

To: Faculty and Administrators
From: Office of International Services & Graduate School – Newark
Re: Exchange Visitor Program (J-1 Visa) Application Procedures and Department Responsibilities

The attached request form is submitted for preparation of the **DS 2019 (formerly IAP-66)**, Certificate of Eligibility, for an exchange visitor student or for a visiting scholar, faculty member or researcher to obtain a J-1 visa. Once appropriate signatures are obtained, the form is submitted to the Graduate School – Newark for review and verification of all supporting documents. It is then forwarded to International Services for preparation for the DS 2019. **All of the information on the request from must be provided before the DS 2019 can be issued.** If some of the information required is not readily available, the requesting department must communicate with the visitor to obtain it. Most items can be determined from the vita or resume.

DS 2019 Request Procedure:

- (1) Complete the front and back of the request form and obtain all required signatures
- (2) Attach to your request the following supporting documentation and forward the entire package to the Graduate School – Newark:
 - ❖ The original journal voucher for mandatory insurance (see attached explanation)
 - ❖ The original j.v. for SEVIS Administration Fee (see attached memo)
 - ❖ A one or two paragraph description of the research/teaching/study/program the visitor will undertake – please include the name of the visitor’s immediate supervisor or department mentor and a statement regarding the facilities and equipment that will be made available to the visitor;
 - ❖ Curriculum vitae (resume or transcript for exchange visitors coming in the student category);
 - ❖ Proof of funding if from an external source directly to the exchange visitor (or from personal funds of the visitor for use in supporting dependents *only*).
 - ❖ Copy of the appointment letter (courtesy appointments should be made via a letter from the dean) or letter of admission/invitation for a visiting student.

The DS 2019 and information on visa application, travel and insurance will be given to the department within five working days of receipt of all necessary information and supporting documents at the Graduate School – Newark.

Important Advisory: *If your request is received less than 10 weeks prior to the visitor’s applying at a U.S. consulate for the J-1 visa*, we strongly suggest you pick up the DS-2019 once it has been prepared and send it by express mail.

Before completing the DS 2019 request form, please note the following important information and department responsibilities:

1. **The department must – without exception – notify the Office of International Student & Scholar Services (x1427; Conklin Hall - 120) of cancellations, arrivals and departures of exchange visitors.** The University, as a program sponsor, is required by law to report “no shows” and early departures to the Department of State; the Office of International Student & Scholar Services must comply with the law on behalf of the University only if departments provide this information.
2. **Faculty and researchers** are normally permitted to maintain J-1 status for a total of three consecutive years, including time spent in another exchange visitor program at another institution. Exceptions to the three-year limit are sometimes possible if “good cause” can be established. For further information, consult with the Office of International Student & Scholar Services at least six months before needing such an exceptional extension. Department of State regulations limit the stay of **nondegree visiting students** to a maximum period of two years.
3. The J-1 visa is used for temporary visitors only. It may not be used for tenure-track faculty or permanent staff positions, or for a visitor who intends to apply for permanent residence in the United States.
4. If the exchange visitor will be government funded (U.S. or home government) and/or if the exchange visitor is on the “skills list” (a list of specialization skills judged by the U.S. State Department to be in short supply in the home country), it is probable that he/she will be subject to a two-year home residence requirement. This means the exchange visitor must return home for two years at the completion of his/her program before being eligible for an H-1B or any other non-immigrant visa.
5. Exchange visitor regulations require explicit financial documentation. Regardless of source(s) of support, funding for the visitor’s living expenses must at a minimum cover minimal living expenses for a single adult in this region, currently established to be approximately \$34,000. An additional minimum of \$4,000/year (or \$350/month) is required for one accompanying dependent, and another \$3,000/year (or \$250/month) required for each additional dependent. Evidence of sufficient funding for dependents must be provided. Funding at this minimum level is required throughout the length of the appointment.

If the visitor will receive income provided through non-university sources (or personal savings, for use in supporting dependents only), complete documentation of these other sources must accompany the DS 2019 Request Form. Letters of support must be on official stationery and must guarantee a specified amount in U.S. dollars for the duration of the visitor's intended stay.

It is expected that funding for the visitor will come from an official source or sources and will be granted for the purpose of a bona fide educational exchange visit. Examples of evidence of funding might be: (1) a letter from a home university stating the visitor will be on sabbatical, the amount, in U.S. dollars, of salary he/she will receive during the period, and that the home university supports the visit to Rutgers for educational exchange purposes; (2) a letter from the sponsoring department outlining the amount and terms of a grant to the visitor; (3) a letter from an agency of the visitor's government stating the amount and terms of a grant for an educational exchange visit.

