



**University at Buffalo**  
*The State University of New York*  
**Vice Provost for International Education**

MEMORANDUM

To: Vice Provosts, Deans, Department Chairs, Directors of Graduate Study

From: Stephen C. Dunnett, Vice Provost for International Education

Date: July 20, 2011 (Revised and Updated Version)

Subject: Visa and Admission Policies for Students and Scholars on F and J Visas

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As UB's international population continues to expand and diversify, academic units across the university are increasingly receiving inquiries from international students and scholars about specialized programs of study, research and teaching at the University. Some of these international students and scholars are degree-seeking while others wish to come and conduct research, audit classes or work with a mentor for a limited period of time.

In order to guide consideration of these requests from international students and scholars, the Office of International Education has developed the following guidelines for evaluating such requests. These guidelines specify the criteria for each student and scholar visa category, and the typical arrangements for receiving such students and scholars at UB. They are being issued to inform academic units about the relevant terms and conditions specified for each visa category by the U.S. Department of State and Department of Homeland Security. Failure to adhere to these terms and conditions could put at risk the University's ability to host international students and scholars in the future. Your cooperation in adhering to the following guidelines is greatly appreciated.

For each category, a responsible office has been identified in case there are questions or additional information is needed. This policy and relevant updates are posted on the Office of International Student and Scholar Services' website at [www.buffalo.edu/international-student-and-scholar-services/immigration-visa.html](http://www.buffalo.edu/international-student-and-scholar-services/immigration-visa.html).

**Short-Term Scholars (J-1 Short-Term Scholar Visa)**

- Typically used to host professors, researchers and those with similar qualifications who intend to come to UB for a short-term visit for the purpose of lecturing, observing, consulting, training or engaging in research. Ph.D. students who are seeking collaborative research as part of their studies may also come as J-1 Short-Term Scholars.

- Usually initiated through collaboration between a UB faculty member and the prospective J-1 Short-Term Scholar. The UB department will serve as the official host and provide any support that may be necessary (e.g. office and/or lab space).
- Must hold an advanced degree or be enrolled in an advanced degree program and possess sufficient proficiency in the English language to participate in the program, whether it is study, research, observation, etc.
- May receive stipend from UB or be appointed as “unpaid volunteers”. Their documented funding can come from any source (personal / family sources or other acceptable sources).
- Program length cannot exceed 6 months.
- Required by SUNY and the Department of State (DOS) to carry health insurance that meets SUNY and DOS requirements. Must also pay UB’s Health Services fee.
- Processed through UB Immigration Services (110 Cooke Hall, 645-2355) (with the exception of scholars who are sponsored by U.S. government programs such as the Fulbright Program). Departments interested in requesting permission to host a J-1 Short-Term Scholar should contact UB Immigration Services.

### **Research Scholars (J-1 Research Scholar Visa)**

- Typically used to host professors, researchers and those with similar qualifications who intend to come to UB for the purpose of lecturing, observing, consulting, training or engaging in research.
- Usually initiated through collaboration between a UB faculty member and the prospective J-1 Research Scholar. The UB department will serve as the official host and provide any support that may be necessary (e.g. office and/or lab space).
- Must hold an advanced degree or be enrolled in an advanced degree program and possess sufficient proficiency in the English language to participate in the program (whether it is study, research, observation, etc.).
- Must be in residence at UB for a minimum of three weeks and a maximum of five years. If a prospective J-1 Research Scholar has been in the U.S. in J status for a period of more than 6 months in the previous twelve months, s/he may not be eligible for J-1 Research Scholar status.
- After their stay in the U.S. as a J-1 Research Scholar, they may not be present in the U.S. as a J-1 Research Scholar for 24 months.
- May also be subject to the two-year home residency requirement, which means they may not be eligible to change their status in the U.S. to another visa category, re-enter the U.S. as an H-1B or L-1 visa holder or adjust their status to U.S. Permanent Resident until they have resided in their home country or last country of permanent residence for two years--or applied for and received a waiver of the two-year home residency requirement.
- May be employed by UB or appointed as “unpaid volunteers”. Their documented funding can come from any source (personal / family sources or other acceptable sources).
- Required by SUNY and the Department of State (DOS) to carry health insurance that meets SUNY and DOS requirements. Must also pay UB’s Health Services fee.
- Any study must be incidental to the intended purpose of the J-1 Research Scholar visa, which is research. UB defines “incidental” study as enrollment that will not interfere with the primary purpose of research.

