J-1 Scholar Orientation Guide

International Student & Scholar Services (ISSS)
University of Massachusetts Boston
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Phone: 617.287.5586 Email: isss@umb.edu

WELCOME!!
J-1 EXCHANGE PROGRAM

The purpose of the J-1 Exchange Visitor Program is to foster the mutual exchange of ideas between Americans and foreign nationals and to stimulate international collaborative teaching and research efforts. The exchange of research scholars and professors promotes interchange, mutual enrichment and linkages between research and educational institutions in the United States and those of other countries. The primary activity is to gain, contribute, impart and share specialized skills.

International Student & Scholar Services Information

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Scholar Advising Hours: Mondays 2-4 & Wednesdays 10-12 and 2-4 by appointment
ISSS Scholar Webpage: http://www.umb.edu/academics/oita/isss/scholar_services

EMPLOYMENT

Visiting scholars and international faculty in J-1 visa status whose DS-2019s are issued by UMASS Boston are eligible for employment at UMASS Boston, but only in the field specified on the DS-2019 in item# 4. Unauthorized employment will result in a violation of immigration regulations and loss of valid J-1 status.

For professors, long-term employment may require a change of immigration status for continued employment eligibility. Please consult with your scholar advisor regarding any changes in your official title, salary or department to be certain that you are authorized to engage in employment under your current J-1 status. Tenure-track positions cannot be accepted in J-1 status.

OCCASIONAL CONSULTATIONS AND LECTURES AT OTHER INSTITUTIONS

Participants in the J-1 Exchange Visitor Program at the University of Massachusetts Boston in the Professor, Research Scholar and Short-Term Scholar category may be authorized by an ISSS scholar advisor to engage in consulting for institutions other than the University of Massachusetts Boston. The proposed activity must be temporary and/or occasional, related to the original program objective and concurrent to the program at the University Massachusetts Boston. Please request the Occasional Lecture/Consultation form from an immigration advisor.

Written approval from ISSS (or from the J-1 Program Sponsor if other than the University of Massachusetts Boston, i.e. IIE) is required before engaging in outside activities such as those describe above. Please consult with your scholar advisor for further details in advance of agreeing to participate in any such an activity. You must not accept or engage in any outside activities, even if they may be regarded as an occasional lecture or consultation, without first obtaining written approval from an ISSS advisor.
CHANGE OF STATUS, TRANSFERS AND 30-DAY GRACE PERIOD

CHANGE OF STATUS
New offers of employment and changes in current employment may require a change of status. Consult with your scholar advisor well in advance of such changes to determine eligibility for a change of status to enable continued employment. An application for a change to another nonimmigrant status will require a minimum of three to six months for processing by the U.S. Citizenship and Immigration Services (USCIS). Individual circumstances may influence procedures and processing times, so it is important to discuss such plans with your scholar advisor in detail as early as possible. Please note that if you are subject to the 212(e) two-year home residence requirement, you will not be eligible for a change of status from within the United States.

TRANSFERS
Transfers from one J-1 program to another must be initiated with the current program sponsor listed on your DS-2019. Please contact ISSS as early as possible if a transfer of institutions will be necessary.

30-DAY GRACE PERIOD
Upon completion of your program, you and your J-2 dependents are allowed a 30-day grace period to depart the United States. It is critical that you depart the United States on time, prior to the end of your grace period. **You are not authorized to work during the grace period.**

EXTENSION OF STAY
It is your responsibility to be aware of the expiration date of your DS-2019, which indicates your authorized period of legal stay in the United States. If you need additional time to complete your program objective, a DS-2019 Extension Request must be submitted at least 30 days prior to the expiration date on your DS-2019.

Please note the following maximum program durations:

- Individuals in the Research Scholar and Professor categories are eligible to stay in the United States for a maximum of five years.
- Individuals in the Short-Term Scholar category can stay in the United States for a maximum of six months.

No extensions can be granted beyond these maximum time periods. To request an extension, you must submit the DS-2019 Extension Request form after it has been approved by your faculty advisor and all the required signatures have been obtained. Your faculty host should issue you an updated invitation/appointment letter with the new dates.

