

## **Special Instructions for B-1/B-2 Visitors Who Want to Enroll in School According to USCIS**

### **Is it permissible to enroll in school while in B-1/B-2 status?**

No, it is not. The regulations, at 8 CFR 214.2(b)(7), specifically prohibit study in the United States while in B-1 or B-2 status.

Before enrolling in classes, individuals who are in B-1 or B-2 status must first acquire F-1 (academic student) or M-1 (vocational student) status. Enrolling in classes while in B-1/B-2 status will result in a status violation. Individuals in B-1 or B-2 status, who have violated their nonimmigrant status by enrolling in classes, are not eligible to extend their B status or change to F-1 or M-1 status. These regulations provide no exceptions.

### **How can I obtain F-1 or M-1 status?**

If you currently hold B-1 or B-2 nonimmigrant status and would like to enroll in classes, you may apply for a change of status to F-1 or M-1, as appropriate, if:

- You have not yet enrolled in classes
- Your current status has not expired
- You have not engaged in unauthorized employment

To change your nonimmigrant status from B-1/B-2 to F-1 or M-1, you must file an Application to Extend/Change Nonimmigrant Status (Form I-539), and include the required fee and documents listed in the filing instructions.

### **Please Note:**

- If you enroll in classes before USCIS approves your Form I-539, you will be ineligible to change your nonimmigrant status from B to F or M.
- If you are applying to extend your B-1/B-2 stay and you have already enrolled in classes, USCIS cannot approve your B-1/B-2 extension because of the status violation.

## What if I am not eligible?

If you are not eligible to change your nonimmigrant status to F-1 or M-1, you may apply for an F-1 or M-1 visa at a consular post abroad. For information about consular processing, please visit the Department of State's website at [www.state.gov/travel](http://www.state.gov/travel). For information about the Student and Exchange Visitor Program (SEVP), please visit the SEVP website at: [www.ice.gov/sevis](http://www.ice.gov/sevis).

We encourage all students and prospective students to work closely with their designated school official (DSO) to coordinate the timing of applying for change of status and enrolling in classes.

Website address:

<http://www.uscis.gov/portal/site/uscis/menuitem.5af9bb95919f35e66f614176543f6d1a/?vgnextoid=f0df81a19d68a210VgnVCM100000082ca60aRCRD&vgnnextchannel=e34c83453d4a3210VgnVCM100000b92ca60aRCRD>

**USCIS Regulation 8 CFR 214.2(b)(7) Enrollment in a course of study prohibited.** An alien who is admitted as, or changes status to, a B-1 or B-2 nonimmigrant on or after April 12, 2002, or who files a request to extend the period of authorized stay in B-1 or B-2 nonimmigrant status on or after such date, violates the conditions of his or her B-1 or B-2 status if the alien enrolls in a course of study. Such an alien who desires to enroll in a course of study must either obtain an F-1 or M-1 nonimmigrant visa from a consular officer abroad and seek readmission to the United States, or apply for and obtain a change of status under section [248](#) of the Act and 8 CFR part [248](#). The alien may not enroll in the course of study until the Service has admitted the alien as an F-1 or M-1 nonimmigrant or has approved the alien's application under part [248](#) of this chapter and changed the alien's status to that of an F-1 or M-1 nonimmigrant. (Added 4/12/02; [67 FR 18062](#) )

Website address:

<http://www.uscis.gov/ilink/docView/SLB/HTML/SLB/0-0-0-1/0-0-0-11185/0-0-0-17101/0-0-0-17338.html>