

## Student Visa (F-1)

Unlike most other nonimmigrants, who are given a defined period of stay in the U.S., foreign students are permitted to remain in the U.S. for the "duration of status.", meaning that a student remains in valid status during his/her enrollment in any number of academic programs, plus any periods of authorized practical training and a 60-day grace period to depart the U.S. This eliminates the need for extension-of-stay applications for foreign students.

F-1 visas are available for applicants intending to be full-time students at a U.S. academic institution or language-training program. The academic institution (college, high school, elementary school or language training program) has to be approved by the U.S. Attorney General. USCIS can grant approved academic institutions or language training programs the authority to issue certificates of eligibility (Form I-20AB or I-20MN) to foreign students.

An F-1 visa applicant must show acceptance by the school or program and prove he can afford to attend the school and provide his own living expenses. Proof of finances is important to show that the applicant will not seek government (welfare, etc.) benefits and is not coming to the U.S. with the intention of staying here permanently.

A person with a F-1 visa may work on campus for up to 20 hours per week while attending school. After attending school for one academic year, an F-1 student may work off campus with certain restrictions. After graduation, one year of practical training is available under proper circumstances. However, in certain situations, employment before graduation will be counted against the one-year practical training. F-2 visa holders (spouses and children of foreign students) are not allowed to seek employment.

A relatively recent change severely restricts F-1 visas issued to students at public high schools and elementary schools. The new changes bar F-1 student status for students seeking to attend public elementary schools. Such students are limited to one year of attendance, and the foreign high school student must reimburse the school for the full-unsubsidized costs of the student's education.

Please note that the above changes do not apply to minors in other nonimmigrant statuses (i.e., H-4, R-2, L-2) who are attending public schools. Neither do they apply to foreign college and university students.

F-1 students often change their status to an H-1B professional worker category when their study programs are completed.