

**OFFICE OF THE CHANCELLOR**  
**University of New Orleans**

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Administrative Policy & Procedure  
(AP) 2.8  
Effective Date: **1/10/07**

This document supersedes (AP) 2.8 dated 1/1/1999

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**SUBJECT:** Exchange Visitor Program: Policies and Procedures Governing Exchange Visitors and Employment of Individuals in Exchange Visitor Status (J-1)

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**PURPOSE**

To set forth the policies and procedures governing individuals who visit or who are employed by at the University of New Orleans under the Exchange Visitor Program.

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**DEFINITIONS**

Exchange Visitor Program. "The purpose of the Exchange Visitor Program (the program) is to provide foreign nationals with opportunities to participate in educational and cultural programs in the United States and return home to share their experiences and to encourage Americans to participate in educational and cultural programs in other countries." (22 CFR 62.1)

Created as a result of the Mutual Educational and Cultural Exchange Act of 1961, the Program is administered by the United States Department of State (DOS) which is charged with facilitating Program activities by designating public and private entities to act as sponsors. Thus, the University of New Orleans (UNO) has been designated by DOS to sponsor specific activities under the Exchange Visitor Program.

Exchange Visitors. Individuals who have been invited to participate in the UNO's Exchange Visitor Program are called Exchange Visitors. They are foreign nationals with permanent residences outside of the U.S. who are non-immigrants and who are invited to engage in a specific activity described below. Exchange visitors are issued form DS-2019, Certificate of Eligibility, which is used to apply for a J-1 visa at a U.S. Embassy or Consulate. Upon entering the United States, the inspecting immigration officer will place such individuals in J-1 status, which is their immigration classification (status).

Department of Homeland Security (DHS). The agency responsible for administering the Immigration and Nationality Act (INA) as amended. The DHS monitors all matters related to international visitors who are in the United States

J-1. Designation by the State Department and the Department of Homeland Security (DHS) which describes an exchange visitor.

Responsible Officer/Alternate Responsible Officer. Individuals who are designated by DOS to administer the Exchange Visitor Program and sign official federal documents.

Student and Exchange Visitor Information System (SEVIS). Data management system used by DHS and Program Sponsors to track and monitor exchange visitors.

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## SPECIFIC PROGRAM CATEGORIES

The University of New Orleans has been authorized to invite individuals to participate in specific program categories: university students, short-term scholars, research scholars, and specialists. Some exchange visitors may be appointed to UNO positions subject to eligibility requirements explained below.

- A. **University Students:** Individuals who are pursuing full-time course study culminating in the award of a U.S. degree or engaged full time in a prescribed course of study of up to 24 months duration. Students must satisfy UNO admission requirements.

**Duration of Participation:** Degree seeking students may remain as long as needed to complete the degree. Non-degree students may remain up to 24 months for completion of a specified course of study. Students are also eligible for up to 18 months of academic training (employment permission). Up to 36 months of academic training may be devoted to postdoctoral research.

- B. **Short-Term Scholars:** Professors, research scholars, or persons with similar education or accomplishments who may come to the U.S. on a short-term collaborative visit for lecturing, observing, consulting, training, or demonstrating special skills.

**Duration of Participation:** Short-term scholars may remain for the length of time needed to complete a particular program objective, not to exceed six months. No extensions are possible.

- C. **Professors:** Individuals primarily teaching, lecturing, observing, or consulting. A professor may also conduct research, but the primary function should be teaching.

**Duration of participation:** Professors may remain for the length of time necessary to complete a specified teaching objective, not to exceed five years.

- D. **Research Scholars:** Individuals primarily conducting research, observing or consulting in connection with a research project. A research scholar may also teach but the primary function should be conducting research.

**Duration of Participation:** Research scholars may remain for the length of time necessary to complete a specified research project, not to exceed five years.

