



ILLINOIS INTERNATIONAL

International Student and Scholar Services

J-1 Program Handbook

A GUIDE TO IMMIGRATION MATTERS FOR J-1 EXCHANGE VISITORS



University of Illinois
International Student and Scholar Services
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616 East Green Street
Champaign, Illinois 61820

You have been accepted as a J-1 exchange visitor at the University of Illinois. J-1 immigration status is unique. The J-1 program is administered by the United States Department of State, and the University of Illinois is one of many institutions that have been authorized to be a J-1 sponsor. Many kinds of activities are possible for J-1 program participants, and each institution has its own specific type of J-1 program. The program at the University of Illinois is described as follows:

...to provide courses of study, lecturing, and research opportunities, in the various fields of instruction and research conducted by the University of Illinois at Urbana-Champaign and Springfield for qualified foreign students, professors, research scholars and short-term scholars to promote the general interest of international educational and cultural exchange.

The address and telephone number of the office which administers J-1 programs is: United States Department of State, Office of Designation, Government and Academic Programs Division, ECA/EC/AG-SA-5, Floor 5, 2200 C Street, NW, Washington, D.C. 20522-0505; Telephone: (202) 632-9310, Fax:(202) 632-2701 or (202) 632-2701

This handbook contains information about the rules and regulations that apply to visitors to the United States who are part of a J-1 exchange program, and we are 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 at the University of Illinois will be both personally and professionally rewarding.

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IMPORTANT DOCUMENTS AND ACRONYMS

USCIS (United States Citizenship and Immigration Services)

ISSS (International Student and Scholar Services)

Passport: Your passport must be valid throughout your time in the United States. 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.



When you enter the U.S. your passport will be stamped with your entry date, your status and the expiration date, which should be “D/S” which stands for “Duration of Status.” D/S means that you can stay/work until the ending date in section 3 of your DS-2019, and you can stay without working an extra 30 days.

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 the 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. If your visa has expired you will need to apply for a new visa. A J-1 entry visa can only be obtained at a U.S. embassy or consulate abroad.

Electronic I-94 (Arrival-Departure Record): After your arrival in the U.S. you should go to www.cbp.gov/i94 to print out your electronic I-94 (and those of any dependents). This document will have your status and expiration date as well as your admission number to the U.S. This may be needed by your host department. Any time you leave the U.S. and make a new entry, you should print out a new electronic I-94. NOTE: In a few circumstances you might be given a paper I-94 when entering the U.S.



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.

You must enter the U.S. within 30 days of the “From” date in Section 3 of your DS-2019 or your document will become invalid in SEVIS. If you enter the U.S. but do not register with the ISSS office by day 30, you will become a “No Show” in SEVIS.

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 visit 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 USCIS officer will stamp the bottom left-hand corner of the form, indicating the date of entry. Please keep all copies of your DS-2019s and electronic I-94s during and after your stay for your records.

Social Security Number: Social Security is the U.S. government’s social insurance plan. Most J-1 visitors will need to obtain a Social Security number as soon as possible after their arrival at the University of Illinois, but you must be validated by ISSS and wait 3 to 4 business days before applying, or your name will not appear in the system.

Application Documents:

- Passport/Visa
- DS-2019
- Completed application form (available at the Social Security Office)



After you have applied for an SSN you can apply for a *Temporary Control Number* (TCN) from the University Payroll Department, which you can give to your department in order to be paid. You will need to provide your SSN application receipt in order to receive your TCN.

Your SSN number will take about three weeks to arrive in the mail and will then be yours for life. It is tied to your identity and financial background. To avoid risk of identity theft, take care to keep your SSN secure and private. Your dependents can only obtain a SSN if they first obtain work permission (see J-2 Employment).

Social Security Office: 101 S. Country Fair Drive, Champaign, IL

University Payroll: 177 Henry Administration Building, 506 S. Wright Street, Urbana, IL

YOUR ACTIVITIES AS A J-1 EXCHANGE VISITOR

Categories

You are coming to the U.S. as an exchange visitor for a specific objective. Section 9 of your DS-2019 contains 1) a category which defines your particular activity. The categories used by the ISSS office are “Professor”, “Research Scholar”, “Short-Term Scholar” and in some cases “Student Intern” or “Trainee.” The ISSS office has assigned you a category based on the description of your proposed activities provided to us by your sponsoring department. In some cases the Short-Term Scholar category is the only option (see “Twelve-Month Rule” & “Two-Year Bar”). The primary activity for each of these categories is described below:



Professor: Teaching, lecturing, observing or consulting. A professor may also conduct research.

