

## Sponsoring Department roles and responsibilities

**Inviting a scholar to New Mexico State University** is more than a written invitation; it is a commitment. Your department will need to actively collaborate with the scholar during the program and provide an experience that benefits both the scholar and New Mexico State University.

**Please sign and acknowledge at the end of this document**

- **The Exchange Visitor Program is carried out pursuant to the Mutual Educational and Cultural Exchange Act of 1961**, as amended. The Act promotes mutual understanding between the people of the United States and the people of other countries through educational and cultural exchanges.
  - Sponsors and exchange visitors are required to comply with the Exchange Visitor Program’s federal regulations. For a successful program, it is essential to become familiar with the governing regulations.
  - **New Mexico State University** is an Immigration sponsor of the Exchange Visitor Program. This means that we are a legal entity that has applied for and received designation from the **U.S. Department of State** to conduct an Exchange Visitor program.
  - According to the United States Department of State, *“The Exchange Visitor Program promotes the interchange of knowledge and skills among foreign and American scholars. It does so by providing foreign scholars the opportunity to exchange ideas with their American colleagues, participate in educational and professional programs, confer on common problems and projects, and promote professional relationships and communications.”* [22 Code of Federal Regulations, 62.21]
  - Which category is most appropriate depends on the **objectives and activities** of the EV’s program. Please note that J-1 “students” have different objectives than J-1 “scholars.” [Exchange-Visitor-Program-Category-Requirements.pdf \(state.gov\)](#)
  - **Most often at NMSU, departments invite people in the categories of Research Scholar, Professor, Specialist, and Short-term Scholar. As participants in these program categories, foreign professors and research scholars engage in research, teaching, observing, and lecturing with their American colleagues.**
- IMPORTANT: People invited in these categories must be researchers or professors at home or have similar expertise and qualifications. At the very least, they must have earned a bachelor’s degree.***
- International Student and Scholar Services at NMSU are authorized to create the Certificate of Eligibility DS-2019 form that candidates need to apply for the J-1 Visa.
  - While at NMSU, Exchange Visitors (EVs) must have a structured, supervised program that is done in close collaboration with the sponsoring department. *(The Exchange Visitor Program is not meant for visitors who simply wish to use NMSU facilities to*

- *accomplish their own objectives for projects at home.)*
- EVs require a **J-1 Visa** to enter the United States. There are several J-1 visa categories. **New Mexico State University** has permission to host the following:
  - 1) Degree-seeking student,
  - 2) Short-term scholar
  - 3) Research scholar
  - 4) Professor
  - 5) Specialist
  - 6) Intern
- **SEVIS** is the web-based system that keeps track of visitors in the United States. SEVIS is

administered by a division of **U.S. Immigration and Customs Enforcement**, which is the largest investigative arm of the **Department of Homeland Security**. NMSU advisors are required to use SEVIS to enter information about international visitors.

The EV's should be in contact with ISSS for SEVIS update before and after they arrive. SEVIS is the system used to create the DS-2019 form.

- While International Student and Scholar Services are not employed by the Departments of State or Homeland Security, they are required to obey Immigration laws as part of administering the J-1 program.

### Host Department's Responsibilities

There are a variety of responsibilities New Mexico State University has when hosting Exchange Visitors. Please review and understand them. You will want to keep this information in mind as you design your program and conduct it.

#### Screening and Selection of Scholar

To ensure that the program is suitable, the host department must ensure that:

1. Participants' backgrounds, needs, educational qualifications and experiences are appropriate for the activities to be pursued at NMSU and that they meet the eligibility criteria for the selected immigration category.
2. Sponsors are required to ensure that their participants are sufficiently proficient in the English language to participate in their exchange programs before they enter the United States. **[22 CFR 62.10(a)(2)]**

#### Establishing Goals and Objectives Before Scholar Applies for Visa

As you design the program, please keep in mind that it is not possible to change the objectives of your program after your scholar has received the DS-2019 and applies for a visa based on that (because the granting of the visa was based on the original information provided to the U.S. Embassy or Consulate via the DS-2019). Therefore, please take time now to carefully plan the program before immigration documents are created.

