

**International Student and Scholar Services  
Middle Tennessee State University**

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# **J-1 Visitor's Handbook**

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## **Important Documents and Acronyms**

**USCIS** – United States Citizenship and Immigration Services

**ISSS** – International Student and Scholar Services, Jones Hall 111

**International Affairs** – Peck Hall 216

**Passport:** Throughout your entire stay in the United States (US), your passport must be valid. Failure to maintain a valid passport will keep you from applying for any extensions, transfers, or changes of status, among other things. It is your responsibility to know the expiration date of your passport and take the appropriate steps to renew it before it expires. Be aware you will need to contact your embassy or consulate to verify the steps needed to renew your passport, and that this process can take several months. In many cases, your passport must be valid for at least six months beyond your expected stay in the US.

Upon entry to the US, your passport will be stamped with your entry date and status. The expiration date of your status should be noted as “D/S” which stands for “Duration of Status.” This indicates you may stay until the ending date of your immigration form DS-2019.

**Entry Visa:** Visitors on the J-1 Visa, except those from Canada, must have a valid entry visa to enter the US. This is the visa you acquired from the US consulate in your home country upon presenting the form DS-2019 and invitation letter from MTSU. Your visa will have an expiration date and number of entries you may make during that time; “M” for multiple, or a number. Your visa may expire while in the US, but would need to be renewed if you leave the country and plan to re-enter. These renewal visas can only be obtained from a US embassy or consulate outside the US.

**I-94:** This is your official arrival/departure record. After you have arrived in the US, you should visit the government website and print a few copies of your I-94. The website to do this is <https://i94.cbp.dhs.gov>. You will need to bring one of these copies to the ISSS office for check-in. If you leave the US, upon re-entry, you will need to print a new I-94, though the MTSU ISSS office only requires the first entry copy be submitted.

**SEVIS:** The Student and Exchange Visitor Information System is the tracking system from USCIS for J-1 and F-1 visa holders. MTSU provided your DS-2019 through this system, and we are required to keep the system updated with important data, such as your current US address, changes in financial and biographical information, as well as your departure from the program.

You must enter the US no earlier than 30 days prior to, and no later than 30 days past, the start date on your DS-2019, or your document will be invalid. If you fail to report to campus within 30 days of your arrival, you will be reported as “No Show” in the SEVIS system and you will be out of status.

**DS-2019:** This document indicates you are a J-1 Visitor, and identifies your sponsor, program number, dates of your visit, and activities in which you will be involved. You must have this

document to obtain your entry visa. You must have it with you when you enter or leave the US. As with your passport, this form will also be stamped with your date of entry by a USCIS officer at the port of entry. You need to keep all copies of your DS-2019 and I-94 during and after your stay.

**Social Security Number:** Only if you will be on the payroll of MTSU, you will need to obtain a social security number before you can receive a paycheck. Before you can obtain this document, you will need to allow ISSS to report your arrival in the SEVIS system. Once that has taken place, your department will receive paperwork for you to take to the local [Social Security Office](#). In addition to this paperwork, you will also need your Passport and Visa, and your DS-2019. You will take these items to the Social Security Office and fill out an application form. Once you receive your Social Security Card, you will need to present this to your sponsoring department and Human Resources.

The local Social Security Office is located at: 2836 St. Patrick Ct, Murfreesboro, TN 37128

## **Your Activities as a J-1 Visitor**

### **Categories**

As a J-1 Visitor, you have a specific objective in coming to the US. Your DS-2019 contains a category which defines your activity. These categories are, Professor, Research Scholar, and Short-Term Scholar. You have been assigned a category based on the description of your activities, as provided by your sponsoring department.

*Professor:* Teaching, lecturing, observing, or consulting. A Professor may also conduct research.

*Research Scholar:* Conducting research, observing or consulting with a research project. The Research Scholar may also teach or lecture in his or her field, as opportunities arise.

*Short-Term Scholar:* A Professor, Research Scholar, or person of similar educational background or accomplishments, coming on a visit no longer than six months, for the purpose of lecturing, observing, consulting, training, or demonstrating special skills.

### **Objectives**

As a J-1 Visitor, you are expected to fulfill the activity, as listed in section 4 of your DS-2019. Therefore, you will not be allowed to change your category once you have arrived in the US. You may be able to change departments, as long as the type of work you are performing remains basically the same. Any changes must be approved by International Affairs. Make sure you contact us if you are considering any changes to your original program.

