J-I

Immigration Student Handbook

THE FLORIDA STATE UNIVERSITY
CENTER FOR GLOBAL ENGAGEMENT
NOTE: Information in this handbook is subject to change. Links and references to websites and businesses are for informational purposes only and do not in any way constitute an endorsement of these websites/businesses.
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Immigration Information for J-1 Students
Advising & Immigration Information

The Center for Global Engagement (CGE) has a J-1 advisor available to assist you in navigating through academic and/or cultural issues, in addition to immigration advice for students whose immigration status is directly sponsored by FSU (see box 2 of your DS-2019 form). For students sponsored by the U.S. Department of State, USAID, OAS, or another immigration sponsor, your CGE advisor acts as a liaison between FSU and your sponsor, but all immigration advice should come directly from the sponsor, because program rules differ among sponsors and specific scholarships. Your CGE advisor also serves as a liaison and a voice for you on campus and in the community. CGE staff and advisors work for Florida State University, and are not employees of the Department of Homeland Security.

You can see a CGE advisor daily during walk-in advising hours, or by appointment. (Please see the CGE website at www.CGE.fsu.edu for current advising walk-in hours.) Advisors are also available by phone and email. When emailing, please send email to only one advisor or use the Cc function if copying multiple advisors. When leaving phone messages, please be sure to always clearly state your name and phone number.

The Center for Global Engagement website contains useful and detailed information regarding your J-1 status, if you are sponsored directly by FSU (if your immigration status is sponsored by another organization, please seek advice directly from your sponsor). The CGE also communicates important information to you by email, and you are automatically signed up for the CGE Immigration Listserv through your FSU student email address. Please be sure that your FSU student email account is active and able to receive messages, and check this email frequently.

You should only receive J-1 immigration advice directly from your immigration sponsor. Often your friends, family, professors, employers, or FSU department staff wish to be helpful and may
offer you immigration advice, but program rules differ by sponsor, by your category of J-1, and even by your individual scholarship. What may be true of one Fulbright recipient or J-1 visa holder may not be true of another in the same academic department and in seemingly similar situations. Please check all immigration-related information with your sponsor directly. Additionally, please refer any questions about your immigration status from others to your sponsor.

**J-1 & SEVIS General Information**

Relatively few international students hold J-1 status. This status is primarily reserved for U.S. government or home country government funded students. It is the only immigration status administered by the U.S. Department of State, the diplomatic branch of the U.S. government. Therefore, the rules, benefits, and penalties differ substantially from the majority of international students in the U.S., who normally hold F-1 status.

There are 15 categories of the J-1 visa, and each has different set of rules, requirements, and benefits. FSU sponsors 4 categories of the J-1 status, and also hosts a number of students, researchers, and trainees sponsored by other organizations. Each J-1 status holder at FSU has a different set of circumstances which affects what they are able to do during and after their stay at FSU and how they report changes in their program. Therefore, it is advisable to use this handbook as only a general guide and seek further advice directly from your immigration sponsor.

J-1 status is monitored by the US government through an electronic database called **SEVIS**. Since students in J-1 status are strictly monitored, both the students and their sponsors have reporting obligations to the government due to federal law. This handbook has been designed to help inform you of your general responsibilities under J-1 status.
What is a J-1 student?
A student holding J-1 status is a non-immigrant allowed to remain in the United States for as long as he or she is:

- A full-time student making satisfactory progress toward a specific degree at the school he or she is approved to attend, or
- A full-time exchange student completing a prescribed full course of study, who will return to their home institution, after a semester or two at FSU, to complete their degree, or
- A student engaged in post graduation academic training that is directly related to his or her field of study and has been specifically recommended by their academic advisor and authorized in writing by their sponsor.

J-1 students differ from F-1 students in the following ways:

- They may NOT come initially on personal or family funds alone (unless coming to FSU under an active exchange agreement for short-term, non-degree study).
- They may not have a leave of absence or any other gap in their period of study, between completion of their degree and academic training, or in their post-completion training period.
- They may only go on to the next higher degree level, not a lower degree level for a second Bachelors or Masters degree.
- They are required to carry health insurance for themselves and their dependents at all times during their J program.
- Prior written work authorization is required for ALL employment, including assistantships, on-campus work, and all training/internships (paid or unpaid).
- They may be subject to the two-year residence rule (see section on Change of Status).
Immigration Information for J-1 Students

- Academic Training is employer specific and must be approved by the immigration sponsor for every training opportunity, including internships.
- J-2 dependents may apply for work authorization and may study in a degree program.
- They may be sponsored by an agency other than FSU for immigration purposes, and may have another layer of scholarship requirements that affect their program or status.
- The main regulations for the J program are at 22 CFR 62.

What is SEVIS?

SEVIS is the acronym for Student and Exchange Visitor Information System which is run by the Student and Exchange Visitor Program Office (SEVP) of the U.S. Department of Homeland Security (DHS). Your SEVIS record is unique. Each J-1 student has an individual SEVIS record, and a unique SEVIS number. You will keep the same SEVIS record and SEVIS number throughout your time in the U.S. as a J-1 student, and this record can even be transferred to another sponsor.

