

J-1 Visa Exchange Visitor Categories

What is a Category?

The J-1 visa is a non-immigrant visa for individuals approved to participate in an **Exchange Visitor Program**. The multi-faceted Exchange Visitor Program enables foreign nationals an opportunity to visit the U.S. to teach, study, conduct research, demonstrate special skills, or receive on the job training for periods ranging from a few weeks to several years.

The particular purpose of the visit and the credentials of the **Exchange Visitor (EV)** will help to determine the appropriate category. The University of Utah is authorized to sponsor Exchange Visitor's in several different categories: (1) **Research Scholar**, (2) **Professor**, (3) **Short-Term Scholar**, (4) **Specialist**, and (5) **College/University Student**, which includes the **Student Intern** category.

Note: It is important to choose a category that both matches the purpose of the EV's visit and their qualifications.

Visa Categories and their Requirements:

(1) Research Scholar - A foreign national whose primary purpose is conducting research, collaboration, observation, or consulting in connection with a research project at research institutions, corporate research facilities, museums, libraries, post-secondary accredited academic institutions, or similar types of institutions. A research scholar also may teach or lecture when authorized by the sponsor, but research activities must be the primary reason to visit.

Degree Requirement:Master's degree or above (contact ISSS if questions about this requirement)Minimum Duration:3 WeeksMaximum Duration:5 Years

- Used for appointments of 3 weeks to 5 years in duration
- Allows for extensions up to a continuous, uninterrupted 5 year maximum
- Time abroad for more than 30 days is allowed, but the visiting scholar must meet the eligibility requirements for a <u>temporary absence</u>
- Subject to a <u>24-Month Bar</u> on a repeat visit in the **Research Scholar or Professor category** after the <u>completion</u> of the program. A SEVIS transfer to facilitate a continuation of program goals and objectives is not considered "completion" of a program.
- May be able to return to the U.S. in a different J visa category (such as Short-Term Scholar) at a later date, or in another type of non-immigrant status during the 24-month bar period. For more information on the **Short-Term Scholar** category, please review that information below.
- May be subject to the 212 (e) Two-Year Home Country Physical Presence Requirement



(2) Professor - A foreign national whose primary purpose is teaching, lecturing, observing, or consulting at post-secondary accredited academic institutions, museums, libraries, or similar types of institutions. Professors may also participate in departmental research but their primary purpose is to teach. If the EV will be here primarily to conduct research, the Research Scholar category above will be most appropriate, even if the individual is in a professor position in his or her home country.

Degree Requirement:Master's degree or above (contact ISSS if questions about this requirement)Minimum Duration:3 WeeksMaximum Duration:5 Years

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- Allows for extensions up to a continuous, uninterrupted 5 year maximum
- Time abroad for more than 30 days is allowed, but the visiting scholar must meet the eligibility requirements for a <u>temporary absence</u>
- Subject to a <u>24-Month Bar</u> on a repeat visit in the **Research Scholar or Professor category** after the <u>completion</u> of the program. A SEVIS transfer to facilitate a continuation of program goals and objectives is not considered "completion" of a program.
- May be able to return to the U.S. in a different J visa category (such as Short-Term Scholar) at a later date, or in another type of non-immigrant status during the 24-month bar period. For more information on the **Short-Term Scholar** category, please review that information below.
- May be subject to the 212 (e) Two-Year Home Country Physical Presence Requirement
- (3) Specialist A foreign national who lacks a post-secondary degree, but is a documented expert in a field of specialized knowledge or skill visiting the U.S. for observation, consultation, or to demonstrate special skills. Someone in the Specialist category may stay for the length of time necessary to complete their program, but not to exceed one year. This category is considered on a case-by-case basis. Please contact ISSS in regards to this category before submitting a DS-2019 application.

Degree Requirement:	None required, but must be a documented expert in their field
Minimum Duration:	3 weeks
Maximum Duration:	1 year

- Used for appointments of 3 weeks to 1 year in duration
- Allows for extensions up to the 1 year maximum
- May be subject to a <u>12-month bar</u> to participate in the Research Scholar and Professor categories
- May be subject to the 212 (e) Two-Year Home Country Physical Presence Requirement



(4) Short-Term Scholar - A foreign national who is a professor, research scholar, or person with similar education or accomplishments who enters the United States for a short-term visit for the purpose of lecturing, observing, consulting, training, or demonstrating special skills at research institutions, museums, libraries, post-secondary accredited academic institutions, or similar types of institutions.

