



The J-1 Exchange Visitor Program is administered by the Bureau of Educational and Cultural Affairs under the U.S. Department of State (DOS). Northeastern is approved by DOS as a designated J-1 Program Sponsor and, as such, is granted permission to host J-1 Exchange Visitors, with the understanding that the activities of the J-1 program must “foster mutual understand and enhance international cooperation.”

Each J-1 Scholar is responsible for reading, understanding and complying with U.S. federal regulations related to their particular J-1 classification to ensure that both the J-1 Scholar and any dependent(s) are in compliance with U.S. federal regulations. Failure to comply may result in legal repercussions to both the scholar and the sponsoring institution. In addition, Northeastern, as J-1 Program Sponsor, is responsible for maintaining the integrity of the J-1 program.

Note: The information below is based on the premise that Northeastern University is the designated program sponsor and has issued the form DS-2019. If an agency or organization other than Northeastern is the sponsor, that agency/organization would be responsible for all legal sponsorship obligations, including but not limited to SEVIS validation, DS-2019 amendments, health insurance compliance, and any related changes to the J-1 program. The J-1 scholar is responsible for remaining in contact with the sponsoring agency/organization at all times and keeping that agency/organization informed of all pertinent changes and relevant legal issues.

Conditions of the J-1 Exchange Visitor Program

1. Two-year Home Residence Requirement – 212(e)

The goal of the J-1 Exchange Visitor Program is to promote mutual understanding and cultural and educational exchange, with the intent that participants return to their home countries and share knowledge gained during the program. In certain instances, scholars in J-1 status are required to return to their home country or country of legal permanent residence for two years before obtaining a *more permanent* status in the U.S., such as an H, L, K nonimmigrant classification, or becoming a lawful permanent resident (“green card” holder). In addition, scholars who are subject to this requirement are not eligible to apply for a change of status to another nonimmigrant classification while inside the U.S.

Scholars are subject to the two-year home residence requirement – also known as 212(e) – if:

- They came to the United States to participate in medical residency under J-1 Alien Physical category **OR**
- They received direct government funding (from the U.S. or their home country) for the purposes of international exchange **OR**
- Their country has an “Exchange Visitor Skills List.” (Please visit travel.state.gov/content/visas/english/study-exchange/exchange/exchange-visitor-skills-list.html)

Please note that receiving a salary that is funded out of a government grant that is given for the purposes of conducting research does not result in the scholar being subject to this provision.

In limited circumstances, exchange visitors who are subject to the requirement may apply for a waiver directly from the DOS if they meet certain conditions. In addition, if the scholar believes they have been incorrectly subjected to 212(e), the first step would be for the scholar to file an advisory opinion as an initial inquiry. The Office of Global Services (OGS) can provide general information about these two options, but due to a conflict of interest as the DOS J-1 program sponsor, the OGS cannot directly assist or prepare documentation.

Please note that the Two-Year Home Residence Requirement (212(e)) can affect scholars in any J classification, including J-2 dependents. 212(e) is distinct from the 24-Month Bar on Repeat Participation in J-1 Research Scholar and Professor Categories which only affects scholars in J-1 Research Scholar or Professor categories.



2. 12/24 Month Bars

12-Month Bar for Initial J-1 Research Scholar and Professor Categories: Prospective Northeastern scholars who previously participated in J-1 exchange programs (including participation as a J-2 dependent) are in some instances ineligible for sponsorship under the J-1 Research Scholar or Professor categories *for a period of 12 months* after ending the previous J-1 program. There is an exception *for the 12-month bar* for those who participated in a J-1 program that was less than six months in duration, or whose prior exchange was under the J-1 Short-Term Scholar category, since that category provides participation only for up to six months.

