

UNIVERSITY OF PENNSYLVANIA UPDATED INSTITUTIONAL GUIDANCE FOR HOSTING J-1 EXCHANGE VISITORS

On January 5, 2015, the US Department of State implemented regulatory changes to its J-1 Exchange Visitor Program. In response, ISSS held information sessions this past January to update J-1 student and scholar host departments on the changes and their effect on Penn's institutional guidance. As a follow up to these sessions, below is an outline of the updated guidance information.

English Language Proficiency Requirements

The new provisions require the use of “objective measurements” of English language proficiency. We have determined that this requirement may be met by one of the following options:

- 1) An acceptable score on a recognized English language test such as the TOEFL. (minimum scores are displayed in the eform)
 - a. The exchange visitor provides the test results directly to the host department.
 - b. When completing the ISSS J-1 eform application in iPenn, the host department will enter the score information and make the following attestations:
 - i. the information is accurate;
 - ii. test score documentation is on file in the host department and can be produced upon request.
 - c. For most degree and exchange students, this requirement is already met by the English language testing requirement of standard admission procedures.
- 2) Participation in an Oral Proficiency Interview (OPI) conducted by the English Language Program (ELP).
 - a. To arrange an OPI or for any related questions regarding the process, departments may contact ELP directly at 215-898-8681 or egill@sas.upenn.edu;
 - b. The host department will upload the OPI recommendations to iPenn as part of the J-1 eform application process.
- 3) A documented interview conducted by the host department either in-person, via videoconference, or by telephone (if videoconferencing is not feasible).
 - a. The host department will determine internally who will be the best person to conduct such an interview.
 - b. The following best practices are strongly recommended:
 - i. The interview is conducted by an objective party.
 - ii. The interview is documented via a video or audio recording.
 - c. Interview guidelines and evaluation form template can be accessed at <https://global.upenn.edu/sites/default/files/iss/English-Proficiency-Evaluation-Guidance.docx>
 - d. The host department will upload a completed evaluation to iPenn as part of the J-1 eform application process.

In the following cases, an interview is not required. The host department will attest to one of the following as part of the J-1 eform application in iPenn:

- The exchange visitor is a native speaker of English;
- The exchange visitor has completed a degree at an English speaking institution;
- The exchange visitor is transferring to Penn from an institution in the US;
- The exchange visitor is already at Penn and would like to extend their program.
- The exchange visitor has previously successfully completed his/her J-1 program without any language issue.

In the rare event that a department will host a high profile J-1 exchange visitor with limited English language skills, the department may provide an attestation that a translator will be provided by the host department during the J-1 exchange visitor's *entire* stay. Host departments should contact ISSS to receive special instructions about how to complete the J-1 eform with regard to these cases.

J-1 Exchange Visitor Reporting Requirements

All J-1 exchange visitors will be required to report the following in iPenn:

- 1) Report an email address for themselves and their J-2 spouse;
- 2) Report if an accompanying spouse or dependent permanently departs from the US prior to the Exchange Visitor's departure date;
- 3) Report as soon as possible, but no later than 10 days, any change in US address, phone number, email address or site of activity.

New Exchange Visitor Insurance Amounts: (Effective May 15, 2015)

- 1) Exchange Visitors and their dependents must be insured for the entirety of their stay in the following amounts.

	Expiring Regulations	New Regulations
Medical benefits	\$50,000	\$100,000
Repatriation of remains	\$7,500	\$25,000
Medical evacuation	\$10,000	\$50,000
Deductible <i>per accident or illness</i>	\$500	\$500

- 2) As part of the exchange visitor verification process, within 30 days of exchange visitor's arrival and every six months thereafter, host departments will be required to:
 - a. Verify internally that exchange visitors and dependents are insured in the amount required by the regulations.
 - b. Complete an eform in iPenn attesting to the above information.
 - c. Complete other reporting requirements as described below.

No Retaliation Policy

- It is unlawful to retaliate against an exchange visitor for making good-faith complaints about the program or otherwise asserting any other right.

- Prohibited Retaliation includes:
 - Threatening program termination
 - Removing from the program
 - Banning from the program

University policy generally prohibits retaliation or intimidation against any member of the University community for undertaking protected activity, which includes good faith complaints of discrimination, harassment, or noncompliance. Departments with concerns regarding this policy should contact their Human Resource officer and/or the Office of General Counsel.

J-1 Reporting Requirements from Host Departments

- 1) Host departments must report via iPenn as soon as possible, but no later than 10 days, any of the following changes to the program:
 - a. Physical location (primary office or laboratory location);
 - b. Additional site of activities;
 - c. Duties and responsibilities of the J-1 exchange visitor;
 - d. J-1 exchange visitor's departure from or discontinuation of the program (does not include vacation or short absences while in the United States);
- 2) Host departments are required to verify J-1 exchange visitor details within 30 days of arrival and every 6 months thereafter. The host department will attest that the J-1 related program information and health insurance coverage is still accurate by completing a J-1 program verification eform through iPenn.
- 3) In case of any serious problem or controversy involving a J-1 exchange visitor, the host department must notify ISSS and the Office of General Counsel no later than the next business day.

Additional Pre-Arrival Information required from departments

All host departments are required to update their existing invitations or offer letters to include the information provided in the ISSS template. This template is located at:

http://global.upenn.edu/uploads/media_items/appointment-letter-template-j-1.original.doc

Disclaimer

Immigration laws and regulations are subject to change at any time, which may impact ISSS and Penn policies.

February 4, 2015