J-1 Student Intern

International Student Services Lunch & Learn
Meet your Presenter

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Housekeeping

- This meeting is being recorded
- The information that is shared today is based on federal regulations as of today, 10/26/2023. This information is subject to change in the future
- The recording will be available on the ISS website & Kaltura page.
- Slides will be available after the presentation.
- There will be Q&A time at the end of the presentation. Please use the Q&A feature. Some questions will be answered throughout the presentation.
- Each case can be nuanced. Departments are encouraged to reach out to ISS/IFSS with any questions based on specific situations.
Agenda

• What is a J-1 Exchange Visitor
• J-1 Student Intern Information
  • Eligibility and Requirements
  • Immigration Documents
• Steps for Hosting a J-1 Student Intern
• Limitations of J-1 Student Intern
• Q & A
What is a J-1 Exchange Visitor
Exchange Visitor

• J-1 Exchange Visitor program was designed “to increase mutual understanding between the people of the United States and the people of other countries by means of educational and cultural exchanges”

• U.S. Department of State designates organizations, like the UW, to be sponsors of exchange visitor programs
Exchange Visitor

• Sponsored by UW-Madison to participate in classes, research, training, lecturing at UW-Madison

• J-1 categories at UW:
  • Student
  • Non-degree student
  • Student Intern
  • Research Scholar
  • Short-Term Scholar
  • Professor
  • Specialist
  • Intern*
J-1 Student Intern Program and Student Eligibility
J-1 Student Intern

- Is enrolled, in good academic standing, in degree program **abroad**.
- Internship program is **required** to complete degree.
- Will return to home university to graduate. Will **not graduate while in the U.S.**
- Has verifiable English skill.
- Has proof of sufficient funding for duration of program.
- Is solely in the U.S. for the internship program.
- Will enroll in and maintain required health insurance through SHIP.
- **Will not exceed 12 months of internship programs.**
English Language Skill

- Enough to “function in an internship environment”.
- **Interviews with department faculty will not be accepted.**
- Acceptable proof of English language skill:
  - A recognized English language test (same requirements as J-1 undergraduate students).
    - DET: 105+, IELTS: 6.5+, TOEFL iBT: 80+
    - Dated within the last 2 years
  - Documentation from an English language school or academic institution.
    - Transcripts, Institution letter of Attestation
Funding Proof

- Since Student Interns will not be enrolled in courses, they only need to provide proof of funding for living expenses and required health insurance for the duration of program.
- Internship programs do not need to be paid.
- Funding proof can be:
  - Personal or from family
  - Payment from UW Department, scholarship or home government
  - In foreign currency, at a bank abroad
- Funding cannot be:
  - In the form of stocks, bonds or other investment accounts
  - Credit card funds
  - Documented only in a foreign language
Home University Attestation

- Documents the expected graduation date for receipt of a Bachelor's degree.
  - Graduation cannot happen while Student Intern is in the U.S.
- Confirms internship program is a degree requirement.
- Verifies student is in good academic standing and will continue to be enrolled while in the U.S.
Required Health Insurance

- Health insurance is a federal requirement for all J-1 visa holders and their dependents.
  - If Student Interns believe they have comparable insurance, they can apply for a waiver through SHIP.
- Student Interns will be required to enroll in Student Health Insurance Program (SHIP) or have an approved waiver through them.
- Willfully failing to maintain health insurance while on program is a violation of legal status and will result in termination of the DS-2019 SEVIS record.
Internship program

• Is at least 3 weeks, and no more than 12 months.
• Is full time, minimum **32 hours per week**.
• Can be paid or unpaid.
• Consists of **no more than 20% clerical work**.
• Does not include unskilled labor, child or elder care, aviation, clinical work, or other patient care or contact.
• Exists only to help student intern **fulfill home university degree requirements**.
• Consist of work-based learning and not skilled labor.
• Meet all requirements of the Fair Labor Standards Act and the Migrant and Seasonal Agricultural Worker Protection Act.
• Not involve a staffing or employment agency in any way.
<table>
<thead>
<tr>
<th></th>
<th>J-1 Student Intern</th>
<th>J-1 Scholar</th>
<th>J-1 Intern</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Purpose</strong></td>
<td>Training or research-based internship to fulfill a degree requirement</td>
<td>Primarily engaged in research and/or teaching</td>
<td>Work-based training related to academic objective</td>
</tr>
<tr>
<td><strong>Degree level</strong></td>
<td>Pursuing a bachelor’s degree Must not have graduated</td>
<td>Bachelor’s degree or higher</td>
<td>Pursuing bachelor’s degree</td>
</tr>
<tr>
<td><strong>Sponsor</strong></td>
<td>UW-Madison (ISS)</td>
<td>UW-Madison (IFSS)</td>
<td>CIEE</td>
</tr>
<tr>
<td><strong>Cost to Department</strong></td>
<td>$350</td>
<td>N/A</td>
<td>$1,500 ~ 3,500</td>
</tr>
<tr>
<td><strong>Site of Activity</strong></td>
<td>UW-Madison</td>
<td>UW-Madison</td>
<td>UW-Madison</td>
</tr>
<tr>
<td><strong>How long can they stay?</strong></td>
<td>Minimum 3 weeks Maximum 12 months Max 1 program per degree</td>
<td>Maximum 5 years</td>
<td>Minimum 3 weeks Maximum 12 months May repeat if program will enhance skills</td>
</tr>
</tbody>
</table>
Immigration Documents
**Certificate of Eligibility**

