

OFFICE OF IMMIGRATION SERVICES AND COMPLIANCE

PART 1: DS-2019 HOST DEPARTMENT REQUEST FORM

SHORT-TERM SCHOLAR, RESEARCH SCHOLAR AND PROFESSOR CATEGORIES

(CERTIFICATE OF ELIGIBILITY) (22 CFR 62 Exchange Visitor Program)

DEPARTMENT INSTRUCTIONS

The Office Immigration Services and Compliance Office advises FAU departments on appropriate visa classifications for prospective international visiting scholars in the categories of professor, research scholar, short-term scholar, specialist, or international student intern. Departments who wish to invite J-1 exchange visitors temporarily for research, teaching, lecturing, consulting, or participation in seminars/colloquia must submit the Request for Form DS-2019 for J-1 Scholar. The prospective international scholars will use Form DS-2019 (Certificate of Eligibility for J-1 Exchange Visitor) to apply for the J-1 Exchange Visitor visa at a U.S. embassy/consular post in his or her home country. The J-1 visa status cannot be used for tenure-track positions or other permanent positions at the university. Visitors coming to campus in B-1 (visitor for business) or WB (visa waiver – ESTA) status. Please consult with the Office of Immigration Services and Compliance or the University General Counsel to determine whether this classification is appropriate for the proposed activities.

HOST DEPARTMENT INSTRUCTIONS:

- Submit your request electronically as one (1) PDF document in FAU's Filelocker to achowel1@fau.edu or by email.
- All requests must be submitted at **least 60 days before** the expected start date. Please allow 10 business days for processing.
- Please provide the Exchange Visitor with ***Part II - Exchange Visitor DS-2019 Application Request Packet*** to the visitor to complete.
- Host Department is responsible for reviewing all responses in sections of the Part II of the packet, and collect all required supporting documentation such as passports, proof of funding, CV, Notification of Insurance, etc.
- Host Departments must complete ***Part I - Department DS-2019 Request Form for Short-Term and Research Scholar*** and collect all approval signatures.
- **Background checks** - Departments are responsible for completing a background check on all exchange visitors, whether they are paid or unpaid. Departments should send an email to empl@fau.edu and include the Exchange Visitor's full name (as it appears in the passport), email address, and the index account to be charged. Departments must notify Immigration Services & Compliance if the exchange visitor is not cleared to start the program.
- Departments are responsible for informing the Office of Immigration Services and Compliance of any significant changes in the Exchange Visitor's program (for example: funding sources, research objective, additional job responsibilities which are significantly different from the initial assignments).
- Department must notify the Office of Immigration Services and Compliance if the Exchange Visitor departs prior to the program completion.
- For non-paid Exchange Visitors, Departments should complete the *Scholar and Intern Personnel Form* to request a Z number, email address, and access to obtain an Owl card

DOCUMENT CHECKLIST

- ✓ Complete Part I and Part II DS-2019 Request Packet
- ✓ Copy of invitation/offer letter from the host department
- ✓ Applicant's Resume/CV
- ✓ Proof of language proficiency
- ✓ Proof of sufficient funding in English and US Dollars
- ✓ Copy of passport biographical pages for the applicant and dependent(s)
- ✓ Signed Notification of Insurance Form
- ✓ Deemed Export Control Clearance Memo
 - Submit "Deemed Export Visa Application" by email to lathropm@fau.edu
 - You will receive a Deemed Export Control Memo from Myles Lathrop via email.
 - Submit the "memo" with this packet.

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SECTION A - DS-2019 HOST DEPARTMENT REQUEST FORM

SHORT-TERM SCHOLAR, RESEARCH SCHOLAR AND PROFESSOR CATEGORIES

To be completed by Host Department

Exchange Visitor's Name: _____

PROGRAM START DATE MUST BE 60 DAYS FROM PAPERWORK SUBMISSION

Program Start Date: _____ Program End Date: _____

_____ This is an **INITIAL** request to enter U.S. to begin a new program at FAU, accompanied by _____ (#) of dependents. Requests must be submitted

_____ This is a request to **EXTEND** the current FAU Sponsored J-1 program, including _____ (#) of dependents. Requests must be submitted at least 60 days prior to the current expiration date. Please provide current DS-2019 expiration date: _____

