

# **MANHATTAN COLLEGE J-1 PROGRAM HANDBOOK**



**A GUIDE TO IMMIGRATION MATTERS FOR J-1  
PROFESSORS AND SCHOLARS**

This handbook contains information about the rules and regulations which apply to visitors to the United States who are part of a J-1 exchange visitor program. Please read it carefully before you come to the U.S., and refer to it throughout your visit.

Soon after your arrival you will register with the office of the International Student Advisor (ISA). This office oversees your J-1 program, and is here to provide you with information, advice and assistance with many matters relating to immigration such as extensions, changes of status and travel. We assist your J-2 dependents with travel and work permission needs and distribute insurance information for all visitors in J-1/J-2 status.

We hope that your stay will be both personally and professionally rewarding.

Debbi Damico  
International Student Advisor

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## **IMPORTANT DOCUMENTS, ABBREVIATIONS, ETC.**

**USCIS** (United States Citizenship and Immigration Services)

**ISA** (International Student Advisor)

**Passport:** Your passport must be valid throughout your time in the United States unless you are a Canadian. You cannot apply for an extension of your stay, a transfer or a change to another visa status if your passport is not valid. It is your responsibility to have it renewed by your embassy or consulate if it is due to expire while you are in the U.S. In some cases an extension takes several months, and occasionally a new passport must be issued. Your passport must be valid in most cases for at least six months longer than your DS-2019 form (see below) when you enter the U.S.

**Entry Visa:** J-1 exchange visitors, except those from Canada, are required to have a valid entry visa to enter the U.S. The visa is obtained at a U.S. embassy/consulate by presenting Form DS-2019. The visa will show an expiration date and the number of entries it can be used for during that time. An “M” in the “Entries” section of the visa stands for “Multiple”. It is not important if your visa expires while you are in the U.S. It is only important to have a valid visa if you want to reenter the U.S. after a trip abroad. Then you will normally need to apply for a new visa. A J-1 entry visa can only be obtained at a U.S. embassy or consulate abroad.

**I-94** (Arrival – Departure Record): This formerly was a small, white card that was stapled into the passport upon arrival at the Customs and Border Patrol Area. As of March 2013, the I-94 is an electronic form that can be retrieved online at [www.cbp.gov/I94](http://www.cbp.gov/I94).

**SEVIS** (Student and Exchange Visitor Information System): This is the national tracking system for individuals in J-1 and F-1 immigration status. Your DS-2019 is generated through the SEVIS system and we are required to keep SEVIS informed of such data as your current U.S. address, changes in financial and biographical information and your departure from our J-1 program.

**DS-2019:** This document designates you as a J-1 exchange visitor and identifies your sponsor, your program number, your activities and the dates of your program among other things. This document is required to obtain a J-1 entry visa. You must have it with you any time you leave and reenter the U.S. When you first enter the U.S. with your DS-2019, a border officer will stamp the bottom left-hand corner of the form, indicating the date of entry. Please keep all copies of your DS-2019s during and after your stay for your records.

**Social Security Number:** Social Security is the U.S. government’s social insurance plan. It is intended to benefit retired people and certain people who are injured, disabled or left without adequate financial support. It is financed by withholdings from employees’ pay and employers’ contributions. Virtually all Americans have a Social Security number

which designates their account with the Social Security Administration. Most J-1 exchange visitors will need to obtain a Social Security number as soon as possible after their arrival at Manhattan College. You cannot obtain a New York drivers license without a Social Security number.

This number will be yours for life. Please stop by the International Student Advisor's office for a letter and further information on how to obtain your Social Security number.

## **YOUR ACTIVITIES AS A J-1 EXCHANGE VISITOR**

There are thirteen categories of visitor within the Exchange Visitor Program ranging from professor to camp counselor. The category is noted in section 4 of the DS-2019 form. Manhattan College has been designated to have visitors in four of these categories: student, professor, research scholar and short-term scholar. Schools are required to have a total of at least five (5) exchange visitors each year.

What follows is a brief overview of the exchange visitor categories and some of the special characteristics of the program.

