



Dartmouth College • Office of Visa and Immigration Services

44 North College Street • Suite 6202 • Hanover • New Hampshire • 03755

Telephone: (603) 646.3474 • Fax: (603) 646.1616 • Blitz Bulletin: “Visa Services”

Email: Visa.and.Immigration.Services@Dartmouth.edu • Web: <http://www.dartmouth.edu/~ovis>

J-1 Student/Scholar Non-Immigrant Status Information:

Documents Required:

- Passport (Canadians may show other proof of citizenship)
- DS-2019 form: This is the form sent to you by your program sponsor – in this case – Dartmouth College. Once you have used it to apply for and receive the J-1 visa, you must present it to the immigration officer upon your entry into the U.S. The official will stamp it and return it to you. Your international advisor must sign the DS-2019 form with a travel endorsement before you leave the country for any reason, and must re-sign each year you are present in the U.S. in J status.
- I-94 card: An I-94 card in combination with the DS-2019 form permit a J-1 alien to stay temporarily in the United States during the validity of the J-1’s authorized stay (while maintaining lawful J-1 status). The Department of Homeland Security (DHS) officer at the United States port of entry will issue an I-94 card to the alien, and will indicate on the I-94 the alien’s immigration status or classification (ie: J-1). For J-1 and J-2 aliens the DHS officer should indicate Duration of Status or **D/S** on the I-94 rather than an expiration date. “Duration of status” or D/S refers to the length of time during which a J-1 alien has permission to remain temporarily in the United States, and defaults to the DS-2019 end date.
- J-1 visa stamp (in the passport): Issued by the U.S. consulate or embassy abroad, the visa allows you to enter the U.S. as a J-1 visitor for as long as the visa is valid. You may remain in the U.S. beyond the expiration date on the visa if your I-94 card is marked “J-1 D/S”, and if you have a valid (unexpired) DS-2019 form. Please note that Canadians are visa-exempt.
- Evidence of funding sources and amounts, for the duration of your program. Examples include: an updated bank statement, a letter of offer from your sponsoring department, or a letter of admission confirming scholarships and stipends

Required Documents in the U.S.:

U.S. law requires you to carry your photo ID (passport) and your alien registration information (I-94 card) on your person at all times.

To maintain legal J-1 status:

In order to maintain legal J-1 status once you arrive in the United States, you must comply with the following requirements:

- Keep all of the documents listed above updated, valid, and in your possession at all times.
- Complete your stay by the date listed in item #3 on your DS-2019 form—or:
- Apply on time for an extension of stay; a transfer to another exchange program, a change of category or a change of visa status.
- Maintain the required health insurance coverage.
- Do not accept off-campus employment without authorization (see the Office of Visa & Immigration Services for more information on J-1 outside employment options).
- Students must carry a full course load (generally 2 or 3 courses) every term, except during an annual vacation, and must make normal academic progress toward achieving academic program goals.
- Scholars and Faculty must adhere to the terms of their stated program appointments.
- Contact your advisor in the Office of Visa and Immigration Services to schedule a check-in session that is within two weeks of your arrival on campus.
- Notify your registrar and the Office of Visa & Immigration Services within ten days if you move and/or have a mailing or residential address change. For students, please make note to the registrar that you would like to change your Banner Local Residential address.

FAILURE TO CHECK IN WITH THE OFFICE OF VISA & IMMIGRATION SERVICES WILL RESULT IN A LOSS OF LEGAL IMMIGRATION STATUS IN THE U.S.

Student & Exchange Visitor Information System (SEVIS):

DHS implemented the web-based Student & Exchange Visitor Information System (SEVIS) in 2003. Colleges and universities that admit and host international students and scholars on F, J or M visas are required to use SEVIS in order to issue Department of State (DOS) DS-2019 forms (formerly called IAP-66 forms), and to inform DHS and DOS of any change to the exchange visitor's personal information or to the program of study or research. Institutions have been required by law to track this information in the past, and to relay it to the DHS and DOS, if requested, by paper. SEVIS now requires more regular and timely electronic information updates to the government. **In order to comply with SEVIS regulations, a J-1 exchange visitor must inform the Office of Visa & Immigration Services before making any change to his or her academic program, funding source or amount, or personal information, including any change of mailing or residential address.** The institution has the responsibility of accurately notifying DHS and DOS, in a timely fashion, of these changes.

If you have any questions about SEVIS, please contact the Office of Visa & Immigration Services.

Insurance Requirement (22CFR514.14):

J exchange visitors are required to have adequate insurance coverage for themselves and any dependents they bring with them to the U.S. The minimum coverage shall provide:

- Medical benefits of at least \$50,000 per accident or illness
- Repatriation of remains in the amount of \$7,500
- Expenses associated with the medical evacuation of the exchange visitor to his or her home country in the amount of \$10,000
- A deductible not to exceed \$500 per accident or illness

Individuals hired by Dartmouth for a regular position and for more than a 9-month period are eligible for College insurance. Students should contact Ginger Lawrence at the Dick's House Health Center (Ginger.Lawrence@dartmouth.edu) and scholars/faculty should contact their departments and/or Human Resources for more information.

Upon your arrival at Dartmouth College, you will be required to sign a statement verifying that you understand the J insurance requirement, and that you and any dependents are covered to the extent required by the regulations. Failure to do so, or misrepresentation concerning your health insurance coverage, will result in your loss of legal exchange visitor status, and a termination of your program.

