Introduction to the State University of New York at Buffalo’s Exchange Visitor Program: J-1 Scholars

What is the Exchange Visitor Program?

The Exchange Visitor Program is designed to bring, among others, scholars, researchers, professors and specialists to the United States for a variety of educational and cultural exchange purposes. These individuals are often under the sponsorship of an agency or organization that has been designated as an exchange visitor sponsor by the U.S. government. The University at Buffalo has been granted this designation and, accordingly, is authorized to issue the Form DS-2019, the form used by the prospective Exchange Visitor to apply for their J-1 visa. The J-1 visa is set apart from all other non-immigrant visa classes by its underlying philosophy of educational and cultural exchange.

How does a department or faculty member invite a J-1 scholar?

To invite a J-1 scholar, the inviting department or faculty member needs to prepare the DS-2019 Request Form, which includes a Certification & Fee Agreement for payment to the Office of International Education for processing and administrative costs associated with each J-1 Exchange Visitor. The fees are as follow:

<table>
<thead>
<tr>
<th>Request Type</th>
<th>Fee</th>
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<tbody>
<tr>
<td>J-1 Initial Request</td>
<td>$150</td>
</tr>
<tr>
<td>J-2 Initial Request (one-time fee covers all dependents)</td>
<td>$50</td>
</tr>
<tr>
<td>J-1 Extension Request</td>
<td>$75</td>
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Please contact UB Immigration Services for a request form or download one from: [http://wings.buffalo.edu/intlservices/documents/DS-2019RequestForm130102.pdf](http://wings.buffalo.edu/intlservices/documents/DS-2019RequestForm130102.pdf).

Information explaining how to make payment of the above-noted fees is contained on an invoice issued by the Office of International Education.
What are the steps in bringing a J-1 scholar to the U.S?

Step 1: The department or faculty member performs all steps necessary to request a Form DS-2019 (such as, but not limited to, confirming the prospective Exchange Visitor meets the U.S. Department of State mandated English language requirement), fills out the DS-2019 Request Form, and returns it and all required supporting documentation to MaryJean Zajac and/or Cinthya Alvarez, UB Immigration Services, 201 Talbert Hall, North Campus. Note: Please remember that the Medical Insurance Attestation must also be included (available at www.buffalo.edu/intlservices/pdf_files/MedicalAttestation.pdf).

Step 2: After UB Immigration Services receives the DS-2019 Request Form, the DS-2019 will be prepared and sent to the prospective J-1 scholar according to the mailing instructions entered on the DS-2019 Request Form by the host department. UB’s pre-arrival information packet will also be sent to the prospective J-1 scholar. An invoice based upon the terms of the Certification & Fee Agreement as determined by the host department will be sent to the host department and/or Exchange Visitor by the Office of International Education. The invoice will provide an online payment option.

Step 3: The prospective J-1 scholar pays the SEVIS fee and uses the DS-2019 to obtain a J-1 visa at a U.S. Consulate or Embassy abroad. For information about the SEVIS fee, please visit www.buffalo.edu/intlservices/pdf_files/SEVISFee2.pdf.

Step 4: The J-1 scholar enters the U.S. using a valid passport, J-1 visa stamp and DS-2019. The J-1 scholar must enter the U.S. no earlier than 30 calendar days before the program start date listed on the DS-2019. Newly arrived J-1 scholars are required to make an appointment with MaryJean Zajac or Cinthya Alvarez (Tel. 645-2355), who will review the scholar’s documents and discuss pertinent information concerning the University and the community. Ms. Zajac’s and Ms. Alvarez’s office is located at 201 Talbert Hall, North Campus, Buffalo, New York 14260.

What are the program suitability and English language requirements?

J-1 regulations require the following: The host department must establish and utilize a method to screen and select prospective exchange visitors to ensure that they are eligible for program participation, that the “program is suitable to the exchange visitor’s
background, needs, and experience,” and the exchange visitor “possesses 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. A sponsor must verify an applicant’s English language proficiency through a recognized English language test, by signed documentation from an academic institution or English language school, or through a documented interview conducted by the sponsor either in-person or by videoconferencing, or by telephone if videoconferencing is not a viable option.”