Research Scholar: Conducting research, observing or consulting in connection with a research project. The research scholar may also teach or lecture in his or her field if the opportunity arises.

Short-Term Scholar: A professor, research scholar or person with similar education or accomplishments coming on a short-term visit (no longer than six months) for the purpose of lecturing, observing, consulting, training or demonstrating special skills.

Student Intern: A student who is an undergraduate in his/her home country wishing to conduct research here. Requirements are described in detail on the ISSS website.



Trainee: J-1 Trainees are coming for a specifically described training program. Details are available on the ISSS website.

Objectives

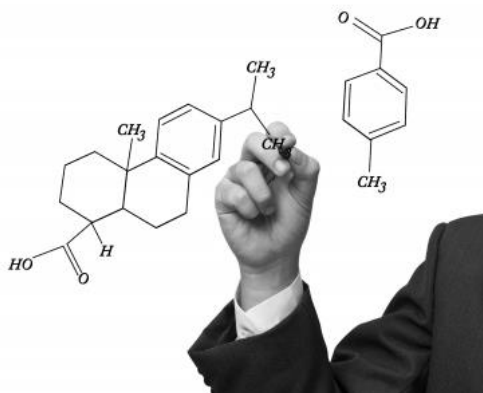
The U.S. State Department expects you to stay with your original objective for coming to the United States. As an exchange visitor, therefore, you are normally not allowed to change your category, and you are expected to carry out the activity in the field described in section 4 of your DS-2019.

Change of Host Department

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

Coursework

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



TIME LIMITS

The minimum period of stay for Professors and Research Scholars is three weeks, with a maximum stay of five years. Short-Term Scholars have no minimum requirement, but the maximum stay is six months with no extension possible. A Student Intern is limited to one year and a Trainee's time limit will depend on his/her particular program. All exchange visitors are allowed to stay 30 days longer than the DS-2019 indicates. This is called a "grace period" and is to allow you to prepare to return home, sightsee, etc. You may not be employed or conduct research during this period.

Overstay Penalties

Staying in the U.S. for even one day longer than you are authorized can create serious problems for you. Be sure to leave before your status expires, unless you have another application pending with the USCIS that allows you to stay.

EMPLOYMENT

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

- By the University of Illinois
- 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 Department of Chemistry, for example, you may not take a job in the University 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 ISSS office.

A student assistantship is not appropriate employment for a J-1 Research Scholar, Professor, Short-Term Scholar, or Student Intern or Trainee.

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 **prior** approval from the ISSS office. You are required to obtain authorization before the activity occurs.

Procedures for approval

You must provide the ISSS office with a letter from the institution where you wish to lecture, consult, etc., which describes the activity, dates, and amount of compensation.

The ISSS office will issue written authorization to the other institution if the activity can be approved.

ISSS must be consulted concerning any other kind of outside employment or joint employment arrangements, and in some cases, permission must be obtained by the U.S. State Department.

Unauthorized Employment

Unauthorized employment can lead to termination of your J-1 program participation. It is a violation of your status and can create many future problems for you with the USCIS. Because of the many employment restrictions, it is important to be sure before you come to the U.S. that you will have enough income for yourself and any dependents that accompany you. You are required to have at least \$1,700 in income per month. An additional \$600 per month is required for your first dependent and \$300 per month for each additional dependent.

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 ISSS office can provide you with materials about a number of cultural activities in and around Champaign-Urbana. Many activities are available in a university town such as this. 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.

If you need to improve your English skills, there are many types of classes and conversation groups, both on and off campus. You can find more information about English language opportunities when you register with the ISSS office.



If you go to the website of the office of International Student and Scholar Services at www.iss.illinois.edu, under "Get Involved" you will find a link to "Registered Student Organizations." These may be of interest to you if you wish to find other visitors from your home country. Scholars and faculty members participate in many of these organizations as well.