Employment Regulations for J-1 students:

J-1 students are eligible for employment authorization from the Office of Visa & Immigration Services if the employment:

- is pursuant to the terms of a scholarship, fellowship, or assistantship.
- occurs on the premises of the educational institution the visitor is authorized to attend; **OR**
- occurs off-campus when necessary because of serious, urgent, and unforeseen economic circumstances that have arisen since acquiring exchange visitor status.
- **is authorized in writing, and in advance of beginning employment, by the immigration advisor in OVIS.**

Students must be in good academic standing, be enrolled in a full course of study (while allowing for holidays and breaks), and must work no more than 20 hours per week (40 hours per week during official school breaks and the student's annual vacation term). **Remember, the International Advisor must approve the specific employment in advance and in writing.**

Academic Training Regulations for J-1 Students

Academic training employment authorization permits J-1 student employment at a job directly related to his or her major field of study. The Responsible Officer (RO) must approve the specific academic training type and duration in advance and in writing. Undergraduate programs are allowed a total of 18 months of academic training, however the total amount must not exceed the total time spent in the program. Ph.D. students are allowed a maximum of 36 months of academic training in post-doctoral positions. J-1 students may apply to their OVIS immigration advisor for academic training. If the academic training is approved, the immigration advisor will issue a new DS-2019 form, and a letter recommending the training.

Employment Regulations for J-1 Professors, and Research Scholars

An individual in the Professor or Research Scholar exchange visitor categories is allowed the specific employment noted on the current DS-2019 form issued by the sponsoring program. Occasional lectures or consultations directly related to the objectives of the program may be accepted for compensation if the visitor acts in the capacity of an independent contractor. They must be incidental to the primary exchange activities, and in no way delay completion of the program. (Sec. 514.20(g))

To obtain authorization to engage in occasional lectures or short-term consultations for compensation the exchange visitor shall present to the Responsible Officer:

- A letter setting forth the terms and conditions of the offer to lecture or consult, including the duration, number of hours, field or subject, amount of compensation, and description of such activity
- A letter from his or her department head or supervisor recommending such activity and explaining how it would enhance the exchange visitor's program

The RO shall review these letters and make a written determination, **in advance of the employment begin date**, as to whether such activity satisfies the criteria set forth in the applicable regulations.

Regulations for J-2 Dependents

Dependents with J-2 visa/status can apply for employment authorization from CIS. OVIS has the required forms and application procedures. The authorization will need to be renewed by application each year, and the wages earned must not be used to support the J-1 principal. The J-2 may not commence employment until he or she has received the employment authorization card from the CIS. Once the employment card has been received, the J-2 may apply for a Social Security Number (SS#). The Office of Visa & Immigration Services has information and forms for SS# applications.

J-2 dependents are allowed to study full-time in academic programs from Kindergarten to 12th grade. J-2's may currently study full-time or part-time in casual courses, or in degree programs. DOS is currently reviewing this regulation, however, J-2's may not be allowed to study in the future.

Travel from and Re-entry to the U.S. (please see travel and re-entry info sheet for more details):

J visa / status holders must have the following documents to be allowed re-entry to the U.S.:

- Valid passport
- Valid J visa (Canadians are visa-exempt)
- Valid I-94
- Valid SEVIS DS-2019 form
- Though not required, immigration officials often ask to see evidence of adequate finances, including sources and amounts.
- Proof of non-immigrant intent

Note that a J-1 who temporarily or permanently leaves the United States must surrender the I-94 unless the alien is visiting **only** Canada or Mexico for "not more than 30 days." When the alien reenters the U.S. from visitations to other countries, the inspecting DHS officer at the port of entry will issue the alien a new I-94, provided he/she is eligible for reentry.

Extension of Exchange Visitor's J Program:

Within the allowable program limits for each J category, it is possible for J visitors to apply to OVIS for a program extension. Eligibility for a program extension will depend on each individual's circumstances.

Research Scholars and Professors must have their Department Chair or Dean submit a new appointment letter

outlining any change in duties or pay rates. If your extension is approved, the RO will issue an extended DS-2019 form, with the new end-date.

State Department Restrictions:

There are three restrictions imposed by the Department of State:

- 1) By accepting a J sponsorship in the Professor or Research Scholar categories, the exchange visitor will be barred from a repeat participation in the J program for two years following the end of the current J program.
- 2) A 2-year home country residency requirement (based on regulation 212(e)) may be imposed on J exchange visitors who:
 - were financed in whole or in part, directly or indirectly, by an agency of the U.S. Government or by the exchange visitor's government, or
 - are nationals or residents of a country which has been designated by the U.S. State Department as requiring the skills of the exchange visitor,
 - are in the U.S. for the purposes of graduate medical education,

These J visitors **must** return to their country of nationality or last residence after completing their program in the United States, and reside there physically for 2 years before they may become eligible to apply for an immigrant or temporary worker visa (H or L visas), or for U.S. permanent residency. These individuals are also ineligible to apply for a change of immigration status within the U.S. (**22CFR514.44**)

- 3) A 12-month bar to entering in a J professor or scholar category will apply if, during the previous 12 months, a person was present in the U.S. as a J visitor. The 12-month bar does not apply if an exchange visitor was present in the U.S. in J status for less than six months, or was in the short-term scholar category. Please contact your international advisor for more information on these restrictions.

Note that these restrictions apply to J-1 and J-2 status individuals.

Waivers to the Two Year Home Country Residency Rule (212e):

It is possible to apply for a waiver from the home residency requirement. It is not possible to apply for a J program extension once a waiver has been given. Re-entry to the U.S. in J status, or application for a new J visa can re-subject a J-1 or J-2 to the home residency requirement, and nullify a waiver previously approved. For more information see the State Department website at:

http://travel.state.gov/visa/temp/info/info_1296.html

Additional Information:

You may find comprehensive information on the J-1 exchange visitor visa on the U.S. State Department website, here: http://travel.state.gov/visa/temp/types/types_1267.html

Please contact the Office of Visa & Immigration Services if you need further information about your J non-immigrant status.