International Students and Scholars Nonresident Tax Filing Information Session March 19, 2020



Nonresident Tax Filing Information

Agenda

- General Overview of U.S. Tax and Tax Forms
- Items subject to tax
- Income Tax Returns and Sprintax
- Resources



- Emory is home to over 2,700 international students and over 1,200 international scholars from over 100 countries
 - Three leading nations of origin are China, South Korea, & India
- VISA Types
 - Students generally F-1
 - Scholars generally J-1 or H1B

- Basic Definitions
 - Nonresident Alien for U.S. Tax Purposes ("NRA")
 - Not a U.S. citizen and does not meet either the "green card" test or the "substantial presence" test
 - Special rules for withholding on compensation income (regardless of marital status)
 - Single & 1 exemption for federal, special NRA withholding calculation
 - Single & 0 exemption for state
 - Generally must file separate return and cannot claim dependents even if married

- Basic Definitions
 - Resident Alien for US Tax Purposes ("RA")—
 - Not a U.S. citizen but meets either the "green card" test or the "substantial presence" test
 - Generally follows same U.S. tax rules as U.S. citizens
 - Substantial Presence Test ("SPT") Complex rules. Test determines whether the foreign national (non U.S. citizen) has been in the U.S. a substantial amount of time (183 days) over the current and preceding two years. (count of days present)

Substantial Presence Test

F VISA

- Generally exempt from counting days in the U.S. toward the substantial presence test for first 5 calendar years
- Even if in the U.S. 1 day during calendar year it counts as 1 year toward the 5

J Visa

- Generally exempt from counting days in the U.S. toward the substantial presence test for first 2 calendar years
- Must begin counting days if present in U.S. any part of 2 of the prior 6 calendar years

U.S. Tax Law (Internal Revenue Code or "IRC") contains specific rules regarding payments to non U.S. citizens. Rules vary based on <u>VISA</u> Type, <u>country</u>, <u>payment type</u> and <u>length of stay</u> in the U.S.

- Students & Faculty
- Emory Visitors
- Payments outside U.S.
- No two people are the same, even if from the same country

Types of Tax

- Income
 - Tax on all types of income
 - Graduated tax rates
- Federal Insurance Contributions Act (FICA)
 - Taxes on Wages paid in to Social Security (old age) and Medicare (insurance)
 - Social Security = 6.2% of wages, Medicare = 1.45% of wages
 - Exempt until January 1 of year become Resident Alien
 - RA students are exempt only in months enrolled in classes fulltime



Nonresident aliens ("NRA") are generally subject to tax on:

- Income earned in U.S. (Compensation)
 - Employee taxes withheld based on IRS withholding tables
 - Nonemployee (Independent Contractor**) taxes withheld at 30% rate
- Taxable scholarship income
 - Scholarships in excess of required fees (Required fees = tuition and books)
 - Taxed at a 14% rate
- Prizes/awards
 - Taxes withheld at 30% rate

^{**}Note: Only certain VISA types are authorized to be paid as independent contractors with proper Employment Authorization Documents. Students on F-1 visas generally cannot be paid as independent contractors.

- Tax Treaties
 - Tax treaties can exempt certain types of income from taxes
 - Treaties may contain dollar limits as well as limitation on time in U.S.
 - For certain Treaties, exceeding these limits results in retroactive tax
 - Treaties are also specific by country, income type, Visa type, purpose in U.S. and length of time in U.S.
 - Two individuals from the same country may not receive the same benefits

- Tax Treaties
 - Treaty is based on the last country of Tax Residency which is not necessarily country of citizenship
 - Tax residency country is where you resided 1 year or more prior to entering U.S.
 - Tax treaty benefits are **not** officially claimed until the federal and state income tax returns are filed.



