

J-1 PROGRAM HANDBOOK

A GUIDE TO IMMIGRATION MATTERS FOR J-1 EXCHANGE VISITORS

Office of International
Students and Scholars 
EASTERN ILLINOIS UNIVERSITY™

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INTRODUCTION

You have been accepted as a J-1 exchange visitor at Eastern Illinois University. J-1 visa status is unique. The United States Department of State administers the J-1 program, and Eastern Illinois University is one of many institutions that has been authorized to be a J-1 sponsor. Many kinds of activities are possible for J-1 program participants, and each institution has its own specific type of J-1 program. The program at Eastern Illinois University is described as follows:

...to provide courses of study, lecturing, and research opportunities, in the various fields of instruction and research conducted by Eastern Illinois University for qualified foreign students, professors, research scholars and short term scholars to promote the general interest of international educational and cultural exchange.

The address and telephone number of the government office which administers J-1 programs is: Exchange Visitor Program Services Office, United States Information Agency, 301 4th Street, S.W., Washington, D.C. 20547; Telephone: (202) 401-9820.

This handbook contains information about the rules and regulations that apply to visitors to the United States who are part of a J-1 exchange visitor program. Please read it very carefully and use it as reference throughout your visit.

Soon after your arrival, you will register with the Office of International Students and Scholars at Eastern Illinois University. The Office of International Students and Scholars oversees your J-1 program and provides information, advice, and assistance relating to immigration such as extensions, changes of status, and travel. The staff in the Office of International Students and Scholars will assist your J-2 dependents with travel and work permission needs and distribute insurance information for all visitors in J-1/J-2 status.

We have a competent staff to assist you and if we are unable to help you with a particular concern, we will do our best to help you find assistance elsewhere. We hope that your stay will be both personally and professionally rewarding.

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IMPORTANT DOCUMENTS AND IDENTIFICATION

Abbreviations used throughout this document:

- **EIU** = Eastern Illinois University
- **OISS** = Office of International Students and Scholars
- **INS** = Immigration and Naturalization Service
- **USDOS** = United States Department of State. (This agency is in charge of all J-1 Programs in the U.S.)
- **USCIS** = United States Citizenship and Immigration Services

Passport

Your passport is your identification document. Your passport must be valid throughout your time in the United States, unless you are Canadian. You cannot apply for an extension of your stay, a transfer or a change to another visa status if your passport is not valid. It is your responsibility to have your passport renewed by your embassy or consulate if it is due to expire while you are in the U.S. In some cases, an extension takes several months and occasionally a new passport must be issued. Your passport must be valid in most cases for at least six months longer than your DS-2019 form (see below) when you enter the U.S.

When you enter the U.S., your passport will be stamped with your entry date, your status and the expiration date, which should be "D/S" which stands for "Duration of Status." D/S means that you can stay/work until the ending date in section 3 of your DS-2019, and you can stay without working an extra 30 days.

Entry Visa

An entry visa allows you to enter the United States. J-1 exchange visitors, except those from Canada, are required to have a valid entry visa to enter the U.S. The visa is obtained at a U.S. embassy or consulate by presenting Form IAP-66. The visa will show an expiration date and the number of entries it can be used for during that time. An "M" in the "Entries" section of the visa stands for "Multiple". It is not important if your visa expires while you are in the U.S. It is only important to have a valid visa if you leave and want to re-enter the U.S. In the event that your entry visa has expired or will expire before you plan to re-enter the U.S., you will need to apply for a new visa at a U.S. embassy or consulate in your home country.

Electronic I-94 (Arrival-Departure Record)

After your arrival in the U.S., you should go to www.cbp.gov/I94 to print out your electronic I-94 (and those of any dependents). This document will have your status and expiration date as well as your admission number to the U.S. Your host department may need this. Any time you leave the U.S. and make a new entry, you should print out a new electronic I-94. NOTE: In a few circumstances, you might be given a paper I-94 when entering the U.S.

SEVIS (Student and Exchange Visitor Information System):

This is the national tracking system for individuals in J-1 and F-1 immigration status. Your DS-2019 is generated through the SEVIS system and we are required to keep SEVIS informed of such data as your current U.S. address, changes in financial and biographical information, and your departure from our J-1 program.

You must enter the U.S. within 30 days of the "From" date in Section 3 of your DS-2019 or your document will become invalid in SEVIS. If you enter the U.S. but do not register with the ISSS office by day 30, you will become a "No Show" in SEVIS.