_____ This is a **TRANSFER** request from _____ (Current sponsor). Attach copies of previous DS-2019 and current I-94 record. Requests must be submitted at least 60 days before the intended start date. Provide contact person at current institution: Name: _____ Title: _____ Email: _____

Visitor's field of specialization (specify chemistry, physics, etc.): _____

Brief description of activity at FAU:

Primary Activity at FAU: _____ Research _____ Teaching _____ Other (explain): _____

J-1 VISA CATEGORY: _____ Short-Term Scholar _____ Professor _____ Research Scholar _____ Specialist

SHORT TERM SCHOLAR: No minimum stay, 6-month maximum stay Professors, researchers, or scholars whose purpose at FAU is to lecture, observe, consult and/or participate in seminars, workshops, conferences, study tours, professional meetings or similar educational and professional activities.

PROFESSOR (University Teaching and/or Research): 3-week minimum stay, 5-year continuous maximum stay. An individual primarily teaching, lecturing, observing; may also conduct research. A two-year bar on repeat participation in the J professor or Research scholar categories will apply.

RESEARCH SCHOLAR: 3-week minimum stay, 5-year continuous maximum stay. An individual primarily conducting research, observing or consulting in connection with research projects; may also teach or lecture. A two-year bar on repeat participation in the J professor or Research scholar categories will apply.

SPECIALIST: 3-week minimum stay, 1-year maximum stay. An individual who is expert in a field of specialized knowledge or skill, whose purpose will be to observe, consult or demonstrate special skills.

Note: It is possible for a visitor to fall into more than one category. Please select the best category that matches the intended activity, education, and current position of the visitor. If unsure, please contact achowell1@fau.edu to discuss.

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SECTION B- HOST DEPARTMENT INFORMATION

Host Faculty First Name: _____ Host Faculty Last Name: _____
 Faculty Email: _____ Faculty Phone Number: _____
 Administrative Contact Name: _____ Administrative Contact Email: _____
 Administrative Phone: _____
 Host Department Name/College: _____
 Name of Primary Site of Activity: _____
 Address of Primary Site Activity: _____

SECTION C- FINANCIAL INFORMATION

Estimated Expenses (housing, food, insurance, transportation, etc.)	Exchange Visitor	Exchange Visitor with Spouse	Exchange Visitor with Spouse and One Child	Exchange Visitor with Spouse and Two or More Children
Monthly Estimated Living Expenses	\$1,500	\$1,920	\$2,170	\$2,420
Yearly Estimated Expenses	\$18,000	\$23,040	\$26,040	\$29,040

*Individuals who are funded completely through personal funds must have ties with a research institution or university abroad, must have written permission from the home institution for the period of the DS-2019 request, and may only receive a DS-2019 for up to 12 months.

**If funding is from a source other than FAU, a letter or other document from the funding source confirming the source, amount in U.S. dollars, and dates of funding must accompany this request. Foreign language documents must be accompanied by a certified English translation.

Proof of funds must be submitted with application. Review this financial section carefully and check the appropriate category		U.S. Dollar Amount
FLORIDA ATLANTIC UNIVERSITY SALARY	____ Salary from Florida Atlantic University. May include grant funds that are NOT specifically for international educational or cultural exchange.	\$ _____ ____ Month ____ Annual
	____ Salary from Florida Atlantic University. May include grant funds that are SPECIFICALLY for international educational or cultural exchange	\$ _____ ____ Month ____ Annual
*PERSONAL FUNDS	____ Personal Funds from the Exchange Visitor	\$ _____ ____ Month ____ Annual
**DIRECT FUNDING FROM GOVERNMENT OR INTERNATIONAL ORGANIZATION	U.S. Government Agency: _____ International Organization: _____ Exchange Visitor's Government: _____ Binational Commission of Visitor's Country: _____ Other Organization: _____	\$ _____ ____ Month ____ Annual

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SECTION D – DEEMED EXPORT CONTROL CHECK

Department Instructions: Complete the “Visa Applicant Export Control Questionnaire for Sponsored & Non-Sponsored Activities” form and submit it to Florida University’s Export Control Officer, Myles Lathrop, via email. Once the check is completed, please forward the “confirmation memo” with this packet.