- Processed through UB Immigration Services (110 Cooke Hall; 645-2355) (with the exception of scholars who are sponsored by U.S. government programs such as the Fulbright Program). However, J-1 Research Scholars wishing to enroll in UB classes after arrival on campus must also be processed through the Office of International Admissions and meet all standard requirements.

### **Intern (J-1 Student Intern Visa)**

- Must be currently enrolled, pursuing a degree and in good academic standing at a postsecondary academic institution outside the U.S.
- Usually initiated through collaboration between a UB faculty member and the prospective J-1 Intern. The UB department will serve as the official host and provide any support that may be necessary (e.g. office and/or lab space).
- Internship must not serve to fill a labor need. It must exist so the J-1 Intern can achieve the objectives of the internship, must consist of work-based learning, must expose the intern to American techniques and technology, must expand the participant's knowledge and skills, and must not duplicate the intern's prior experience. It may not include clinical work, consist of more than 20% clerical work or displace U.S. workers.
- Internship must fulfill the educational objective for intern's current degree program.
- Must be primarily in the U.S. to engage in a student internship program rather than to engage in employment or provide services to an employer.
- Must return to and obtain a degree from the intern's academic institution outside the U.S. after completing the internship program.
- Host must complete "Training/Internship Plan", and develop procedures for evaluating intern before requesting visa documents from the Office of International Student and Scholar Services. Host must evaluate each intern's performance every six months.
- Must have verifiable English language skills to participate in the program. Host must verify intern's English ability before accepting the intern.
- Must have sufficient resources to support the intern for the entire stay in the U.S.
- May be employed by UB or appointed as "unpaid volunteers". Their documented funding can come from any source (personal / family sources or other acceptable sources).
- Internship must be full-time (ie. minimum of 32 hours per week).
- Program length cannot exceed 12 months for each degree/major.
- Required by SUNY and the Department of State (DOS) to carry health insurance that meets SUNY and DOS requirements. Must also pay UB's Health Services fee.
- May be subject to the two-year home residency requirement, which means they may not be eligible to change their status in the U.S. to another visa category, re-enter the U.S. as an H-1B or L-1 visa holder or adjust their status to U.S. Permanent Resident until they have resided in their home country or last country of permanent residence for two years--or applied for and received a waiver of the two-year home residency requirement.
- Processed through the Office of International Student and Scholar Services (210 Talbert Hall; 645-2258)

### **Degree-Seeking Sponsored Students (J-1 Student Visa)**

- Typically used for students who are coming to UB under the auspices of a sponsoring agency such as a foreign government or funded by a program such as the Fulbright Program.
- Must meet all regular admission requirements (GPA, degree and academic documentation requirements, TOEFL and other standardized tests, etc.).
- Must be enrolled full-time for a minimum of 12 credits (9 credits for those holding assistantships).
- Funding must come from a source that is substantially other than personal (this is generally understood to mean that at least half of the required funds come from sources other than self or family).
- Required by SUNY and the Department of State (DOS) to carry health insurance that meets SUNY and DOS requirements.
- May be subject to the two-year home residency requirement, which means they may not be eligible to change their status in the U.S. to another visa category, re-enter the U.S. as an H-1B or L-1 visa holder or adjust their status to U.S. Permanent Resident until they have resided in their home country or last country of permanent residence for two years--or applied for and received a waiver of the two-year home residency requirement.
- J-1 Degree-Seeking Students funded by a program such as the Fulbright Program are processed initially through the Office of International Student and Scholar Services (210 Talbert Hall, 645-2258).
- J-1 Degree-Seeking Students sponsored by their foreign government or their own university are processed through the Office of International Admissions (115 Capen Hall, 645-6121).