Tax Forms – Completed before receiving payments (filed with tax office)

- Form W-8BEN Certificate of Foreign Status of Beneficial Owner
 - Completed by any non U.S. citizen before payment made
- Form W-4/G-4 Employee's Withholding Allowance Certificate
 - Provided by each Employee to Employer
 - Basis for computing withholding of income taxes from paychecks
 - For Nonresident Aliens must be:
 - Single & 1 exemption for federal, special NRA withholding calculation
 - Single & 0 exemption for state
- Form 8233 Exemption From Withholding on Compensation
 - Completed prior to receiving treaty benefits
 - New form must be completed for each calendar year

Tax Forms – Annual (provided TO individuals)

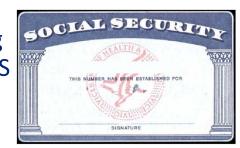
- Form W-2 Wage and Tax Statement
 - Provided by Employer to each Employee (payroll department)
 - Due to individual by January 31 each year
- Form 1042-S Foreign Person's U.S. Source Income Subject to Withholding
 - Form reflects payments subject to NRA withholding tax and those exempt from tax under tax treaty
 - Must be provided to individuals by March 15th each year (Emory nonresident tax office works to provide by January 31st)

Tax Forms – Annual (Completed and filed by individuals)

- Form 1040NR or 1040NR-EZ Income Tax Return
 - Annual tax return to report income filed by NRAs
 - Due by April 15th each year (Note: Cannot efile)
- Form 8843 Statement for Exempt Individuals and Individuals With a Medical Condition
 - Filed annually either with tax return or separate if no return filed
 - All with F or J visas must complete (including F-2 or J-2)

Social Security Number

- If you are eligible to work in the U.S. and have employment, you are eligible to receive a social security number (SSN)
- You must apply for a SSN as soon as possible after obtaining employment. Please follow the instructions provided by ISSS to receive your number
 - You can begin working at Emory without a SSN
 - You are NOT eligible for any tax treaty benefits without a SSN.
- SSN do not expire.



Individual Taxpayer ID Number

- If you are <u>not</u> working in the U.S. you are not eligible for a Social Security Number but may obtain an Individual Taxpayer ID Number ("ITIN") if you are required to file an income tax return
- ITINs are applied for as part of the income tax return filing
- Unused ITINs expire if not used on a tax return for 3 years
- Note: If you only have to file Form 8843, you do not need a SSN or ITIN

Income Tax Returns and Sprintax



- US tax law requires ALL nonresidents file US federal and state income tax returns if they have any U.S. source income
- The terms of students' and scholars' visas require them to be in compliance with ALL laws of the US including income tax filing!
- The US Citizenship and Immigration Services (USCIS) will consult the US Internal Revenue Service (IRS) for permanent residence status filings: "Did this nonimmigrant always file his/her tax return/report?"
- Any tax treaty benefits are not officially claimed until the federal and state tax returns are filed!

- Nearly all students with income will file the 1040NR-EZ.
- Most scholars and some students will be required to file the 1040NR.
 - Claiming spouse and/or dependents Only if from:
 - Mexico, Canada
 - Korea
 - India—students only
 - Itemize deductions—charitable contributions
 - 'Other' Income prizes, awards, etc.
 - Dividend Income

- Don't start without...
 - Passport, I-20/DS-2019, I-94, Visa
 - All W-2s for the tax year
 - All 1042-Ss
 - All 1099s (DIV, G, INT, MISC)
 - SSN or TIN (social security number or ITIN) (if applicable)

Note: Nonresidents will NOT need Form 1098-T and should not include information from this form on their return.

- Marriage/family and NRA taxes
 - File your return based on your status as of 31 December
 - Single is single on 31 December of the tax year
 - Married is married on 31 December of the tax year
 - Only NRA from Canada & Mexico, Korea, or India (students only) and claim dependents on their NR return. Note: With the tax changes in effect for 2019, there is no tax benefit for a NRA to claim dependents
 - Will require a federal NR form note you will still be filing Married Filing Separate
 - Note that with the tax changes in effect for 2019, there is no tax benefit for NRAs

Georgia Form 500

- If an individual must file a federal form, then he/she must file a state form as well. Most will be filing a Georgia form, but if you worked in another state you may have to file in more than one state.
- If student is a nonresident on the federal form, then she is a nonresident on the GA 500
- Nonresidents for tax purposes <u>CANNOT</u> complete the GA 500-<u>EZ</u>!!! They MUST complete the GA 500 (long) form.
- If student is married on the federal form, then he/she is married, filing separately on the GA form

