J1 Visa Holders Questions and Answers

Q: I am a J-1 Visa holder studying at SSU and I am told I must carry health insurance. Is this true?

A: Yes, all J-1 exchange visitors in the US must carry J-1 visa insurance. Government regulations stipulate that if one willfully fails to carry exchange visitor health insurance, the J-1 sponsor must terminate the exchange visitor program and report the termination to the United States Department.

It is dangerous to be in the US without adequate health insurance. In many countries, the government bears the expense of health care for its citizens and sometimes for visitors. By contrast, individuals and families in the U.S. are responsible for such costs. Since a single day of hospitalization and medical treatment can cost thousands of dollars, many hospitals and doctors refuse to treat uninsured patients, except in life-threatening emergencies.

SSU is required to have a copy of your proof of insurance on file. Please make sure the Center for International Programs and Activities has this copy.

Below are the insurance specifications. J1 Visa Insurance:

The Department of State has established the following requirements for the type and amounts of insurance for J-1 visa holders required to maintain status:

J1 Visa Health Insurance (Exchange Visitor Health Insurance) policies must provide "medical benefits of at least $0,000 for each accident or illness." This means that an acceptable policy couldn't set a maximum lower than $50,000 in benefits for each accident or illness. If a J visa holder dies in the U.S., then the policy must provide at least $7,500 in repatriation benefits to send the remains to the home country for burial.

If, because of a serious illness or injury, you must be sent home on the advice of a doctor, the policy must pay up to $10,000 for the expenses of your travel for Medical Evacuation. J1 Visa Health Insurance (Exchange Visitor Health Insurance) policies may establish a waiting period before it covers pre-existing conditions (that is, health problems you had before you bought the insurance), as long as the waiting period is reasonable by current standards in the insurance business.
If you elect to satisfy the insurance requirement through a policy issued in your home country, the policy must be backed by the full faith and credit of your government. Otherwise, the company providing the insurance must meet minimum rating requirements established by Department of State (an A.M. Best rating of "A-" or better, an Insurance Solvency International, Ltd. (ISI) rating of "A-1" or better, a Standard & Poor's Claims-Paying Ability rating of "A-" or better, or a Weiss Research, Inc. rating of "B+" or better).

Q: I was wondering about my husband's visa status. As you may be aware, he is taking courses here since a year, but was not issued an I-20 (we don't need visa as Canadians), but I heard about a registration system that requires all foreign students to get an I-20 from the university and register with the US consulate. I really don't know much about it. Can you send me information about it, or if possible would you please arrange for an I-20 for him so that we could do this registration. My husband has an H-4 visa. (The person asking the question is a SSU professor.)

A: Your husband, as an H-4 visa holder, comes under regulation # 248.3 (e) which reads “An alien classified as (H) or (L) as the spouse or child who accompanied or followed to join a principle alien who is classified under the same section, may attend school in the United States” - Change of classification not required. Your husband does not need an I-20.

Q: I am a married student. My spouse and child are currently in our home country. I want to bring them to U.S. to live with me while I complete my studies. What do I need to do to bring them here?

A: F-1 students must obtain an I-20 to send to family members (spouse and/or children) who wish to visit the U.S. The family member(s) will use the I-20 to support their application for an F-2 visa at the U.S. Embassy or Consulate. J-1 students will obtain a DS 2019 and dependents will come on J-2 visas. The Embassy/Consulate will require evidence that you have adequate financial resources for your family member(s) support without recourse to employment. As such, you must furnish proof of financial support to Rick Merb in the Admission Office or Rita Haider in CIPA in the amount of $4,000 per year for a spouse and $2,000 per year for each child. This is in addition to the amount needed for your own studies and living expenses.

Q: May I apply for a driver's license on an F-1 visa?

A: Any F or J visa holder may apply for a driver’s license or ID as long as he or she is in lawful status and presents the necessary supporting documents required to verify legal presence in the United States. Become aware of the appropriate state requirements for Ohio at http://www.bmv.ohio.gov/

Wait a minimum of 10 calendar days from the date of entry into the United States before applying for a driver’s license or ID.
In general, you should present:

- Passport
- Form I-94
- Form I-20

The Student and Exchange Visitor Program (SEVP) also recommends that the student or exchange visitor refer to the DMV Web site Ohio [http://www.bmv.ohio.gov/](http://www.bmv.ohio.gov/), or contact the DMV office, 353-2171, with questions about required documentation.

Q: Does a nonimmigrant need a Social Security Number (SSN) to apply for a driver’s license or ID?

