

na For Foundation Use Only:
Vendor # _____
Date: _____

**INDIANA UNIVERSITY FOUNDATION
INDEPENDENT CONTRACTOR FORM**

Person being paid MUST complete this form and attach to an Indiana University Foundation Check Request prior to the processing of the request for funds. (See Section I, reverse side for the attributes of an Independent Contractor.)

1. NAME: _____
2. Type: (Circle One) Sole Proprietor Partnership Incorporated/Corporation Other (please specify) _____
3. PERMANENT ADDRESS: Permanent address for mailing of tax documents required. Business addresses for individuals are not acceptable.

4. SOCIAL SECURITY NUMBER or FEDERAL TAX IDENTIFICATION NUMBER: _____
5. I am currently (please check appropriate box below for reporting purposes)
 U.S. Citizen
 Resident Alien (**Please include a copy of green card**)
 Nonresident Alien (**See Section II, reverse side**)
6. I have **or will receive** employee wages from Indiana University for the current calendar year.
(ex: employee status, workstudy, graduate assistant)
YES (**PROCEED TO #7**)
NO (**PROCEED TO #8**)
7. In order for an individual to receive compensation for personal services from both Indiana University Foundation and Indiana University the following criteria must be met:
 - (1) I have been (or will be) active on Indiana University Payroll for a period of time this calendar year. However, the payment I am receiving for personal services through the Foundation qualifies me as an independent contractor, not as an employee subject to payroll tax withholdings. These services provided are of direct benefit to the Indiana University Foundation.
YES Approved by Indiana University Foundation official: _____
NO
 - (2) A contract for personal services exists between myself and Indiana University Foundation and a copy is attached.
YES
NO
 - (3) I have filed with the state of Indiana for my Independent Contractor status:
YES
NO
8. Under penalties of perjury, I certify that:
 - (1) The taxpayer identification number is correct (or I am waiting for a number to be issued to me) and to the best of my knowledge and belief, all other information provided is true, correct, and complete.
 - (2) I am not subject to back-up withholding tax because: (a) I am exempt from back-up withholding tax, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to back-up withholding tax as a result of failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to back-up withholding tax.
 - (3) If I am a nonresident alien, I have filed or will file a timely U.S. tax return. (See Pub. 519)

Signed: _____ Date: _____
(Signature of independent contractor)

SECTION I - ATTRIBUTES OF AN INDEPENDENT CONTRACTOR (IC)

1. An IC agreement has been signed and IC cannot be fired as long as contractual obligations are met.
2. IC is a U.S. citizen or resident eligible for employment in the U.S.
3. The IC has control over work performed and is solely responsible for providing supplies, training, work area, and any means to insure job performance.
4. IC is hired for a specified time period and the agreement defines a completion date or termination of the IC relationship.
5. IC may negotiate payment for the requested service and is paid directly rather than through a third party.
6. IC treats an assistant as his own employee and therefore complies with all tax requirements.
7. IC has the authority to hire and fire assistants.
8. IC is disengaged from the daily operations of the company.
9. IC complies with all federal, state, and local laws regarding business permits, certificates, and licenses that may be required to carry out the work to be performed.

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**SECTION II - NONRESIDENT ALIEN PAYMENTS
FOR PERSONAL SERVICES OR EXPENSE REIMBURSEMENT**

Taxable payments to nonresident aliens are reportable to the Internal Revenue Service and subject to U.S. income tax. Generally, the withholding rate is 30% or 14% for U.S. scholarships or fellowship grants unless the payment is exempt under an existing tax treaty between the United States and the nonresident alien's country of residence.

CLAIMING EXEMPTION FROM WITHHOLDING FOR PERSONAL SERVICES AND EXPENSE REIMBURSEMENTS---An independent contractor who is a nonresident alien must provide the Indiana University Foundation (IUF) with a completed **IRS FORM 8233** (Exemption From Withholding on Compensation for Independent Personal Services of a Nonresident Alien Individual) if they believe they are exempt from withholding. The IRS has 10 days to act on denying a claim for an exemption. For Scholarship/Award recipients, a nonresident alien must complete form **W-8BEN** (Certificate of Foreign Status of Beneficial Owner for United States Tax Withholding) if they believe they are exempt from withholding. (See Publication 901, U.S. Tax Treaties). A FORM 8233 or FORM W-8BEN need only be completed once during each calendar year that the nonresident alien is receiving compensation and may be obtained from the IUF Accounts Payable Department.

PROCESSING TIME---To allow for the 10-day waiting period required by the Internal Revenue Service (IRS) and for appropriate review by the IUF, a signed FORM 8233 and applicable documentation and attachments must be received in the IUF Accounts Payable Department three weeks prior to the date payment is requested.

- A. If FORM 8233 or W-8BEN is on file at IUF for the current calendar year, check here .
If FORM 8233 or W-8BEN is NOT on file, proceed with (B).
- B. (1) Complete FORM 8233 or W-8BEN (8233 for Independent Contractors / W-8BEN for Scholarships/Awards)
(2) Attach copies of the following:
 - a) INS Form I-94, Arrival-Departure Record
 - b) Visa
 - c) Social Security Card or confirmation of application for the tax identification number which may be obtained from the local social security office. **Note:** If the nonresident alien individual is not eligible for a social security card, please submit an Individuals Taxpayer Identification Number (ITIN) which may be obtained by filing Form W-7 with the Internal Revenue Service.
 - d) Form I-20 for F-1 visa holders or Form IAP-66 "pink form" for J-1 visa holders
- C. Submit completed IUF check request and FORM 8233 or W-8BEN with the required attachment copies to:
Accounts Payable Manager, IU Foundation, P O Box 500, Bloomington, IN 47402

In the event that the nonresident alien does not choose to file FORM 8233 or FORM W-8BEN or does not qualify for exemption, 30% of the proposed personal services WILL BE WITHHELD and subsequently remitted to the IRS. A social security number or ITIN is still required. All payments to nonresident aliens are filed with the IRS on Form 1042S (Foreign Person's U.S. Source Income Subject to Withholding) by IUF. The nonresident alien is required to file IRS Form 1040NR (Income Tax Return for Nonresident Aliens) even if the income is exempt from tax.

The Foundation is unable to issue payment to foreign visitors who do not meet the requirements listed in Publication 519, U. S. Tax Guide for Aliens issued by the Internal Revenue Service. Departments are strongly urged to verify the eligibility of a foreign visitor to receive compensation or reimbursement of expenses before a commitment is made. All questions regarding payment to a foreign visitor should be directed to the **IUF Accounts Payable Manager, (812) 855-3144**.