- What is Sprintax
 - Software specifically designed for federal tax return preparation for nonresident alien ("NRA") individuals
 - Provided by Emory to NRAs
 - Federal return preparation provided for free
 - State tax return can be completed for a small fee. Fees are the responsibility of the individual.
 - Produces all the forms needed for NRAs to file
 - 1040NR or 1040NR-EZ
 - 8843
 - W-7 if ITIN needed

Note: NRAs should NOT use Turbotax or similar software to complete their returns and NRAs cannot efile returns

- Accessing Sprintax
 - From the Finance Division website Sprintax Gateway (https://www.finance.emory.edu/home/accounting/tax/foreign/sprintax.html)
 - Note the access code near the middle of the page (changes every year)
 - Click on Sprintax to go to the login page
 - New users (first year) click registration to sign up
 - Returning users Log in to the system



EMORY UNIVERSITY

Finance

ACCOUNTING - PROCUREMENT - PAYROLL - TREASURY AND DEBT - FINANCE SYSTEMS - ANALYTICS AND REPORTING

Emory Finance / Accounting / Tax / Tax Assistance - Foreign Individuals and Entities / Sprintax

ACCOUNTING QUICK LINKS

FY20 Journal and General Ledger Deadlines 🖪

Class
Codes/Functional
Categories of
Expenditures

F&A Rates

Fringe Benefit Rates

Compass

⊕ Effort Reporting
 System

Sprintax

......

Who must file tax forms for 2019 tax season?

If you were physically in the U.S. in For J status anytime between January 1 and December 31, 2019, you're obligated to send one form, Form 8843, to the U.S. tax agency IRS (Internal Revenue Service), even if you had no income. For the 2019 tax season, if you earn \$1 of US source income or greater, you may need to file a federal tax return with the IRS. Depending on your individual circumstances, you may also need to file a state tax return(s).

Tax Filing Deadline:

April 15, 2020 is the last day for residents and non-residents who earned U.S. income to file Federal tax returns for 2019.

Resident or Non-Resident for Federal Tax Purposes:

Generally, most international students & scholars who are on F, J, M or Q visas are



ACCOUNTING - PROCUREMENT - PAYROLL - TREASURY AND DEBT - FINANCE SYSTEMS - ANALYTICS AND REPORTING -

nonresident tax return because NRAs are **not** eligible to claim education expense tax credits.

1. Create a **Sprintax** Account:

Follow the link to Sprintax to set up your account.

Open your new <u>Sprintax</u> account by creating a UserID and password or if you have an existing account on <u>Sprintax</u> from a prior year, you can log in using your existing credentials.

2. Follow the Sprintax instructions

If you had No U.S. Income: <u>Sprintax</u> will generate a completed Form 8843 for you and each of your dependents (if you have any).

With U.S. Income: <u>Sprintax</u> will generate your "tax return documents", including either a 1040NR-EZ or a longer form 1040NR, depending on your circumstances.

3. (With U.S. income only) If required, complete your state tax return After you finish your federal return, <u>Sprintax</u> will inform you if you need to complete a state tax return. If so, they will give you the option to use <u>Sprintax</u> for an individual fee. However, it is your choice to use them or to do the state tax return on your own.

- 4. Enter your unique code SpTx2019EMORY651F in the box on the 'Review your order' page. This unique code will cover the costs of the federal tax return and 8843 at no cost to you. You will be required to pay a fee for any state tax return or other additional forms.
- 5. MAIL your completed federal and/or state forms to IRS and/or state tax authorities There is no option to electronically file. You must physically mail your returns. Remember to read the mailing instructions that <u>Sprintax</u> provides. If you have dependents, each one must mail their 8843 in a separate envelope.

NEED SUPPORT?

