J-1 Exchange Visitors
The J-1 Exchange Visitor Program exists to increase mutual understanding between the people of the United States and the people of other countries by means of educational and cultural exchanges. The purpose of the J-1 program is to provide foreign nationals with opportunities to participate in educational and cultural programs in the United States and return home to share their experiences, and to encourage Americans to participate in educational and cultural programs in other countries. The U.S. Department of State has designated Virginia Tech as a J-1 Program Sponsor which allows VT to host foreign nationals as participants in educational and cultural exchange programs conducted by Virginia Tech.
Background Info: SEVIS

SEVIS (Student and Exchange Visitor Information System) is the U.S. Department of Homeland Security’s database which maintains electronic records for all J exchange visitors. ISS creates a SEVIS record for each exchange visitor Virginia Tech sponsors and is required to report certain information or changes for these exchange visitors. Furthermore, some types of changes are not allowed. For this reason, it is very important that VT departments hosting J-1 exchange visitors inform ISS in advance of any anticipated changes to a Scholar or Student Intern’s J program such as funding changes, change in work site, changes in program length, etc.
Background Info: DS-2019

All exchange visitors are issued a document called a Form DS-2019 Certificate of Eligibility for Exchange Visitor (J-1) Status (“DS-2019” for short) which is generated by SEVIS upon the creation of a new record or when changes are made to an existing record. Participants use this document to obtain a J visa and enter the United States on the J visa as “exchange visitors.” ISS will issue the DS-2019 upon receipt of a complete and accurate J-1 Scholar and Student Intern Request form. The DS-2019 document contains information such as:

• The exchange visitor’s biographical information and unique SEVIS ID number
• The exchange visitor’s program information such as start and end date, work site, and field of study.
• The exchange visitor’s funding information.
J-1 Appointments at VT

- May not be used for permanent or tenure track positions.

- The J-1 visa is not an employment visa, although an exchange visitor may receive compensation from Virginia Tech when employment activities are part of the exchange visitor's program.

- Appropriate activities for J-1 exchange visitors vary based on the J-1 category but in general, the J-1 categories designated for Virginia Tech only allow for conducting research, teaching, consulting, observing, and participating in work-based learning internships.

- J-1 status at Virginia Tech may not be used for clinical activities.
Participant Requirements

• Possess the qualifications, background, and experience for the program.
  • Individual must have completed at least a bachelor’s to be eligible for the Research Scholar, Professor, and Short Term Scholar categories.
  • A Student Intern must be currently enrolled in a post-secondary degree program abroad at an accredited degree-granting institution.

• Possess English language proficiency sufficient to participate in the program.

• Possess adequate financial resources to complete program and support any accompanying dependents.
  • Funding can be from a combination of sources (VT, personal, home government/institution, etc.) as long as it meets the minimum requirements.
Participant Requirements: Funding

- The total funding must meet minimum requirements:
  - J-1 Scholar or Student Intern: $1500 per month
  - J-2 Spouse: $4000 per year
  - J-2 Child: $2000 per year

- Multiple funding sources are allowed. All funding sources must be disclosed.

- Scanned copies of funding documents are acceptable and funding documents must be in English (or translated into English), on letterhead, and specify an amount of funding.

- If a department plans to hire a scholar as a post-doc or research associate, VT employment guidelines must be followed. These guidelines may require funding at a higher level. Please contact Personnel (1-5301) or the Research Division (1-9359) for more information about hiring and appointment policies.

- For Virginia Tech funding, please submit a copy of the P-14, Terms of Faculty Offer Letter, etc. with the J-1 Request Form.
Participant Restrictions

• J-1 Scholars and Student Interns are NOT VT enrolled students. Therefore a J-1 Scholar or Student Intern will not be allowed to register for or audit classes.

• If currently enrolled in an institution abroad, J-1 Scholars and Student Interns will not receive a VT seal on their diploma or any kind of VT certificate.

• Since Scholars and Student Interns are not VT students, they also do not have access to services usually associated with VT students such as BT Transit, housing in residence halls, use of student recreation facilities, VT health insurance, Schiffert Health Center, Cook Counseling Center, etc.