24-Month Bar on Repeat Participation in J-1 Research Scholar and Professor Categories: Effective November 18, 2006, scholars in the J-1 Research Scholar or Professor categories who complete their exchange program become subject to a 24-month bar or *prohibition* from returning to the U.S. to commence a new J-1 Exchange visitor Program in the Research Scholar or Professor category. If the scholar anticipates that they will be interested in continuing research or teaching at Northeastern or at another U.S. institution, they should consult with the OGS regarding future potential options, such as extending the current program or transferring to another exchange visitor program outside of Northeastern. Please note that extensions or transfers must be planned several months prior to ending the J-1 SEVIS immigration record.

This prohibition does not apply to scholars in other J-1 classifications, such as J-1 Short-Term Scholar category. This bar on repeat participation is distinct from the Two-Year Home Residence Requirement –212(e). Please note that there is no possibility of a waiver for the 24-Month Bar on Repeat Participation in J-1 Research Scholar and Professor Categories.

Reporting Requirements

1. Reporting to the Office of Global Services (OGS)

In order to maintain legal immigration status, all J-1 Scholars must attend an Immigration Clearance session at the OGS in 405 Ell Hall after arriving in the United States. The scholar must register for **the first available session** at northeastern.edu/ogs/home/scholars/j-visa. All scholars who are hired as paid employees at Northeastern must also schedule an I-9 appointment at the OGS within three business days from the first day of employment. All paid scholars are also required to obtain Social Security Numbers (SSNs).

The Immigration Clearance and Orientation session is mandated by the DOS. In addition, after attending the Immigration Clearance session, the scholar's DS-2019 will be validated in SEVIS (Student Exchange Visitor Information System) by the OGS. Failure to validate would result in automatic termination of the SEVIS record. By virtue of the J-1 scholar's attendance and validation of the J-1 record, the J-2(s) SEVIS record will also be validated.

In addition to compliance, the Immigration Clearance session serves as an *OGS Welcome to the Boston Area* to all scholars, as well as an introduction to Northeastern University's rich cultural programming that is available to scholars and their families.

2. Reporting Address Changes to the OGS

U.S. federal regulations require all J-1 Scholars to report a change of address, telephone, and email address within 10 days to the OGS. The U.S. federal government mandates that OGS officials report a change of address in SEVIS. No other University official is authorized by the federal government to process this information. Please visit https://fs19.formsite.com/neuemsa/issiput/secure_index.html to report address and email changes.

3. Reporting Changes in J-1 Program to the OGS

The J-1 Scholar and SEVIS Contact must notify the OGS whenever there is a change in program, including, but not limited to, change in salary or funding sources, transfer from one on-campus sponsoring department to another, change in program dates, change in immigration status (green card approved), etc. It's best to err on the side of caution and report all changes so that the OGS may determine the appropriate action, if necessary. In some instances, failure to report the change *prior to it taking effect* will result in legal consequences to the University and/or the scholar.



Compliance and Employment Related Regulations

1. Maintain Adequate Health Insurance Coverage as Required by J-1 Federal Regulations

All J-1 Exchange Visitors and their J-2 dependents are required by the U.S. Department of State federal regulation to have medical insurance for the entire duration of their J-1 program in the United States. Failure to maintain required health insurance coverage is a violation of J-1 status and may result in loss of valid immigration status and termination from the Exchange Visitor Program. U.S. Department of State (DOS) requires the followings, as per regulation (22 CFR 62.14(b)):

J-1 Exchange Visitors and J-2 dependents must obtain a health insurance policy that meets or exceeds these benefits:

1. Medical benefits of at least \$100,000 per accident or illness;
2. In case of death, repatriation of remains in the amount of \$25,000;
3. Expenses in the amount of \$50,000 associated with the medical evacuation of the J Exchange Visitor to his or her home country;
4. A deductible amount not to exceed \$500 per accident or illness

Exchange Visitors who willfully fail to maintain the insurance coverage above while participating in an Exchange Visitor Program or who make material misrepresentations to the sponsor concerning such coverage will be deemed to be in violation of these regulations and will be subject to termination as an exchange visitor. Sponsors must terminate an exchange visitor's participation in their program if the sponsor determines that the exchange visitor or any accompanying spouse or dependent willfully fails to remain in compliance.