6. Department of State regulations require that the exchange visitor carry both basic and major medical coverage for him/herself and all dependents throughout the entire visit, either through University benefits or through the purchase of a policy with coverage at a minimum of \$55,000 per accident or illness. *Please see attached procedures on how to comply with this requirement.*
7. The exchange visitor is permitted by the DOS to change J-1 visa category, e.g. from researcher to student, only with explicit approval by the DOS. To get this, an exchange visitor must make an application to DOS documenting "unusual or exceptional circumstances" and DOS must approve the application. Only upon receiving DOS approval can the exchange visitor then change categories.
8. ***All visiting faculty and scholars must complete a "check-in" procedure at the Office of International Services (x1427; Conklin Hall - 120).*** They will be given a brief orientation and advised on completion of Section 1 of Form I-9 and provided certain payroll papers unique to foreign nationals, as appropriate. Please call ahead of time to schedule an appointment. J-1 students must check in at the Office of International Student & Scholar Services and should participate in orientation activities offered prior to the beginning of the fall and spring semesters and throughout the year.
9. The exchange visitor must obtain a U.S. Social Security number after arrival if he/she does not already have one. For visitors not on payroll and coming for a few weeks only, this might not be necessary.
10. J-1 employees and researchers are exempt from Social Security withholding (FICA) for their two years in the U.S.; J-1 students are FICA exempt for five years. However, unless fully exempt by treaty, exchange visitors must pay income tax. All persons employed in the United States must file tax returns unless 100% of their earned income is tax exempt. Most must file form 1040NR or its equivalent. The Office of International Services can provide *some* guidance in this area. However, for precise information on tax regulations, the visitor should contact a tax specialist or the IRS directly.
11. All J-1 visitors are encouraged to attend scheduled cultural orientation programs offered. For visitors who have not previously been in the U.S. and who will spend more than a few weeks here, attendance at a cultural program is mandatory.

Please call Claire Bautista (x5456) at the Graduate School – Newark or Theresa Cann at the Office of International Services (x1427) if you have any questions about these procedures or follow-up requirements. Thank you.

**VERY IMPORTANT:
READ BEFORE PROCEEDING WITH DS-2019 REQUEST**

Required Health Insurance Coverage: Procedures for ALL DS-2019 (formerly IAP-66) Requests
Regulations of the U.S. Department of State require all J-1 exchange visitors and their accompanying dependents to have health and accident insurance that provides, at a minimum:
\$50,000 for major medical expenses due to an accident or illness;
\$10,000 for emergency medical evacuation; and
\$7,500 for repatriation.

The regulations stipulate that program sponsors ensure that all J-1 exchange visitors and their dependents in the U.S. have coverage *throughout the course of their programs*. Rutgers University, as a program sponsor, must comply with this regulation and has therefore arranged to offer an insurance policy to meet this requirement for those J-1 visitors who do not have alternate insurance that satisfies U.S. Department of State regulations. **Visitors without alternate coverage will be required to purchase this coverage.** The policy, which is underwritten by Mega Life and Health Insurance Company, meets the *minimum* regulatory requirements for sickness and accident coverage, but it is *not* comprehensive coverage by any means. It does *not* cover 100% of the costs of services rendered, and, in addition, initial care for adults covered under this plan must be through one of the University's health centers (and *not* an off-campus doctor). Please be advised that a child dependent insured under the Mega plan will **not** have access to the University's health centers. It is the responsibility of the hosting department to make the J-1 visitor aware of the limitations of the Mega Life and Health Insurance policy. In particular, if the J-1 visitor has special medical concerns, he/she may wish to purchase more comprehensive coverage from another insurance company.

Option 1

Procedure to Purchase Required Insurance via a Journal Entry:

To implement coverage under the Mega policy, the Center for International Faculty and Student Services requires *prior to issuing a requested DS-2019 form* a transfer of funds via a Journal entry @ for full payment of the appropriate insurance premium. While it is up to the department to decide who will ultimately cover the cost of the insurance (the department or the visitor him/herself), at the time it submits a DS-2019 Request Form to the Center the department must attach an original "journal entry" for transfer of funds to cover the premium costs. (Note: a check payable to Rutgers University in U.S. dollars through a U.S. bank will be accepted as an alternative to a journal entry).