Extending your DS-2019 extends your J-1 immigration status, but does not extend the visa stamp in your passport. If your current visa is expired and you travel outside of the United States during the extended period, you must apply for a new visa stamp to return to the United States. Please be aware that you may be subject to security checks, which could result in visa issuance delays. You should make an appointment with an immigration advisor before travelling.
If the category Research Scholar or Professor is indicated in item 4 of your DS-2019, your maximum period of stay under this program is limited to five years. If you will be a Short-Term Scholar, your maximum limit is six months. The Short-Term category does not allow for extension. See the second page of the DS-2019, 1(c) “Limitations of Stay.”

**212(e) Two-Year Home Residence Requirement**

Exchange Visitors and their visa dependents may be subject to the Two-Year Home Residence Requirement. This requirement is different from the 12-month and 24-month bars mentioned below. It is very important to read and understand section 1(a) on the second page of your Form DS-2019.

The 212(e) requirement is normally associated with government funding (your country or U.S. government) and/or the skills list. To see if your country and your skill results in this requirement, please check the skills list at: [http://travel.state.gov/visa/temp/types/types_4514.html](http://travel.state.gov/visa/temp/types/types_4514.html).

If you are subject to 212(e), it does not mean that you cannot return to the U.S. for two years in any nonimmigrant status, (e.g., student or tourist). However, it does mean that you cannot change status in the U.S. or obtain a work visa (H), permanent residency (green card) or an intra-company transferee visa (L) unless this requirement is waived or until it is met. For more in-depth information on the Two-Year Home Residence Requirement, please see the 212(e) information sheet.

The Consular Officer may indicate this requirement on your visa and/or DS2019 and a U.S. CBP officer may indicate it on your I-94 card when you enter the United States; however, the Department of State Exchange Visitor Program has the final determination concerning this requirement.

**REPEAT PARTICPATION BARS**

**12-MONTH BAR**

USCIS regulation 22 CFR 62.20(d)(ii) established a “12-month bar” on beginning a new J-1 program as a Research Scholar or Professor for those persons who spent the previous year in the U.S. in any J status (J-1 or J-2). The bar does not apply to transfers from one institution to another, to persons who were Short-Term Scholars or to persons whose J program lasted less than six months.

**24-MONTH BAR**

USCIS regulation 22 CFR 62.20(i)(2) established a “24-month bar” on repeat participation as a Research Scholar or Professor for those persons were present in the United States in J-1 Research Scholar or Professor Category on or after Nov. 17, 2006. The bar does not apply to transfers from one institution to another.

Please note that these bars only prevent new programs for Research Scholars and Professors who have previously held J status. They do not prevent someone who has held J status from beginning a new program as a J-1 Student or a Short-Term Scholar. Once the applicable 12-month or 24-month time period has lapsed, exchange visitors are again eligible to begin a program in any J category.
ABSENCES FROM PROGRAM ACTIVITY – SEVIS REGISTRATION FOR RESEARCH SCHOLARS

J-1 Research Scholars may travel abroad during their stay at UMASS Boston for a period of more than 30 days only if the scholar’s program activity requires the scholar to travel, and the travel abroad is in collaboration with the J academic activity of the host department. In such circumstances ISSS will maintain the exchange visitor’s SEVIS record active. The Request for Temporary Leave of Absence (LOA) must be approved by the host department and submitted to ISSS prior to departing the U.S. ISSS will determine if the LOA is in accordance with the federal regulations pertaining to J-1 Research Scholar category. If so, the LOA will be granted.

Absences not required/related to the J-1 exchange visitors’ academic objective with the host department may not extend beyond a maximum of 30 days and may not be repetitive in nature. In accordance with federal regulations pertaining to the J-1 Research Scholar category, ISSS cannot maintain that an exchange visitor is in the U.S. actively engaged in the objective stated in item #4 on the DS-2019 if the researcher is not in the US. Research scholars should be aware that termination of the SEVIS record subjects scholars to the 24-month bar on repeat participation.

LIMITATIONS ON EMPLOYMENT IN THE J-1 SCHOLAR/PROFESSOR CATEGORY

The purpose of the Exchange Visitor Program is “to increase mutual understanding between the people of the U.S. and the people of other countries by means of education and cultural exchanges.” Some Exchange Visitors are employed at UMASS Boston, but the primary activity is to gain, contribute, impart and share specialized skills.

