

J-1 Exchange Visitors -Regulatory Update

Date: January 19, 2024

To: Binghamton University Exchange Partners

From: The Office of International Education and Global Initiatives

Re: Memorandum on New English Language Proficiency Requirement for J-1 Exchange Visitors

Effective January 5, 2015, the U.S. Department of State issued a new rule concerning the J-1 Exchange Visitor Program, which brings hundreds of visiting international professors, researchers, and other types of short term scholars to Binghamton University every year.

U.S. Institutions must now determine that prospective exchange visitors possess "sufficient proficiency in the English language, as determined by an objective measurement of English language proficiency, successfully to participate in his or her program and to function on a day-to-day basis." [22 CFR 62.11(a)(2)]

The new rule requires the sponsoring department to use **one** of the following objective measures of language proficiency:

- A recognized English language test (e.g. TOEFL, IELTS)
- Signed documentation from an Academic Institution or English Language school; or
- A documented interview conducted by the sponsor either in-person or by video conferencing, or by telephone if video conferencing is not a viable option.

The rule applies to **all** J-1 Exchange Visitors, including those from English-speaking countries and those attending English-taught universities in countries where English is not the official language.

Finally, sponsors are required to retain evidence of how they measured the applicant's English language proficiency so that it may be made available to the U.S. Department of State upon request.

A template for the English Proficiency Letter is attached.

Please contact the Office of International Education and Global Initiatives (intlexch@binghamton.edu or 1 607 777-2336) with any questions.

*****This is a template for an academic institution or English language school. Please print on your institutional letterhead*****

I verify that that _____ possesses sufficient proficiency in
J-1 exchange visitor's name
the English language to do the following:

- Yes No perform their J-1 activities or complete their academic programs;
- Yes No navigate daily life in the U.S. (e.g. riding the bus; buying groceries;)
- Yes No read and comprehend program materials;
- Yes No understand fully their rights and responsibilities, rights and protections; **and**
- Yes No know how to get help if necessary.

I verify under penalty of perjury that I am able to make an accurate evaluation of this J-1 scholar's English language proficiency is sufficient to function daily within their position and within the local U.S. community based on the following (e.g.: I am an English language instructor; I have worked extensively with the scholar communicating in English; etc):

Name of the evaluator (print): _____

Institution: _____

Position title: _____

Email address: _____

Signature: _____

Date: _____