

General Guidelines & Procedures for International Research and Faculty Scholars

International research scholars enter the U.S. as non-immigrants for the purpose of receiving education, research or additional professional training in their academic fields through research, teaching, or both. Most enter the U.S. on the J-1 Exchange Visitor Program in the Research Scholar category using DS-2019 Forms issued by OISS. J-1 research and faculty scholars may participate in exchange visitor training programs in the U.S. for a maximum of five (5) calendar years. Their immediate dependents arrive as J-2s.

Occasionally, an international scholar may arrive at Rice University on *F-1* Optional Practical Training or *J-1* Academic Training following the completion of a degree program as an F-1 or J-1 student at another institution. Optional Practical Training (F-1) is generally valid for one year, and 18 months for J-1. The *H-1B* visa application may be processed on behalf of the researcher after Practical Training and Academic Training is used. Occasionally, the international scholar will enter the USA on a *TN* visa (Canadian and Mexican citizens only), *O-1* (Extraordinary Ability), and many times on the *H-1B* visa (non-immigrant worker). Spouses of J-1 scholars may be eligible for employment authorization on their J-2 visa.

Invitation

Departments wishing to invite an international scholar send 1) the copy of the PA form, 2) the curriculum vitae and 3) the completed DS-2019 Request Form (if the scholar is coming on a J-1 visa) signed by a departmental representative at the bottom to the Dean's office, as well as any other documentation required for Dean's approval. Documents are then forwarded by the Dean's office to OISS to issue the DS-2019 form (see the end of the document for a list of requirements).

OISS reviews the requests and, provided documentation is in order, issues the DS- 2019 for J-1 scholar.

Institutional policy is to use J-1 visas for international scholars whenever possible. However on exceptional basis, an H-1B, B-1, O-1, J-2 (EAD required) or TN (for Mexican and Canadian citizens) may be utilized. Feel free to contact OISS for any questions or clarification.

Once the petitions are approved for J-1 visa documents, departments are contacted for document pick-up. Supplemental information is included in the packets about consular processing and U.S. health insurance obligations. The international scholar then presents these documents to a U.S. Consulate or Embassy in the home country to obtain the appropriate visa stamps to enter the U.S.

NOTE: Financial support verification is extremely important and must be in order before visa documents will be issued.

Arrival

When international research scholars and faculty scholars arrive to Rice University, they must check in with OISS located in Lovett Hall, Entrance A, second floor. During check-in, the OISS staff reviews the international scholars' visa documents and provides a brief orientation, discussing legal responsibilities while in the U.S. OISS will provide instructions for the foreign visitor to register in Payroll and Human Resources *after* visiting OISS.

Extensions

All international scholar visa documents contain expiration dates. If an international research or faculty scholar anticipates that the program will last beyond the expiration date stated on the visa documents, the scholar must contact OISS to apply for an extension of visa status. The extension process must be completed in full *before* the documents expire, and this can be long process for the H-1B status. If the international scholars' work at Rice exceeds, the J-1 (5 years) or F-1 OPT (generally 12 months) or the J-1 Academic Training (18 months), there may be the possibility to apply for an H-1B visa if the 2-year home residency requirement attached for many J-1's, is not applicable.

H-1B visas require that international researchers be paid by Rice University only. Researchers with funding from overseas are ineligible for H-1B visas and must use J-1 visas only.

Severe penalties exist for international scholars who do not extend their visa documents in a timely manner.

Whenever possible, departments and divisions should help international scholars track the expiration of their visa documents. International scholars frequently forget to extend their documents, and any assistance departments could render in reminding them would protect international visitors and the institution from severe penalties. OISS does have an automatic alert system that send out reminder email at times to the scholars and departments. Human Resources also has their own alert system of reminders, as well.

Changes in Program

International scholars wishing to change academic programs must notify OISS in advance of securing the change (at least 30 days in advance for scholars in J-1 status and at least 5 months in advance for scholars in H-1B status) so that amendments may be made to the visa documents. If a department or division becomes aware of an international scholar who is changing any terms of his/her programs, please refer the scholars to OISS immediately. This referral also applies for changes in financial support.

NOTE: Changes in employment for scholars in H-1B status may require significant paperwork before the changes can go into effect. Such paperwork can take several months to process. As a result, close and timely communication with OISS is essential.

Financing the Visa Application

F-1, J-1, TN and J-2 visas employment authorization may be secured with no extra cost to Rice, however, an immigration lawyer will be utilized for the H-1B application and other visa options, e.g. O-1, Permanent Residency, etc. For postdoctoral positions, Rice will pay the legal fees for H-1B through a special legal fees account. However, J-1, F-1, and J-2 visa options must be maximized before another visa option is considered. Please, contact OISS to discuss appropriate visa options. The legal funds account does not cover cost for lecturers and professors for legal visa processing. NOTE: There are limited funds in the Rice legal funds account, so the funds will be allocated on a first-come, first need basis, and must be cleared in advance by the OISS Executive Director.

Employment Issues

International scholars are strictly limited in their employment opportunities while in the USA. They may only engage in employment related to their programs as stated on the DS-2019s or as stated in their H-1B petitions. Occasional consultations or lectures may be allowed on the J-1 visa only, but permission for these activities must be received in writing from OISS *prior* to performing the services. Similar consultations or lectures are not allowed under H-1B status.

NOTE: Engaging in unauthorized employment in the U.S. is a serious offense and can result in severe penalties, including deportation. Issues of dependent employment must be addressed individually by OISS.

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Required Documents for Initial SEVIS DS-2019 (For J-1 Scholar Visa)

1. _____ Copy of Passport identity page
(If not available, name must be spelled exactly as it will be on passport)
2. _____ Dean's Offer Letter: two copies and one original
3. _____ Proof of financial support if not provided by Rice University
4. _____ CV
5. _____ Copy of the PA form
6. _____ DS-2019 Request Form (fully completed)