Link to Form: <http://www.fau.edu/research/export-control/export-control-forms.php>

Link to Government Regulations: <https://www.bis.doc.gov/index.php/policy-guidance/deemed-exports/deemed-exports-faqs>

Bureau of Industry and Security/ U.S. Department of Commerce: Any foreign national is subject to the deemed export regulations except a foreign national who (1) is granted permanent residence, as demonstrated by the issuance of a permanent resident visa (i.e., Green Card); or (2) is granted U.S. citizenship; or (3) is granted status as a protected person under 8 U.S.C. 1324b(a)(3). This includes all persons in the U.S. as tourists, students, businesspeople, scholars, researchers, technical experts, sailors, airline personnel, salespeople, military personnel, diplomats, etc.

NAFSA: Activities of nonimmigrants on campus may come under the purview of several kinds of export control regulations:

- The Department of State's International Traffic in Arms Regulations (ITAR) regulate the transfer and export of technologies relating to military applications listed on the Munitions Controls List (MCL).
- The Department of Commerce's Export Administration Regulations (EAR) regulate the transfer and export of technologies relating to civilian applications listed on the Commerce Control List (CCL).
- The U.S. Department of Treasury's Office of Foreign Assets Control (OFAC) regulates restrictions created by trade embargoes.

Technology or source code is considered to be exported not only under the traditional sense of shipping it overseas; an export of technology or source code can also be "deemed" to take place when it is released to a foreign national within the United States. Deemed exports must be authorized through an export license issued by the responsible Government agency.

Technology or code is considered "released" for export when it is "available to foreign nationals for visual inspection (such as reading technical specifications, plans, blueprints, etc.); when technology is exchanged orally; or when technology is made available by practice or application under the guidance of persons with knowledge of the technology." Many activities at colleges and universities can benefit from several exclusions to the export license requirement, including a fundamental research exclusion, an education exclusion, and a public domain exclusion

Part of a college or university's institutional responsibility is to determine if an export license must be sought for particular activities.

Florida Atlantic University: FAU is committed to complying with all United States export control laws and regulations. These laws and regulations were created and implemented by agencies including, but not limited to, the Department of Commerce (Export Administration Regulations - EAR), the Department of State (International Traffic in Arms Regulations

– ITAR), and the Department of the Treasury (Office of Foreign Assets Control – OFAC).

<http://www.fau.edu/research/export-control/index.php>

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SECTION E – VERIFICATION OF LANGUAGE PROFICIENCY (22 CFR 62.10 (2))

The U.S. Department of State expects exchange visitors to have a level of English language proficiency that allows them to successfully perform their scholarly activities, to navigate daily life in the US, to read and comprehend program materials, understand their responsibilities, rights, and protections, and to obtain assistance when necessary. English proficiency can be documented through one of the following options:

1. ___ Skype interview in English with the prospective Exchange Visitor on date: ___/___/___

Acknowledgment: I certify that I conducted an interview in English with the prospective Exchange Visitor and his/her English language skills are sufficient for effective day-to-day functioning in the internship environment and for participation in university and community life.

Host Faculty Member's Name

Signature

Date

2. Attended post-secondary education at an institution where English is the primary language of instruction for at least one academic year (copy of diploma or transcript and documentation confirming that English is the language of instruction if the institution is not in a country where English is the official language)

3. ___ Taught university-level courses in English (letter from the academic institution is required), or demonstrated extensive use of spoken and written English in professional settings (i.e., publications written in English, conference presentations/speaking engagements)

Acknowledgment: I certify that I reviewed the prospective Exchange Visitor's credentials and s/he meets the criteria described above.

Host Faculty Member's Name

Signature

Date

4. ___ One of the following standardized language proficiency tests was completed (attach copy of test results):

___ TOEFL Written (score)___ Minimum score required is 500.

___ TOEFL Computer-based (score)___ Minimum score required is 173.

___ TOEFL Internet-based (score)___ Minimum score required is 61.

___ IELTS (score)___ Minimum score required is 6.0

Note: Results are valid for two years from the test date.

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SECTION F – ADDITIONAL ELIGIBILITY QUESTIONS

NON-PAID EXCHANGE VISITORS

The information below is necessary in order to determine J-1 status eligibility and to ensure that exchange visitors will be able to successfully complete their academic objectives. Please answer all questions:

1. ____ Yes ____ No

The exchange visitor will be engaged primarily in collaborative research with other FAU faculty and researchers.

