

J-1 Visa Holding Students Regulations regarding academic training

The regulations are not found as part of the immigration regulations (8 CFR Sec. 214.2(j)). Rather, they are found as part of the Department of State's regulations at 22 CFR Sec. 62.23(f)

(f) Academic Training

(2) Conditions.

A student, other than a student intern described in paragraph (i) of this section, may be authorized to participate in an academic training program for wages or other remuneration:

(i) During his or her studies; or (ii) Commencing not later than 30 days after completion of his or her studies, if the criteria, time limitations, procedures, and evaluations listed below in paragraphs (f)(3) through (f)(6) are satisfied:

(3) Criteria

- The student is primarily in the United States to study rather than engage in academic training;
- The student is participating in academic training that is directly related to his or her major field of study at the post-secondary accredited academic institution listed on his or her Form DS-2019;
- The student is in good academic standing with the post-secondary accredited academic institution; and
- The student receives written approval in advance from the responsible officer for the duration and type of academic training.

(4) Time limitations

The student is authorized to participate in academic training for the length of time necessary to complete the goals and objectives of the training, provided that the amount of time for academic training:

- is approved by the academic dean or advisor and approved by the responsible officer;
- for undergraduate and pre-doctoral training, does not exceed 18 months, inclusive of any prior academic training in the United States, or the period of full course of study in the United States, whichever is less;

(5) Procedures

To obtain authorization to engage in academic training:

- The student must present to the responsible officer a letter of recommendation from the student's academic dean or advisor setting forth:
 - A) The goals and objectives of the specific academic training program;
 - B) A description of the academic training program, including its location, the name and address of the training supervisor, number of hours per week, and dates of the training;
 - C) How the academic training relates to the student's major field of study;
 - D) Why it is an integral or critical part of the academic program of the student.

- The responsible officer must:
 - A) Determine if and to what extent the student has previously participated in academic training as a student, in order to ensure the student does not exceed the period permitted in paragraph (f) of this section;
 - B) Review the letter of recommendation required in paragraph (f)(5)(i) of this section;
 - C) Make a written determination of whether the academic training currently being requested is warranted and the criteria and time limitations set forth in paragraph (f)(3) and (4) of this section are satisfied.

(6) Evaluation requirements

The sponsor must evaluate the effectiveness and appropriateness of the academic training in achieving the stated goals and objectives in order to ensure the quality of the academic training program.