Guidance on the J-1 Exchange Visitor Program and Instructions for Requesting Sponsorship

Objective: This document is to provide a summary of the J-1 Exchange Visitor program for university departments inviting international students, professors and researchers to come to the United States for the purpose of studying, teaching, researching, or engaging in other academically-oriented activities at the University of Maryland in Baltimore.

Instructions for Requesting J-1 Sponsorship

There are two packets that must be completed to request J-1 Sponsorship.

1. The department must complete a request packet – there are two versions of this packet:
   - J-1 Scholar Department Request Form - For Scholars Paid by UMB
   - J-1 Scholar Department Request Form - For Scholars Not Paid by UMB

2. The incoming scholar must complete a packet:
   - J-1 Scholar Request Form - Completed by the Incoming Scholar

Packets must be fully completed and sent with all required supporting documentation in order to be processed.

J-1 Exchange Visitor Program: The J-1 Exchange Visitor program was created by the Fulbright-Hays Act of 1961 to facilitate educational and cultural exchange.

University of Maryland Baltimore (UMB) Exchange Visitor program allows for non-clinical instruction, research, and educational exchange. As a J-1 EV program sponsor, UMB is obligated to comply with U.S. Department of State procedures and regulations. The J-1 program is divided into categories which correspond to the purpose of the visit and the proposed activities. UMB is approved to sponsor the following categories:

- Short-Term Scholar–Appointments or stays lasting no more than 6 months
- Professor/Research Scholar–Appointments or stays of a minimum of 3 weeks to a maximum of 5 years
- Student Interns
- Bachelor’s Students
- Master’s Students
- Doctoral Students
- Non-degree Students

J-1 Short-Term Scholars, Research Scholars and Professors are limited to employment by UMB that is consistent with the intent of their program and their J-1 category. Under certain circumstances they may be approved for employment at other locations. This employment, in addition to their activities at UMB, must be consistent with their original program objective (i.e. occasional lectures,
consultations at other academic institutions) and they must have OIS authorization in writing prior to beginning such employment.

J-1 Students (Bachelor’s, Master’s, Doctoral and Non-Degree students) may be authorized to work on-campus or off-campus pursuant to Academic Training (AT). We encourage J-1 students and scholars to attend our J-1 Employment Workshops to learn more about these benefits. All our workshops can be found on the Elm Calendar.

**J-1 Professor/Research Scholar Eligibility:** The J-1 Research Scholar and Professor categories are intended for qualified international professors and researchers to come to UMB for temporary, non-tenure track appointments. This category is only utilized for Faculty and Fellow appointments. No staff titles are eligible for J-1 sponsorship. Departments should consult their dean’s office for an outline of UMB appointments and corresponding titles. UMB sponsors instructors and researchers who have obtained the equivalent of a U.S. Bachelor’s degree or higher. **UMB does not have authorization to sponsor EVs who will be involved in direct patient care.** Clinical fellowships and residency programs are not within UMB’s scope of J-1 EV sponsorship.

Departments wishing to bring Undergraduate students to the University of Maryland Baltimore to engage in research related activities should consult the Student Intern category.

All J-1 Research Scholars admitted to the US are automatically subject to the ‘24 month bar’ on repeat Research Scholar participation. For additional information regarding the ‘24 month bar’ please see appendix.

**J-1 Short-Term Scholar Eligibility:** The J-1 Short-Term Scholar (STS) category is intended for qualified international professors and researchers to come to UMB for temporary, non-tenure track appointments lasting no longer than **6 months**. The objectives of the Short-Term Scholar category are similar to those of the Professor/Research Scholar categories; however, sponsorship in the Short-Term Scholar category cannot be extended beyond six months. This category is only utilized for Faculty and Fellow appointments. No staff titles are eligible for J-1 sponsorship.

The 12 and 24 month bars on repeat participation do not apply to the Short-Term Scholar category.

Any J-1 Short-Term Scholars, Research Scholars, and Professors who will not be on UMB payroll must complete the Visiting Scientist/Scholar Agreement and submit to the Office of Research and Development (ORD) for approval.

