

**UCLA**

# **J-1 Scholar Visa Regulation Guidelines**



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## INTRODUCTION

The Exchange Visitor (J-1 Visa) Program was established by the U.S. Government to promote participation in Educational and Cultural programs by facilitating the visit of international scholars to the U.S. The objective of the program is to increase mutual understanding between the citizens of the U.S. and the Exchange Visitors' country. The Exchange Visitor (EV) may study, conduct research, teach, or receive training. Universities, research institutes, and organizations can be recognized by the U.S. Department of State as Exchange Visitor Program Sponsors.

Exchange Visitors (EVs) are granted the J-1 visa by their program sponsors. Accompanying dependents (spouse and unmarried children of 21 years of age or younger) will receive the J-2 visa status. As an EV scholar, you will fall into one of the following categories:

<b>Specialist</b>	Maximum duration <b>12 months</b>
<b>Short-Term Scholar</b>	Maximum duration <b>6 months</b>
<b>Researcher</b>	Maximum duration <b>60 months</b>
<b>Professor</b>	Maximum duration <b>60 months</b>
<b>Non-degree student</b>	Maximum duration <b>24 months</b>

### 1. **Specialist**

Experts in a field of specialized knowledge who visit the U.S. for the purpose of observing, consulting or demonstrating their special skills. Short-term scholars, Research Scholars and Professors are not considered Specialists for the purpose of this category. Maximum length of stay under this category is 12 months.

### 2. **Short-term Scholar**

Visitors who come to UCLA for research, teaching and related academic activity for a period of six months or less. Maximum length of stay under this category is 6 months.

3. **Researcher / Professor**

Visitors who come to UCLA for research, teaching and related academic activity for a period lasting longer than six months. Maximum length of stay under this category is 5 years.

4. **Non-Degree Students**

A student visiting UCLA for a prescribed program of academic activity which does not lead to a degree from UCLA. Maximum length of stay under this category is 2 years.

## **BASIC J-1 VISA TERMINOLOGIES**

### ***SEVIS (Student Exchange Visitor Information System)***

Federal government database that maintains and tracks information on F-1 and J-1 visa students and scholars.

### ***Department of Homeland Security (DHS)***

The Department of Homeland Security oversees three agencies:

1. *United States Citizenship and Immigration Services (USCIS)* is responsible for citizenship, asylum, lawful permanent residency, employment authorization, refugee status, inter-country adoptions, replacement immigration documents, family and employment immigration related, and foreign student work authorization.
2. *Immigration and Customs Enforcement (ICE)* is responsible for immigration investigations, detention, removal, intelligence, and SEVIS.
3. *Customs and Border Protection (CBP)* is responsible for immigration inspections at U.S. Ports of entry, border patrol, and custom services.

### ***U.S. J-1 Visa***

It is a computer-generated entry permit that is issued by the U.S. Embassy or Consulate abroad for you to enter the U.S. to begin your studies. The only time you are required to have a valid visa is when you are entering the U.S. from another country. For more information about visa applications please visit the U.S. Department of State at [www.travel.state.gov](http://www.travel.state.gov). You can stay in the U.S. on an expired J-1 visa as long as you have maintained your valid J-1 exchange visitor status (DS2019). *All J-1 visa holders are referred to as an Exchange Visitor (EV).*

### ***I-94 Admission Record***

The I-94 Admission Record, issued by CBP, documents your arrival and lawful entry to the U.S. The I-94 Admission Record could be issued either electronically or as a paper card. *If you were*

*issued an electronic I-94 Admission Record, you may retrieve and print a copy of your record from the CBP website: [www.cbp.gov/i94](http://www.cbp.gov/i94).*

Your I-94 Admission record should indicate your admission to the U.S. for the duration of status, abbreviated as “D/S”, which stands for the period that a J-1 Exchange Visitor will be participating in their research or studies. The I-94 Admission Record is required to request for state and federal benefits, such as a Social Security Number (SSN) or Driver License.