DS-2019

This document designates you as a J-1 exchange visitor and identifies your sponsor, your program number, your activities, and the dates of your visit among other things. This document is required to obtain a J-1 entry visa. You must have it with you any time you leave and reenter the U.S. When you first enter the U.S. with your DS2019, a USCIS officer will stamp the bottom left-hand corner of the form, indicating the date of entry. Please keep all copies of your DS-2019s and electronic I-94s during and after your stay for your records.

Social Security Number

Social Security is the U.S. government's social insurance plan. Virtually all Americans have a Social Security number, which designates their account with the Social Security Administration.

Even if you are not paying into the Social Security system (J-1 exchange visitors do not), you will need a Social Security number for identification purposes. The OISS can give you and any members of your family a temporary number that can be used at Eastern Illinois University and at the local banks, but you must have a permanent number if you wish to obtain an Illinois driver's license. The permanent number will be yours for life. The materials you receive after you arrive on campus will tell you what to do to obtain a permanent Social Security number.

Most J-1 visitors will need to obtain a Social Security number as soon as possible after their arrival at the Eastern Illinois University, but you must be validated by OISS and wait 3 to 4 business days before applying, or your name will not appear in the system.

Application Documents:

- Passport/Visa
- DS-2019
- Completed application form (available at the Social Security Office)

After you have applied for an SSN you can apply for a Temporary Control Number (TCN) from the University Payroll Department, which you can give to your department in order to be paid. You will need to provide your SSN application receipt in order to receive your TCN.

Your SSN number will take about three weeks to arrive in the mail and will then be yours for life. It is tied to your identity and financial background. To avoid risk of identity theft, take care to keep your SSN secure and private. Your dependents can only obtain a SSN if they first obtain work permission (see J-2 Employment).

YOUR ACTIVITIES AS A J-1 EXCHANGE VISITOR

Categories

You are coming to the U.S. as an exchange visitor for a specific objective. Section 9 of your DS-2019 contains 1) a category which defines your particular activity 2) a numerical code which indicates your specialized field of work and 3) a brief description of your activity. The categories used by OISS are "Undergraduate Student Non-Degree," "Professor", "Research Scholar", and "Short-Term Scholar". The OISS has assigned a category to you based on the description of your proposed activities provided to us by your sponsoring department. The primary activity for each of these categories is described below:

Undergraduate Student Non-degree: Exchange student is a student who temporarily studies abroad for one semester or academic year. Exchange students are expected to receive university credits which they can transfer to their home university.

Professor: Teaching, lecturing, observing or consulting. A professor may also conduct research unless the sponsor does not allow it.

Research Scholar: Conducting research, observing or consulting in connection with a research project. The research scholar may also teach or lecture unless the sponsor does not allow it.

Short-Term Scholar: A professor, research scholar or person with similar education or accomplishments coming on a short-term visit for the purpose of lecturing, observing, consulting, training or demonstrating special skills.

Objectives

The USDOS expects you to stay with your original objective for coming to the United States. As an exchange visitor, therefore, you are normally not allowed to change your category, and you are expected to carry out the activity described in Section 4 of your DS-2019. A Research Scholar, for instance, should not be a full-time student. Although you are free to take classes, research must be your primary activity.

Change of Host Department

It is sometimes possible to change to a different sponsoring department if the type of work you are doing stays the same. The OISS would have to approve such a change. If you should decide to become a full time student, it would be necessary to change to a student visa status. Please consult the OISS if you are considering any change in your original program activity. In addition, you may not accept a graduate assistantship unless you are on a student visa.

You are expected to conduct your work in Charleston, Illinois unless special arrangements have been made. Arrangements can sometimes be made for you to conduct some of your activities at another institution. It is also possible to transfer to another J-1 sponsor as long as your category and field of activity remain the same, if you are still within your time limit, and if your sponsoring department does not object.

Time Limits

The minimum period of stay for Professors and Research Scholars is three weeks, with a maximum stay of five years. Short-Term Scholars have no minimum requirement, but the maximum stay is six months with no extension possible. A Student Intern is limited to one year and a Trainee's time limit will depend on his/her particular program. All exchange visitors are allowed to stay 30 days longer than the DS-2019 indicates. This is called a "grace period" and is to allow you to prepare to return home, sightsee, etc. You may not be employed or conduct research during this period.

