

MEMORANDUM

DATE: March 5, 2009

TO: Academic Department/Division Chairs/Directors
Deans

FROM: Angela McCorvey, Associate Vice President
Office of Diversity and International Education and
Programs

SUBJECT: Departmental Request Forms for J-1 Professors, Research
Scholars, and Short-term Scholars

International professors, research scholars, and short-term scholars may be sponsored as exchange visitors if they will be participating in a program that furthers objectives in their field of study and the exchange visitors have appropriate academic credentials.

Effective immediately, any department who wishes to sponsor a J-1 professor, research scholar, or short-term scholar must submit to the International Student Office:

1. The attached request form at least 90 days prior to appointment of the J-1 exchange visitor. The form must be completed and signed by the faculty sponsor, department chair, college dean, and provost. (Visas will not be issued more than 120 days prior to the stated date).
2. A letter of invitation from the sponsoring department to the exchange visitor, and
3. Documentation from the exchange visitor documenting funding of at least \$5,000 for living expenses each semester he or she is affiliated with the University.

Please be advised that if funding is provided in whole or in part by an agency of the Government of the United States or by the government of the country of the exchange visitor's nationality, the exchange visitor could be subject to 212 (e) (two-year home country residency requirement). Exchange visitors who are subject to the two-year home residency requirement must return and be physically present in their home country for an aggregate of two years before being eligible for certain immigration benefits. **PLEASE ENSURE THAT THE EXCHANGE VISITOR IS AWARE OF THE 2-YEAR HOME COUNTRY RESIDENCY REQUIREMENT.**

Once all documentation is received, the Form DS-2019, which allows the exchange visitor to obtain the J-1 visa, will be prepared by the International Student Office. This form will then be sent to the exchange visitor. The sponsoring department will be responsible for all costs associated with mailing the forms to the exchange visitor.

Thank you for your cooperation in this matter. If more information is needed, please contact the International Student Office at 850-474-2479.

Categories of International Professors/ Research Scholars/ Short-term Scholars Eligible for J1 Visa Consideration

Under Federal regulations J-1 status may be granted to (1) an individual having a residence in a foreign country (2) which he/she has no intention of abandoning (3) who is a bona fide student, scholar, trainee, teacher, professor, research assistant, specialist, or a leader in a field of specialized knowledge or skill, or other person of similar description.

At UWF, the J-1 Exchange Visitor Program currently sponsors J-1 exchange visitors in the following categories: (a) Professor, (b) Research Scholar, (c) Short-term Scholar, and (d) Student.

The following are definitions of the categories sponsored at UWF:¹

Professor: An individual primarily teaching, lecturing, observing, or consulting at post-secondary accredited educational institutions, museums, libraries, or similar types of institutions. A professor may also conduct research, unless disallowed by the sponsor.

Research Scholar: An individual primarily conducting research, observing, or consulting in connection with a research project at research institutions, corporate research facilities, museums, libraries, post-secondary accredited educational institutions, or similar types of institutions. The research scholar may also teach or lecture, unless disallowed by the sponsor.

Short-Term Scholar: A professor, research scholar, or person with similar education or accomplishments coming to the United States on a short-term visit for the purpose of lecturing, observing, consulting, training, or demonstrating special skills at research institutions, museums, libraries, post-secondary accredited educational institutions, or similar type of institutions.

Student: An individual studying in the United States, pursuing a full course of study at a post-secondary accredited educational institution leading to a U.S. degree from the post-secondary institution; or engaged in a prescribed course of study of up to 24 months duration; or engaged in academic training as permitted in 62.23 (f); or engaged in English language training.

¹ Other categories of J-1 exchange visitors not currently recognized at UWF:

Trainee: An individual participating in a structured training program conducted by the sponsor.

Teacher: An individual teaching full-time in a primary or secondary accredited educational institution.

Specialist: An individual who is an expert in a field of specialized knowledge or skill coming to the United States for observing, consulting, or demonstrating special skills.

Other person of similar description: An individual of description, similar to those categories mentioned above, coming to the United States, in a program designated by the Department of State under this category, for the purpose of teaching, instructing or lecturing, studying, observing, conducting research, consulting, demonstrating special skills, or receiving training.

Length of Stay

The length of stay permitted by the U.S. government for the J-1 Short-term Scholar depends on the category in which the exchange visitor was admitted. The following are the stay periods granted for the types of categories sponsored at UWF:

- Professors: Minimum 3 weeks with maximum duration of stay 5 years
- Research Scholars: Minimum 3 weeks with maximum duration of stay 5 years
- Short-Term Scholars: Six (6) month period with no extensions
- Student: For the length of his or her educational program

Eligibility Requirements

To ensure that the program is suitable to the participant's background, needs, and experience, sponsors screen and select their program participants according to the eligibility criteria for each program category. Exchange visitors must pay all costs associated with obtaining a visa. In addition to program-specific criteria, all participants must satisfy English language proficiency and insurance requirements.

