SEPTEMBER 2016
MONTHLY VISA PRESENTATION

1. QUESTIONS
2. SCENARIO
3. J-1 VISA POLICY UPDATES AND NEW REQUEST FORMS
QUESTIONS
SCENARIO 1
WHAT IS THE J-1 VISA?

- Designed by the U.S. Department of State to foster mutual understanding as well as cultural and educational exchanges between the United States and other countries.

- The University of Kansas Medical Center (KUMC) is designated by the U.S. Department of State to sponsor J-1 Exchange Visitors (EVs) in these categories:
  - Professor
  - Research Scholar
  - Short-Term Research Scholar
  - Student
  - Student Intern

“Around 300,000 participants from over 200 countries and territories visit the U.S. on J-1 visas each year. 83% are younger than 30. 53% are women or girls. More than 1,400 designated U.S. sponsors participate in the program.” –Bureau of Educational and Cultural Affairs, Department of State
**WHAT DOES DEPARTMENT OF STATE DESIGNATION MEAN?**

- Sponsors are approved by the DOS to administer J-1 exchange visitor programs in the specified visa categories
- Designation is reviewed every 2 years
  - KUMC received its most recent redesignation in April 2016

**GENERAL PROGRAM REQUIREMENTS**

- Minimum 5 EVs per year
- Minimum 3-week programs, except Short-Term Scholar
- Reciprocity
- Cross-cultural experiences

**GENERAL OBLIGATIONS FOR SPONSORS**

- Adherence to DOS regulations (22 CFR Part 62)
- Maintenance of legal status
- Accreditation and licensure
- Representations and disclosures
- Maintain financial integrity
- Staffing and support services
- Program administration
  - Select participants
  - Provide pre-arrival information and arrival orientation
  - Monitor EVs for compliance with regulations
  - Report changes and incidents
  - Respond to DOS requests
The University of Kansas Medical Center (KUMC) is designated by DOS to sponsor J-1 Exchange Visitors (EVs) in the following categories: **PROFESSOR, RESEARCH SCHOLAR, SHORT-TERM RESEARCH SCHOLAR, STUDENT, and STUDENT INTERN**.

Clinical residents and fellows under GME are sponsored by the ECFMG.

- ECFMG is the only organization designated to sponsor J-1 Alien Physicians who can provide patient care.
### J-1 Categories and Duration

<table>
<thead>
<tr>
<th>J-1 Visa Category</th>
<th>Definition/Purpose</th>
<th>Minimum Program Duration</th>
<th>Maximum Program Duration</th>
</tr>
</thead>
<tbody>
<tr>
<td>Professor</td>
<td>“...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.”</td>
<td>3 weeks</td>
<td>5 years</td>
</tr>
<tr>
<td>Research Scholar</td>
<td>“…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.”</td>
<td>3 weeks</td>
<td>5 years</td>
</tr>
<tr>
<td>Short-term Research Scholar</td>
<td>“…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.”</td>
<td>1 day</td>
<td>6 months</td>
</tr>
<tr>
<td>Student</td>
<td>Pursue non-degree or degree seeking studies</td>
<td>Non-degree: 3 weeks</td>
<td>Non-degree: 24 months</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Degree seeking: none</td>
<td>Degree seeking: duration of status</td>
</tr>
<tr>
<td>Student Intern</td>
<td>Internship would fulfill objectives of current degree program in home institution</td>
<td>None</td>
<td>12 months</td>
</tr>
</tbody>
</table>
DS-2019 DOCUMENT

- DS-2019 is a document that is generated in SEVIS (a U.S. Department of Homeland Security monitored database)
- Only an RO (Responsible Officer) or ARO (Alternate Responsible Officer) can have access to SEVIS
- DS-2019 is a status document that permits prospective J-1s who are outside the United States to obtain a J-1 visa stamp in order to enter the United States on J-1 status
- The DS-2019 and the J-1 visa stamp although necessary at initial arrival in the United States on their own have different functions and do not stand for the same thing
  - DS-2019: is what determines the J-1s status in the United States
  - J-1 visa stamp affixed to passport: is what allows the J-1s to enter the United States or pass through Customs and Border Protection
- For OIP to issue the DS-2019, we are required by the regulations to collect specific information and documents from the sponsoring departments and prospective J-1 exchange visitors
DS-2019 REQUEST PROCESS (INITIAL DS-2019)

