

Tax Responsibilities for International Students

UALR Bowen School of Law Tax Clinic
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Who should file a tax return?

- UAMS students in F-1 or J-1 visa status who were in the U.S. in 2015.
- Whether you worked or not, you are required to file a tax return.
- Spouses and children on F-2 or J-2 visas who were in the U.S. in 2015.
- *If you were not physically present in the United States during 2015, you have no tax filing requirement this year!*

Why file a tax return?

- To maintain your F-1 / J-1 immigration status.
- To comply with U.S. Internal Revenue Service (IRS) laws.
- To get a refund! \$\$
- To support public libraries, parks, education, research, and anything else that the U.S. government funds.

How do you file a tax return?

1. First, determine which forms you must complete for your personal situation.
2. Complete all forms yourself or with the help of online or professional assistance.
3. Mail forms and any required payment to the correct address.

TIP! A list of resources and links is located at the end of this presentation.

Remember...

- Completing a tax return is **YOUR** responsibility.
- This presentation is designed to help you get started and point you toward helpful forms, documents and resources that you should utilize when completing your tax return.
- International Student staff are not qualified as tax experts and legally cannot advise you on your personal tax return.

The first step is to determine if you are a RESIDENT or NON-RESIDENT for Tax Purposes.

- The IRS determines your U.S. residency status for tax purposes, not immigration purposes.
- Your residency for tax purposes will determine which tax forms you will complete.

You are a NON-RESIDENT for Tax Purposes if...

- You are a student and you arrived in the U.S. in F or J status for the first time between 01/01/2012 - 12/31/2015.
- You are a J-1 Professor or Researchers and have been in the U.S. for 2 years calendar years or less. (1/01/2014 or later)

If you determine that you are a NON-RESIDENT for Tax Purposes...

- You will complete the following forms:
 - IRS Form 8843 (all students)
 - IRS Form 1040NR - EZ or 1040NR*
 - AR Form AR1000*

** These forms are ONLY for those students who have worked and earned income.*

You are a RESIDENT for Tax Purposes if...

- You are a U.S. citizen.
- You are a U.S. Permanent Resident or “Green Card” holder.
- If you arrived in the U.S. as student anytime before 12/31/2011-or as a scholar/research anytime before 12/31/2013→

You *may* be a “resident” for tax purposes >
You must take the *Substantial Presence Test*.

Substantial Presence Test

If you arrived in the U.S. before 12/31/2011, take out your passport.

- Count the number of days that you were physically present in the U.S. during 2015, 2014 and 2013.
- It may help to look at the arrival and departure dates stamped in your passport.

Substantial Presence Test cont...

- Use the number of days that you were present each year to complete the following math:
 - 2015 days present _____ x 1 = _____
 - 2014 days present _____ x .333 = _____
 - 2013 days present _____ x .166 = _____
 - Add the totals together = _____*

*If the final total is LESS than 183, you are a NON-RESIDENT FOR TAX PURPOSES.

*If the final total is MORE than 183, you are a RESIDENT FOR TAX PURPOSES.

If you determine that you are a RESIDENT for Tax Purposes

- You will use the following forms to complete your tax return:
 - IRS Form 1040 or 1040EZ
 - Arkansas Form AR1000
- Residents for Tax Purposes should not continue with this presentation. The remainder of the presentation is for Non-Residents for Tax Purposes ONLY.
- Residents for Tax Purposes may skip to the end of the slides for suggested tax preparation assistance and resources.

Federal Forms

OK, let's start with IRS Form 8843

- This form establishes that you are a non-resident for immigration purposes.
- Download the form and instructions at www.irs.gov
- Should be completed by:
 - ALL F-1 and J-1 students who were present in the U.S. during 2015 (and their F-2 or J-2 dependents) regardless of whether or not they worked or earned income.

IRS Form 8843 cont...

- To complete Form 8843 you will need:
 - Your address in your home country.
 - Your address in Little Rock.
 - Your Social Security Number (if you have one).
 - Your passport.
 - Your I-94 card.

Form **8843** **Statement for Exempt Individuals and Individuals With a Medical Condition**
 For use by alien individuals only.
 Information about Form 8843 and its instructions is at www.irs.gov/form8843.

OMB No. 1545-0074
2015
 Attachment Sequence No. **102**

Department of the Treasury
 Internal Revenue Service

For the year January 1—December 31, 2015, or other tax year beginning _____, 2015, and ending _____, 20____.

Your first name and initial: **ZHIMIN** Last name: **LI** Your U.S. taxpayer identification number, if any: **###-##-####**

Fill in your addresses only if you are filing this form by itself and not with your tax return.

