

J-1

Procedures for Inviting Visiting International Scholars

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INTRODUCTION

California State University, Sacramento (Sacramento State) is pleased to participate in BridgeUSA as a Program Sponsor. Research scholars participating in this program enrich the campus in many ways including teaching courses, collaborating with Sacramento State colleagues on research projects, and performing in a wide range of arts. In doing so, they engage in the activities of the campus community, sharing their international experiences and perspectives, and providing rich learning opportunities for students, staff, faculty, and community members. This is in concert with the primary purpose of the Mutual Educational and Cultural Act of 1961, as amended, which is to **“increase mutual understanding between the people of the United States and the people of other countries by means of educational and cultural exchanges.”**

The Office of International Programs and Global Engagement (IPGE) oversees invitations of visiting scholars for Sacramento State. This document details the procedures for inviting a visiting scholar, including the process of assisting the scholar in obtaining a J-1 Exchange Visitor visa, if needed.

AUTHORITY & TERMINOLOGY

Sacramento State has been designated by the Department of State as an authorized host institution for international students, professors, and scholars pursuant to the 1961 Mutual Education and Cultural Exchange Act to ‘increase mutual understanding between the people of other countries by means of educational and cultural exchange’ and in particular for the purpose of ‘teaching, instructing or lecturing, studying, observing, conducting research, consulting, demonstrating special skills or receiving training in the general interest of international exchange.’ IPGE applies for reauthorization of the authority to host international scholars every two years, and is responsible for ensuring that campus complies with all relevant regulations.

In U.S. Department of State parlance, international scholars are referred to as “Exchange Visitors”. The category of visa assigned to Exchange Visitors is J-1. An accompanying spouse or child receives a J-2 visa. Sub-categories of J-1 visas include: Professor, Research Scholar, Short-Term Scholar, Specialist, and Students. This document is specific to the Professor, Research Scholar, Short-Term Scholar and Specialist categories. Individuals interested in student exchanges should contact the IPGE for more information.

APPROVAL PROCESS FOR INVITING VISITING INTERNATIONAL SCHOLARS

Hosting Department Application Process: IPGE maintains records of all visiting scholars invited to the campus. Only a Dean, Vice President or higher officer may write a formal invitation letter to an Exchange Visitor. All applications for international scholars to visit the campus must be approved by the relevant Department Chair, College Dean, and the campus Senior International Officer (SIO). The *EV-1 Department Request to Host Exchange Visitors* form includes the necessary signature fields.

Prior to completing the EV-1 form, the hosting department should obtain the EV-2 form and materials from the scholar (described below) for departmental review. Once the EV-1 form is signed, please route the EV-1 form, EV-2 form, EV-3 form (for scholars with dependents coming to the US), and supporting materials to IPGE for review and processing.

Prospective Scholar Application Process: IPGE will issue a DS-2019 document to assist the Exchange Visitor in applying for a J-1 visa. The *EV-2 Prospective EV Request for Certificate of Eligibility (DS-2019)* form and additional documentation are required to review the scholar’s background and determine eligibility for the J

visa program. These materials should be submitted by the prospective visitor to the hosting department for review and then all materials should be submitted to International Programs & Global Engagement. Scholars with a dependent spouse and/or child(ren) under the age of 21 who will be participating in the program on a J-2 dependent visa should submit the *EV-3 Request for Certificate of Eligibility (DS-2019) for Accompanying Dependents* form.

The DS-2019 will not be processed until the EV-1, EV-2 and EV-3 (if applicable) forms are submitted. Due to sometimes lengthy visa processing times at U.S. embassies/consulates, it is suggested that the request be made at least 60 days before the Exchange Visitor's proposed arrival date.

J-1 EXCHANGE VISITOR VISA CATEGORY INFORMATION

Sacramento State is designated to host Exchange Visitors under the following major categories: Professor, Research Scholar, Short-Term Scholar, and Specialist.

Professor: Defined as "A foreign national whose primary purpose is teaching, lecturing, observing, or consulting at post-secondary accredited academic institutions, museums, libraries, or similar types of institutions. A professor also may conduct research where authorized by the sponsor." 22CFR62.4(e).
Duration: Minimum 3 weeks; maximum of 5 years.

Research Scholar: Defined as "A foreign national whose primary purpose is conducting research, observing, or consulting in connection with a research project at research institutions, corporate research facilities, museums, libraries, post-secondary accredited academic institutions, or similar types of institutions. A research scholar also may teach or lecture where authorized by the sponsor."
Duration: Minimum 3 weeks; maximum of 5 years.

Special requirements for the Professor and Research Scholar categories:

- 12-month Bar: According to 22CFR 62.20(d)(2), prior to beginning a new program in a Professor or Research Scholar category, the Exchange Visitor cannot have been physically present in the US on a J1 or J2 visa in the previous 12 months unless:
 - The scholar is transferring from one J program to another; or
 - The time spent in the US was less than 6 months; or
 - The scholar was participating in a "Short-Term Scholar" program
- 24-month Bar on Repeat Participation: After completion of a Professor or Researcher Scholar category program, the Exchange Visitor is not allowed to return to the United States to start a new Professor or Research Scholar program for at least two years, regardless of whether the entire five year maximum duration was utilized.
- Appointment: A Professor or Research Scholar cannot be a candidate for a tenure track position. All appointments must be temporary even if the position is normally a tenure, tenure track or permanent position. Professors and Research Scholars may be granted permission by the Responsible Officer, in writing, to offer occasional lectures at other sites. However, the majority of the Professor or Research Scholar's activities are expected to be conducted on the Sacramento State campus or on Sacramento State projects physically located off-campus.