DS-2019 REQUEST PROCESS OVERVIEW

1. SPONSORING DEPARTMENT SUBMITS THE FOLLOWING TO THE OIP:
   a. Completed DS-2019 request form
   b. Deemed Export Questionnaire
   c. OIP Fee

2. OIP CONTACTS PROSPECTIVE EV AND PROVIDES EXCHANGE VISITOR QUESTIONNAIRE

3. PROSPECTIVE EV SUBMITS THE FOLLOWING TO SPONSORING DEPARTMENT:
   a. EV questionnaire
   b. Supporting documents (i.e. degree certificates, passport copies, immunizations, proof of English proficiency)

   a. OIP has a 10-day turn around policy for issuing DS-2019 documents once all request documents are received.

5. OIP ISSUES DS-2019 AND NOTIFIES THE DEPARTMENT AS WELL AS THE EV.

6. THE SPONSORING DEPARTMENT SENDS THE ORIGINAL DS-2019 TO THE PROSPECTIVE EV.
POLICY CHANGES

- Changes are primarily with financial requirements for the issuance of the DS-2019

KUMC PAID VS. NON-KUMC PAID
POLICY CHANGES: KUMC PAID

- DEFINITION: J-1 EXCHANGE VISITOR WHO WILL BE CLASSIFIED AS A KUMC EMPLOYEE AND PLACED ON PAYROLL
- Prospective EVs who will also become KUMC employees and receive a title within Human Resources (HR) classification must adhere to hiring policies related to that position which includes but is not limited to FTE and salary. Minimum funding requirements for J-1 sponsorship will need to align with salary ranges as indicated by HR based on each classified position unless otherwise approved by HR.

<table>
<thead>
<tr>
<th>HR TITLE</th>
<th>HR MINIMUM SALARY AMOUNT (ANNUAL)</th>
<th>MAXIMUM DURATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Research Technician</td>
<td>$27,720-$29,000</td>
<td>5 years (6 months for short-term scholars) (DS-2019 only issued in 1 year increments)</td>
</tr>
<tr>
<td>Research Assistant</td>
<td>$33,000-$50,000</td>
<td></td>
</tr>
<tr>
<td>Research Associate</td>
<td>$37,000-$56,000</td>
<td></td>
</tr>
<tr>
<td>Postdoctoral Fellow</td>
<td>$47,476-</td>
<td></td>
</tr>
<tr>
<td>Senior Scientist</td>
<td>$51,000-$80,000</td>
<td></td>
</tr>
<tr>
<td>Research Instructor (non-tenured)</td>
<td>Varies</td>
<td>5 years (6 months for short-term scholars) (DS-2019 only issued in 1 year increments)</td>
</tr>
<tr>
<td>Faculty (non-tenured)</td>
<td>Varies</td>
<td></td>
</tr>
</tbody>
</table>
POLICY CHANGES: KUMC PAID

- EVs on program in capacity of a Postdoctoral Fellow must comply with requirements and policies stipulated by Postdoctoral Affairs Office and Human Resources.
- EV's hired as Postdoctoral Fellows cannot work less than full time or 1.0 FTE.
- Postdoctoral Fellow positions are deemed to have exempt status and therefore the minimum salary requirements should meet or exceed the Department of Labor stipulated threshold for exempt positions.
POLICY CHANGES: NON-KUMC PAID

- **DEFINITION:** J-1 EXCHANGE VISITORS WHO WILL RECEIVE FUNDING FROM OUTSIDE SOURCES (I.E. INTERNATIONAL SCHOLARSHIP OR GRANT) AND WILL NOT BE ELIGIBLE TO BE PLACED ON KUMC PAYROLL OR OBTAIN AN HR TITLE

- Prospective EVs who will receive funding from outside sources cannot be classified under HR titles. These individuals will be assigned a separate title as indicated in the chart below based on whether their activity will be either in research or teaching.