If you need help while using Sprintax, contact them:

- 24/7 Live Chat Help
- Refer to their FAQs
- · Email at hello@sprintax.com
- · Call 1-866-601-5695





Nonresident Tax Prep Solution for international students & scholars



What you need to prepare your tax return











Income documents

Passport

Visa - I-20, DS-2019, etc. Entry and exit dates

Social security / ITIN

Sprintax- *Registration stage*

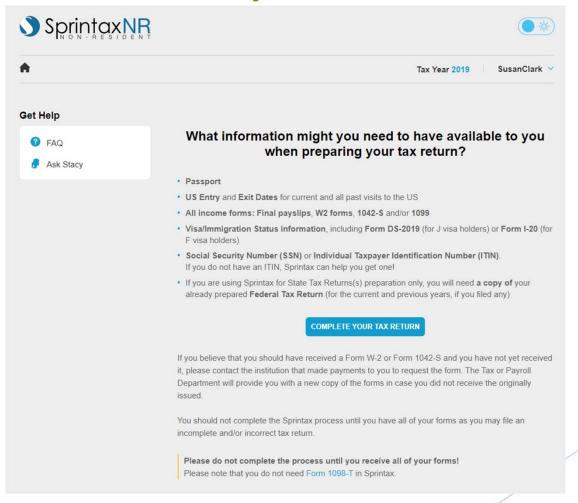




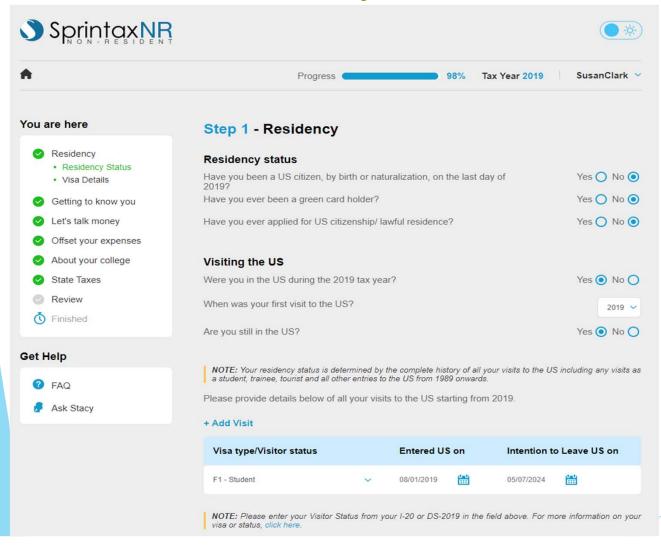
Just enter a few details, choose a password and that's it, you're up and running.