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 after their J program ends, and before they can obtain certain U.S. immigration benefits. 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 the University of Illinois usually is not government funding);
- Your field of work appears on the "Exchange Visitor 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 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.

NOTE: You may view the exchange visitor skills list online at:

http://travel.state.gov/visa/temp/types/types_4514.html

- You participated as a J-1 in a graduate-medical education or training program, i.e. a residency, internship, or fellowship, 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 home country, it still applies to you—even if a great deal of time has passed and a more current DS-2019 form 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 in your passport, your Form DS-2019, or both, may indicate that you are or are not subject to this requirement. These indications are usually accurate but are not legally binding. U.S. consular officers and immigration officers sometimes make mistakes. After you arrive in the U.S., if you are not sure if you are subject, the ISSS office can help you make a determination. It is sometimes necessary to write to the State Department for an opinion. The ISSS office will do this for you when clarification is needed.

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 to permanent resident (green card) status
- Obtain an H, L or immigrant visa abroad

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 or O-1.

Waivers of the requirement

There are five grounds for obtaining a waiver of the two-year home residence requirement. If you wish to apply for a waiver, be very careful about the timing of your request. **After obtaining either a waiver recommendation from the U.S. State Department or a final waiver decision from USCIS, you are no longer eligible to extend your J-1 status or transfer to another J-1 program.** You should discuss your plans with the ISSS staff before applying for a waiver.

- A “no-objection” statement (not permitted for medical trainees). Your country’s embassy in Washington can indicate in a direct letter to the State Department that it has no objection to your receiving a waiver. A “no-objection” statement will not necessarily lead to a waiver if the exchange visitor has received funding from the U.S. government. To initiate this type of waiver request, see the U.S. State Department website http://travel.state.gov/visa/temp/info/info_1296.html.
- Interest of a U.S. government agency. If an exchange visitor is working on a project for or of interest to a U.S. Federal Government agency, and that agency has determined that the visitor’s continued stay in the United States is vital to one of its programs, a waiver may be granted if the exchange visitor’s continued stay in the United States is in the public interest.
- Fear of persecution. If you can demonstrate that because of your race, religion, political opinions, or nationality you would face persecution by your home government if you went back to your country, you might qualify for a waiver by applying to U.S. Citizenship and Immigration Services.
- Exceptional hardship. If you can demonstrate that exceptional hardship to a U.S. citizen or permanent resident spouse or child of the exchange visitor would be caused by your departure from the U.S. and residence abroad, you can apply for a waiver to U.S. Citizenship and Immigration Services.
- Request by a designated State Department of Health or its equivalent. Only medical doctors may apply for a waiver on this basis.

HEALTH INSURANCE

Health insurance coverage is required for all J-1 program participants and their dependents. You must have insurance or your J-1 sponsor is 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 in this section. 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 usually 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 the 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 timelier health care and provides the only protection against the enormous costs of health care in this country.

How medical insurance works

When you purchase health insurance, the money you pay (called the premium) is combined with the premiums paid by other people. This money is then used to pay the medical bills of those participants who need health care. Your coverage remains valid as long as you continue to pay your premium.



When you purchase insurance, the insurance company will provide you with an identification card for proof of your coverage when you need health care from a hospital or doctor. The company will also provide instructions for filing a claim. The company will evaluate any claim you file and make the appropriate payment for coverage under your particular

policy. In some cases the company pays the hospital and/or doctor directly; sometimes they reimburse you after you pay the bill.

Purchasing and maintaining your insurance

J-1 exchange visitors who are not eligible for the State University Retirement System are not eligible for University of Illinois insurance. Most J-1s are *not* eligible during their first two years of J status and will need to purchase insurance from a private company. The ISSS office has sent a list of names of several reputable companies which deal specifically with international visitors. Their policies meet all of the requirements for J-1 insurance coverage. You can purchase a policy from one of these companies, or choose one of your own, as long as the coverage is adequate. There are two health maintenance organizations in Champaign-Urbana and many insurance agents who represent different insurance companies.



