visa number in the Department of State's Visa Bulletin.
 5. Fifth, if the applicant is already in the United States, he or she must apply to adjust to permanent resident status after a visa number becomes available. If the applicant is outside the United States when an immigrant visa number becomes available, he or she will be notified and must complete the process at his or her local U.S. consulate office

Frequently Asked Questions

1. Does Denver Public Schools (DPS) sponsor employment visas?

Yes, DPS currently sponsors teachers under J1 and H1B visas. J1 is used for Visiting Teacher Programs. These international teachers come to work under an agreement of cooperation or a Memorandum of Understanding with DPS partners. Currently, DPS has signed agreements with the ministries of education in both Spain and Mexico.

2. What programs does DPS sponsor for visas?

For both the J1 Visiting Teaching Program and H1B work authorizations the district will sponsor candidates who are currently teaching in a hard to staff position as defined by the district. For example, math, special education (including Special Service Providers: School Psychologists, Nurses, Social Workers, and Speech Pathologists), and bilingual teaching assignments.

3. Does DPS sponsor for Permanent Residency?

Yes, please review the information provided above titled [Guidelines to Sponsor for Permanent Residency](#)

4. What prerequisites does a candidate need to be sponsored by DPS?

- ✓ An original, course-by-course evaluation for professional licensing of all college-level credits prepared by an *acceptable credential evaluation service. The evaluation must be signed by an authorized representative of the evaluation service and must verify that the applicant:
 - *holds the equivalent of a bachelor's degree granted by an accredited institution of higher education in the United States, including the month, day, and year that the degree was conferred,*
 - *has completed an educator preparation program, including a teaching practicum, and*
 - *holds an appropriate educator certificate or credential issued by another country, including the effective date and validity period of the certificate, certification area(s), and grade level(s).*

- ✓ Can obtain a Colorado Teaching License.
- ✓ Speak fluent English.
- ✓ Is qualified to teach in an area of need:
 - Bilingual Education
 - Mathematics (Secondary)
 - Special Education (Elementary or Secondary)
 - Special Service Providers (School Psychologists, Nurses, Social Workers, and Speech Pathologists)
- ✓ Documentation of immigration/citizenship status. If the candidate is currently present in the US, he/she must be able to demonstrate legal status in the country under any type of visa category and illegibility to change status to a H1B work authorization.
- ✓ Additionally, employment in DPS is contingent upon the following: a criminal background check, reference check, verification of credentials, a successful interview with a district representative, and successful completion of all hiring paperwork. The contingent recommendation of employment must be made by a school administrator.

5. I am a candidate applying for teaching jobs in DPS and I am already in the USA on a visa; can I change my visa status to work in DPS?

Yes, as long as the teacher candidate meets the minimum requirements mentioned on FAQ # 4. For J1 and F1 visa holders, please check with the Responsible Officer of your current visa program because different rules and restrictions may apply. In some cases, a Waiver approval from the U.S. State Department could be required for J1 visa holders.

6. Is it possible to speed up the H1B visa processing?

Yes. The United States Customs and Immigration Services (USCIS) has instituted a program called Premium Processing. If USCIS is paid an extra \$1,000 on a separate check, they guarantees it will adjudicate the petition in 15 days or notify the petitioner if more evidence is needed.

7. Can the H1B alien's spouse/children work or study in the US.?

Dependents of the H1B alien are granted H-4 visas, which are not employment-authorized. Thus they cannot work unless their prospective employer unless they can obtain a work visa in their own right. H-4 dependents may, however, undertake study in the USA.

8. How long can I be employed under a J1 visa?

For 3 years maximum.

9. How long can I be employed under a H1B visa?

The initial visa may be granted for up to three years. It may then be extended, in the first instance for up to two further years, and eventually for one further year, to a maximum of six years.