UH Faculty/Staff Guide to J-1 Program
The Purpose of the J-1 Program

* “To increase mutual understanding between the people of the U.S. and the people of other countries by means of educational and cultural exchanges.”

* Give and take (security issues)
Who are the J-1’s?

* Non-Immigrants
* Here temporarily
* Exchange Visitor (EV) is the general name
* 4 Categories approved by U.S. Department of State at UH
  * Students (Only address “Student Intern” subcategory in this presentation)
  * Research scholars
  * Professors
  * Short-term scholars (maximum 6 mos.)
## UH Common used Categories

<table>
<thead>
<tr>
<th>Requirements</th>
<th>Student-Intern</th>
<th>Short-term Scholar</th>
<th>Research Scholar</th>
<th>Professor</th>
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</thead>
<tbody>
<tr>
<td>Bachelor Degree?</td>
<td>no</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
</tr>
<tr>
<td>Insurance?</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
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Who is involved in the program?

* U.S. Department of State
* U.S. Department of Homeland Security (SEVIS: Student & Exchange Visitor Information System)
* Sponsor (issues DS-2019)
  * UH
  * Fulbright & Other Agencies
* Funding (UH, Fulbright, other agencies, home country, etc.)
* Worksite(s)
* UH Department
* ISSS
* Exchange Visitors (and perhaps his or her family)
* Home institution of Exchange Visitors
## Mini- Overview of the Process

<table>
<thead>
<tr>
<th>Step</th>
<th>Description</th>
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<tr>
<td>1.</td>
<td>Communicate with Exchange Visitor (EV)</td>
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<tr>
<td>2.</td>
<td>Dept. requests DS-2019 from ISSS (Online)</td>
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<tr>
<td>3.</td>
<td>Dept. mails documents to EV</td>
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<tr>
<td>4.</td>
<td>EV pays $220 SEVIS Fee: I-901 (Receipt)</td>
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<tr>
<td>5.</td>
<td>EV applies for visa (Security Delays)</td>
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<td>6.</td>
<td>EV submits documents at Port of Entry</td>
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<tr>
<td>7.</td>
<td>Report to ISSS (Validation &amp; Orientation)</td>
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<tr>
<td>8.</td>
<td>Arrival needs and maintain status</td>
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<tr>
<td>9.</td>
<td>If applicable apply for annual extension</td>
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Communicate with Exchange Visitor (EV)

* Roles & Responsibilities ([http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&r=PART&n=22y1.0.1.7.35](http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&r=PART&n=22y1.0.1.7.35))
* Determine English proficiency
* Salary (payroll taxes)
* Family
* Dates of appointment
* Date of arrival
* Housing information
* Office/Desk/Computer access

* Provide detailed info about program and J-1’s info: City of birth, country of birth, residence, citizenship, current position in home country, worksites, etc.

* Submit form and $80 fee online (SC Voucher submitted to Office Mgr; or to front desk staff)

* Five days processing time

* Inform ISSS of changes in expected arrival and/or length of program. ISSS inputs data into SEVIS & downloads DS-2019

* **Strict policy: No pay = DS-2019 not released**
Dept. mails documents to EV

* Academic department is responsible for mailing DS-2019 and information packet to the scholar
* No form of electronic DS-2019 should be sent
* Maintain contact with scholar
* Communicate changes to ISSS

We need to amend the program dates in order to keep the DS-2019 valid if there is a delay of J-1’s coming (DS-2019 will be auto canceled by SEVIS 30 days from the program start date if the EV has not reported to ISSS)
* **EV pays $180 SEVIS fee**

* **Payment methods**
  * Online with credit card [https://www.fmjfee.com/index.jhtml](https://www.fmjfee.com/index.jhtml)
  * Western Union
  * By mail

* **Must keep receipt**
EV submits documents to the U.S. embassy
* Visa application (except Canadian citizens)
* Passport & DS-2019
* DS-7002 if EV is in “Student Intern” category
* I-901 receipt
* Proof of funding & proof of ties to home
* May need to provide a description of the research