**Student** – an individual who is studying in the United States pursuing a full course of study at a secondary accredited educational institution, pursuing a full course of study in a post-secondary accredited educational institution, engaged full-time in a prescribed course of study of up to 24 months duration, engaged in academic training, or engaged in English language training. [3 week minimum up to time needed to complete course of study.]

**Professor** - An individual primarily teaching, lecturing, observing or consulting. A professor may also conduct research unless disallowed by the sponsor. [Five year maximum, 3 week minimum (non-tenure track positions).]

**Research scholar** – An individual primarily conducting research, observing or consulting in connection with a research project. A research scholar may also teach or lecture unless disallowed by the sponsor. [Five year maximum, 3 week minimum.]

**Short term scholar** - A professor, research scholar or person with similar education or accomplishments coming to the U.S. on a short term visit for the purpose of lecturing, observing, consulting, training or demonstrating special skills. [Six month maximum, no minimum stay, no extension.]

## **Objectives**

The U.S. State Department expects you to stay with your original objective for coming to the United States. As an exchange visitor, therefore, you are normally not allowed to

change your category, and you are expected to carry out the activity described in Section 4 of your DS-2019.

It is sometimes possible to change to a different sponsoring department if the type of work you are doing stays basically the same. The ISA office would have to approve such a change. Please consult the ISA office if you are considering any change in your original program activity.

You are expected to conduct your work at Manhattan College unless special arrangements have been made. It is possible to transfer to another J-1 sponsor as long as your category and field of activity remain the same, if you are still within your time limit, and if your sponsoring department does not object.

### **Coursework**

A J-1 research scholar or professor cannot be a full-time student. You are free to take one or two classes – even for credit, but research must be your primary activity. If you should decide to become a full-time student, it would be necessary to change to a student visa status. Also, you may not accept a graduate assistantship unless you are on a student visa.

### **Special Characteristics of J-1 immigration status**

There are special regulations that can limit or prevent a person from using the J-1 research scholar or professor category at Manhattan College. The most common problems relate to the five-year time limit, the two-year bar, and the two-year home residency requirement. These are defined below.

- **Five-year time limit** - Those in the J-1 research scholar or professor category may remain in the U.S. for up to five years. The time limitations include prior periods spent at another institution.
- **Two-year bar** - Those who complete a J-1 research scholar/professor program, regardless of the duration of their program, are barred for two years from beginning a new J-1 research scholar/professor program. This bar does not apply to those who are in the J-1 short term scholar category (limited to a maximum stay of six months).
- **Twelve-Month Bar** - An individual may not enter in the J-1 category of professor or research scholar if he or she has been physically present in the United States in J-1 status for all or part of the twelve month period immediately preceding the date of program commencement as stated on his or her Form DS-2019, unless
  1. The participant is transferring to the sponsor's program and has not exceeded the maximum allowed time of five years
  2. The participant's presence in the United States was of less than six months duration; or

3. The participant's presence in the United States was pursuant to a short-term scholar exchange activity. A change of J-1 "category" to research scholar/professor is not allowed by the Exchange Visitor Program.

## **EMPLOYMENT**

Employment opportunities for J-1 exchange visitors are very restricted. Unless special arrangement have been made, you may only be employed

By Manhattan College  
By your sponsoring department and  
In the specialized field described on the DS-2019

### **On campus restrictions**

If you are a research scientist in the Chemistry Department, for example, you may not take a job in the College bookstore or cafeteria to supplement your income. You may not change departments or accept additional employment in another department, even if it is in your field, without permission from the ISA office.

A student assistantship is not appropriate employment for a J-1 research scholar, professor or short-term scholar.

### **Off campus opportunities**

It is possible to receive payment or reimbursement of expenses for short-term activities such as lecturing, consulting or conducting a seminar in your field at another institution with the approval of the ISA office. You are required to obtain authorization before the activity occurs.