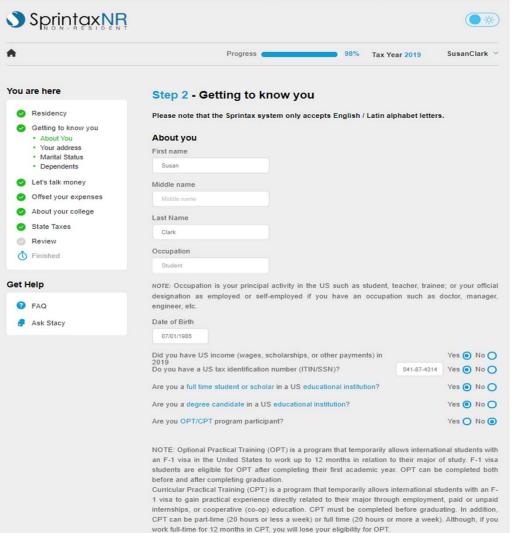
Documents you will need



Residency

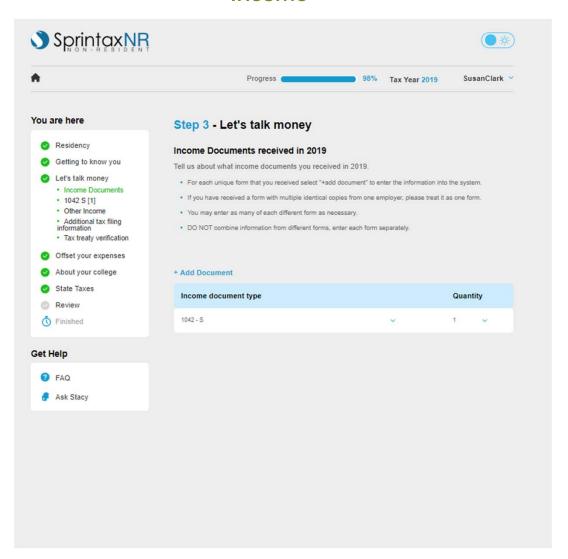


Getting to know you



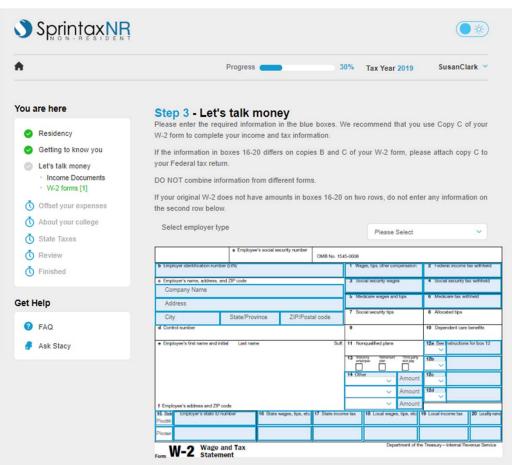


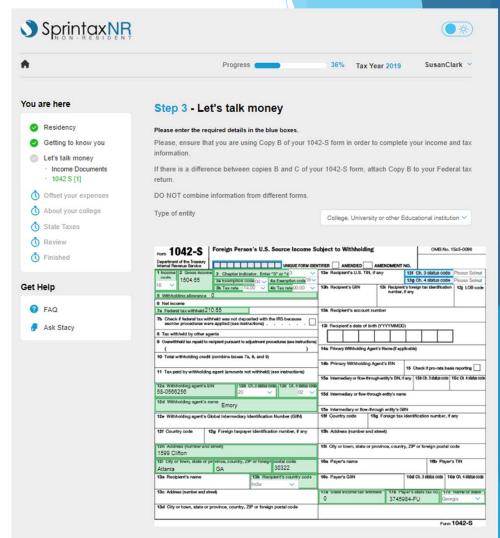
Income





Income Forms





Other Income



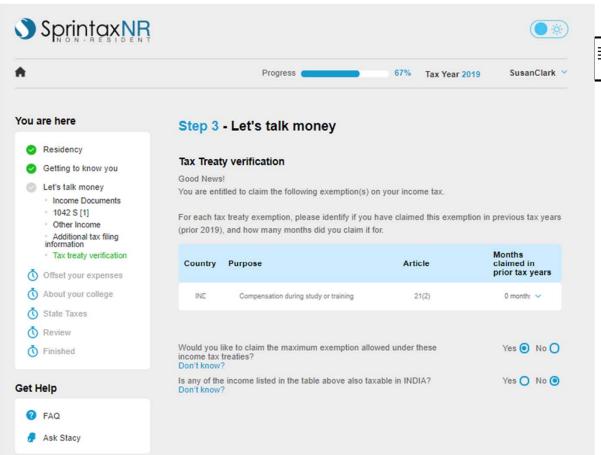


Employer EIN

Employer EIN

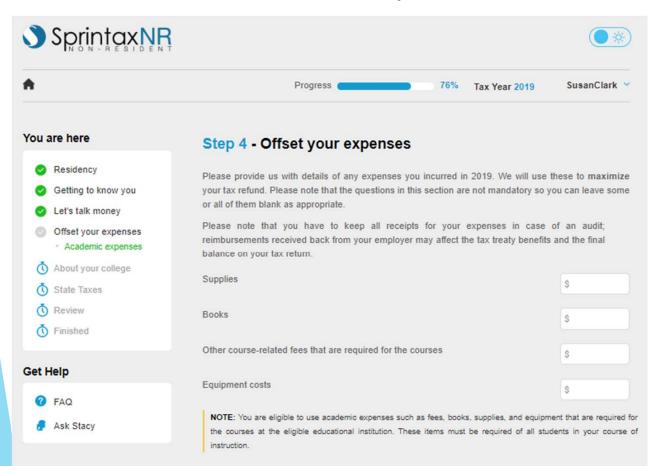
You are here Step 3 - Let's talk money Residency Getting to know you Income not reported elsewhere Let's talk money Income Documents Did you receive any other income from US sources not reported Yes No on the W-2, 1042-S or any other payment documents which you W-2 forms [1] have not entered yet? Social Security Other Income + add not reported income Offset your expenses What type of Type of Service/ About your college income did you Amount **Employer Name** Entity/ None State Taxes receive? Review Please Select Employer Name ▼ 0 Finished Please Select Fees/Commissions Academic grant/Scholarship **Get Help** Prize/Award Other