Overstay Penalties

Staying in the U.S. for even one day longer than you are authorized can create serious problems for you. Be sure to leave before your status expires, unless you have another application pending with the USCIS that allows you to stay.

EMPLOYMENT

Employment Restrictions

Employment opportunities for J-1 exchange visitors are very restricted. Unless special arrangements have been made, you may only be employed:

- By Eastern Illinois University
- By your sponsoring department
- In the specialized field described on the DS-2019

On-Campus Restrictions

If you are a research scientist in the Department of Chemistry, for example, you may not take a job in the University bookstore or cafeteria to supplement your income. You may not change departments or accept additional employment in another department, *even if it is in your field*, without approval from the OISS.

A student assistantship is not appropriate employment for a J-1 Research Scholar, Professor, Short-Term Scholar, or Student Intern or Trainee.

Off-Campus Opportunities

It is possible to receive payment or reimbursement of expenses for short-term activities such as lecturing, consulting or conducting a seminar in your field at another institution with **prior** approval from the OISS. You are required to obtain authorization before the activity occurs.

Procedures for approval

In order to apply for approval, you must provide the OISS :

- a letter from the institution where you wish to lecture, consult, etc., which describes the terms, including the duration, number of hours, field or subject, amount of compensation and description of the activity;
- a letter from the head of your sponsoring department recommending the activity and explaining how it would enhance your program.

The OISS must give you a written decision, which, when approval is given, will serve as authorization of this employment.

The OISS must be consulted concerning any other kind of outside employment or joint employment arrangements, and in some cases, permission must be obtained from the USDOS.

Unauthorized Employment

Unauthorized employment can lead to termination of your J-1 program participation. It is a violation of your status and can create many future problems for you with the USCIS.

Funding Requirements

Because of the many employment restrictions, it is important to be sure before you come to the U.S. that you will have enough funding available for yourself and any dependents that accompany you. You alone are required to have at least \$1700 per month as income in addition to your airfare. An additional \$600 per month is required for your spouse and \$300 per month for each child.

CROSS-CULTURAL EXPERIENCE

In addition to being professionally rewarding, it is hoped that your participation in the J-1 program will provide you with an enriching cross-cultural experience. You are encouraged to get to know Americans and to immerse yourself in the culture. The OISS will provide you with materials about a number of cultural activities in and around Charleston. Many cultural activities are available in the City of Charleston and surrounding communities. By getting out and being part of the local community you will learn a great deal about American life. You are also encouraged to participate in activities that allow you to share the language, culture or history of your home country with Americans, as long as such activities do not delay the completion of your J-1 program.

If you need to improve your English skills, there are many types of classes and conversation groups, both on and off campus. You will receive more information about English language opportunities when you register with the OISS.

The OISS can provide you with a list of foreign student associations on campus made up of students from a particular country, such as the Association of International Students (AIS). These may be of interest to you if you wish to find other visitors from your home country. Scholars and faculty members participate in many of these organizations as well.

TWO-YEAR HOME COUNTRY RESIDENCE REQUIREMENT

What is the requirement?

Some J-1 exchange visitors and their dependents are required to return either to their country of nationality or country of legal permanent residence and to live there for a period of two years at the end of their J-1 program. The purpose of this requirement is to provide the home country with the benefit of the exchange visitor's experience in the United States.

Who is subject to the requirement?

You are subject if:

- Your J-1 participation is funded in whole or in part, directly or indirectly, for the purpose of exchange, by your home government or the United States government. (Payment from Eastern Illinois University usually is not government funding);
- Your field of work appears in the "Exchange Visitor Skills List" for your country. This means that your field is considered to be in short supply in your home country.* The U.S. Embassy/Consulate where you apply for your visa should be able to tell you if the Skills List applies to you;

*Some countries, such as the countries of Western Europe, do not appear on the list at all. Other countries, such as China and India, are on the list, and nearly all possible fields of work are considered to be in short supply for those countries.

NOTE: You may view the exchange visitor skills list online at

http://travel.state.gov/visa/temp/types/types_4514.html

- You participated as a J-1 in a graduate-medical education or training program, i.e., a residency, internship, or fellowships, sponsored by the Educational Commission for Foreign Medical Graduates; or
- You are the J-2 dependent of an exchange visitor who is subject to the requirement.