Each host department must affirm in the DS-2019 Request Form that it has determined that the program is suitable to the Exchange Visitor’s background, needs, and experience. The host department must retain evidence for a period of three years after the Exchange Visitor completes their program showing how it determined that the program is suitable to the exchange visitor’s background, needs, and experience.

The host department must also determine that the EV possesses satisfactory proficiency in the English language as set forth above. The department will identify the method used to establish English language proficiency in the DS-2019 Request Form and attach evidence to the form to establish proficiency. Again, the department is required to maintain evidence of English language proficiency in its files for a period of at least three years after the EV completes their program.

The U.S. Department of State reserves the right to audit evidence of program suitability and English language proficiency. A host department’s failure to retain such evidence could result in the imposition of sanctions on the University at Buffalo, including, but not limited to, debarment from the Exchange Visitor Program.

**What are housing and transportation costs like in Buffalo?**

J-1 scholars should always bring personal funds in case of an emergency. As noted on the DS-2019 Request Form (p.3), the expected cost of living in the Buffalo, New York area for a J-1 scholar is $13,612, $4,775 for the J-2 spouse, and $4,500 for each accompanying J-2 child. Additional monthly amounts of $105.27 for the scholar, $221.25 for the spouse, and $120.55 for each child must be added to the minimum support level if the scholar must purchase health insurance upon arrival. Visit [www.hthstudents.com](http://www.hthstudents.com) and [www.subboard.com/smi](http://www.subboard.com/smi) for more information.

The costs of housing and transportation vary widely in Western New York. The U.S. Department of Housing and Urban Development and the U.S. Department of Transportation provide a local affordability portal, which you may wish to use in order to estimate the costs of housing and transportation, at: [http://www.locationaffordability.info/lai.aspx](http://www.locationaffordability.info/lai.aspx).
The University at Buffalo bases its minimum funding requirements upon data published annually by U.S. Citizenship and Immigration Services. However, J-1 scholars should always bring extra personal funds in case of an emergency, if one should unfortunately arise.

**What are the cultural goals and components of UB’s exchange visitor program?**

The University at Buffalo takes great pride in its international scholar population. The large population of international scholars at UB places the university in the top 1% of all universities in the U.S. hosting and employing international scholars. UB’s exchange visitor program is intended to provide participants opportunities to learn about U.S. society and culture outside of their program activities; to share their own culture, traditions and views with Americans; to help see the world from another perspective; to be more tolerant and respectful of differences; and to appreciate similarities that bring people together.

Cross-cultural exchanges are an important component of any J-1 visa training program. The programs provide valuable opportunities for exchange visitors and Americans to engage with each other, to inform each other’s thinking about the global community, to break down prejudices and misunderstandings, and to expand and strengthen the relationships between Americans and the rest of the world. Given this importance, we require applicants and their host organizations to actively plan and organize regular cross-cultural events over the course of the applicant’s training program.

Cross-cultural programs can be built around any number of general themes that participants might like to learn more about during their time in the U.S. Themes could include, but are not limited to, the following: American history; holidays and food; the media; local and national government; American sports and parks; American culture, film, theater, and the arts. These themes and others can help set the stage for possible activities that are planned during the applicant’s training program. Applicants and host departments are encouraged to consider the unique opportunities available at the local community level. Activities should work both ways. While we are striving to share our culture with our international visitors, we should ensure they have adequate opportunity to share their culture and expertise with our University and the local community.

Departments who sponsor exchange visitors are expected to incorporate several cross cultural activities into the visitor’s program. These might include attendance of a local musical performance, a professional conference, an invited talk, sightseeing, sharing “American cuisine,” attending a sporting event, or inclusion in a holiday celebration. The
introduction of exchange visitors to American culture will help them to gain a better understanding of U.S. society.

Hosting departments are also expected to encourage their exchange visitors to share their own culture and expertise with Americans. Possible activities to consider in this regard are: an invitation to the scholar to speak to a class or present a lecture to a wider audience such as the University or our local community in connection with their culture or area of expertise. Informal gatherings where the visitor can share their culture with Americans should be a regular occurrence.

