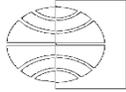


Overview of Visa Sponsorship Policies and Procedures



A presentation of the
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Visa Sponsorship Policy

Whom do we sponsor?

Visiting Scholars/Scientists

- Invited by a faculty sponsor to access Columbia resources for independent, non-collaborative research

Officers of Research, Instruction, and Libraries

- Provide services for Columbia University
- Appointed through the Provost's Office
- May be paid or unpaid, part-time or full-time

Visiting Research Student Interns

- Pursuing research as part of home school curriculum at the BA/BS or Dual BA/MS level
- May be paid or unpaid

Visiting Scholars/Scientists

This courtesy designation:

- Provides access to certain University resources, as per revised designation letter
- Provides a UNI through the ISSO
- Does not signify a formal association at the University
- Is limited to one-year initially, two-year maximum
- Is facilitated with J-1 visa sponsorship, unless already in the U.S. in another visa category
- Requires a faculty sponsor who will assist in integrating scholar into the Columbia community. This not a mentor or advisor, but rather an important personal and professional resource.

J-1 Exchange Visitor Program

Purpose:

To implement the Mutual Educational and Cultural Exchange Act

“To increase mutual understanding between the people of the United States and the people of other countries by means of educational and cultural exchanges.”

Positions that qualify:

- Visiting Scholar/Scientist
- Officer-level research and instructional appointments
- Cannot be tenure-track
- Can be part-time or full-time
- Can be funded through a variety of sources within University policy, such as:
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J-1 Exchange Visitor Program

Application timeline:

- Submit application to ISSO 3 months in advance
- This allows time for visa appointment at consulate and passport renewal, if needed
- ISSO can take 5 business days from receipt of complete application to process Form DS-2019 (J-1 Certificate of Eligibility)

Applications for J-1 sponsorship will include:

- Statement confirming English language proficiency
- Scholar’s acknowledgment of health insurance coverage requirements set by the U.S. State Department

J-1 Exchange Visitor Program

English Language Proficiency:

Faculty sponsors must evaluate each J-1 exchange visitor's English language proficiency as part of the selection process to ensure the level is adequate to enable a productive experience and to support the visitor's well-being, health and safety while here.

J-1 Health Insurance Coverage

Health insurance must meet minimum requirements set by the U.S. Department of State, which include:

- Medical benefit: at least \$100,000 per accident/illness;
- Repatriation of remains: \$25,000;
- Medical evacuation: \$50,000;
- Deductible: max \$500 per accident/illness.

<https://isso.columbia.edu/content/j-1-scholar-health-insurance>

J-1 Categories and Program Length

The J-1 category (section 4 of DS-2019) is determined by the terms of the invitation

Maximum Time Limits:

- Research Scholar and Professor categories: 5 years
- Short-term Scholar category: 6 months
- Student-Intern category: 12-months

Note: Columbia University policy governing the use of specific academic titles may further limit visa sponsorship duration

J-1 transfers or extensions are permitted up to J-1 category limit if completed while inside the U.S. prior to the DS-2019 end date.

Process works similar to the initial application with the ISSO.

J-1 Research Scholar 24-Month Bar

Those who complete a J-1 program in the "Research Scholar" or "Professor" categories are not eligible to begin a new J-1 program in the "Professor/Research Scholar" categories for 2 years.

Commonly referred to as the "24-Month Bar"

J-1 Two-Year Home Country Physical Presence Requirement

What does it mean to be subject?

J-1s/J-2s who are subject to this requirement as indicated on the visa and/or DS-2019 **are not eligible** for:

- Permanent Residency (green card)
- H visa (temporary workers and dependents)
- L visa (intra-company transferees)

Unless physically present in home country for 2 years or obtained a waiver of this requirement from the USCIS.

J-1 Two-Year Home Country Physical Presence Requirement

Ways to become "subject" to this requirement:

1. Government funding
2. Country's "skills list"

Once subject, the scholar is always subject unless the scholar has applied for and received a waiver or fulfilled the requirement from the USCIS.

Waivers prevent a transfer or extension of Form DS-2019.

Being subject does not prevent a return to the U.S. as a student or tourist, but cannot change status inside the U.S.

J-1 vs. H-1B: Differences to Consider

J-1 visa status may be preferable to H1B for many non tenure-track positions because it:

- Allows change in funding sources (salary/grant/personal)
- Allows remuneration for occasional lectures
- Maximizes scholar s time as nonimmigrant before acquiring H1B
- Allows J-2 spouses to apply for employment or to study
- Faster process
- Carries no cost to academic department

J-1 Student Interns

Students pursuing a bachelor's degree abroad, including those in French engineering (Ecole Polytechnique) programs, who:

- Will be engaged in structured activities designed by the CU supervisor
- Will resume their studies abroad upon completion
- Will be engaged in full-time research (minimum 32 hours)
- Will not engage in more than 20% clerical work

Supporting documentation also includes:

- DS-7002 - Home Institution Form - \$500 J-1 sponsorship fee

Columbia University Titles:

- Visiting Scientist: If unpaid – ISSO creates UNI
- Visiting Student-Intern Research: If paid – Department creates UNI

J-1 Student Interns

Evaluations are required by the Department of State

- The faculty supervisor and the J-1 Student Intern must complete the J-1 Student Intern Evaluation Form
- For internships lasting less than 6 months, one final evaluation is required
- For internships lasting more than 6 months, a mid-program evaluation and final evaluation are required
- All evaluations must be forwarded to ISSO within 5 business days

H-1B Visa Sponsorship

H-1B visa sponsorship is available to those who have been offered a "specialty occupation" defined by USCIS as one that requires a "theoretical and practical application of a body of highly specialized knowledge and attainment of a Bachelor's degree or higher in a specific specialty."

Columbia provides H-1B sponsorship for:

- Officers of Research or Instruction
- Officers of the Libraries
- Other professional/specialty and executive/managerial positions (normally Level 14 or higher)

Salary offered must meet minimum wage guidelines as determined by the U.S. Department of Labor

H-1B Visa Sponsorship

H-1B one of only two nonimmigrant, or temporary, visa categories which allow "dual intent" which means that an individual may maintain H-1B status and international travel flexibility while simultaneously pursuing permanent residence ("green card").

H-1B status may be approved in three-year increments for a maximum period of six years. H-4 spouses are not eligible for employment authorization.

H-1B visa holders may not accept compensation from any entity other than Columbia. Any changes in the terms and conditions of employment, e.g., change in work location, additional work location (including working from home), material change in job duties must be reported to ISSO. Normal salary increase or expansion of job duties with no change in title do not need to be reported.

E-3 Visa Sponsorship for Australians

Similar to the H-1B category but limited to Australian citizens only, the E-3 visa also requires that the employer pay at least the minimum wage as determined by the U.S. Department of Labor. E-3 positions must also qualify as specialty occupations, i.e., the individual must have, at a minimum, a Bachelor's degree in a field relevant to the position offered.

The E-3 visa may be approved in two-year increments for an indefinite period of time. Unlike the H-1B, the E-3 category does not allow for dual intent but does allow E-3D spouses to apply for employment authorization.

TN Visa Sponsorship for Mexicans and Canadians

TN visa sponsorship is available to citizens of Canada (TN1) and Mexico (TN2) pursuant to NAFTA (North American Free Trade Agreement).

TN sponsorship is available only to individuals who will engage in specific professional activities as listed in the appendix to NAFTA. If a Canadian or Mexican citizen is engaged in a professional activity not specified in the appendix, he or she is not eligible for a TN visa.

TN status may be approved for a period of up to three years and may be extended indefinitely.

TN status does not allow for dual intent nor does it allow TD spouses to apply for employment authorization.

O-1 Visa Sponsorship

Available to individuals who possess extraordinary ability in the sciences, arts, education, business or athletics. Individuals seeking O-1 status must provide evidence of sustained national or international acclaim in their field, e.g., copies of publications, evidence of presentation at internationally-recognized conferences and institutions.

An initial O-1 may be granted for a period of up to three years. Subsequent extensions are granted in one-year increments. There is no stated limitation on the time an individual may remain in O-1 status. O-3 dependents are not eligible for employment authorization.

The position offered by Columbia must also require the services of an individual with extraordinary ability.

Permanent Residence "Green Card" Sponsorship

Columbia will provide permanent residence sponsorship for the following:

- Ongoing research appointments requiring a Ph.D.
- Ongoing teaching/instructional appointments requiring at least a Master's degree
- Other positions if deemed critical to the functioning of the department of the University

Options for permanent residence sponsorship include:

- Extraordinary ability (eligibility criteria similar to O-1)
- Outstanding researcher or professor (eligibility criteria similar to O-1)
- National Interest Waiver for individuals employed in a field which will prospectively benefit the national interest of the United States, e.g., the economy, health care, environment, etc.

Permanent Residence “Green Card” Sponsorship

All employment-based permanent residence matters sponsored by Columbia may be approved by, and coordinated through, the ISSO. The PR Initial Review Form may be accessed through our website and must be completed, signed and submitted to the ISSO with supporting documentation.

The case may be handled by the ISSO or referred to outside counsel approved by the University.

Individual may choose to self-sponsor in which case not ISSO involvement is required and the individual may either file without legal assistance or retain the immigration attorney of his or her own choosing.

Department Responsibilities

Consider this guidance as you prepare to host your scholar:

· The terms of the appointment must comply with University policy and be communicated to the scholar in the letter of invitation

The ISSO must be contacted if:

- a J-1 scholar will arrive more than 30-days after the start date or will complete more than 30-days early
- a scholar will not be coming
- there is a change in the terms of the visit (funding, title, duties, hiring department, and/or location)
- there is concern about a J-1 scholar's health, wellness or performance; refer to our new web guidance on "Reporting a Serious Situation"

Visa Sponsorship Process

Q & A
