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Academic Training for Students in J-1 Status

Explanation

As a J-1 student you may work off campus in the US if you have received special written work authorization, prior to commencing employment, from your J-1 Responsible Officer. "Academic Training" is the name used to describe J-1 student off-campus work authorization for jobs related to the field. Academic Training (AT) is flexible and offers employment to supplement your academic program in the United States. It is available before and/or after completion of your program of study.

To qualify for AT, you must first obtain written approval from your J-1 Responsible Officer who represents your J-1 sponsor and issues your Form DS-2019. He or she must evaluate the proposed employment in terms of your program of study and decide whether it would be appropriate or not. If your DS-2019 is issued by Carnegie Mellon your OIE foreign student advisor is your J-1 Responsible Officer (RO). If your DS-2019 is issued by another agency then your J-1 RO is at that agency. If Carnegie Mellon is not your sponsor, your OIE foreign student advisor can help you identify your responsible officer, but has no authority to grant employment permission; you will need to contact your RO for information on AT.

Conditions and Limitations

1. You must be in the US primarily to study rather than to engage in AT.
2. You must have a specific position that is directly related to your major field of study. The AT authorization is job and employer specific.
3. You must be in good academic standing.
4. You **must receive written approval, in the form of a new DS-2019, in advance** from your J-1 Responsible Officer for the duration and type of training. **YOU CANNOT BEGIN OFF-CAMPUS WORK UNDER ANY CIRCUMSTANCES UNTIL YOU HAVE BEEN AUTHORIZED!**
5. All AT is deducted from the total amount of AT allowed at a full-time rate. Students may engage in AT during their academic program or after. During the program, AT cannot interfere or delay the student's academic program.
6. Earning more than one degree does not increase your eligibility for AT. AT is cumulative. For example, if you use 6 months of AT after a bachelor's degree, you have 12 months of AT eligibility remaining if you pursue another degree.
7. Throughout your AT you must maintain legal J-1 student status in the United States. This includes: applying for extensions of your DS-2019 before the expiration of the document, and maintaining health insurance coverage for yourself and any J-2 dependents.
8. AT authorization is limited to the total period of study for the program or 18 months, whichever is shorter, except for students who complete Ph.D. programs.
9. Students who complete Ph.D. programs are eligible for an additional 18 month period (beyond the first 18 months) for a total of up to 36 months of AT. A new DS-2019 form must be issued for the second 18 month period.
10. AT following completion of your program of study must involve paid employment.
11. You should begin the application process at least 2 weeks before you plan to begin employment. AT cannot be authorized after the DS-2019 has expired. **If you leave the US after completing your studies without applying for AT, you are no longer eligible to apply for the training.**
12. Your lawful J-1 status expires 30 days after the date you complete degree requirements or at the expiration of your DS-2019 form, whichever is sooner. If you apply for AT, your J status expires 30 days after the program end date listed on the DS-2019 issued for AT.

Application Process

Provided you meet all the requirements, your J-1 Responsible Officer will authorize the training. Apply as soon as you receive the job offer, or AT LEAST two weeks before you plan to begin employment. Remember that if you are applying for the AT after completion of your studies, you must apply **within 30 days of the completion of requirements for the degree or before the expiration of your DS-2019, whichever is earlier.** To apply, complete the following steps:

STEP 1: Be Informed. Read this handout thoroughly and carefully.

STEP 2: Obtain an Offer Letter from Your AT Employer. Your offer letter must include:

- your job title;
- a brief description of the "goals and objectives" of your employment;

- the dates and location of the employment, the number of hours per week;
- the salary amount;
- and the name and address of your “training supervisor.”

If your offer letter does not include all of those details, you will need to request another letter from your employer.

STEP 3: Receive Your Department’s Recommendation. The regulations require that your academic advisor recommend AT as an integral part of your academic program. If your DS-2019 is issued by Carnegie Mellon University, your academic advisor or dean **MUST** complete the “OIE AT Recommendation” form (attached). Give a copy of your employment offer letter to your academic advisor to assist him/her in completing the OIE form. The OIE form meets the requirements of the regulations, which stipulate that the academic advisor’s recommendation must establish:

1. The goals and objectives of the specific training program;
2. A description of the training program, including its location, the name and address of the training supervisor, number of hours per week, and dates of the training;
3. How the training relates to the student’s major field of study;
4. Why it is an integral or critical part of the academic program of the J-1 student.