Please note that health plans offered to benefit-eligible paid employees at Northeastern University do not cover evacuation and repatriation of remains insurance. Scholars eligible for and selecting a Northeastern plan must purchase evacuation and repatriation insurance separately.

2. Tax Filing Obligation

All J-1 holders, including all J-1 scholar categories, are required to file taxes with the U.S. Internal Revenue Service (IRS). Additional information regarding tax filing *resources* available to international scholars will be provided by Northeastern closer to the IRS filing deadline, which is typically April 15 for the subsequent year. Please note that employers, including Northeastern, are prohibited by law from providing *specific tax advice* to U.S. citizens, permanent residents, and international visitors.

Please note that Northeastern's paid J-1 Scholars may be subject to state and federal withholdings that will be deducted from their salary. Additionally, paid J-1 Scholars will be required to complete a Foreign National Information Form (FNIF) upon arrival in the United States prior to beginning employment.

3. J-1 Employment: Incidental Employment and Additional Site of Activity

J-1 Scholars must teach or conduct research solely at Northeastern University, unless specifically *authorized in advance by the OGS* to engage in *incidental activities*, such as occasional lectures or consultations at another institution.

In some instances universities may agree on joint sponsorship of a scholar's activities prior to the arrival of the scholar or during the scholar's J-1 program. Joint research activity may require an addition of the Second Site of Activity to the scholar's record. Department Faculty Hosts and scholars must contact the OGS prior to the arrangement of joint sponsorship.

4. Taking Classes in J-1 (Scholar) Status at Northeastern University

Scholars in the J-1 Professor, Researcher, and Short-Term Scholar categories are permitted to enroll in classes on a limited basis (one class per semester). Northeastern policy on limited class enrollment is based on the obligation the J-1 Exchange Visitor has to fulfill their program responsibilities in regard to either teaching or research, as opposed to studying. Being admitted to a degree program is deemed to be contradictory to the intent and goal of the J-1 Exchange Visitor Program.



5. Apply for an Extension Prior to the Expiration of the SEVIS Form DS-2019

If both the J-1 Scholar and Faculty Host agree to extend the scholar's status, and the scholar is eligible for an extension, the extension must, by regulation, be processed before the end date of the Form DS-2019. Scholars in the Research Scholar or Professor categories are allotted a maximum of five years to complete their J-1 programs. Scholars transferring from one institution to another in the Research Scholar or Professor categories would have less than five years maximum at Northeastern since the time used is cumulative. Short-Term Scholars are only allotted six months, and extensions are not permitted beyond that time period. The Faculty Host, SEVIS Contact, and scholar must coordinate together and provide the requisite extension paperwork to the OGS at least one month in advance of the DS-2019 end date.

6. J-1 Transfer Authorization Prior to Beginning Participation (Transfer-In) or Ending Participation (Transfer-Out)

The transfer process, whether in or out, always involves two institutions. The J-1 Scholar must receive authorization from both institutions, whether it be in regard to the **Transfer-In** or **Transfer-Out** process. The **Transfer-In** process must be coordinated between the scholar's current institution and Northeastern six weeks prior to the start date of the new appointment with Northeastern. In addition to the **Transfer-In form**, the Northeastern Faculty Host and scholar must also complete the regular J-1 sponsorship paperwork in order for OGS to assess whether the transfer is possible and issue the new DS-2019.

In regard to the **Transfer-Out** process: The scholar must coordinate with OGS and their prospective institution and complete the requisite forms. (Note: In addition to Northeastern forms, the other institution typically requires completion of its own *transfer-in* and *transfer-out* forms.) The scholar must be instrumental in initiating the transfer process and ensuring that both institutions coordinate in a timely manner. The institutions, once they receive the requisite documentation, will make the determination as to whether the scholar is eligible to transfer.

Travel and Departing the U.S.

1. Obtain a Travel Signature Prior to Departing the U.S.

J-1 Scholars and their dependents must obtain a travel signature on the Form DS-2019 prior to traveling outside the U.S. as a requirement of reentry to the United States. Initial travel signatures will be provided at SEVIS Immigration Clearance/Orientation sessions if the J-1 Scholar can show proof of insurance for themselves and any J-2 dependents. This signature is valid for one year or until the expiration date of the Form DS-2019, whichever is earlier.

