Today’s Topics

• Introduction to J-1s
• J-1 Procedures
• UW Sponsorship Requirements
• J-1 Eligibility Requirements
  * English proficiency requirement
  * Health insurance requirement
  * Cultural exchange requirement
  * Maintenance of status
• Q&A
Introduction to J-1s
What is the Exchange Visitor Program?

Mission: to “increase mutual understanding between people of the United States and people of other countries by means of educational and cultural exchanges, thereby strengthening the ties between the nations.”
Scope of J-1 status

- The J-1 is *sponsor-, activity-, and location-specific*
- Exchange activity must be "**full time**"
- Appointment is **temporary**
- Period of stay—few days to five years
- Payment for outside activities permitted only if authorized by ISO in advance
- 12 & 24 month bars on repeat participation in some J categories
- Possible two-year home residence requirement
Permitted activities for J-1s

Exchange Visitors may engage in:

• Research
• Observation
• Consultation
• Limited teaching
• Demonstrating special skills
• Student internships (*VISIT and VISER*)
• Professional study (*VIPS*)
• Medical residency (*only* if sponsored by ECFMG)

The J visa is not a work permit.
J-1 Categories

- **Research Scholar / Professor**
  Up to 5 years **but** 12- and 24-month bars on repeat participation

- **Short-Term Scholar**
  Up to 6 months

- **Specialist**
  Up to 12 months; by exception only

- **Student Intern**
  Up to 12 months; through the [VISIT Program](#)

- **Student Non-Degree**
  Up to 24 months; VIPS or [VISER Program](#)
J-1 Procedures
Sponsor responsibilities (pre-arrival)

1. Start at least **three months** in advance of the start date
2. Review “How to Sponsor a J-1 Exchange Visitor”
3. Collect information from scholar using J Visa Intake Form
4. Verify and retain evidence of **funding** from all sources
5. Document scholar’s **English proficiency**
6. Plan **cultural exchange activities** for the scholar and their family
7. Submit **J Visa Request** to ISO
8. Provide supporting documentation to ISO
Effective 03/01/2019, ISO requires supporting documentation with each signed J Visa Request, including but not limited to:

- Copies of biographic pages for J-1 and all J-2 dependents
- The offer, invitation, or reappointment letter
- Funding documentation
- Documentation of English proficiency
- Patient care letter for foreign medical graduates

See our J-1 Checklist for more detail.
DS-2019 Certificate of Eligibility

ISO sends host department Form DS-2019 “Certificate of Eligibility for Exchange Visitor Status”

Department forwards DS-2019 to Exchange Visitor

Exchange Visitor uses DS-2019 to apply for J visa at consulate and enter U.S.

Let ISO know if arrival is delayed! We’ll amend and reissue the DS-2019.
Sponsor responsibilities (post-arrival)

1. Help scholar **settle in** (Husky card, NetID, housing...)
2. Ensure that scholar attends the [ISO Check-In Session](#)
3. Provide **cultural exchange opportunities**
4. Notify ISO *in advance* of changes—late arrivals, early departures, changes in worksite, title, research focus or duties, leave of absence, resignation, etc.
5. Notify ISO *immediately* of any **significant incidents** involving the scholar; injuries, lawsuits, arrests, etc.
6. **Extend** the scholar’s stay in a timely manner
Scholar Responsibilities

1. **Check in** with ISO within 30 days of start date
2. Maintain **health insurance** in compliance with federal law
3. Report changes in residential address or other information on DS-2019
4. Avoid unauthorized employment
5. Seek permission from ISO before engaging in “occasional lectures and consultations”
6. Leave the U.S. within the 30-day grace period
Reporting Requirements

J-1 Exchange Visitors must report the following changes to ISO:

- Late arrival in US
- Changes in address or contact information
- Changes in worksite
- Lengthy travel outside the US
- Early departure (either J-1 or J-2)

Any and all changes or incidents can be reported to ISO by sending an e-mail to acadvisa@uw.edu.
Transfer Procedures

Transferring to UW:
- Unit must submit a new [J Visa Request](#) and a copy or scan of the exchange visitor’s current DS-2019
- ISO will contact the current program sponsor to arrange the transfer

Transferring from UW:
- Exchange visitor must submit a [Transfer Verification Form](#) to ISO
- ISO will contact the new program sponsor to arrange the transfer
UW Sponsorship Requirements
Appointment Title

UW sponsors the following titles for J-1 status:

- All Visiting titles
- Senior Fellow & Senior Fellow Trainee
- Research Associate & Research Associate Trainee
- Acting Instructor
- Artist in Residence

Appointments must be **full-time** and have **regular, frequent supervision** from a UW faculty sponsor. UW cannot sponsor **tenured or tenure-track faculty** as J-1 exchange visitors.
Funding requirements

There are two funding requirements:

1. UW J-1 Funding Floor
2. UW Salary Schedule

Meeting the J-1 funding floor confirms that the scholar has enough money to support themself and their family in the U.S.

Meeting the salary schedule confirms that UW or another source is compensating the scholar at a level appropriate for their title and rank.
J-1 Funding Floor

The UW funding floor applies regardless of title or salary source:

- $2100/month for the J-1
- $1200/month for the J-2 spouse
- $600/month for each J-2 child

J-1s must meet at least 50% of this requirement with outside funding from a source other than personal funds.