### **Proof of English Proficiency**

The host department must determine whether the scholar's English proficiency is sufficient to accomplish the activities of the exchange program and is able to communicate effectively with peers.

### **Academic Credentials**

You must also ensure that the EV has appropriate academic credentials for the category and program. EV's must be researchers or professors at home or have similar expertise and qualifications. Please ensure the EV has completed a bachelor's degree or higher.

### **Supervision**

The host department (not any third party who may have originally invited the EV) is ultimately responsible for arranging the EV's program and for ensuring that the EV carries out the goals and objectives of the program.

### **Monitoring**

Sponsors are required to monitor the progress and welfare of their EVs. Sponsors are to ensure that the participants' activities are consistent with the program category identified on the participants' DS-2019.

### **Location/Site of Activity**

There must be a relationship between a site of activity and EV's original program objectives. Failing to maintain that objective is a violation of EV's visa status. Generally, the purpose of a change of site is to facilitate a continuation of your original program objectives. The host department must request and receive approval for a change of Site of Activity (SOA) before moving to a different site.

### **Full-Time Program**

The Exchange Visitor's program must be pre-planned and arranged so that scholars are engaged full-time and have specific objectives to accomplish. This means they are busy with research or teaching activities for at least 35 hours a week performing the activities that you intend to describe in this application.

### **Employment at the location listed**

J-1 scholars (Short-Term Scholar, Research Scholar/Professor, and Specialist) are required to be employed and conduct their exchange activities at the location(s) listed on their Forms DS-2019. Paid employment for J-1 scholars is permitted only if it is an integral part of the exchange program. In most cases, it is not possible for a J-1 visa holder to accept paid employment outside of NMSU without prior authorization.

**PLEASE NOTE:** If a researcher or professor performs a service (such as giving a presentation) and receives **anything in return** (such as cash, an honorarium, free lodging, free car rental, free airfare...free ANYTHING), Immigration sees this as "repayment" for services rendered and therefore it constitutes "employment." **This applies whether it is the NMSU host department or an outside organization who wishes to provide the scholar with some kind of payment or repayment.** Since payment or employment opportunities are very limited for scholars, extra care must be taken.

To engage in such activities, Exchange Visitors are required to **receive a permission letter from their ISSS office (the International Student and Scholar Services at NMSU) before they do anything that might constitute employment.**

- This written pre-approval is necessary for the scholar to remain in good legal standing with Immigration. Not receiving prior written permission can result in serious consequences for the scholar and University, including termination of the scholar’s program (and possibly the loss of NMSU permission to host future Exchange Visitors).
- The **International Student and Scholar Services at NMSU** is always glad to answer questions to help keep the scholar in good standing with immigration, but it is ultimately the EV’s responsibility to know and follow these laws.

**Getting Established at work**

Ensure the EV’s workstation is ready for activities. Provide a brief orientation about department & NMSU. Lab & building access is approved in a timely manner. Introduce them to colleagues in your department. Help with ID card, email address set up and parking permits (if applicable.)

**Adapting to New Mexico**

It is the host department’s responsibility to help the scholar find housing, tour the campus and community, help any children register for school, and help the scholar experience American life and culture. Make sure to provide resources about transportation.

**Orientation**

Please ensure the EV schedules an appointment with ISSS within 2 weeks of Program Start Date. If there are any delays, please notify ISSS immediately. Please email [iss@nmsu.edu](mailto:iss@nmsu.edu) to schedule an orientation session.

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Name of host department

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Date

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Host Advisor Name & Signature

## The DS-2019 Application Begins Here

Some areas of the application need to be completed by the Exchange Visitor Candidate and others need to be completed by the New Mexico State University host. Please see the black bars for guidance.