Please note that a new travel signature must be obtained on the most recent form DS-2019, if the DS-2019 has been extended or amended after the travel signature was provided. While traveling, J-1 Scholars and dependents must carry all immigration documents, including appointment letters. If the scholar and dependents have received extended or amended DS-2019s, they are still required to carry previously issued DS-2019s. **Immigration documents should never be discarded.**

2. Out of Country Pre-Authorization for 30 Days or More Outside of the U.S.

If a J-1 Scholar requests to be outside of the U.S. for more than 30 days **and** return to the U.S. to pursue the J-1 program objective originally described in the Northeastern appointment letter, *they must submit the Out of Country Request Form to the OGS 10 business days prior to departure from the U.S.* Approval by the OGS of the Out of Country Request permits the scholar to continue participation in their Exchange Visitor Program outside of the United States *for a scheduled period of time*, provided that the program activities will be continued while they are away. The DS-2019 and SEVIS record remain active during this time period. Please note that the scholar must possess a valid travel signature and visa to return to the U.S. In addition, the scholar must continue to comply with J-1 insurance requirements for him/herself and any J-2 dependents, even while outside the U.S.

3. Report Specific Departure Date and Reason for Departure to the OGS/ End of Program Notification

J-1 Scholars typically complete their academic assignments on the designated date of departure indicated on their SEVIS Form DS-2019. However, scholars occasionally may leave the University early or unexpectedly due to a variety of reasons.



Current federal regulations require J-1 Scholars to inform the OGS if they plan to leave the University before the expiration date of their Form DS-2019, as well as the reason for doing so. J-1 scholars, the Faculty Host, and SEVIS Contact must complete the *End of Program Notification Form* and provide it to the OGS before departure.

14. Depart the U.S. within the 30 Day Grace Period; or Change of Status from J-1 to another Appropriate Immigration Classification

J-1 Scholars must depart the U.S. by the end of the 30 day grace period—30 days after the expiration date on the Form DS-2019. If the scholar completes their program early, the OGS will shorten the current DS-2019 and the grace period will begin the day after the new DS-2019 end date. During the grace period, the scholar may travel within the U.S. However, a trip outside the U.S. during the grace period, including to Canada or Mexico, will end the J-1 status.

If the scholar and Faculty Host are contemplating a change of immigration status before or during the 30 day grace period, it is extremely important to contact the OGS as soon as possible to plan accordingly, especially if the scholar must continue at Northeastern in a different immigration status, for example, if the scholar is reaching their maximum five years in the Professor or Research Scholar J-1 category. The OGS must review all change of status requests to determine whether the change of status is beneficial and, most importantly, feasible from an immigration and timing perspective.

J-2 Dependents

1. J-2 Dependent Information

J-2 dependents are permitted by law to travel separately or with the J-1 Scholar, however, the J-2 holder is prohibited from remaining in the U.S. for an extended period if the J-1 Scholar has departed the United States.

J-2 spouses are eligible to apply for an Employment Authorization Document (EAD), permitting them to work in the U.S. Additional information can be found at uscis.gov under form I-765. Work permission is contingent upon receipt of the actual EAD, and is not permitted while the application for the EAD is pending.

2. J-2 Reporting Requirement for J-2 Spouses and Dependents

The Department of State (DOS) regulation (22 CFR Section 62.13(a)(4)), effective January 5, 2015, requires tracking and reporting of early departures of J-2 dependents. J-1 Scholars whose J-2 spouse and/or children are leaving the U.S. before the scholar with no plans to return to the U.S. in J-2 status are required to complete the *J-2 Reporting Requirements Form*.

Note: The above information is not an exhaustive list of responsibilities on the part of the J-1 Scholar or Northeastern University. If you have any questions or concerns related to J-1 Scholar or J-2 dependent sponsorship, contact the Office of Global Services (OGS).