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## **J Status**

### **What is the J-1 Exchange Visitor Program?**

The Exchange Visitor Program brings qualified students, teachers, professors, research scholars, specialists, and trainees to the United States for a variety of educational purposes. The exchange visitor is under the sponsorship of an agency, institution, or organization that has been approved by the Department of State (DOS). The Exchange Visitor Program provides foreign nationals with opportunities to participate in exchange programs in the United States and then return home to share their experiences.

An Exchange Visitor at Valdosta State University is a foreign national who is coming temporarily to the United States for the purpose of educational and cultural exchange, **NOT EMPLOYMENT**. The principal exchange visitor obtains a J-1 visa; the spouse and minor children obtain J-2 visas.

## **Inviting/Hiring International Researchers/Scholars**

## Exchange Visitor Program

The Exchange Visitor Program, administered by the US Department of State (DOS), allows Valdosta State University to use the J-I Exchange Visitor visa status to invite or employ foreign professors, research scholars, short-term scholars and specialists in the United States temporarily (a maximum of three years).

**J-I scholar appointments at VSU are in one of the following four categories:**

Category	Description
<b>Research Scholar</b>	"An individual primarily conducting research, observing, or consulting in connection with a research project" and "may also teach unless disallowed by the sponsor." <i>Three year maximum limit.</i>
<b>Professor</b>	"An individual primarily teaching, lecturing, observing, or consulting" and "may also conduct research unless disallowed by the sponsor." Most common category at VSU. <i>Three year maximum limit.</i>
<b>Short-term Scholar</b>	Individuals come to VSU for short-term academic exchange for the purpose of lecturing, consulting or research. <i>Six month maximum with no extension allowed.</i>
<b>Specialist</b>	"An individual who is an expert in a field of specialized knowledge or skill coming to the US for observing, consulting, or demonstrating special skills." <i>This designation is limited to one year only.</i>

The J-I Exchange Visitor category may not be used for the following:

- \* The employment of persons in nonacademic staff positions
- \* Tenure-track or tenured faculty appointments
- \* Foreign medical graduates who will be engaged in clinical activities, including training. The Educational Commission for Foreign Medical Graduates (ECFMG) issues J-I visas for the purpose of graduate medical training.

### J-1 Issuance and Renewal Procedure

Form	Description
Department's Request to CIP for DS2019 for J-I Exchange Visitor	Departments request issuance of a DS 2019 from CIP for an exchange visitor to begin a new program, extend a current program or transfer from another sponsor. <i>Please see the DS-2019 Request Process Flowchart for the procedures and time allowances for inviting an Exchange Visitor.</i>
Scholar's Request for New DS2019	Use this form when need to replace a lost DS 2019, amend a previous DS 2019, reinstate J status, travel and need a new visa to re-enter the U.S. or request family member(s) to join you. This form is NOT used to BEGIN or EXTEND a stay.

### Obtaining the J1 Visa

When the exchange visitor receives the Form DS-2019 from VSU, s/he should make an appointment with the nearest U.S. Embassy or Consulate to apply for a J-I visa. [The U.S. Department of State](http://www.state.gov) web site will assist you in locating a U.S. Embassy near you and provide you with further information regarding your

temporary visit to the U.S.

### **Deadline for Entry into the U.S.**

The Exchange visitor's DS-2019 Form specifies the beginning and ending date of the program. An Exchange Visitor is allowed to enter the U.S. up to **30 days** prior to the start date of the program.

If the Exchange Visitor cannot arrive by the start date on the DS-2019, it may be necessary to issue a new DS-2019 Form. It is of great importance that the Exchange Visitor **notifies CIP** of any delay in their start date. If the start date has passed, the Exchange Visitor needs to contact CIP as soon as possible. Failure to contact CIP will result in SEVIS canceling the exchange visitor's program.

If you decide not to come to Valdosta State University, please return DS-2019 and other addenda.

### **What is SEVIS?**

The Student and Exchange Visitor Information System ([SEVIS](#)) is a web-based system for maintaining information on international students and exchange visitors in the United States. SEVIS is administered by the Student and Exchange Visitor Program (SEVP), a division of U.S. Immigration and Customs Enforcement (ICE), the largest investigative arm of the Department of Homeland Security (DHS).