**U.S. Security Clearance**
* Washington Agency name checks (primarily FBI)
* Security Advisory Opinion (SAO)

**U.S. Security Triggers**
* Males ages 16-45
* Terrorist connections
* Technology Alert List (TAL): weapons of mass destruction, high tech, urban planning
* Valid passport from home country
* I-901 [SEVIS Fee](#) receipt for $180
* DS-2019
* J-1 visa sticker in passport
* Must carry documents at all times
  * Photocopies in the greater Houston area
  * Originals outside Houston area
  * Up to $100 fine and/or up to 30 days in jail

EV submits documents at Port of Entry
We require all J-1s check-in with ISSS upon their immediate arrival in order to validate the DS-2019s. The DS-2019 will be automatically invalidated by SEVIS if it is not validated on time.

We must provide orientation

Confirm insurance: J-1 Visitors and their dependents are required by law to carry health insurance that meets minimum government requirements

60-day delay for new state employees: Must purchase 60-day policy to cover gap time

Repatriation/Medical Evacuation ($25,000 / $50,000)
  * $30 per person (not prorated)

Must carry proof of insurance at all times
**DS-2019 Shows Program End Date**

* Ending date is critical
* 30 day grace period to depart the U.S.
* Research Scholar’s DS-2019 can be extended each yr for a total of 5 yrs
* Short-term Scholar’s DS-2019 cannot be extended
* Notify ISSS if scholar is leaving earlier than the program ending date on the DS-2019
Unique Feature

- **Unique feature: 212(E) 2-Yr Home Residency Requirement**
  - Based on government sponsorship and/or Skills List for each country
  - Cannot accumulate more than 2 yrs
  - New entry (new program) may lead to new 2 yrs
  - Waiver may be possible
  - Advisory Opinion: Clarify applicability of 212(E)
- **May apply for H-1B if waiver of 212(E) is approved or 212(E) does not apply**
Employment in Professor or Researcher Category

- Works at the institution or agency listed on the DS-2019
- Program objective clearly stated by department
- Researcher may teach; Professor may do research
- Occasional lectures (Requires prior approval from ISSS)
Employment in Professor or Researcher Category

* Maximum period of program participation in the Professor and Research Scholar categories is 5 years
* 2 Year Bar on “Repeat Participation”
* Understanding the 5 year rule
  * Clock always running (even if not in the U.S.)
  * DS-2019 must be active or may face 2 year bar
Employment in Professor or Researcher Category

* Eligibility for 5 Year Research Scholar or Professor
* Is not a candidate for tenure track position
* Has not been in J-1 Research Scholar or Professor category in past 24 months (except transfer)
* Has not been physically present in the US in any J status (including J-2) for all or part of the 12-month period immediately preceding the date of program commencement (12-month bar)
* Exceptions to 12-month bar: In the US for less than 6 months (e.g. Short-term Scholar) or transferring to a new program sponsor
Employment in Professor or Researcher Category

* All sites of activity must be identified in SEVIS

* Occasional lectures/consultations must:
  * Be directly related to objectives of program
  * Be incidental to primary activities
  * Not delay completion of program
  * Be documented in SEVIS
  * Have letter from inviting institution stating duration, hours, field, amount of compensation and description of activity
  * Have letter from Advisor/Supervisor
  * Have RO/ARO letter stating activity meets criteria and is authorized in advance
Out of Country

* Additional Report required if the EV is out of country (U.S.)
  - Supervisor’s approval
  - Out of Country information needed for SEVIS report:
    * Out of Country Begin Date: (MM/DD/YYYY)
    * Out of Country End Date: (MM/DD/YYYY)
    * Out of Country Location Name:
    * Out of Country Location Address: City:
      - Country: Province/Territory: Postal Code:
    * Purpose of the travel
What is JStudent Interns?
Participation in the Student Intern subcategory is available only to foreign students currently enrolled and pursuing a degree at a postsecondary academic institution outside the United States, whose U.S. internship will "fulfill the educational objectives for his or her current degree program at his or her home institution." Student interns may participate in a student internship program for up to 12 months for each foreign degree/major.
A participant must meet these conditions:

1. Be currently "enrolled in and pursuing a degree at an accredited postsecondary academic institution outside the United States."
2. The U.S. internship must "fulfill the educational objectives for his or her current degree program at his or her home institution."
3. Have "verifiable English language skills sufficient to function on a day-to-day basis in the internship environment."
4. Be "primarily in the United States to engage in a student internship program rather than to engage in employment or provide services to an employer."
5. Be "accepted into a student internship program at the postsecondary accredited academic institution listed on his or her Form DS-2019."
6. Be "in good academic standing" at his or her home institution outside the United States.
7. Must return to his or her academic program outside the United States "and fulfill and obtain a degree from such academic institution after completion of the student internship program."
8. Have "sufficient finances to support himself or herself and dependants for their entire stay in the United States, including housing and living expenses."
Internship Activities

* Internships must be full-time; i.e., consist of a minimum of 32 hours per week.
* Consist of no more than 20 percent clerical work.
* All tasks assigned must be "necessary for the completion of the student internship program."
* Not displace "American workers" (including full or part-time, temporary or permanent).
* Not "serve to fill a labor need"
* Exist "solely to assist the student intern in achieving the objectives of his or her participation in a student internship program."
* Consist of "work-based learning," rather than "ordinary employment or unskilled labor."
* Expose the participant to "American techniques, methodologies, and technology," expand upon the participant's existing knowledge and skills, and "not duplicate the student intern's prior experience."
* A student may participate in an internship with or without wages or other compensation. To be employed, however, the student needs the "approval of the exchange program's responsible officer and the student's home institution's dean or academic advisor."
* The internship does not have to be in the student's field of study, but it does have to "fulfill the educational objectives for his or her current degree program at his or her home institution."
Requirements for Host Departments

* Verify the student's English language ability, "through a sponsor-conducted interview, by a recognized English language test, or by signed documentation from an academic institution or English language school."

* Complete and secure the requisite signatures on Form DS-7002

* The program sponsor must conduct such evaluations for each Student Intern. All programs must do a concluding evaluation, and programs lasting more than six months must do a midpoint and concluding evaluation. The sponsor must retain these evaluations for at least three years following the completion of the student's internship program.

* The Student intern will participate in appropriate activities guided above.
How to apply

* The student will apply to the academic department by submitting the application along with the application fee.
* The UH department will:
  - Verify the student’s English language ability and complete the part II of the application
  - Complete Form DS-7002, this form can be downloaded from this link: [http://www.state.gov/documents/organization/84240.pdf](http://www.state.gov/documents/organization/84240.pdf)
  - Submit the J-1 Student Intern DS-2019 request form and DS-7002 to ISSSO along with the fee ($160)
* ISSSO will
  * Notify the department after the DS-2019 is done
  * Provide a copy of DS-7002 to the department and to the student
  * Provide instruction packets regarding SEVIS fee payment and visa application information
  * The department will send the DS-2019, copy of DS-7002 and the packet to the student
  * The student will then pay the SEVIS fee and schedule a visa interview with US Embassy or Consulate to apply for a J-1 visa
Cross-Cultural Activities

* UH departments and colleges are expected to provide cross-cultural activities for the EV and their dependents

* ISSS offers:
  * Friendship Program:  
    http://www.uh.edu/oisss/international-friendship-program/
  * International Faculty Mentor Program:  
    http://www.uh.edu/oisss/International_Faculty_Mentor_Program/
Bookmark Our Website

issso.uh.edu

- See the “Scholars” Page -
Who do I contact at ISSS?

- Basic questions about forms or steps, you may ask for Emily Estill or Jackeice Chambers (Office Assistants) #35065
- Jin Zhang, Associate Director #35072 (J-1 Specialist)

Commitment & Cooperation are needed

- ISSS is committed to our J-1 scholars
- Cooperation with departments at UH essential to success of J-1 program