Your SEVIS record is a dynamic record, which has a beginning and end, according to your program of study or academic choices. Your SEVIS record becomes “Active” after you first enter the US, report to your immigration sponsor, and enroll in a full course of study. Your immigration sponsor (noted in box 2 of your DS-2019 form) must continue to maintain this record by reporting any changes in your personal or academic record, as discussed further below. Your sponsor reports information to SEVIS simply by making an update in the SEVIS computer system. Eventually, when you have completed your academic program or post-completion training, your SEVIS record will also end.
Immigration Information for J-1 Students

**IMPORTANT NOTE:** In the future, there will be major changes to SEVIS, resulting in SEVIS II. This will involve creating an Immigration Customer Account. There will also be changes in your responsibilities to report some changes in your information directly through SEVIS II. The Center for Global Engagement will provide information to you through an immigration listserv to which you will automatically be subscribed, through Blackboard, and through briefings. Please make sure you receive and read our email messages and keep in close contact with us during this period.

**Your Immigration Documents**

The following documents are the basic documents needed to travel and/or maintain your J-1 status. It is important to provide your sponsor with up-to-date copies of all of your immigration documents for recordkeeping purposes, such as passport/visa renewals or new I-94s upon re-entry from international travel.

- **Passport:** Your passport should always be valid for up to 6 months in the future. Check with the embassy of your home country for information on renewing your passport. Check the spelling of your name in your passport. Your name should appear the same way in your passport, DS-2019, J-1 visa, and I-94. If these documents do not match, please talk to your immigration sponsor.

- **J-1 Visa:** This is the sticker in your passport, used only for entry purposes. An expired J-1 visa stamp does NOT affect your J-1 status inside
the US. This visa is allowed to expire while you are in the US. However you can only re-enter the US after travel abroad using a valid J-1 visa. So, if your J-1 visa is expired and you leave the US, you must apply for a new J-1 visa before you can return.

- **I-94**: This is your record of admission and proof of legal immigration status. It may be obtained at [www.cbp.gov/i94](http://www.cbp.gov/i94). The I-94 contains your “Admission Number” or I-94 number, which is used for authorized employment, driver’s license, social security, and banking. Each time you enter the US again, you will receive a new I-94 number. We recommend you printing out each one shortly after your re-entry and keeping them for your permanent records.

- **DS-2019**: This is the 2-page document issued by your immigration sponsor (noted in box 2 of your DS-2019 form). The DS-2019 contains biographical information, as well as information about your academic program and funding. The DS-2019 also contains your SEVIS Number, which is found at the top right corner of the DS-2019 beginning with N000--. Please note the ending date of your DS-2019 can be found on page 1, section 3. The DS-2019 will be shortened to indicate degree completion, or can be extended if you need more time. Page 1 of the DS-2019 contains space for travel signatures (bottom right). The DS-2019 is always signed in blue ink by your immigration sponsor (noted in box 2 of the DS-2019).

**Special note on Canadian student documents**: Canadian students do not require a visa to enter the US, but are still required to be in J-1 status when admitted to the US. You must show the DS-2019 at the airport or border when you enter the US. BE SURE to check your entry stamp and I-94 record for the J-1 status. Canadian students are governed by the same regulations as other J-1 status
students. DO NOT RETURN TO THE US AS A VISITOR; ALWAYS ENTER USING YOUR J-1 STATUS.

Other Documents
Below are additional documents that you may need or encounter as a J-1 student.

- **Financial Support Documents** - These are the documents you provided as proof of your financial support - terms of appointment or scholarship award letter, assistantship award letters, and additional personal bank statements, if required.

- **I-515A** (only if issued to you upon your entry): This form may be given to you if you have a problem at the Port of Entry or if you have not provided sufficient documents for entry. (Example: You forgot your DS-2019.) See an CGE advisor immediately if you receive an I-515!

Travel Rules
When travelling abroad, you should always be sure that you have the proper documents prepared. DO NOT EVER re-enter the US using a status other than J-1. Always check your I-94 on re-entry to be sure it is stamped and marked as “J-1 D/S” You’ll need to think about the following things before travelling abroad:

1. Get a travel signature from your sponsor on your DS-2019. If you are sponsored by FSU (check box 2 on DS-2019), you can either visit your advisor during walk-in hours for a same-day signature OR drop off your DS-2019 at the CGE Front Desk. Visit the CGE at least two weeks prior to travel, unless it is emergency travel. If you are not sponsored by FSU, you must mail your original DS-2019 form to your sponsor for signature. Allow at least 4 weeks for the signature and mailing if you are not sponsored by FSU.
2. If your J-1 visa is expired, you must make plans to apply for a new J-1 visa while you are abroad. **Remember- You CANNOT renew the J-1 visa inside the US!** (Exception- If you are travelling to Canada, Mexico, or islands adjacent to the US, it may be possible to return using an expired J-1 visa. Please talk to your CGE advisor about this special case of “Automatic Visa Revalidation”.)

3. Check your passport. It should be valid for 6 months into the future. If your passport is close to expiring, you will need to renew it before travel back to the U.S.