The journal entry must be an original, i.e., with original signature, and must transfer the appropriate amount (see reverse side) from a department account (subcode 3050 is most appropriate; for accounts that don't have a 3050 subcode, use 3230 or 3100) to the International Insurance Premiums Account (1-89238-0970). If the amount on the entry is incorrect, the Center will contact the department. Please also include, with the original white journal entry, three additional yellow copies of the original journal entry.

Rates effective 9/1/05 (subject to change) are as follows:

For J-1 visitors: \$65 per month for each month of insurance coverage

For J-2 spouses: \$190 per month for each month of insurance coverage

For J-2 children: \$118 per month PER CHILD for each month of insurance coverage

When determining the amount of funds to transfer, please bear in mind the following:

Insurance is purchased from the first day through the last day of the month. Thus, insurance for individuals whose DS-2019 forms begin in the middle of a month must be purchased from the first day of that month; insurance for individuals whose DS-2019 forms end before the end of a month must also be purchased for the entire month. For a DS-2019 form that *includes* a spouse and/or children, i.e., if dependent(s) will accompany the J-1 visitor from the beginning of his or her program, insurance funds to cover the dependent(s) *must* be included in amount provided by the requesting department. If J-2 dependents will arrive *after* the J-1 visitor, the J-1 visitor will have to provide payment for the period of the dependents' visit prior to obtaining a DS-2019 form for the dependents.

Note: For post doctoral researchers and other J-1 visitors who will be receiving Rutgers University benefits:

Departments are not required to purchase this coverage if the visitor will receive health insurance through university benefits, but *the exchange visitor is responsible under U.S. law for being insured at all times, and departments are responsible for advising them of this*. Thus, departments or visitors may *choose* to purchase the Mega coverage for the period from the start date of the DS-2019 through the start date of university benefits. An alternative recommendation for this period is for the visitor to purchase traveler's insurance from the home country. Please note that the University's policy, and any alternate policies offered through the University, cover the visitor and accompanying dependents *only* while in the U.S. The beginning date requested on the DS-2019 will be the date the insurance will go into effect *assuming the visitor has arrived in the U.S.*

Option 2 and Other Important Information on Journal Entries

When submitting an DS-2019 Request Form, departments must attach EITHER a journal entry for purchase of Mega Insurance OR proof of the visitor 's alternate coverage, as follows:

Option 2

Procedure to Waive Purchase of Required Coverage by Submitting Proof of Alternate Insurance

For visitors who have alternate insurance from their home countries and do not wish to purchase the Mega policy, departments must demonstrate that the alternate coverage meets U.S. State Department requirements by providing the following to documents with the DS-2019 request form:

- (1) a copy of the policy *in English*;
- (2) evidence that the plan is licensed in New Jersey and has a rating of A- or better (or the full backing of the government of the home country); and
- (3) the name, address and telephone number of the U.S. agent who administers the plan.

If the policy is determined to meet or exceed U.S. Department of State's minimum requirements, purchase of the Mega policy will not be required.

Departments that do not have adequate time or information to provide documentation about a visitor's alternate coverage may submit a journal entry to purchase the Mega coverage, and then sometime *prior* to the time that the Center submits that journal entry to the Accounting Office (see below), the department may request the journal entry back by providing the necessary documentation of alternate coverage. Please read the information below very carefully, however, as there will be no journal entry refunds to departments that fail to provide proof of alternate coverage prior to the time the Center submits the journal entry to Accounting

Please call the Center for International Faculty and Student Services (932-7015) if you have any questions about this matter. rev. 7/2005

The Center for International Services will hold each journal entry until the visitor Achecks in @ at the Center or until 10 working days after the starting date of the requested DS-2019, whichever comes first--at which time the journal entry will be submitted to the Accounting Office.

Once the Center has submitted the journal entry to Accounting, no refunds or credits will be given--even if the visitor ultimately does not come to Rutgers.

Until the Center submits the journal entry to Accounting, a department may do any of the following:

****request a refund by notifying the Center for International Faculty and Student Services that the visitor will not be coming (original DS-2019 must first be returned to the Center);***

****request a refund by providing proof of alternate insurance coverage; or***

****request a delay the Center 's submission of the journal entry to Accounting by informing the Center of a delay in the visitor 's anticipated arrival date.***

Departments: take note!

In the absence of contact from the department or the visitor 's Acheck in @ at the Center, the Center will submit the journal entry to Accounting as described above!

