



U.S. Citizenship and Immigration Services

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

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 a course of study in the United States while in B-1 or B-2 status.

Before enrolling in a course of study, 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 a course of study 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 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?

If you currently hold B-1 or B-2 nonimmigrant status and would like to enroll in a course of study, you may apply to change to either F-1 or M-1 student status if:

- You have not yet enrolled in classes;
- Your current status has not expired; and
- You have not worked in the United States without employment authorization.

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

You must maintain your B-1 or B-2 status while your Form I-539 is pending. You will need to file a second Form I-539, with a separate fee, to request an extension of your B-1 or B-2 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 status will expire more than 30 days before your F-1 or M-1 program's initial start date, you must file a second Form I-539 requesting to extend your B-1 or B-2 status. If you do not file this extension request on time, we will deny your Form I-539 request to change to F-1 or M-1 status. Please check our processing times to determine if you need to file a request to extend your B-1/B-2 status.*
- *Your F-1 or M-1 program start date is deferred to the following academic term or semester because we 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.*

Because extending your current stay in B-1 or B-2 status 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

If you are not eligible to change your nonimmigrant status to F-1 or M-1 while in the United States, you may apply for an F-1 or M 1 visa at a U.S. consulate. For information about consular processing, please visit the Department of State's website at www.state.gov/travel. For information about the Student and Exchange Visitor Program (SEVP), please visit the SEVP website at www.ice.gov/sevis or the Study in the States website at <https://studyinthestates.dhs.gov/>.

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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