4. If you are travelling to a country other than your home country, find out if you will need a visa to enter that country. **Remember- Your J-1 status is only valid in the US. Other countries have their own immigration rules.**

Please remember to bring new copies of your document to the CGE after you return- new I-94 record, renewed passport or visa. Also, report any problem to your CGE advisor if you had difficulties at the Port of Entry, embassy, or consulate.

### Renewing Your J-1 Visa

If you are renewing your J-1 visa, please take these documents, in addition to your passport and DS-2019. Please also be sure to check the website of the specific embassy or consulate to which you will be applying for their specific requirements. You can find the embassy or consulate’s website here online: [www.usembassy.gov](http://www.usembassy.gov):

1. FSU Official Transcript (Available from FSU Registrar)
2. Certification of Enrollment (Available from FSU Registrar)
3. Updated proof of funding (Scholarship Award Letter or Terms of Appointment, Department Award Letter, and/or personal bank statement)
4. Proof of ties to your home country (Proof of immediate family or family obligations in your home country; bank accounts or property at home; job offers, or proof of need for your job field at home)
Travel Inside the US

For travel inside the US, but outside of Tallahassee, please always carry your original documents (DS-2019, passport, I-94, and J-1 visa) - not photocopies – on your person at all times.

For travel within Tallahassee, we recommend that you always have photocopies of your documents at all times. The original documents should be in your personal possession at your home- not with a friend or family member. For identification purposes, you should keep a Florida ID Card or Driver’s License with you at all times. (For information on applying for a Florida ID or Driver’s License, please see the Driver’s License Brochure on the CGE website at www.CGE.fsu.edu).

Special Rules for J-2 Dependents

J-2 dependents are children (under age 21) and spouses of a J-1. As long as the J-1 student remains in proper immigration status, the J-2 dependents will as well. J-2 dependents have the same types of immigration documents- passport, J-2 visa, J-2 dependent DS-2019, and I-94. J-2 dependent DS-2019s also need to be signed by the immigration sponsor for travel prior to any international travel.

J-2 dependents are subject to the same two-year residence rule and one year bar as the J-1 and encounter the same restrictions on changes of status as the primary J-1.

Additionally, please note these rules specific to J-2 status:

- J-2 dependents are NOT authorized for employment without specific authorization granted only by USCIS in the form of an Employment Authorization Document (EAD card). Employment cannot begin or continue without an approved EAD; otherwise the J-2 status is jeopardized.
- J-2 dependent children may attend school (K-12)
• J-2 dependent spouses may engage in full-time or part-time degree-seeking or non-degree study.
• A dependent child “ages out” when he or she turns 21 years and will need to have their own status to remain in the U.S. Talk to an CGE advisor about a change of status for your dependent at least 1 year before he or she turns 21.
• Divorce ends the J-2 spouse’s record immediately, requiring the former spouse to change status or exit the U.S.

The application for J-2 work authorization is located on the CGE website, and can be instituted at any time by the J-2 dependent.

When renewing the J-2 visa, a J-2 will need to provide the following documents to the embassy or consulate:
• J-2 dependent DS-2019, signed for travel
• Copy of J-1’s documents (DS-2019, I-94, passport biographical pages, J-1 visa)
• Passport (valid for at least 6 months into the future)
• Copy of J-1’s FSU Official Transcript (Available from FSU Registrar)
• Certification of Enrollment for J-1 (Available from FSU Registrar) OR printout of J-1’s Spring 2009 registration
• Updated proof of J-1’s funding (J-1 Scholarship Award Letter, J-1’s Department Award Letter, bank statement, but NOT J-2 income from employment)
• Proof of ties to your home country (Proof of immediate family or family obligations in your home country; bank accounts or property at home; job offers, or proof of need for your job field at home)

**Enrollment Rules**
Your J-1 immigration status depends on your status as a student. As a J-1, your main purpose in the US is study, and you are always
required to maintain a full course of study AND to make academic progress in your degree program. Making academic progress means:

- You are enrolled full-time in your degree program, at the appropriate level of coursework
- You do not have repeated semesters of low grades or Incompletes
- You have not been academically dismissed, suspended, or expelled

Full Course of Study (Full-time Enrollment)

The following chart contains the definitions for full-time enrollment at Florida State University. Please note- if your academic department requires enrollment that exceeds the information below, you must also comply with the departmental policy. The enrollment minimums in the chart below are only minimums to maintain proper J-1 immigration status. Additionally, your financial or immigration sponsor may have further enrollment minimums in order for you to continue to receive funding for your study. Students receiving the Latin American-Caribbean Scholarship (in-state tuition), due to U.S. federal or U.S. state funding, must always be enrolled full-time, even during the final term, in order to maintain the in-state tuition status. International students must enroll for the immigration minimums AND satisfy requirements of FSU, the academic department, and their sponsor(s).

