

J-1 Handbook

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J-1 Exchange Visitors

The primary purpose of the J-1 exchange visitor program is to promote educational and cultural exchange between the United States and other countries. The exchange of professors and research scholars stimulates international collaborative teaching and research efforts and promotes the establishment of mutually beneficial relationships between institutions in the United States and those abroad.

Temporary Nature of Employment

The J-1 exchange visitor program carries an explicit non-immigrant intent, meaning that an exchange visitor's position at the University must be temporary, even if the position itself is a permanent one. An exchange visitor may temporarily fill a tenure-track position at DU but may not be appointed to the position while in J-1 status.

J-1 Categories

There are four categories within the J-1 program used at DU:

Category	Activity *	Max. Validity	Min. Validity
Research Scholar	Conduct research, observe, or consult. May teach or lecture.	5 years	3 weeks
Professor	Teach, lecture, observe, or consult. May conduct research.	5 years	3 weeks
Short-Term Scholar	Conduct research, observe, consult, teach, train, or lecture.	6 months	None
Specialist	Observe, consult, or demonstrate special skills in a specialized field.	1 year	3 weeks

** All employment in J-1 categories is restricted to the area indicated on the DS-2019, Certificate of Eligibility, or with written authorization from International Student and Scholar Services, or the program sponsor, if different.*

Eligibility for J-1 Category

Selection Criteria

Scholars may only be invited to DU if they have the appropriate academic credentials and will participate in an activity that furthers educational and cultural exchange between the University and research or educational institutions in other countries. The department must make three initial determinations when evaluating a scholar's eligibility to visit DU in J-1 status:

- The exchange visitor has the appropriate academic credentials to perform the proposed activity.
- The exchange visitor has adequate English language proficiency to perform the proposed activity.
- The exchange visitor has sufficient financial support, either from DU or other sources, to maintain an adequate quality of life.

Once the department has determined that the scholar meets the above requirements, it may submit the [J-1 Request Form](#) and supporting documentation to ISSS.

Financial Support

Scholars must submit financial documentation verifying their ability to cover estimated living expenses in Denver. The estimated cost to maintain an adequate quality of life in this area is \$1,450 per month, or \$15,600 per year. For a spouse or child, an additional \$440 per month is required, or \$5,280 per year.

12-Month Bar for Research Scholars and Professors

A scholar who has been in the United States in any J-1 category for more than 6 months is barred from returning to the country as a J-1 research scholar or professor for 12 months from the completion of the J-1 program or stay.

24-Month Bar for Research Scholars and Professors

A scholar who has been in the United States as a J-1 research scholar or professor for any length of time and whose SEVIS record is no longer active is barred from returning to the country as a J-1 research scholar or professor for 24 months from the completion of the J-1 program or stay. The 24-month bar only applies to exchange visitors who completed their program after 11/07/2006.

J-1 Application Process

A J-1 program sponsor must issue a scholar a Form DS-2019, Certificate of Eligibility, before he or she may apply for a J-1 entry visa at a U.S. consulate or apply for a change of status within the United States. Once a DS-2019 has been issued, the scholar must pay a fee for SEVIS (Student and Exchange Visitor Information System) and then make an appointment for a visa interview at a U.S. consulate abroad or apply for a change of status in the United States.

Requesting Form DS-2019

Department faculty who would like to invite an international scholar to DU must submit the following documents to Laura Buhs in International Student and Scholar Services (ISSS) to request a DS-2019 for the scholar:

[J-1 Request Form](#)

[Health Insurance Attestation Form](#)

Scholar's curriculum vitae or resume

Photocopy of the biographical page(s) of the scholar's and dependents' passports

Original documentation of the funds to support the visitor, expressed in U.S. dollars, if the sponsor is an organization other than DU. If personal funds are shown, a bank statement including the current account balance must be provided with a currency conversion to U.S. dollars.

Please verify that all forms are complete and have been signed by required department personnel before submitting them to ISSS. The J-1 Request Form includes several options for delivery of the DS-2019 to the department. The department will then forward Form DS-2019 to the international scholar.

