

# U.S. Immigration and Customs Enforcement Students/Exchange Visitors

## Becoming a Nonimmigrant Student in the United States

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This FAQ defines the term *nonimmigrant* and explains the types of visas available to become a nonimmigrant student in the United States. It also provides an overview of the process for applying to enter the United States as an F or M nonimmigrant. See the [glossary](#) for an explanation of unfamiliar terms or acronyms.

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# **1. BASIC IMMIGRATION CONCEPTS**

## ***1.1. What is a nonimmigrant?***

A nonimmigrant is a foreign citizen who visits the United States for a temporary purpose – tourism, work, or study – and, when finished, leaves the United States. Before being permitted to visit the United States as a nonimmigrant, foreign citizens must prove their [nonimmigrant intent](#).

People who wish to move to the United States permanently must apply to immigrate. See the USCIS Web site [for information on immigrating](#) to the United States.

When nonimmigrants apply to visit to the United States, they must declare their *primary purpose* for visiting. Nonimmigrants must declare this purpose at least twice: once when applying for a visa at a United States embassy or consulate and again at the U.S. port-

of-entry (POE) where they arrive in the United States. The declared primary purpose determines the type of visa needed and the nonimmigrant class of admission when admitted at the POE.

Each nonimmigrant class of admission has a code. Among the common codes and their primary purposes are:

- A-1 diplomats
- B-1 business visitor
- B-2 pleasure (tourist)
- F-1 academic student

While in the United States, nonimmigrants are limited to those activities associated with their class of admission; primary activities must reflect this purpose. For example, while nonimmigrant students may tour the United States during school breaks and vacations, they must attend school full-time during the normal school year in order to legally remain in the United States.

Nonimmigrants in the United States who wish to change their primary purpose for their visit must do one of the following:

- File for a change of status (COS) with USCIS
- Exit the United States and reapply for admittance in the class of admission appropriate for their new intent

## ***1.2. What is nonimmigrant intent?***

To qualify for a visitor or student visa, an applicant must meet the requirements of sections 101(a)(15)(B), (F), (J) or (M) of the Immigration and Nationality Act. The Department of State (DOS) will not issue a visa to those who do not meet the requirements. The most frequent basis for such a refusal concerns the requirement that the prospective visitor or student possess a residence abroad he/she has no intention of abandoning. One common way that applicants can prove the existence of such a residence is by demonstrating that they have ties abroad that would compel them to leave the United States at the end of the temporary stay. The law places this burden of proof on the applicant.

Ties are the various aspects of a nonimmigrant's life -- possessions, employment, social and family relationships --that bind the nonimmigrant to his or her country of residence. Some examples of relevant ties in foreign countries are a job, a house, social and family relationships, or a bank account. Consular officers are aware that ties differ from person to person.

During the visa interview, officers look at each application individually and consider professional, social, cultural and other factors. For younger applicants (such as students) who may not have had an opportunity to form many ties, consular officers may look at the

applicant's specific intentions, family situations, and long-range plans and prospects within his or her country of residence. Each case is examined individually and is accorded every consideration under the law.

For more information on qualifying for nonimmigrant visas, see the DOS Web site at [http://travel.state.gov/visa/frvi/denials/denials\\_1361.html](http://travel.state.gov/visa/frvi/denials/denials_1361.html).

### **1.3. What are the nonimmigrant categories for students?**

This chart gives an overview of the types of nonimmigrant students.

	Type of School	Apply To
J-1	Secondary School (High School)  Limited to one semester or one academic year	Exchange Visitor Program (DOS-designated sponsor)  <a href="http://educationusa.state.gov/">http://educationusa.state.gov/</a>
J-1	College/University  Time limits vary with program	Exchange Visitor Program (DOS-designated sponsor)  <a href="http://educationusa.state.gov/">http://educationusa.state.gov/</a>
F-1	Public High School  Limited to 12 months	SEVP-certified school
F-1	K-12 Private School	SEVP-certified school
F-1	Academic (post secondary)  To include colleges, universities, community colleges, seminaries, fine arts conservatories, etc.	SEVP-certified school
F-1	English Language School	SEVP-certified school
M-1	Vocational or Technical School	SEVP-certified school

Nonimmigrants who wish to study in the United States should not enter the country as B-2 tourist, but as an F, M, or J student.

