

The J-1 Exchange Visitor Visa

What is a J-1 Visa?

A department may sponsor a J-1 visa for an employee coming to LSU to fill a temporary position of a limited duration, and where the employee does not intend to work and live in the US permanently. Employees and visitors who hold a J-1 visa and their dependents who hold J-2 visas are referred to as Exchange Visitors. The US Department of State is in charge of the exchange visitor program. There are several exchange visitor categories, including Professor, Research Scholar, Short Term Scholar, Specialist, and Student.

A prospective exchange visitor whose main duty will be to teach (instructors, visiting and other temporary teaching faculty) will be categorized as Professor. Tenure track Assistant Professors are ineligible for the J-1 visa because their positions are not considered temporary. Prospective exchange visitors whose main duty will involve research (Postdoctoral Researchers, Research Associates, research faculty, etc) will be categorized as Research Scholars. Professors and Research Scholars can be in the United States for a maximum period of 5 years. The Short Term Scholar category is used for researchers and teaching faculty who plan to be in the United States for a maximum of 6 months. Extension of J-1 status beyond 6 months for Short Term Scholars is not permitted. Individuals coming to the US to conduct specialized research or other unique activities may be categorized as Specialist. Specialists are allowed to work in the US for a period not exceeding 1 year. Categories are not interchangeable, except for the Professor and Research Scholar Category.

Is LSU required to pay a J-1 exchange visitor a salary?

No, exchange visitor may be paid by LSU or they may be appointed on gratis. If they have a gratis appointment, they must provide evidence that they will have adequate money to live in Baton Rouge (at least \$1,300/month for the J-1 visa holder; additional \$4,000 annually for spouse and \$3,000 annually per child). Evidence of financial support may be in the form of a bank letter showing their savings; or a scholarship letter; or a letter from their employer in their home country showing that they will be paid their salary while they are here.

What documents must the department prepare for a prospective J-1 employee?

- Prepare the Request Form found on the International Services website at: <http://www.oip.lsu.edu/iso/j1.htm>.
- Contact the visitor via email and ask them to complete the “Employee Information” section of the Request Form (page 1); They can send this back to you via email scan or fax, along with copies of their passport(s) and *Curriculum Vitae*. If they are not going to be paid by LSU, they should also fax or e-mail financial support information.

How long does it take to get a J-1 visa?

It may take you about 1 week to compile the J-1 paperwork. Once you send the paperwork to the International Services for processing, it will take about a week for the ISO to issue form DS-2019 and other documents that the scholar (and any accompanying dependents) will need to apply for the J visa at the US Consulate abroad. The International Services will ask you to pick up the documents from their reception office and mail them to the scholar abroad so that the scholar can apply for the visa. It is recommended that you mail the documents by federal express or other quick and traceable means. Usually, the exchange visitor's application for the visa is processed within 2 weeks. However, in some cases, it may take 3 or even 5 weeks for the visa to be processed. Visa delays are more common for scholars applying in India and China; delays are often much longer for applicants in the Middle East. Allow sufficient time for the visa application process.

What should the department do when the exchange visitor arrives?

Notify the International Services immediately. The department should schedule an appointment for the exchange visitor (even before the visitor arrives), to meet with Ms. Janice Goodloe prior to starting work. Ms. Goodloe will photocopy their immigration documents, help them purchase insurance coverage, and further process their documents so that they can start employment or program participation. Exchange visitors will also meet with Ms. Loveness Schafer for immigration orientation after the meeting with Ms. Goodloe, or at a later stage. Immigration orientation is required of all exchange visitors. This is a State Department requirement. Orientation may be waived for Short Term Scholars, but not for the other categories. Ms. Loveness Schafer will let you know if orientation is waived for a particular Short Term exchange visitor.

What are the responsibilities of exchange visitors which departments (especially the host professor/ staff and department contact) must be aware of?

Departments should help their exchange visitors fulfill the following responsibilities:

- Have medical insurance in effect for themselves and any accompanying spouse and minor children on J visa for the duration of their exchange program at LSU.
- Work only at LSU pursuing the original program objective, unless prior approval is granted for them to do additional activities.
- Request extension of stay prior to expiration of their DS-2019, about 3 months ahead. The request should be made to their departmental supervisor and the departmental HR contact. The HR contact should send a copy of the PAF form showing continuation of employment to the attention of Ms. Janice Goodloe at the International Services. The International Services will issue a new, extended "visa" document (DS-2019) within 1 week.
- Timely request transfer of their DS-2019 upon accepting a new job offer with another university or program sponsor.

- Complete the “Request for Travel Validation” form (if they plan to travel abroad) found on the International Services website; submit the form and their DS-2019 to the International services for signature.
- Discuss travel plans with Ms. Loveness Schafer if any trip abroad will be longer than 30 days.
- Notify the International Services of a change in their address within 10 days of the day they move. It’s the law.
- Upon separation from LSU, report departure date. If employment or the visit is terminated early (before the expiration of the DS-2019), inform the International Services the reason for the early departure, and whether or not they completed their research program.
- Depart the US within 30 days of completing their J-1 program.

What is the department’s responsibility if their J-1 Exchange Visitor’s Program Ends Early?

Notify the International Service-- Ms. Janice Goodloe. State whether the visitor completed their research project or not; and the reason for their early departure.

What is the 2 year physical home residence requirement (212e)?

Exchange visitors are expected to return to their home country at the end of their work in the United States. Most visitors are actually required to return home. These are the visitors whose program is financed by the US or foreign government; or if they are acquiring a skill that is in short supply in their home country. Visitors who are subject to the 2 year home residence requirement are not eligible to change status in the US, unless the home residence requirement is waived by the State Department and the Department of Homeland Security; they are also ineligible for an H-1B visa or immigrant visa (green card) unless they obtain the waiver or return to their home country and reside there for at least 2 years after completing their J-1 program.

How soon can an exchange visitor who has just completed a J-1 program return to LSU to pursue another J program?

They may return immediately if they are coming to pursue a short term program for 6 months or less. New paperwork will need to be done to issue a new DS-2019 so that they can apply for a new J visa at the US consulate abroad. If they plan to pursue a long term program as a Research Scholar or Professor, they may have to wait for a year or two before being eligible to return. Contact Ms. Loveness Schafer for details.

What are the advantages and disadvantages of a J-1?

- It is quick to process, taking an average of 1 month to complete the whole process, compared to an estimated 3 to 4 months for H-1B.

- It is relatively easy to process. Less paperwork compared to H-1B
- It does not cost the host department money (no filing fees), except for the cost of mailing documents.
- Dependents may apply for a work permit and work.
- Easy, quick, and costs nothing to extend and transfer status.
- Specific insurance coverage is mandatory
- Maximum stay is no more than 5 years
- Expectation or requirement to return home