## **CROSS-CULTURAL EXPERIENCE**

In addition to being professionally rewarding, it is hoped that your participation in the J-1 program will provide you with an enriching cross-cultural experience. You are encouraged to get to know Americans and to immerse yourself in the culture. The ISA office will provide you with materials about a number of cultural activities in and around New York City. By getting out and being part of the local community you will learn a great deal about American life. You are also encouraged to participate in activities which allow you to share the language, culture or history of your home country with Americans, as long as such activities do not delay the completion of your J-1 program.

In addition, the ISA publishes a weekly calendar of free activities in New York City which is posted on the Manhattan College website.

## **TWO-YEAR HOME RESIDENCE REQUIREMENT**

### **What is the requirement?**

Some J-1 exchange visitors and their dependents are required to return either to their country of nationality or country of legal permanent residence and to live there for a period of two years at the end of their J-1 program. The purpose of this requirement is to provide the home country with the benefit of the exchange visitor's experience in the United States.

### **Who is subject to the requirement?**

You are subject if:

- Your J-1 participation is funded in whole or in part, directly or indirectly/for the purpose of exchange, by your home government or the United States government. (Payment from Manhattan College is not government funding)
- Your field of work appears on the "Exchange Visitors Skills List" for your country. This means that your field is considered to be in short supply in your home country\*. The U.S. Embassy/Consulate where you apply for your visa should be able to tell you if the Skills List applies to you;

\*Some countries, such as countries of Western Europe, do not appear on the list at all. Other countries, such as China and India, are on the list, and nearly all possible fields of work are considered to be in short supply for those countries.

- You participated as a J-1 in a graduate-medical education or training program, i.e., a residency, internship, or fellowships, sponsored by the Educational Commission for Foreign Medical Graduates; or
- You are the J-2 dependent of an exchange visitor who is subject to the requirement.



If you have ever been subject to the requirement in the past, and have neither obtained a waiver nor fulfilled it by spending two years in your country, it still applies to you-even if a great deal of time has passed and a more current form DS-2019 indicates that you are not subject to this requirement. Changing your citizenship to that of another country also does not eliminate your two-year requirement.

NOTE: The visa stamp on your passport, your Form DS-2019, or both may indicate that you are not subject to this requirement. These indications are usually accurate but are not legally binding. U.S. consular officers and immigration inspectors sometimes make mistakes. After you arrive in the U.S., if you are not sure if you are subject, the ISA office can help you make a determination. It is sometimes necessary to write to the State Department for an opinion.

### **Your restrictions if you are subject**

If you are subject to this requirement you may not:

- Change your status inside the U.S. from J to any other nonimmigrant classification except A or G
- Change from J-1 to J-2 status or from J-2 to J-1
- Change to permanent resident (green card) status
- Enter from abroad with H, L or immigrant status

If you are subject to this requirement you may leave the U.S. and enter in a new nonimmigrant status such as F-1, B-1, J-1 student or O-1

## **HEALTH INSURANCE**

Health Insurance coverage is required for all J-1 program participants and their dependents. You must have insurance or your sponsor will be required to terminate your J-1 program participation. The U.S. State Department has established minimum requirements for the coverage in order to protect you and any family members who are here with you in case of sickness or accident. These requirements are listed below. NOTE: You are required to have this insurance even if your visit to the U.S. is very brief.

Medical care in the United States is provided by private physicians, clinics and hospitals and is very expensive. The patient must have insurance or pay the medical costs at the time of treatment. In many countries the government takes care of the expense of health care for its citizens. In the United States, American citizens as well as visitors are responsible for these costs themselves. It is risky to be in the United States without adequate health insurance. Since a single day of hospitalization and medical treatment can cost thousands of dollars, many hospitals and doctors refuse to treat uninsured patients except in life-threatening emergencies. Most Americans rely on insurance, and you should do the same. Insurance gives you access to better and more timely health care and provides the only protection against the enormous costs of health care in this country.

By government regulation, minimum coverage for J-1 Exchange Visitors must provide: up to \$50,000 for accident or illness; up to \$7,500 repatriation and remains; up to \$10,000 for medical evacuation to the home country, and a deductible not to exceed \$500 per accident or illness. Co-insurance may not exceed 25 percent payable by the exchange visitor or sponsor. Acceptable coverage may not exclude risk inherent in the activities in your exchange visitor program. The company providing the insurance must have an A.M. Best rating “A-“ or above, an Insurance Solvency International, Ltd. (ISI) rating of “A-I” or above, a Standard and Poor’s Claims paying ability rating of “A-“ or above, or a Weiss Research, Inc., rating of “B+” or above.