Nonimmigrants who wish to enter the United States to visit schools or take entrance examinations as prospective students may enter on a B-2 visa, but should inform the CBP officer at the POE of their intent. The CBP officer will add the notation *Prospective Student* to the Form I-94. Later, the nonimmigrant [may apply for a change of status](#) with USCIS, if he or she is accepted by a SEVP-certified

school or a DOS designated sponsor school. Nonimmigrants changing status from a B-2 to an F-1 or M-1 nonimmigrant student cannot start school until the change of status is approved.

### **1.4. Exchange Visitors**

The Exchange Visitor Program has two categories of students: secondary school students and college/university students. See the DOS website at <http://exchanges.state.gov/education/jexchanges>.

Nonimmigrants may attend school in the United States as part of a sponsored exchange program. These nonimmigrants are J-1 exchange visitors. For more information on exchange visitors and approved Exchange Visitor Programs see the DOS Web site at [http://travel.state.gov/visa/temp/types/types\\_1267.html](http://travel.state.gov/visa/temp/types/types_1267.html).

Nonimmigrants who have applied to USCIS for a COS may not begin participating in their program until USCIS has authorized the COS.

For a searchable list of Exchange Visitor Program sponsors see <http://exchanges.state.gov/jexchanges/>.

## **2. OVERVIEW OF THE STEPS TO BECOME AN F OR M NONIMMIGRANT STUDENT**

### **2.1. From outside the United States**

1. Nonimmigrants must:

- [Apply to](#), and be accepted by, an SEVP-certified school.
- Be able to pay for the cost of schooling and living expenses while in the United States and furnish proof of sufficient funding to the school. Nonimmigrant students have limited work opportunities, so unless the school has promised an on-campus job, nonimmigrant students should not expect to work to pay expenses.
- Attend school full-time (except for Mexican or Canadian residents who live at home and commute to a United States school within 75 miles of the U.S. border.)

2. When a school accepts a nonimmigrant applicant, it issues a Form I-20 for initial attendance. Prospective nonimmigrant students may apply to more than one SEVP-certified school but must choose one and use the Form I-20 from that school when applying for a visa.

3. After receiving the Form I-20, the prospective nonimmigrant student must pay the SEVIS I-901 fee at [www.fmjfee.com](http://www.fmjfee.com).

4. The prospective nonimmigrant student must then [obtain a student visa](#) from an embassy or consulate abroad or, if from a [visa exempt country such as Canada or Bermuda](#), apply for admittance at a U.S. POE.

5. After obtaining an F-1 or M-1 visa, the prospective student may apply for entry into the United States through a U.S. POE no more than 30 days prior to the program start date on the student's Form I-20.

## **2.2. From within the United States**

The prospective nonimmigrant student must:

1. Be in the United States in a valid nonimmigrant status and eligible to change to F-1 or M-1 status (See USCIS website on who may change status).
2. Be accepted by an SEVP-certified school, receive a Form I-20, and pay the SEVIS I-901 fee, as in [steps 1 to 3 above](#).
3. Use a [Form I-539](#) to apply to USCIS for a change of status.
4. Receive approval from USCIS for the change of status.
5. Be prepared to depart the United States immediately if the change of status application is denied.

## **3. FINDING A SCHOOL AND APPLYING**

### **3.1. How do I find schools that are approved to accept nonimmigrant students?**

A full listing of the schools certified by SEVP to accept nonimmigrant students, is at <http://www.ice.gov/doclib/sevis/pdf/ApprovedSchools.pdf>. You can also find a school by geographic location using <http://www.ice.gov/sevis/map/approvedschoolsmap.htm>.