### **Coursework**

J-1 Visitors may not be full-time students. One or two classes may be approved, but your primary activity must be in your category; Professor, Research Scholar, or Short-Term Scholar. Should you decide you would like to become a full-time student, a change to F-1 status would be necessary. Also, you may not accept a graduate assistantship position, unless you change to F-1 status.

## **Time Limits**

The minimum stay for a Professor or Research Scholar is three weeks, while the maximum stay is five years. Short-Term Scholars have no minimum stay, but have a maximum stay of six months, with no extension possible. All J-1 Visitors are allowed to stay in the US for 30 days after the end date on their DS-2019. This grace period allows for preparation to return home. No work may be done during this grace period.

## **Overstay**

Overstays, staying in the US longer than the 30 day grace period, create serious problems. The only exception to this overstay rule is in the event another application is pending with USCIS. Otherwise, be certain to leave before your grace period ends.

## **Employment, On and Off Campus**

Employment for J-1 Visitors is very restrictive. Without special arrangements, only employment with your sponsoring department is authorized. Even if other employment opportunities arise within your field, but are with a different department on campus, you may not accept that employment. Employment outside of your field, or category, is strictly forbidden.

Off campus opportunities, such as lectures, seminars, or consulting, within your field and at another institution may be permitted, if approved prior to the activity by International Affairs. To receive approval, you must have a letter of invitation from the institution which details the activity, dates, and compensation. International Affairs will then issue a letter to the other institution that the activity is approved. International Affairs must be consulted with regarding any outside activities, as permission may be required from the US State Department.

### **Unauthorized Employment**

Accepting unauthorized employment may lead to cancellation of your J-1 Visitor program. Termination of your program for such violations could cause problems with future participation in any USCIS program. Because of this, it is important to ensure your income is sufficient enough for you and your dependents prior to beginning your stay in the US. Discuss this with your home institution and sponsoring department early in the application process.

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

### **What is the requirement?**

Some J-1 Visitors and their dependents are required to return to their home country and live there for a period of two years after their program ends and before they can obtain certain immigration benefits. The purpose for this requirement is to provide the home country with the benefit of the Visitor's experience from the program.

### **Who is subject to the requirement?**

J-1 Visitors whose participation is funded in whole or part, whether directly or indirectly, by their home government or the US government, are subject to this requirement.

J-1 Visitors whose field of work appears on the "Exchange Visitor Skills List" for their home country, are subject to this requirement. The list can be found at the State Department webpage, <http://travel.state.gov/content/visas/en/study-exchange/exchange/exchange-visitor-skills-list.html>. This indicates that your field is in short supply in your home country. You may also inquire about this list, and whether it applies to you or not, at the US Consulate when you apply for your visa.

J-2 Visitor dependents of J-1 Visitors who are subject to this requirement are also subject to this requirement.

Being subject to this requirement in the past, even if a great deal of time has passed, still applies to you. This is true even if your most current DS-2019 indicates you are not subject to the requirement. Changing of citizenship from one country to another, also does not eliminate this requirement.

If you are subject to this requirement, you may not change your status to any other visa classification from within the US. You also may not change from a J-1 to a J-2, or from a J-2 to a J-1 from within the US. You may not apply for permanent resident status. If you are subject, though, you may leave the US and change to another visa classification.

### **Waivers of the requirement.**

There are five reasons you may receive a waiver of the two-year home residence requirement. Should you apply for this waiver, be aware you will no longer be eligible to extend your program or change programs.

The five reasons are:

- Receive a "no-objection" statement from your country's embassy in Washington, DC. This letter should be directed to the State Department and indicate that they have no objection to you receiving this waiver. This statement does not guarantee a waiver will be granted, especially if the Visitor has received any funding from the US government.

- If your program is on a project of interest to a US government agency, and that agency determines your continued stay is of vital importance, a waiver may be requested based on the public interest of the US.
- If you can demonstrate a fear of persecution based on race, religion, political opinions, or nationality you would face upon return, you may request a waiver by applying to USCIS.
- If you can demonstrate that a US citizen or permanent resident spouse or child will face exceptional hardship by your return to your home country, you may request a waiver by applying to USCIS.
- Medical doctors may request a waiver from the State Department of Health, or its equivalent.

## **Health Insurance**

All J-1 Visitors are required to have adequate health insurance coverage for themselves and their dependents. This is a requirement of USCIS, which sets minimum requirements for this coverage to protect you and your family members in the event of accident or illness. This requirement is for all, not matter how brief your stay may be.