### **Non-Degree Exchange Students (J-1 Non-Degree Student Visa)**

- Typically used for students who come to UB under the auspices of a formal institutional exchange program. Additionally, Fulbright Visiting Student Researchers come to the U.S. as J-1 Non-Degree Students.
- May not matriculate at UB; therefore, they will not earn a degree from UB.
- Must meet all regular admission requirements or have approved waivers (GPA, degree and academic documentation requirements, TOEFL and other standardized tests, etc.).
- May be enrolled full-time or enrolled in an approved prescribed course of study, defined as a non-degree academic program with a specific educational objective (e.g. intensive English language training, classroom instruction, research projects). J-1 Non-Degree Students who are not taking classes must enroll in 3 credit hours of Independent Study per semester.
- Program length cannot exceed 24 months.
- If the student is not participating in a formal exchange program, funding must come from a source that is substantially other than personal; this is generally understood to mean that at least half of the required funds must come from sources other than self or family.
- Required by SUNY and the Department of State (DOS) to carry health insurance that meets SUNY and DOS requirements.
- J-1 Non-Degree Students may be subject to the two-year home residency requirement, which means they may not be eligible to change their status in the U.S. to another visa category, re-enter the U.S. as an H-1B or L-1 visa holder or adjust their status to U.S. Permanent Resident until they have resided in their home country or last country of

permanent residence for two years--or applied for and received a waiver of the two-year home residency requirement.

- J-1 Non-Degree Exchange Students are processed initially through the Study Abroad Programs office (201 Talbert Hall, 645-3912).
- J-1 Non-Degree Sponsored Students are processed initially through the Office of International Student and Scholar Services (210 Talbert Hall; 645-2258).

### **Standard Student Status (F-1 Student Visa)**

- Includes the vast majority of degree-seeking (matriculating) international students at UB.
- Must meet all regular admission requirements (GPA, degree and academic documentation requirements; TOEFL and other standardized tests, etc.).
- Must be enrolled full-time for a minimum of 12 credits (9 credits for students holding assistantships) or have Full-Time Certification from the Graduate School.
- Documented funding can come from any source (personal/family sources or other acceptable sources).
- Required by SUNY to carry health insurance that meets SUNY requirements.
- Initial I-20 visa document issued by the Office of International Admissions.
- Questions regarding standard admission and the initial I-20 should be directed to International Admissions (115 Capen Hall, 645-6121).

### **Special Student Status (F-1 Student Visa)**

- Rarely used. Primarily for international students who are not coming to UB as regular F-1 students (the above category). These students must be non-degree (non-matriculating) who are also not coming to UB under the auspices of a formal institutional agreement, but who have been invited to UB by a host UB faculty member with the approval of the cognizant department chair.
- Prior to the issuance of an I-20, an [F-1 Special Student Approval Form](#) signed by the cognizant department chair and the Vice Provost for International Education must be submitted to the Office of International Admissions for each F-1 Special Student to be hosted at UB.
- Host departments are responsible for assigning a specific faculty member to supervise and advise the F-1 Special Students they invite to UB, assisting them in arranging housing, etc.
- Individual students desiring to come on their own without a formal invitation from UB and departmental approval (sometimes referred to as “free floaters” in the European student exchange system), are not permitted to come to UB as F-1 Special Students.
- Must meet all regular admission requirements (GPA, degree and academic documentation requirements, TOEFL and other standardized tests, etc.).
- Must be enrolled full-time for a minimum of 12 credits.
- Documented funding may come from any source (personal/family sources or other acceptable sources).
- Required by SUNY to carry health insurance that meets SUNY requirements. Must pay UB's Health Services fee.

- Questions regarding the admission of F-1 Special Students and the initial I-20 should be directed to International Admissions (115 Capen Hall, 645-6121).

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