### ***DS2019 Form***

You receive the DS2019 form from UCLA after you are invited to the University. You need to present this form to the U.S. embassy or consulate in your home country to apply for your J-1 Visa. This form contains your study/research information such as field of research, start and end date of the program participation, and other personal information relevant to your J-1 status.

### ***DS2019 Extension***

In order to extend your duration of stay for further research or study, you must request an extension of your DS2019 with DCISS *at least 10 business days before it expires*. Failure to apply for DS2019 extension in a timely manner will result in termination of your J-1 status. You cannot extend beyond the maximum duration of your EV category.

### ***Transfer of J-1 Status***

This option enables you to transfer to UCLA or another institution to continue a program (study, research, or teaching) in the U.S. You may transfer if:

- a. the J-1 visa category (student or scholar) will not change.
- b. time spent, both at UCLA and the previous/future institution, will not exceed the length of time allowed for the respective J-1 Visa category, and...
- c. the Responsible Officer at the current institution approves the transfer.

Please contact DCISS for further details regarding transfers.

## ***Travel Abroad***

To re-enter the U.S. after a trip abroad, you must present the following documents at the Port of Entry:

1. Valid passport (for at least 6 months)
2. Valid J-1 visa
  - ❖ If you do not have such a visa in the passport or your last visa will be expired at the time of re-entry to the U.S., you must obtain a new J-1 visa from the U.S. consulate or the embassy (preferably in your home country) before driving in or boarding a flight to the U.S.
3. Valid DS2019 endorsed for travel by DCISS (each signature is valid for one year). Contact DCISS on how to obtain the *travel validation signature*.

## ***Automatic Visa Revalidation for EVs***

Automatic Visa Revalidation allows J-1 holders to enter the U.S. from Canada, Mexico, or one of the adjacent islands to the U.S. (other than Cuba) on an expired J-1 visa if the trip is not exceeding 30 days. However, you must have a valid DS2019 endorsed for travel by DCISS, valid passport, and an expired J-1 visa stamp.

If you meet one of the following criteria, you will NOT be able to use automatic revalidation rule.

- You applied for a new J-1 visa while being out of the U.S. and it has not been issued.
- You applied for a new J-1 visa and was denied.
- You have a terminated or completed SEVIS record.
- You have been out of the U.S. for more than 30 days.
- You are a citizen from one of the following countries:
  - Cuba
  - Iran
  - Sudan
  - Syria

### ***Two-Year Home Country Residence Requirement***

This is a condition that applies to some Exchange Visitors (EVs) who obtain J visa status under the following circumstances:

- a. the Exchange Visitor received full or partial funds from the U.S. government, his/her own government, or an international organization funded by government;
- b. the education, training, or skills that the Exchange Visitor is pursuing in the U.S. appear on the Exchange Visitor Skills List for his/her legal country of residence published by the Department of State.
- c. Foreign medical graduates receiving training in the U.S. under the sponsorship of the Educational Commission for Foreign Medical Graduates (ECFMG).

EVs who become subject to the Two-year Home Residence Requirement are not eligible to change their visa status from J-1 to H (temporary worker), L (intra-company transferee), or an immigrant visa ("green card"), unless they return and reside in the country of their last permanent residence for two years after completing their programs in the U.S.

EVs who become subject, but do not wish to comply with the residence requirement may apply for a **waiver** from the U.S. Department of State during or after the completion of the program.

**Note:** Information and guidelines are available at [www.state.gov](http://www.state.gov). DCISS will not be involved with the process of waiver application of EVs in any form. If an EV's waiver application is approved by the Department of State or USCIS, DCISS will no longer issue a DS-2019 extension or transfer for a current EV.

### ***24-month and 12-month J-1 Professor / Research Scholar Bar***

J-1 Exchange Visitors (and their J-2 dependents) in the Professor or Research Scholar category are subject to the 24-month bar. This means that the EV will not be able to begin a new J-1 program as Professor or Research Scholar until 24-months after their current Professor or Research Scholar Program ends.