2. ____ Yes ____ No

The exchange visitor has written leave permission from the home institution for the entire period requested through this document.

3. ____ Yes ____ No

The inviting department will restrict access to sensitive research and materials and will follow university export control regulations.

4. The exchange visitor will receive a courtesy/affiliate appointment. ____ Yes ____ No

If you answered “no” to item #4, please check type of support that the host department will provide to this exchange visitor: ____ FAU Email Account ____ FAU OWL Card ____ Library Access ____ Access to office computer ____ Access to office phone ____ Office space

5. The exchange visitor will spend the majority of his/her research time at a physical location within FAU. ____ Yes ____ No**.

If you answered “no” to item #5, please provide a brief description of where the visitor will be located during the period of J-1 sponsorship:

6. The exchange visitor will be engaged primarily in independent research without student contact (DS-2019s will only be issued for a maximum of 12 months if permitted by the circumstances). ____ Yes ____ No**

**If you answered “no” to question #5 and question #6, you must submit Volunteer Registration Form and the Volunteer Waiver Release Form in compliance with the University Policy for Volunteers (Regulation 6.1). These forms must be submitted at least 15 days in advance of the program start date.

- [Volunteer Registration Form](#)
- [Volunteer Waiver and Release](#)

Note: A university background check is required for non-paid J-1 exchange visitors who fall under the Category One volunteer definition. The cost of the background check be covered by the host department or may be charged to the Exchange Visitor. Background check costs vary (estimated range: \$60 to \$200). Departments are responsible for making their own arrangements to collect the background check fee from the Exchange Visitors Please send an email to empl@fau.edu to request a background check.

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SECTION G – DEPARTMENT APPROVAL

Please review this information carefully before signing the form.

The U.S. Department of State (Bureau of Educational and Cultural Affairs) administers and monitors the J Exchange Visitor Program. According to program regulations, all J Exchange Visitors and their accompanying dependents must be familiar with the rules and regulations governing the program and must comply with the mandatory medical insurance requirements.

IMMIGRATION REPORTING REQUIREMENTS (22 CFR 62.15)

The Office of Immigration Services and Compliance is required to maintain J-1 records in the SEVIS database and to ensure compliance with all immigration requirements pertaining to the Exchange Visitor Program.

Due to the time-sensitive nature of these requirements, Host Departments must:

- Ensure that Exchange Visitors contact the Immigration Services and Compliance Office upon arrival for check-in and a brief orientation (to be completed within 10 days of arrival in the U.S.).
- Notify the Office of Immigration Services and Compliance if the Exchange Visitor expects to arrive after the start date listed on the DS-2019.
- Notify the Office of Immigration Services and Compliance of the Exchange Visitor's departure date (prior to the individual's departure).
- Notify the Office of Immigration Services and Compliance of any events that may interfere the Exchange Visitor's successful progression and completion of the program.
- Ensure activities fall within the primary program objective for which the Exchange Visitor's DS-2019 was issued.
- Notify the Office of Immigration Services and Compliance within 10 days of any changes to the Exchange Visitor's mailing address, email, or phone number.

INSURANCE REQUIREMENT (22 CFR 62.14)

Sponsors must require that all exchange visitors have insurance in effect that covers the exchange visitors for sickness or accidents during the period of time that they participate in the sponsor's exchange visitor program. In addition, sponsors must require that accompanying spouses and dependents of exchange visitors have insurance for sickness and accidents. Sponsors must inform all exchange visitors that they, and any accompanying spouse and dependent(s), also may be subject to the requirements of the Affordable Care Act. A willful failure to carry insurance is a violation of the Exchange Visitor Program regulations. DOS treats willful failure to carry insurance as a serious infraction for which neither correction of the record nor reinstatement are available as remedies.

I hereby certify that the information provided in the Department Request for DS-2019 application is true and correct to the best of my knowledge. I reviewed the information and I understand the college and departmental responsibilities of hosting this prospective exchange visitor.

_____ Sponsoring Faculty Member (Print Name)	_____ Signature	_____ Date
_____ Chair/Director (Print Name)	_____ Signature	_____ Date
_____ Dean (Print Name)	_____ Signature	_____ Date