Address in country of residence: **63 RENMIN LU, QINGDAO SHI 266033 SHANDONG CHINA**

Address in the United States: **121 BROWN STREET LITTLE ROCK, AR 72205**

Part I General Information

1a Type of U.S. visa (for example, F, J, M, Q, etc.) and date you entered the United States: **F-1 01/26/2013**

b Current nonimmigrant status and date of change (see instructions): _____

2 Of what country were you a citizen during the tax year? **CHINA**

3a What country issued you a passport? **CHINA**

b Enter your passport number: **#####**

4a Enter the actual number of days you were present in the United States during:

2015	170	2014	165	2013	190
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b Enter the number of days in 2015 you claim you can exclude for purposes of the substantial presence test: _____

Part II Teachers and Trainees

5 For teachers, enter the name, address, and telephone number of the academic institution where you taught in 2015: _____

6 For trainees, enter the name, address, and telephone number of the director of the academic or other specialized program you participated in during 2015: _____

7 Enter the type of U.S. visa (J or Q) you held during:

2009	2010	2011	2012	2013	2014
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If the type of visa you held during any of these years changed, attach a statement showing the new visa type and the date it was acquired.

8 Were you present in the United States as a teacher, trainee, or student for any part of 2 of the 6 prior calendar years (2009 through 2014)? Yes No

If you checked the "Yes" box on line 8, you cannot exclude days of presence as a teacher or trainee unless you meet the Exception explained in the instructions.

Part III Students

9 Enter the name, address, and telephone number of the academic institution you attended during 2015: **UNIVERSITY OF ARKANSAS AT LITTLE ROCK 2801 S UNIVERSITY AVENUE, LITTLE ROCK, AR 72204**

10 Enter the name, address, and telephone number of the director of the academic or other specialized program you participated in during 2015: **MS JANE DOE, INTERNATIONAL STUDIES**

11 Enter the type of U.S. visa (F, J, M, or Q) you held during:

2009	2010	2011	2012	2013	2014
			F	F	

If the type of visa you held during any of these years changed, attach a statement showing the new visa type and the date it was acquired.

12 Were you present in the United States as a teacher, trainee, or student for any part of more than 5 calendar years? Yes No

If you checked the "Yes" box on line 12, you must provide sufficient facts on an attached statement to establish that you do not intend to reside permanently in the United States.

13 During 2015, did you apply for, or take other affirmative steps to apply for, lawful permanent resident status in the United States or have an application pending to change your status to that of a lawful permanent resident of the United States? Yes No

14 If you checked the "Yes" box on line 13, explain: _____

For Paperwork Reduction Act Notice, see page 4. Cat. No. 17227H Form **8843** (2015)

Enter your first name then your last (family) name

Enter your address in your HOME COUNTRY

4a. For each year, enter the number of days you were physically present in the U.S. (for all visa types). Do not count any days you were outside the U.S. You may want to refer to the stamps in your passport.

4b. Enter number of days you were in the U.S. for 2015. Answer should match number listed for 2015 in 4a.

11. Enter your Visa type for each year present in the U.S. For most students, this will be F-1.

If you checked yes on line 13, explain steps you have taken to apply for Permanent Residency

Enter your Social Security # or ITIN

Enter your address here in Little Rock

Enter F1, J1, B2, E2 etc. and the date you entered the US for the first time on that visa.

If you changed status to F1/J1 while IN the US, enter your new visa status and the date of change.

Enter country of citizenship

3a. Enter the country that issued your passport.
 3b. Enter your passport number

Enter information as shown, unless you attended a different school during 2015. If you attended two schools, list both schools' information

Check no

Check yes or no

Skip Part II

Part IV Professional Athletes

15 Enter the name of the charitable sports event(s) in the United States in which you competed during 2015 and the dates of competition ▶

16 Enter the name(s) and employer identification number(s) of the charitable organization(s) that benefited from the sports event(s) ▶

Skip Part IV

Note: You must attach a statement to verify that all of the net proceeds of the sports event(s) were contributed to the charitable organization(s) listed on line 16.

Part V Individuals With a Medical Condition or Medical Problem

17a Describe the medical condition or medical problem that prevented you from leaving the United States ▶

b Enter the date you intended to leave the United States prior to the onset of the medical condition or medical problem described on line 17a ▶

c Enter the date you actually left the United States ▶

18 Physician's Statement:

Skip Part V

I certify that _____
Name of taxpayer

was unable to leave the United States on the date shown on line 17b because of the medical condition or medical problem described on line 17a and there was no indication that his or her condition or problem was preexisting.

Name of physician or other medical official

Physician's or other medical official's address and telephone number

Physician's or other medical official's signature

Date

Sign here only if you are filing this form by itself and not with your tax return

Under penalties of perjury, I declare that I have examined this form and the accompanying attachments, and, to the best of my knowledge and belief, they are true, correct, and complete.