It is also possible that you have adequate health insurance from your home country. If you have insurance from your home country that you wish to use, you must still purchase insurance for repatriation of remains and medical evacuation if this is not included in your policy.

When you register with the ISSS office, you will be required to give the name of your insurance company and your policy number. Without this information your J-1 program will not be validated.

All J-1 visitors will need to show that they have insurance coverage before starting their J-1 program and again before obtaining a DS-2019 for dependents, travel or extension.

About University of Illinois medical insurance

Most individuals in J-1 status are not eligible for University of Illinois medical insurance. To become eligible you must first be in the U.S. long enough and under the right conditions to be classified as a “resident for tax purposes.” If you become a resident for tax purposes you must also have a position with the University which meets certain requirements before you will be eligible for University medical insurance.

Usually you must be here close to two years before you can be classified as a “resident for tax purposes” but in some cases it is earlier. You may want to speak to the University of Illinois Payroll Office about when you might become eligible, so that you do not purchase private insurance longer than you need to.

Summary of requirements for insurance coverage:

1. Maximum coverage for medical benefits cannot be less than \$100,000 per accident or illness.
2. If you should die in the United States, your insurance must provide at least \$25,000 to send your remains to your home country. This is called "repatriation of remains."
3. If, because of serious illness or injury, you must be sent home on the advice of a doctor, the insurance must pay up to \$50,000 for the expenses of your travel. This is called "medical evacuation."
4. The deductible cannot be more than \$500 per accident or illness. This is the amount you would have to pay before the insurance company pays anything. Many policies have a much lower deductible, which is good for you.
5. The insurance must pay at least 75% of covered medical expenses. After you have paid the deductible, an insurance policy usually only pays a percentage of your medical expenses and you pay the rest. The percentage you pay is called co-insurance or a co-payment.
6. The policy may establish a waiting period before it covers pre-existing conditions (health problems you had before you bought the insurance), as long as the waiting period is reasonable by current standards in the insurance industry.
7. The policy must be backed by the full faith and credit of your home country government or the company providing the insurance must meet minimum rating requirements established by the State Department (an A.M. best rating of A- or above, and Insurance Solvency International Ltd. (ISI) rating of A- 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).
8. Most insurance policies exclude coverage for certain conditions. The J-1 regulations require that if a particular activity is a part of your exchange visitor program, your insurance must cover injuries resulting from your participation in that activity.

TRAVEL

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

- a valid passport;
- a valid U.S. entry visa (there are some exceptions*);
- 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, the type of visa (e.g. J-1, B-1) and the number of entries.

If you are traveling abroad and your entry visa 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 an ISSS program officer to certify that you are in good standing at the University of Illinois. 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). You may leave your DS-2019 at the reception desk of ISSS and pick it up on the following business day. Please bring your passport.

Length of absence

If you are going to leave the U.S. for more than 30 days in the middle of your J-1 program, you will need to complete a “J-1 Scholar Extended Absence Request Form”, found on the ISSS website. Please allow one week for approval of these requests.

Travel to Canada or Mexico

People from certain countries are required to have a visa to enter these countries. The ISSS office can refer you to the appropriate website for obtaining 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 of the United States such as Jamaica 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.

To qualify for automatic revalidation you must:

- 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 cannot 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 Cuba, Iran, North Korea, and Syria 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 ISSS if you plan to travel using automatic revalidation.

INCOME TAX

The Internal Revenue Service (IRS) is the U.S. government agency that collects taxes. As a non-resident J-1 scholar, you may need to file forms each year with the IRS and with the State of Illinois, even if you earned no income. It is your individual responsibility to understand and meet your tax obligations. Generally, tax returns are due every April 15th based on earnings from the previous year, though there are exceptions to this deadline. The Internal Revenue Service office is located at 310 West Church Street in Champaign. That office can provide some assistance with federal tax matters and refer you to the appropriate office for help with state tax questions.



While employers do deduct money from your pay throughout the year and send it to the IRS, it may not equal the exact amount owed at the end of the year. If too much was deducted, you may be eligible for a refund. Or, perhaps not enough was deducted, and you will owe more. Salary from a job is not the only kind of earning taxed; many types of income are taxable. Even if you did not work and do not owe any taxes, you may need to submit an informational form to the IRS.

