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Introduction

This guide is designed to help the UAlbany community navigate the process of working with international students and scholars. While it is not meant to be a total and complete rule book for all aspects of visa regulations, it is a resource that will provide answers to the most commonly asked questions that arise when working with students and scholars from around the world.

International Student and Scholar Services (ISSS), part of the Office of International Education (OIE), is the office on-campus that is ultimately responsible for the visa and immigration needs of all international students and scholars. We provide overall orientation and ongoing advice to international students and scholars and to the University community who work with these individuals. International Education is located in Science Library G-40 on the Uptown Campus. The ISSS staff is on hand to offer help and guidance. Please contact us at 618-591-8189 or ISSS@albany.edu.

Our staff includes:
Michael Elliott, Director
Tara Evans, Associate Director
Annie Heavener, Advisor
Tricia Tierney, Administrative Coordinator

International Students

We have many students who may look or sound different from “traditional” students. Not all of these students are bona fide international students. Some may be permanent residents; others may be native-born or naturalized citizens of the United States. Such is the “stew” of American society. Be aware that assumptions may prove to be false! Unfortunately, we are not able to assist US Citizens or Permanent Residents of the USA.

“International students” come to the University at Albany with a variety of non-immigrant visas, i.e. visas issued by U.S. consulates to individuals who wish to be admitted to the U.S. for a limited, temporary purpose and who indicate that they plan to depart the U.S. after completing that purpose. Different visas have different rules governing what the person can do while residing in the U.S. For our purposes the rules relating to study and employment are most important. With some important exceptions, most visas allow the visa holder to engage in study; however, employment is usually strictly regulated, if not prohibited.

The most common student visas are F and J, with J being reserved for “exchange visitors” (students and scholars) coming with support either from the U.S. government, their home country government, or sometimes, the University at Albany (e.g. assistantships). F-1 and J-1 visas are issued to the principal visa holder; F-2 and J-2 visas are issued to their dependents, if any. ISSS is required to certify to the Department of Homeland Security the full-time enrollment each semester of F-1 and J-1 students, in the electronic tracking system called SEVIS (Student
and Exchange Visitor Information System). (Summer enrollment is not reported, except in the case when a student begins the program of study in the summer.)

Certificates of Eligibility

International students who intend to apply for an F-1 or J-1 visa receive a “certificate of eligibility” from Undergraduate or Graduate Admissions when they have been accepted and have shown that they have sufficient financial resources to fund their studies (including living costs) for one year. Form I-20 is the certificate used to apply for the F-1 visa; form DS-2019 is the equivalent certificate used to apply for the J-1 visa. (See samples in Appendix A.)

Requirements of F and J Student Visa Holders

Students must:

1. Check in with ISSS at the mandatory International Student Orientation, help prior to the start of every Fall and Spring semester.

2. Keep the I-20 or DS-2019 form valid by:
   a. Following proper procedures for extension of stay. Get the I-20 Extension forms.
   b. Following proper procedures for change in educational levels or programs of study.
   c. Following proper procedures for transfer of schools.
   d. Reporting a change of address to ISSS within 10 days of the change.

3. Pursue a “full course of study” during every Fall and Spring semester, or unless approved in advance under a specific exception by a Designated School Official in ISSS. There are also special rules for international students taking on-line courses and courses at other institutions. More information can be found on our web site.

The number of credits taken during a given semester may be reduced is there is a legitimate, HDS approved reason for dropping below full rime. A full explanation of these reasons can be found on our Reduced Course Load Authorization form.

Make normal progress towards completing the course of study, by completing studies before the expiration of the program completion date printed on Form I-20 or DS-2019.
**Full Time Status**

All F-1 and J-1 visa holders are required to enroll in 12 credits each semester, although there are certain allowable exceptions. For more information please [click here](#).

**Online Courses**

No more than one fully online or distance education course may be taken per semester toward the international student full-time requirement of 12 credits. For more about online course limitations, please [visit our website](#).

**Courses at Other Institutions**

Occasionally a student finds it necessary or expedient to take a course at another institution. If the credits at the other institution are needed to meet the international student full-time requirement of 12 credits, the student must provide proof of enrollment to ISSS prior to matriculation at the other institution. However, the student’s majority of credits must remain at UAlbany. Additionally, the student needs to consult her or his academic advisor regarding approval of transfer credits to UAlbany.