### DEPARTMENT HOST SECTION

**Program Specifics as defined by the NMSU Host Department:  
*This section must be completed by the NMSU Host Department.***

The details that you provide below will be entered into SEVIS (a web-based system monitored by U.S. Immigration and Customs Enforcement). Information will be used to determine whether the J-1 visa is appropriate for the objectives of your program. Details of your candidate's program (such as its goals, objectives, timelines, funding, etc.) must be determined and set in place before Immigration documents can be created for the visitor by ISSS. *It is important that the purpose and objectives of the program remain the same after ISSS creates the visitor's DS-2019. Significant changes to the EV's activities after the EV has been granted the visa can be seen as a "misrepresentation of the visa" and this can have serious consequences. Therefore, please make your description and information about the program as complete as possible now.*

**A. Review the J-1 Visa Categories Options and select the category below that you think most closely fits the activities and objectives of the EV's program at NMSU.**

- |   |   |                                    |
|---|---|------------------------------------|
| <input type="checkbox"/> Short-term Scholar | <input type="checkbox"/> Degree-Seeking Student | <input type="checkbox"/> Professor |
| <input type="checkbox"/> Research Scholar   | <input type="checkbox"/> Specialist             | <input type="checkbox"/> Intern    |

**B. Please explain the overall purpose of the candidate's visit.  
*What objectives do you and the scholar have for the program?***

**C. Please state the anticipated outcomes for this research collaboration.**

**D. Describe the specific activities that the Exchange Visitor will do to carry out the program.**

*(For instance, conduct literature reviews, interview local students, collect and analyze data, conduct lab experiments, write journal articles, etc.) Please be as specific as possible* as our office will generate the DS-2019 based on this information. Also, EV's cannot deviate from their goals after the DS-2019 is generated.

**E. Exchange programs are meant to be mutually beneficial to both visitors and hosts. What benefits does the NMSU department expect will come from hosting the EV?**

**F. Does the EV wish to teach or attend/observe any NMSU classes? If yes, please explain.**

**G. Do you anticipate that the EV will be invited to give presentations or engage in activities for which the EV would receive some kind of reimbursement or repayment (money, lodging, airfare, meals, etc.)?**

Yes  No      If yes, please explain:

**H. Physical address where the scholar will be working?**

I. Based on the program goals and objectives, please select most appropriate CIP code from the following link <https://nces.ed.gov/ipeds/cipcode/browse.aspx?y=55> Make sure to provide the 6-digit code and title. (e.g. Code: 14.0101 Title: Engineering, General)

J. Proposed dates of Exchange Program Begin: \_\_\_\_\_ End: \_\_\_\_\_

K. What kinds of socio-cultural activities do you have planned so that the Exchange Visitor can experience American life and meet local people? Please list your plans here.  
*(Examples of such activities could include things like taking the scholar to White Sands, visiting Mesilla Valley, going on a hike, introducing the scholar to American families, going to a university football game, etc.)*

M. Who will collaborate with the EV on the program?

\_\_\_\_\_  
(Name and Department)

N. Department Chair approval signature and Index number to process the J-1 application.

\_\_\_\_\_  
Index # \_\_\_\_\_

O. Department host emergency contact information:

Name: \_\_\_\_\_

Email: \_\_\_\_\_

Phone number: \_\_\_\_\_

**Financial Verification/Proof of Funding:**

This page must be answered by the Visitor **AND** the NMSU Host Department

Immigration requires that Exchange Visitors have sufficient funds to cover all expenses while in the United States for their entire duration.

To this end, the ISSS is required to collect specific details about a candidate's funding amount(s) and source(s) before immigration documents may be created.

Therefore, Exchange Visitors will be asked to provide proof of funding as part of this application. (They will also need to show proof when applying for visa in their home country or going through U.S. Customs and Immigration in the United States.)

