

Important Income Tax Information for International Students and Scholars

Note that the OISS does not offer expert tax advice, rather general guidelines.

Keep in mind the deadline to submit a tax return to the Internal Revenue Service (IRS) – if you need or want to file one – is Monday, April 15, 2019.

ALL international students (and their dependents) should complete Form 8843 for each year they were in the United States on a student visa. This form excludes your time on a student visa from counting towards your tax residency status. Confused? Don't worry, this form is very easy to complete. Failure to complete this form will not likely result in any short-term consequences but could cause issues if you apply for future immigration benefits like OPT or Permanent Residency (Green Card). Previous years' forms can also be found online [here](#) (if you forgot to submit for other years) and the current form [can be downloaded here](#). Complete parts 1 and 4, sign, date and mail in the form. There is a step-by-step guide for your reference [here](#).

Copies of Form 8843 can also be picked up at the International Center. You can also complete this form at any of the Sprintax workshops held on campus (schedule below).

The deadline to complete the 8843 form is June 17, 2019.

OISS Frequently Asked Tax Questions

Question: Help! I didn't file the 8843 form in previous years, what can I do?

Answer: You're in luck! You can complete the previous year's form and send it in with your 2018 8893 form. Previous year's forms can be found [here](#).

Question: I didn't receive a confirmation that the IRS received my 8843 form. Is that a problem?

Answer: You will not receive a confirmation from the IRS for receipt of this form. Make a copy before you send your form and keep in a safe place for your records and as proof that you have complied with this requirement.

Question: Do I have to file an income tax return?

Answer: It really depends on how much income you made in the year 2018. If you made *more* than \$5, then you are most likely required to file a federal (and perhaps state) tax return by the April 15 deadline.

Question: What is the W-2 form I (or my parents) received in the mail?

Answer: The W-2 is a form produced by your employer that shows how much income you earned with separate sections for taxes withheld. This form is used to help file a tax return.

Question: Are there other forms I should be aware of?

Answer: Below is a list of three forms that may be useful.

Form 1095A: This "new" form is issued by health insurance companies to show compliance with the Affordable Health Care Act ("Obamacare"). If you are enrolled in the USD insurance plan, we have this form available for pick-up in our office. However, international students are *not required* to comply with this regulation so this form is more for your reference.

Form 1042S: This form is issued to show annual information return for any monetary amounts given to a non-resident alien by a United States-based institution or business (like USD). Students with taxable scholarships likely received this form and should bring it to any tax-advising consultation.

Form 1098: If USD has your SSN/ITIN on file, you may receive this form showing education fees paid to the university. For students with spouses or more complicated tax situations, this form may be useful in tax filing; but for most students, the 1098 is more for reference.

Question: I worked on campus in 2018. How do I file a tax return?

Answer: If you worked last year and you are a current USD student, you are in luck. USD contracts with Sprintax, an on-line software for international student/scholar taxes. Details on how to use Sprintax can be found [here](#).

Question: I worked off campus in 2018. How do I file a tax return?

Answer: Again, the amount you earned will determine if you need to file a federal income tax return at a minimum (and perhaps a CA state return as well). These forms are known as the 1040NR-EZ and 540NR-EZ. The "NR" stands for non-resident. It is very important that you file the NR version as you are likely not a resident from a tax standpoint. The good news is that if you do file a tax return, you may qualify for a partial refund of taxes paid. USD payroll is willing to consult with you about your off-campus income but may be able to provide only limited assistance.

Question: What if my employer mistakenly deducted Medicare and Social Security from my wages?

Answer: If your W-2 form lists deductions for Social Security or Medicare, this is a

mistake and you should contact the Human Resources (HR) department or your supervisor to ask that these funds be refunded to you. If HR will not cooperate, you will need to file Form 843 which is downloadable [here](#).

Question: Is my scholarship taxable? Do I need to file a tax return if I just received income in the form of a scholarship?

Answer: Typically, scholarships are not taxable unless your scholarship *exceeds* the total cost for tuition and books (in this case, the excess amount is taxable). If you received room and board (housing and food) as part of a scholarship, this amount is taxable. This happens most often with international athletes.

Question: Can I just file my taxes with Turbotax, H & R Block or a similar tax service?

Answer: In general, no. These services are not designed for non-residents and their tax preparers are not likely to understand your situation or have electronic access to the "NR" (non-resident) forms. If you do choose to use one of these services, ask in advance if they have a tax preparer available with experience assisting non-residents and make it clear that you need to complete NR tax forms.

Again, since USD has purchased a license from Sprintax, using this service will likely be the most affordable and easy way to file a tax return if necessary.

Question: What other assistance is available in completing tax returns in San Diego?

Answer: Free tax preparations service is available by appointment for international students/scholars

through VITA (Volunteer Income Tax Assistance) at the following locations:

- At SDSU: <https://business.sdsu.edu/vita>
- And many other places around San Diego:
www.ftb.ca.gov/individuals/vita/site_search.shtml

Keep in mind that volunteers are unpaid and not tax professionals, you may have to go somewhere else if return is "complicated" (see below).

Question: What if I have a complicated situation (tax treaty country, property ownership, filing with a spouse, etc.)?

Answer: You can contact a local tax consultant if you have a complicated tax situation. Keep in mind that the fees can be considerable.

Note that the OISS is not a tax preparation service. The above information represents general guidelines and the OISS can only provide limited advising.