- Determines length of stay in U.S.
- Shows:
  - SEVIS ID number
  - Primary Site of Activity
  - Program Sponsor
  - Start and End dates
  - Category
  - Field of Study
- Training/Internship Program Plan
- Outlines goals and objectives of Internship Program
  - Student Interns cannot engage in employment, research or classes not explicitly stated
- T/IPP created for each different site of activity
- Faculty supervisor signatures required
Hosting a Student Intern
Steps for Hosting a Student Intern

1. Identify and Invite a Student Intern
2. Submit a New Sponsorship Request in Terra Dotta
3. Complete J-1 Request Department Tab and DS-7002
4. ISS Processes and Issues Immigration Forms
5. Student Intern Applies for Visa
6. Student Intern Arrives
7. Required Evaluations
8. Student Intern Departs
1. Identify and Invite a Student Intern

- ISS does not create or find any internships or prospective students.
  - Internship plans, goals and outcomes outlined in DS-7002 are created by department, student and faculty supervisor.
- Departments are responsible for initiating the process with ISS.
2. Submit a New Sponsorship Request in Terra Dotta

- Recommended to start **3-4 months before start date.**
- Completed by the hosting department to determine initial eligibility.
  - Send an email to [aopps@wisc.edu](mailto:aopps@wisc.edu) to initiate review
- Department will need Student information
  - [J-1 Student Intern Intake form](#)
  - New Sponsorship Request approval **does not guarantee DS-2019 or DS-7002 issuance**
3. Complete J-1 Request Department Tab and DS-7002

- **Department Tab**: detailing specific department, and supervisor information
- **Form DS-7002 Training/Internship Program Plan**: outlining skills, training and cultural exchange
  - [Knowledge Base](#) for completing specific information.
3. Student Intern Uploads Required Documents and Information

- Once department tab and DS-7002 are complete, the Student Intern will be invited to enter and upload all required documents in Terra Dotta.