<table>
<thead>
<tr>
<th>OUTSIDE KUMC FUNDING TITLE</th>
<th>OUTSIDE KUMC MINIMUM FUNDING AMOUNT (ANNUAL)</th>
<th>MAXIMUM DURATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Visiting Researcher, Research Scholar</td>
<td>$27,720 (for J-1) $5,000 (for each J-2 dependent)</td>
<td>1 year (6 months for short-term scholars)</td>
</tr>
<tr>
<td>Visiting Professor, Visiting Lecturer</td>
<td>$27,720 $5,000 (for each J-2 dependent)</td>
<td>1 year (6 months for short-term scholars)</td>
</tr>
</tbody>
</table>
Sponsoring departments have the option to supplement the prospective EV’s funding. However, this amount can only be paid in a form of an award and the EV will not be placed on payroll. The sponsoring department will need to work with Accounts Payable to process the award and ensure all taxation requirements are met. Please note, in most instances an award can be issued only once a year.

When an EV receives an international scholarship or grant whether from home government or their employer, personal funds can be used in order to meet KUMC’s minimum funding threshold. In cases where the employer is promising to continue the EV’s salary as a means of proof of funding, personal funds cannot be accepted in these situations.

Any funding issued by the EV’s employer or university will require signing an agreement between this institution and KUMC. EVs who receive a scholarship or grant from outside sources and who are providing personal funds will be limited to a one year experience. Exceptions may be granted by OIP on a case by case basis.
POLICY CHANGES: NON-KUMC PAID

- Any funding issued by the EV's employer or university will require signing an agreement between this institution and KUMC. EVs who receive a scholarship or grant from outside sources and who are providing personal funds will be limited to a one year experience. Exceptions may be granted by OIP on a case by case basis.
- OIP has a Legal Counsel approval general agreement.
- OIP’s Alexa Smith will assist facilitate the process in procuring the necessary signatures for the agreement.
- A signed agreement should be on file with OIP, prior to the issuance of the DS-2019 document.
NEW SECTIONS:

- PART 4: JOB HAZARD SCREENING RELATED TO IMMUNIZATIONS
- PART 5: FOREIGN TRAINED PHYSICIAN
- PART 7: CULTURAL EXCHANGE PLAN AND AGREEMENT
- PART 9: INFORMATION ABOUT THE FUNDING
PART 9:

NOTES:

Please select whether the position is KUMC PAID or NON-KUMC PAID

If KUMC PAID:
- Complete PART 9.A. ONLY
- Provide position description
- Offer letter

If NON-KUMC PAID:
- Complete PART 9.B. and 9. B.1
  - Research Plan
- OIP will obtain financial proof documents directly from EV
- If agreement is needed, OIP will initiate the process in procuring signatures
- If the department would like to issue an Award, OIP can seek approval from Accounts Payable and find out the tax liability.
1. SPONSORING DEPARTMENT SUBMITS THE FOLLOWING TO OIP:
   a. Completed DS-2019 extension request form
2. OIP CONTACTS EV AND SCHEDULES A FOLLOW UP APPOINTMENT
3. EV SUBMITS THE FOLLOWING TO OIP:
   a. Completed EV extension questionnaire update form
   b. Proof of health insurance coverage that meets U.S. Department of State requirements
4. OIP PROCESSES DS-2019 EXTENSION REQUEST ONCE CONFIRMING ALL REQUEST DOCUMENTS WERE RECEIVED
   AND EV ATTENDED FOLLOW UP APPOINTMENT
   a. OIP has a 10-day turn around policy for issuing DS-2019 documents.
5. OIP ISSUES DS-2019 AND NOTIFIES THE SPONSORING DEPARTMENT, HUMAN RESOURCES, AND THE EV.
6. EV OR SPONSORING DEPARTMENT CAN PICK UP THE ORIGINAL DOCUMENT AT WESCOE 5010
7. EV WILL NEED TO PROVIDE A COPY OF THE NEW DS-2019 FORM TO THE SPONSORING DEPARTMENT AND HUMAN
   RESOURCES.
J-1 REQUEST FORMS

AVAILABLE ONLINE:
- http://www.kumc.edu/international-programs/inbound-programs/j-1-exchange-visitors.html
- http://www.kumc.edu/international-programs/forms-directory.html
PLEASE NOTIFY BOTH IRINA ARIS AND ALEXANDRIA HARKINS OF ANY J-1 EMPLOYEES WHO WILL HAVE THE FOLLOWING CHANGES:

- TITLE
- DUTIES
- SALARY