<table>
<thead>
<tr>
<th>Undergraduates</th>
<th>12 hours - minimum enrollment is required in both Fall and Spring semesters.</th>
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<tbody>
<tr>
<td></td>
<td>Final Term - Minimum enrollment in the final semester is based on the number of hours required to complete the degree. Students must submit a Final Term Form no later than 2 weeks into the final term.</td>
</tr>
<tr>
<td></td>
<td>Summer Enrollment - Summer term</td>
</tr>
<tr>
<td>Enrollment Requirement</td>
<td>Details</td>
</tr>
<tr>
<td>------------------------</td>
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</tr>
<tr>
<td>Enrollment is NOT required by immigration regulations unless Summer is your <em>first</em> term at FSU or if it is your <em>final</em> term.</td>
<td></td>
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<tr>
<td><strong>Exchange Students</strong></td>
<td>Students must be enrolled full-time at all times in the courses determined appropriate prior to their arrival at FSU. Any changes in course enrollment must be approved in writing by the academic coordinator of the exchange at FSU and the coordinator at the student’s home institution.</td>
</tr>
</tbody>
</table>
| **Graduates** | 9 hours - minimum enrollment is required in both Fall and Spring semesters.  
3 hours - minimum enrollment is considered full-time after completing 6 thesis hours (Masters) or 24 dissertation hours (PhD) and it is not the final term.  
**Final Term for graduate students completing a Thesis or Dissertation** - 2 hours of minimum enrollment (even if the final term is during the Summer). Students must submit a Final Term Form no later than 2 weeks into the final term.  
**Final Term for Masters students completing coursework (non-thesis option)** - Minimum enrollment in the final term is based on the number of hours required to complete the degree. Students must submit a Final Term Form no later than 2 weeks into the final term.  
**Summer Enrollment** - Summer term enrollment is NOT required by immigration regulations unless Summer is your *first* term at FSU or if it is your *final* term. |
Reductions in Course Load

Immigration regulations only allow reductions in course load (below the minimum full-time enrollment) for the following specific reasons. Authorization for a reduced course load must be requested from your sponsor in advance of dropping courses or underenrolling.

1. Bona fide academic reason, as recommended in writing by your academic advisor.
2. Medical condition (Requires a letter from a licensed US physician, Psychologist/psychiatrist, or osteopath)
3. Final Semester

Reduced course loads may not be approved by some sponsors, due to budgeting restrictions for the student’s scholarship.

Latin American – Caribbean Scholarship recipients should not drop below a full course of study for academic reasons or final semester, due to the strict state requirements for continuing to receive in-state tuition. If there is a medical condition, the student should seek advice from the CGE and their sponsor.

Withdrawal or Leave of Absence

Sometimes circumstances in your academic or personal life may prevail over your academic pursuits so that you need to stop schooling before you complete your program. If you are considering withdrawing from FSU or taking a leave of absence, please contact your CGE advisor and your immigration sponsor as soon as possible to discuss the financial and immigration implications of withdrawal. Simply informing your academic department of your intentions does NOT take care of these other obligations. In order to appropriately "end" your SEVIS record, your sponsor will need to speak with you about your specific situation.

If your academic or personal difficulties are due to a more serious
situation, such as a mental or physical health problem, you may be eligible for an authorized reduction in course load. Please talk to your sponsor as soon as possible for more information.

If this is your case—please realize that you can seek treatment immediately at
Thagard Health Center 644-6230 / tshc.fsu.edu or the
University Counseling Center 644-2003 / counseling.fsu.edu

Employment Rules

On-Campus Employment
In general, as a J-1 student, you can only be authorized to work on-campus at FSU for up to 20 hours per week during Fall and Spring semesters. (20 hours per limit is the total limit for ALL positions held on-campus. For example— if you work 15 hours at the FSU Library, you would only have a remaining 5 hours available for another on-campus position.) You also may not work 25 hours one week and 15 hours the next during the regular terms. You may work more than 20 hours on-campus only during university breaks, or in the summer, if a Summer session is not your very first or very last term.

You must ALWAYS receive written work authorization from your immigration sponsor for any and all employment or training, including assistantships and internships. Employment may be limited by your sponsor. Check with your sponsor for program-specific limitations on employment PRIOR to beginning a job search. Working without specific written authorization is a violation of your J-1 status and can result in termination of your program.

Because all employment must be specifically recorded in SEVIS for J-1 students, your sponsor will require certain information regarding your employment, including your specific place of employment, the address, number of hours per week, type of work
(assistantship or other on-campus employment), and amount of pay. FSU-sponsored students should have their hiring department fill out the Request for Work Authorization form located on the CGE website – www.CGE.fsu.edu. Please submit your request for work authorization at least two weeks prior to beginning work, in order to avoid any delays in receiving payment. Students whose programs are administered by IIE, LASPAU, USAID, IREX, Amideast, AED, or another organization, should consult their program manual or the sponsor’s website for more information on obtaining work authorization. Accepting FSU employment may reduce the amount of your scholarship award.

Working “on-campus” means that you are performing the work on the campus of FSU and your paycheck comes from FSU (example: FSU departmental assistantships, the library, etc). You may also work on-campus for a company in direct contract with FSU (like the FSU Bookstore, or campus dining services). If you have any doubt that your position is considered “on-campus”, please contact an CGE advisor before applying for the position. If you are looking for on-campus jobs, see the FSU Employment webpage at jobs.fsu.edu.