Medical care expenses in the US are not provided by the government. Medical care in the US is provided by private doctors, clinics, and hospitals. This care is very expensive. The patient is responsible for these costs, and most Americans have health insurance to help cover these costs. A single day of hospitalization and medical treatment can cost thousands of dollars. Doctors and hospitals may refuse treatment for all but life threatening emergencies, so health insurance can ensure you are not turned away from needed treatment. It is risky to be in the US without health insurance.

### **How health insurance works.**

When purchasing health insurance, you will be required to pay a monthly fee, called a premium. Premiums from others combine with yours to cover the medical bills of all insured. Your coverage is valid as long as you pay your premiums in a timely fashion.

Upon enrollment with the insurance company, they will provide you with an identification card, which will provide proof of coverage to your care provider, a doctor or hospital. The insurance company will also provide instructions for scheduling appointments and filing claims after your office visit. After receipt of your claim, the insurance company will evaluate it and process it for payment, based on the coverage in your policy. Many policies will require you to pay some portion of the bill, called a co-pay. Some doctors and hospitals will require you to pay the entire bill upfront and request reimbursement from the insurance company, while others will fill the claim on your behalf, taking only the required co-pay at the time of service. Make sure you ask both the insurance company and doctor/hospital prior to your appointment so you will not be surprised at the requested payment from you.

### **Purchasing and maintaining your insurance**

There are generally three possibilities for the purchase of health insurance. First, your home country/institution may provide it for you. If this is the case, you will need to provide ISSS proof of coverage, as well as proof that they coverage meets the minimum requirements, at the time you check-in.

The second option is that your sponsoring department may provide this as part of your program. Again, if this is the case, you will need to provide proof of coverage at check-in. This is not usually the case, so make sure you discuss this with your department during the application process.

Finally, you may be required to purchase your insurance on your own. If this is the case, you may contact our office for the link to the suggested insurance for all international students, or

you may find a company on your own, so long as the minimum coverages meet the requirements. Proof of insurance will, again, need to be provided at check-in.

**Requirements for insurance coverage:**

- Maximum coverage for benefits may not be less than \$50,000 per incident;
- Your insurance must provide at least \$7,500 to send your remains to your home country in the event of death. This is called, “Repatriation;”
- Your insurance must pay up to \$10,000 in “medical evacuation,” in the event of serious illness or injury to send you to your home country on the advice of a doctor;
- The deductible, the portion you pay for each accident or illness, cannot be more than \$500;
- The insurance must pay at least 75% of covered medical expenses;
- If the policy has a waiting period for pre-existing conditions, the period may not be longer than is reasonable by current insurance industry standards;
- The policy must be backed by the full faith and credit of your home country or the company must meet the minimum rating requirements of the State Department. This rating will be at least an A- by industry rating standards; and,
- While most policies exclude coverage for certain conditions, your insurance must cover injuries resulting from participation in the activities which are part of your program.

## **Travel**

To travel abroad during your time as a J-1 Visitor, you will need to make sure your passport is valid, your entry visa is valid, and your DS-1029 has a valid signature for travel. As a J-1 Visitor, your length of travel may be limited to 30 days at a time. Please check with International Affairs to verify this, based on your category and length of program.

### **Passport**

Your passport must have at least 6 months remaining before expiration upon your planned re-entry to the US. If that is not the case, you should contact your country's embassy in Washington, DC to inquire about renewal. They will instruct you on the steps necessary to renew your passport while outside your home country, or may instruct you to renew it while at home. If there are fewer than 6 months until it expires upon your re-entry to the US, you may be turned down for re-entry.

### **Visa**

Like your passport, your visa should have at least 6 months remaining before expiration upon your re-entry date to the US. You should also check the number of entries with your visa. Some countries issue visas with a limited number of entries. Once you have reached this number, you must obtain a new visa. If you must obtain a new visa, this must be done outside the US. You will need a current DS-2019. You may also need to show the consular official proof that you have ties to your home country and that you plan to return there after your program has ended.

### **Travel Signature**

As soon as you know you plan to travel outside the US, you will need to take your DS-2019 to the International Admission Office (Peck Hall 208) to have it endorsed (signed) for travel. This signature will remain valid for 12 months. If you have had a signature within 12 months of your expected re-entry, you do not need to have it signed again. Always check this before traveling. Please allow 2-3 days for your form to be processed before pick up. Also, as the end of a semester is a busy time for administrative offices on campus, we ask that you bring your form to the office at least 2 weeks prior to your expected travel.

