Orientation for J-1 Scholars

Nick Seamons, Director
Dan Ashton, Associate Director, Scholar & Employee Services
Reshecoa Flanders, International Scholar and Employee Adviser
Alexandra Kirshenbaum, International Scholar and Employee Adviser
OIA Services:

- Immigration advising & processing for J-1 Scholars, J-2 Dependents, F-1 & J-1 Students, Non-Degree Visiting Students, H-1B Employees, H-4 Dependents, TN Employees & TD dependents
  - Two Teams: Employee & Scholar Services Team; Student Services Team
  - OIA Staff Directory: [https://internationalaffairs.uchicago.edu/directories/full/office-of-international-affairs-staff-directory](https://internationalaffairs.uchicago.edu/directories/full/office-of-international-affairs-staff-directory)

- Employee Services Team
  - **Dan Ashton**: Biological Sciences Division, Pritzker School of Molecular Engineering, Provost & President’s Office
  - **Reshecoa Flanders**: Physical Sciences Division and Humanities Division
  - **Alexandra Kirshenbaum**: Social Sciences Division, IT Services, and Professional Schools

- Orientations and programming for UChicago’s international and foreign national populations
- Limited advice on SSNs, State of Illinois driver’s licenses, housing, taxes, lawful permanent residency, and other daily matters that affect the non-immigrant experience in the U.S.
- Notary public service available
Overview of J-1 Status:

• **History:**
  • The J Exchange Visitor Visa category was developed to implement the Mutual Educational and Cultural Exchange Act (Fulbright-Hayes Act) of 1961

• **Purpose/Objective:**
  • To increase mutual understanding between the people of the United States and the people of other countries by means of educational and cultural exchanges

• **Sub-categories of J-1 Scholar:**
  • Research Scholar/Professor
  • Short-Term Scholar
  • Specialist
Overview of J-1 Status:

- U.S. regulations for each J-1 category is different
  - **Professor**: A foreign national whose primary purpose is teaching, lecturing, observing, or consulting at post-secondary accredited academic institutions, museums, libraries, or similar types of institutions. A professor also may conduct research where authorized by the sponsor.
    - 5 year maximum duration
  - **Research Scholar**: A foreign national whose primary purpose is conducting research, observing, or consulting in connection with a research project at research institutions, corporate research facilities, museums, libraries, post-secondary accredited academic institutions, or similar types of institutions. A research scholar also may teach or lecture where authorized by the sponsor.
    - 5 year maximum duration
  - **Short Term Scholar**: A foreign national who is a professor, research scholar, or person with similar education or accomplishments who enters the United States for a short-term visit for the purpose of lecturing, observing, consulting, training, or demonstrating special skills at research institutions, museums, libraries, post-secondary accredited academic institutions, or similar types of institutions.
    - 6 month maximum duration
  - **Specialist**: A foreign national who is an expert in a field of specialized knowledge or skills who enters the United States for the purpose of observing, consulting, or demonstrating special knowledge or skills.
    - 1 year maximum duration
Maintaining Status:

• Failure to maintain your status could jeopardize your J-1 eligibility
  • May require that you stop your activities at UChicago and leave the U.S.
• In order to maintain your status, you must:
  ▪ Continue your affiliation/appointment/job with UChicago
  ▪ Have the appropriate insurance coverage for self and J-2 dependents (if any)
  ▪ Not conduct any unauthorized work or activity during your stay; inform OIA of any upcoming changes to program
  ▪ Maintain all of your documents – your Form DS-2019, passport and I-94 record must remain valid at all times
Health Insurance Requirement:

• J-1 Scholars and their J-2 dependents must maintain the required health insurance throughout their entire J visa program
• Must carry health insurance that meets U.S. Department of State requirements to maintain status.
  • Detailed health insurance requirements are outlined on our website:
    • https://internationalaffairs.uchicago.edu/page/health-insurance-requirements-j-1-exchange-visitors
• You must enroll in health insurance within 30 days of your arrival to the U.S. in order to maintain status
• OIA can answer general health insurance questions, but we are NOT experts in this field
Health Insurance Requirement Cont’d:

• Certain positions/appointments at UChicago are provided health insurance coverage by their department under the Postdoctoral Researcher Benefits Plan (PRBP) offered through Garnett Powers & Associates (GPA), or by the staff/employee plan. These plans meet the J-1 insurance requirements.
• If you do not qualify under this category, you have the option to purchase other insurance coverage meets the Department of State requirements (*companies are listed on our website*)
• If you have outside coverage, please have the GPA insurance representative (Candace Nicholson) confirm that that insurance meets government requirements
  • GPA contact: candacenicholson@garnett-powers.com
Short Term Consultations & Occasional Lectures:

• It may be acceptable to receive an honorarium or reimbursement for an occasional lecture or consultation if it is:
  • Incidental & does not change the primary focus of your visit
  • **Directly** related to your activities at UChicago
  • Does not delay the completion date of your J-1 program
  • Approved by your faculty sponsor/principle investigator
  • Not permitted to work for any other employer/entity

• Contact OIA **before** such activity occurs
• OIA will update your record in SEVIS and issue the letter needed to accept payment/reimbursement

• **Always inform OIA about any changes to your job at UChicago**
J-1 Status Document: Form DS-2019 Certificate of Eligibility:

• Form DS-2019 allows Exchange Visitor to visit U.S. consulate or embassy abroad and apply for J-1/J-2 entry visa stamp/sticker/foil
• Represents proof of legal status to teach or conduct research in the U.S. at an affiliated sponsor/university
• Important Information on DS-2019:
  ▪ SEVIS ID Number
  ▪ Program start and end date/status validity dates
  ▪ Exchange Visitor Category
  ▪ Subject/Field Code
  ▪ 212(e) designation by Consular Officer (more on this later)
Electronic I-94 Record:

- Confirms the details of your admission to the U.S.
- Retrievable online: [https://i94.cbp.dhs.gov/I94/](https://i94.cbp.dhs.gov/I94/)
- The “Admit Until Date” for J-1 is marked as D/S for Duration of Status. This means you are eligible to remain in the U.S. until your status (reflected on your DS-2019 form) expires or your appointment/affiliation ends
- Your “Class of Admission” should read: J-1
- If your record does not list J-1, D/S, contact your OIA adviser
Most Recent I-94

Admission (I-94) Record Number: 222222222
Most Recent Date of Entry: 2015 February 28
Class of Admission: J1
Admit Until Date: D/S
Details provided on the I-94 Information Form:

Last/Surname: OA
First (Given) Name: L-House
Birth Date: 1873 Jan 1
Passport Number: CY3337Y
Country of Issuance: Germany
Always check your admission (entry/reentry) stamp in your passport before stepping away from the CBP Officer’s station to ensure your admission was recorded correctly.

- Class: “J-1” ("J-2" for dependents)
- “D/S” means you are eligible to remain in the U.S. as long as your status is valid
J-1 Visa Sticker/Stamp/Foil:

Visa expiration date ≠ Status expiration date
Visa vs. Status: An Important Distinction

- Your entry visa stamp/sticker/foil may expire, while your J-1/J-2 status (represented by your DS-2019 form) may not.
- It is perfectly acceptable to have an expired visa while you are inside the U.S.
  - However, a valid J-1/J-2 visa sticker is needed for entry or reentry into the U.S. in J-1/J-2 status.
- Visas can only be obtained outside of the U.S. by applying at a U.S. consulate or embassy.
- It is recommend you apply in your home country; 3rd country applications are discouraged but technically allowed.
In response to applications for visas, consulates may refer you to "administrative processing" (background check or 221(g)), based on your field of study or research, country of citizenship, location of the visa application, etc.

Most visas are issued in 3-10 business days

Administrative Processing can add another 4 to 8 weeks to process, although it can be shorter or longer as every case is different

- Requests by universities to speed up the issuance due to inconvenience or hardship do not have an effect on the process
- You should notify your adviser if you are subjected to a background check; if the consulate requests a particular document from UChicago, we can help provide it

If you are subject to a background check based on research in a field of science or technology that is tagged for closer scrutiny based on the Technology Alert List, you may want to bring a letter from your host department or PI detailing your research (there is a sample letter on our website)
Documents for Travel:

- A valid J-1/J-2 visa sticker in passport
- A valid passport
- A Form DS-2019 with a valid Travel Signature
  - Travel Signatures are available at OIA’s front desk; no appointment necessary
  - Letter from your department confirming your UChicago affiliation/job/appointment
Automatic Visa Revalidation:

• If you take a brief (less than 30 days) trip to Canada, Mexico or the adjacent Caribbean Islands (not Cuba), you may be eligible to re-enter the U.S. with an expired J-1/J-2 visa
• Only for visits to these geographical areas
• This benefit is not extended to exchange visitors from Syria, Sudan, Iran, Cuba, or North Korea
Current Travel Considerations:

- Is international travel recommended?
  - Not currently, unless absolutely necessary (medical, family, wedding, etc.)
  - Reentry may be delayed if you don’t have a valid entry visa
- Covid-19
  - Travel restrictions worldwide
  - Quarantine requirements vary by country
  - Consulate closures since late-March; no new visas being issued
- Travel Bans, Executive Orders, Presidential Proclamations
  - See OIA’s website for latest
Secondary Inspection:

• If you are referred to Secondary Inspection upon initial entry or reentry at the airport or land/sea border crossing, prepare for a potentially lengthy wait time. It is essential to remain polite and cooperate with the process for admission.

• We recommend having OIA’s contact information available, including your adviser’s business card.
  • Regular office hours: 773.702.7752
  • After hours for emergency calls only (UC PD): 773.702.8181

• If you are presented with a document and asked to sign, please read it carefully.
Complete OIA’s Travel Re-Entry Form:

Travel Re-Entry Form

This form and a copy of your recent admission stamp should be submitted to OIA whenever you or your dependents return from traveling outside of the U.S. Your adviser will verify the status in which you were admitted to the U.S. and your status end date. We will contact you if there are any issues with the documents. If you received a new visa stamp while you were abroad, please include a copy of it.

**First Name:**

**Middle Name:**

**Last (Family) Name:**

**Gender:**

**Date of Birth:**
Extension of Status:

• It is possible to extend your program within the maximum duration if the extension is **initiated by your Department prior to the expiration of your DS-2019 form**
• To be eligible for an extension:
  ▪ You must be in valid J-1 status
  ▪ You must have time remaining in J-1 status
  ▪ Your appointment with the University must also be extended
  ▪ You must have appropriate and sufficient financial support and health insurance to support your J-1/J-2 extension
Extension of Status cont’d:

• OIA will extend your J-1/J-2 status and process new, extended/updated Form DS-2019s for you once an authorized request is received by your host department
  • You do not need leave the U.S. for an extension of status
  • You do not need to pay the SEVIS fee again
  • Your dependents’ status will be extended along with yours
  • 2-3 business day turnaround
  • New travel signature will be provided
Transferring Status:

• It is possible to transfer to another department or institution as long as:
  ▪ your field of research/teaching remains the same
  ▪ you have time remaining in J-1 status
  ▪ there will not be a gap between your appointment with UChicago and the institution to which you are transferring
• It is important to contact OIA well in advance of a transfer so we can coordinate transfer of your SEVIS record with new institution
• You must be in the U.S. at the time of your transfer, plan travel accordingly
Out of Country and Working Remotely:

• If you travel outside the U.S. and remain abroad for 30+ days, please notify OIA so an Out of Country designation can be placed on your J-1 record in SEVIS
  • Provide OIA with your address abroad and when you plan to return
  • J-1 status will remain Active in SEVIS

• Working Remotely
  • OK to temporarily work from home/remotely due to Covid-19
  • Email your OIA adviser so we have your current residential address updated in SEVIS
End of Status:

• Please notify OIA in advance of your J-1 program ending
  ▪ OIA is required to shorten your J-1 program (if it ends more than 15 days early)
  ▪ OIA is required to report why to SEVP
    ▪ I.e. program objectives completed early, death or illness, sick family member, culture shock, financial reasons, etc.
  ▪ Send OIA a copy of your resignation or termination letter
• OIA can help advise you on future visa options available
J-2 Dependents:

- Spouses and children under the age of 21 are eligible for J-2 dependent status.
- DS-2019 forms for J-2 dependents can be issued with scholar’s initial DS-2019 or can be added to record at a later time by completing OIA’s “Request to Add Dependent.”
- J-2s must maintain status, including proper health insurance coverage.
- J-2 dependents may study and are eligible to apply for EAD (Employment Authorization Document). Once EAD is obtained, J-2s may work and receive payment.
Two Year/24 Month Repeat Participation Bar:

- Individuals in the J-1 and J-2 Research Scholars and Professor categories are subject to a two year bar from participating in another J-1 Research Scholar or Professor program.

