

## **F1 Visa Guide: Everything You Need to Know About the F1 Visa**

Students interested in studying in the United States should consider applying for the F1 visa. It is a non-immigrant (temporary) visa that allows students to pursue a full course of study for the duration of their program.

If you have any questions, or you need help getting an F1 visa, feel free to email me at [Info@immigrationlawfirmlltd.com](mailto:Info@immigrationlawfirmlltd.com).

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### **1. Introduction to the F1 Visa**

The F1 is a powerful visa that allows students to attend school in the United States. This visa is especially necessary for those pursuing undergraduate and graduate studies.

You must first apply and be accepted to a [school](#) certified by the [Student and Exchange Visitor Program](#) (SEVP). You must register in the [Student and Exchange Visitor Information System](#) (SEVIS) to receive an [I-20 form](#) to begin the process for gaining admission to the United States. You must then pay the SEVIS fee (Form I-901).

## 2. F1 Visa Benefits

- [Ability to Pursue Degree in the United States](#)
  - You can pursue any number of degrees inside the United States, which boasts some of the best institutions in the world.

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### [Your family can accompany you](#)

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- Under the F1 visa, your spouse and children can accompany you as F2s. They are issued separate I-20s.
- Children in F2 status in grades K-12 may attend school full time.
- F2 spouses and children older than 12th grade may go to school part time.
  - If they want to go to school full-time, they may change their status to F1/J1/M1.

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### Ability to Work

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- You can pursue work during school and after graduation. This topic will be discussed below under **F1 Employment on Campus** and **F1 CPT and OPT**.

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### No F1 Cap

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- There are currently no restrictions to the number of students that can enter the United States under an F1, you can enter the United States without having to participate in a lottery.

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### Travel

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- You can travel while holding F1 status as long as you have your DSO's approval and your I-20 is currently valid.

## 3. F1 Visa Requirements

## **Full-time course of study**

You must pursue a full-time course of study. For junior college, undergraduate, or university students, that would equal 12 semester/quarter hours. You may take one online course as long as it is not an English course.

You may not reduce your courses without approval of your DSO. You can reduce courses to 6 semester/quarter hours. If there are medical reasons, the DSO can reduce the course load further.

## **Intention to Depart**

You must demonstrate intent to return to your home country at the conclusion of your studies. If the consular officer believes you intend to overstay your F1, then your application may be rejected. The F1 is a single intent visa, which means that you cannot pursue immigrant (Green Card) options directly from F1 status.

## **Cannot attend publicly-funded K-12 schools**

You cannot attend public elementary, middle, and high schools and instead must attend a private institution.

You can attend a public K-12 school for one year as long as you reimburse the school the cost of the education.

## **Sufficient Funds**

You must have sufficient financial resources to support your study for the duration of your time in the U.S.

## **Must be Proficient in English**

You must be proficient in English unless the school is able to explain why English proficiency is not required. A common reason to waive this requirement is when you are attending a school for English language training.

## **Must have Academic Credentials**

You need to possess the correct academic credentials to attend the institution. For example, a college undergraduate must possess a degree equivalent to a U.S. high school degree.

## **Must Maintain Communication with DSO**

You must contact your Designated School Officials (DSO) to do any of the following:

- Work in the United States
- Apply for a driver's license
- Apply for a Social Security number
- Change your major, program, or degree level
- Change your education level
- Transfer to a new school
- Be absent from classes
- Take a vacation
- Travel outside the United States
- Move to a new address
- Change your name
- Request a program extension

### Entering on a B1/B2

If you wish to come into the U.S. on a [B1/B2](#) (Visitors's) visa, you must still receive an F1 visa abroad and re-enter or file for a change of status.

### Grace Periods

You have a grace period of 30 days before your program start date to come to the United States and a 60 day grace period to leave the US.

## **Health Insurance**

You are not required by law to have health insurance. However, many schools have their own policies requiring it.

## **Changing from One Degree to Another or The Same Degree**

You can speak to your DSO to pursue a higher degree or to pursue the same degree in a different field and do not need to file a new F1 petition.

## **4. F1 Visa Process**

There are several steps toward obtaining an F1 Visa. Here is a summary of the steps along with a more detailed explanation:

- Apply to the school and obtain Form I-20
- Complete Form DS-160
- Document Gathering for Visa Interview
- Visa Interview
- Presentation at Port of Entry

### **Apply to the school and obtain Form I-20**

The SEVIS I-20 form has basic biographical information about you, information about the school, program of study and expenses. Your F2 dependents must obtain their own I-20 forms to accompany you.