Once you have obtained your written work authorization from your sponsor, submit a copy to your hiring department, along with a copy of your DS-2019 form and a copy of your I-94 card. Please keep the original work authorization for your files.

You must also submit certain biographical and immigration information through Glacier, an on-line program which determines the correct payroll deductions for foreign nationals for FSU. Look for an email message from support@online-tax.net (make sure your email does not block it). The message will tell you how to login and will give you a password. It is important to follow the directions in this email to avoid tax penalties or unnecessary deductions from your paycheck.
Be sure to update Glacier each time you travel outside the U.S. and each time your status is extended or changed to ensure that you receive the proper tax deductions, or lack thereof.

Your immigration sponsor, if not FSU, may also require certain reporting of your wages for tax preparation at the end of the year. Please be sure to submit to your sponsor any tax statements they require.

**Off-Campus Employment or Training**

Your J-1 status does NOT allow you to be employed off-campus without specific written authorization from your sponsor. If you do not have a letter from your immigration sponsor (noted in box 2 of your DS-2019 form) specifically authorizing work or training with a specific employer for limited dates of employment or training, you are NOT authorized to work off-campus.

Unauthorized off-campus employment is a very serious violation of your J-1 status and can result in loss of your immigration status and your scholarship, as well as potentially a ban from returning to the U.S. for several years.

**Academic Training (AT)** - Academic Training is an option which allows you to work in your field of study as part of your J-1 academic program, paid or unpaid, on or off campus.

Academic Training authorization is required for

- Any paid or “for credit” internships on or off campus; or
- Any paid or unpaid employment or training off campus before or after graduation (other than employment approved for economic hardship or on-campus employment).

Academic Training may be:

- Used in addition to the on-campus work authorization described above (but may not be used as authorization for an assistantship);
• Authorized for 18 months or for the length of time you have been in your degree program, whichever is shorter;
• Authorized for an additional 18 month extension for post-doctoral training (after graduation from a doctoral program only);
• Used all at one time or accumulated over the course of your degree (for example, summer off-campus training can be authorized each year up to the maximum 18 months);
• Authorized for concurrent employment at different employers for any number of hours after graduation; and
• Changed at any time if circumstances change.

Please note that immigration sponsors other than FSU may have program restrictions on Academic Training. Please check with your immigration sponsor regarding available options, prior to accepting any employment or training.

All your time in Academic Training, whether you are employed part-time or full-time, paid or unpaid, counts against the total time allowed for Academic Training.

The 18 months of pre-completion training is a total amount available throughout one’s entire academic career as a J-1. It is not 18 months for each degree level.

For FSU sponsored students, you will:
1. Apply for a training position appropriate for your field of study.
2. When offered a position, be sure that you obtain a written offer letter from the employer or training organization, which specifies your duties, dates of training, supervisor’s name and contact information, the name of the organization offering the training, the address where you will be conducting the training, the hours per week you will work, and the salary you will receive.
3. Submit a copy of the offer letter to your academic advisor, so that the advisor can complete our form Recommendation Letter for Academic Training, which
can be obtained on the CGE website at www.CGE.fsu.edu.

4. Submit to the Center for Global Engagement both a copy of the offer letter and the completed recommendation letter from your academic adviser at FSU.

5. Obtain your written authorization from the CGE prior to beginning training.

Federal law requires that sponsors collect very specific information from your academic adviser regarding all academic training and report the same information in SEVIS. For this reason, the specific information required in the form recommendation letter is required, but your advisor can choose to format that information in any way they wish.

Students sponsored by other organizations (IIE, LASPAU, Amideast, etc.) must check with their immigration sponsor regarding the specific requirements or forms that their sponsor will need for Academic Training approval.

Your sponsor makes the final determination regarding whether or not your proposed employment or training is appropriate for Academic Training approval and will provide a letter authorizing the employment. The authorization is not processed through US Citizenship and Immigration Services.

Academic Training after graduation may entail an extension of your J program. Please keep in mind that you must provide evidence of sufficient funding for yourself and your dependents to receive an extension. Either the training must provide sufficient funds for the extension period, or you must otherwise show that you have sufficient personal funds or funds from a sponsor.

Post-completion Academic Training must be authorized within 30 days of your graduation at the latest. This means that you will need to identify your Academic Training opportunities prior to graduation and will need to begin training or employment within
30 days of your program completion. Timing of your degree completion and the start of training can be difficult.

There may be no gaps in post-completion Academic Training. There is no way for a J-1 sponsor to authorize a period of time for a job search or to authorize academic training after the student has ended their J program. Academic Training must begin within 30 days after graduation.

**Severe Economic Hardship** - Severe Economic Hardship employment authorization must be authorized by the J-1 immigration sponsor. This is only for hardship cases arising from sudden, unforeseen circumstances beyond the student’s control. Examples: Unforeseen loss of scholarship or funding, sudden changes in home country’s economic system or currency resulting in the inability to access personal funds, severe illness or unexpected medical bills, natural disasters. Please talk to your immigration sponsor for more information. Severe Economic Hardship employment allows 20 hours per week of work anywhere off campus, but is not available if you already have 20 hours of on-campus work. You may only be authorized for 20 hours per week total of both on-campus employment and economic hardship employment.