J-1 Exchange Visitors (and their J-2 dependents) in any J-1 category other than Professor or Research (e.g. Degree Student, Student Non-degree) for **more than 6 months** are subject to the 12-month bar. This means that the EV will not be able to begin a new J-1 program as Professor or Research Scholar until 12-months after their current J-1 program ends.

Exceptions to this rule exist for those Exchange Visitors who are transferring programs or who have been present in J status in the Short Term Scholar category.

## **MAINTAINING J-1 STATUS**

### ***Mandatory Check-in (validation of arrival)***

As a newly admitted UCLA J-1 scholar/student, your arrival must be updated in SEVIS. This process is called 'validation' and must be completed within **25 days** after the starting date stated on Box #3 on the DS2019 form. In order to do this, you are required to check-in with the Dashew Center for International Students and Scholars (DCISS) upon arrival to UCLA. Failure to validate your arrival will result in automatic termination of your J-1 EV status in the SEVIS system. You are required to bring the following documents to DCISS:

- Copy of DS-2019 (Page 1)
- Copy of I-94 Admission Record (access at [www.cbp.gov/i94](http://www.cbp.gov/i94))
- Copy of J-1 Visa (except Canadian citizens)
- Copy of Passport Photo Page
- Copy of most recent U.S. Entry Stamp inside passport
- Copy of Proof of Medical Insurance
- Original Passport and DS-2019

### ***Valid DS2019 Form***

The DS2019 must be valid at all times. If you plan on extending your stay, you must apply for an extension of stay at least 10 business days prior to the expiration date of your DS2019. If you had provided initial information to Graduate Division, you must also request extension through Graduate Division.

### ***Valid Passport***

Passport must be valid for at least 6 months beyond the validity of the DS2019 form.

## ***Health Insurance***

U.S. Department of State regulations require that you as a J-1 exchange visitor obtain health, accident, medical evacuation and repatriation of remains insurance. The insurance policies must cover the exchange visitor and all accompanying dependents for the EV's entire duration in the U.S. starting with the date of arrival and ending with the date of departure. Any exchange visitor who willfully refuses to comply with this requirement shall be considered to be in violation of his/her exchange visitor status. The program sponsor is obligated to inform the United States Department of State of the exchange visitor's noncompliance.

**J-1 Exchange Visitors at UCLA are required to enroll in one of the following health insurance plans depending on their UCLA appointment title:**

### **(A) Visiting Scholar Benefit Plan (VSBP)**

J-1 Exchange Visitors at UCLA such as Visiting Scholars and Visiting Student Researchers (VGRs) are required to enroll in the Visiting Scholar Benefits Plan (VSPB) through Garnett-Powers & Associates. Scholars may begin the enrollment process only after receiving the DS-2019 form. (Postdocs and employees receiving medical benefits through UCLA do not qualify for this plan).

Information regarding eligibility, requirements, enrollment and the waiver approval process can be found on the Garnett-Powers site at <http://clients.garnett-powers.com/vs/ucla/>. VSBP enrollment confirmation will be sent to the J-1 visitor by email. Visitor must print and bring for check-in. Those approved for the waiver of VSBP, must bring their waiver confirmation and proof of medical insurance they used to waive out of the plan.

### **(B) Postdoctoral Scholar Benefit Plan (PSBP)**

Postdoctoral Scholars are required to enroll in the Postdoctoral Scholar Benefits Plan (PSBP). Information regarding eligibility, requirements, and enrollment process can be found on the Garnett-Powers site at <https://clients.garnett-powers.com/pd/uc/>. Your UCLA academic department will assist you with enrollment when you arrive as part of the hiring process.

### **(C) UCLA Employee Medical Benefits**

Your UCLA academic department will assist you with enrollment when you arrive as part of the hiring process. Medical benefits coverage for UCLA hired staff and faculty do not include the following:

- repatriation of remains in the amount of \$25,000
- expenses associated with the medical evacuation of the exchange visitor to his or her home country in the amount of \$50,000

Medical evacuation and repatriation of remains coverage may be purchased separately through [BETiNS](#) to fulfill the J-1 visa requirements.

If you are not sure of which category above you fall into, please contact your department for clarification.

