

## **J-VISA EXCHANGE VISITOR PROGRAM: INCIDENT REPORTING RUBRIC for ACADEMIC/GOVERNMENT CATEGORIES**

This reporting rubric should be used by U.S. Department of State (DOS)–designated Exchange Visitor Program sponsors as a general guideline for reporting incidents involving J-1/J-2 exchange visitors to the DOS pursuant to 22 CFR 62.13(d) in the following categories: College and University Student, Government Visitor, Professor, Research Scholar, Short-term Scholar, and Specialist. The examples provided below are not meant to be exhaustive (i.e., there may be other serious situations, not listed below, that have or could endanger the health, safety, or welfare of an exchange visitor or otherwise could be expected to bring the Department of State, the Exchange Visitor Program, or the sponsor's exchange visitor program into notoriety or disrepute). Sponsors can locate the incident report form at <https://j1visa.state.gov/academic-program-sponsors>. Please email the form to the Office of Private Sector Exchange Program Administration's Academic and Government (OPA-AG) team at [AGalert@state.gov](mailto:AGalert@state.gov).

### **Nature of Incident or Allegation**

- **Actual or Potential Negative Press** (i.e., incident expected to bring DOS, the sponsor, or the Exchange Visitor Program into notoriety or disrepute)
- **Death of Exchange Visitor**
- **Exchange Visitor Missing, Absconder, or Overstay** (i.e., whereabouts unknown or intentionally left the program without notifying sponsor)
- **Foreign Government Involvement** (including Foreign Embassy or Consulate Involvement)
- **Fraud** (e.g., visa, immigration, or financial fraud or scam)
- **Incident Involving the Criminal Justice System** (e.g., arrest, charges, incarceration, detention, or other law enforcement involvement)
- **Incidents Involving Child Protective Services**
- **Litigation (Lawsuits) or Other Legal Actions** (related to the Exchange Visitor Program, in which a sponsor, site of activity, or an exchange visitor may be a named party)
- **Lost or Stolen Immigration Documents** (e.g., lost or stolen passport/visa or stolen Form DS-2019)
- **Port of Entry Issues** (e.g., applicant found inadmissible resulting in withdrawal of application for admission, expedited removal, or Notice to Appear)
- **Proscribed Antisemitic Actions** (e.g., physical actions directed towards Jewish individuals and/or their property, community institutions, or religious facilities that violates the law or university rules)
- **Public Security Incident or Natural Disasters Directly Involving Exchange Visitor Safety** (e.g., bombing, shooting, other acts of violence, civil unrest, fire, tornado, flood, or hurricane)
- **Serious Behavioral Problems** (e.g., substance abuse, bullying, or harassment)
- **Serious Medical Issues** (e.g., cancer diagnosis, surgery, or any condition requiring hospitalization of 48 hours or more)
- **Serious Mental Health Concerns** (e.g., suicidal ideation or attempt, eating disorder, self-harm, psychiatric hold and/or hospitalization, or early program end due to mental health)
- **Serious Violations of University Conduct Rules:** (e.g., participation in a building occupation, participation in an unauthorized encampment, disrupting classes, intimidation, harassment, assault)
- **Sexually-Related Incident or Abuse** (e.g., incident or allegation involving sexual exploitation, harassment, assault, or misconduct)
- **Terrorist Activity, Endorsing or Espousing Terrorism:** (e.g., engaging in terrorist activity; membership in a terrorist organization; endorsing or espousing terrorist activity)
- **Theft of Intellectual Property or Violations of Import/Export Controls**
- **Unsuitable Host/Work Conditions** (e.g., incident or allegation involving workplace bullying, harassment, discrimination, hostile work environment, or work hours and/or wage-related issues)

## **EXCHANGE VISITOR PROGRAM REPORTING REQUIREMENTS**

The following federal regulations pertain to the sponsor's responsibility to inform DOS of serious problems or incidents and cooperate with inquiries and investigations:

- **22 CFR 62.10(d)(1), (2) *Monitoring of exchange visitors.*** Exchange visitors' participation in their exchange program must be monitored by employees of the sponsor. Sponsors must:
  - (1) Ensure that the activities in which exchange visitors are engaged are consistent with the category and activity listed on their Forms DS-2019;
  - (2) Monitor the physical location (site of activity), and the progress and welfare of exchange visitors to the extent appropriate for the category.
- **22 CFR 62.10(e) *Requests by the Department of State.*** Sponsors must, to the extent lawfully permitted, furnish the Department of State within the Department-requested timeframe all information, reports, documents, books, files, and other records or information requested by the Department of State on all matters related to their exchange visitor program. Sponsors must include sponsor's program number on all responses.
- **22 CFR 62.10(f) *Inquiries and investigations.*** Sponsors must cooperate with any inquiry or investigation that may be undertaken by the Department of State or the Department of Homeland Security.
- **22 CFR 62.10(g) *Retention of records.*** Sponsors must retain all records related to their exchange visitor program and exchange visitors (to include accompanying spouse and dependents, if any) for a minimum of three years following the completion of each exchange visitor program.
- **22 CFR 62.13(d) *Serious problem or controversy.*** Sponsors must inform the Department of State on or before the next business day by telephone (confirmed promptly in writing by facsimile or email) of any investigations of an exchange visitor's site of activity or serious problem or controversy that could be expected to bring the Department of State, the Exchange Visitor Program, or the sponsor's exchange visitor program into notoriety or disrepute, including any potential litigation related to a sponsor's exchange visitor program, in which the sponsor or an exchange visitor may be a named party.