If you have ever been subject to the requirement in the past, and have neither obtained a waiver nor fulfilled it by spending two years in your country, the requirement still applies to you—even if a great deal of time has passed and a more current Form DS-2019 indicates that you are not subject to this requirement. Changing your citizenship to that of another country also does not eliminate your two-year requirement

NOTE: The visa stamp in your passport, your Form DS-2019, or both, may indicate that you are or are not subject to this requirement. These indications are usually accurate but are not legally binding. U.S. consular officers and immigration officers sometimes make mistakes. After you arrive in the U.S., if you are not sure if you are subject, the OISS can help you make a determination. It is sometimes necessary to write to the USDOS for an opinion. The OISS will do this for you when clarification is needed.

Restrictions if you are subject to the requirement

If you are subject to this requirement, you may not:

- Change your status inside the U.S. from J to any other nonimmigrant classification except A or G
- Change to permanent resident (green card) status
- Enter from abroad with H, L or immigrant status

Waivers of the requirement

There are five grounds for obtaining a waiver of the two-year home residence requirement. If you wish to apply for a waiver, be very careful about the timing of your request. **After obtaining either a waiver recommendation from the U.S. State Department or a final waiver decision from USCIS, you are no longer eligible to extend your J-1 status or transfer to another J-1 program.** You should discuss your plans with the OISS staff before applying for a waiver.

- A “no-objection” statement (not permitted for medical trainees). Your country’s embassy in Washington can indicate in a direct letter to USDOS that it has no objection to your receiving a waiver, or the foreign ministry in your capitol at home can write to the U.S. Embassy in your home country. A “no-objection” statement will usually not lead to a waiver if the exchange visitor has received more than \$2,000 in funding from the U.S. government. To initiate this type of waiver request, see the U.S. State Department website

http://travel.state.gov/visa/temp/info/info_1296.html.

- Interest of a U.S. government agency. If an exchange visitor is working on a project for or of interest to a U.S. Federal Government agency, and that agency has determined that the visitor’s continued stay in the United States is vital to one of its programs, a waiver may be granted if the exchange visitor’s continued stay in the United States is in the public interest.
- Fear of persecution. If you can demonstrate that because of your race, religion, political opinions, or nationality you would face persecution by your home government if you went back to your country, you might qualify for a waiver by applying to the Immigration and Naturalization Service.
- Exceptional hardship. If you can demonstrate that exceptional hardship to a U.S. citizen or permanent resident spouse or child of the exchange visitor would be caused by the exchange visitor’s departure from the U.S. and residence abroad, you can apply for a waiver to the INS. Examples include inability to obtain necessary medical treatment abroad for an illness or subjection of the spouse or child to persecution or discrimination abroad.

- Request by a designated State Department of Health or its equivalent. Only medical doctors may apply for a waiver on this basis

Please note that it can be very difficult and in some cases impossible to obtain a waiver, especially based on fear of persecution or exceptional hardship. Also, when you apply for a waiver, you essentially abandon your status as a J-1 exchange visitor.

NOTE: After applying for a waiver you are no longer eligible to extend your J-1 status or transfer to another J-1 program.

HEALTH INSURANCE

Health Insurance Requirements

Health insurance coverage is required for all J-1 program participants and their dependents. You must have insurance or your J-1 sponsor is required to terminate your J-1 program participation. The U.S. State Department has established minimum requirements for the coverage in order to protect you and any family members who are here with you in case of sickness or accident. These requirements are listed in this section. **NOTE:** You are required to have this insurance even if your visit to the U.S. is very brief.

Medical care in the United States is provided by private physicians, clinics and hospitals and is very expensive. The patient must have health insurance or pay the medical costs at the time of treatment. In many countries, the government takes care of the expense of health care for its citizens. In the United States, American citizens, as well as visitors, are responsible for these costs themselves. It is risky to be in the United States without adequate health insurance. Since a single day of hospitalization and medical treatment can cost thousands of dollars, many hospitals and doctors refuse to treat uninsured patients except in life-threatening emergencies. Most Americans rely on insurance, and you should do the same. Insurance gives you access to better and more timely health care and provides the only protection against the enormous costs of health care in this country.

NOTE: All J-1 visitors must present proof of health insurance, which meets the J-1 health insurance requirements to the OISS as instructed in your introduction letter and before obtaining a DS-2019 for dependents, travel or extension.

How Health insurance Works

When you purchase health insurance, the money you pay (called the premium) is combined with the premiums paid by other people. This money is then used to pay the medical bills of those participants who need health care. Your coverage remains valid as long as you continue to pay your premium.