Paying the SEVIS Fee

J-1 scholars must pay a \$180 fee to the Department of Homeland Security for the creation of a record in SEVIS. Payment of the SEVIS fee must be made after a DS-2019 has been issued and before the scholar schedules an appointment to apply for a J-1 visa. The SEVIS fee may be paid online at www.fmjfee.com. The scholar should print a copy of the receipt from the payment site and take it to the visa appointment.

Applying for a J-1 Visa

Form DS-2019 certifies a J-1 scholar's eligibility to engage in an academic activity at an approved program in the United States. The scholar must be issued a DS-2019 from DU and have paid the SEVIS fee before scheduling an appointment to apply for a J-1 visa at a U.S. embassy or consulate.

The J-1 visa document is pasted in the scholar's passport and should not be removed. Scholars should apply for a J-1 visa as early as possible. A J-1 visa may not be issued earlier than 90 days before the program start date listed on the DS-2019, and the scholar may enter the United States up to 30 days before the program start date.

Processing Time

Visa application procedures and processing timelines vary among embassies. The scholar should consult the local consular procedures in order to estimate how long the application will take to process and what documentation will be required at the visa appointment. A list of U.S. embassies and consulates is available on the [Department of State](http://www.state.gov) website.

Some scholars may be subject to additional security checks during the visa application process, depending on the country of citizenship and their field of activity. Certain academic fields are considered sensitive, such as chemistry, the biological sciences, and nuclear engineering.

When inviting scholars in these fields, the department should write a letter explaining the nature of the research in non-academic terms. If the consular officers determine that the proposed activity does not have applications in areas of concern, a security check may be waived. For more information on writing a letter of explanation, please review [Guidelines for Letters Regarding Potentially Sensitive Research](#).

Entry into the United States

A J-1 scholar may enter the United States up to 30 days before the program start date listed on the DS-2019. When entering the country, the scholar must present the following documents:

Form DS-2019

J-1 entry visa

Unexpired passport

Upon entry, the scholar will be issued an I-94 Arrival/Departure card. This card establishes the scholar's legal presence and must be kept in the passport. The I-94 card should be stamped with the date of entry, the Port of Entry location, and a "D/S" (duration of status) marker, indicating that the scholar may remain in the United States for as long as he or she properly maintains J-1 status.

Reporting Arrival

All J-1 scholars must report their entry to the United States by meeting with an international advisor in ISSS within ten days of their arrival. To schedule an appointment, please contact Laura Buhs at lbuh@du.edu or 303-871-4912.

Transfer of J-1 Program to DU

A J-1 scholar who is currently engaged in activities at another university can transfer his/her J-1 program to DU. Transferring a J-1 program requires that the program objectives are similar and that the scholar will remain within the same J-1 category.

Requesting a J-1 Transfer

To request a transfer of a scholar's J-1 program to DU, the department should submit the following documents to Laura Buhs in International Student and Scholar Services (ISSS):

[J-1 Request Form](#)

[Health Insurance Attestation Form](#)

Scholar's curriculum vitae or resume

Photocopy of the biographical page(s) of the scholar's and dependents' passports

Photocopies of all DS-2019s issued to the scholar by other institutions

Original documentation of the funds to support the visitor, expressed in U.S. dollars, if the sponsor is an organization other than DU. If personal funds are shown, a bank statement including the current account balance must be provided with a currency conversion to U.S. dollars.

A request for a transfer of the scholar's J-1 program should be submitted at least six weeks before the desired transfer date. The Department of State requires institutions to coordinate the date of the transfer so that there is no gap between the programs. An international scholar advisor will work with the other institution to ensure that this requirement is met and that DU receives the scholar's SEVIS record in a timely manner.

Issuance of a New DS-2019

Once DU has access to the scholar's electronic SEVIS record, a new DS-2019 will be issued for his or her program at the University. The scholar must report to ISSS within ten days of the release of his or her SEVIS record to DU. To schedule an appointment, please contact Laura Buhs at lbuhhs@du.edu or 303-871-4912.

J-1 Employment

J-1 scholars may only engage in activities specified in the financial support section of the DS-2019, or with prior written authorization from International Student and Scholar Services (ISSS). Many J-1 scholars are employed by the University during their collaboration; financial support from the University must be listed on the DS-2019 in order to authorize employment at DU.