A: No. A nonimmigrant does not need an SSN; however, the nonimmigrant will need to apply for a social security number. Follow the instructions on how to apply for a social security card as described on the SSA Web site at [http://www.ssa.gov/pubs/EN-05-10096.pdf](http://www.ssa.gov/pubs/EN-05-10096.pdf). If the nonimmigrant is ineligible for an SSN, he or she will receive a decision letter stating that ineligibility. The nonimmigrant must present this SSA letter when applying at the DMV office to fulfill the SSA requirement.

Q: I have lost my I-94 card (arrival/departure record). Do I have to get it replaced?

A: The I-94 card is your MOST IMPORTANT immigration document. You surrender it when you leave the U.S. and obtain a new one upon your reentry. You are supposed to be in possession of your I-94 card at all times. If you lose your I-94 card you will have to apply to the immigration service (USCIS) for a replacement. You must apply for the replacement on form I-102. There is a $320.00 fee and it will take 6 to 8 months in most cases to obtain the replacement I-94 card. Please make sure to take good care of your I-94 card.

Q: I will not complete my degree by the date listed on my I-20. Do I need a new I-20, and if so, how do I obtain a new I-20?

A: Students who are unable to complete their academic programs within the period specified on their current Form I-20 or DS-2019 must request an extension of stay in a timely manner. The program must be extended prior to the day the I-20 or DS-2019 expires. A program extension cannot be granted during the 30 day (J-1) or 60 day (F-1) grace period. To do this you should schedule an appointment with either Rita Haider in the Center for International Programs and Activities or Rick Merb in the Office of Admission. You must bring the following documents with you:

1. The attached “Request for Extension of Stay” form.
2. A letter from your advisor explaining why you are unable to complete your program within the specified time, as well as a new expected date of completion.


4. Proof of financial support for the balance of your program.

Your program extension must be completed prior to the date of completion listed on the I-20 or DS-2019. Make sure you keep all previous I-20 and DS-2019’s issued to you.

Q: What types of employment are allowed for regular pre- and post-completion Optional Practical Training (OPT) and what do I report?

A: All OPT employment, including post-completion OPT, is required to be in a job that is related to the student’s degree program.

For students who are not on a STEM extension, this employment may include:

- Paid employment. Students may work part time (at least 20 hours per week when on post-completion OPT) or full time.

- Multiple employers. Students may work for more than one employer, but all employment must be related to each individual student’s degree program and for pre-completion OPT cannot exceed the allowed per week cumulative hours.

- Short-term multiple employers (performing artists). Students, such as musicians and other performing artists, may work for multiple short term employers (gigs). The student should maintain a list of all gigs, the dates and duration.

- Work for hire. This is also commonly referred to as 1099 employment where an individual performs a service based on a contractual relationship rather than an employment relationship. If requested by DHS, students should be prepared to provide evidence showing the duration of the contract periods and the name and address of the contracting company.

- Self-employed business owner. Students on OPT may start a business and be self-employed. The student should be able to prove that he or she has the proper business licenses and is actively engaged in a business related to his or her degree program.

- Employment through an agency or consulting firm. Students on post-completion OPT should be able to provide evidence showing they worked an average of at least 20 hours per week while employed by the agency.

- Unpaid employment. Students may work as volunteers or unpaid interns, where this practice does not violate any labor laws. The work should be at least 20 hours per week.
for students on post-completion OPT. A student should be able to provide evidence, acquired from the student’s employer, to verify that he or she worked at least 20 hours per week during the period of employment.

Also, you must notify CIPA by email of your current address and of:

<table>
<thead>
<tr>
<th>Event Description</th>
<th>Details</th>
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<tbody>
<tr>
<td>New job</td>
<td>Name of the employer [start date mm/dd/yyyy]</td>
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<td></td>
<td>Example: ABC Inc. [04/15/2008]</td>
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<tr>
<td>Change to a new job (less than 10 days between jobs)</td>
<td>Name of the new employer [start date mm/dd/yyyy]</td>
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<td>Example: A New Job, Inc. [06/15/2008]</td>
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<tr>
<td>More than 10 days of unemployment</td>
<td>Unemployed [ending date of last job mm/dd/yyyy]</td>
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<td>Example: Unemployed [07/12/2008]</td>
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<td>Multiple short-term gigs in one period</td>
<td>Multiple gigs [start date]</td>
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<tr>
<td>Work for hire (start)</td>
<td>Work for hire [start date mm/dd/yyyy]</td>
</tr>
<tr>
<td>Work for hire (end)</td>
<td>Unemployed [end date of last contract mm/dd/yyyy]</td>
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<tr>
<td>Self-employed business owner (start)</td>
<td>Self-employed business owner [date started business mm/dd/yyyy]</td>
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<tr>
<td>Self-employed business owner (end)</td>
<td>Unemployed [date business closed or student no longer worked for business full time mm/dd/yyyy]</td>
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<tr>
<td>Student decides to exit the United States and complete his or her F-1 status prior to the end date of OPT</td>
<td>No change Complete the student’s record — this will stop the accrual of unemployment time</td>
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Q: I am changing my major, do I need a new I-20?