### **SEVIS FEE**

The U.S. Department of Homeland Security (DHS) published the final rule to implement collection of the Student and Exchange Visitor Information System (SEVIS) fee. The rule sets the SEVIS fee for students and scholars at **\$100**. The purpose of this congressionally mandated fee is to cover the costs for the continued operation of the Student and Exchange Visitor Program (SEVP), including the administration and maintenance of SEVIS, compliance activities, and the establishment of additional DHS support personnel positions. Please go to [www.fmjfee.com](http://www.fmjfee.com) for further information.

NOTE: The SEVIS fee is a U.S. Government fee paid to DHS. It is **not** a University fee and provides no funds or services to the University.

### **J-2 Visa**

#### **Eligibility for J-2 Dependents**

The **spouse and unmarried minor children** (under 21 years of age) of the J-1 exchange visitor. This does not include U.S. citizens (i.e. children born in the U.S.). Although dependents usually enter as J-2 dependents, they are not required to do so. They may enter as tourists or in other visa classes for which they qualify. For more information on J2's [entry into the U.S.](#) and [employment](#), please read the following section of this web page.

J-2 dependents are permitted to stay in the U.S. **as long as the principal J-1 is in the U.S.**, and are affected by the J-1's need to apply for extensions of stay or change of status.

J-2 dependents must have [health coverage](#) that meets the minimum amounts required by the U.S. Department of State for international Exchange Visitors.

### **J2 Entry into the U.S**

The J-2 dependent can either accompany the J-1 visitor when they enter the U.S. or may join the J-1 at a later date. Each dependent needs to have a **dependent DS-2019** to enter the US in J-2 status.

### **Dependent accompanying J-1 on initial entry**

If J-2 dependents come to the US with the J-1 visitor starting his or her J-1 program, the J-2s' DS-2019s must be **requested upon the J-1's initial DS-2019 request**. Each J-2's information must be provided in the [Department Request for DS-2019](#), which is submitted to CIP by the J-1's VSU hosting department.

### **Dependent joining J-1 at a later date**

Exchange Visitors who are currently in the U.S. and wish to invite their dependent to join them, must wait for a **two month** period before requesting the documentation for the dependent to travel. A new form must be requested and will not be completed until after the Exchange Visitor has been in the U.S. for a minimum period of two months and all documentation and insurance requirements and fees have been met.

After two months have passed, the J-1 should download and complete the [New Scholar's Request for new DS-2019](#). Once completed, the J-1 will need to submit the application and additional documentation as requested on the application to CIP for processing. CIP will email the visitor once the dependent DS-2019 has been processed.

### **Employment of J-2 Dependents**

J-2 dependents are allowed to work. However, they are required to apply for employment authorization from the Department of Homeland Security (DHS) in order to perform any type of employment in the U.S.

J-2 dependents are eligible to apply to DHS for employment authorization as long as the employment is not for the purpose of supporting the J-1. J-2's may not begin employment until they receive a valid Employment Authorization Document (EAD) from the DHS.

If the J-2 is interested in applying for work permission, he or she may obtain an application from CIP. As explained in the instructions, this application is sent by the J-2 directly to DHS for approval. The application process usually takes 6 – 8 weeks.

### **J-1/J-2 Health Insurance Requirement**

J-1 Exchange Visitors and their J-2 dependents must be covered by sickness and accident insurance for the duration of their stay in the United States. Failure to purchase such insurance may lead to loss of legal immigration status and termination from the Exchange Visitor Program. These Department of State (DOS) regulations are published in the Code of Federal Regulations [22 CFR 62.14].

Minimum health insurance coverage must provide all of the following:

- Medical benefits of at least \$50,000 per accident or illness

- In case of death, repatriation of remains in the amount of \$7,500

- In case of serious illness or injury, payment of expenses associated with the medical evacuation of the Exchange Visitor to his or her home country in the amount of \$10,000

- A deductible not to exceed \$500 per accident or illness

At this time, the VSU Employee Benefits Insurance **does not** cover the medical evacuation and repatriation of remains. You may purchase this additional supplement by going to VSU Health Insurance Service or contacting our office for advice.

The regulations continue: "An Exchange Visitor who willfully fails to maintain the insurance coverage set forth above . . . or who makes a material misrepresentation to the sponsor [Valdosta State University] concerning such coverage shall be deemed to be in violation of these regulations and shall be subject to termination as a participant." [22 CFR 62.14(h)]

All J-1 scholars at VSU must sign a **Statement of Compliance** form for the Center for International Programs stating that they understand and will comply with the J Exchange Visitor Program health insurance requirements as outlined above.

