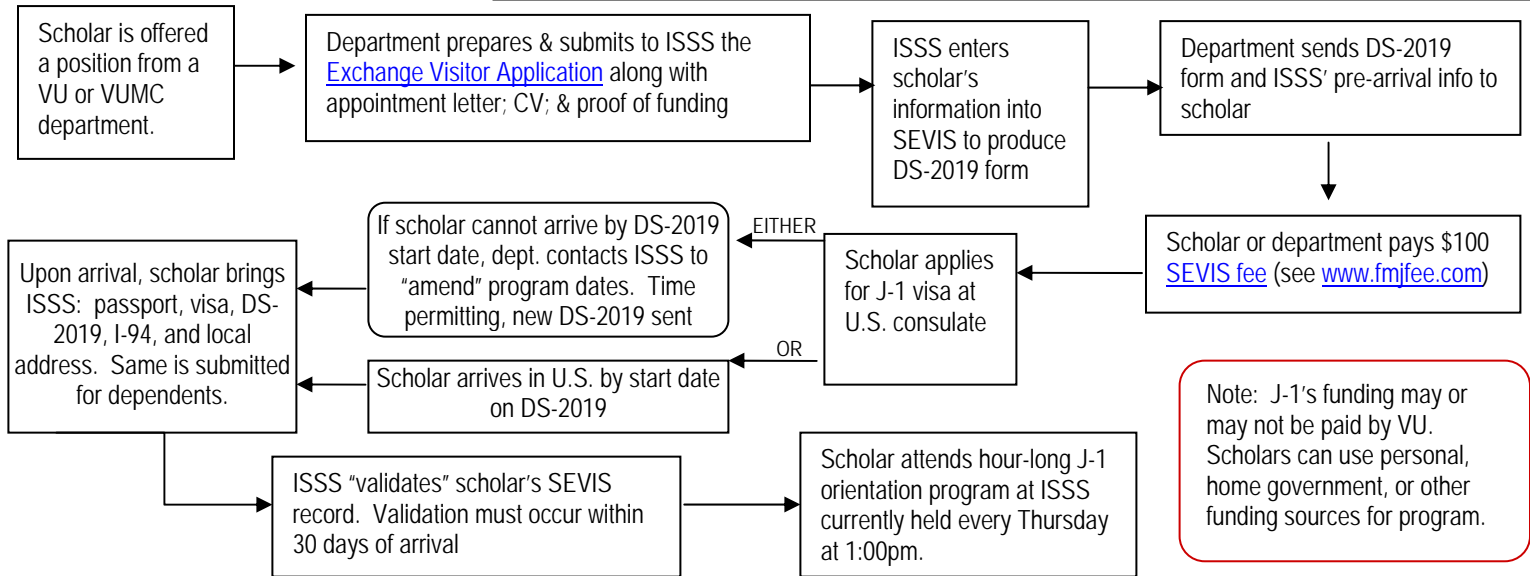


The J-1 Exchange Visitor Program (EVP) was developed by the Department of State in 1961 "to increase mutual understanding between the people of the United States and the people of other countries by means of educational and cultural exchanges." J-1 scholars are non-immigrants pursuing a specific program objective at academic institutions in the U.S., as designated by the Department of State (DOS) and the United States Citizenship & Immigration Services (USCIS). J-1 scholars are categorized as research scholars, professors, short-term scholars, or specialists. ISSS staff members are DOS-designated Responsible Officer (RO) & Alternate ROs (ARO) for Vanderbilt's EVP.

## FLOW OF SCHOLAR PROCESS



## VISA PROCESS

To obtain a J-1 visa, the scholar must show the U.S. consulate the following:

- A DS-2019 form produced from SEVIS by ISSS
- A passport valid for at least 6 months
- Evidence of intention to stay in the U.S. temporarily and solely for the purpose of pursuing the program objective
- Financial ability to cover the cost of living in the U.S.
- Proof of SEVIS fee payment (see [www.fmjfee.com](http://www.fmjfee.com) for more information or to process payment)

## MAINTAIN VALID STATUS

- Always be aware of the DS-2019 expiration date (see section # 3). Do not let the document expire.
- I-94 card should be marked "J-1 – D/S" (or "J-2 – D/S" for dependents). If not, see ISSS.
- Pursue the activity, described as the site of activity and subject/field descriptions on the DS-2019
- Passport must be valid at least 6 months into the future
- Health insurance is required at all times for scholar and dependents in U.S. and must meet DOS standards
- Report to ISSS any [change of home address](#) or phone number within 10 days of move
- File timely extension or transfer requests
- If scholar completes program before DS-2019 expiration date, contact ISSS to update SEVIS record
- When traveling, scholars/dependents must have their DS-2019 signed by ISSS, a valid passport and visa for reentry to the U.S.
  - Considerations for travel: Technology Alert List (TAL), National Entry Exit Registration System (NSEERS)
  - Other travel options: Automatic Visa Revalidation, Third Country National Visa Renewal