### **3.2. What are F schools?**

F schools include:

- Kindergarten through 12th grade (K-12) private schools
- Public high schools (Nonimmigrant students are limited to a maximum of 12 months at a public high school.)
- Colleges and universities to include 2-year community colleges

- Fine arts schools and conservatories
- Seminaries
- Language training schools
- Other schools that provide instruction in the liberal arts or the professions

### **3.3. What are M schools?**

M schools include:

- Community or junior colleges that offer technical or vocational instruction
- Post secondary vocational or business schools
- Vocational or other nonacademic high schools

### **3.4. How do nonimmigrants apply to attend an SEVP-certified school?**

The application process varies from school to school. Prospective nonimmigrant students should contact schools directly. Most schools have application information for nonimmigrant students on their Web site. Look for sections that refer to international or foreign students.

### **3.5. Who at an SEVP-certified school helps with immigration related issues?**

Every SEVP-certified school has at least one designated school official (DSO) who is authorized to deal with immigration related issues. The DSO generally works in the international student office or the registrar's office. The DSO is responsible for entering data into the Student and Exchange Visitor Information System (SEVIS), the system used to issue Forms I-20 and monitor nonimmigrant students.

### **3.6. Is there an organization outside the United States that can assist nonimmigrants that want to study in the United States?**

Yes. In many countries, there are free Education USA centers (associated with the U.S. DOS) that advise prospective international students and other audiences on higher education and study opportunities in the United States.

In addition, the DOS has a Web site at <http://www.educationusa.state.gov> that provides information on attending United States colleges and universities. This Web site provides detailed information on searching for U.S. schools, costs, and application processes.

Also, private businesses in many countries offer assistance to prospective international students. The U.S. government does not sanction these services. Prospective nonimmigrant students must use them at their own discretion.

### **3.7. Proof of acceptance**

#### *Form I-20*

The Form I-20 is an official U.S. government form. A prospective nonimmigrant student must have a Form I-20 issued by an SEVP-certified school in order to become F-1 or M-1 student.

Only an SEVP-certified school can issue a Form I-20 to students that have been accepted for enrollment. It acts as proof of acceptance and contains the information that is needed to pay the SEVIS I-901 fee; apply for a visa or change of status, and admission into the United States.

The Form I-20 has the student's unique SEVIS identification (ID) number on the upper right hand side directly above the barcode. SEVIS ID numbers are an N followed by 9 digits.

Old Forms I-20 without the barcode and the SEVIS ID number are obsolete and cannot be used.

#### **3.7.1. How does a student get a Form I-20?**

Only an SEVP-certified school can issue a Form I-20. See the [overview information above](#).

#### **3.7.2. How does a student get a Form DS-2019?**

Forms DS-2019 are issued by DOS-designated sponsors to J-1 exchange visitors by their DOS approved Exchange Visitor Program. For more information see the DOS Web site at <http://exchanges.state.gov/education/jexchanges/>.

## **4. PAYING THE SEVIS FEE**

Prospective students must pay the SEVIS I-901 fee. Currently for F-1 and M-1 students the fee is \$200.

### **4.1. How do nonimmigrant students pay the SEVIS I-901 fee?**

The fee may be paid online at [www.fmjfee.com](http://www.fmjfee.com). For alternative methods of fee payment, see the [FAQ on the SEVIS I-901 fee](#).

## **4.2. Where can I find out more information about the SEVIS I-901 fee?**

For more information see the [FAQ on the SEVIS I-901 fee](#).

## **5. OBTAINING A VISA**

### **5.1. Do nonimmigrants need a visa to become a student in the United States?**

Yes, most nonimmigrants need a student visa. The exceptions are those who are [exempt from visa requirements](#) or already in the United States and [plan to file for a change of status](#).

### **5.2. Which nonimmigrants are exempt from visa requirements?**

Citizens of Canada, Bermuda or residents of certain other islands described in 8 CFR 212.1(a), do not need a visa. These applicants may apply at the POE for student or exchange visitor status. They will need:

- A valid Form I-20 or Form DS-2019
- A receipt showing payment of the SEVIS I-901 fee
- Proof of financial ability to pay the amount shown on the Form I-20 (if applicable)
- Evidence supporting the individual's [nonimmigrant intent](#)

For more information, refer to the [Arriving at a U.S. POE -- What a Student Can Expect](#) or [Arriving at a U.S. POE – What an Exchange Visitor Can Expect](#).