- E. **Specialists:** Individuals who are experts in a field of specialized knowledge or skill and who come to the U.S. for the purpose of observing, consulting, or demonstrating special skills. This category is intended for individuals who do not fit into the professor, research scholar, or short-term scholar categories.

**Duration of Participation:** Specialists may remain for length of time needed to complete a particular program objective, not to exceed one year.

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## ELIGIBILITY

- A. **Students** are eligible for the Exchange Visitor Program if at any time during their studies:
1. they or their program are financed directly or indirectly by the U.S. government, the government of the students' home country, or an international organization of which the U.S. is a member by treaty or statute;
  2. the program is carried out pursuant to an agreement between the U.S. government and a foreign government;
  3. the program is carried out pursuant to a written agreement between UNO and a foreign educational institution or foreign government;
  4. they are supported substantially by funding from any source other than personal or family funds.
- B. **Professors, Research Scholars, and Short-Term Scholars** are eligible for the Exchange Visitor Program if:
1. the exchange visitor's appointment to the position is temporary, even if the position itself is permanent;
  2. the exchange visitor will not be a candidate for a tenure-track position.
- C. **Specialists** are eligible for the Exchange Visitor Program if they:
1. are experts in a field of specialized knowledge or skill;
  2. seek to visit UNO for the purpose of observing, consulting, or demonstrating their special skills, and;
  3. will not fill permanent or long-term employment while at UNO.
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## GENERAL POLICY

### A. Participation

UNO's participation in the LSU System Exchange Visitor Program since the inception of the Program in the early 1960s has provided a variety of student, faculty and research exchange visitors. In July 2003, the U.S. Department of State designated the University of New Orleans as a Program Sponsor. Exchange visitors have not only enriched University functions but also have provided rewarding professional and institutional access to a world community of scholars which otherwise could not have been so easily obtained. For these and other reasons, all academic divisions of the University are encouraged to participate in the Program.

### B. Administrative Responsibility

1. The Responsible Officer of the UNO Exchange Visitor Program is the Director, Office of International Students & Scholars (OISS).
2. Alternate Responsible Officers may be appointed by the Responsible Officer in order to carry out administration of the program.
3. Academic departments may initiate the visit or employment of exchange visitors in the professor, research scholar, short-term scholar, and specialist categories by contacting the OISS and completing the *Request for DS 2019* form. Faculty members who wish to sponsor exchange visitors must comply with current institutional policies and procedures governing the appointment of faculty and staff.
4. The Admissions Office, Division of International Education (DIE) and the OISS facilitate the enrollment of student exchange visitors. In the case of students under the auspices of an

international agreement, the academic department or division which arranged the agreement works closely with the Admissions Office, the Registrar's Office, and the OISS to facilitate the enrollment of such students. If eligible, student exchange visitors may also be enrolled in the Intensive English Language Program (IELP).

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## AUTHORITY

Immigration and Nationality Act as amended

Department of State Regulations: 22 CFR Part 62

Department of Homeland Security Regulations: 8 CFR Parts 214 and 274a

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## PROCEDURES

### A. Selection and Employment of Students

Student exchange visitors typically come to UNO under the auspices of a friendship agreement with a foreign institution or they may be sponsored by an agency which requires that they participate as an exchange visitor. All students must meet UNO admission requirements. Upon admission to the University, the OISS or DIE will issue form DS-2019, *Certificate of Eligibility for Exchange Visitor Status*. This document is used to apply for a visa at a U.S. Consulate or Embassy, to facilitate a transfer from another Program sponsor, or to apply for change of status to J-1 (if student is in another non-immigrant classification).

**Personnel Actions.** Departments that employ students in exchange visitor status must follow all LSU System and UNO policies and procedures for the appointment of student workers and graduate assistants. In addition, form I-9, *Employment Eligibility Verification*, must be accompanied by a copy of form DS-2019, passport, I-94 card (usually stapled into the passport), and the *Certification of On Campus Employment* form available from the OISS. Students must obtain the latter form from the OISS and submit it to the hiring department. In addition, student employees must complete the *Foreign National Tax Information* form and all applicable tax withholding documents with the International Tax Coordinator.