**J-1 Student Intern Eligibility:** Participation in the Student Intern category is available only to international students currently enrolled and pursuing a degree at a postsecondary academic institution outside the US. The US internship must ‘fulfill the educational objectives for his/her current degree program at his/her home institution.’ Student Interns may participate in a student internship program for up to **12 months** for each international degree/major. As the J1 Research Scholar and Short-Term Scholar categories are unavailable for any international that hasn’t yet secured a Bachelor’s degree the J-1 Student Intern category would be most appropriate for visiting undergraduate students. To qualify for the sponsorship using the Student Intern category the OIS requires a number of supporting documents. For a specific list please visit our J-1 Student Intern request worksheet.
**J-1 Student Eligibility:** J-1 students must be fully admitted to the University of Maryland Baltimore through the appropriate admissions office in order to pursue degree-seeking or non-degree-seeking study.

In addition to being fully admitted, they must meet one of the following criteria:

- They are coming pursuant to an exchange agreement that the University of Maryland Baltimore (or a school of UM) has signed with a foreign institution of higher education;

  OR

- Their studies are primarily funded from the U.S. government, their home country government, an international organization, a bi-national commission of the United States and a foreign country, or the University of Maryland Baltimore.

**J-1 English Language Requirement**

The regulation governing the J-1 Exchange Program requires that J-1 sponsors establish and utilize a method to screen and select prospective exchange visitors ensuring that they possess sufficient proficiency in the English language, using an objective measurement, to successfully participate in his or her program and to function on a day-to-day basis. See the J-1 Request form for details.

**J-1 Exchange Visitors Funding:** J-1 EVs must have appropriate funding for the duration of their visit.

*J-1 Scholars and J-1 Student Interns:*  
The minimum financial requirement for 1 year is US$27,600, as well as US$7,200 more for an accompanying spouse and $6,600 per accompanying child.

*J-1 Students:*  
The minimum financial requirement for 1 year is the school's tuition and fees (unless waived pursuant to an exchange agreement) + US$25,800, US$7,200 more for an accompanying spouse and $6,600 per accompanying child.

**Orientation:** U.S. Federal regulations require all J-1 EVs check in with their sponsor. OIS offers a J-1 Scholar Orientation one Friday a month from 10 AM - noon. This orientation is designed to provide information on J-1 immigration and insurance regulations, and to provide resources for the scholar about UMB and the Baltimore metro area. Attendance at a J-1 Scholar Orientation is highly recommended for all new J-1 Scholars.
Appendix:

Understanding the 12 and 24 Month Bars: The US State Department has implemented regulations that prevent repeat usage of some J Exchange Visitor categories. These regulations are called the 12 and 24 month ‘bars’. These bars are entirely separate from the ‘Two Year Home Residency Requirement’ wherein some J visa holders must return to their home country before being able to move to other types of US visas, i.e. H-1B.

12 Month Bar: Individuals who have been in the US for more than six months in the previous year with J-1 visa status are not eligible to enter the US as a J-1 Research Scholar or Professor for a 12-month period. The only exception is if the first visit was using the J-1 Short-Term Scholar category, which does not count towards the 12-month bar. The 12-month bar does not prevent individuals from returning to the US in a different visa status (F-1, H-1B, O-1, etc.).

24 Month Bar: Individuals who participate in the J Exchange Visitor program in the Professor or Research Scholar categories are subject to a 24-month bar on "repeat participation" in that same category. Scholars subject to the bar may not return to the US as a J visa holder in the Research Scholar or Professor categories for a 24-month period. The 24-month bar occurs regardless of the duration of the program. Whenever the Exchange Visitor ends his/her academic appointment and returns home the bar goes into effect. The Exchange Visitor will again be eligible for the J Research Scholar or Professor category after being out of that status for 24 months.

Understanding the Two Year Home Residency Requirement
Exchange visitors meeting specific criteria become subject to the two year home residency requirement (212e). When a J-1 is subject to this requirement, he or she is not eligible to change status within the US and is not eligible to adjust to permanent residency or obtain an H, K, or L visa until the requirement has been fulfilled by returning to the home country for a cumulative of two years or until it has been waived by the proper authorities.

An exchange visitor is subject to the requirement if any of the following criteria are met:
- The program in which the exchange visitor was participating was financed in whole or in part directly or indirectly by the U.S. government or the government of the exchange visitor's nationality or last residence
- The exchange visitor is a national or permanent resident of a country which has deemed the field of specialized knowledge or skill necessary to the development of the country, as shown on the Exchange Visitor Skills List
- The exchange visitor entered the United States to receive graduate medical education or training