The DOS Web site has additional information for Canadian students at <http://montreal.usconsulate.gov/content/content.asp?section=visas&document=canadian>.

### **5.3. How do F or M nonimmigrants obtain a student visa?**

Visas can only be obtained outside the United States.

After receiving a Form I-20 from a school, the prospective nonimmigrant must apply to the local consulate or embassy for a visa appointment and interview. The SEVIS I-901 fee [must be paid](#) prior to the interview.

As part of the visa application process, an interview at the embassy consular section is required for visa applicants from age 14 through 79. Persons age 13 and younger, and age 80 and older, generally do not require an interview, unless requested by the embassy or consulate.

Advance planning may be needed to ensure the individual will have the visa in time to travel to the United States. The DOS Web site at [http://travel.state.gov/visa/temp/wait/tempvisitors\\_wait.php](http://travel.state.gov/visa/temp/wait/tempvisitors_wait.php) gives the typical wait time for visa interview appointments and the wait time for a visa to be processed. Prospective nonimmigrant students may apply for a visa up to 120 days prior to the program start date on their Form I-20.

DOS strongly encourages making visa applications early but applying early and providing the requested documents do not guarantee that the student will receive a visa.

Prospective nonimmigrant students who have been accepted by more than one school must use the Form I-20 from the school they intend to attend to pay the SEVIS I-901 fee and to apply for a visa.

Prospective nonimmigrant students should check the embassy or consulate Web sites at <http://usembassy.state.gov/>. Each has directions for nonimmigrants applying for a student visa that includes how to make an appointment for a visa interview.

- Visa application forms are available at <http://evisaforms.state.gov/>.
- The EducationUSA Web site <http://educationusa.state.gov/usvisa.htm> lists counseling centers that help nonimmigrants prepare for visa interviews.

No one can promise a visa will be issued before the DOS has fully processed the visa application. Therefore, do not make final travel plans or purchase nonrefundable tickets until a visa has been issued.

#### ***5.4. What does a prospective F or M nonimmigrant student need to bring to a visa interview?***

All applicants for an F or M student visa must provide:

- Form I-20A-B, Certificate of Eligibility for Nonimmigrant (F-1) Student Status-For Academic and Language Students or Form I-20M-N, Certificate of Eligibility for Nonimmigrant (M-1) Student Status for Vocational Students
- A completed application, Nonimmigrant Visa Applicant, Form DS-156, together with a Form DS-158. Both forms must be completed and signed. Some applicants will also be required to complete and sign Form DS-157. A separate form is needed for children, even if they are included in a parent's passport.
- An interview at the embassy consular section is required for almost all visa applicants.

- A passport valid for at least six months after your proposed date of entry into the United States
- One (1) 2x2 photograph
- A receipt to show payment of the visa application fee, a visa issuance fee if applicable (Please consult the [Visa Reciprocity Table](#)) and a separate SEVIS I-901 fee receipt. While all F visa applicants must pay the visa application (MRV) fee, including dependents, only the F-1 principal applicants must pay the SEVIS fee.

Because each student's personal and academic situation is different, two students applying for the same visa may be asked different questions and be required to submit different documents. For that reason, the guidelines that follow are general and can be changed by consular officers overseas, depending on each student's situation.

All applicants **should be prepared** to provide:

- Transcripts and diplomas from previous institutions attended
- Scores from standardized tests required by the educational institution such as the TOEFL, SAT, GRE, GMAT, etc.
- Financial evidence that shows that the student or sponsoring parents have sufficient funds to cover tuition and living expenses during the period of intended study. For example, if the student or sponsor is a salaried employee, please bring income tax documents and original bank books and/or statements. If the student or sponsor owns a business, please bring business registration, licenses, etc., and tax documents, as well as original bank books and/or statements.

Applicants with dependents **must** also provide:

- Proof of the student's relationship to his/her spouse and/or children (e.g., marriage and birth certificates.)
- It is preferred that families apply for F-1 and F-2 visas at the same time, but if the spouse and children must apply separately, they should bring a copy of the student visa holder's passport and visa, along with all other required documents.

