

## Incidental Study for J-1 Exchange Visitor Scholars

### What is Incidental Study?

**Incidental Study** is study that is **secondary** to an Exchange Visitor's (EV's) primary objective. EV's in the Research Scholar, Professor, Short-Term Scholar, Student Intern, and Specialist category are here primarily to teach, research, collaborate, and/or observe. Although they are in a status designed for a purpose other than study, if authorized, they can engage in study that is incidental (secondary) to their program objective. Incidental study must be **part-time** and **non-degree seeking** to maintain your visa status.

### General Guidelines for Incidental Study:

- EV scholars are allowed to enroll in classes as long as **the following conditions** are met:
  - Enrollment is incidental (secondary) to your primary objective.
  - You continue to pursue your program objectives as listed on your DS-2019.
  - You are fulfilling all other requirements of your J-1 visa category.
- If a program of study becomes your primary objective, your immigration status may be at risk. It is a violation of your immigration status to enroll full-time in a degree-seeking program while in a **“non-student” category**. If you plan to study full time and pursue a degree, you should either depart the U.S. and apply for a visa that allows full-time study at a U.S. Consulate or Embassy in your home country, or apply for a change of immigration status through USCIS.

### You are eligible for Incidental Study if:

- You are maintaining your current J-1 visa status.
- You are admitted to the University of Utah in a non-degree seeking program.
- You register for less than full-time study (11 credits for undergrad and 8 credits for graduate).
- You ensure that your study will not interfere with, or delay your primary program objectives.

### How to apply for Incidental Study:

Submit an **Incidental Study** E-form through [UAtlas](#), and be prepared to provide the following information when completing the E-form:

- A copy of your most current DS-2019.
- Confirmation that you will continue to pursue your original program objectives, that the incidental study will not interfere or delay your primary program objectives, that you will follow the regulations of your current visa category, and the number of credits you plan to take.

**Disclaimer:** International Student & Scholar Services provides support and information related to U.S. immigration laws and regulations related to F and J status. ISSS staff are not attorneys and any information provided by us should not be construed as legal advice. Individuals are welcome to consult a qualified immigration attorney for specific legal advice, particularly in complicated cases. For a list of local Utah attorneys please visit our website [here](#).

## Frequently Asked Questions:

1. **Can I begin a program of study before receiving authorization from ISSS?**

Since engaging in a program of study while in a visa “status” or category not meant for study, such activity can have an adverse impact on your legal visa status. It would be necessary to meet with a J-1 Scholar Advisor prior to enrollment to ensure that you will not violate your current immigration status.

2. **Can I enroll in classes as a full-time, degree-seeking student?**

No. If you are in a J-1 visa category not meant for study, enrollment in a degree-seeking and/or full-time study program demonstrates a change in your primary objective and would be viewed as a violation of your J-1 “status”.

3. **How is it determined if study has become my primary objective for being in the U.S.?**

Generally, if you register for full-time study or enroll in a degree-seeking program, your primary objective has changed. If your primary objective has changed, then your current J-1 category (Research Scholar, Professor, Short-Term Scholar, Student Intern, or Specialist) would no longer be appropriate.

4. **How long can I engage in incidental study while completing my primary objective of teaching or research?**

You are allowed to engage in **incidental study** for the duration of your Exchange Visitor Program, as long as you continue to pursue your “primary” or original EV program goals and objectives, maintain your visa status, and follow the rules and regulations of your current J-1 visa category.

5. **What if I want to change my primary objective and become a full-time degree-seeking student?**

If your primary objective has changed, you may apply for a degree-seeking program through the Office of International Admissions; however, you will only be admitted to a degree-seeking program if you currently have, or plan to change your immigration status, to one that allows full time study. This can be done by application to USCIS or by departing the U.S. to apply for a more appropriate visa at a U.S. Consulate or Embassy in your home country. For more information on a change of status, please schedule an appointment with a J-1 Scholar Advisor.

6. **Can my dependent spouse and/or minor child enroll in classes?**

Yes, your dependents can study full-time or part-time; however, spouses and children who derive their status from you as the Exchange Visitor may not remain in the U.S. beyond your program end date in order to continue a program of study. Minor children lose their derivative status at the age of 21 and must apply for a “change of status” to another visa status if they wish to remain in the U.S. to continue their program of study. As an alternative, they can depart the U.S. and apply for another visa type that allows for full time study.