- You may not participate in another J-1 Research Scholar or Professor program until two years have passed since the end date of your last J-1 or J-2 Research Scholar or Professor program.
Two Year/24 Month Repeat Participation Bar:

- Rule does not apply to the Short-Term Scholar category

- Individuals in the Specialist category must wait 1 year before they are eligible to participate in a Research Scholar or Professor program

- Exception for Exchange Visitors who were physically present in the U.S. for less than 6 month

- **Does not** impact ability to apply for H-1B, L, K, F, J-1 Short Term, or Legal Permanent Residency
Two Year Home Residency Requirement—212(e):

- Anyone in J-1 status can be subject to the 212(e)/2-year home residency requirement; visa/consular officer makes determination on visa stamp/sticker and Form DS-2019 before entry into U.S.
- Most common reasons:
  - Last Country of Legal Permanent Residency is on the U.S. Department of State **skills list** *(your country wants you to return)*
  - Government funding – U.S. government funding (such as Fulbright) or funding from your home country
- 212(e) should be indicated on visa and on DS-2019 form
- If subject:
  - Cannot change status to H, K, L, Permanent resident UNTIL this requirement is fulfilled or a waiver is obtained
  - Cannot apply for change of status within the U.S.
Are You Subject to 212(e)?
Two Year Home Residency Requirement: 212(e)

- To fulfill the 212(e) requirement:
  - Spend 2 years (24 months) in country of legal permanent residency (as indicated on DS-2019 form)
    - Doesn’t need to be consecutive; can add up over time
    - Clock starts once J-1 program ends, departure from U.S.
  - Apply for a waiver (OIA can only provide general information)
    - Grounds for waiver
      - No Objection statement from your home country
        - Not an option if received U.S. Gov’t funding
        - Most common form of waiver; some not eligible
      - Exceptional Hardship, Persecution, Interested Gov’t Agency, Underserved Area: extremely difficult, usually requires assistance of an attorney
Two Year Home Residency Requirement: 212(e)

- Timing a waiver is important:
  - Once a waiver is granted, J-1 program should **not** be extended; J-1 program should **not** be transferred to new J-1 sponsor
  - Extend J-1 program to max time possible/allowed *before* applying for a waiver of 212(e)
  - Avoid international travel while waiver is pending
    - May consider travel as abandonment of application
    - May become subject again if apply for a new visa sticker
- More information on the waiver process can be found on the U.S. Department of State’s website; email your OIA adviser
### Two Year Home Residency Requirement & 24 Month Research Scholar/Professor Repeat Repeat Bar:

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<th>2-year repeat bar</th>
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<tr>
<td>Specialist:</td>
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<td>No</td>
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Remember Dual Purpose of J-1 Program:

- **J-1 Program Activity**
  - Conducting research, teaching, observing or demonstrating special skills at UChicago
  - Giving lectures, listening to speeches, going to conferences

- **J-1 Program Cultural Exchange**
  - Explore all Chicago has to offer
    - Millennium Park, museums, lakefront, restaurants, zoos, sports stadiums, concerts, etc.
  - Visit tourist attractions in the U.S.
    - New York City, Grand Canyon, Hollywood, Niagara Falls, Miami Beach, Yosemite, Rocky Mountains, etc.
  - Make new friends, improve your English, learn about U.S. traditions, culture and holidays, and teach others about yours
Recommended UChicago Events:

**English Language Institute**
Through academic, professional, and intercultural programming, the English Language Institute supports individuals for whom English is an additional language at the University of Chicago:
https://esl.uchicago.edu/

**UChicago International House Events**
Various events throughout the year including Global Voices Performing Arts & Lecture Series, Diplomatic Encounters Series, and happy hour every Tuesday (summer only) at 6 p.m. in the court yard:
https://ihouse.uchicago.edu/events/upcoming_programs/

**UChicago Arts**
The arts are central to the mission of the University of Chicago. With a strong tradition of cross-disciplinary practices, intricately mixed with intellectual curiosity and creative energy, the University fosters a bustling arts community on Chicago’s South Side:
https://ihouse.uchicago.edu/events/uchicago_arts_guide/

**UChicago Institute of Politics**
A non-partisan extracurricular program with lectures and speakers with political leaders of the world:
https://politics.uchicago.edu/events
Thanks for Attending!

Any Questions???