- J-1 Student Intern Checklist

```text
J-1 Student Intern Checklist

The documents listed below are your responsibility to upload into Terra Dotta. You will receive an email from Terra Dotta when the application is open for you to enter your information and upload all required documents. The email will be sent to the email you provided your department sponsor through the Intake form. Please remember to check your spam folder as Terra Dotta emails may be marked as spam. Contact your department sponsor with any questions.

Initial UW-Madison application

- Copy of the information page on the passport
  - Passport must be valid at least 6 months beyond start date of the DS-2019

- Proof of funding
  - Must be in English and dated within the last year
  - Must include name on account, currency of funds, and remaining balance
  - Must be a liquid account, no investment accounts
  - Must include documentation of all funding sources

- Affidavit of support
  - Only needed if funding will come from non-personal accounts

- Home university attestation
  - Must include the expected graduation date, and that it will not pass while the student is in the U.S.
  - Show internship program is required for completion of degree
  - Verify student is in good academic standing

- Proof of English language skill
  - Meet undergraduate admissions proficiency test requirements
    - DET: 105+, IELTS: 6.5+, TOEFL IBT: 80+
  - Official documentation from an accredited academic English institution

- Documentation for any accompanying dependents
  - Passport page
  - Funding proof would need to include enough funding for the Student Intern as well as all accompanying dependents
  - Proof of relationship to Student Intern

- All DS-2019s
  - Only needed if you have held J-1 or J-2 status in the past two years

- UW-Madison appointment letter
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4. ISS Processes and Issues Immigration Forms

- Processing times fluctuate throughout the year. Peak processing time is a maximum of 15 business days.

- ISS will ensure all information, training plans, and documents meet J-1 Student Intern regulatory requirements before issuing Form DS-2019 to the Student Intern.

- Form DS-7002 Training/Internship Program Plan requires faculty supervisor signatures before being sent out to the Student Intern.

- All documents will be scanned and uploaded to Terra Dotta for the Student Intern to print, sign, and use for visa acquisition and entry to the U.S.
5. Student Intern Applies for Visa

- Student Intern must schedule a visa appointment with the U.S. embassy or consulate in their home country and pay associated DS-160 visa application fees.

- The Student Intern cannot apply for a J-1 Visa after the start date of the program. The department must request a DS-2019 start date deferral if the student will not obtain a visa or enter the U.S. by the DS-2019 program start date.
6. Student Intern Arrives

- The Student Intern should plan to arrive on or up to 30 days before the DS-2019 start date.
- The Student Intern must attend ISS Orientation and complete ISS Check-in within the first 10 days in the U.S.
- Not completing Orientation and Check-in will result in Cancellation of SEVIS ID and immediate departure.
7. Required Evaluations

- Evaluation(s) of the Student Intern placement is required by regulation.

- All evaluations must be sent to ISS upon completion
  - If the internship is 6 months or less: one evaluation must be completed and submitted to ISS within 15 days of the internship’s end date.
  - If the internship is longer than 6 months: one evaluation within 15 days of the program midpoint and a second evaluation at the end of the internship are required.

- Failure to complete and send evaluations may result in the department’s inability to host J-1 Student Interns in the future.
8. Student Intern Departs

- Student Interns have a 30-day grace period following the end date of their DS-2019.
- If the Student Intern will finish their program and leave before the DS-2019 end date, **immigration documents should be amended to match the final date of the program.**
- ISS does not issue letters of completion or certificates for internship programs. That is up to the department and faculty supervisor.
  - ISS can only attest to visa and immigration status for the duration of the internship program.
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ISS is here to support you!

**We do:**
- Advise departments and students on visa selection, responsibilities and regulations
- Process immigration paperwork
- Provide orientation to help student and department best understand the program
- Ensure immigration compliance throughout all programs

**We do NOT:**
- Make immigration regulations or Issue visas
- Dictate HRS category
- Manage student access resources
- Find students housing, WisCard, Net ID, SSN, health insurance
- Find prospective student interns
- Develop internship/training plans
- Complete required evaluations
Limitations of Student Intern
Must be Degree Requirement

- Confirmed through;
  - Home University Attestation or;
  - Exchange Agreement

- If an internship/research/training opportunity is not expressly required;
  - CIEE (if no Bachelor's degree)
  - IFSS (if completed Bachelor's)
Studying and Taking Classes

• J-1 Student Interns are **not enrolled** at UW-Madison as students

• They **cannot enroll in or audit any courses in the U.S.** while they are participating in their program
  
  • May be enrolled in courses for their home university during the internship program.
  
  • Courses listed in the DS-7002 that are required to complete the goals of the internship program may be permitted.
Unpaid Work vs Volunteering

- A Student Intern cannot engage in any unpaid work outside of the scope is of the DS-7002
- Volunteering is defined as: “individual who performs hours of service...for civic, charitable, or humanitarian reasons, without promise, expectation or receipt of compensation for services rendered.”
  - Common volunteer places include a literacy network, homeless shelter, food pantry, animal shelter, etc.
  - [Badger Volunteers](#) is a campus resource for volunteer and public service activities.
Clinical Work

• J-1 Student Interns cannot participate in any clinical work or patient care.

• 'Patient contact' is any physical or psychological interaction with a person that could affect their health and/or overall well-being.

• Humans and animals are both considered patients by the Department of State.
  • Lab animals or animal models, whose sole purpose for existence is for research, are not considered patients by DOS.

• Pure observation is not considered a clinical activity and would be allowed in J-1 status.
Extensions or Transfers

- Cannot be on Student Intern longer than 12 months per degree.
- Will require new DS-2019 and DS-7002
- Extensions and transfers can be requested through Terra Dotta.
  - Department verification will be required.
- Must remain in the same Field of Study
  - A change in the field of study would require a new DS-2019, DS-7002, travel and visa appointment
Changing Category

• J-1 visa holders can change category, even if they are subject to 212(e)

• Change of Category will require the student to travel, and reapply for a visa with a consulate abroad

• Change of Category while in country requires extenuating circumstances and Department of State approval
212(e) Two-Year Home Residency Requirement

• J-1 Visa holders may be required to return to their home country for two years after the end of their program

• During the two years they are:
  • Eligible for new J, F or tourist visa.
  • Not eligible for any immigrant visa, H, L, or K visas.

• Determined by the Department of State

• If J-1 is subject, all J-2 dependents will also be subject.
12-Month Bar

- Bars J-1 Visa holders from returning to the U.S. on a different J-1 Visa type.
- J-1 Student Intern programs longer than 6 months will bar a J-1 visa holder from returning as a Research Scholar/Professor for 12 Months.
- Participation Bars are separate from 212(e) Two-Year Home Residency Requirement.