**How much funding is needed to process a DS-2019?**

To process a DS-2019, the ISSS office will need funding for a **minimum of \$1,500 USD/Month or \$18,000 USD/Year**

*(This is an estimate. Scholars may need more funding to pay for their cost-of living expenses.)*

**How much should be provided for dependents?**

A J-2 spouse will require an **additional \$800 USD/Month or \$9,600/Year**. Each child will require **at least \$600 USD/Month or \$7,200/Year**

**\$ Funding Requirements \$**

The host department must email a copy of **the original, official and stamped documentation from the agency or source from whom funding is received for the entire duration, including NMSU funding, if any.**

Funding letters from an organization or sponsor should state: the scholar's name; that the scholar will be participating in an exchange program at NMSU; the start date and end date of the program; the amount of funding to be provided. The scholar's funding documentation must be valid for the scholar's stay.

Bank statements must be on a bank letterhead, with account holder name and account number, as well as final balance and statement issue date. The bank statement must be no older than 3 months.

If all the above listed documents are not in English, they must be translated and notarized before submitting to ISSS.

<b>Check all that is applicable</b>		
<input type="checkbox"/> <b>NMSU</b>	\$	Amount of Funding
<input type="checkbox"/> <b>Exchange Visitor's Home Government:</b>	\$	Amount of Funding
<input type="checkbox"/> <b>Other (Please explain):</b>	\$	Amount of Funding
<input type="checkbox"/> <b>Personal Funds:</b>	\$	Amount of Funding

English proficiency verification

Check all that is applicable:

- EV has completed any degree from a U.S institution.
- EV is from an English-speaking country.
- EV will submit proof of English proficiency from *TOEFL*, *IELTS* or *Duolingo*\*
- Department completes English Interview Proficiency Verification Form

\**TOEFL 68 to 78 IBT; IELTS 6.0; Duolingo 95 to 104*

**EXCHANGE VISITOR COMPLETES THIS SECTION**

**The Scholar Candidate must also provide:**

- ① A copy of a Curriculum Vitae or Résumé; ② A copy of a valid passport.
- ③ A copy of each dependent's valid passport; and ④ A proof of funding document (*copies*).

**Have you been an Exchange Visitor in the United States at any time within the past 12 months?**

YES       NO

- If YES, please name the type of J-1 that you were:

\_\_\_\_\_  
*Short-term Scholar, Student, Researcher, Professor, intern, etc.*

- What were the beginning and ending dates of your J-1 program?

Beginning: \_\_\_\_\_

Ending: \_\_\_\_\_

**Are you transferring from another Exchange Visitor Program from elsewhere in the United States?**

YES                       NO

If YES, please name the type of J-1 that you were:

\_\_\_\_\_ *Short-term Scholar, Student, Researcher, Professor, etc*

- What were the beginning and ending dates of your J-1 program?

Beginning: \_\_\_\_\_

Ending: \_\_\_\_\_

- Please provide the name of the current institution name and International Students Office contact information

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**➡ If you answered “Yes” to any of the questions on this page, please now provide a copy of your previous DS-2019, J-1 visa & I-94, by sending a copy to the International Students & Scholar Services office at [iss@nmsu.edu](mailto:iss@nmsu.edu)**

### Personal Information

**1. Exchange Visitor’s Name** (as it appears in your passport)

\_\_\_\_\_ *Family Name/Surname*                      *First Name*                      *Middle Name*

2.  **Male**     **Female**

3. **Date of Birth:** \_\_\_\_\_

4. **City of Birth:** \_\_\_\_\_

5. **Country of Birth** \_\_\_\_\_

6. **Citizen of** \_\_\_\_\_  
*Country*

7. **Permanent Resident of** \_\_\_\_\_  
*Country*

**8. Your Current Contact Information:**

Full Address: \_\_\_\_\_  
\_\_\_\_\_

Email Address: \_\_\_\_\_

Telephone Number (include country code): \_\_\_\_\_

9. **Last Degree Earned:**  Bachelor's degree  Master's Degree  Doctoral Degree

Other \_\_\_\_\_

Name of institution where you received this degree: \_\_\_\_\_

10. **Position in Country of Residence:**  Graduate Student  Undergraduate Student