When you purchase insurance, the insurance company will provide you with an identification card for proof of your coverage when you need health care from a hospital or doctor. The company will also provide instructions for filing a claim. The company will evaluate any claim you file and make the appropriate payment for coverage under your particular policy. In some cases the company pays the hospital and/or doctor directly; sometimes they reimburse you after you pay the bill.

NOTE: You may or may not be eligible for health insurance through Eastern Illinois University.

Supplemental Insurance Requirements

If you have adequate health insurance from your home country that you wish to use, you must still purchase insurance for repatriation of remains and medical evacuation if this is not included in your policy. Hinchcliff, for example, sells this type of supplemental coverage. Insurance

brochures are available at the OISS. When you register with the OISS office, you will be required to give the name of your insurance company and your policy number. Without this information, your J-1 program will not be validated.

Forms Required

When you register with the OISS, you will be given a form to sign that says that you have been informed of the insurance requirements and you will comply with them. A sample of this form appears in this packet. Please familiarize yourself with the form so that you will clearly understand what you are signing on the day you register.

Summary of requirements for insurance coverage

- Maximum coverage for medical benefits cannot be less than \$50,000;
- If you should die in the United States, your insurance must provide at least \$7,500 to send your remains to your home country. This is called "repatriation of remains".
- If, because of serious illness or injury, you must be sent home on the advice of a doctor, the insurance must pay up to \$10,000 for the expenses of your travel. This is called "medical evacuation".
- The deductible cannot be more than \$500 per accident or illness. This is the amount you would have to pay before the insurance company pays anything. Many policies have a much lower deductible, which is good for you.
- The insurance must pay at least 75% of covered medical expenses. After you have paid the deductible, an insurance policy usually only pays a percentage of your medical expenses and you pay the rest. The percentage you pay is called coinsurance or a copayment.
- The policy may establish a waiting period before it covers pre-existing conditions (health problems you had before you bought the insurance), as long as the waiting period is reasonable by current standards in the insurance industry.
- The policy must be backed by the full faith and credit of your home country government or the company providing the insurance must meet minimum rating requirements established by USDOS (an A.M. Best rating of A- or above, and Insurance Solvency International, Ltd. (ISI) rating of A- or above, a Standard and Poor's Claims-paying ability rating of A- or above, or a Weiss Research, Inc. rating of B+ or above).
- Most insurance policies exclude coverage for certain conditions. The J-1 regulations require that if a particular activity is a part of your exchange visitor program, your insurance must cover injuries resulting from your participation in that activity.

INSURANCE REQUIREMENTS NOTIFICATION FORM

The OISS has informed me of the insurance requirements for J-1 exchange visitors. I will handle my insurance coverage in the following way:

_____ I am eligible for Eastern Illinois University insurance. I will purchase coverage for medical evacuation and repatriation of remains for my dependents and myself.

_____ I am not eligible for Eastern Illinois University insurance. I will immediately purchase/have already purchased insurance, which meets all of the requirements.

Name of insurance company and policy number:

_____ I have adequate health insurance from my home country. I will purchase the extra-required coverage for medical evacuation and repatriation of remains from a private company if it is not included in my policy.

Name of insurance company and policy number:

I understand that I am responsible for having the health insurance required for J-1 exchange visitors and that I must show proof of this insurance in order to obtain a duplicate or extension IAP-66.

I understand that all of my J-2 dependents are also required to have this insurance coverage.

I understand that my J-1 program participation will be terminated if I do not maintain the required insurance.

Name

Signature

Date

TRAVEL

You may travel abroad and reenter the United States with the pink copy of your valid DS-2019 and a valid entry visa (Canadians do not need the visa). To make sure your visa is valid, check both the expiration date and the number of entries. Before you travel outside the U.S., you should have the current copy of the DS-2019 signed and dated on the back by the Designated School Official at the OISS to certify that you are in good standing at Eastern Illinois University. Authorities at the port of departure will usually remove the I-94 from your passport. A new I-94 will be issued when you reenter the U.S.

Expired Entry Visa

If you are traveling abroad and your entry visa stamp has expired during your stay in the U.S. or needs to be changed to match your current visa status, it must be renewed at a U.S. embassy or consulate outside the U.S. The new visa is obtained by presenting the current pink copy of your DS-2019 to the embassy or consulate.

