

# J-1 Scholar Information Packet



*University of Pittsburgh*  
*Office of International Services*



## Greetings

The Office of International Services (OIS) at The University of Pittsburgh (Pitt) has prepared this packet of information to assist foreign nationals and their hiring departments at Pitt with the process of requesting a Form DS-2019 for the purpose of gaining a J-1 visa status sponsored by the University of Pittsburgh. In order to ensure that everything goes smoothly, **it is extremely important that you read the materials in this packet very carefully and that you follow the instructions.** This will avoid delays in the processing of your case.

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# General J-1 Status Information

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

- This visa status is used to either employ or host an international scholar for a period of up to five years (depending on the category, see “J-1 Scholar Categories” on page 2 of this packet).
- The Exchange Visitor Program, administered by the Department of State (DOS), was created in 1961 with the purpose to “to increase mutual understanding between the people of the United States and the people of other countries through educational and cultural exchanges.”
- The Exchange Visitor Program has 13 categories, of which the University of Pittsburgh can sponsor three scholar categories and one student category:
  - Research Scholar/Professor
  - Short-Term Scholar
  - Specialist
  - Student, college/university (Student Bachelors, Student Masters, Student Doctorate, or Student Non-degree) – not discussed in this packet.
- J-1 status is a strictly non-immigrant visa status – J-1 Exchange Visitors may not intend to immigrate to the U.S.
- The J-1 Exchange Visitor program is quite flexible in terms of activities, time frames, and funding, but also comes with strong restrictions that will be discussed later in this packet.
- The Certificate of Eligibility for J-1 status, called a Form DS-2019, is generated by a designated Responsible Officer (RO) or Alternate Responsible Officer (ARO) in the Office of International Services – there is no need to send a petition to the USCIS.
- For further information, see the following web sites:
  - <http://exchanges.state.gov/education/jexchanges/>
  - [http://travel.state.gov/visa/temp/types/types\\_1267.html](http://travel.state.gov/visa/temp/types/types_1267.html)

## ***J-1 Scholar Categories***

The University of Pittsburgh is a designated sponsor for several categories of the J-1 Exchange Visitor Program appropriate for international scholars:

<b>Category</b>	<b>Minimum Qualification</b>	<b>Activities</b>	<b>Duration of Stay</b>
Research Scholar	Bachelor’s degree in an appropriate field or equivalent	Primarily at the university to <b>perform research</b>	3 weeks to 5 years
Professor	Bachelor’s degree in an appropriate field or equivalent	Primarily at the university to <b>teach</b>	3 weeks to 5 years

Short-Term Scholar	Bachelor's degree in an appropriate field or equivalent	Primarily at the university to <b>perform research or teach</b>	1 day to 6 months
Specialist	Expert in a field of specialized knowledge or skill	observing, consulting, or demonstrating special skills	1 day to 1 year
Student Non-Degree	The J-1 Student Non-Degree category is sometimes (though rarely) appropriate for an international scholar. Academic departments must gain permission from the Director of the Office of International Services to use this category. Your Immigration Specialist can provide more information.		

Please note that OIS typically prefers the J-1 Research Scholar and J-1 Professor categories over the J-1 Short-Term Scholar category in any case where the scholar may potentially stay more than six months. The process to allow an individual in the J-1 Short-Term Scholar category to stay longer is difficult and unpredictable – please do not request the J-1 Short-Term Scholar category unless you are certain of the duration of the visit.

### ***Which International Scholars Qualify for a J-1 Scholar Status?***

- The international scholar must have at least a bachelor's degree or its equivalent in the field related to his or her activities at the University of Pittsburgh. Internationals with an equivalency in work experience may be required to provide substantial documentation. If an academic department at the University of Pittsburgh wishes to invite an international scholar without a bachelor's degree, an Immigration Specialist at OIS should be consulted.
- This status is available to individuals currently located either inside or outside the U.S.
- The individual may not have applied for U.S. legal permanent residence (a green card) and may experience difficulties gaining a J-1 visa if he or she has strong ties to the U.S. (such as immediate family members who are U.S. citizens or permanent residents)
- If the individual has been in the U.S. in J status in the previous two years restrictions may prevent another stay in J-1 status – consult an Immigration Specialist.

### ***Which Positions Qualify for J-1 Status?***

- The position may be a regular faculty, pre-faculty, or research/post-doc position or otherwise funded by the University of Pittsburgh, or the individual may have outside funding.
- Neither tenure-track positions nor staff positions are appropriate for the J-1 Exchange Visitor Program.
- See “Patient Contact” below if the incoming J scholar will have any direct or indirect patient contact .

### ***Patient Contact***

- Positions that involve direct clinical patient care are not appropriate for the University of Pittsburgh J-1 Exchange Visitor Program.

- Patient contact that can be considered incidental may be appropriate for the J-1 Exchange Visitor Program but a special letter must be obtained from the academic department that the exchange visitor must carry along with the DS-2019. Ask your Immigration Specialist for a template of this letter.

### ***Restrictions Affecting Eligibility for J-1 or Other Visa Statuses***

The J-1 Exchange Visitor Program is highly versatile in terms of activities, funding, and duration of stay. As a trade-off, federal regulations place heavy restrictions on future visa status options for some individuals in J-1 status.

