



“We Love Our Au Pair—Can They Stay?”

What Families (and Au Pairs) Need to Know About Life After the J-1

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It's not uncommon for a host family to form a deep bond with their au pair—and when the program winds down, families often ask, *“Is there a way for them to stay?”* Before we explore what may be possible, it's important to understand the legal foundation of the au pair program.

The au pair program is part of the U.S. Department of State's J-1 Exchange Visitor Program. It is designed to foster cultural exchange by allowing young adults (ages 18–26) to live with an American family and provide limited childcare in exchange for room, board, a modest stipend, and the chance to experience life in the United States. Participants must have a good command of English, a high school diploma (or equivalent), and pass a background check. The program is initially granted for 12 months, with the possibility of a one-time extension of 6, 9, or 12 months—after which the au pair must return home.

It is *critical* to understand that entering the U.S. as an au pair with the intention of staying permanently violates the rules of the program and U.S. immigration law. The J-1 visa is strictly for temporary exchange—bringing “immigrant intent” into the mix can lead to a denied visa, or worse, future bars from entering the U.S. altogether. We've seen cases where a consular officer, suspecting long-term intent, refused to issue a visa—even for legitimate future travel—because of what they viewed as a misuse of the original J-1.

That said, U.S. immigration law acknowledges that life happens. Intentions can change. Someone may arrive planning to go home, but over time develop new goals, relationships, or career interests that inspire them to stay. This shift in intent is not in itself unlawful—if the *original visa was used properly* and the person follows the correct legal process to seek a change in status.

So, what happens when a beloved au pair hopes to stay beyond their J-1? The answer is nuanced. While there may be pathways to remain in the U.S. lawfully, almost none of them allows continued employment with the host family. Even if the au pair remains in the host family's home while studying or engaging in tourism, providing childcare—even for free—can violate U.S. immigration rules and trigger serious consequences.

Here are some of the more common options:



1. F-1 Student Visa

The F-1 visa allows foreign nationals to study full-time at a U.S. academic institution. A host family may offer to help sponsor tuition or continue to provide housing—but it's essential to understand that *no childcare or housework can be performed in exchange*. Not for free, not “just a little,” not as a “thank you.” We’ve seen well-meaning families unintentionally derail an au pair’s future by allowing them to help with kids or chores while studying, leading to visa violations and removal proceedings. In rare cases, if the au pair is studying early childhood development or a related field, they might qualify for structured, supervised training as part of their academic program—but that must be pre-approved and is tightly regulated.

2. B-2 Visitor Visa

If the au pair simply wants to travel the U.S. for a few months after their program ends—and can support themselves without working—they may be eligible for a B-2 tourist visa. This can be a good fit for sightseeing and spending time with friends, but the stay is typically limited to six months and cannot include any employment or study.

3. H-3 Training Visas

If the au pair is pursuing a career that could benefit from U.S.-based training, they may qualify for an H-3 training visa. This option requires sponsorship by a U.S. company offering a structured training plan.

4. H-2B Visa for Seasonal Work

Some au pairs find opportunities with U.S. employers offering temporary, seasonal, or peak-load employment, for example in the hospitality or travel industry. This route requires a job offer and employer sponsorship—and importantly, it still does not allow the au pair to continue working as a nanny for the host family.

5. Employment-Based Visas (H-1B, E-2)

In rare instances, an au pair may qualify for a U.S. job that supports a more advanced work visa. For example, if they hold a degree and receive an offer for a specialty occupation, they might be eligible for an H-1B. Or, if they have access to capital and a business plan, they might consider an E-2 investor visa. These paths are far less common given the typical background of most au pairs but are technically possible in the right circumstances.

We get this question a lot—most often from kind, caring host families who want to keep a valued au pair in their lives and their homes. While U.S. immigration law generally doesn't allow au pairs to extend their stay by continuing to work in the same role, there *are*



options to remain in the country legally, provided the rules are followed and a valid change in purpose can be demonstrated.

Bottom line?

The au pair chapter may be ending, but with the right planning and legal pathway, a new U.S. chapter could begin. Just make sure the transition is by the book.