**Extensions.** Students must be advised by the OISS on procedures to extend their permission to remain in the U.S.

### B. Selection and Employment of Professors, Research Scholars, Short-Term Scholars, and Specialists

Not all foreign nationals are eligible to participate in UNO's exchange visitor program. Therefore, no offers of employment or invitations to prospective exchange visitors should be made without first consulting the OISS. This will ensure that UNO remains in compliance with federal guidelines regarding the visit and employment of exchange visitors. Forms needed to obtain approval to invite or employ exchange visitors are available at [www.uno.edu/oiss](http://www.uno.edu/oiss).

1. Departments that wish to invite or employ prospective exchange visitors must consult with the Office of International Students and & Scholars (OISS) to determine if the purpose of the visit is consistent with DOS guidelines and institutional policy. In addition, the approval of the dean of the college is required to ensure that college guidelines are followed.
2. Departments and colleges should ensure that prospective exchange visitors have been rigorously reviewed and that they meet the high standards of excellence demanded of all University faculty and research staff. In addition, prospective exchange visitors should be proficient in English so that they can carry out necessary duties and engage in meaningful interactions with their American colleagues.
3. If the exchange visitor is employed, appointment procedures will essentially be the same as those followed for U.S. citizens and lawful permanent residents, except as indicated below.
4. Once the OISS has determined that the Exchange Visitor Program and J-1 status is the appropriate category, the sponsoring faculty member or department chair must submit the following documents to the OISS after the approval by the dean of the college:
  - a. *Request for DS-2019 and Approval form*, available from the OISS.
  - b. A copy of the prospective exchange visitor's resume or vita.
  - c. A copy of the standard UNO Employment offer letter or a copy of the letter of invitation signed by the chairman/department head and dean.
  - d. Document(s) verifying the source and amount of any funding which is in lieu of or in addition to UNO funding.
5. The OISS will prepare form DS-2019, *Certificate of Eligibility for Exchange Visitor Status*. This document is used by the prospective exchange visitor to apply for a visa at a U.S. Consulate or Embassy, to facilitate a transfer from another Program sponsor, or to apply for change of status to J-1 (if the individual is in another non-immigrant classification).

C. **Personnel Actions and Extensions for Professors, Research Scholars, and Short-Term Scholars, and Specialists**

1. **Personnel Actions for Employees.** The appointment of exchange visitors who are professors, research scholars, short-term scholars, and specialists generally follows the same procedures as those for all other employees. Form DS 2019, passport, and I-94 card (usually stapled into the passport) should be submitted with form I-9, *Employment Eligibility Verification*, and other supporting documents which accompany Form 101. In addition, employees must complete the *Foreign National Tax Information* form and all applicable tax withholding documents with the International Tax Coordinator.
2. **Personnel Actions for Non-employees.** Even if the exchange visitor will not receive remuneration from UNO, form 101 or UNO-1b must be completed indicating gratis appointment, and submitted through normal routing channels.
3. **Extensions.** Departments wishing to extend the stay of an exchange visitor must submit the following documents to the OISS:
  - a. *Request for the Extension of an Exchange Visitor (J-1 Status)* form, available from the OISS; and,
  - b. A copy of Form 101, in the case of a UNO employee, and/or original document(s) verifying the source and amount of any funding which is in lieu of or in addition to UNO funding.

The OISS will prepare a new form DS-2019 and will notify DOS of the extension. The department must then complete a new form I-9, *Employment Eligibility Verification*, and submit it along with a copy of the exchange visitor's new DS-2019 to the Human Resources Office.

**D. Tax Obligations**

In order to ensure that UNO is in complete compliance with federal and state tax withholding requirements, departments that invite or employ exchange visitors should consult with the International Tax Coordinator.

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