### ***Address & Contact Information Reporting***

In compliance with the U.S. Department of Homeland Security (DHS), you are required to have a valid address during your studies/research. DHS may terminate your immigration status automatically if you do not maintain your address information with UCLA.

If you change your address or contact information, simply fill out the Address and Contact Information Update Form on the DCISS website. DCISS will update the SEVIS system with your address.

### ***Site of Activity Reporting***

Exchange Visitors are required to report all off-campus locations where program activity is taking place even if payment is not involved. Examples of off-campus activities include:

- Field Work
- Visiting research institutions
- Visiting organizations
- Conferences
- Workshops
- Meetings

The activity taking place at these locations must be directly related to the objectives of your program, be incidental to your primary program activities, not delay the completion date of your program, and be approved by your UCLA faculty supervisor (PI). In order for DCISS to authorize the off-campus activity, you will need to fill out and submit the J-1 Site of Activity Request Form on the DCISS website.

## EMPLOYMENT FOR SCHOLARS

Visiting Professors/Researchers/Short-Term Scholars/Specialists on J-1 visa status at UCLA are authorized to receive compensation or salaries from UCLA for employment when such activities are part of their program. Any activity that involves remuneration of any kind from an institution outside of UCLA must be authorized by DCISS in writing before the activity takes place.

According to U.S Department of State regulations, off-campus employment for monetary remuneration of Visiting Scholars/Professors is limited to:

- **Occasional lectures**
- **Short-term Consultations**
- **Short-term activities (e.g. conference participation, meetings) involving travel reimbursement:** Receiving travel reimbursement is also treated as a form of employment.

The employment must meet the following criteria:

- Be directly related to the objectives of the exchange visitor's program.
- Be incidental to the exchange visitor's primary program activities.
- Not delay the completion date of the exchange visitor's program.

Employment can only be authorized up to **3 months** at one time. Acceptance of employment with an organization or institution other than UCLA without prior written authorization from DCISS is a violation of the EV's visa status and is grounds for terminating a visitor's participation in the exchange visitor program. See the DCISS website for procedures on how to obtain off-campus employment authorization.

## **EMPLOYMENT FOR STUDENTS**

Students on J-1 status may work on campus part time (up to 20 hours per week) while the school is in session and full time during the quarter/semester breaks and summer vacation. In order to obtain employment, students must be in good academic standing and have obtained work authorization from DCISS by filling out the On-Campus Employment Authorization Form.

## **EMPLOYMENT FOR J-2 (DEPENDENTS)**

All J-2 visa holders are eligible (subject to any existing labor regulations) to apply for a work permit in the U.S. The J-2 holder must apply for a work permit through USCIS. DCISS is not involved in the J-2 work permit procedure, but you may refer to the J-2 Employment Guidelines at the DCISS website.

## SOCIAL SECURITY NUMBER (SSN)

An SSN is a number ID which may be required at the time of employment and allows you to open a bank account, etc. Scholars are eligible to receive an SSN without an authorization letter from DCISS. Students are required to obtain an authorization letter from DCISS and can obtain one by filling out the SSN Support Letter Request Form. J-2 visa holders cannot obtain a number unless they have received an Employment Authorization Document (EAD) card from USCIS.

## COMPLETION OF PROGRAM

Upon completion of your program you do not need to inform DCISS of your departure unless you plan to leave earlier than **15 days** prior to the expiration date on your DS2019.

### *Grace Period*

Upon completion of your program you are allowed an additional **30-day grace period** to prepare for your departure from the U.S. During this grace period, you are not allowed to work or study. Once you leave the country within these 30 days your visa automatically expires and you will not be able to re-enter the country to reclaim the rest of your grace period time.

## DCISS DOCUMENTS PROCESSING TIMELINE

Social Security Letter	3 business days
Certification of Status	3 business days
Travel Validation	5 business days
Extension of DS2019	10 business days
Dependent (s) DS2019	10 business days
SEVIS Transfer	10 business days
Out-of-Country Status	5 business days
On-Campus Work Authorization	5 business days
Scholar Employment Authorization	10 business days