Scholars as Employees of the University

Scholars employed at DU are generally hired into non-tenure track faculty positions, or as post-docs or other positions suitable for their activities. If a scholar obtains employment at DU after arrival in the United States, the DS-2019 must be updated to show the new source of financial support before employment may begin.

Outside Activities

Scholars may participate in lectures or consultations at other institutions, provided the activities do not interfere with the scholar's primary activity at DU and are directly related to the program objective stated on the DS-2019. Written authorization to engage in outside activities for payment or other compensation must be requested **prior to participation** from ISSS.*

To request approval to participate in an outside activity, please submit the following documentation to Laura Buhs in ISSS:

Letter from the prospective employer describing the terms and conditions of the activity, including the duration of employment, number of hours, field or subject, and amount and form of compensation, if any.

Letter from the faculty sponsor recommending the activity and explaining how it will benefit the scholar.

** Engaging in employment without prior authorization is a violation of a scholar's J-1 status and could result in the termination of his or her program.*

If approved, the scholar will be issued an employment authorization letter. This letter must be presented to the employer in order to compensate the scholar for his or her services. An employment authorization letter must also be presented to DU by a J-1 scholar visiting from another institution in the United States.

Maintaining Status

J-1 scholars must abide by the limits of their immigration status set by federal immigration regulations. Failure to comply with these requirements may result in a scholar's loss of valid J-1 status and the termination of the program at DU.

General Requirements

J-1 scholars must meet the following requirements throughout their program in order to maintain valid J-1 status:

Report to International Student and Scholar Services (ISSS) within ten days of their arrival.

Only pursue activities explicitly authorized under their J-1 category.

Obtain authorization for all employment.

Maintain a valid passport.

Maintain a valid DS-2019.

Report all changes of address to ISSS within ten days of moving.

Health Insurance Requirement

Federal immigration regulations require J-1 exchange visitors to maintain health and accident insurance for themselves and their dependents throughout their program in the United States. Scholars should obtain coverage in their home country or purchase an insurance plan in the United States.

The required health insurance for a scholar can cost between \$60 and \$300 per month. Insurance for a spouse may cost \$1,600 per year and \$600 per year for each child. International Student and Scholar Services (ISSS) will provide the scholar with information about the health insurance requirement and estimated costs prior to their arrival.

All J-1 Exchange Visitors sponsored by DU must complete the [Health Insurance Attestation Form](#).

Failure to Comply with Program Requirements

Exchange visitors who fail to comply with their program requirements are subject to termination of their J-1 program. Once the program has been terminated, a J-1 scholar is considered out of valid immigration status and must depart the United States immediately. Scholars who are out of status are no longer eligible for a change of status, extension of stay, or other immigration benefits.

A J-1 program may be terminated for the following reasons:

Failure to pursue only those activities explicitly authorized under the exchange visitor's J-1 category.

Willful failure to meet the mandatory insurance coverage requirement.

Engaging in unauthorized employment.

Violation of Exchange Visitor Program regulations, or of University of Denver regulations for J-1 scholars.

A termination remains on an exchange visitor's immigration record and may make it more difficult to obtain a U.S. visa or apply for certain immigration benefits in the future.

Extension of Stay

A department may request an extension of stay for a J-1 scholar when the original program duration is not sufficient to complete the program objectives outlined on the DS-2019. The duration of the extension is limited by the maximum duration of the J-1 category the scholar currently holds.

Research Scholars and Professors

Research scholars and professors may participate in a J-1 program for up to five years. Extensions of stay may be authorized as needed to grant additional time in the program up to the five-year limit.

Short-Term Scholars and Specialists

Short-term scholars may participate in a J-1 program for up to six months. Specialists may participate in a J-1 program for up to one year. Extensions of stay may be authorized as needed to grant additional time in the program up to the six-month or one-year limit respectively.

Requesting an Extension

To request an extension, the department must submit the following documents to Laura Buhs in International Student and Scholar Services (ISSS) at least 60 days before the current program end date indicated on the DS-2019:

[J-1 Request Form](#)

[Health Insurance Attestation Form](#)

Original documentation of the funds to support the visitor, expressed in U.S. dollars, if the sponsor is an organization other than DU. If personal funds are shown, a bank statement including the current account balance must be provided with a currency conversion to U.S. dollars.

