HSC OP: 70.28, Exchange Visitor Program (J-1 Visa)

PURPOSE: The purpose of this Health Sciences Center Operating Policy and Procedure (HSC OP) is to establish an Exchange Visitor Program which promotes a bona fide educational and cultural exchange program. This program is designed to promote interchange of persons, knowledge and skills, and the interchange of developments in the field of education and the arts and sciences. The program is concerned with the following categories of participants: professor, research scholar, specialist, and international visitor. This HSC OP outlines the requirements that must be followed to obtain and maintain approval of the Exchange Visitor Program.

REVIEW: This HSC OP will be reviewed on January 5 of each odd-numbered year by the Assistant Vice President for Human Resources, with recommendations for revisions forwarded to the Executive Vice President by January 15.

POLICY/PROCEDURE:

1. Definitions
   a. Exchange Visitor. A "participant."
   b. Exchange-Visitor Program. A program designed to promote the interchange of persons, knowledge, skills, and developments in the field of education, arts and sciences, and concerned with one or more categories of "participants."
   c. Dependents. The alien spouse and minor unmarried children of a participant who are accompanying or following to join the participant and who are seeking to enter or have entered the United States temporarily on a J-2 visa and are seeking to acquire or have acquired such status after admission.
   d. Participant. Any foreign national who has been selected by a sponsor to participate in an Exchange Visitor Program and who is seeking to enter or has entered the United States temporarily on a J-1 visa.
   e. Responsible Officer. The official or designated alternate of an organization sponsoring an Exchange Visitor Program who has been listed with the United States State Department as being responsible for administering the program and carrying out the obligations which the organization assumes in undertaking to sponsor a program.
   f. Sponsor. Any reputable U.S. agency or organization or recognized international agency or organization having U.S. membership and offices which makes application for designation of a program under its sponsorship as an Exchange Visitor Program and whose application is approved.
   g. SEVIS - Student and Exchange Visitor Information System. A program used to electronically track and record the entry and presence of aliens who have, or are applying for, nonimmigrant F-1 or J-1 status.

2. Types of Participants.
   a. Professor. A professor participates in the program for the purpose of teaching or...
conducting advanced research, or both, in an established institution of higher learning for a period not to exceed three years.

b. **Research Scholar or Specialist.** A research scholar or specialist participates in the program for the purpose of undertaking or participating in research or in demonstrating specialized knowledge or skills for a period not to exceed three years.

c. **International Visitor.** An international visitor participates in the program for the purpose of travel, observation, consultation, research, training, sharing, or demonstrating specialized knowledge or skills, or participating in organized people-to-people programs for a period not to exceed one year.

3. **Program Procedures.** The following procedures will govern the TTUHSC Exchange Visitor Program:

a. All faculty and staff appointments made in connection with this program and all expenses related thereto are to be made within the current approved budget allocations of the employing departments. These participants are subject to salary withholding for retirement in the same manner as all other employees. Participants are exempt from Social Security tax and may be exempt from U.S. income tax based on the tax treaty between their country of citizenship and the United States. After two calendar years of presence in the United States, exchange visitors are subject to social security tax.

b. This program was established for the purpose of promoting an interchange of persons, knowledge, and skills and the interchange of developments in the field of education and the arts and sciences. It is not available or intended for a substitute for other visas when the purpose is to perform specified services.

c. Participants in this program are to be engaged solely for the purpose of observation, consultation, teaching or research. There is no element of patient care involved. Any incidental patient contact involving the alien physician must be under the direct supervision of a physician who is a U.S. citizen or resident alien and who is licensed to practice medicine in the State of Texas. Attachments C, D and E must be signed and on file with the Human Resources Department for any alien physician involved in the program.

d. This program will be reciprocal wherever possible.

e. The minimum size Exchange Visitor Program is five participants per year.

f. All applications for J-1 visas will be processed through Human Resources, Lubbock campus.

g. All participants in the program and their dependents must be covered by health insurance and life insurance with accidental death and dismemberment benefits. Insurance coverage shall be in effect when they begin their program at TTUHSC. Therefore, participants in the program who become employed by TTUHSC will be provided the TTUHSC group health insurance and life insurance with accidental death and dismemberment (AD&D) benefits. The participant is also required to have $7,500 repatriation of remains and $10,000 medical evacuation insurance. Obtaining the repatriation and evacuation insurance is the sole responsibility of the participant. The participants’ employing departments may pay the additional costs of this extended insurance coverage. The participant must provide proof of this coverage to the responsible office (Human Resources). If the participant does not become a paid employee of TTUHSC, proof of health and AD&D insurance coverage must be provided to Human Resources upon arrival. This part of the program must comply with present and future regulations governing insurance.
h. As sponsor, TTUHSC must utilize SEVIS to comply with the information and reporting requirements of the Exchange Visitor Program. This includes keying any REPORTABLE ACTIONS into the SEVIS. Reportable Actions are extensions, reinstatements, transfers, change of category, change of status, replacement of lost form, amendments, corrections, and change of address. Participants and departmental sponsors are responsible for notifying Human Resources of any Reportable Action of a participant.

i. The sponsor shall submit such reports as may be required by the United States State Department for the purpose of program review and evaluation.

j. The minimum stay for an exchange visitor is three weeks, the maximum is three years; extensions of maximum limitations for exchange visitors are available for unusual circumstances for up to six months. Departments applying for a participant through the Exchange Visitor Program should notify Human Resources at least two months before the anticipated arrival date of the participant by completing an APPLICATION FOR EXCHANGE VISITOR VISA (J-1) form. (see Attachment A)

k. Requests for extension of stay should be submitted to the Human Resources office at least three months before expiration of current stay.

l. The Assistant Vice President for Human Resources assumes the duties of the responsible officer for administering the TTUHSC Exchange Visitor Program. The Managing Director of Human Resources and the Human Resources Program Coordinator have been designated Alternate Responsible Officers.