**Unauthorized Employment**
Unauthorized employment is a very serious violation of your J-1 status and can have severe consequences, including loss of your immigration status, loss of your scholarship, a requirement to repay all scholarship funds already disbursed on your behalf, and loss of guaranteed employment connected to a scholarship.

Some examples of unauthorized employment include:

1. Work off-campus (employee at a restaurant, store, construction site, or other business)
2. Babysitting, private tutoring, private language lessons
3. Home or internet business
4. Paid internship or employment in one’s field of study with no written authorization
5. Working before or after the dates authorized in SEVIS
6. Working over 20 hours per week on campus during Spring or Fall semester

Employers are not immigration experts. Do not rely upon your employer to know whether or not you have proper documentation for employment. It is always legally your responsibility to work only with proper authorization and to know what is permitted by your J-1 status. Ask your immigration sponsor if you are ever in doubt.

Social Security
If you will be employed in the US, you must apply for a US Social Security Number (SSN). Students who are not working or receiving income in the US are not eligible for a Social Security number, and should NEVER use their FSU identification number (999 or 899 number) in place of the SSN outside of the FSU campus. For detailed information, please see the Social Security Brochure found on the CGE website at www.CGE.fsu.edu. If you are sponsored by FSU (noted in box 2 of your DS-2019), you will need to do the following to obtain your SSN:

1. Have your employing department complete the Work Authorization Request form on the CGE website.
2. Submit the work authorization request to the CGE. The CGE will enter the specific information included in the request form into SEVIS, as required by law.
3. Obtain a written work authorization from the CGE.
4. Apply in person at the Social Security Administration office with your passport, DS-2019 form, and the written letter of authorization. (See CGE website and Social
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Security Brochure for address and directions to the office.) You will receive a receipt for your application.

5. The Social Security card will be mailed to you usually within 2-4 weeks. Please provide your department or employer with a copy of your receipt or other proof that you have applied for the Social Security card. When you receive the Social Security Card, please provide a copy to your employer, the FSU Registrar, and the FSU Card Center.

If you are not sponsored by FSU (for example, your sponsor is IIE, LASPAU, Amideast, etc.), your sponsor should have provided a letter in your welcome packet indicating that the Social Security number is necessary for disbursement of your U.S. scholarship funds.

Health Insurance

J students must insure both themselves and all J-2 dependents at all times in at least the minimum amounts required by Federal law. Other State of Florida insurance requirements also apply to J-1 and J-2 enrolled students (see www.studentinsurance.fsu.edu under “Comparable Insurance – International” for the State of Florida minimum requirements).

The State requirements are higher than the federal requirements, making it currently necessary for all U.S. government funded students to carry two insurance policies – one that ensures compliance with federal insurance requirements and one that ensures compliance with State of Florida requirements. There is no waiver of the State requirements available to Fulbright or other U.S. government scholarship recipients, based upon the insurance policy provided by the sponsor.

The Federal minimum requirements for everyone in J-1 or J-2 status are listed on page 2 of the DS-2019 form, and apply at all times one is in J-1 or J-2 status, including time in post-completion Academic Training. Please note that employer provided insurance
plans do not provide the required coverage for evacuation and repatriation benefits, so a medical evacuation and repatriation policy is necessary for anyone covered by an employer provided insurance policy.

If you find that your dependents’ coverage has inadvertently lapsed or is no longer offered, please seek advice as soon as possible from the Center for Global Engagement to regain compliance with the insurance regulations. The US Department of State takes this requirement very seriously.

Never misrepresent your insurance coverage to the university or your sponsor. This is a serious violation of the J-1 status, which results in termination of your J-1 status and the status of any J-2 dependents. If you do not have an insurance policy in place at the time you need to register for classes, DO NOT fill out the online waiver form until you have purchased a compliant policy.

**Reporting Changes & Making Requests**

During your time here as an J-1, you may make changes to your personal or academic record. When changes occur, your sponsor may need to update your SEVIS record and/or DS-2019. Please see the J-1 Forms section on the CGE website or ask your CGE advisor for the proper way to report changes. Changes may include:

- Personal information- Legal name change, personal or sponsored funding change, changes in dependent information
- Financial information- Change in your source of funding (adding or losing personal, sponsored, scholarship, or assistantship-based funding), or a significant change in the amount of funding
- Address – You must report a change of address to your sponsor within 10 days of your move. To report a change of address to the CGE: log into Blackboard at campus.fsu.edu, go to “Secure Apps”, and update your
address. (Local home address should be used for your current address.) If you are not sponsored by FSU, you must report address changes directly to your sponsor, in order to comply with immigration regulations. Sponsors generally have an online reporting system or a form for this purpose.

- Academic information- Changes of major and changes of level are automatically reported to the Center for Global Engagement. Other academic changes that you should report might include graduation or early program completion, withdrawal from your program, readmission to another degree at FSU, admission and/or transfer to another US school, leave of absence, or withdrawal.

