

How Do I Become a Vocational Student in the United States?

Who is Allowed to Study in the United States?

A nonimmigrant is someone who temporarily comes to the United States for a specific purpose. People who wish to pursue full-time academic or vocational studies are usually admitted to the United States in one of two nonimmigrant categories. The M-1 category includes students in vocational or other nonacademic programs, other than language training. The F-1 category includes academic students and students in language training programs. If you are planning to study in the United States as an exchange visitor, please see the Department of State, Bureau of Consular Affairs and the Department of State Websites, as well as the Code of Federal Regulations [CFR] 8 CFR 214.2, 212.7 and 22 CFR 514.

What Does the Law Say?

The Immigration and Nationality Act (INA) governs the admission of all people to the United States. For the part of this law concerning temporary admissions to the United States, please see INA § 214. The specific eligibility requirements and procedures for applying for vocational student status are included in the Code of Federal Regulations [CFR] at 8 CFR § 214.2(m).

How Do I Apply if I am Outside of the United States?

You first must apply to study at a USCIS-approved school in the United States. When you contact a school that you are interested in attending, you should be told immediately if the school accepts foreign national students. If you are accepted, the school should send you USCIS Form I-20 M-N/ID (Certificate of Eligibility for Nonimmigrant (M-1) Student Status - For Vocational Students). If you require a visa, then you should take the USCIS Form I-20 to the nearest U.S. consulate to obtain a student visa. Only bring the USCIS Form I-20 from the school *you plan on attending* for visa processing at the U.S. consulate. You must also prove to the consulate that you have the financial resources required for your education and stay in the United States. Please see the State Department Website for more information on visa processing.

When you arrive in the United States, you should receive a Form I-94 (Arrival-Departure Record) that will include your admission number to the United States. An Immigration inspector will write this admission number on your Form I-20 M-N/ID. The Inspector will then take pages one and two of this form, known as I-20 M-N. The USCIS will receive the first page (I-20M) and your school will receive the second page (I-20 N) as a record of your legal admission to the United States. You are expected to keep pages three and four, known as the I-20 ID. This document is your proof that you are allowed to study at the indicated institution in the United States. You should see a school representative if you need a replacement copy of your I-20 ID. You should also keep safe your Form I-94, because it proves that you legally entered the United States.

How Can I Change My Nonimmigrant Status to Become a Student if I Am Already in the United States? You first must apply to study at a USCIS-approved school in the United States. When you contact a school that you are interested in attending, you should be told immediately if the school accepts foreign national students. If you are accepted, the school should send you USCIS Form I-20 M-N/ID (Certificate of Eligibility for Nonimmigrant (M-1) Student Status - For Vocational Students). You must submit this form, your I-94 (Arrival-Departure Record), and a completed USCIS Form I-539 (Application to Extend/Change Nonimmigrant Status) to the USCIS. You must also prove that you have the financial resources required for your education and stay in the United States

How Do I Apply for Permission to Transfer Schools? You must file USCIS Form I-539 (Application to Extend/Change Nonimmigrant Status) with the USCIS. You should also submit your current USCIS Form I-20 ID (Certificate of Eligibility for Nonimmigrant (M-1) Student Status - For Vocational Students), a complete USCIS Form I-20 M-N/ID from your new school, and the Form I-94 (Arrival-Departure Documents) of your spouse and children. You may transfer sixty days after filing this application. However, if your application is denied *after* you transfer, you will be considered to be out of status. This means you may be required to leave the country.

Please note: To be eligible to transfer to another school, you must currently be a full-time student, and you must intend to be a full-time student at the new school. You must also prove that you have the financial resources required for your education and stay in the United States. In addition, you may only transfer to another school within the first six months from the date you were admitted to the United States to begin your studies or from the date you changed your nonimmigrant status to become an M-1 student. You are not allowed to change your educational objective.

Can I Bring My Spouse and Children with Me to the United States? Your spouse and unmarried children under 21 years of age may come with you to the United States in M-2 nonimmigrant status. They should go with you to the U.S. embassy or consulate when you apply for your student (M-1) visa. They should be prepared to prove their relationship to you. If your spouse or children are following to join you at a later date, they should provide the U.S. embassy staff with a copy of your USCIS Form I-20 ID and proof of their relationship to you. The M-2 status of your family will be dependent upon your status as the M-1 vocational student. This means that if you change your status, your family must change their status as well. If you lose your status, your family will also lose their status.

How Long Can I Stay in the United States?

You are allowed to stay in the United States for one year *or* for as long as you are enrolled as a full-time student in a vocational program (plus thirty days to prepare to leave the country), whichever is shorter. You should be allowed to stay in the United States 30 days beyond the departure date on your Form I-94 (Arrival-

Departure Record) and USCIS Form I-20 ID (Certificate of Eligibility for Nonimmigrant (M-1) Student Status - For Vocational Students), as long as your stay does not exceed one year.

You may also apply to stay in the country after the completion of your studies to pursue practical training. If approved, you will be allowed to have one month of practical training for every four months of study you completed. You will be limited to six months total practical training time. Your designated school official (DSO) is able to assist you in the application process.

How Can I Extend My Stay as a Student in the United States?

You should apply to extend your stay in the United States if your studies will take longer than the date listed on your I-20 ID or your vocational program lasts longer than a year. You should complete USCIS Form I-539 (Application to Extend/Change Nonimmigrant Status) and send it to USCIS at least 15 (but not more than 60) days before your authorized stay in the country expires. You should also submit your USCIS Form I-20 ID to the USCIS at the same time.

Will I Be Able to Work?

You and your spouse and children may not accept employment. However, you may apply for practical training after you complete your studies. If approved, you will be allowed to have one month of practical training for every four months of study you have completed. You will be limited to six months total practical training time.

You should submit USCIS Form 538 (Certification By Designated School Official) to the USCIS. Your school official should certify on USCIS Form I-538 that 1) the proposed employment is for the purpose of practical training; 2) the training will be related to your studies; and 3) you can not receive the same type of training in your country of residence. You must also submit USCIS Form I-765 (Application for Employment Authorization), and your I-20 ID, signed by the designated school official (DSO). You should send your application to USCIS *no more* than 60 days before your student status expires and *no later* than 30 days after your studies are completed. For more information, please see the rules about practical training at 8 CFR § 214.2(m). You may also wish to discuss practical training with the appropriate officials at your school.

Can I Travel Outside of the United States?

Students may leave the United States and be readmitted after temporary absences. When making your travel plans, please remember that you must be a full-time student to keep your M-1 student status. Upon your return to the United States, you should provide immigration inspectors with:

- A valid passport.
- A valid M-1 entry visa stamped in the passport (if necessary).
- A current USCIS Form I-20 ID signed by your designated school official

- (you should have the designated school official sign your USCIS Form I-20 each time you wish to temporarily travel outside the United States).
- A new USCIS Form I-20 M-N/ID if there have been any substantive changes in your course of study or place of study.
 - Proof of your financial support.

How Can I Get USCIS Forms?

You should be able to pick up immigration-related forms from your designated school official (DSO). Only your designated school official (DSO) can give you a USCIS Form I-20 (Certificate of Eligibility for Nonimmigrant (F-1) Student Status - for Vocational Students) or a USCIS Form I-538 (Certification By Designated School Official). If you need other immigration forms, you may call 1-800-870-3676.

Can Anyone Help Me?

Your school will have a designated school official (DSO) to help you with immigration issues. Please note that you (the M-1 student) are solely responsible for following U.S. immigration laws.