Visa wait times for interview appointments and visa processing time information for each U.S. embassy or consulate worldwide is available on the DOS website at [Visa Wait Times](#), and on most embassy Web sites.

During the visa application process, usually at the interview, a quick ink-free fingerprint scan will be taken. Some applicants will need additional screening, and will be notified when they apply.

For additional information, see the DOS Web site at [http://www.travel.state.gov/visa/temp/types/types\\_1268.html#need](http://www.travel.state.gov/visa/temp/types/types_1268.html#need).

### **5.5. Where can I find more information about student visas?**

See the DOS Web site at [http://www.travel.state.gov/visa/temp/types/types\\_1268.html](http://www.travel.state.gov/visa/temp/types/types_1268.html).

### **5.6. Is there a special process for Canadian students?**

See the section above on [visa-exempt nonimmigrants](#).

## **6. INITIAL ADMISSION INTO THE UNITED STATES AS A NONIMMIGRANT STUDENT (F AND M VISAS)**

For detailed information on initial admission into the United States as a nonimmigrant student, see the fact sheet [Arriving at a U.S. POE -- What a Student Can Expect](#).

## **7. APPLYING FOR A CHANGE OF STATUS**

### **7.1. What are the requirements for a nonimmigrant to become an F-1 or M-1 nonimmigrant student?**

The person must be in the United States in a valid nonimmigrant status. He or she *cannot* have entered under the visa waiver program.

An SEVP-certified school must have accepted the individual and issued a Form I-20 for a change of status. The nonimmigrant must pay the SEVIS I-901 fee to SEVP. Then he or she must file a [Form I-539](#), along with the fee and supporting documents, with [USCIS](#).

USCIS will adjudicate the application. If denied, the nonimmigrant must be prepared to exit the United States.

If approved, USCIS will update the student's SEVIS record to reflect the change of status, send an approval notice to the student, and issue an updated Form I-94.

### **7.2. Can a nonimmigrant change status from a visitor/tourist (B-1/B-2) visa to a student F, M or J visa?**

Yes, however, if the adjudicating officer finds grounds to believe that the person initially entered without disclosing his or her intent to become a prospective student, USCIS may deny the application for change of status. It may also be denied if there is a significant gap between the expiration of the nonimmigrant's current status and the date the academic program starts. Nonimmigrants may wish to file for an extension of their current status if they run the risk of that status expiring while the change of status application is pending with USCIS.

A nonimmigrant who wishes to enter the United States and visit schools with the intent of possible attendance should declare his or her intention and have Prospective Student noted on the Form I-94. Otherwise, if a B-1/2 nonimmigrant wishes to change to an F-1 or M-1, he or she must provide evidence to explain the [change of his or her primary purpose](#) for entering the United States.

### ***7.3. Can a nonimmigrant start classes while a change of status to F-1/M-1 is pending?***

It depends on the nonimmigrant's current status. Nonimmigrants in F-2, M-2, B-1, and B-2 may not begin taking classes until the change of status is approved.

Other classes of nonimmigrants may begin attending school but their SEVIS record will not be activated until the change of status is approved. F-1 and M-1 benefits do not start until the change of status takes effect.

We recommend that nonimmigrants contact their DSO if USCIS has not adjudicated the change of status at least 15 days before the program start date on their Form I-20. The DSO can defer the program start date. Not deferring the program start date may result in termination of a SEVIS record and a denial of the change of status application.

### ***7.4. Is a nonimmigrant that is pending a change of status to F-1 or M-1 entitled to student benefits?***

No. Nonimmigrants with pending change of status to F-1 or M-1 are not entitled to any nonimmigrant student benefits (such as on-campus employment) until the change of status takes effect. Until that time, they do, however, retain the benefits for their current nonimmigrant status. So, for example, an H-1b must continue to work while a change of status is pending.

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[http://www.ice.gov/sevis/becoming\\_nonimmigrant\\_student\\_52007.htm](http://www.ice.gov/sevis/becoming_nonimmigrant_student_52007.htm)