Tax Treaties



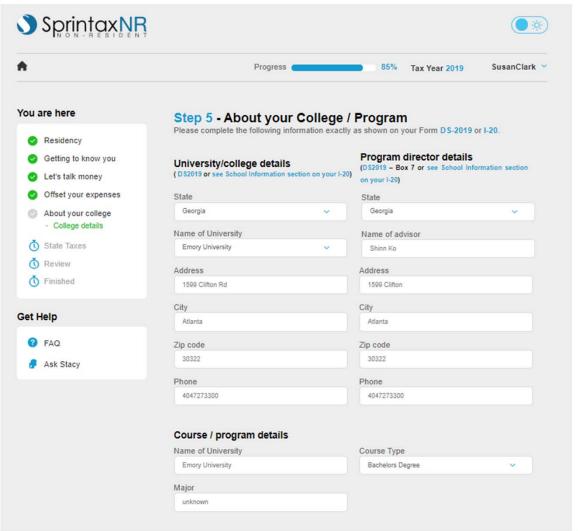


Academic Expenses



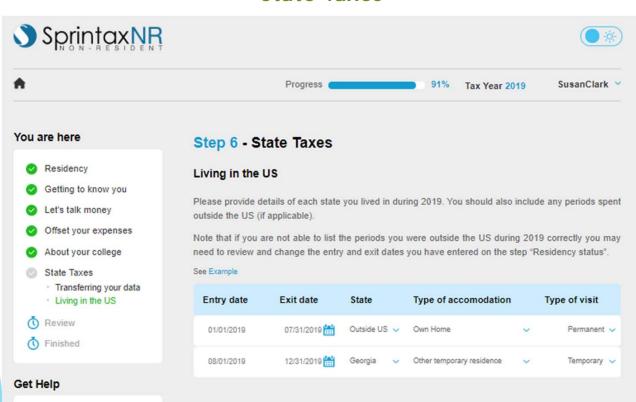
**Note that all funds/payments through OPUS have been considered in computing Form 1042-S. Only include cost of books purchased outside of Emory. DO NOT include any amounts from Form 1098-T

