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## ACADEMIC TRAINING FOR J-1 STUDENTS

Academic training authorization is permission to engage in paid employment in one's field of study. Its purpose is to allow students to integrate theory and practice through the application of classroom knowledge.

Regulations, effective March 19, 1993, allow J-1 students to pursue academic training both prior to completion of degree requirements as well as upon completion of the degree. Undergraduate and pre-doctoral students may pursue a maximum of 18 months academic training. Doctoral students are eligible to pursue a maximum of 36 months of academic training. All periods of academic training pursued prior to completion of degree requirements are deducted from the maximum period allowed, unless the academic training is a mandatory requirement of the student's degree program.

The J-1 program sponsor is identified as the office/organization issuing the DS-2019. Box #2 of the DS-2019 identifies the program sponsor. The SU Center for International Services will authorize academic training for any student with a J-1 program number of P-I-0245 or P-1-0379. Students with other J-1 program sponsors such as IIE or LASPAU must receive authorization from that sponsor. You may contact your sponsor directly or consult with the Associate Director of the Slutzker Center for assistance.

### GENERAL PROCEDURES FOR APPLYING FOR ACADEMIC TRAINING

In order to be eligible for academic training authorization, a student must be in status **and** must have a written job offer. The position offered must provide the student with experience ("academic training") which the academic department considers to be an integral or critical part of the academic program. Your academic office or advisor must recommend the training. The format for the recommendation is attached. This recommendation must be given to your DS-2019 sponsor. The DS sponsor will then write a letter of authorization.

Applications for academic training which begin after completion of degree requirements must be submitted your J-1 program sponsor **no later than 30 days** after completion of degree requirements. Applications for all periods of academic training must be processed by J-1 program sponsor **before** employment begins.

**To apply for academic training a student must:**

- 1) Obtain a letter (sample attached) from his/her departmental chairperson or academic advisor which specifies:
  - a) the student's degree and field of study;
  - b) the expected date of completion of the course of study if applying for academic training before completion of the degree **OR** the date of completion of the course of study if applying for academic training after the completion of the degree;
  - c) the goals and objectives of the training program and how it relates to the student's program of study;
  - d) the name and address of the employer, the name of the supervisor, the position to be held by the student, the dates of the training and the number of hours per week;
  - e) an explanation of why the training is an integral or critical part of the program of study; and
  
- 2) Make an appointment to see the Associate Director of the Slutzker Center for International Services and bring to the appointment:
  - a) the academic advisor's letter;
  - b) form DS-2019, I-94, and passport.
  
- 3) Or send this letter to your J-1 program sponsor.

Academic training authorization will be granted in the form of a letter prepared by the J-1 program sponsor. It will be authorized to begin on the date employment is to begin as indicated in the academic advisor's letter or no later than 30 days after completion of degree requirements, whichever is earlier. The authorization will be valid for the duration of the job offer as long as that period does not exceed the maximum period of academic training allowed. **EMPLOYMENT MAY NOT BEGIN UNTIL THE STUDENT IS IN POSSESSION OF THE SLUTZKER CENTER AUTHORIZATION LETTER.**

For post-doctoral academic training the first increment is for 18 months. The second increment can only be awarded if employment is in a post-doctoral research context, in a non-profit institution.

Students who have received authorization to pursue academic training are limited to employment with the employer indicated in the authorization letter issued by the Slutzker Center for International Services. Employment with other employers is allowed only if approved by the academic advisor (in the form of the sample attached) **and** by the J-1 program sponsor.

## COMMON CONCERNS

### 1) Determining Degree Completion Dates:

Completion of study for undergraduate students generally means the last day of the term in which the student is completing his/her course of study. For graduate students, the completion date may be the date on which the student defends the thesis or dissertation, the date on which the student submits the revised thesis or dissertation, etc. You need to consult with your department to determine when they will consider you completed with all requirements for your course of study. Completion date is not always defined as the date of graduation or the date your diploma is awarded.

### 2) Travel while on Academic Training:

While you are authorized to engage in academic training, you continue to be in J-1 student status. To travel outside the U.S. while on academic training you will need the pink copy of your DS-2019, a valid passport and a valid visa stamp (except for travel to Canada, Mexico and adjacent islands when the automatic re-validation of visa provisions apply, see handout available at the Slutzker Center). The reverse of the pink copy of your DS-2019 should bear a current signature of the Slutzker Center Responsible Officer.