• Generally a foreign national cannot begin as a J-1 Scholar or Student Intern and then change to become a student while in the U.S. as this process is either prohibited or takes too long to complete. Instead, the scholar or student intern would usually have to travel internationally, obtain a student visa, and re-enter the U.S. in order to obtain the necessary immigration status to study as a student.
Participant Categories: Student Intern

- Generally the J-1 student intern category is used for foreign nationals currently enrolled in a post-secondary institution abroad who are seeking to participate in an internship to fulfill educational objectives of a degree program. Most often the students are pursuing an undergraduate degree but students pursuing graduate degrees are also eligible.

- Maximum stay of 12 months

- The foreign national and the internship program must meet certain criteria. A $40 processing fee is required for all Student Interns which must be paid to ISS by the host department. Information about the criteria and processing fee are available on the ISS J-1 page.

- In addition to the DS-2019 form, student interns also need a DS-7002, the Training/Internship Placement form. The form and instructions for completing it can be found on the ISS website.
Participant Categories: Short Term Scholar

- Primarily conduct research, lecture, consult, or observe.
- Maximum stay 6 months.
- Completed at least a bachelor’s degree
- If there is any possibility the department or foreign national will need/want to extend past 6 months, use the Research Scholar category. If the short-term scholar category is used and the foreign national needs more time to complete his/her work, the only way to obtain more time is through international travel and re-entry with a new visa, new DS-2019 and new J-1 program which is unnecessarily costly, slow, and inconvenient compared to using the Research Scholar category initially which can simply be extended by ISS while the foreign national remains in the U.S.
Participant Categories: Research Scholar

• Primarily conduct research; may also teach.
• Maximum stay of 5 years.
• Completed at least a bachelor’s degree
• 12/24 month bars apply.
  • 12 month bar: Foreign national cannot have participated in a J program (as J-1 or J-2) for all or part of the 12 month period immediately preceding start date on his/her Form DS-2019, unless s/he is transferring to VT’s program, prior physical presence in J status in U.S. was less than 6 months or was a short term scholar.
  • 24 month bar: Foreign national cannot have participated in a J program (as J-1 or J-2) as a professor or research scholar within the 24 months preceding the start date of new J program as a professor or research scholar. Foreign national will be ineligible for to participate as professor or research scholar again for two years following the end date of this program.
Participant Categories: Professor

- Primarily teach/lecture; may also conduct research.
- Maximum stay of 5 years.
- Completed at least a bachelor’s degree
- 12/24 month bars apply.
  - **12 month bar**: Foreign national cannot have participated in a J program (as J-1 or J-2) for all or part of the 12 month period immediately preceding start date on his/her Form DS-2019, unless s/he is transferring to VT’s program, prior physical presence in J status in U.S. was less than 6 months or was a short term scholar.
  - **24 month bar**: Foreign national cannot have participated in a J program (as J-1 or J-2) as a professor or research scholar within the 24 months preceding the start date of new J program as a professor or research scholar. Foreign national will be ineligible for to participate as professor or research scholar again for two years following the end date of this program.
Initial J-1 Procedures

The J-1 process involves multiple processes and input from various offices at Virginia Tech, government agencies, and institutions and individuals abroad. Because some steps might take several weeks or months, it is important that J-1 requests arrive at ISS at least 3-4 months in advance of the intended start date.
VT Host Procedures

- Verify the potential exchange visitor meets the eligibility criteria

- Obtain an export review from OESRC and conviction check from HR. These processes can take time, so do them first and start early. Please see ISS’s page on export reviews and conviction checks for information on how to start these processes.

- Complete the J-1 Scholars and Student Intern Request Form and gather required documents and signatures.
VT Host Procedures

A completed form contains:

1. All fields completed
2. All required signatures
3. All required attachments
   a. Passport – must be legible and valid
   b. Invitation Letter
   c. Funding Documents – see funding document requirements
   d. OESRC Export Review – Obtain from Export control
   e. HR Conviction Check Approval Email – Obtain from HR
   f. CV – Publications list not necessary
   g. Previous DS-2019s
VT Host Procedures

- Forward the J-1 request with ALL required signatures and attachments to ISS (MC 0378).

- **ISS processing. [7-10 business days]** ISS processing time starts from the receipt of a complete request form. Incomplete requests will be held until all attachments and required information have been submitted. ISS creates a SEVIS record and original DS-2019 for J-1 and any dependents. ISS assembles welcome folder with visa instructions and original DS-2019(s) and emails host department that documents are ready for pick up. The Host Department must pick up documents as campus mail is not an option.