### **J-1 Two-Year Home Residence Requirement**

Some Exchange visitors are subject to what is called the two-year or 212(e) home country physical presence requirement for one or more of the following reasons:

- \* Financially supported by the U.S. Government or their home Government
- \* Have skills which are needed in their home country, as specified on the Exchange Visitor Skills List
- \* Medical doctors who have graduated from a foreign medical school and have come to the U.S. to study or work in the field of medicine

An exchange visitor who is subject to this requirement, after completing his Exchange Visitor Program, must reside for two years in his or her home country or have the requirement waived before being eligible for other U.S. immigration statuses, including H, L or permanent resident status.

More information regarding the waiver of the requirement can be found at the U.S. Department of State web site.

### **Maintaining Your J-1 Visa Status**

As a J-1 Exchange Visitor it is important that you maintain your lawful J-1 status. Failure to do so can have serious long-term consequences. Below are steps you can take to ensure that you remain in status while in the U.S.:

Check-in with the Center for International Programs (CIP) **within 10** days of your arrival into the United States.

The determining date of your status is the ending date in section 3 of your DS-2019 form. **DO NOT** let your ending date on your DS-2019 expire. If your appointment at the University is extended, the department must contact CIP prior to the current expiration date to have the DS-2019 form extended as well.

Do not accept unauthorized employment. The only activity you are permitted is the one described in section 4 of the DS-2019 form. You must consult CIP SEVIS advisor **before** presenting any lectures or participating in any conferences during your stay.

If offered a comparable position at another college or university, discuss your plans with CIP advisor to make sure that the required transfer procedure can be accomplished.

Comply with the U.S. Department of State's [health insurance](#) requirements for J-1 visa holders and their dependents. Failure to carry health insurance is considered to be a violation of the Exchange Visitor Program and will result in termination of your program and your J visa status.

Keep your passport valid. Passport can be renewed by your embassy in Washington D.C. For information about your embassy, you may check <http://www.embassy.org>

Leave the U.S. **within 30 days** of the ending date of your exchange visitor program. Contact CIP with your departure date.

### **Traveling in J Visa Status**

When traveling temporarily outside the U.S. during your program at VSU, you will need to have the necessary documents to both permit entry to another country as well as permit re-entry to the U.S. in J-I visa status. For travel to a country other than the home country, you should check with the consulate of the country you wish to visit for specific entry requirements.

You need the following documentation to re-entry to the United States:

- \* Valid passport with at least 6 months validity
- \* Valid “unexpired” J-I visa in your passport

Check the number of entries allowed on your visa.

#### *SEVIS DS2019 “unexpired” Recertified*

Recertification signature (signature for travel) signifies to the immigration officer that you are maintaining your status. Signature must come from a Responsible Officer in the Center for International Programs.

- \* *Letter from CIP or Department and Financial Documentation*

An immigration officer at the port-of-entry may wish to verify your ability to fund your stay and you may wish to have a letter from your department stating that you are returning to the U.S. to continue your research objective.

### **Obtaining a New J-1 Entry Visa**

If your entry visa is no longer valid, you will need to apply for a new one. It is always best to do this in your home country. There are a number of factors that may contribute to delays in you obtaining your visa such as appointment at embassy and security checks. Be sure to allow yourself sufficient time – plan ahead!

### **US-VISIT Entry/Exit**

US-Visit is part of a continuum of security measures that begins overseas, when a person applies for a visa to travel to the United States, and continues on through entry and exit at U.S. air and seaports and, eventually, at land border crossings. The program facilitates legitimate travel and trade by leveraging technology and the evolving use of biometrics to expedite processing at our borders.

At this time, US-VISIT requires that most foreign visitors traveling to the U.S. on a visa have their two index fingers scanned and a digital photograph taken to verify their identity at the port of entry. Visas are required for most students, business travelers (depending on their length of stay) and millions of other visitors, regardless of where they live.

Checking out of the country using the US-VISIT exit procedure is mandatory where an exit solution is in place at the port of departure. If students fail to check out through these facilities, it could affect your ability to re-enter the country. Eventually, all airports and seaports may contain exit stations or other

alternatives. People will not be penalized if an exit solution is not yet installed at their point of departure. To-date, these are the ports of exit where the US-VISIT Exit Procedures are in place.