## GRACE PERIODS

- Scholars/dependents may enter the U.S. up to 30 days before the program start date indicated on the DS-2019
  - Employment is NOT allowed during this time
- Grace period of 30 days after DS-2019 expiration date allowed for scholar to prepare for departure
  - Employment is NOT allowed during this time

## J-1 EMPLOYMENT

- J-1 Categories
  - Research Scholars: engage primarily in research activities; 5 years maximum
  - Professors: engage in teaching primarily; 5 year maximum; cannot be tenure-track
  - Short-term Scholars: engage in research, teaching, observing or consulting activities; 6 month maximum
  - Specialists: engage in consulting, observing, or demonstrating specialized knowledge/skills which scholar is expert; 1 year
- Program Objective is the activity outlined on the DS-2019 form and in the scholar's SEVIS record. Based upon:
  - Subject/Field code and description
  - Subject/field remarks (noted in SEVIS record)
  - Site of Activity (department name and location)
  - Implication: Scholar's J-1 program objective is specific. If scholar desires to leave current position, s/he can only transfer to another location if the program objective remains the same.
- Occasional Off-Campus Consultations and Lectures
  - Must be directly related to J-1 program objective and cannot delay the completion of program
  - If scholar is to be compensated (financially or travel related expenses) this must be approved by ISSS in advance by submitting:
    - Offer letter from the employer, with details of the consultation/lecture and compensation
    - Letter from the scholar's VU supervisor
    - ISSS provides a letter of approval, if appropriate

## J-1 SPECIAL FEATURES

- Extension of Program
  - Scholars can extend their program beyond the current DS-2019 expiration date up to their J-1 category's maximum
  - Department submits [Exchange Visitor Application](#) to ISSS with new appointment letter and proof of funding in advance of expiration date
  - J-2 dependents are extended as a result of J-1's extension
- Transfer Issues
  - J-1s can transfer from one EVP to another or change departments within an EVP, if the original program objective is same
  - If a J-1 desires to transfer to Vanderbilt from another school, approval must be given by ISSS and current EVP, and noted in SEVIS and on DS-2019
  - Transfer or change of department can occur without scholar leaving the U.S.
  - If J-1 wants to transfer departments within VU, supervisor letters and SEVIS action will need to be taken in advance, if change is approvable
  - ISSS does not receive access to scholar's record in SEVIS until transfer release date; DS-2019 cannot be issued prior to release date
- Transfer Procedures, if transfer to Vanderbilt is appropriate
  - Submit to ISSS letters from current and proposed (VU) supervisors explaining that the J-1's program objective will not change as a result of transfer
  - ISSS coordinates with current EVP for final approval and to set "transfer release date" in SEVIS
- Health Insurance Requirement
  - J-1 & J-2 are required by DOS to have health insurance (including medical evacuation and repatriation benefits) during entire stay in U.S.

## 212(e) REQUIREMENT

- Two-year home residency physical presence requirement [212(e)] was designed to help ensure the non-immigrant, exchange nature of the EVP
- Subjectivity to 212(e) is noted on the visa stamp and/or the DS-2019 and is commonly based upon:
  - Skills List: list of field of study, research, or teaching per country of last permanent residence
  - Funding: if J-1 receives U.S. or home country government funding specifically to support the exchange
- Fulfillment of the two years in home residence is counted in the aggregate (it does not have to be fulfilled over a consecutive period)
- Requests to be waived from the 212(e) requirement can be made in order to allow J-1 to stay in the U.S. beyond their program
  - Scholar cannot extend J-1 program or transfer to another school or department if DOS issues waiver recommendation
  - Waivers can be granted under following circumstances: no objection statement from home government; extreme hardship to a U.S. citizen or permanent resident relative; fear of persecution in home country; request from an interested U.S. Governmental agency
  - Two years must be fulfilled or waived to be eligible for change of visa status within the U.S. to any other non-immigrant status, H-1B, or permanent residency (exception: changes to A or G visas)
  - Note: In certain cases, J-1 can apply for different visa category at U.S. consulate abroad before 212(e) fulfilled/waived, excluding H-1B, PR

## J-2 DEPENDENTS

- Spouse or unmarried minor child of a J-1
- Maintain separate DS-2019; Duration of Status is the same as the "primary" scholar (J-1)
- May enroll in degree-seeking academic programs or non-degree study
- May not remain in the U.S. if J-1 is absent for longer than a temporary period (i.e.: conference, short trips abroad)
- May be employed within the U.S. (see [J-2 Employment Fact Sheet](#)). Employment verification is an EAD card
- May pursue a volunteer position: must be a legitimate, advertised volunteer position; cannot receive any compensation, or promise of future compensation, including financial.
- Subjectivity to 212(e) based upon and linked to primary's (J-1) subjectivity, thus it cannot be waived separately.