



VCU

Global Education Office

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J-1 Visa for Teaching and Research—Overview

At VCU, the J-1 visa may be the most appropriate for international visitors who will be engaged temporary post-graduate or other advanced professional or academic research, teaching, or training activity.

If an international visitor meets the following criteria, she is probably a good candidate for a J-1 visa for research, teaching, or training:

- The visitor's time at VCU will be between 3 weeks-5 years.
- The visit to VCU is primarily scholarly, academic, or professional in nature
- The visitor will receive a formal, written invitation or faculty-level appointment from a VCU department (but the position cannot be permanent or tenure-track)
- The VCU department will match the visitor with a peer-level professional host or mentor for the duration of her visit to VCU
- The VCU department will support the visitor administratively by providing academic and scholarly resources as office or lab space and equipment; VCU library access; VCU email access, etc.
- The visitor has funding of at least \$1,500 per month (plus \$500 per month per J-2 dependent) from any of the following sources or combination of them: US government, her home country government, VCU, her home institution, or personal funds.
- The visitor is fluent enough in English to pursue her scholarly, academic, or professional goals in the US
- The visitor does not intend to immigrate to the US but will readily depart the US at the conclusion of her J-1 visit to the US
- The visitor is willing and able to comply with all J-1 regulations including the "non-immigrant", J-1 medical insurance, and 2-year home residency requirements (see attached Exchange Visitor Statement)

Other criteria and considerations may apply. Whether a particular international visitor qualifies for J-1 visa sponsorship by VCU is ultimately determined by GEO in close consultation with your department and, if necessary, qualified legal counsel.

About Form DS 2019

An international visitor cannot apply for a J-1 visa entirely on her own. The process of sponsoring an Exchange Visitor begins at the VCU hiring or host department level and requires the administrative support of that department's Personnel Administrator (PA) or another department official with formal PA responsibilities. Once the J-1 paperwork has been completed, GEO will issue the Exchange Visitor Form DS-2019 (Certificate of Eligibility for Exchange Visitor Status).

Depending on the Exchange Visitor's circumstance, Form DS-2019 allows her to:

- Apply for a J-1 visa at a US consulate abroad
- Apply to USCIS to change her status to J-1 if she is already in the US
- Transfer her J-1 status from one US host institution to VCU
- Apply for J-1 status at the US border without a J-1 visa (Canadian citizens only)

How Long Can the Exchange Visitor Be at VCU?

US law permits VCU to sponsor J-1 visits for research, teaching, or training of 3 weeks to 5 years in duration. However, if the Exchange Visitor is currently in J-1 status, or has recently held J-1 status, the actual J-1 time available to a particular Exchange Visitor could be limited to 6 months.

J-1 Employment

The J-1 visa is not, strictly speaking, an employment visa. The J-1 regulations permit, but do not require, the Exchange Visitor to be employed by VCU. As the funding criteria above suggests, a J-1 visitor may be "self-funding" (her visit to VCU can be supported entirely by personal funds). A J-1 visitor does not necessarily require any funding from VCU.

Classified and Tenure-Track Staff

Although the J-1 visitor may be employed by VCU, she may not be employed permanently by VCU on a J-1 visa. **The J-1 visa cannot be used to support classified or tenure-track faculty staffing needs.** International classified and tenure-track staff should be considered for H-1B, TN, or O-1 visas, or for Permanent Residence ("Green Card"). Please contact GEO for more information about work visas and Green Cards.

2-Year Home Residency Requirement

Sometimes referred to as "212(e)" to reflect its location in the Code of Federal Regulations, the 2-year home residency requirement is a statutory feature of the Exchange Visitor program.

Not all Exchange Visitors are subject to 212(e). To be subject to the 2-year home residency requirement, one or both of the following must be true:

- Funding for the J-1 visit is provided by the US government or the Exchange Visitor's home country government with the express requirement that she be subject to the 2-year home residency requirement
- The Exchange Visitor's occupation or academic field is included on a list (called the Skills List) provided by her home country government to the US government, requesting that J-1 visitors in this field be subject to 212(e)

VCU does not determine if a J-1 visitor is subject to the 2-year home residency requirement. The US consular officer who reviews the Exchange Visitor's J-1 visa application makes this determination. However, our office can help an Exchange Visitor estimate her possible subjection to 212(e).

Exchange Visitors subject to 212(e) may apply for a waiver from the requirement after they arrive in the US, but waiver criteria and the chances of receiving a waiver vary greatly.

J-1 Visa Health Insurance Requirement

By law, J-1 and J-2 visitors are required to obtain and maintain minimum medical insurance coverage for the duration of their stay in the US as J-1 and J-2 visitors, as follows:

Medical benefits	\$100,000
Repatriation of remains	\$25,000
Medical evacuation	\$50,000
Deductible per accident or illness	\$500

Failure to obtain and maintain the minimum medical insurance coverage is a violation of US law and can lead to the termination of the J-1 or J-2 visitor's status.