## Arriving at VSU

Upon arrival to VSU all scholars in J or H visa and all other visa categories must first check-in with the Center for International Programs (CIP) immigration specialists (David Starling or Irina McClellan). Please check the list of instructions below for your visa category:

### ***J Status***

1. Check in with CIP upon arrival
2. Complete Exchange Visitor Information Sheet
3. Purchase Health Insurance for your self and all dependents
4. Begin the process of obtaining a social security card (if funded by VSU).

## Driver's License

While you can use your international driver's license to drive in the U.S. for the first 12 months you are here, you will find it is much easier to have a driver's license issued to you by the state of Georgia. In the U.S. driver's licenses are used for identification purposes so you will use it quite often and it will reduce the cost of your car insurance. For specifics go to [http://www.valdosta.edu/iss/new/licence\\_ga.htm](http://www.valdosta.edu/iss/new/licence_ga.htm)

For more information about obtaining your Georgia driver's license you can visit the Georgia Department of Driver Services web page at <http://www.dds.ga.gov> or call them at 866-754-3687 or 678-413-8400.

## Social Security

VSU **scholars**, who are actively employed on campus, need to apply for **Social Security number** for the purposes of filing taxes. The Social Security number is used by the U.S. Government to identify wage earners for tax purposes.

You should wait until you have been in the U.S. at least **ten days** before applying for a social security number. This will allow for enough time for your immigration information to be entered into the system, which is then verified by the social security office. You will need to have the following in order to apply for a social security number:

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### J Scholars

1. Valid passport
  2. DS-2019
  3. I-94 card
  4. Letter of offer/invitation from department
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For specifics go to <http://www.valdosta.edu/iss/new/ssn.htm>

## Taxes

Employees in JI status are subject to federal and state income tax, unless tax exemption is specifically

provided by treaty.

Employees in J1 status may meet the "substantial presence test" to be a resident alien for tax purposes. If considered a resident alien for tax purposes, employees in J status are subject to Social Security and Medicare taxes.

## **H Scholars**

### **What is an H-1B**

H-4 Dependents

Health Insurance

Maintaining your H

Traveling in H

Driver's License

Social Security

Taxes

## **Arriving at VSU**

### **What is an H-1B?**

The H-1B non-immigrant visa category is used by U.S. employers to temporarily employ foreign workers in specialty occupations. The law defines a specialty occupation as one that requires the theoretical and practical application of a body of highly specialized knowledge and for which attainment of a baccalaureate degree (or its equivalent) is a minimum for entry into the position. Basically, a specialty occupation is a professional position. An individual may hold H-1B status for a maximum of six years, available in increments not to exceed three years.

An employer wanting to hire an H-1B worker must file a petition with the Department of Homeland Security. The employee cannot petition for H-1B status or obtain it independently. Officially, VSU does not provide financial or legal assistance in the procurement of H-1B visa and directs potential applicants to outside legal agencies. For a private collegiate discussion on H-1B interested departments should contact Dr. Ivan Nikolov at CIP and Honey Coppage in the Office of the Vice President for Academic Affairs.

### **H-4 Dependents**

Dependents of H-1B employees (spouses or children) can be in the U.S. in H-4 visa status. If dependents are in the U.S. at the time the H-1B is applied for, the applicant should include the dependents in the H-1B application process. If dependents are outside of the U.S. at the time the H-1B is filed for then nothing can be done until later, when the H-1B returns to their home country. The H-1B visa holders would use their H-1B paperwork in concert with what is required by the U.S. Embassy or Consulate to obtain H-4 visas for all dependents.

People in H-4 status are allowed to attend school either on a part time or full time basis.

People in H-4 status are NOT allowed to work while in the U.S.

### **Health Insurance**

While in H-1B status and employed at VSU you might be eligible to take part in the VSU sponsored health



insurance plan. Information concerning this plan will be explained to you during your orientation with human resources.

If you are not eligible to be part of the VSU insurance plan then the CIP strongly recommends that you purchase your own health insurance plan to cover yourself during your stay in the U.S.

### **Maintaining Your H-1B Status**

While in H-1B status there are a few key things you should remember:

- 1) H-1B visa holders can only work for the employer indicated on their H-1B approval notice. Consultation for other employers or working at other locations is not legal.
- 2) H-1B visa holders can attend school but only on a part time basis. If you want to pursue a degree full time then you should change your immigration status to F-1.
- 3) Generally, there is no grace period associated with an H-1B. This means that on the end date listed on your H-1B approval notice you should depart the U.S. You are only entitled to a grace period of 10 days beyond the end date list on your approval notice if it has been indicated on your I-94 card at the time of entry into the U.S.
- 4) If you decide to terminate your position at VSU prior to the end date listed on your approval notice you must contact CIP so that this can be reported to immigration. Your H-1B status will end on the day you stop working.

