



Caroline Mei Yi Cheng <caroline_cheng@berkeley.edu>

Department of State Guidance

1 message

Berkeley International Office <jscholar@berkeley.edu>
Reply-To: Berkeley International Office <jscholar@berkeley.edu>
To: Caroline Cheng <ccheng@law.berkeley.edu>

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Berkeley International Office

June 12, 2023

Dear Campus Colleagues:

In May of 2022 we notified you of the guidance we received from the U.S. Department of State with regards to J-1 Exchange Visitors being physically onsite to engage in their program activities. The guidance indicated that J-1 participants in several categories (including the J-1 Research Scholar, J-1 Short-term Scholar, J-1 Student Non-Degree and J-1 Student Intern categories) may not engage in a fully or predominantly virtual exchange program. More specifically, the guidance indicated that there must be an in person component to their program, and the majority of program activities should be physically onsite. The guidance went on to specify that program hosts “may pursue ways to maintain program objectives, including a limited hybrid option, of one to two telework days per week, for one more academic year, not to exceed June 30, 2023, while preventing unnecessary exposure to COVID-19”.

More recent guidance from the U.S. Department of State reiterates this requirement for J-1 participants in these categories to have a predominantly in person program. Specifically, the guidance states that “Beginning July 1, 2023, exchange visitors in the following categories may participate remotely no more than 40% of their program (e.g., two out of five days per week) when their host organizations have instituted partial remote policies and their sponsor has approved their hybrid program participation: College and University Students participating in Academic Training or the Student Intern subcategory, Interns, Professors, Research Scholars, Short-term Scholars, Specialists, and Trainees.”

J-1 scholars whose programs are fully in person are not impacted by this guidance.

However, as we are aware that some J-1 scholars may have or request flexible work arrangements that involve telecommuting/remote work, we wanted to share this information with you as a reminder.

We will provide updates as new information unfolds. Thank you for your continued partnership.

Kaetlin Henry
Assistant Director - Scholar Services

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internationaloffice.berkeley.edu



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Berkeley International Office

2150 Shattuck Avenue

Suite 500

Berkeley, CA 94704

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