Your advisor must only approve your AT for the length of time necessary to complete the goals and objectives of the training.

STEP 4: Contact Your J-1 Responsible Officer

For students on CMU-issued DS-2019s, schedule an appointment with your OIE advisor and bring your offer letter, advisor’s recommendation form and current passport to the meeting. Make sure your offer letter contains the necessary information. Your J-1 Responsible Officer must evaluate the AT program and decide whether it is warranted and appropriate. If so, your J-1 Responsible Officer will authorize your AT and issue a new DS-2019.

STEP 5: Work Start and End Dates

You can begin working once you have received the new DS-2019 and the AT start date has been reached. You must not continue employment beyond the completion date authorized unless you are granted another period of AT. You must submit a new application for any new period of AT. AT is job and employer-specific work permission so you may only begin employment with the employer indicated on the DS-2019. **If you plan to change of employers, you must submit a new AT application and receive authorization before making the change.**

You cannot work under any circumstances until you have been authorized by your J-1 Responsible Officer. Working improperly or without authorization is a serious violation of your legal status.

Other Important Information

A. Employment Eligibility Verification (Form I-9). When you begin work, you and your employer must complete a form entitled “Employment Eligibility Verification” (IRS Form I-9) which verifies your eligibility to work in the US. The I-9 must be updated each time you receive a renewal of your work permission. This form requires you to document your identity and work authorization. For J-1 students, the most typical combination of documentation is: your passport, I-94 Departure Record and Form DS-2019 with AT authorization.

B. Social Security Number. For payroll purposes, you will also need to provide your Social Security number. If you do not already have a Social Security number or if you have lost your card, take your passport, I-94 Departure Record and your Form DS-2019 to the Social Security Administration and apply for a Social Security card. Note that your number will remain the same if you already had one.

C. Social Security Withholding and Other Taxes. In general, J-1 students who have been in the US fewer than five years are “non-residents for tax purposes” and are exempt from Social Security (FICA) and Medicare taxes. If you are a non-resident for tax purposes and your employer does withhold FICA, speak to your payroll office. You and your employer can refer to Internal Revenue Service Publication 519, “U.S. Tax Guide for Aliens” for additional information. Your earnings **are subject to applicable federal, state, and local taxes.** Tax returns must be filed on or before April 15 each year for the previous calendar year. The results of the filing will determine if any of the withheld income taxes can be refunded to you.

D. Travel While on AT. Reentry provisions of the regulations require students who have graduated and are on authorized AT to present the following documents to reenter the US:

1. Valid form DS-2019, with AT authorization, endorsed for travel by the foreign student advisor within the last year
2. A valid passport
3. A valid J-1 visa stamp (e.g. unless traveling to contiguous territory for fewer than 30 days—see travel handout).
4. Job offer letter (recommended).

Those who do not carry all of these documents may not be allowed to reenter the US. This risk increases if the J-1 visa has expired and a new one is required in order to reenter the US. Be sure to consult with the foreign student advisor when contemplating travel outside the US and reentry to continue AT.



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Academic Training Recommendation Form

Mr./Ms. _____
 (name of student)

a Carnegie Mellon University J-1 student majoring in _____
 (field of study)

is/was last enrolled _____ and wants to engage in Academic Training as outlined below.
 (Fall/Spring/Summer YEAR)

He/she is expected to complete all requirements for the program on _____.
 (mm/dd/yyyy)

1. DESCRIPTION OF THE TRAINING PROGRAM:

Organization Name/City _____ Job title _____

Name of the training supervisor/employer _____

Address of the training supervisor/employer _____

Number of hours per week _____ Dates of training: From _____ to _____

2. GOALS AND OBJECTIVES OF THE SPECIFIC TRAINING PROGRAM: _____

3. HOW DOES THE TRAINING RELATE TO THE STUDENT'S MAJOR FIELD OF STUDY?

4. WHY IS THE TRAINING AN INTEGRAL/CRITICAL PART OF THE STUDENT'S ACADEMIC PROGRAM?

As the student's Academic Advisor or Dean, I have set forth the nature and details of the Academic Training program. I approve the amount of time requested as necessary to complete the goals and objectives of the training. With this letter I recommend that OIE authorize this student to participate in the Academic Training program as described above.

 Signature of the Academic Advisor or Dean Date

 Name and title of the Academic Advisor or Dean Email