Many changes in personal, financial, or academic changes record simply need to be reported and updated. However, at other times you may need to request an adjustment to your immigration record or make a request to receive a benefit of your J-1 status. Most requests have associated forms, which are available on the CGE website or your sponsors website. Please be sure to submit forms and requests 2 weeks in advance. Requests may include:

- Travel signature
- Reduced Course Load (RCL) Authorization
- DS-2019 Extension (This must be requested well before your DS-2019 expires!)
- Employment authorization
- Adding an J-2 dependent child or spouse to your record
- Transfer to another US school or to FSU sponsorship
- Withdrawal from FSU
- Taking courses at a school other than FSU

Transfer to Another Sponsor

You may transfer to another school or another sponsor, including FSU, while still maintaining the same SEVIS record and J-1 status.
Your current sponsor will release your SEVIS record and transfer it electronically to the sponsor of your choice. The day of this electronic transfer is called the “SEVIS transfer release date.” SEVIS transfer is a fairly simple process, but please keep the following things in mind:

- Even if you are beginning a new degree program or completing a degree program for which you are no longer sponsored financially, you are still considered a “transfer” for immigration purposes. Academically, you may not be considered a transfer, but your immigration record undergoes a certain transfer procedure.

- You must check-in with your new sponsor (including FSU, by reporting to the CGE) within 30 days of the transfer release date, with a current residential address, to have your SEVIS record validated. Otherwise, your record changes to “invalid” status.

- Your sponsor can only transfer your SEVIS record to ONE new sponsor. You will need to make decisions fairly quickly regarding your new sponsorship to avoid gaps in your program that require travel outside the US for a new J program.

- There may be no gaps in sponsorship. A new DS-2019 form may be required for students who are completing in Spring semester and not starting a new program until Fall semester. This means a new SEVIS fee is required and travel outside the US will be required to begin a new status. You may also need time for visa processing, if you do not have a valid J-1 visa.

- US government sponsored students will pay the SEVIS fee when transferring to non-government sponsorship. Payment of this fee will be required before any travel outside the US.

- Once your SEVIS record is transferred, your sponsor will no longer have access to it. If you change your mind, talk to the sponsor you have transferred to immediately.
Sponsored students should keep in mind that their funding will usually end as of the release date also.

- There may be a gap in J-2 employment authorization due to a transfer. Since the new sponsor cannot produce a DS-2019 form until the transfer release date, time may be limited for renewing a J-2 work authorization through USCIS.
- You may be employed on campus only at the school that holds your current SEVIS record. All employment must be authorized in writing by the sponsor holding your record at the time of your employment.

You must inform the Center for Global Engagement and the other sponsor well in advance of the anticipated transfer date to ensure that all required documentation is completed before the transfer. Both sponsors are likely to have transfer verification forms that need to be completed. Students who are remaining at FSU, but changing sponsors (e.g., from IIE to FSU), must also have their academic adviser at FSU complete an extension request, even if they are well within the normal time required to complete the degree.

**Completion of Studies & Graduation**

Your current J-1 status is valid for the duration of your current degree program. However, please remember that when you complete your degree program and studies, the validity of your DS-2019 also ends. The CGE will shorten your DS-2019 and SEVIS record to your graduation date to reflect your degree completion. Your Program Completion Date will depend on the exact semester and term that you finish your degree. You can check the graduation or diploma date for your final semester on the FSU Registrar’s website: registrar.fsu.edu.

All J-1 students have the benefit of a 30-day grace period following the completion of a degree program. You may use this 30-day period to choose any of the options listed below, if you have not
already done so. Please note that the choices require you to inform your sponsor of your plans by completing the necessary processes and forms. Be aware- If you do not apply for Academic Training, request an extension, transfer to another sponsor, or continue with another degree program at FSU, your J-1 record will automatically complete 30 days after your Program Completion Date (which may be earlier than your DS-2019 form ending date).

1. **Apply for and begin your Academic Training (AT) employment.** Please see the information on AT in the Employment section. Training must be authorized and begin within 30 days after your graduation.

2. **Be readmitted to FSU for a new degree program.** In order to receive a new DS-2019, you must be admitted to a new degree program, and provide proof of funding for your new degree or level. This is because your J-1 SEVIS record will automatically complete 30 days after your Program Completion Date, if no action is taken to continue the record. If you will remain with your sponsor, be sure that you complete all necessary procedures to extend your immigration status and your funding. If you will transfer to FSU, coordinate processes carefully and early between your sponsor and FSU.

3. **Transfer to another U.S. school.** You must arrange for the release of your SEVIS record to your new school before the end of your current J program. See section on SEVIS Transfers.

4. **Apply for a Change of Status to another immigration status.** If you will be applying for a change of your immigration status, please be sure to talk to your sponsor about your options. You may be very limited by the two-year residence requirement. Note: See the information on changing status below.
5. **Exit the United States.** If you do not choose any of the other options, your J-1 status will end 30 days after your program completion. You must exit the US before the end of your 30-day grace period. Your J-2 dependents must also exit within the grace period. Your grace period ends when you leave the U.S., even if you did not stay the full 30 days.

