

J-1 Student Intern Program Requirements

The student internship activity secured for the participant must conform to these requirements and prohibitions.

Duration

- The internship must be full-time; i.e., consist of a minimum of 32 hours per week. 22 CFR 62.23(i)(3)(i)(A)
- Student interns may participate in a student internship program for "up to 12 months for each degree/major." Extensions beyond 12 months are not possible. 22 CFR 62.23(h)(3)
- Like most exchange visitor programs, the student intern program must be for a minimum of three weeks duration, as discussed at 4.Q.1.1.2 Minimum 3-week program, except Short-Term Scholar and federal government programs.

Focus and nature of activity

- The internship does not have to be in the student's field of study, but it does have to "fulfill the educational objectives for his or her current degree program at his or her home institution." 22 CFR 62.23(i)
- All tasks assigned must be "necessary for the completion of the student internship program." 22 CFR 62.23(i)(8)(iv)
- A student may participate in an internship with or without wages or other compensation, and full-time employment is permitted, as outlined on the student's T/IPP. To be employed, however, the student needs the "approval of the exchange program's responsible officer and the student's home institution's dean or academic advisor." 22 CFR 62.23(i)(6)
- The internship tasks may consist of no more than 20 percent clerical work. 22 CFR 62.23(i)(8)(iv)
- The internship must expose the participant to "American techniques, methodologies, and technology," expand upon the participant's existing knowledge and skills, and "not duplicate the student intern's prior experience." 22 CFR 62.23(i)(2)(iii)
- Internships cannot place a student intern in any position that involves the following 22 CFR 62.23(i)(8)(i):
 - Unskilled or casual labor
 - Child care or elder care
 - Aviation
 - "Clinical positions or engaging in any other kind of work that involves patient care or contact, including any work that would require student interns to provide therapy, medication, or other clinical or medical care (e.g., sports or physical therapy, psychological counseling, nursing, dentistry, veterinary medicine, social work, speech therapy, or early childhood education)"
 - Any "position, occupation, or business that could bring the Exchange Visitor Program or the Department into notoriety or disrepute." 22 CFR 62.23(i)(8)(ii)

Distinction between internships and regular employment

- The internship cannot "serve to fill a labor need" 22 CFR 62.23(i)(3)(ii)(B)
- The internship must exist "solely to assist the student intern in achieving the objectives of his or her participation in a student internship program." 22 CFR 62.23(i)(3)(ii)(B)
- The internship must consist of "work-based learning," rather than "ordinary employment or unskilled labor." 22 CFR 62.23(i)(7)(ii)
- Not involve in any way a "staffing/employment agency." 22 CFR 62.23(i)(8)(iii)

Worker protections

- The internship cannot displace "American workers" (including full or part-time, temporary or permanent). 22 CFR 62.23(i)(3)(i)(B)

The internship must meet all requirements of the Fair Labor Standards Act (FLSA) and the Migrant and Seasonal Agricultural Worker Protection Act 22 CFR 62.23(i)(3)(ii)(C).

J-1 Student Intern Participant Eligibility

- Be currently "enrolled in and pursuing a degree at an accredited postsecondary academic institution outside the United States." 22 CFR 62.23(i)
- The U.S. internship must "fulfill the educational objectives for his or her current degree program at his or her home institution." 22 CFR 62.23(i)
- Have "verifiable English language skills sufficient to function on a day-to-day basis in the internship environment." 22 CFR 62.23(i)(1)(i) The sponsor must verify the student's English language ability "through a sponsor-conducted interview, by a recognized English language test, or by signed documentation from an academic institution or English language school." 22 CFR 62.23(i)(1)(i)
- Be "primarily in the United States to engage in a student internship program rather than to engage in employment or provide services to an employer." 22 CFR 62.23(i)(1)(ii)
- Be "accepted into a student internship program at the postsecondary accredited academic institution listed on his or her Form DS-2019." 22 CFR 62.23(i)(1)(iii); 22 CFR 62.23(d)
- Be "in good academic standing" at his or her home institution outside the United States. 22 CFR 62.23(i)(1)(iv)
- The student must return to his or her academic program outside the United States "and fulfill and obtain a degree from such academic institution after completion of the student internship program." 22 CFR 62.23(i)(1)(v)
- Have "sufficient finances to support himself or herself and dependents for their entire stay in the United States, including housing and living expenses." 22 CFR 62.23(i)(2)(ii)

Host Attestation

I, as the SIU Host Faculty/Sponsoring Unit, attest that the above information has been verified for the J-1 student intern. I will adhere to all J-1 regulations, take full responsibility for the intern throughout the duration of the J-1 program, and certify that the details provided upon inviting the student intern are true and accurate to the best of my knowledge, as outlined above.

Host Name:	
Title:	
Email Address:	
Phone #:	
Host Signature:	