## **Complete Form DS-160**

You and your dependents must complete Form [DS-160](#) before scheduling a visa interview. You must upload a picture of yourself or bring one to the interview. You may also need to pay a visa issuance fee depending on the country.

## **Document Gathering for Visa Interview**

You will need the following documents:

- Proof of payment of visa fees
- Passport valid for travel for six months
- Transcripts, diplomas, degrees, or certificates from schools you previously attended.
- Standardized test scores required by your U.S. school.
- Documents proving intent to depart the United States upon completion of the course of study.
- Proof of funding for all educational, living and travel costs.

## **Visa Interview**



- At the interview, the officer will determine whether you are eligible for the F1 visa. Biometrics will be taken at a separate appointment, usually a day or two before. You will be told if the application is missing any information. If the interview is successful, you may need to pay an additional visa issuance fee.

## **Presenting Yourself at Port of Entry**

- You must go to a Port of Entry and ask permission from Customs and Border Protection to enter the United States. Ports of Entry include land border crossings and major airports.
- When you present your passport, visa, and Form I-20, the CBP official will determine if you should be admitted to the United States.
- They will provide you with an admission stamp or paper Form I-94 Arrival/Departure Record.

## **5. F1 Transfer and Withdrawal**

### **Who Can Transfer**

You are allowed to transfer to another school as long as you meet several requirements. These requirements are:

- You must be a bona fide (real) student.
- You must have been pursuing a full-time course of study.

- You must have the funds to transfer schools.
- You must begin classes at the transferred school within 5 months of transferring out of the current school or within 5 months of the program completion date, whichever is earlier.
- You must request the SEVIS record to be transferred to the new school within 60 days of completing the program.
- You must not have worked in unauthorized employment.

### How to Transfer

- You must inform the DSO, who then releases the SEVIS record to the transfer-to school
- Obtain a SEVIS I-20 from the transfer-to school
- You must notify your new DSO at the transfer-to school within 15 days of your start date. The transfer is only completed once the transfer-to school tells SEVIS that you are enrolled in classes.
- You will be considered out of status if you do not follow these procedures.

### Withdrawing from an Institution

- You must request formal permission from your DSO to withdraw from the institution. You will be given 15 days to leave the U.S.
- If you do not request permission from your DSO, you will not receive a grace period.
- If you want to return to study, you must apply for a new I-20 and pay the SEVIS fee once again.

## 6. F1 Employment on Campus

You cannot work during your first year except for on-campus work, which can be performed as soon as you are admitted. This on-campus work must involve direct services to fellow students or research with an educationally affiliated worksite. Your DSO should approve this work beforehand.

If you transfer, you must submit a new work request from your DSO before beginning to work once again.

You may work off-campus after your year only under specific circumstances. These circumstances include the following:

- If there was an unforeseen economic hardship beyond your control, then you may work 20 hours per week when school is in session. You may work full-time during holidays or school vacations.
- If you are from a specific country for which the Department of Homeland Security has suspended employment requirements. In the past, these countries have included Indonesia, South Korea, Thailand, Malaysia, and the Philippines.
- Specific programs may be put in place for students from countries suffering from the effects of natural disasters or civil unrest.
- If you are employed by a recognized international organization.

## **7. F1 Students Remaining in Status During Summer and Illness**

You will be considered to be in status during summer as long as you intend to return to your school for the next term.

If you fall ill and have to leave school or reduce course-load, you will remain in status until you recover, at which point you will be expected to return to your studies.

## **8. F1 CPT and OPT**

### **Curricular Practical Training (CPT)**

**CPT** is any type of required internship or practicum that can be granted on a part-time or full-time basis. Part-time CPT does not affect OPT (discussed below), while 12 months of full-time CPT makes you ineligible for OPT. You must have been in school for at least a year to qualify for CPT. You need a job offer to submit a request for CPT to a DSO.

### **Optional Practical Training (OPT)**

**OPT** is temporary employment related to your field of study. It may be used before completing a program when school is not in session or during the school year as long as it is a part-time job. Pre-completion OPT will count against post-completion OPT.