**International Students Dropping Courses**

A student who begins a semester with a full-time course load but is considering dropping below the international student requirement of 12 credits needs to consult with his or her professor and academic advisor to discuss possible solutions other than dropping courses. If it is determined that dropping a course is in the best academic interest, and the professor and academic advisor are in support of this action, the student must seek permission from ISSS via a Reduced Course Load form. Get more information by [clicking here](#).

**Employment of F-1 and J-1 Students**

Note: Graduate students with assistantships must seek approval from the Dean of Graduate Studies via their department to be eligible for additional employment, whether on or off campus.

**On-Campus Employment**

F-1 students are permitted to work part-time on campus (up to 20 hours per week while classes are in session, full time during school breaks and vacations). J-1 students have the same opportunity but must obtain a work authorization letter from the Associate Director of ISSS (or their outside sponsor, such as Fulbright) which must be submitted to Human Resources. All students offered on-campus employment must apply for a social security number, if they do not already have one, and must request a “status letter” from ISSS to support this application. Otherwise, they must apply in person at the Social Security Administration office in the Leo O’Brien Federal Building, 1 Clinton Avenue, Albany.)
Note: Students in some visa categories, such as H-4 in most circumstances, are prohibited from working in the U.S. at any job. It is the responsibility of the employer (Human Resources, Research Foundation, Chartwells, etc.) to verify a student’s eligibility for employment.

Off-Campus Employment

Special authorization from ISSS or USCIS (US Citizenship and Immigration Services, formerly known as INS) is required for off-campus employment.

1. F-1 Visa Holders
   a. **CPT (Curricular Practical Training):** Employment must be “integral” to the program of study, i.e., fulfills a course requirement, is required of all students in the program (e.g., internship), or has direct bearing on research the student is doing for a master’s thesis or doctoral dissertation. CPT will be authorized one semester at a time. If the employment is to continue, students must reapply each and every semester and include verification from the academic department that the employment is still integral to the student’s program.

      Get additional information and the procedures for [applying for CPT](#).

   b. **OPT (Optional Practical Training):** Allows student to work in a job related to the program of study for up to 12 months, either prior to or after completing the degree. Separate applications are required for pre- and post-completion OPT. No job offer is required but a recommendation from ISSS on a new I-20 form and application to USCIS (with fee) are required.

      Get more details about the [application information and procedures](#).

   c. **Economic Necessity:** Students who have been in F-1 status for at least one academic year and who experience some drastic, unexpected change in their financial situation may be eligible for employment authorization from USCIS to work off campus. The change in circumstances must be documented. Students should be referred to ISSS for advice and assistance in preparing the application to be submitted to USCIS. Annual re-applications are required for renewed authorizations.

2. J-1 Visa Holders
   a. **Academic Training:** Undergraduate and pre-doctoral J-1 students are allowed to work off-campus in an area related to their studies for 18 months or a period equal to the full course of study, whichever is less. Up to 36 months of Academic Training can be granted at the post-doctoral level, inclusive of all prior Academic Training done at that or lower levels of study. Employment must begin within 30
days of the end of the student’s program and must be authorized by the Director of ISSS. The following items should be submitted to ISSS:

- A letter of offer of employment, describing the job duties, beginning and ending dates, and salary.
- A letter from the academic adviser that includes the following information:
  a) The goal(s) and objective(s) of the specific Academic Training opportunity.
  b) A description of the Academic Training opportunity, including its location, name and address of the training supervisor, number of hours per week, and dates of the training.
  c) How the Academic Training relates to the student’s major field of study.
  d) Why it is an integral or critical part of the academic program of the student.

- **Economic Necessity**: Employment off campus may be authorized by the Director of ISSS because of serious, urgent, and unforeseen economic circumstances that have arisen since the student acquired exchange visitor status. Refer the student to ISSS.

### Other Issues Pertaining to International Students

**English Proficiency:** International students admitted to study at the University at Albany have demonstrated a sufficient level of language proficiency, so that they should not need special consideration such as extra time to complete assignments or exams. However, those who find they need extra help with English should be referred to the Intensive English Language Program (Science Library G14), the Writing Center (Humanities 140), Academic Support Services (LI 94), and Educational Theory and Practice courses “Academic Writing for International Graduate Students” (E TAP 500 and 687). In addition, ISSS can provide information on evening courses run by TESOL graduate students and other ESL offerings off-campus.