Many exchange visitors have health insurance coverage through their home countries or through their sponsoring agency. Proof of the required insurance coverage must be provided to the ISA prior to the issuance of the DS-2019.

Professors who are employed by Manhattan College may qualify for the health insurance offered by the college. However, the college’s health insurance plan doesn’t include provisions for medical evacuation and repatriation, which are required by the Department of State. A supplemental plan providing this additional coverage must be purchased through the International Student Advisor’s office upon arrival. Other exchange visitors may want to bring insurance from home or purchase insurance from an independent carrier. In the United States, certain kinds of elective medical care, such as eyeglasses or dentistry, are ordinarily not covered by insurance and they are very expensive. To the extent possible exchange visitors should take care of those needs before leaving home.

## **TRAVEL**

If you travel abroad, you will need the following items to re-enter:

- a valid passport,
- a valid entry visa
- a validated DS-2019 with travel signature

\*Canadian citizens do not need a visa.

\*Also see “Automatic Revalidation” on following page.

### Visa

To make sure your visa is valid, check both the expiration date and the number of entries.

If you are traveling abroad and your visa entry stamp has expired or needs to be changed to match your current immigration status, it must be renewed at a U.S. embassy or consulate except in some cases when traveling to Canada or Mexico (see next page). The new visa is obtained by presenting your DS-2019 to the embassy. You must also be prepared to show the consular officer that you have ties to your home country that will cause you to return there at the end of your J program. Security clearances sometimes cause delays.

### Validation signature

Before you first travel outside the U.S., you should have the current copy of the DS-2019 signed and dated in the section “Travel Validation by Responsible Officer” in the bottom right corner of the form by the International Student Advisor to certify that you are in good standing at Manhattan College. That signature will cover you for travel for one year or the duration of your DS-2019, whichever is shorter (six months if your category is Short-Term Scholar). When you come for your signature, please bring your passport.

### Length of absence

If you are going to leave the U.S. for more than 30 days at the middle of your J-1 program, please discuss your plans with the International Student Advisor.

### **Travel to Canada or Mexico**

You cannot enter Canada or Mexico without a valid I-94 (Arrival-Departure Record) and DS-2019. People from certain countries are also required to have a visa to enter these countries. The ISA office can tell you if you need a Canadian visa. Most people are required to have a Mexican tourist card for travel to Mexico. If you need a Mexican visa, you should plan your trip well in advance, since it can take as long as 60 days to get this visa.

### Automatic Revalidation

If you make a trip to Canada, Mexico, or adjacent islands for less than 30 days and your entry visa has expired, you can normally return to the U.S. without applying for a new visa because of automatic revalidation (see exceptions below). This is true even if you have changed your status in the U.S. and your current status does not match that of the expired visa. Individuals in J-1 status are also eligible for automatic revalidation when traveling to adjacent islands of the United States, such as Jamaica.

*To qualify for automatic revalidation you must:*

- Have a copy of I-94 in hand – do not surrender it when you leave the U.S.;
- Have a signed DS-2019;
- Have expired entry visa with you, even if it is in an old passport;
- Return to the U.S. from contiguous territory or adjacent island within 30 days;
- Have maintained and intend to resume nonimmigrant status.

### *Exceptions*

- Automatic revalidation can no longer be used by individuals who are applying for a visa in Canada or Mexico; You cannot re-enter the U.S. while waiting for your visa, and if the visa is denied, you will not be able to return;
- Nationals of Iran, Iraq, Syria, Libya, Sudan, North Korea, and Cuba are not eligible for automatic revalidation;
- Automatic revalidation does not apply if you intend to return to the U.S. in a different status. In this case a new visa must be obtained;

Contact the International Student Advisor if you plan to travel using automatic revalidation.