While a visitor may be employed at UMASS Boston, employment is secondary to the purpose of the exchange visitor’s admittance to the US. The J-1 visa is not an employment visa.

Therefore, options for employment outside the host institution are limited. These are classified as occasional lectures or short-term consultations, and are not to be considered employment. The term “occasional” embodies the concept of a single event rather than an ongoing activity.

To request an authorization letter for an occasional lecture or short-term consultation you must submit a completed Occasional Lecture/Consultation Request form signed by your faculty host to ISSS before accepting any employment. ISSS will review the request and, if the work is deemed to be in accordance with the J-1 regulations, an authorization letter will be issued. You may then present this authorization letter and your Form DS-2019 to the organization offering the lecture/consultation opportunity.

The criteria for an occasional lecture or short-term consultation is that it must be directly related to the objectives of your program, must be incidental to your primary program activities, and must not delay the completion date of your program at UMASS Boston.

Because you may not be classified as an employee, any wages or remuneration you receive will require you to act as [and be paid as] an independent consultant. (You should not sign an I-9 form.)
Your immediate family members (spouse and children under the age of 21) are eligible to enter and remain in the United States as J-2 dependents during the duration of your J-1 Exchange Visitor Program.

**BRINGING YOUR FAMILY**
To request a DS-2019 for a family member who wishes to apply for a J-2 dependent visa, please contact your scholar advisor and request a Dependent DS2019 Request. Submit this form along with a copy of the biographical page of each dependent’s passport and proof of financial support to cover your family’s living expenses. Beyond the total of your funding, you must show additional funds - $4,500 for a spouse and $2,000 for each additional child.

**MAINTAINING STATUS**
J-2 dependent status is completely dependent upon your J-1 Exchange Visitor status. Therefore, you cannot exit the United States and leave your J-2 dependents in the United States for long periods of time. Also, once your J-1 program is complete, or if your program is terminated, you and your dependents must exit the United States.

**EMPLOYMENT**
J-2 dependents may apply for employment authorization through U.S. Citizenship & Immigration Services (USCIS) after arriving in the United States. Applications require a fee and take approximately 90 days to be processed by USCIS. An ISSS scholar advisor can assist your J-2 dependent with the necessary paperwork. Children of J-1 scholars are eligible for employment authorization at the age of 15.

**STUDY/RESEARCH**
J-2 dependents may enroll in full-time or part-time study, engage in research, or volunteer for the duration of your J-1 program. In order to be paid for any activity, your dependent must have prior employment authorization from USCIS. ISSS can assist your dependent to obtain this and to apply for a social security number.

**CULTURAL PROGRAMS**
Your J-2 family members are welcome to participate in ISSS intercultural programs and events if space is available. Please check our website for events. The Cultural Programmer for International Student & Scholar Services is Kimberly Montoni. You can email her at kimberly.montoni@umb.edu.

**TRAVEL**

**TRAVEL WITHIN THE UNITED STATES**
For travel around the Boston area, you should carry copies of your passport identification and expiration page, your DS-2019 and your I-94 card. If you are traveling outside of the State, you should take your original documents.

**TRAVEL OUTSIDE THE UNITED STATES**
To enter the United States after a temporary trip abroad, you will need your:
Passport (valid for 6 months or longer upon entry)
Valid J-1 visa (Canadian citizens are exempt from the visa requirement)
DS-2019 signed for travel within the last 12 months

If you are traveling to a country that is not your country of citizenship, please consult that country’s consulate to determine if you require an entry visa. For a list of foreign embassies/consulates in the United States please visit: http://www.state.gov.

J-VISA RENEWAL

If your J-1 visa has expired, you must renew your expired visa at a U.S. consulate or embassy before you return to the United States. You cannot renew a visa in the United States. Processing times vary greatly among the different consulates, so please plan accordingly. To check current visa interview and processing times at a specific U.S. Consulate, consult the Department of State’s website. Please note that the wait times listed do not include any delays that may occur as a result of background or security checks.