U.S. tax laws can be complex and confusing and the laws that apply to internationals are not the same as those that apply to U.S. citizens.

If you are going to be paid by the University of Illinois you will be instructed to visit the University of Illinois Payroll Office, 177 Henry Administration Building, 506 S. Wright Street, Urbana, to discuss your tax status with an advisor there. They will determine if you are covered by a tax treaty, for instance.

Please note: We at ISSS are not tax professionals and are not able to give tax advice. You are advised to review the information from the IRS specifically addressed to foreign students and scholars:

<http://www.irs.gov/Individuals/International-Taxpayers/Foreign-Students-and-Scholars>

Note also that several months before tax deadlines ISSS will send you information about an online tax assistance program called Glacier which you can use to prepare your tax returns.

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 UIUC, 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 University 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 ISSS 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. Our office must have proof of your continued funding if the University of Illinois 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 new 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

Changes 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, or 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 University of Illinois 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 J-2 dependents 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 the two categories as of November 18, 2006. The bar becomes effective when your program as a Research Scholar or Professor becomes inactive.

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. The University of Illinois at Urbana-Champaign requires the following amounts for dependents:

- \$600 per month for the first dependent
- \$300 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-2 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 us that your dependents will be coming with you to the U.S., we have sent you 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) through ISTART as long as adequate funding can be demonstrated. Before we will issue the dependent forms, we will make sure that you have complied with the insurance requirements. Also allow adequate time 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 the ISSS website. There is a fee and application. The work permission is basically 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 the same length as the DS-2019. If you extend your J-1 status, the J-2 will have to extend the 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 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 maintain 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 for other reasons. 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.



PUBLIC CHARGE ISSUES

Someone who is a “public charge” relies on the U.S. government for financial support. An alien who is or is likely to become a public charge may be barred from entering the U.S. and is ineligible to obtain a green card. The use of government funds alone does not necessarily make an individual a public charge. The USCIS considers each individual’s circumstances when making a public charge determination.

Government benefits subject to public charge consideration

- Cash assistance for income maintenance through Supplemental Security Income (SSI)
- Cash assistance for the Temporary Assistance for Needy Families (TANF)
- State or local cash assistance programs for income maintenance, often called “General Assistance” programs
- Government funds used to offset the cost of long-term care in a nursing home or mental health institution may also invoke public charge considerations

Government benefits not subject to public charge consideration

- Health care benefits, including Medicaid, the Children’s Health Insurance Program (CHIP), prenatal care, or other free or low-cost care at clinics, health centers, or other settings (other than long-term care in a nursing home or other institution)
- Food programs such as Food Stamps, WIC (the Special Supplemental Nutrition program for Women, Infants and Children), school meals or other food assistance
- Other programs that do not give cash, such as public housing, disaster relief, Head Start or job training or counseling

Think carefully before using any public benefits—even those that are not subject to public charge consideration. When you apply for a visa, you must demonstrate that you have sufficient funds to support yourself in the U.S. A family that used public funds for prenatal care and delivery during a previous visit, for instance, might find it more difficult or even impossible to obtain a U.S. entry visa. This website has more information about public charge issues:

http://iss.illinois.edu/common_studschol/pub_charge.html

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 the sponsor's rules governing the program;
- Willfully fails to maintain the insurance coverage required by the regulations

Normal departure procedures

When your program ends, your department will submit a "Departure Data Sheet" to ISSS. We will then complete your J-1 program in SEVIS. The ISSS office is required to notify the State Department of early departures from a J-1 program, but there is no penalty for leaving early.



THINGS TO REMEMBER

Consult the ISSS office before

- Making any type of change in your original plans at the University of Illinois;
- Participating in any activity with another employer for which you expect to receive payment or reimbursement of expenses;
- Traveling abroad to make sure you have the proper paperwork and are aware of potential delays in returning;
- Applying for a waiver of the two-year home residence requirement.
- Be aware of the expiration date of your passport and immigration status and keep them valid.
- Do not violate your status or stay longer than your status allows.
- Report your change of address within 10 days through ISTART. You will receive further information about address changes in the orientation video.
- Make sure your department submits a Departure Data Sheet upon completion of your program.



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