English Language Proficiency

Participants must possess sufficient proficiency in the English language to participate in their programs. Sponsors are required to ensure that their participants are sufficiently proficient in the English language to participate in their exchange programs before they enter the United States.

[22 CFR 62.10(a) (2)]

Insurance

Federal regulations require J-1 participants and any J-2 dependents (spouses and children under the age 21) accompanying to carry medical insurance. Both federal law and Florida law establish the requirements for insurance. Program sponsors must ensure that all participants have the appropriate medical insurance. Willful failure on the part of the J-1 participant and/or any J-2 dependents to maintain active insurance coverage is grounds for termination from the program. Please refer to the regulations for details. **[22 CFR 62.14]**

Employment

An exchange visitor (a professor, research scholar, or short-term scholar), sponsored by the J-1 Exchange Visitor Program at UWF, may be eligible for employment authorization under certain circumstances. Employment authorization will be indicated in section 5 on the DS-2019 issued by UWF. This employment authorization requires a University appointment (i.e. Visiting Professor of Chemistry, Postdoctoral Research Scientist/Scholar in Microbiology). The spouse and/or children of an exchange visitor in the U.S. may work in J-2 status, according to 8CFR274a.12 (c) (5). If employment is desired, the dependent must make an application to the U.S. Department of Homeland Security, U.S. Citizenship and Immigration Services (USCIS) and be approved for permission to work. The International Student Office can assist the exchange visitors with this process.

Pre-Arrival Information

The International Student Office will provide exchange visitors with general information related to the process of applying for a J-1 visa and related matters, on-campus housing and food services **before** they leave their home countries for the United States.

Sponsors from the Academic Departments with which the exchange visitors will be associated, must provide their participants with specific program information and any contractual obligations relevant to their program category. For details, please refer to the regulations. **[22 CFR 62.10 (b)(1-8) and specific regulations for categories of interest]**

Orientation

The International Student Office will provide orientation as needed about the requirements for maintaining their J-1 status and will assist exchange visitors with any of the J-1 immigration related issues during their stay.

Sponsors from the Academic Departments with which the exchange visitors will be associated, must offer appropriate orientation about UWF, the region, state, and locale for all participants and are encouraged to offer orientation to the participant's family (J-2 spouses and dependents), especially those expected to remain in the United States for at least one year. Useful information specific to Florida may be found at www.Florida.com. For details, please refer to the regulations. **[22 CFR 62.10 (c)(1-7) and specific regulations for categories of interest]**

Recommended Orientation Topics

- Life and customs in the United States
- Local community resources (e.g., public transportation, medical centers, schools, libraries, recreation centers, and banks), to the extent possible
- Available health care, emergency assistance, and insurance coverage
- A description of the program in which the exchange visitor is participating
- Rules that the exchange visitors are required to follow under the sponsor's program
- Address of the sponsor and the name and telephone number of the responsible officer
- Address and telephone number of the Exchange Visitor Program Services of the U.S. Department of State and a copy of the Exchange Visitor Program brochure outlining the responsibilities of visitors while on exchange

Monitoring of Exchange Visitors

Sponsors from the Academic Departments with which the exchange visitors will be associated, shall monitor, through employees, officers, agents, or third parties, the exchange visitors participating in their programs. Sponsors shall:

(1) Ensure that the activity in which the exchange visitor is engaged is consistent with the category and activity listed on the exchange visitor's Form DS-2019;

(2) Monitor the progress and welfare of the exchange visitor to the extent appropriate for the category; and

(3) Require the exchange visitor to keep the sponsor apprised of his or her address and telephone number, and maintain such information.

Inquiries and Investigations

The International Student Office and sponsors from the Academic Departments with which the exchange visitors will be associated, shall cooperate with any inquiry or investigation that may be undertaken by the U. S. Department of State.

Retention of Records

The International Student Office shall retain all records related to the exchange visitor program and exchange visitors for a minimum of ten years.

Sponsors from the Academic Departments with which the exchange visitors will be associated, shall retain all records related to their exchange visitor program and exchange visitors for a minimum of three years.

All program categories require that sponsors from the Academic Departments with which the exchange visitors will be associated, provide emergency, 24-hour contact information to their participants. Participants should not hesitate to contact the responsible officer if they need assistance. For additional information, please refer to the regulations. **[22 CFR 62.10(e) and specific regulations for categories of interest]**