AUTOMATIC VISA REVALIDATION (AVR)

Travel with an expired visa using Automatic Visa Revalidation (AVR) is permitted when you travel to a contiguous territories (Canada, Mexico, and certain Caribbean Islands – ISSS has a full list of these islands) for 30 days or less and do not apply for a U.S. visa during your travel. To use AVR, you MUST keep your original I-94 card when you depart the United States. Do not surrender it to the airline or immigration official, as it is required for your re-entry to the United States. You will need to present the following documents in order to re-enter the United States using AVR:

- Passport
- Expired J-1 visa stamp
- DS-2019 signed for travel within the last 12 months
- I-94 card

INSURANCE REQUIREMENTS

U.S. Department of State regulations require all J-1 Exchange Visitors to have medical, evacuation and repatriation insurance for themselves and any accompanying J-2 dependents for the entire duration of the J-1 program (as indicated on the DS-2019).

Your insurance must meet the following minimum requirements:

- Major Medical Coverage: $50,000 (deductible not to exceed $500 per incident)
- Medical Evacuation: $10,000
- Repatriation of Remains: $7,500

Fulfilling this requirement is essential, not only because medical treatment in the United States is very expensive, but also because you and your family members are considered to be in violation of J-1/J-2 status if you do not have sufficient insurance. ISSS is not able to provide J-1 program benefits such as work authorization, travel signatures and extensions to anyone who is not maintaining valid status. Proof of adequate insurance is required for all of these requests.
J-1 Exchange Visitors are eligible to purchase the University of Massachusetts (UMASS) Scholar Insurance Plan from the Aetna Insurance Company. Information on this plan is issued to you with your DS2019 information and this plan meets Department of State requirements.

**UNIVERSITY IDENTIFICATION CARD**

A University identification card allows you to use many facilities on campus. You should apply for an ID card soon after arriving at the University. Your host department will assist you to fill out the Contingent Worker forms, which will enable you to get an ID and have access to campus resources such as library access and an email account. If your faculty host is not aware of what forms need to be filled out, please refer him/her to a scholar advisor. J-2 dependents are not eligible for ID cards.

**SOCIAL SECURITY NUMBER (SSN)**

If you are employed by the University, you must obtain a Social Security Number (SSN) from the Social Security Administration (SSA) office in order to receive payment. If you are not employed by the University, you are still eligible to apply for a SSN if you are in one of these visa categories: J-1 Short-term Scholar; J-1 Research Scholar; J-1 Professor; or J-2 Dependent with valid Employment Authorization Document (EAD). ISSS can assist you with the required paperwork to get your SSN.

*NOTE: you must wait 10 days after you are validated in SEVIS. This time will allow your data in SEVIS to transfer to the Social Security Administration (SSA) database. Please note that the SSA will not issue a SSN until your SEVIS record has been validated. Bring all of your immigration documents, including the ISSS status confirmation letter and your invitation/appointment letter to the nearest Social Security Administration Office found here: www.ssa.gov*

The SSA will issue a receipt for your application. You should receive your new Social Security card in the mail within 14 business days. Be sure to include a reliable mailing address on your SSN application. Once an SSN has been issued to you, the same number will be valid indefinitely.

**TAXES**

Tax preparation software is available via the ISSS office during tax filing season starting in January. To request an access code you must be a non-resident for tax purposes, which means that the total time you have been in the US, in any visa category, cannot total more than five years. If you have been in the US, total time counting any visa category, for more than 5 years, you are a resident for tax purposes and must file as a US citizen would do.

**WHEN TO FILE**

Tax preparation software is available at ISSS during tax filing season from January on (access codes are first come first serve). The deadline for filing taxes for the previous fiscal year is April 15.

It is your responsibility to complete and mail your tax return by the April 15th deadline, even if you are no longer in the United States. This is particularly important if you intend to seek immigrant status US (green card status) in the future. You will be asked to show that you have complied with US IRS regulations. It could be a good idea to keep open an account with an international bank after departure...
in order to have any returns deposited. After withdrawing any refund you may get, you can close the account.

If you are paid by UMASS Boston, Human Resources will issue your payment and tax summary to you (Form W-2 and/or Form 1042-S) for tax filing purposes. W-2 forms are available for download from the Human Resources website at the end of January; if you leave the United States before February 1, be sure to update your address with Payroll Services. If you have done any occasional lectures/consultations you will receive a Form 1099-MISC (miscellaneous Income).