Government Official  Researcher  Professor

Other (please specify) \_\_\_\_\_

11. **Employer in Home Country, if applicable:** \_\_\_\_\_

**EMERGENCY CONTACT INFORMATION**

**Contact Information Name:**

\_\_\_\_\_

<i>Family Name/Surname</i>	<i>First/Given Name</i>	<i>Middle Name</i>
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Relationship with Exchange Visitor, if any: \_\_\_\_\_

Full Address: \_\_\_\_\_

Phone Number (include country code): \_\_\_\_\_

Permanent Email Address: \_\_\_\_\_

**Dependents**

Dependents who will accompany an EV also need a DS-2019 to apply for their visas (J-2). It is important to know ahead of time whether the Exchange Visitor will bring a spouse and/or children or not.

**Question: will the Exchange Visitor be bringing a spouse and/or children?**

Please check one:

- No, the Exchange Visitor will NOT bring any dependents.
- Yes, the Visitor's immediate family WILL accompany him/her
- Yes, but the Visitor's family WILL ARRIVE AT A LATER DATE

**Please provide the following information for each dependent**

**1. Dependent's Name:** \_\_\_\_\_  
*Family Name/Surname*
*First/Given Name*
*Middle Name*

Male  Female  Dependent's Relationship to Exchange Visitor: Spouse  Child

Date of Birth \_\_\_\_\_ City and Country of Birth \_\_\_\_\_  
*City and Country*

Citizen of \_\_\_\_\_ Legal Permanent Resident of \_\_\_\_\_  
*Country*
*Country*

**2. Dependent's Name:** \_\_\_\_\_  
*Family Name/Surname*
*First/Given Name*
*Middle Name*

Male  Female  Dependent's Relationship to Exchange Visitor: Spouse  Child

Date of Birth \_\_\_\_\_ City and Country of Birth \_\_\_\_\_  
*City and Country*

Citizen of \_\_\_\_\_ Legal Permanent Resident of \_\_\_\_\_  
*Country*
*Country*

**3. Dependent's Name:** \_\_\_\_\_  
*Family Name/Surname*
*First/Given Name*
*Middle Name*

Male  Female  Dependent's Relationship to Exchange Visitor: Spouse  Child

Date of Birth \_\_\_\_\_ City and Country of Birth \_\_\_\_\_  
*City and Country*

Citizen of \_\_\_\_\_ Legal Permanent Resident of \_\_\_\_\_  
*Country*
*Country*

## 12-and 24-Month Bars

### ● 12-MONTH BARS/RULE ●

Is a law that applies to J-1 visa candidates in the **Researcher and Professor** categories. It says that time spent as an Exchange Visitor during the 12-month period preceding the new program's start date may affect whether that EV is eligible to participate as a Researcher or Professor or not. (The bar also applies to J-2 dependents.)

A candidate may be eligible for **Researcher or Professor status** only if the candidate has not been physically present in the U.S. as a nonimmigrant for all or part of the 12-month period immediately preceding the start date of the new program unless:

- a. The candidate is transferring as a J from another U.S. program.
- b. The candidate's prior presence in the U.S. was less than six months long; or
- c. The candidate was a Short-term Scholar.

### ● The 24-MONTH BARS/RULE ●

In the past, Researchers and Professors in J visa status were eligible to stay in the U.S. for up to 3 years. Recently the U.S. Department of State has extended this time to **5 years**. Along with this change, they have also imposed a **24-month bar on "repeat participation" in the J-1 Research Scholar/Professor categories**. This means that any scholar who comes to the U.S. for any length of time in the Research Scholar or Professor category will not be able to return to the U.S. in J-1 Research Scholar/Professor categories for a period of two years. The bar also applies to J-2 dependents. **(The 24-month bar is NOT the same thing as the "Two-Year Home Residency Requirement," which some visitors are subject to because of the funding they have or skills they possess.)**