## **Income Tax**

*Disclaimer: The ISSS office and its employees are not experts in US tax law, and are not authorized to give tax advice. You are encouraged to visit the Internal Revenue Service (IRS) site to learn more about your requirements to file and pay taxes on your earnings.*

<http://www.irs.gov/Individuals/International-Taxpayers/Foreign-Students-and-Scholars>

Some J-1 Visitors are required to file tax forms with the IRS annually. The site listed above will serve as the authority on whether or not you may need to file. Tax returns in the US are due every year on April 15<sup>th</sup>, and are based on income received in the previous calendar year. There are also tax preparation businesses available to assist. You should ask them if they are knowledgeable in non-resident tax law before hiring them to assist you, as tax law for citizens, permanent residents, and international students/scholars are different. Unlike many other states, Tennessee does not have a state income tax.

In the US, employers deduct money each pay period from your paycheck and send it to the IRS. By the end of the year, this amount may be more than you owe, or less than you owe. If too much is deducted, you would qualify for a refund. If too little is deducted, you would owe an additional payment to cover this shortfall. It will be your responsibility to file the appropriate forms and ensure you have paid the correct amount. Neither ISSS, nor the Payroll Office, are responsible for ensuring these forms are filed. The Payroll Office may, though, have information on any tax treaties to which you may be subject. These treaties may reduce the amount of tax owed. Any amounts covered by such treaties, though, is still reportable when you file.

## **Extensions**

Your J-1 Visitor status, and your permission to work in the US, ends on the expiration date shown on your DS-2019. You will have a grace period of 30 days after this date before you are required to leave the country. You may not work during this period. If you would like to extend your stay, your department will need to make a request with the International Affairs Office well in advance of your DS-2019 expiration date. Once this date is reached, an extension is impossible.

If you wish to extend your J-1 status, you must first receive permission from your home institution if applicable and your host department. Upon their permission, they will need to contact International Affairs to request an extension. To be eligible for an extension, you must still be working on your original objective, you must have adequate funding to cover your extension period, you must have maintained health insurance, and your extension may not take you beyond the time limits set forth for your category of J-1 Visitor.

Keeping track of your DS-2019 expiration date is your responsibility. You should allow at least two months to process any extension request. Your request will need to be supported by proof of continued funding and proof of valid health insurance. Once these have been provided, your extension will be considered for approval. If approved, a new DS-2019 will be prepared to show the extension. Your host department will be notified once this new form is ready. Any dependent forms will be processed once your extension has been approved.

## **Other Immigration Procedures**

### **Change of status**

Changing status as a J-1 Visitor is generally limited by the two-year home residence requirement, as stated earlier. If this requirement does not apply to you, or if you have obtained a waiver of this requirement, you may apply for a change to another visa type for which you qualify. The procedures for such a change vary, depending on the visa you wish to obtain. You must apply for a change of status before the expiration of your current J-1 Visitor status. Leaving the US and returning on a different visa is not considered a change of status, but rather, a new status.

### **Transfers**

Transfers between sponsoring institutions is permissible, so long as you remain in the same category in which you entered the US, and the transfer is to complete the objective for which your DS-2019 states. This transfer can only take place through communication between the two institutions and notification to SEVIS. To make this transfer, the institution to which you wish to transfer must contact International Affairs to make the formal request. If the transfer is for the purpose of completing your objective and has goals consistent with J-1 program, and your current department is in agreement, International Affairs will submit the transfer to the SEVIS system. Upon receipt of your approved transfer, your new institution will be able to print a new DS-2019.

### **Change of category**

It is almost impossible to change category once you have entered the US, as this is usually accompanied by a change in objective. If you wish to change category, it will be easiest if you return to your home country and request a new visa which reflects these changes.

### **Beginning a new program**

#### **Twelve-Month Rule for most J-1 categories**

Once you have been in the US as a J-1 Visitor for more than six months, you will not be allowed to return to the US as a Professor or Research Scholar for a period of twelve months after the end of your previous J program. This period is determined by your departure date. This does not indicate you must return to your home country, or remain outside the US for the twelve months, simply that you must be out of J status for that period of time. This includes J-2 dependents, as well.

#### **Two-year Bar**

Those J-1 Visitors who are Professors or Research Scholars are barred from repeat participation in those categories for a term of two years. This bar is effective once your current program in these categories becomes inactive.