If the visa stamp in your passport has expired you must apply for a new visa at a U.S. consulate outside of the United States. You will, again, be required to demonstrate to the consular officer your non-immigrant intent. You will need to document that you are coming to the U.S. temporarily and that you maintain a residence abroad that you have no intention of abandoning. Depending upon your particular situation, this could be difficult. You are best advised to meet with an International Student Advisor before making travel plans.

### 3) Social Security Taxes:

While you are authorized to engage in academic training you continue to be in J-1 status and the income you derive from academic training is exempt from social security taxes and withholding for social security purposes **as long as** you file as a non-resident for tax purposes. (Generally, if you have been in the United States for less than five years you will file as a non-resident for tax purposes.)

### 4) Income Taxes:

Whether or not you are liable for the payment of income taxes on income earned from academic training depends on your individual situation and tax status. Most J-1 students who earn income from academic training will pay federal and state income taxes. However, we advise that you seek the services of the Internal Revenue Service for particulars. You should consult Internal Revenue Service Publication 515: Withholding of Tax on Non-Resident Aliens & Foreign Corporations and Publication 519: U.S. Tax Guide for Aliens for clarification of your tax status. These publications are available

from the Internal Revenue Service, 100 S. Clinton Street, Syracuse, NY 13202 or by calling 1-800-829-3676.

5) Second Degree or Change in Degree Level or Program:

If a student uses any portion of academic training during or after one degree program and then continues for another degree program s/he is only eligible for that period of academic training that is remaining. A pre-doctoral J-1 visa holder is only eligible for a total of 18 months of academic training regardless of the number of degrees the student pursues. Post-doctoral training may not exceed 36 months, including any periods of academic training pursued prior to completion of the Ph.D. degree. However, if a student uses academic training incident to one's degree program, leaves the United States for some time, and then returns to the U.S. for another degree program, s/he might be eligible for additional periods of academic training.

6) Authorized Stay in the U.S.:

If your DS-2019 will expire during the authorized period of academic training, it is your responsibility to contact the Slutzker Center for International Services and request that a new DS-2019 form be prepared for you for the purpose of extending your stay in the U.S. Failure to apply for extension of stay will result in your being ineligible to continue academic training beyond the expiration date indicated in item 3 of your DS-2019 form.

A J-1 visa holder is authorized to remain in the United States for the time period listed in item 3 on form DS-2019 plus 30 days. You may remain in the U.S. for these additional days, but you cannot work during this extra period.

7) Immigration Status after Academic Training:

Sometimes an employer is interested in extending your permission to work and to stay in the U.S. beyond the period of academic training. To do so requires a change of visa status to another non-immigrant status or adjustment of status to permanent residence. The Slutzker Center for International Services sponsors free seminars on these topics during the year. Usually local immigration attorneys are invited to make a presentation and answer your questions.

**PLEASE NOTE: J-1 visa holders are often subject to a two-year home residency requirement which makes change of status or adjustment of status difficult or impossible. If you have questions, please consult an advisor at the Slutzker Center.**

SAMPLE ADVISOR'S LETTER FOR ACADEMIC TRAINING

**must be printed on departmental letterhead**

**MEMORANDUM**

TO: Lillian and Emanuel Slutzker Center for International Services

FROM: Name  
Title

RE: Recommendation for Academic Training  
for \_\_\_\_\_

DATE:

This letter is written to verify that \_\_\_\_\_ completed/will complete all requirements for the \_\_\_\_\_ degree in \_\_\_\_\_ on \_\_\_\_\_ . It is an integral/critical part of this degree program that a student gain practical experience in the field because \_\_\_\_\_

This student has an opportunity to pursue academic training with the employer indicated below. I have discussed this opportunity with him/her and believe that this employment opportunity will provide the academic training s/he needs.

(Write a brief description of the work experience including:

- Title of the position the student will be holding if known.
- Name and address of the employer and name of the student's supervisor.
- Beginning and ending dates of the work experience and the number of hours per week the student will be working.
- A brief explanation of how this training relates to the student's field of study.)

I recommend that s/he be allowed to pursue this academic training