



December 20, 2023

PA-2023-34

Policy Alert

SUBJECT: Nonimmigrant Student Classifications

Purpose

U.S. Citizenship and Immigration Services (USCIS) is issuing policy guidance in the [USCIS Policy Manual](#) to address the nonimmigrant student (F and M) classifications, including USCIS' role in the adjudication of applications for employment authorization and change or reinstatement of status to F or M classifications.

Background

The F and M nonimmigrant categories are for noncitizens who wish to study in the United States. The nonimmigrant academic student (F-1) classification allows a noncitizen to enter the United States as a full-time student at a college, university, seminary, conservatory, academic high school, elementary school, or other academic institution, or in a language training program.¹ The nonimmigrant vocational student (M-1) classification includes students in established vocational or other recognized nonacademic programs, other than language training programs.²

In general, U.S. Immigration and Customs Enforcement administers the nonimmigrant student program. However, USCIS adjudicates applications for employment authorization, changes of status, extensions of stay, and reinstatement of status for F and M students and their dependents in the United States.

This guidance, contained in Volume 2 of the Policy Manual, is effective immediately and applies prospectively to applications filed on or after December 20, 2023. Effective immediately, the guidance contained in the Policy Manual is controlling and supersedes any related prior guidance.

Policy Highlights

- Provides general information about the nonimmigrant student (F and M) classifications and explains USCIS' role in adjudicating applications for employment authorization, changes of status, extension of stay, and reinstatement of status for F and M students and their dependents in the United States.

¹ See [INA 101\(a\)\(15\)\(f\)](#).

² See [INA 101\(a\)\(15\)\(m\)](#). See [22 CFR 41.61\(b\)\(1\)](#).

- Explains that F and M students must have a foreign residence that they have no intention of abandoning, but that F and M students may be the beneficiary of a permanent labor certification application or immigrant visa petition and may still be able to demonstrate their intention to depart after a temporary period of stay.

Summary of Changes

Affected Section: Volume 2 > Part F, Students (F, M)

- In Chapter 1 (Purpose and Background), adds content to previously reserved Section B (Background).
- Adds new Chapters 2, 3, 4, 5, 7, 9, and an appendix.
- Revises Chapter 6 (Employment) in its entirety.

Affected Section: Volume 2 > Part F > Chapter 8, Change of Status

- Retitles Chapter 8 from (Change of Status) to “Change of Status, Extension of Stay, Length of Stay.”
- In Section A (General Eligibility for Change of Status to F-1), moves Subsection 6, (Dependents (F-2 Nonimmigrants)) to new Chapter 9, Section D, Subsection 1 (F-2 Dependents).
- Adds new sections C, D, E, and F.

USCIS may also make other minor technical, stylistic, and conforming changes consistent with this update.

Citation

Volume 2: Nonimmigrants, Part F, Students (F, M) [[2 USCIS-PM F](#)] (Chapters 1-9).