Sign and date here only if you are filing Form 8843 by itself

Your signature

Date

Students who did not work in the U.S. in 2015 are done!

- If you did not work in 2015, print and sign your completed Form 8843 and send to:

Department of the Treasury
Internal Revenue Service Center
Austin, TX 73301-0215

If you are sending Form 8843 *only*, it is due on or before
April 15, 2016!

*TIP! Don't forget to make a copy of your form
before sending!*

For students who worked and earned money in 2015:

- In total, your tax return will include 3 forms.
- The good news: you've already done one!
- Remaining forms: One Federal government tax form and one Arkansas state tax form.

Federal: IRS Form 1040NR or 1040NR - EZ

State: AR Form AR1000

- Due date for all 3 forms: April 15, 2016

When completing the federal forms, you may need to refer to the following documents

- Form 1042-S
- Form W-2
- *These forms will be explained on the follow slides.*

Form 1042-S

- Form 1042-S is an official report of taxable scholarships, awards or grants.
- Some Scholarships ARE NOT taxable and you will not receive a 1042-S for this type of scholarship.
- Receipt of a 1042-S means that the award, scholarship or grant you received WAS taxable and must be reported on your federal tax return.

Form W-2

- The W-2 is an official report of your earnings from a particular employer.
- You will need a W-2 from each employer you had in 2015 when filling out your tax forms.
- If you did not receive a W-2 from one or any employers, contact them for a “re-print” immediately.

Did you work for UAMS in 2015?

- W-2's for UAMS employees should have been sent out by January 31, 2016.
- If you worked for UAMS and did not receive your W-2, contact your employer to request a W-2.

Once you have gathered the necessary documents, you are ready to complete the next form

- IRS Form 1040NR or 1040NR-EZ
 - "EZ" indicates a simplified version of the regular form for unmarried individuals with less complicated tax returns.
 - Use this form to calculate and claim your refund from the federal government (or calculate and pay what you owe).
 - This form can be particularly complicated and you may want to use special online or professional assistance.*

**Most U.S. citizens pay to have their taxes completed online or by a professional.*

Options for completing IRS Form 1040NR or 1040NR-EZ that require payment

- Online tax preparation software specific for international students.
- Professional tax preparation by a trained individual with experience in “non-resident returns”. The Tax Clinic can assist, but we do not prepare returns.

Options for completing the 1040NR or 1040NR-EZ that do not require payment

- Complete the form on your own.
 - You can download the form and instructions from www.irs.gov or see the end of this presentation for links.
- Again, remember that the Advisor for International Students legally cannot assist you in completing this form.

Where do I send the federal forms when I'm done?

- Print your completed IRS Forms 8843, 1040NR, or 1040NR-EZ and mail to:***

Department of the Treasury
Internal Revenue Service Center
Austin, TX 73301-0215

Forms are due on or before April 15th, 2016!

TIP! Don't forget to sign and make copies of your forms before sending!

***If you are sending a payment, you will mail the forms to a different address. Please consult instructions.

State Forms

Arkansas State Tax forms

- The final form!
- AR1000: to be completed by anyone who worked and earned money in Arkansas.
- They can be completed through Free File.
- Download the forms and instructions at <http://www.arkansas.gov> or use the links at the end of this presentation.

Congratulations!

You're done!

- Again, don't forget to sign and date your forms before sending.
- Make copies of all forms for your personal records.
- See the following resources and links for more information.

Resources and Links

Resources and Links

Federal Government

- Main website for the IRS: <http://www.irs.gov/>
- FORMS
 - IRS Form 8843: <http://www.irs.gov/pub/irs-pdf/f8843.pdf>
 - IRS Form 8843 instructions:
 - IRS Form 1040NR-EZ: <http://www.irs.gov/pub/irs-pdf/f1040nre.pdf>
 - IRS Form 1040NR-EZ instructions: <http://www.irs.gov/pub/irs-pdf/i1040nre.pdf>
 - IRS Form 1040NR: <http://www.irs.gov/pub/irs-pdf/f1040nr.pdf>
 - IRS Form 1040NR instructions: <http://www.irs.gov/pub/irs-pdf/i1040nr.pdf>

Resources and Links cont..

Federal Government

- Publications

- IRS Publication 519 (Tax guide for aliens):
<http://www.irs.gov/pub/irs-pdf/p519.pdf>
- IRS Publication 901 (US Tax treaties guide):
<http://www.irs.gov/pub/irs-pdf/p901.pdf>

Arkansas Forms:

http://www.dfa.arkansas.gov/offices/incomeTax/individual/Documents/AR1000F_2015_RE.pdf

Instructions:

http://www.dfa.arkansas.gov/offices/incomeTax/individual/Documents/LongBookwTaxTables_2015.pdf