## **EXTENSIONS**

Your permission to stay in the United States in J-1 status ends 30 days after the expiration date of your DS-2019 or 30 days after the end of your affiliation with Manhattan College, whichever comes first. Work permission ends the day the DS-2019 expires, but you can stay in the U.S. 30 days longer. If you are employed by the college and wish to extend your status, this request should be made by your host department well before your grace period begins, or you will go off payroll.

**To extend your J-1 status**, you must first obtain permission from your host department. That office will send a request for continuation of your program to the ISA office. You are eligible to apply for an extension if:

- You are still working toward the objective shown on your DS-2019
- You have adequate funding for the period of the proposed extension
- You have maintained the required insurance
- Your extension will not carry you beyond your time limit

**You are responsible for keeping track of your DS-2019 expiration date.** Extensions should be requested one to two months in advance. The ISA office must have proof of your continued funding if Manhattan College is not funding you. We must also have evidence of your valid insurance coverage. When we have received the request for continuation and the required financial and insurance information, we will prepare your extension form DS-2019.

The extension process is very simple. When the DS-2019 is ready we will notify our contact person in your host department.

NOTE: If your spouse has J-2 work permission, it can only be extended after your J-1 extension is processed. Since the work permission extension can take as long as three months, your extension should be requested as early as possible.

## **OTHER IMMIGRATION PROCEDURES**

### **Change of status**

As described previously, being subject to the two-year home residence requirement greatly limits your possibilities for changing to another status. If you are not subject to

this requirement, of if you were subject but obtained a waiver of this requirement, you may apply for a change to any other status for which you are qualified. Procedures for a change of status vary depending on the type of status you wish to obtain. A change of status must be applied for before your J-1 status expires.

If you leave the U.S. and return in another status, this is not considered a change of status.

## **Transfers**

An exchange visitor in any category may transfer from one program sponsor to another if the purpose of the transfer is to complete the objective for which he or she was admitted to the U.S., and if the exchange visitor remains within the same category and within the time limit of that category. The transfer is accomplished through correspondence between the two responsible officers and notification to SEVIS.

The responsible officer of the current J program will submit the transfer information to the SEVIS system. After the transfer effective date, the new sponsor will be able to print a DS-2019 showing the transfer. We will only authorize a transfer to another J program for you if the transfer clearly is for the purpose of completing the original objective, if it is consistent with the goals of the exchange visitor program, and if your sponsoring Manhattan College department agrees. Transferring does not extend the time limit for your category.

## **Changes of category**

It is virtually impossible to obtain approval to change your J-1 category in the U.S., because it usually represents a change of objective. In most cases it would be most expedient to apply for a change to another relevant visa status if circumstances allow.

## **Beginning a new program**

### Twelve-Month Rule for most J-1 categories

If you have been a J-1 exchange visitor for more than six months you cannot return to the U.S. as a Professor or Research Scholar until twelve months have passed from the end of your previous J program. The time is calculated according to your entry and departure dates. It is not necessary for you to spend the twelve months in your home country or even outside the U.S. You simply must spend twelve months out of J status. This regulation applies to a J-2 dependent as well.

### Two-year Bar

Individuals in the J-1 Research Scholar or Professor category have a **two-year** bar on repeat participation in those categories. This bar applies to anyone in one of these

categories as of November 18, 2006. The bar becomes effective when your program as a Research Scholar or Professor becomes inactive. You are free to return as a Short-Term Scholar at any time, however.

### **DEPENDENTS (J-2s)**

Your husband or wife (spouse) and children under the age of 21 can obtain J-2 dependent visa status to accompany you or join you later as long as you have enough income to cover their expenses. Manhattan College requires the following amounts for dependents: Effective 8/1/10 - \$900 per month for the first dependent and \$600 per month for each additional dependent.

The J-2's status is completely dependent on yours. When your J-1 program ends, the J-2 status ends. Also, if you travel outside the U.S. and leave your dependents in the U.S., you must return within a reasonable amount of time or the J-2s will be considered to be out of status.

NOTE: Your dependent may come to the U.S. in an independent immigration status such as F-1 (student), H-1 (temporary worker) or even as an independent J-1 if he or she qualifies for that particular status.