Extensions may be requested earlier under certain circumstances, such as when a J-2 dependent intends to apply for employment authorization, which can take several months to process. Extensions cannot be processed after the current program end date has passed.

Two-Year Home Residency Requirement

Certain J-1 scholars are subject to the Two-Year Home Residency requirement outlined in section 212(e) of the Immigration and Nationality Act. Section 212(e) requires an exchange visitor to reside in his or her country of legal permanent residence for at least two years before being eligible to apply for certain immigration benefits in the United States.

Criteria for Being Subject to 212(e)

An exchange visitor who is not a medical resident is subject to the 212(e) requirement under the following conditions:

The exchange visitor's participation in an exchange program was funded by the United States Government, the exchange visitor's own government, or an international organization.

The education, training, or skill the exchange visitor is pursuing in an exchange program appears on the Exchange Visitor Skills List for EV's country.

Grants awarded to the University by U.S. government agencies do not qualify as direct financial sponsorship and therefore do not result in an exchange visitor being subject to this requirement, unless the grant stipulates that the monies are intended to foster international exchange and names the exchange visitor as a direct recipient of those funds.

The DS-2019 and J-1 visa will both indicate whether an exchange visitor is subject to the 212(e) requirement. In cases where the documents do not agree, or when there is doubt about whether an exchange visitor is subject to the requirement, an advisory opinion may be requested from the Department of State.

Satisfying the 212(e) Requirement

An exchange visitor who is subject to the two-year foreign residence requirement may not change status to that of H, L, or K, or to immigrant or legal permanent resident status until the exchange visitor has fulfilled the two-year foreign residence requirement by spending two years in the country of legal permanent residence or by receiving a waiver of this requirement.

An exchange visitor who is subject to the 212(e) requirement may return to the United States to pursue another program in J-1 or F-1 status. However, the 212(e) requirement for prior J-1 programs will remain on the exchange visitor's immigration record and must still be satisfied.

Requesting a Waiver of the 212(e) Requirement

Requests for waivers are submitted by the exchange visitor to the Waiver Review Branch of the Exchange Visitor Program Services Office in the Department of State. The request may take several months to process. International Student and Scholar Services is unable to assist scholars in applying for a waiver. For more information on the waiver request process, please visit the [Department of State](#) website.

An exchange visitor may request a waiver of the 212(e) requirement for the following four reasons:

Statement of no objection from the exchange visitor's home government

Most exchange visitors are subject to the 212(e) requirement, because the education, training, or skill the exchange visitor is pursuing in an exchange program appears on the Exchange Visitor Skills List for EV's country or they have received funding from their government. Obtaining a statement of no objection is therefore the most common means of requesting a 212(e) waiver and is generally the easiest to acquire.

Interest of a U.S. government agency

The interest of a U.S. government agency may be considered a reason for a waiver, if the agency agrees to support the waiver on the grounds that it would be in the public interest for the exchange visitor to remain in the United States and a departure would be detrimental to a program or activity of interest to the agency.

Exceptional hardship to a spouse or child who is a U.S. citizen or permanent resident

Exceptional hardship to a dependent of the scholar upon return to the home country is difficult to pursue and is rarely used as a basis for requesting a waiver to the 212(e) requirement.

Persecution of the exchange visitor because of race, religion, or political opinion

Citing persecution in the home country is the most difficult to pursue and is rarely used as a basis for requesting a waiver to the 212(e) requirement.

Travel

J-1 scholars may leave the United States and apply for re-entry anytime within the program dates on Form DS-2019, provided they have maintained their immigration status and present all required documents at the Port of Entry, as listed below.

Documents Required at the Port of Entry

A J-1 scholar must present the following documents at the Port of Entry to apply for re-entry to the United States:

- Valid DS-2019 with travel signature issued by ISSS;
- Valid passport;
- Valid J-1 visa, unless otherwise exempt (see exemptions below).

Canadian Citizens

Citizens of Canada are exempt from entry visa requirements.

Automatic Revalidation of Visa

A J-1 scholar whose entry visa has expired may travel solely to Canada, Mexico, or adjacent islands in the Caribbean (except Cuba) for a period of 30 days or less and apply for re-entry to the United States with an expired entry visa if the scholar:

- Presents a valid passport, DS-2019, and I-94;
- Has not applied for a new visa abroad;
- Is not a national of a country designated as a [State Sponsor of Terrorism](#).

