



Office of International Education

J-1 Regulations Handbook

Information on the obligations and benefits that apply to J-1 Students

8/16/2013

J-1 Regulations

The Exchange Visitor Program is administered by the U.S. Department of State (DOS); it allows colleges or organizations to use the J-1 Exchange Visitor program to invite or employ international faculty, research scholars, short term scholars, student interns and specialists in the United States temporarily. As a J-1 Exchange Visitor it is your responsibility to maintain your immigration status throughout the duration of your J-1 program by following the guidelines below. It is in your best interest to take these regulations seriously and to make sure you understand them!

I. ESSENTIAL TERMS

DS-2019 Form (Certificate of Eligibility)

Issued by officials at approved exchange programs so visiting students, scholars, and researchers can apply for J-1 exchange visitor visas. The DS-2019 should be kept with your passport at all times while you are in the U.S.

Visa

Issued by U.S. embassies and consulates overseas and entered into your passport to enable you to enter the U.S. legally. Your visa indicates your status (J), an expiration date, and the number of times you may enter the U.S. before that date. Most, but not all, visas are issued for multiple (M) entries, which means you can enter as many times as you wish until the visa expires, as long as your other documents are in order. A visa is an entry document only. You can **be** in the U.S. if your visa has expired but you cannot **enter** the U.S. if your visa has expired. If you leave the U.S. after your visa expires, you must apply for a new visa before you can re-enter. This can be done in your own country and in some, though not all, other countries. You cannot extend a visa or get a new visa in the U.S.

I-94 Admission Record

Students no longer receive an I-94 card upon arrival to the U.S. by air or sea. Instead a Border Control Officer will stamp the travel document of each arriving non-immigrant traveler. The admission stamp will show the date of admission, class of admission, and the date that the traveler is admitted until. Students arrival/departure information will be stored automatically in an electronic database at <http://www.cbp.gov/i94>. If students need the information from their Form I-94 admission record to verify immigration status or employment authorization, the record number and other admission information will be available at <http://www.cbp.gov/i94>. Be sure to log into this site to print out a copy of your admission record to give to the Office of International Education for filing.

Duration of Status (D/S)

Your I-94 admission record and DS-2019 forms were probably marked “D/S” when you arrived in the U.S. D/S means “duration of status.” This means that your current status as a J-1 student is valid for the length of your program as long as you follow the rules listed below to maintain your status.

RO

Responsible Officer. A staff member of a college or exchange program who is authorized by the U.S. government to issue and sign DS-2019 forms and is responsible for making sure the organization follows the required procedures when it enrolls students in J status. Your RO is someone from your exchange program.

II. MAINTENANCE OF STATUS

Your DS-2019 form outlines the requirements for maintaining legal student status in the U.S. You should read the form carefully so you will understand the requirements. To remain in legal status in the U.S., you must fulfill the terms of your exchange visitor program, have your SEVIS record validated, engage only in activities permitted under their program and category, file timely and appropriate transfer and extension notifications, refrain from unauthorized employment, and maintain required health insurance coverage. Each program category has additional specific requirements.

Maintain Up-To-Date Immigration Documents

Passport that is valid at least six months into the future at all times, especially upon entry or re-entry to the U.S. It is your responsibility to renew your passport **before** it expires. Applications for renewal or extension of a passport must be made at the Embassy or Consulate of the country issuing the passport. <http://www.state.gov/s/cpr/rls/fco/>

Valid DS-2019. Monitor the program completion date as stated in section 3 of your DS-2019. If for any reason your time at Roanoke needs to be extended, your sponsor would have to update the completion date **before** your current end date on your DS-2019.

Reporting Requirements

You must report to OIE with your passport, a print-out of your I-94 admission record, and your DS-2019 within 15 days of the start date indicated on your DS-2019 so that your record may be validated in SEVIS. Validation of Program Participation must be done by the RO no later than 30 days following the Program Begin date of the exchange visitor's program. Failure to validate the program by this date will result in the SEVIS system automatically Invalidating or Terminating the SEVIS record.

Your RO is required to enter certain information into the SEVIS system after you arrive, including

- any failure to maintain status
- any failure to complete your program by the completion date on the DS-2019
- final departure prior to the completion date on the DS-2019
- any change in legal name or address
- any disciplinary action taken against you by Roanoke College because of a criminal conviction

Report Your Current Address

Report a change of address to the Office of International Education within 10 days of your address change. OIE will inform your program sponsor of your updated address so that it can be changed in SEVIS.

Maintain Required Health Insurance

J-1 Exchange Visitors and their dependents are required by the Student and Exchange Visitor Program (SEVP) and Department of Homeland Security (DHS) regulations to have health insurance with specific minimum coverage requirements while in the United States. Failure to maintain health insurance coverage will result in termination of your J-1 Exchange Visitor program.

Follow Employment Regulations

J-1 students may engage in on-campus employment (part-time while school is in session and full-time during vacation periods) or off-campus work authorization through Academic Training. Both require approval from your sponsor.

Non-degree J-1 students are eligible to participate in academic training, but are also subject to the requirement that time in academic training not exceed the time spent in the program of study. A further restriction on Academic Training duration for non-degree students is that non-degree programs are limited to a total stay of 24 months, inclusive of all study time and any authorized academic training.

Receive Authorization for Re-entry after Travel Outside the United States

Documents required of J-1 exchange visitors and their J-2 dependents for reentry are:

- Valid passport
- Valid J-1 or J-2 visa stamp
- Unexpired DS-2019 with a recent travel validation signature from your sponsor. For J-1 short-term scholar, the signature is valid for 6 months; for all others, it is valid for 12 months.

Two-Year Residence Requirement

Students in J status who receive U.S. government, home country government, or certain other types of funding for their studies may be subject to the “two-year home country residence requirement,” which means that once their exchange program is over, they cannot return to the U.S. in J or H status until they have been back in their home countries for at least two years. A box on the bottom left of your DS-2019 indicates whether or not you are subject to this requirement.

Final Departure

Students in J Status have 30 days after the end of the program to leave the U.S. During this time they can travel in the U.S. but cannot work.