Degree Requirement:	Bachelor's degree or above
Minimum Duration:	1 Day
Maximum Duration:	6 Months

- Used for appointments of 6 months or less in duration.
- Cannot be extended beyond 6 months
- May be able to return to the U.S. in a different J visa category, including another appointment as Short-Term Scholar (STS), or in another type of non-immigrant status
 - If visiting for another appointment in the Short-Term Scholar category, the next appointment must be to pursue **different goals and objectives** than the previous one.
 - The STS category cannot also be used to **avoid the 24-month bar** by visiting for multiple, consecutive visits, in order to complete an ongoing program objective (as an alternative to visiting in the Research Scholar category).
 - This category should also not be used immediately after **completing a program** in the Research Scholar or Professor category as a way to extend the duration of an exchange program beyond the 5 year maximum, where program goals and objectives of the visit would be a continuation of the original goals and objectives that were in place during the previous visit in the Research Scholar or Professor category.
- Not subject to the 12-month, or the 24-month bar on a repeat visit (as is the case for the J-1 Research Scholar and Professor categories)
- May be subject to the 212 (e) Two-Year Home Country Physical Presence Requirement
- (5) Student Intern A foreign national who is currently enrolled in a degree program abroad to complete an internship of up to 12 months in duration to satisfy a curricular requirement or educational objective. Please see the Student Intern Resources on our Exchange Visitor Policies and Forms webpage for more information and guidance on the additional paperwork required for this category.

Degree Requirement:	None required, but the intern must be <u>currently enrolled</u> in and pursuing a degree at an accredited postsecondary academic institution outside the U.S. and will continue to do so during the entirety of their internship while in the U.S.
Minimum Duration:	3 Weeks
Maximum Duration:	1 Year

- Used for appointments of 3 weeks to 1 year in duration
- Allows for extensions up to the 1 year maximum
- May be subject to a <u>12-month bar</u> to participate in the Research Scholar and Professor categories
- May be subject to the <u>212 (e) Two-Year Home Country Physical Presence Requirement</u>



(6) Degree Seeking Student - A foreign national who has been admitted to the University of Utah to obtain a degree. Exchange Visitors in this category can extend their stay in the U.S. to complete their degree objectives, as long as they are making progress towards their degree program, and as long as they are maintaining valid visa status. An extension of stay is completed by requesting an extension of their DS-2019. The Exchange Visitor Program does allow a degree seeking student to matriculate in SEVIS to the next higher degree level, but does not allow a reverse matriculation.

Requirement:Must meet the admissions eligibility requirements of the University of Utah and the
Academic Program seeking admission to, including proof of a minimum English
language proficiency, and funding requirements.Maximum Duration:Period needed to complete the degree program

- Used for appointments (program of study) to complete a degree program at the University of Utah
- Allows for extensions necessary to complete a degree program at the University of Utah. EV must continue to make normal progress towards a degree program, which includes full time study each semester, meet minimum GPA requirements, and maintain visa status.
- Eligible for Academic Training
- May be subject to a <u>12-month bar</u> to participate in the Research Scholar and Professor categories
- May be subject to the 212 (e) Two-Year Home Country Physical Presence Requirement
- (7) Non-Degree Seeking Student A foreign national who is currently enrolled in a degree program abroad and seeks to participate in a reciprocal exchange program between the University of Utah and their current institution. There must be an agreement between the University of Utah and their current institution to participate in this program. Must have sufficient finances for themselves and any dependents for the entire stay in the U.S., including housing and living expenses, where a majority of the funding must be from non-personal funds. Must have sufficient English language skills to function on a day-to-day basis in the program, and be engaged in a full-time course of study including classroom and/or research.

Degree Requirement: Must be <u>currently enrolled</u> in and pursuing a degree at an accredited postsecondary academic institution outside the U.S. and will continue to do so during the entirety of the exchange program while in the U.S.

Minimum Duration:	1 semester
Maximum Duration:	24 months

- Used for appointments (program of study) of one semester to 24 months in duration
- Allows for extensions up to the 24 month maximum
- Eligible for <u>Academic Training</u>
- May be subject to a <u>12-month bar</u> to participate in the Research Scholar and Professor categories
- May be subject to the 212 (e) Two-Year Home Country Physical Presence Requirement

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 <u>here</u>.