Short-Term Scholar: Defined as "a foreign national who is a professor, research scholar, or person with similar education or accomplishments who enters the United States for a short-term visit for the purpose of lecturing, observing, consulting, training, or demonstrating special skills at research institutions, museums, libraries, post-secondary accredited academic institutions, or similar types of institutions." 22CFR62.4(b). This category is suitable for visitors attending conferences or giving performances, lectures, and speeches, in addition to those conducting research or teaching, for six months or less.

Duration: Minimum 1 day; maximum 6 months.

Short-term scholars already in the U.S. may transfer to Sacramento State to begin a new program as long as the previous one was less than six months in length. The total consecutive duration of the programs may not be more than six months. There is no limit on short-term scholars leaving the U.S. and returning with a new DS-2019 to begin a new program.

Short-Term Scholar Limitations and Advantages:

- Minimum duration: One day
- Maximum duration: A total of six months.
- Extension: Cannot be extended beyond six months.
- Advantages: Not subject to the 12- month or 24-month bars described above; may offer occasional lectures offsite with written permission from the Senior International Officer and the Responsible Officer.

Specialist: Defined as "A foreign national who is an expert in a field of specialized knowledge or skills who enters the United States for the purpose of observing, consulting, or demonstrating special knowledge or skills." 22CFR62.4(g).

Duration: Minimum 3 weeks; maximum of 1 year.

The Specialist category program promotes opportunities for scholars who are experts in their fields who may not fit into the Professor or Research Scholar category. Please contact International Programs & Global Engagement if you have a prospective scholar for the Specialist category to discuss this option.

EXCHANGE VISITOR J-1 VISA ELIGIBILITY BASICS

- **Experience:** The Exchange Visitor shall demonstrate appropriate educational and or professional experience.
- **Degree:** Prospective Exchange Visitor (Professor, Research Scholar, and Short-Term Scholar) shall have at least a Bachelor's degree or its equivalent. Specialists must demonstrate expertise in their field of specialized knowledge.
- **English Proficiency:** The Department of State requires sponsors to ensure the prospective Exchange Visitor has sufficient English proficiency to participate in his or her program and to function on a day-to-day basis outside the direct activity of the exchange. English proficiency documentation must be available for inspection by Department of State upon demand. Regulations state "The exchange visitor (must possess) sufficient proficiency in the English language, as determined by an objective measurement of English language proficiency, successfully to participate in his or her program and to function on a day-to-day basis." 22 CFR 62.10(a)(2) [20]. The University requires that prospective visiting scholars provide scores from a recognized English language test as proof of English proficiency.
 - TOEFL: Minimum of 80 iBT
 - IELTS - Minimum of 7.0 Band Score
 - PTE Academic Score: 65
 - TOEIC: Minimum 800
 - J-Check: 3.8

The English language requirement may be waived if the applicant is a native of or studied in full time status for at least one academic year within the last five years in the U.S., the United Kingdom, Ireland, Australia, New Zealand or English-medium universities in Canada or South Africa. Evidence such as transcripts or degree(s) associated with these studies must accompany this request in order to be considered for the waiver.

- **Mutual Interest:** The proposed activities must be of mutual value to the Exchange Visitor and the campus.
- **Duration:** The proposed program must be within the regulatory parameters.

- **Prior Participation:** Professors and Research Scholars are subject to the 12-month and 24-month bars described previously.
- **Funding:** The Exchange Visitor must present credible evidence of funding to support his/her activities and living expenses as well as funds to support any accompanying spouse/children for the program duration. A minimum budget for expenses is \$1500/month + \$500/month for each dependent.
- **Health Insurance:** The Exchange Visitor must agree to be insured (as well as any accompanying spouse/children) for the program duration (Minimums: Medical benefits \$100,000; Repatriation \$25,000; Medical Evacuation \$50,000; Deductible not to exceed \$500 per incident).
- **Cross-Cultural Activities:** As a sponsoring staff or faculty, the federal regulations expects you to offer or make available to exchange visitors and the accompanying spouse and dependents a variety of appropriate cross-cultural activities; and to encourage exchange visitors to participate voluntarily in activities that are for the purpose of sharing the language, culture, or history of their home country with American, provided such activities do not delay the completion of the exchange visitors' program.

DOCUMENT CHECKLIST FOR INVITING INTERNATIONAL SCHOLARS

- EV-1 Form: Department Request to Host Exchange Visitors signed by the Faculty Host, Department Chair and College Dean
- EV-2 Form: Prospective EV Request for Certificate of Eligibility (DS 2019) with the following additional materials from the Exchange Visitor:
 - Current Curriculum Vitae
 - Detailed statement of the visitor's research/teaching plans at Sacramento State
 - Proof of the visitor's English language proficiency
 - Photocopy of the visitor's academic degree certificate or diploma for the highest degree earned
 - Official letter of support for the visitor from his/her institution or organization
 - Photocopy of the photo/biographic information page of the visitor's passport
 - Financial statement showing sufficient funds for the program. Minimum amount required \$1500/month + \$500/month for each dependent
 - Exchange Visitors with dependent spouse or children coming to the US should submit:
 - EV-3 form: Request for Certificate of Eligibility (DS-2019) for Accompanying Dependents
 - Photocopy of the photo/biographic information page of each dependent

CONTACT

Please contact the IPGE to discuss the appropriateness of a particular invitation and questions specific to immigration document (the DS-2019) processing.

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