**Grace Period at End of Program:** F-1 visa holders have **60 days** after the end of the program of study (or the end of OPT) to be admitted to a new program (which must begin within 5 months) or to travel within the U.S., wrap up their affairs, and prepare to depart. J-1 visa holders’ grace period is only **30 days**. In both cases, the students may not leave for a short trip (to Canada, for example) and return to the U.S. after the expiration of the I-20 or DS-2019 form. Students who voluntarily withdraw before completing a program must leave the U.S. within 15 days; those who are academically dismissed or suspended for disciplinary reasons must leave the U.S. immediately.
Housing: Options are the same for international students as for all students: freshmen are required to live on-campus; undergraduate transfer students may be accommodated on campus if they apply in a timely way. There is no on-campus housing available for graduate students. Our new international students struggle a bit to find off-campus housing when they first arrive, but with the help of online resources such as the University’s Off-Campus Housing Registry, Craigslist, a small list of available apartments maintained in ISSS, and assistance provided by student groups such as the Chinese Students and Scholars Association, the Indian Student Organization and others, they usually find acceptable accommodations and settle in within a few weeks of arriving. There is no temporary housing available to them on campus while they are searching for permanent accommodations, which is why ISSS asks for volunteers among the University community to host these students for a short time in August.

Insurance: All students identified in University records as “international” (that is, all visa holders) are automatically billed for health insurance and emergency assistance insurance (evacuation and repatriation of remains). Students who opt to receive health insurance as a benefit of University assistantships are not required to carry the international student health insurance but ARE required to purchase the emergency assistance insurance. Other students who have equivalent health insurance coverage may apply for a waiver of the international health insurance fee by a specified date early each semester. Note: Waiver applications approved in the fall are good for the academic year but must be resubmitted each fall.

Travel Outside and Within the U.S.: Students leaving the U.S., who plan to return, are advised to request a “travel signature” from ISSS staff on the I-20 or DS-2019 form. This signature certifies that the student is in good standing as a full time student. No one other than Designated School Officials (DSOs, whose names are designated in SEVIS) should sign this form! Students traveling within the U.S. (but away from the Albany area) are advised to carry their passports and I-20 or DS-2019 forms with them, in the event that they need to prove who they are and that they are legally present in the U.S.

Special Concerns: While ISSS assists students with a variety of problems and concerns, we are unable to provide them with financial assistance (no scholarships or bail!). We regularly refer students to Student Accounts when they have difficulty paying their bills and to the University Health Center and Counseling Center for medical and mental health issues, and we request you do the same!

Hosting Visiting Scholars (Exchange Visitors) from Overseas

The U.S. Department of State has a long tradition of encouraging educational and cultural exchanges between the people of the United States and the people of other countries. The J Exchange Visitor category was developed to implement the Mutual Educational and Cultural Exchange Act (Fulbright-Hayes Act) of 1961 and is now part of SEVIS (Student and Exchange Visitor Information System). The regulations governing J-1 scholars are complex, and only a brief summary is offered here. Specific questions should be addressed to Tara Evans in ISSS.
The University at Albany is designated to host the following categories of J-1 Exchange Visitors: **Student**: At bachelor’s, master’s, doctoral and non-degree level. Requires admission to the University, enrollment in full time study and payment of tuition and fees, like any other student. See “Requirements of F and J Student Visas” above. Limited to the amount of time usually needed to complete the program of study, with reasonable extensions allowed.

**Short-Term Scholar**: A professor, research scholar, specialist, or a person with similar education or accomplishments (including students enrolled at foreign universities) coming to the U.S. on a short-term basis for the purpose of lecturing, observing, consulting, training, or demonstrating special skills. The maximum duration of stay is 6 months (no extension permitted).

**Research Scholar**: An individual, with appropriate academic credentials (including graduate students at foreign universities), primarily conducting research, observing, or consulting in connection with a research project (may also teach or lecture). Extension of program allowed up to five years (minimum participation period: three weeks). Scholars who complete their programs, no matter the duration, are not eligible to return to the U.S. in a Research Scholar or Professor category for two years.

**Professor**: An individual primarily teaching, lecturing, observing, or consulting (may also conduct research). May be hired in a temporary visiting faculty position or as an adjunct, but may not be hired in a tenure-track position. For more information, contact Human Resources. Extension of program allowed up to five years (minimum participation period: three weeks). Professors who complete their programs, no matter the duration, are not eligible to return to the U.S. in a Research Scholar or Professor category for two years.