Advance Notification

If you are a national of Russia, the former Soviet Republics or Eastern Europe you may be able to obtain a special advance clearance from the Department of State which will reduce the processing time for obtaining your new visa. This advance notification is done on a case-by-case basis and, while it can speed up visa processing time, it does not guarantee that the visa will be issued.

If you qualify for advance notification, contact the OISS if you are going to be traveling abroad and need to obtain a new visa. We will fax a request to the State Department and should receive a response within a few days.

Travel to Canada or Mexico

People from certain countries are required to have a visa to enter these countries. The OISS office can refer you to the appropriate website for obtaining a Canadian visa. Most people are required to have a Mexican tourist card for travel to Mexico. If you need a Mexican visa, you should plan your trip well in advance, since it can take as long as 60 days to get this visa.

Automatic Revalidation If you make a trip to Canada, Mexico, or adjacent islands of the United States such as Jamaica for less than 30 days and your entry visa has expired, you can normally return to the U.S. without applying for a new visa because of automatic revalidation (see exceptions below). This is true even if you have changed your status in the U.S. and your current status does not match that of the expired visa.

To qualify for automatic revalidation you must:

- Have a signed DS-2019;
- Have expired entry visa with you, even if it is in an old passport;
- Return to the U.S. from contiguous territory or adjacent island within 30 days;

- Have maintained and intend to resume nonimmigrant status.

Exceptions

- Automatic revalidation cannot be used by individuals who are applying for a visa in Canada or Mexico; You cannot re-enter the U.S. while waiting for your visa, and if the visa is denied, you will not be able to return;
- Nationals of Cuba, Iran, North Korea, and Syria are not eligible for automatic revalidation;
- Automatic revalidation does not apply if you intend to return to the U.S. in a different status. In this case a new visa must be obtained;

Contact OISS if you plan to travel using automatic revalidation.

INCOME TAX

The Internal Revenue Service (IRS) is the U.S. government agency that collects taxes. As a non-resident J-1 scholar, you may need to file forms each year with the IRS and with the State of Illinois, even if you earned no income. It is your individual responsibility to understand and meet your tax obligations. Generally, tax returns are due every April 15th based on earnings from the previous year, though there are exceptions to this deadline.

While employers do deduct money from your pay throughout the year and send it to the IRS, it may not equal the exact amount owed at the end of the year. If too much was deducted, you may be eligible for a refund. Or, perhaps not enough was deducted, and you will owe more. Salary from a job is not the only kind of earning taxed; many types of income are taxable. Even if you did not work and do not owe any taxes, you may need to submit an informational form to the IRS.

U.S. tax laws can be complex and confusing and the laws that apply to internationals are not the same as those that apply to U.S. citizens.

If you have received a salary from Eastern Illinois University you will be required to file income tax forms. The filing of these forms will also apply to persons covered by an income tax treaty even though no taxes are owed. The Internal Revenue Service office is located at 310 West Church Street in Champaign, Illinois. That office can provide assistance with federal tax matters and refer you to the appropriate office for help with state tax questions.

If you are going to be paid by Eastern Illinois University it is a good idea for you to visit Payroll/Human Resources, 207 Old Main, 600 Lincoln in Charleston to discuss your tax status with an advisor there.

Please note: We at OISS are not tax professionals and are not able to give tax advice. You are advised to review the information from the IRS specifically addressed to foreign students and scholars:

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

Note also that several months before tax deadlines OISS will send you information about an online tax assistance program, which you can use to prepare your tax returns.

EXTENSIONS

Your permission to stay in the United States in J-1 status ends 30 days after the expiration date of your DS-2019. Work permission ends the day the DS-2019 expires, but you can stay in the U.S. 30 days longer. If you are employed by the University and wish to extend your status, your host department should make this request well before your grace period begins, or you will go off payroll.

To extend your permission to stay, you must first obtain permission from the host department that issued the invitation originally. That office will send a request for continuation of your program to the OISS. You are eligible to apply for an extension if:

- You are still working toward the objective shown on your most recent DS-2019
- You can demonstrate adequate funding for the period of the proposed extension
- You have maintained the required insurance coverage for yourself and your dependents
- Your extension will not carry you beyond your time limit

You are responsible for keeping track of your DS-2019 expiration date, but the OISS will try to help. Approximately two months before your DS-2019 expires, we will contact your sponsoring agency to inform them of your upcoming expiration. Verification of continued funding and health insurance will be requested from your sponsoring agency. When the requirements for extension of Form DS-2019 are complete, a renewal form will be issued.