A: Yes, you must obtain a new SEVIS I-20 or DS-2019 reflecting the change. The new I-20 or DS-2019 must be issued within 15 days of the beginning of the semester in which you start the new major.

To be issued a new SEVIS I-20 or DS-2019 you should see Rick Merb in the Office of Admission or Rita Haider in the Center for International Programs and Activities.

Q: How long is Optional Practical Training (OPT) available and how much time do I have to find employment?

A: OPT is available for up to 12 months for all F-1 students for each higher degree you receive in the United States. This means if you obtain a Bachelor’s degree and utilize twelve months of OPT for that degree, you could apply for and receive another twelve months of OPT for a Master’s degree. An additional 17-month OPT period (29 months total) is available to F-1 students who have completed a degree in science, technology, engineering, or mathematics (STEM) and who have accepted employment with employers enrolled in the U.S. Citizenship and Immigration Services (USCIS) E-Verify employment verification program. E-Verify is a free internet-based system operated by USCIS, in partnership with the Social Security Administration, which determines a new employee’s eligibility to work.

Please note: OPT is designed to provide students with work experience in their fields of study. As such, there are limits to how long you can remain in the U.S. in lawful F-1 status on OPT while unemployed. Students on 12-month OPT can remain in the U.S. unemployed for an aggregate of 90 days. Students who qualify for and receive the 17-month OPT extension can be unemployed for an aggregate of 120 days. It is also important to remember that once OPT is awarded, even if you change your immigration status, go back to school, etc., it cannot be cancelled or saved.

Q. I have received my Optional Practical Training (OPT) and I am thinking of traveling home to visit for a few weeks while I am on OPT, is this permitted?

A. You may NOT travel outside the US while your OPT application is pending at the USCIS. You may travel once you receive your Employment Authorization Document (EAD) card. You will need the following in order to re-enter the US:

1. Unexpired passport
2. Unexpired F-1 visa* (unless visa exempt)
3. The back of your I-20 signed for travel (signed within the past six months)
4. Your EAD card
5. A letter from your employer stating you are currently employed.

*If your visa has expired, you will need to present all the documents above (except #2 and include salary in #5) to the US Consulate/Embassy to obtain a new visa stamp. Please consult with the Center for International Programs and Activities prior to traveling in such circumstances. Obtaining a new visa at this stage may be difficult.

Q: I am studying at SSU on a J-1 Visa. How long am I permitted to stay in the U.S. after my program has ended?

A: The initial admission of an exchange visitor may not exceed the period specified on Form DS-2019, plus a period of 30 days for the purpose of travel. The 30-day grace or travel status period is intended to be a period following the end of the exchange visitor’s program and is to be used for domestic travel and/or to prepare for and depart from the U.S., and for no other purpose.

Q: I frequently hear reference made to SEVP and SEVIS, what does it stand for and what do they do?

A: The Student and Exchange Visitor Program (SEVP) acts as the bridge for varied government organizations that have an interest in information on foreign students. SEVP uses web-based technology, the Student and Exchange Visitor Information System (SEVIS), to track and monitor schools and programs, students, exchange visitors and their dependents throughout the duration of approved participation within the U.S. education system.

SEVP collects, maintains and provides the information so that only legitimate foreign students or exchange visitors gain entry to the United States. The result is an easily accessible information system that provides timely information to the Department of State, U.S. Customs and Border Protection, U.S. Citizenship and Immigration Services and U. S. Immigration and Customs Enforcement.

REMEMBER: It is ultimately your responsibility to maintain your status. Stay informed. Don’t rely on your friends or the media for accurate information regarding immigration issues. As well-meaning as they may be, they may not be aware of new developments and practices. Check with Rita Haider in the Center for International Programs & Activities or Rick Merb in the Office of Admissions if you have any questions or concerns, note that they can only assist you and cannot provide legal advice.

Visit the following Websites for more information:

U.S. Immigration and Customs Enforcement (USICE).

National Association for Foreign Student Advisors (NAFSA).