If all the above conditions are met, the expired visa can be considered valid to the date of re-entry.

Visa Renewal

To apply for entry to the United States after the expiration of an entry visa, a J-1 scholar who is not exempt from the entry visa requirements and who does not qualify for automatic revalidation must apply for a new entry visa at a U.S. consulate abroad. For information on how to apply for a new entry visa, visit the [U.S. Department of State](#) website for the consulate where the application will be made.

J-2 Dependent Employment Authorization

J-2 dependents may apply for employment authorization from U.S. Citizenship and Immigration Services (USCIS), provided that such employment does not support the basic expenses of the principal J-1 exchange visitor. The U.S. Department of State requires a J-1 exchange visitor to provide proof of adequate financial support before Form DS-2019 can be issued; J-2 employment authorization therefore cannot be for economic necessity.

Employment Authorization

USCIS generally authorizes employment for the duration of the principal J-1 exchange visitor's program or for a period of one year, whichever is less. A J-2 dependent may apply for employment authorization each year until the J-1 exchange visitor's program expires. The J-1 program expires on the program end date listed on Form DS-2019.

Employment Authorization Document

If the application for employment authorization is approved, USCIS will issue the J-2 dependent an Employment Authorization Document (EAD), which may be presented to an employer as proof of eligibility to work in the United States. The EAD is a laminated identification card with the dependent's photograph and start and end dates of the authorized employment period.

Restrictions on Employment

The EAD authorizes a J-2 dependent to work full- or part-time for any employer during the authorized employment period. A J-2 dependent may work in any position except as a medical practitioner, regardless of any licensure he or she may hold.

Application Process

To apply for employment authorization, the J-2 dependent must submit an application to USCIS. Applications generally take three months to be processed. USCIS will send a receipt notice about three weeks after the application has been received, which will include an application number that can be used to track the application's process online through the [USCIS Case Status](#) system.

J-2 dependents may meet with an advisor in our office to review applications for employment authorization before submitting them to USCIS. Advisors are available to meet with scholars and their dependents during regular [walk-in hours](#).

Application Materials

The following documents are required as part of the application for employment authorization:

- [Form I-765, "Application for Employment Authorization"](#)
- Photocopy of the J-1 exchange visitor's Form DS-2019
- Photocopy of the J-1 exchange visitor's I-94 arrival/departure form
- Photocopy of the J-2 dependent's Form DS-2019
- Photocopy of the J-2 dependent's passport ID page
- Photocopy of the J-2 dependent's I-94 arrival/departure form
- Check for \$380 made payable to the Department of Homeland Security
- Two passport-style photographs of the J-2 dependent
- Letter written by the J-2 dependent and addressed to USCIS which states (1) Why the employment is desired; (2) the J-1 has adequate funds to cover living and school expenses; (3) that money earned will not be used to support the J-1 scholar. (The employment may be desired to provide income for extra expenses such as travel, for the J-2 to gain work experience, etc...)

When completing Form I-765, a permanent mailing address should be entered as the J-2 dependent's home address. USCIS will not forward material to a new address if the dependent moves while the application is in process. The complete application should be submitted to USCIS for processing using certified mail with a return receipt. Form I-765 may also be submitted electronically through the [USCIS e-filing](#) system; supporting documentation must still be submitted by mail.

Applications and supporting documentation should be submitted to:

For U.S. Postal Service (USPS) deliveries:

USCIS
PO Box 21281
Phoenix, AZ 85036

For Express mail and courier deliveries:

USCIS
Attn: AOS
1820 E. Skyharbor Circle S
Suite 100
Phoenix, AZ 85034

*** Addresses current as of 7/14/2014. Check USCIS [website](#) for changes. ***

Taxes

ISSS staff are not permitted to advise students, scholars, or their families on tax matters. For more information about U.S. taxes, visit the [Taxes](#) section of our website or contact a tax professional.

Social Security Number

A J-2 dependent may apply for a Social Security number at a [Social Security Administration](#) office after receiving an EAD from USCIS. The J-2 dependent must present his or her Form DS-2019, passport, I-94, and EAD at the time of application. A Social Security number is normally issued within 10 - 12 days of submitting an application.