

# **Understanding the Exchange Visitor Program**

## **What makes the J Program unique?**

The Exchange Visitor Program was implemented under the provisions of the Mutual Educational and Cultural Exchange Act of 1961, as amended. The purpose of the Act is to “increase mutual understanding between the United States and the people of other countries by means of educational and cultural exchanges.”

- International educational and cultural exchanges are one of the most effective means of developing lasting and meaningful relationships. They provide an extremely valuable opportunity to experience the United States and our way of life.
- Foreign nationals come to the United States to participate in a wide variety of educational and cultural exchange programs.

## **General Eligibility Requirements**

Section 101(a) (15) (J) of the Immigration and Nationality Act (INA) establishes the statutory authority for the J-1 exchange visitor category. Regulations published by the Department of State in Title 22 of the Code of Federal Regulations (CFR) further implement this category. These laws set forth the specific requirements that must be met by applicants who wish to acquire J-1 nonimmigrant status to participate in an exchange program. An applicant must meet these requirements before a consular officer issues a J-1 visa, or before the Department of Homeland Security (DHS) admits the individual to the United States in J-1 status. Requirements include:

- Exchange Visitor (EV) plans to remain in the U.S. for a temporary, specific, limited period;
- The EV possesses sufficient proficiency in the English language to participate in their program and to function on a day-to-day basis; the university must provide evidence of evaluating the English proficiency
- The EV otherwise qualifies for the exchange visitor category in which they wish to participate;

- The exchange visitor program has accepted them to participate in a program, and that they plan to carry out a specific activity, such as study or research that qualifies them for a specific J-1 category.
- That there is evidence of funds to cover expenses in the United States; and
- The EV can prove to a U.S. consulate when applying for a J-1 visa that they have “a residence abroad which he/she has no intention of abandoning,” usually shown by evidence of social and economic ties abroad, and other binding tie which will ensure their return abroad at the end of the exchange program.
- The exchange visitor program (WSU) creates a SEVIS record for them and issues them a Form DS-2019.
- The EV must have health insurance that meet the Department of State requirements
- The university must provide pre-arrival information, EV is required to participate in orientation, and an annual report must be submitted each year.

## **Visa Categories for Scholars**

### **Short Term Scholar**

**Qualifications:** Department of State requires Exchange Visitors in the Short-Term Scholar category to have academic credentials (generally at least a bachelor's degree or equivalent) and experience appropriate to the field of endeavor

**Activity:** The activity must be full-time and temporary. Short-Term Scholars may teach, lecture, observe, train, consult or perform research, and participate in seminars, workshops, conferences and other types of educational or professional activities.

**Length of Stay:** Short-Term Scholars may participate in the exchange visitor program for the length of time necessary to complete the program, not to exceed six months. Extensions beyond six months are not permitted. Short-Term Scholars have a 30 day grace period after their program ends to leave the US.

## **Research Scholar**

This category is for a foreign national who enters the United States for the primary purpose of conducting research, observing or consulting in connection with research projects at research institutions, corporate research facilities, museums, libraries, post-secondary accredited academic institutions, or similar types of institutions. A research scholar may also teach or lecture, unless disallowed by the sponsor.

### **Qualifications:** Participants:

- Must have the education and credentials necessary to carry out the activity for which they are entering the United States and that they have sufficient proficiency in the English language to function in an English-speaking environment.
- Not be a candidate for a tenure track position;
- Not have participated in and completed a research scholar program within the last 24 months preceding the beginning date of their new program's commencement;
- Not have participated in a J-Visa program for all or part of the 12-month period immediately preceding the start date of a research scholar program
- Must be involved in cross-cultural programs where they can learn about the United States and its people.

**Length of stay:** Research Scholars can stay a minimum of 3 weeks and a maximum duration of 5 years.

## **Professor:**

The professor category is for a foreign national who enters the United State for the primary purpose of teaching, lecturing, observing or consulting at accredited post-secondary academic institutions, museums, libraries or similar types of institutions. A professor may also conduct research, unless disallowed by the sponsoring organization.

### **Qualification:** Participants

- Must have the education and credentials necessary to carry out the activity for which they are entering the United States and that they have

sufficient proficiency in the English language to function in an English-speaking environment.

- Not be a candidate for a tenure track position;
- Not have participated in and completed a research scholar program within the last 24 months preceding the beginning date of their new program's commencement;
- Not have participated in a J-Visa program for all or part of the 12-month period immediately preceding the start date of a research scholar program
- Must be involved in cross-cultural programs where they can learn about the United States and its people.

**Length of stay:** Professors can stay a minimum of 3 weeks and a maximum duration of 5 years

## **Specialist**

This category is for foreign nationals who are experts in a field of specialized knowledge or skill, coming to the United States for observing, consulting, or demonstrating their special skills, except:

Professors;  
Research Scholars;  
Short-Term Scholars;

**Qualifications:** Participants:

- Must have the education and credentials necessary to carry out the activity for which they are entering the United States and that they have sufficient proficiency in the English language to function in an English-speaking environment.
- Not be a candidate for a tenure track position;
- Not have participated in and completed a research scholar program within the last 24 months preceding the beginning date of their new program's commencement;

- Not have participated in a J-Visa program for all or part of the 12-month period immediately preceding the start date of a research scholar program
- Must be involved in cross-cultural programs where they can learn about the United States and its people

**Length of stay:** Specialist can stay a minimum of 3 weeks and a maximum duration of one year.