### **Traveling in H-1B Status**

When traveling outside of the U.S. in H-1B there are many things that should be considered prior to your departure. Please ensure that you have the necessary documents for entering whichever country you choose to visit. To find out what documents you will need to travel to a certain country please visit that country's U.S. Embassy or Consulate web site at [www.embassy.org](http://www.embassy.org).

The next thing to consider is whether or not you will need an H-1B visa stamp in your passport. Being approved for H-1B status in the U.S. and having an H-1B visa stamp in your passport are two very different things. If you changed your status from F or J to H-1B within the U.S. then you will not have an H-1B visa stamp in your passport and will therefore have to visit a U.S. Embassy or Consulate to obtain one before you can re-enter the U.S. A Visa is essentially a travel pass that allows you to board a plane or boat and come to the border of the U.S. Your H-1B approval notice (I-797) is what actually allows you to enter the U.S. and stay here. To obtain this visa stamp in your passport you will need to make an appointment at the U.S. Embassy or Consulate closest to where you will be (CIP recommends that you always obtain your visas in your home country). To your visa appointment you will need to take the following items with you:

1. Valid Passport: this is a passport that has not expired and has at least 6 months of validity left on it.
2. Original I-797 approval notice
3. One photocopy of the H-1B application.
4. Letter from employing department (CIP suggests that you have 2 original copies of this. (One for obtaining the visa and one for re-entering the U.S.) that states the following:

1. (Name of H-IBI employee) is currently employed in H-IBI status in the Department of (Name of department) in the position of (position title) earning an annual salary of (dollar amount). (Name of H-IBI employee) is authorized to work in the department until (end date of H-IBI approval period).

2. (Name of H-IBI employee) is traveling to (country name) to (state purpose of trip, i.e. visit family and friends, or attend a conference) and is expected to return to Valdosta State University to resume (his/her) H-IBI employment on (date).

3. (Name of H-IBI employee) is performing research in the field(s) of (state general field(s) of research, i.e. genetics, molecular biology). The nature and purpose of this research is to (state the nature and purpose of the research responsibilities in terms that a mother could understand, i.e. discover the genetic and/or molecular causes of prostate cancer, or improve on therapeutic treatments of prostate cancer). To the best of our knowledge, this research can only be useful to persons researching (state general goal of research, i.e. prostate cancer) and could not be used for a dual purpose.

4. Kindly issue (Name of H-IBI employee) an H-IBI visa stamp so that (he/she) may return to the U.S. to resume (his/her) research.

### **Driver's License**

While you can use your international driver's license to drive in the U.S. for the first 12 months you are here, you will find it is much easier to have a driver's license issued to you by the state of Georgia. In the U.S. driver's licenses are used for identification purposes so you will use it quite often and it will reduce the cost of your car insurance. For specifics go to [http://www.valdosta.edu/iss/new/licence\\_ga.htm](http://www.valdosta.edu/iss/new/licence_ga.htm)

For more information about obtaining your Georgia driver's license you can visit the Georgia Department of Driver Services web page at <http://www.dds.ga.gov> or call them at 866-754-3687 or 678-413-8400.

### **Social Security**

VSU scholars, who are actively employed on campus, need to apply for **Social Security number** for the purposes of filing taxes. The Social Security number is used by the U.S. Government to identify wage earners for tax purposes.

You should wait until you have been in the U.S. at least **ten days** before applying for a social security number. This will allow for enough time for your immigration information to be entered into the system, which is then verified by the social security office. You will need to have the following in order to apply for a social security number:

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H, TN, E-3, O Scholars

Valid passport

I-94 card

Departmental Letter confirming employment at VSU

For specifics go to <http://www.valdosta.edu/iss/new/ssn.htm>

### **Taxes**

Employees in HIB status are subject to federal and state income tax, unless tax exemption is specifically provided by treaty.

Employees in HIB status may meet the "substantial presence test" to be a resident alien for tax purposes. If considered a resident alien for tax purposes, employees in HI status are subject to Social Security and Medicare taxes.