The extension process is very simple. When the DS-2019 is ready we will notify our contact person in your host department.

Extensions beyond the normal time limit

Exchange visitors in the short-term scholar category may not extend beyond the four-month time limit. Those in the professor or research scholar categories may sometimes extend beyond the normal three-year limit; under certain circumstances the extension can be for as long as three additional years. Additional information is available at the OISS.

NOTE: If your spouse has J-2 work permission, it can only be extended after your J-1 extension is processed. Since the work permission extension can take as long as three months, your extension should be requested as early as possible.

OTHER IMMIGRATION PROCEDURES

Changes of status

As described previously, being subject to the two-year home residence requirement greatly limits your possibilities for changing to another status. If you are not subject to this requirement, or if you were subject but obtained a waiver of this requirement, you may apply for a change to any other status for which you are qualified. Procedures for a change of status vary depending on the type of status you wish to obtain. A change of status must be applied for before your J-1 status expires.

If you leave the U.S. and return in another status, this is not considered a change of status.

Transfers

An exchange visitor in any category may transfer from one program sponsor to another if the purpose of the transfer is to complete the objective for which he or she was admitted to the U.S., and if the exchange visitor remains within the same category and within the time limit of that category. The transfer is accomplished through correspondence between the two responsible officers and notification to SEVIS.

The responsible officer of the current J program will submit the transfer information to the SEVIS system. After the transfer effective date, the new sponsor will be able to print a DS2019 showing the transfer. We will only authorize a transfer to another J program for you if the transfer clearly is for the purpose of completing the original objective, if it is consistent with the goals of the exchange visitor program, and if your sponsoring University of Illinois department agrees. Transferring does not extend the time limit for your category.

Changes of category

It is virtually impossible to obtain approval to change your J-1 category in the U.S., because it usually represents a change of objective. In most cases it would be most expedient to apply for a change to another relevant visa status if circumstances allow.

Beginning a new program

Twelve-Month Rule for most J-1 categories.

If you have been a J-1 exchange visitor for more than six months you cannot return to the U.S. as a Professor or Research Scholar until twelve months have passed from the end of your previous J program. The time is calculated according to your entry and departure dates. It is not necessary for you to spend the twelve months in your home country or even outside the U.S. You simply must spend twelve months out of J status. This regulation applies to J-2 dependents as well.

Two-year Bar

Individuals in the J-1 Research Scholar or Professor category have a two-year bar on repeat participation in those categories. This bar applies to anyone in one of the two categories as of November 18, 2006. The bar becomes effective when your program as a Research Scholar or Professor becomes inactive.

DEPENDENTS (J-2s)

Your husband or wife (spouse) and children under the age of 21 can obtain J-2 dependent visa status to accompany you or join you later as long as you have enough income to cover their expenses. Eastern Illinois University requires the following amounts for dependents:

- \$600 per month for your spouse
- \$300 per month for each child

The J-2's status is completely dependent on yours. When your J-1 program ends, the J-2 status ends. Also, if you travel outside the U.S. and leave your dependents in the U.S., you must return within a reasonable amount of time or the J-2s will be considered out of status.

NOTE: Your dependent may come to the U.S. in an independent status such as F-1 (student), H-1 (temporary worker) or even as an independent J-1 if he or she qualifies for that particular status.

Obtaining a J-2 visa

If your sponsoring department has informed us that your dependents will be coming with you to the U.S., we have sent you a DS-2019 for each dependent which will allow them to obtain J-2 visas when you apply for your J-1. They can obtain their visas with you now, even if they will be coming later. If they come later, they will need a duplicate DS-2019 form to carry with them.

If your dependents will come after you, we can only issue their DS-2019 after you have arrived in the U.S. and reported to our office. Before we will issue the duplicate form, we will make sure that you have complied with the insurance requirements.

Health Insurance Requirements

J-2 dependents are required to have exactly the same insurance coverage as J-1s. If you are eligible for EIU insurance coverage for your family, you may purchase it through payroll deduction. Please remember that you will also be required to purchase the additional coverage for medical evacuation and repatriation of remains.

Two-year home residence requirement

If you are subject to this requirement, your dependents are also subject and have the same restrictions. If you obtain a waiver, the waiver applies to your dependents as well.

