

Blackline Comparison Showing Changes Between 04/05/2017 and 02/06/2018 Versions of USCIS Guidance on Bridge Applications for Nonimmigrants Applying for a Change of Status to F or M Student

Prepared by NAFSA on February 8, 2018

Read [USCIS current guidance](#) on the USCIS website. Read [NAFSA comments](#) on the NAFSA website.

~~Special Instructions for B-1/B-2 Visitors Who Want to Enroll in School~~

Changing to a Nonimmigrant F or M Student Status

Is it permissible to enroll in school while in ~~B-1/B-2~~non-student status?

~~No, it is not~~It depends. Some statuses permit you to enroll in school, while other statuses do not. ~~The For~~ example, the regulations, at 8 CFR C.F.R. § 214.2(b)(7), specifically prohibit a course of study in the United States while in B-1 or B-2 status. However, no such prohibition exists for those in E status, so individuals in that status can enroll in school as long as it does not interfere with their ability to maintain their E status.

~~Before~~Individuals who are prohibited from enrolling in a course of study, individuals who are in ~~B-1 or B-2~~statusclass must first acquire F-1 (academic student) or M-1 (vocational student) status. Enrolling in a course of study while in ~~B-1/B-2a~~status that does not permit enrolling in a class will result in a status violation. ~~Individuals in B-1 or B-2 status,~~ who have violated their nonimmigrant status by enrolling in a course of study, 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?~~

Changing to F or M Status from Another Nonimmigrant Status

If you ~~currently hold B-1 or B-2~~are in the United States in valid nonimmigrant status for a purpose other than to attend school and ~~would like to enroll in a course of study, you wish to change your nonimmigrant status to a student status while remaining in the United States, you must meet the criteria below and submit an application with USCIS to change your status.~~

In general, you may apply to change to either F-1 or M-1 student status your nonimmigrant status while remaining in the United States if:

- ~~• You have not yet enrolled in classes;~~
- ~~• Your current status has not expired; and~~
- You have not worked in you were lawfully admitted to the United States without employment authorization, in a nonimmigrant status;
- ~~• To change your nonimmigrant status remains valid;~~
- ~~• you have not violated the conditions of your status; and~~
- ~~• you have not committed any crimes or engaged in any other actions that would make you ineligible for change of status.~~

Until you receive notice of approval from B-1 or B-2 to F-1 or M-1 USCIS, do not assume the requested status has been approved. Before USCIS may approve your application, you must ~~fi~~take the following steps:

- [Apply to and receive acceptance from a U.S. Student and Exchange Visitor Program \(SEVP\)-certified school.](#)
- [Obtain an initial Form I-20, Certificate of Eligibility for Nonimmigrant Student Status, from the SEVP-certified school. The Designated School Official \(DSO\) should give change of status in the Issue Reason section of the Form I-20.](#)
- [Pay the I-901 SEVIS Fee.](#)
- [File a Form I-539, Application to Extend/Change Nonimmigrant Status and include the required fee and documents listed in the instructions, with USCIS.](#)

~~You~~ [Not all nonimmigrant classifications are allowed to change to student status. Read the Form I-539 instructions carefully to ensure that your category is eligible.](#)

[What if My Current Status Doesn't Allow Me to Enroll in Classes?](#)

[If you are requesting to change from another nonimmigrant status to F or M student status and your current nonimmigrant status does not permit you to enroll in classes, do not enroll in classes or begin your studies until USCIS has approved your change of status. If USCIS has not adjudicated your change of status at least 15 days before the program start date on your Form I-20, contact the DSO at your new school. If USCIS does not grant your request to change status prior to the start date of classes, you will need to defer attendance and wait until the following term in order to begin your studies at the school in F or M status.](#)

[Please note that you must maintain your B-1 or B-2a valid nonimmigrant status while your Form I-539 change of status application is pending. You will need to file a second Form I-539,](#)

[We encourage all students and prospective students to work closely with their DSO to coordinate the timing of applying for change of status and enrolling in a separate fee, to request course of study.](#)

[NOTE: If you are an extension of your BM-1 or B-2 student, you may not change to F status if: while you are in the United States.](#)

~~Your~~ [What if I Have a Gap in Status?](#)

[If your current status will expire more than 30 days before the initial F-1 or M-1 program start date. We may approve your Form I-539 change of status request only if you are maintaining your B-1/B-2 status up to 30 days before your program's initial start date. If your nonimmigrant status will expire more than 30 days before your F-1 or M-1 program's initial start date, you must file a second program start date and you wish to remain in the United States until your start date, you must find a way to obtain status all the way up to the date that is 30 days before your program start date \("bridge the gap"\). For most people, you will need to file a separate Form I-539 to request to extend your current status or change to another nonimmigrant status, in addition to your other Form I-539 requesting application to extend your B-1 or B-2 change to student status. If you do not file this extension separate request on time, we prior to the expiration of your status, USCIS will deny your Form I-539 request to change to F-1 or M-1 status. Please continue to check the USCIS processing times while your Form I-539 change of status request is pending to determine if you need to file a request to extend or change your B-1/B-2 nonimmigrant status.](#)

- ~~Your~~ [Note that because of processing times, your F-1 or M-1 program start date is may be deferred to the following academic term or semester because we USCIS did not make a decision on your Form I-539 change of status application before your originally intended F-1 program start date. You must file a](#)

~~second Form I-539 in order to bridge the gap in time between when your current status expires and the 30-day period before your new F-1 program start date or M-1 program start date. In that instance, you will need to obtain status all the way up to the date which is 30 days before your new program start date. If you had already filed an I-539 to bridge the original gap, you may need to file another I-539 to bridge the new gap.~~

Because extending ~~your current stay in B-1 or B-2~~ changing nonimmigrant status to bridge the gap and changing ~~from B-1 or B-2~~ to F-1 or M-1 status are two distinct benefits, you must pay a separate filing fee for each request. See the User Fee Statute, 31 U.S.C. [§ 9701](#).

Please Note:

- ~~• If you enroll in a course of study before we approve your Form I-539 change of status application, you will be ineligible to change your nonimmigrant status from B-1/B-2 to F-1 or M-1.~~
- ~~• If you apply to extend your B-1/B-2 status and you have already enrolled in a course of study, we will deny your extension request because you will have violated your status.~~

~~If You Are Not Eligible to Change Your Status~~

Leaving the United States to Become an F-1 or M-1 Student

If you are not eligible to change your ~~nonimmigrant status to F-1 in the United States or M-1 while~~ if you are currently in the United States for a purpose other than attending school and would like to become a student, you may also apply for an F-1 or M-1 visa at a U.S. consulate ~~– abroad~~. You will need to do the following:

- Apply to and receive acceptance from a SEVP-certified school.
- Receive a new initial Form I-20 from your designated school official (DSO).
- Pay the I-901 SEVIS fee.
- Apply at a U.S. consulate or embassy for an F-1 or M-1 visa to travel to the United States in order to seek admission as a student.
- If you are from a country where no visa is required, such as Canada, you may proceed directly to a U.S. port of entry or a U.S. pre-clearance/pre-flight inspection station and apply for admission to the United States as an F-1 or M-1 student.
- Once admitted by an immigration officer in F-1 or M-1 status, you may begin your studies.

For more information about consular processing, please visit the Department of ~~State's website at www.state.gov/travel~~ State Travel page. For information about SEVP, please visit the ICE Student and Exchange Visitor Program (SEVP), please visit the SEVP website at www.ice.gov/sevis or the page or the DHS Study in the States website at <https://studyinthestates.dhs.gov/> page.

~~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 a course of study.~~

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