



Incidental Study for Visitors to the U.S.

Generally, citizens of other countries may visit the U.S. provided they have a valid B1/B-2 visa or are eligible for the Visa Waiver Program (VWP). When entering the country, immigration officers will ask the visitor to explain the purpose of their visit and where they intend to stay. The primary purpose of the trip must qualify as business, pleasure, or medical treatment. Once admitted in valid B-1, B-2, or VWP status, visitors have restricted permissions for what they can do while they are in the U.S. Visitors are granted status until a specific expiration date and do not have permission to work or enroll in an academic course of study during that time.

According to federal regulations, a non-immigrant visitor “violates the conditions of his or her B-1 or B-2 status if the alien enrolls in a course of study” [8 CFR 214.2(b)(7)]. These conditions hold for visitors in the Visa Waiver Program as well. However, several government agencies have clarified these regulations to allow for recreational study, as long as the study is incidental to the primary purpose of the visit (business or tourism). The study may NOT be used to satisfy any degree or certification requirements, provide substantial training toward a vocational skill, or qualify as a full-time program. Instead, permissible study is viewed as casual and short-term, toward a personal hobby or interest, and is not the main reason for visiting the U.S.

The University of Rochester offers several short-term programs which provide informal study or enrichment experiences. Many of these are available on a non-credit basis and are open to the community. For international visitors hoping to participate in incidental study during their trip, the International Services Office recommends that all of the following conditions are met:

- The primary purpose of your visit is business or tourism;
- Registration is processed as non-credit or an audit;
- The course(s) will not be used toward a degree or certification;
- Study does not exceed 18 hours per week.

In this case, a short-term class or workshop should not be considered a violation of B-1/B-2 status or the Visa Waiver Program. However, if there is a possibility that you may want to change to a student category while you are here for permission to enroll in a formal course of study, you can request a “Prospective Student” designation during your visa interview and/or upon admission to the country.

If these conditions cannot be met, you should consider requesting University sponsorship for a student category (F-1 or J-1). This will require additional processing time and application fees, and you must enroll in full-time study to maintain status. You should contact the school or program coordinator at least three (3) months in advance and follow directions to request documentation and apply for the student visa: www.iso.rochester.edu/study/incoming/index.html.

Please note: Educational institutions may enroll any successful applicant to their programs, regardless of their immigration status, and are not required to verify their permission to study. Ultimately, it is the individual’s responsibility to make sure that they are maintaining status and have appropriate permissions for their activities. We hope the guidelines above will help you to determine the appropriate visa category for your intended visit, including any periods of study. If you are not sure whether to request status as a visitor or a student, please contact your local U.S. consulate for guidance. Consular officials will be able to evaluate the primary purpose of your visit and whether the proposed study is permitted as incidental to status.