Employment

Unlike many other dependents, J-2 dependents may apply for an Employment Authorization Document (EAD) through U.S. Citizenship and Immigration Services. Instructions for applying for an EAD are available from the ISSS website. There is a fee and application. The work permission is basically unrestricted. In other words, a J-2 with an EAD can work legally almost any place—stores, restaurants, on campus, off campus. The permission is valid for the same length as the DS-2019. If you extend your J-1 status, the J-2 will have to extend the work permission.

NOTE: Unlike J-1s, J-2s do have to pay into the Social Security system.

Approval for employment authorization can take as long as three months. Work permission cannot be extended until the J-1 is first extended. Because of the delays in EAD processing, the J-2 who is employed must sometimes stop working until the new approval arrives.

Travel

If your family travels outside the U.S. they will need validated DS-2019s, a valid passport and, in most cases, a valid entry visa in order to return to the U.S.

Leaving dependents behind in the U.S.

Occasionally the J-1 needs to leave the U.S. for a period of time during his/her J program. It is advisable not to leave J-2s behind in the U.S. for more than 30 days. If you will be gone more than 30 days, the J-2s should either go with you or change to a tourist status. If the J-1 leaves at the end of the J program, J-2 dependents should leave as well or change to a different status.

Extensions

J-2 dependent status is normally extended at the same time and for the same amount of time as your status. There must be adequate funding for the dependents for the amount of time requested, and they must be maintaining the required insurance coverage.

Changes of status

The J-2 dependent may apply for a change from J-2 status to any other nonimmigrant status or immigrant status if the conditions for that status are met, and if he/she is not subject to the two-year home residence requirement. The same restrictions apply to J-2s who are subject as to J-1s.

Change of status from J-2 to J-1

A J-2 dependent may wish to change to J-1 status in order to accept academic employment or for other reasons. The dependent's prospective J-1 sponsor will assist with the change of status application.

The Twelve-Month Rule applies to J-2s as well. An individual who has been in J-2 status for more than six months is not eligible to become a J-1 professor or research scholar until he/she has been out of J status for twelve months.

PUBLIC CHARGE ISSUES

Someone who is a “public charge” relies on the U.S. government for financial support. An alien who is or is likely to become a public charge may be barred from entering the U.S. and is ineligible to obtain a green card. The use of government funds alone does not necessarily make an individual a public charge. The USCIS considers each individual’s circumstances when making a public charge determination.

Government benefits subject to public charge consideration

- Cash assistance for income maintenance through Supplemental Security Income (SSI)
- Cash assistance for the Temporary Assistance for Needy Families (TANF)
- State or local cash assistance programs for income maintenance, often called “General Assistance” programs
- Government funds used to offset the cost of long-term care in a nursing home or mental health institution may also invoke public charge considerations

Government benefits not subject to public charge consideration

- Health care benefits, including Medicaid, the Children’s Health Insurance Program (CHIP), prenatal care, or other free or low-cost care at clinics, health centers, or other settings (other than long-term care in a nursing home or other institution)
- Food programs such as Food Stamps, WIC (the Special Supplemental Nutrition program for Women, Infants and Children), school meals or other food assistance
- Other programs that do not give cash, such as public housing, disaster relief, Head Start or job training or counseling

Think carefully before using any public benefits—even those that are not subject to public charge consideration. When you apply for a visa, you must demonstrate that you have sufficient funds to support yourself in the U.S. A family that used public funds for prenatal care and delivery during a previous visit, for instance, might find it more difficult or even impossible to obtain a U.S. entry visa.

TERMINATION/DEPARTURE

Grounds for termination

Exchange visitors who fail to meet the requirements of the program or who engage in unauthorized employment will be terminated from the program. If terminated, the exchange visitor is out of status, deportable and must then leave the U.S. A person who is out of status is not eligible for a change of status, extension of stay or other benefits. The responsible officer effects a termination by notifying USDOS.

An exchange visitor fails to meet program requirements if he/she:

- Fails to pursue the activities for which he or she was admitted to the U.S.
- Violates the exchange visitor program regulations and/or the sponsor's rules governing the program;
- Willfully fails to maintain the insurance coverage required by the regulations.

Normal departure procedures

Please be sure to notify the OISS when you have finished your program at Eastern Illinois University. Before you leave you must complete a Departure Data Sheet that gives us such information as your forwarding address. We will then complete your J-1 program in SEVIS. The OISS is required to notify the USDOS of early departures from a J-1 program, but there is no penalty for leaving early.