**Enrollment in Courses**: There is no requirement for Scholars or Professors to take courses or pay tuition, but they may informally audit classes, with permission of the instructor. If course credit is desired, admission for non-degree study must be sought and tuition must be paid.

**Funding**: In most cases visiting Scholars come to UAlbany at their own expense or with full sponsorship from their employer or government. Employment by UAlbany or the Research Foundation is allowed.

English Language Proficiency: Visitors must possess English language proficiency. The Department of State approved this new regulation effective January 5, 2015. Sponsors are required to use one of the following objective measurements to determine an applicant’s language proficiency:

- A recognized English language test
- Signed documentation from an academic institution or English language school
- A documented interview conducted by the sponsor either in person or by videoconferencing, or by telephone if videoconferencing is not a viable option

This evidence must be submitted with the DS-2019 request form, as the Department of State requires this information be made available upon their request.
Inviting an International Scholar to UAlbany: What the Faculty Member Must Do

While the initial contact with the potential visiting scholar may come from the person overseas, in the end it will be someone from the University at Albany who must invite the scholar to come. A letter of invitation is a requirement so that the scholar can obtain a visa and in some cases, so that he/she can obtain funding, or possibly release time from an employer.

1. **Download and complete the DS-2019 request form.** Submit it to the appropriate person on campus. If the scholar is:
   a. Self-funded or to be paid by UAlbany: submit the request form to Tara Evans, ISSS, SL G-40, fax: 518-591-8171, tevans3@albany.edu
   b. To be paid by the Research Foundation: submit the request form to Cheryl Yagelski, MSC 326, and fax: 518-437-4504, cyagelski@albany.edu.

2. **Instructions for completing the DS-2019 request form:**
   a. **Forward the form** to the visitor to complete page 2 and return to you, with proof of funding. When you receive it, review page 2 and be sure all items are complete.
   b. **Indicate the appropriate Exchange Visitor category** on page 1, sign the form, obtain the chair’s, dean’s or vice president’s signature, and forward it to the appropriate person above (Tara or Cheryl), with proof of funding.
   c. **Proof of funding for self-funded scholars:** The scholar must demonstrate that he/she will have sufficient funds to cover living expenses for the duration of the stay. The amount needed is $1,000-1,200 per month, with an additional $4,000 per dependent (for one year, or pro-rated for a portion of one year). The documentation may be in the form of a scholarship award letter, personal bank statement, letter from employer stating that salary will continue to be paid, etc. Specific dollar amounts must be indicated, and the documentation must be recent.
   d. **English Language Proficiency:** Evidence of the scholar’s English language proficiency must accompany the DS-2019 request. The proof of English Language Proficiency is listed above this section.

3. **Pick up the DS-2019 form:** When the DS-2019 form is ready, you will be notified. You may either pick it up or ask that it be sent to you through campus mail. We will also provide information about applying for a visa, the SEVIS 901 fee, welcome brochure from The Department of State, and insurance requirements.

4. **Mail the DS-2019 form to the scholar,** along with a letter of invitation (see sample) and the additional information provided with the DS-2019 form. Express mail or use of a
courier service like UPS or DHL is recommended. Include the scholar’s local phone number for the delivery service to use, if needed. As a courtesy, send the scholar a tracking number. (Note: Do not sign or write anything on the DS-2019 form!)

5. **Delayed arrival?** Let the preparer of the form (Tara or Cheryl) know if the scholar’s arrival will be delayed more than 30 days past the proposed start date. If the visitor will be delayed, the preparer will need to defer the start date in SEVIS. Also, inform the preparer if the scholar changes plans and decides not to come at all. The SEVIS record will be cancelled.

### What the Scholar Must Do

1. **Complete page 2 of the DS-2019 Request Form**, providing personal information requested and specifying details about current position in home country, intended area of research, and proof of funding (for self-funded scholars).

2. Upon receipt of the DS-2019 form, **Pay the SEVIS I-901 fee and apply for a visa, upon receipt of the DS-2019 Form**—When the scholar receives the DS-2019 form, he/she must [pay the SEVIS I-901 fee online]—$180 and take a receipt to the visa interview, along with his/her passport, the DS-2019 form, letter of invitation, and proof of funding.