#### **Obtaining a J-2 visa**

If your sponsoring department has informed the ISA that your dependents will be coming with you to the U.S., you have been sent a DS-2019 for each dependent which will allow them to apply for J-2 visas when you apply for your J-1.

If you come to the U.S. alone and your spouse or a child decides to join you, you may request a DS-2019 form for your dependent(s) from the ISA office using the "Request for Dependent DS-2019" form as long as adequate funding can be demonstrated. Before the dependent forms are issued, compliance with the insurance requirements must be met. Also allow one to two weeks between your arrival and your family's arrival for preparation and receipt of their DS-2019 forms.

#### **Insurance**

J-2 dependents are required to have exactly the same insurance coverage as J-1s.

#### **Two-year home residence requirement**

If you are subject to this requirement, your dependents are also subject and have the same restrictions. If you obtain a waiver, the waiver applies to your dependents as well.

## **Employment**

Unlike many other dependents, J-2 dependents may apply for an Employment Authorization Document (EAD) through U.S. Citizenship and Immigration Services. Instructions for applying for an EAD are available from ISA office. There is a fee for this application, but it is unrestricted. In other words, a J-2 with an EAD can work legally almost any place – stores, restaurants, on campus, off campus. The permission is valid for one year or for the same length as the DS-2019 form if it is valid for less than one year. If you extend your J-1 status, the J-2 will have to extend work permission. NOTE: Unlike J-1s, J-2s do have to pay into the Social Security system.

Approval for employment authorization can take as long as three months. Work permission cannot be extended until the J-1 is first extended. Because of the delays in EAD processing, the J-2 who is employed must sometimes stop working until the new approval arrives.

## **Travel**

If your family travels outside the U.S., they will need validated DS-2019s, a valid passport and, in most cases, a valid entry visa in order to return to the U.S.

## **Leaving dependents behind in the U.S.**

Occasionally the J-1 needs to leave the U.S. for a period of time during his/her J program. It is advisable not to leave J-2s behind in the U.S. for more than 30 days. If you will be gone for more than 30 days, the J-2s should either go with you or change to a tourist status. If the J-1 leaves at the end of the J program, J-2 dependents should leave as well or change to a different status.

## **Extensions**

J-2 dependent status is extended at the same time and for the same amount of time as your status. There must be adequate funding for the dependents for the amount of time requested, and they must be maintaining the required insurance coverage.

## **Change of status**

The J-2 dependent may apply for a change from J-2 status to any other nonimmigrant status or immigrant status if the conditions for that status are met, and if he/she is not subject to the two-year home residence requirement. The same restrictions apply to J-2s who are subject as to J-1s.

## **J-2 to J-1**

A J-2 dependent may wish to change to J-1 status in order to accept academic employment or other reasons. The J-2 is restricted by the rules described in “Beginning a new program” and may not change status to J-1 if subject to the two-year home residence

requirement. The dependent's prospective J-1 sponsor will assist with the change of status application.

The Twelve-Month Rule applies to J-2s as well. An individual who has been in J-2 status for more than six months is not eligible to become a J-1 professor or research scholar until he/she has been out of J status for twelve months.

## **TERMINATION/DEPARTURE**

### **Grounds for termination**

Exchange visitors who fail to meet the requirements of the program or who engage in unauthorized employment will be terminated from the program. If terminated, the exchange visitor is out of status, deportable and must then leave the U.S. A person who is out of status is not eligible for a change of status, extension of stay or other benefits. The responsible officer effects a termination by notifying the State Department.

### **An exchange visitor fails to meet program requirements if he/she:**

- Fails to pursue the activities for which he or she was admitted to the U.S.;
- Violates the exchange visitor program regulations and/or sponsor's rules governing the program;
- Willfully fails to maintain insurance coverage required by the regulations.

### **Normal departure procedures**

Please be sure to notify the ISA when you have finished your program at Manhattan College. Before you leave you must complete a "Departure Data Sheet," which gives us such information as your forwarding address. The ISA is required to notify the State Department of early departures from a J-1 program, but there is no penalty for leaving early.