## **Dependents**

Your spouse and children under 21 years of age may obtain dependent, or J-2, status. They may accompany you or join at a later date. This is only possible if you have enough income to cover their expenses, determined to be \$600 per month for the first dependent, and \$300 per month for each additional dependent. Their status as J-2 will be completely dependent on your status. Once your program ends, their status ends, as well. If you travel outside the US, they may stay, as long as your return is in a timely manner. If it is not, they can be determined to be out of status. Your dependent may also enter the US on their own, independent status, such as Student, Temporary Worker, or even their own Scholar status, as long as they meet the qualifying criteria, and obtain such a visa.

### **Obtaining a J-2 visa**

If you are planning to have your dependents join you, your department must make International Affairs aware. Once all criteria have been met, International Affairs will create a DS-2019 for each dependent. This process is the same if your dependents will join you later in the year, after you have arrived. To receive a DS-2019 for your dependents, you will need to meet the above mentioned income requirements, and the aforementioned insurance requirements.

### **Two-year home residence requirement**

Your dependents will be subject to the same requirements on this issue as you. If you are to receive a waiver, you will need to request one for your dependents. They are not automatically granted a waiver just because you receive one.

### **Employment**

J-2 dependents, unlike dependents of other visa types, may apply for an Employment Authorization Document (EAD) through USCIS. Instructions and application form are found on the USCIS website. There is a fee associated with this application. A J-2 dependent may work legally in most places, on- and off-campus. The EAD will be valid no longer than the end date of the DS2019. Again, extension is not automatic, and must be requested if the DS-2019 is extended. This extension may only be requested after any extension of the J-1 Visitor is approved. Be aware, employment authorization may take as long as three months for approval.

### **Travel**

Dependents may travel outside the US. To do so will require they have a valid passport, a valid entry visa, and a valid travel signature on their DS-2019. This travel signature may be obtained from the International Admission Office, located in Peck Hall 208.

### **Leaving dependents behind in the US**

In the event that the J-1 Visitor needs to leave the country for a period of time, it is advisable that dependents are not left behind for more than a 30-day period. If the Visitor will be absent for a

longer period of time, the dependents should either travel with the Visitor, or change to a tourist status. When leaving at the end of the program, the dependents should leave with, or before, the Visitor.

### **Extensions**

Extensions for J-2 dependents may be requested at the same time as the J-1 Visitor, and will be for the same amount of time. For the extension to be approved, adequate funding and insurance coverage will need to be proved.

### **Change of status**

As long as the J-2 dependent meets all criteria for a new visa status, and is not subject to the two-year home residence requirement, they may change to any other non-immigrant status.

#### J-2 to J-1

J-2 dependents may change to J-1 status in order to accept academic employment, among other reasons. Dependents are restricted in doing so by the same rules listed in the, “Beginning a new program” section, and may not change to J-1 if they are subject to the two-year home residence requirement. The twelve-month rule will also apply to dependents, as well. Someone who has been in that status for more than six months must be out of the country for at least twelve months before returning as a Professor or Research Scholar. A prospective sponsor will assist the dependent with the change of status application procedures.

## **Departure**

As your program is drawing to a close, you will need to work with your department and International Affairs to ensure you follow all procedures for returning equipment and ID cards, as well as filling out all paperwork from Human Resources, depending on your program requirements. International Affairs must notify the State Department in the event you will be departing early, though there is no penalty for doing so.

Be aware, should you fail to meet the requirements of your program, or should you accept unauthorized employment, your program will be terminated. Once your program is terminated, you would then be considered out of status, and would be required to leave the US immediately. Once you are considered out of status, you would no longer be eligible for a change of status, extension, or any other benefits from your program status.

To ensure you meet your program requirements, always ensure you are pursuing the activities your program states in your objectives, do not violate program regulations or MTSU rules, and ensure you always maintain the insurance coverage required by law.

## **Things To Remember**

- Consult your faculty sponsor and International Affairs before making any changes to your original plans;
- Contact International Affairs before participating in any activity with another employer or institution if payment or reimbursement of expenses will be made;
- When traveling outside the US, always carry the proper paperwork and be aware of any possible delays you might encounter upon returning;
- You must contact International Affairs if you wish to apply for a waiver to the two-year home residence requirement;
- Be aware of all expiration dates to passports, entry visas, and DS-2019s. Ensure they all stay valid;
- Do not violate your status, and do not overstay your DS-2019; and,
- Report all changes of address within 10 days to ISSS.