About Your College/Program





State Taxes

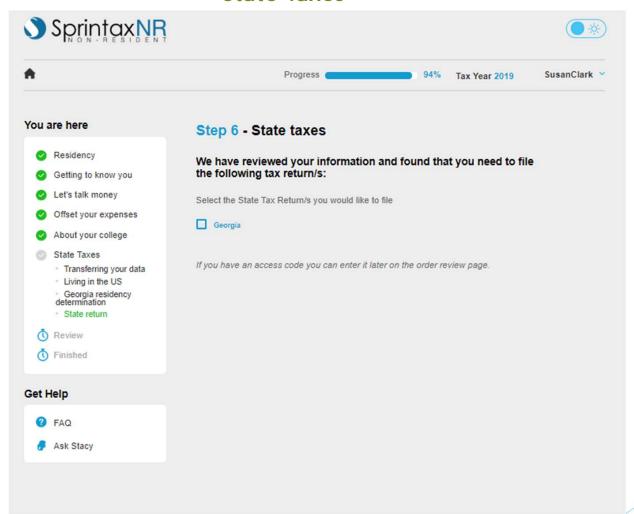


FAQ

Ask Stacy



State Taxes



Mabout your college State Taxes Review Summary Finished

Get Help

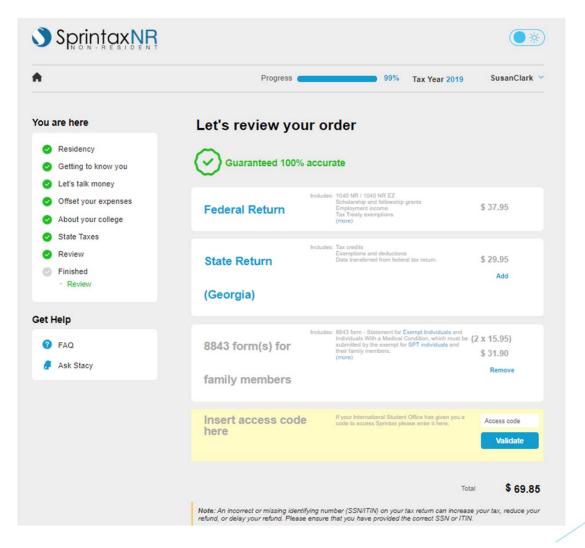
Ask Stacy Call us

Order Review

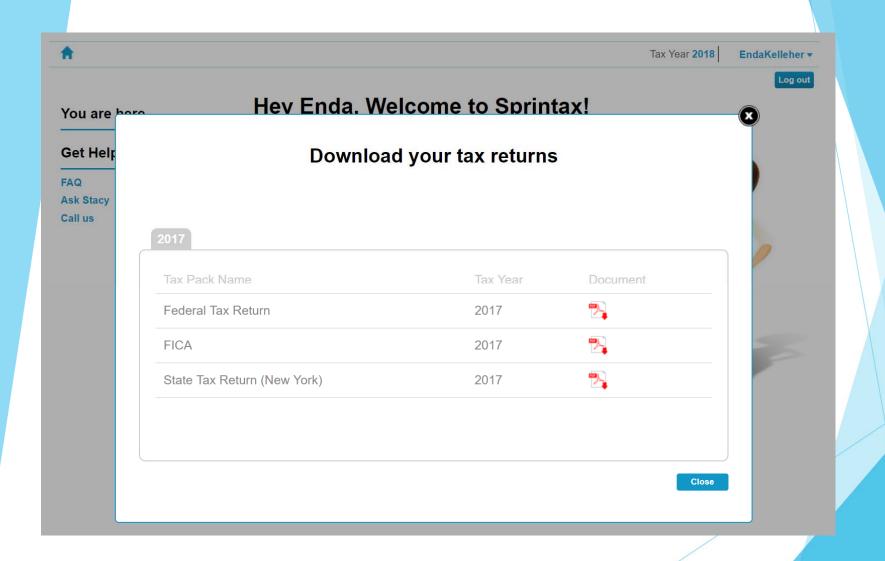
Let's review the numbers

Federal	
Federal income and tax summary:	
This is a summary of all the income, tax, deductions and expenses to federal tax return.	hat you have entered and the balance at the end of you
Gross Income	
Income you get taxed on (more)	\$30,000.00
FDAP income Schedule NEC	
Income not effectively connected:	\$0.00
Capital gains income/loss	\$0.00
Income exempt by a tax treaty	\$6,350.00
Deductions & Expenses	\$4,050.00
Adjustments (more)	
Deductions (more)	
Taxable income	\$19,500.00
Taxes	
Tax liability & Credits (more)	\$2,465.00
Total tax paid (more)	\$4,375.00
Federal Tax Refund / Tax Owed	
Your refund	= \$1,910.00
FICA Refund	
Your refund	= \$2,295.00

Order Review







What's next?