- **Mail DS-2019. [1-2 weeks]** The department picks up the welcome folder, adds their invitation letter and mails to foreign national using UPS, FedEx, or DHL, NOT USPS. Per Dept. of State rules, do not email the DS-2019.
DS-2019 Welcome Packet

• Documents for Host Department:
  • Copy of DS-2019
  • Copy of Mollie’s welcome letter
  • Instructions for mailing

• Documents for Foreign National
  • Original DS-2019
  • Original welcome letter from Mollie
  • Dept. of State J-1 Program brochure
  • ISS Welcome Packet with information on:
    • Applying for the visa
    • Paying the visa fees
    • Housing
    • Traveling to the U.S.
    • Using VT Scholar to check-in online
    • Health insurance
    • Post arrival to-do list
Foreign National Procedures

- **Schedule visa interview. [1-4 weeks]** Upon receiving DS-2019 in the mail, the foreign national pays the SEVIS and DS-160 fees and schedules a visa interview appointment. Appointments are sometimes not available for several weeks. Foreign nationals should not make an appointment until they have the DS-2019 in hand.

- **Visa processing. [a few days – a few months]** Visas are not processed the same day as the visa interview and processing may take several months based on time of year, background checks, etc. Foreign nationals should NOT schedule flights, enter into U.S. housing contracts, or resign from a current position until visa is in hand.

- **Arrival. [1-10 days]** The foreign national may arrive and check-in up to 30 days before or after the DS-2019. Failure to arrive and check-in within 30 days after the start date will result in invalidation of the SEVIS record. If the foreign national cannot arrive and check-in within 30 days, s/he or the department must notify ISS to change the start date and issue a new DS-2019 to avoid invalidation of the J-1 record in SEVIS.
J-1 Process Overview

VT Host Responsibilities

Pre-Arrival Responsibilities

• For a foreign national to be a J-1 exchange visitor at Virginia Tech, s/he must be officially invited and hosted by a Virginia Tech faculty member. Therefore, the VT faculty host/department is responsible for initiating the J-1 process on behalf of the foreign national. The host faculty/department is responsible completing the request form and obtaining approvals and documents and submitting to ISS to start the process.

• The host faculty/department is also responsible for communicating with the foreign national about the visa process (delays, denials) and arrival schedule and notifying ISS if the exchange visitor will be delayed more than 30 days after the start date on their DS-2019. Exchange visitors should arrive within 30 days of the start date listed on the DS-2019. If this is not possible, the department should notify ISS and request that ISS change the exchange visitor’s start date to accommodate a later arrival.
VT Host Responsibilities

Arrival Responsibilities

• Helping the exchange visitor in obtaining a PID, email, and internet access

• Assisting the exchange visitor in the online check-in process by helping to scan immigration documents

• Orienting the exchange visitor in the department/lab including training on procedures, equipment and safety precautions.
VT Host Responsibilities

Ongoing Responsibilities

• Directing the work and program of the exchange visitor

• Notifying ISS in advance of any changes to be made to the J-1 program including:
  • Modifying duties (add teaching or research duties)
  • Change/Addition of work site
  • Extend or shorten program
  • Addition of or change in VT funds/salary
  • Change J-1’s immigration status
Participant Responsibilities

- Checking-in online upon arrival and attending a J-1 Orientation meeting (please do not send scholar to ISS to check-in).

- Maintaining lawful status in the U.S.
  - Not working illegally
  - Maintaining health insurance
  - Informing ISS in advance changes to J-1 program.
Other J-1 Issues

• Extensions
  • Submit several weeks before DS-2019 end date
  • Foreign national must have funding and approval from VT host to obtain an extension.

• Transferring a J-1 from another institution to VT and vice-versa.
  • Transfer process is less involved than initial request process and needs to be coordinated between VT and other institution.
  • Transfer process should be done in advance of person’s arrival.
  • Don’t wait to fix the immigration issues after the person arrives.

• Dependents (and hiring a J-2 dependent).
  • J-1s can bring J-2 dependents (spouse and unmarried children under 21) if the funding is adequate. Request dependents during initial request process.
  • A J-2 dependent must have a valid employment authorization document (EAD) to be hired by VT (including “volunteering”).

• J-1 Bars
  • 2 year home residency
  • 24 month repeat bar
2 year bars for J-1 exchange visitors

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<td>Research Scholar:</td>
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<td>Waiver Possible:</td>
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Most importantly...

• Start early
• Know the requirements/responsibilities
• Notify Mollie of any changes
• Think ahead when choosing a J-1 and the category.
• If in doubt, call/email Mollie