For example, a scholar with a spouse and three children must show $5100/month in funding, $2550 of which must be outside funding.
For most titles, the J-1 will also have to show outside funding equivalent to the UW salary minimum for their title and rank.

Outside funding can include one or more government, employer, UW, or third-party sources. Personal or family funds do not count.

As courtesy titles, Visiting Scholars and Visiting International Professional Scholars ("VIPS") are not subject to the UW salary schedule. However, they still have to meet the J-1 funding floor.
How to document funding

Documentation of funding should be:

- from the source of the funding
- signed and on letterhead
- in English
- with the name of the scholar
- and the amount of funding in U.S. dollars

ISO will review documentation of funding and contact you if it does not match or otherwise meet these requirements. Feel free to reach out to us with questions!
J-1 Eligibility Requirements
J-1 English Proficiency

J-1 Exchange Program sponsors are required to confirm that prospective scholars have “sufficient proficiency in the English language, as determined by an objective measurement of English language, to successfully participate in his or her program and to function on a day-to-day basis.”
Three Objective Measurements

There are three “objective measurements” of proficiency to choose from:

* A recognized English language test
* Signed documentation from an academic institution or English language school
* A documented interview conducted by the sponsor either in-person, by videoconference, or by telephone if videoconferencing is not a viable option.

Units must use one of these three types of documentation to confirm the J-1’s proficiency.
Recognized English language test

For English language tests, units should retain a copy of test results with the exchange visitor’s name on them.

- On a pass/fail test, the exchange visitor must have passed. (E.g.: Cambridge English.)
- On a scored test, the unit can decide how many points are necessary. (E.g.: TOEFL.)
- Online or informal tests are not acceptable.

You may find it useful to refer to the UW Admissions requirements for English proficiency.
Units should retain a signed document from an academic institution or English language school which gives (1) the exchange visitor’s name and (2) his or her level of proficiency.

- If an academic institution, the document must explain the basis for proficiency assessment (e.g. completion of coursework, etc. etc.).
- Document should be on school letterhead or bear another official identifier.
How to conduct the interview

How and when can the interview take place?

(1) If an in-person or video interview is possible, the interview must be conducted using one of these methods.

(2) If neither of those is possible, a phone interview may be used.

(3) The interview must be conducted **before** the J-1 visa request is submitted to ISO.

The interview **must** be conducted by a UW employee, preferably the faculty sponsor or the unit administrator, who is proficient in English.
How to document the interview

The interview should result in a document that gives:

1. The names of the participants,
2. The date, time, and method of the interview, and
3. How English proficiency was assessed.

This document should be signed and dated by the person who conducted the interview.

ISO will not provide a template for this document, but can review anything you come up with.
How to assess English proficiency

You can use the TOEFL Scoring Rubric.

Or you can just talk about living arrangements in the U.S., e.g.:

- Where do you think you’ll want to live?
- What support services are you interested in?
- Tell me about what you like to do outside of work.
- What do you think will be the most challenging aspects of living and working in the U.S.?

If the visitor can’t answer these questions clearly and completely, they’re probably not proficient enough for daily life in the U.S.
Insurance Requirement

All J-1 exchange visitors must obtain **health insurance and medical repatriation and evacuation insurance**, and maintain that insurance for the duration of their stay.

<table>
<thead>
<tr>
<th>Item</th>
<th>Required coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Medical benefits</td>
<td>$100,000</td>
</tr>
<tr>
<td>Repatriation of remains</td>
<td>$25,000</td>
</tr>
<tr>
<td>Medical evacuation</td>
<td>$50,000</td>
</tr>
<tr>
<td>Deductible per accident or illness</td>
<td>$500</td>
</tr>
</tbody>
</table>

ISO documents compliance with this requirement using the [Insurance Compliance Form](#).
Cultural exchange requirement

All sponsors must have cultural exchange plans in place for the J-1 and J-2(s)

For possible activities, see:
- [Our cultural exchange page](#)
- [FIUTS](#)
- [The Whole U](#)
- [Visiting Seattle](#) (City of Seattle website)
- [Experience Washington](#) (commercial website)
Last year, U.S. Citizenship and Immigration Services ("USCIS") issued a memo expanding its ability to find that J-1 Exchange Visitors are violating their status and therefore “unlawfully present”. This memo is also being implemented by the Department of State.

This issue may come up in the context of an application to change status to another visa, or a J-2 dependent’s application for employment authorization, both of which go through USCIS, or in the context of a new visa application at a consulate abroad.
For Example:

Then:

Scholar violates status
This could be something as simple as working too many hours a week, or failing to report an address change.

Petition/Application filed with USCIS

USCIS determines status violation occurred

Unlawful presence runs from the date USCIS made the determination.

Now:

Scholar violates status

Petition/Application filed with USCIS

USCIS determines status violation occurred

Unlawful presence runs from the date the violation occurred.
Why does unlawful presence matter?

> People who are unlawfully present are **ineligible to change status** (for example, J-1 to H-1B).

> People who accrue over 180 days of unlawful presence have a **three-year bar on reentry** into the U.S.

> People who accrue over a year of unlawful presence have a **ten-year bar on reentry** to the U.S.

If a scholar tells you they think they may have violated their J-1 status, tell them to contact (1) ISO and (2) a **private immigration attorney**.
Any questions?

Contact us at acadvisa@uw.edu or check our website at http://ap.washington.edu/ahr/visas/