Step 1



Print, Sign and Mail your tax returns (include any tax payments)

Step 2



Get your tax refund (could take up to 180 days)

Sprintax

- ▶ Once finished, review and print your tax forms
- Mail Federal return (1040NR or 1040NR-EZ along with Form 8843) to the IRS (Cannot efile)

If no payment due: Department of Treasury (or refund) Internal Revenue Service

Austin, TX 73301-0215

► If payment due: Internal Revenue Service

P.O. Box 1303

Charlotte, NC 28201-1303

- ► Include Form W-2 copy B and Form 1042-S copy C
- Make sure to keep a copy of all forms for your records

Sprintax

Mail Georgia return (Form 500) to the state (Cannot efile)

▶If no payment due: Georgia Department of Revenue

(Refund) Processing Center

P.O. Box 740380

Atlanta, GA 30374-0380

▶ If payment due: Georgia Department of Revenue

Processing Center P.O. Box 740399

Atlanta, GA 30374-0380

- Include copy of Federal Return, Form W-2 copy 2, and Form 1042-S copy B
- ► Make sure to keep a copy of all forms for your records

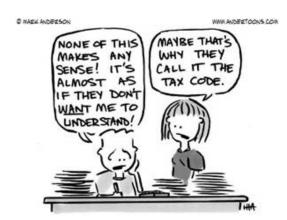
Tax Payments

Taxes must be paid when filing the return or penalties and interest will apply

See form instructions for payment options



- Income Tax Returns and Tax Assistance
 - A tax return must be completed for all nonresident aliens in the U.S. who have U.S. source income including any wages and scholarship income received.
 - Tax return Forms 1040NR or 1040NR-EZ, and Georgia Form 500
 - May have Form W-2 or Form 1042-S or both forms.
 - Deadline to submit your tax return is April 15th – returns must be mailed
 - Do Not file using Turbotax or any other tax
 Software not provided by Emory



- Income Tax Returns and Tax Assistance
 - Emory provides Sprintax Software for federal tax return preparation (free to NRAs)
 - NRAs should NOT use Turbotax or similar software to complete their returns
 - NRAs cannot efile returns
 - State tax return preparation is available for a small fee. Fees are responsibility of the individual.
 - Tax workshops are held in March and April each year to assist with questions
 - ISSS includes schedule on their website http://isss.emory.edu/life in the us/taxes/index.html
 - Many questions can be answered via email send to <u>nonresident.tax@emory.edu</u> Include your full legal name and Emory ID <u>number</u> in the email

Make sure to update the Emory Tax Office with any changes in Visa Status

- Why is it important to provide/update your information with the Emory Tax Office?
 - U.S. Government requires certain forms
 - Avoid large tax payments, penalties, and interest
 - Avoid reissuance and/or amending of tax forms
 - Prevent immigration issues related to tax

- NRA Tax Office general NRA tax questions/FNIS/1042-S
 - Nonresident.tax@emory.edu
 - Please include your full legal name and Emory ID <u>number</u> in communications as there are many common names
- W-2 access and questions
 - eupayroll@emory.edu
 - HR self-service log in: https://hrprod.emory.edu/psp/hrprod/?cmd=login&languageCd=ENG&
- Student Finance Questions
 - OPUS login: https://saprod.emory.edu/psp/saprod/?cmd=login&languageCd=ENG&

Finance Division Website

- Accounting/Nonresident Alien Tax Assistance
 https://www.finance.emory.edu/home/accounting_svcs/Non-Resident%20Alien%20Tax%20Assistance/index.html
- International Student and Scholar Tax FAQs
 https://www.finance.emory.edu/home/accounting_svcs/Non-Resident%20Alien%20Tax%20Assistance/international_student_and_scholar_tax_faqs.pdf

ISSS Site

https://isss.emory.edu/global_community/taxes/index.html

Beware of Scams

- Criminals often pretend they are calling from the IRS or other government agencies
- The IRS will never:
 - Call to demand immediate payment. Generally, the IRS will first mail a bill to any taxpayer who
 owes taxes.
 - Threaten to immediately bring in local police or other law-enforcement groups to have the taxpayer arrested for not paying.
 - Demand that taxes be paid without giving taxpayers the opportunity to question or appeal the amount owed.
 - Ask for credit or debit card numbers over the phone.
 - Call about an unexpected refund.
 - Email about specific tax matters they will send regular (snail) mail
- See ISSS webpage for more information on scams (https://isss.emory.edu/global_community/scams.html)

Questions???