**Change of Status**

At some point, you may wish to change your status from J-1 to another US Immigration status. Most J-1 students and their J-2 dependents are restricted in their options for changing status due to the two-year residence requirement (see page two of the DS-2019 form for more information).

**Not Subject to the Two-Year Residence Rule**

If you are not subject to the two-year residence requirement or have obtained a waiver, you may apply for a Change of Status inside the US or by applying for a visa outside of the US at a consulate or embassy abroad.

- If you are changing status from within the US, it is best to continue to maintain your current J-1 status until the Change of Status is approved, by maintaining full-time enrollment in coursework or continuing to be engaged in post-completion Academic Training. A change of status inside the U.S. generally takes at least 3 months for approval, and H-1B status may have further time restrictions due to annual quotas for private employers (non-academic employers).

- If you re-enter the US in another status, be aware that you will then no longer have any of the benefits of J-1 status and neither will your J-2 dependents, even if you have documents that still look valid for employment. You should be sure to understand any restrictions or regulations regarding your new status. Often dependents of other statuses cannot work or study as J-2s are permitted to do.
• Your dependents will also be required to change status or apply for a new status. Their status ends when the J-1 status ends. The current status is indicated on the most recent I-94.

• You MUST receive a new I-94 with the notation of your new status. The I-94 is proof of your current immigration status. You should not travel in the future on a J-1 visa, if you have ended your J-1 program, or you invalidate your new status.

• If there is a gap between approved statuses, you may not work during that period. Although you may legally remain in the US while a Change of Status is pending, if the previous status expired and the new status has not yet begun, there is no authorization in place allowing legal employment.

Please inform your sponsor of your intent to change status. The CGE and/or your sponsor may require documentation of the proof of your Change of Status or Notice of Action.

Subject to the Two-year Home Country Residence Rule 212(e)

The J program carries a requirement that certain students and scholars return home for a period of two years upon completion of their J program before they are eligible to apply for the H (temporary worker) visa, L (intra-company transferee) visa, or for an immigrant visa (also known as permanent residency visa or green card).

All types of permanent residency applications are affected by the two-year rule, including applications based on marriage to a US citizen or permanent resident and diversity visa lottery winners.

The rule also applies to all dependents in J-2 status under the primary J-1 holder’s program. Dependents in J-2 status face the same issues with changing status as the J-1.

Students are subject to this rule based upon:

• Government funding (from the home government, an international organization, or by the US government); OR
• Skills list. Students whose country of last permanent residence lists their particular field of study on a list of skills that are considered important to the home country are subject to the requirement (see exchanges.state.gov/education/jexchanges/participation/skills_list.pdf).

The rule does not affect:

• Extensions of the J program
• Transfers of the J program
• Returning to the US in another non-immigrant status, such as F-1 student, B–tourist, A–diplomat, or J short-term scholar or non-degree student.

Although you may apply for another non-immigrant visa, other than H or L, at a US consulate abroad after the J program, applications to change status while remaining in the US are not accepted by USCIS if the you are subject to the two-year rule. The instructions on the I-539 form (used for a Change of Status) state that those subject to the two-year rule may not apply for a Change of Status without having first obtained a waiver of the two-year rule.

Please note that leaving the US and returning to the US in another non-immigrant status (such as F-1 or visitor) does not exempt you from the two-year residence rule. The rule remains in effect until the two-year stay in the home country is completed or until a waiver of the two-year residence rule is approved by US Citizenship and Immigration Services.

Also note that once you receive a recommendation for approval of a waiver of the two-year residency rule from the Department of State, the J program can no longer be extended, even if you have not yet completed your degree or there is available time left for Academic Training. There is no additional grace period (beyond the 30 days after the program end date) during which you can wait for approval.
of the waiver of the two-year residence rule before applying for a new status.

Students subject to the two-year residence rule based upon government funding may not be able to successfully achieve a waiver of the two-year residence requirement. This is particularly true with U.S. government funding, as would have been stated in any contract the student signed with their sponsor.

For more information on the two-year residence rule, you may review page two of your DS-2019 form or the welcome brochure provided upon your arrival. You may also seek additional advice from the Center for Global Engagement. Although we do not assist with the waiver process, we can provide advice on the implications of a waiver on your current program and perhaps provide other options that may better suit your needs.

Waiver information may be obtained at travel.state.gov/visa/temp/info/info_1296.html.

**One-year Bar**

The one-year bar is a feature of the J research scholar category that prevents someone from using the J program for an extended period of time without returning home. Any person who has been in the US in J-1 student or J-2 status in the preceding 12 month period will not be eligible for the research scholar or professor categories of the J visa for a period of one year. In other words, if you have been a J student and have just completed Academic Training, you may not continue your employment or training by applying to become a J-1 Exchange Visitor in the research scholar or professor category. Likewise, J-2 dependents whose spouse has just ended their J program may not apply for their own J-1 status in the research scholar or professor category for a period of one year.

There is no waiver available for the one year bar rule.
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This document is available in alternative format upon request.