This packet gives a general overview of J restrictions as they apply to obtaining a Form DS-2019. For more extensive information on these restrictions, see “J-1 Exchange Visitor Restrictions,” available on the OIS web site.

### **The Two-Year Home Requirement - 212(e)**

Any international visitor in any J status (including J-2 Dependents) may be subject to the Two-Year Home Residency Requirement, also called the Two-Year Home Country Physical Presence Requirement, or 212(e) after the federal regulation which discusses it. This restriction never prevents an individual from obtaining a Form DS-2019, though it may prevent an individual from obtaining H, L, or legal permanent resident status.

### **The 24-Month Bar**

Federal regulations stipulate that there must be a 24-month gap between an individual’s “repeat participation” in J-1 Research Scholar or J-1 Professor status. This restriction applies only to these two categories (Research Scholar and Professor) and is in effect after the individual completes program participation either before or upon reaching the five-year limit.

In cases where the 24-month bar would prevent an individual from entering the U.S. in or continuing to hold J-1 Research Scholar or J-1 Professor status, the following alternatives may be available:

- The University of Pittsburgh may be able to sponsor this individual for another J-1 category such as Short-Term Scholar or Specialist.
- The University of Pittsburgh may be able to sponsor this individual for another visa status such as H-1B.
- The timing of the visit may be delayed until the 24-month bar has been satisfied.

### **The 12-Month Bar**

Federal regulations stipulate that for the 12 months prior to beginning a J-1 Research Scholar or J-1 Professor program, an individual may not have been in **any** J status, including J-2, with the single exception of the J-1 Short-Term Scholar category. DS-2019 requestors should be aware that a prospective international visitor’s presence in the U.S. in any J status over the past 12 months may affect his or her ability to obtain J-1 status now.

In cases where the 12-month bar would prevent an individual from entering J-1 Research Scholar or J-1 Professor status, the following alternatives may be available:

- The University of Pittsburgh may be able to sponsor this individual for J-1 Short-Term Scholar status, if the stay will be limited to no more than six months.
- The University of Pittsburgh may be able to sponsor this individual for another visa status such as H-1B.
- The timing of the visit may be delayed until the 12-month bar has been satisfied.

## Administrative Information

### ***Processing Times***

OIS' processing time for a DS-2019 request is 10 business days from receipt of complete materials.

When judging the total processing time for an incoming J scholar, it is important to keep the following factors in mind:

- **Time to gather documents.** Remember that OIS' processing time does not begin until complete materials are received.
- **Mailing time.** If the international scholar is overseas, we will need to mail the DS-2019 by UPS. This typically takes 2-5 business days depending on the location.
- **Consular Processing.** If the prospective J scholar is outside the U.S. and must obtain a J-1 visa at the U.S. embassy or consulate abroad, take into account the time required for this step. Wait times for visa interviews vary greatly from consulate to consulate, from same day visa interviews to 90-day waits and longer. Wait times for a particular consulate can be checked online. Also, be prepared for possible visa delays.

An Immigration Specialist can help you to determine a tentative timeline for a specific case.

### ***Fees***

OIS Cost Recovery Fee: **\$150** (NO CHECK NECESSARY). This fee is processed via an internal transfer of funds using a department budget number. The department will be asked for this account number on the J Scholar Request Cover Sheet, and will receive email confirmation of the charge. This fee includes UPS shipping of the DS-2019 to the international scholar.

Prospective J scholars who are outside the U.S. and must obtain a J-1 visa should take into account the visa application fee and SEVIS I-901 fee.

Prospective J scholars who are currently in the U.S. in a status other than J-1 should take into account the USCIS' application fee for a change of status and the SEVIS I-901 fee.

## ***Requested Dates of J-1 Status***

The requested dates for the Form DS-2019 should correspond to the anticipated dates of activity at the University of Pittsburgh. Please note that an individual with a Form DS-2019 and J-1 visa may enter the U.S. up to 30 days prior to the start date on the DS-2019, but should not begin activities at Pitt until the start date is reached. Also, the J scholar may remain in the U.S. for up to 30 days after the end date on the DS-2019, but should not continue activities at Pitt after the end date.

## ***DS-2019 Request Process Overview***

- The sponsoring department gathers all required supporting documents, both from the department and the international employee and submits to OIS with the appropriate J-1 Scholar Cover Sheet available in the “[Department Forms](#)” section of the OIS. All new J-1 scholars must complete the [J-1 Scholar Supplemental Data Form](#).
- The department administrator submits all required supporting materials listed on the J-1 Scholar Cover Sheet.
- The [J Scholar Transfer In Form](#) must be completed by J-1 Scholars currently in the US who are sponsored by an organization other than the University of Pittsburgh. OIS will not be able to issue the Pitt DS-2019 until the previous sponsor releases the scholar’s record to the University of Pittsburgh.
- Your Immigration Specialist will process the Form DS-2019. If the scholar is in the Pittsburgh area, he or she will receive an email to come pick up the form. If he or she is not in Pittsburgh, the DS-2019 will be mailed via UPS.
- For scholars currently in the U.S. in J-1 status, the process is done as soon the DS-2019 arrives. Otherwise, the prospective J scholar will need to obtain a J-1 visa at a U.S. embassy or consulate abroad or (if currently in the U.S. in a status other than J-1) apply to the USCIS for a change of status to J-1.