**How do J-1 scholars extend their stay?**

To extend the J-1 scholar’s stay, the **inviting department or faculty member** must request a program extension at least 45 days before the current DS-2019 expires. Please contact UB Immigration Services for an extension form or download one from [www.buffalo.edu/intlservices/pdf_files/extension.pdf](http://www.buffalo.edu/intlservices/pdf_files/extension.pdf).

*Note: Other documentation such as a bank statement may be needed. Contact Immigration Services, 201 Talbert Hall, North Campus for information.*

**How do J-1 scholars change their immigration status or J-1 category?**

Individuals in J-1 status who are subject to the two-year home country residence requirement (“212(e)” -- stamped on the J-1 visa and noted at the bottom of the DS-2019) may not change their immigration status to H, L or Lawful Permanent Resident inside the U.S. without first applying for and receiving a waiver of the two-year home residence requirement from U.S. Citizenship and Immigration Services. Application for a visa in the above-mentioned statuses before the expiration of the two-year period is also not permitted unless a waiver of the two-year foreign residency requirement is granted.

Moreover, J-1 Exchange Visitors who enter the U.S. in one exchange category, such as “research scholar,” are rarely permitted by the Department of State to change to another category, such as “student.” J-1 Exchange Visitors sponsored by the University at Buffalo are, therefore, advised that they should be certain that the exchange category they request from UB will meet all of their future needs.

**How do J-1 scholars transfer to another institution (J-1 program)?**

A J-1 scholar who wishes to transfer to another J-1 program must have his/her current program sponsor’s permission. Permission to transfer is granted only if the transfer is in the same field or category as the J-1 scholar’s original purpose for coming to the U.S. J-1 scholars who intend to transfer to another program should submit a Transfer-Out
Form to Immigration Services, 201 Talbert Hall, North Campus. The form can be downloaded from [www.buffalo.edu/intlservices/pdf_files/TransferOutForm.pdf](http://www.buffalo.edu/intlservices/pdf_files/TransferOutForm.pdf).

**What about incidental employment for J-1 scholars?**

Researchers and scholars in J-1 status may be authorized to accept employment with an employer other than their program sponsor, provided that employment is directly related to the J-1 scholar’s program objectives. Such employment is called “Incidental Employment”, cannot be full-time and must be approved by UB Immigration Services BEFORE the work takes place. For more information, please visit [www.buffalo.edu/intlservices/pdf_files/incidental_ds2019.pdf](http://www.buffalo.edu/intlservices/pdf_files/incidental_ds2019.pdf).

**Can J-1 scholars bring their dependents to the U.S.?**

J-1 regulations permit J-1 scholars to bring their dependents. A J-1 scholar’s spouse or Child(ren) will need a J-2 DS-2019 to enter the U.S. in J-2 status and may stay as long as the J-1 scholar is authorized to remain in the U.S. Other family members, such as parents, are not J-2 dependents and must come as visitors on a visitor visa.

**Can J-2 dependents work?**

An individual in J-2 status may apply to the U.S. Citizenship & Immigration Services (USCIS) (Vermont Service Center) for permission to accept employment. Permission will be granted only if the employment is intended to support the J-2 spouse and child/children, and not the J-1 scholar. The processing time for work authorization at the Vermont Service Center is approximately 4-12 weeks. A J-2 cannot begin working until s/he has received the Employment Authorization Document (EAD card) from the USCIS. For further information, please refer to the USCIS website at: [http://www.uscis.gov/files/form/i-765instr.pdf](http://www.uscis.gov/files/form/i-765instr.pdf).

**What about the two-year home residence requirement?**

The intent of the Exchange Visitor Program is for the home country to benefit from the J-1 scholar’s experiences in the U.S. Accordingly, J-1 Exchange Visitors and their accompanying J-2 dependents may be subject to a two-year home residence requirement. This means that they must spend two years in their home country or country of last residence after they complete their stay as J-1/J-2 Exchange Visitors in the U.S. Further information about the two-year home residence requirement is available at [www.buffalo.edu/intlservices/pdf_files/residence.pdf](http://www.buffalo.edu/intlservices/pdf_files/residence.pdf).

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