You must apply within 90 days of the end of the school year or within 60 days of the program's end. No job offer is necessary to apply for OPT.

The DSO must recommend OPT in SEVIS. You will need to file the SEVIS I-20 with OPT along with Form [I-765](#) to obtain a work authorization document (EAD). You cannot work without the EAD.

After completing a bachelor's, master's, or doctoral degree, you may engage in post-completion OPT. This will last one 12-month period. Training must be completed within 14 months of graduation.

The following include the types of employment that are allowed under OPT:

- Multiple employers
- Work for hire
- Changing employers (STEM OPT needs to be E-verified)
- Self-employment (unless STEM OPT)
- Agency or consulting firm work
- Unpaid or volunteer work as long as it is 20 hours per week (unless STEM OPT)
- Part-time work (at least 20 hours per week)
- Full-time work

You must leave the country within 60 days of completing OPT.

## STEM OPT

STEM OPT is a type of post-completion OPT that does not have the 12-month limit. It applies to students who major or double major in a science, technology, engineering, or mathematics program. The position must be listed on the [STEM Designated Degree Program List](#).

The employer must submit Form [I-983](#) that explains their capacity to employ and train you, how you are not taking the job of a US worker, and that the training fulfills your goals. The employer must be [E-verified](#).

Practical training must include specific goals regarding knowledge, skills, and techniques that will be learned. There must be evaluations and supervision. You must meet with your DSO every six months to discuss any changes that may have occurred.

You must provide an annual self-evaluation signed by your DSO. The I-983 must be kept current regarding any potential changes that have occurred over the course of the year.

STEM OPT may be extended by 24-months beyond the original 12 months.

## Unemployment During OPT

You cannot have more than 90 days of unemployment during your 12-month OPT. If you are a STEM student, you cannot have more than 150 days

unemployment during the 36-month period. Any work less than 20 hours a week counts as unemployment.

### **Traveling Under OPT**

You can travel and re-enter only with DSO endorsement. You may continue your employment as long as the SEVIS I-20 was signed within the last 6 months by your DSO. You must present a valid F1. You should carry a job offer letter or letter of employment to ensure an easier time re-entering. You must also show your EAD at the port of entry.

## **9. Change of Status**

As an F1 student, you have the freedom to change to a non-immigrant (temporary) visa that you qualify for. One of the most popular visas is the H-1B, which requires a bachelor's degree or higher.

### **H-1B**

You may consider pursuing the [H-1B](#), which is a visa for specialty occupations that require a bachelor's degree or higher.

H-1Bs are available for the following fields:

Architecture, engineering, mathematics, physical sciences, social sciences, medicine, health, education, business, law, accounting, theology, and the arts.

## **H-1B and CAP-GAP**

If you are selected in the H-1B lottery and have your petition approved, your **new status** will not take effect until October 1. Therefore, your OPT is automatically extended until September 30 of that year if it expires April 1 or later. Therefore, there is no gap between the F1 expiry and H-1B start date.

If the F1 OPT expires before April 1, then you cannot be employed until your H-1B begins October 1, but you may remain in the US.

If the H-1B has not been adjudicated by USCIS by September 30, then you may stay in the U.S. but you will not be able to work.

Should the H-1B petition be rejected, denied, or revoked, you will have a 60-day grace period to depart.

You should not travel while your cap-gap change of status is pending because the change of status may be considered abandoned.

You may change employers during the CAP-GAP period.



## 10. F1 Extension of Stay

You may request an extension of stay if you are behind in your studies. Your DSO may grant such an extension if there were complications like medical reasons or academic decisions. These academic decisions can include changing major, research topic, research complications, and more.

Academic probation or suspension are not acceptable reasons for an extension of stay.

If you have not completed your program and do not file for an extension when necessary, you will be considered out of status. You must then file for a reinstatement.

## 11. Conclusion

The F1 is a powerful non-immigrant visa that allows students to complete their program of study in the United States. You should now have a much stronger understanding of the various aspects of the F1 visa, including the F1 visa benefits, F1 visa requirements, and F1 visa process.

If you have any questions on any of the information discussed in this guide, feel free to email me directly at [Info@immigrationlawfirmlltd.com](mailto:Info@immigrationlawfirmlltd.com). I'm a U.S. immigration lawyer, I'm very responsive via email, and I would be happy to help you.