3. **Check in with ISSS**: Within two business days of arriving in Albany, the scholar must check in with the person who created the DS-2019 form for him/her (Tara Evans or Cheryl Yagelski). She will:
   a. **Make copies of the passport, visa, stamped DS-2019 form and ask the scholar to complete an “Arrival Form.”**
   b. **Enter the scholar in PeopleSoft as an unpaid employee (thereby generating an ID number).**
   c. **Instruct him/her on how to obtain a SUNY card (may be used to borrow materials from the University Libraries, use the gym, and ride the University buses and CDTA buses 10, 11, and 12, but does not entitle the scholar to use the University Health Center; scholars’ dependents are ineligible to receive SUNY cards).**
   d. **Provide a brief orientation about the University, Albany community, and discuss health insurance and evacuation insurance requirements with the Insurance Coordinator.**
   e. **Provide a letter of support for a Social Security number (a benefit of the J-1 visa but may not be practical for scholars staying a short time).**
   f. **Inform SEVIS of the scholar’s arrival.**
4. **Purchase Health Insurance**: All exchange visitors (both J-1 principals and J-2 dependents) are required to have health insurance and emergency assistance insurance in effect for the duration of their exchange visitor program. A willful failure to carry insurance is considered to be a violation of the Exchange Visitor Program regulations and will lead to the cancellation of the DS-2019 form.

   a. **Scholars employed by either the University or the Research Foundation** must be enrolled in the health insurance coverage offered by their employer. Because there is a 42-day lag period before this insurance takes effect, they must also purchase the SUNY International Student and Scholar health insurance to cover them from the beginning of their stay. In addition, these scholars must also purchase the emergency assistance insurance (through International Education), as this coverage is not included in the employer sponsored health insurance plans.

   b. Self-funded scholars are must purchase the SUNY International Student and Scholar Health Insurance. Dependents must also have coverage. The visitor is not required to purchase dependent coverage through SUNY. However, if the visitor uses an alternative insurance provider for their dependents, they will need to provide proof of their dependent’s coverage to the Insurance Coordinator. Failure to purchase the SUNY health insurance or provide proof of coverage for dependents may result in the termination of the exchange visitor’s J-1 status in the U.S.

   c. **Use of University Health Center**: Scholars enrolled in the SUNY International Student and Scholar health insurance plans, while not permitted to use the University Health Center may be referred by the Health Center to other physicians, thereby avoiding deductibles. They should see the Insurance Coordinator in International Education for assistance with this.

1. **Maintain Valid Visa/Immigration Status By:**

   a. Keeping the DS-2019 form valid at all times (extensions within the allowable limit must be requested several weeks before the form expires).

   b. Possessing a valid passport at all times.

   c. Engaging in academic activities, as proposed.

   d. Engaging in employment only with authorization.

   e. Carrying health insurance and emergency assistance insurance for self and dependents which meets the minimum requirements, throughout the entire program participation period.

   f. Reporting address changes to ISSS within 10 days of the address change.
Grace Period at End of Program: J-1 scholars may stay in the U.S. for up to 30 days after the end date on the DS-2019 form to travel within the U.S., wrap up their affairs, and prepare to depart. They may not leave for a short trip (to Canada, for example) and return to the U.S. after the expiration of the DS-2019.

Housing: The University at Albany has no housing for visiting scholars, but fortunately Albany and nearby communities have a good supply of reasonably priced rentals, so it’s usually not difficult for our visitors to find acceptable accommodations within a short time after they arrive. They may wish to use these resources in their housing search: the University’s Off-Campus Housing Registry, Craigslist, a small list of available apartments maintained in ISSS, and assistance provided by departments and groups such as the Chinese Students and Scholars Association. For a list of hotels near the uptown campus, click here.

Parking on Campus: As visiting scholars are not members of UUP, they must pay for a permit to park on campus.

Travel Outside and Within the U.S.: Scholars leaving the U.S. temporarily, with plans to return, are advised to request a “travel signature” from the person who originally signed the DS-2019 form (Tara Evans or Cheryl Yagelski). This signature certifies that the scholar is in good standing as an Exchange Visitor. No one other than the Responsible Officer or an Alternate Responsible Officer (RO or ARO, whose names are designated in SEVIS) should sign this form. Scholars traveling within the U.S. (but away from the Albany area) are advised to carry their passports and DS-2019 forms with them, in the event that they need to prove who they are and that they are legally present in the U.S.

Addenda

- Sample I-20 Form
- Sample DS-2019 Form
- Sample Letter/ Invitation to Visiting Scholar
- State Department J-1 Health Insurance Requirements
- Arrival Notification and Insurance Commitment Form