



Purpose of this Guide: To assist nonimmigrant visa (NIV) holders who do **NOT** intend to apply study at Florida Polytechnic University. This guide is for informational purposes only and is not an official source for immigration regulations. It is the responsibility of the student to identify if their NIV type is eligible to study in the United States (US), and to be aware of any immigration study restrictions. For additional questions about immigration regulations for your status, visit [United States Citizenship and Immigration Services \(USCIS\)](#).

Who Should Use this Guide: NIV holders attending school **incidental to the primary purpose of their NIV type** may use this guide to determine if they are eligible to study (part-time or full-time) and abide by the regulations of their status.

NIV Dependents: Spouses and children of the principal NIV holder may not remain in the US beyond the period approved for the principal in order to continue schooling. In most cases, **children lose their derivative status at the age of 21** and must apply for a [change of status to F-1](#) if they wish to remain in the US to continue studying.

Financial Aid: Please keep in mind admissions requirements must be met, NIV status must be verified, and only specific NIV students may be eligible for [US federal financial aid](#). Please contact the [Office of Financial Aid](#) regarding tuition, estimated costs of attendance, and other financial aid inquiries.

Residency Petition: If your status indicates eligibility to petition for Florida Residency, you must meet the requirements for residency and complete the [Florida Residency Form](#) to be considered. **Applying does not guarantee approval.**

Additional Immigration Assistance: ISS can provide general information and direct individuals to the applicable points of contact. It is recommended to speak with an immigration attorney or other experienced immigration professional if seeking a change of visa or assistance with additional immigration applications or processes.

HELPFUL RESOURCES: [U.S. Visas](#) | [Other Visa Categories](#) | [Change of Status](#) | [Study & Exchange Programs](#)

NIV's NOT Eligible to Study

(Must apply for a change of status to the F-1 visa to be eligible to study at Florida Poly)

Nonimmigrant Status	Actions to Complete for Study Eligibility
B-1 Visitor for Temporary Business	NO study allowed – see here on how to change B status
B-2 Visitor for Pleasure/Tourism	NO study allowed – see here on how to change B status
C-1, C-2 & C-3 Transit Visa	NO study allowed – see here on how to change C status
D-1 & D-2 Crewmember	NO study allowed – see here on how to change D status
M-1 Vocational/Technical Student	Must change status from M-1 to F-1 (M-1 is for vocational/nonacademic study only)
VWP Visa Waiver Program	NO study allowed – see here on how to change VWP status (Also known as WB/WT “Waiver Business/Temporary Visitor”)



***Incidental Study:** Individuals eligible to study if they are non-degree seeking and enrolled in 6 credit hours or less per semester for graduate students or 9 credit hours or less per semester for undergraduate students (unless otherwise noted).

NIV's Eligible to Study

(Must provide required documentation as and meet all admissions requirements)

Status	Study Eligibility	Eligible to Petition Residency?	Documents Needed to Apply
A-1, A-2 Foreign Diplomats	*Incidental Study	Yes	I-94, Passport and Visa (must have dependent notation if they apply to study)
A-3 Servants of A-1/A-2		Yes	I-94, Passport and Visa
Application for Adjustment of Status to Permanent Resident	Yes, must maintain status	Yes	I-797 for case type I-485 or EAC Category C-09
Application for Asylum Submitted	Yes, must maintain status	Yes	USCIS Asylum Office "Acknowledgement of Receipt" form, or EAC Category C-08
Asylum	Yes, must maintain status	Yes	I-94 stamped "Asylum Status Granted", or Asylum Office Letter indicating status granted, or order of Judge granting status
Citizens of Federated States Micronesia, Marshall Islands, or Palau	Yes, must maintain status	Yes	I-94 with "CFA/FSN" admissions stamp and Passport
Conditional Permanent Resident	Yes, must maintain status	Yes	Same documents as Lawful Permanent Resident (but, expires in 2 year or 1-year increments)
Cuban Haitian Entrant Program (CHEP)	Yes, must maintain status	Yes	I-94 showing paroled as "Cuban/Haitian Entrant" (can be expired), or Cuban/Haitian Passport with an I-94 stamp on/after 4/21/80 (can be expired)
Deferred Action for Childhood Arrival (DACA)	Yes, must maintain status	No (Except as provided in Florida Statute Section 1009.21(10))	I-797 granting DACA EAD Category C-33/35
E-1, E-2, E-3 Treaty Traders, Investors, Specialty Occupation Worker, and Dependents	*Incidental Study (Dependents may study full/part-time; at 21 years of age, must change to F-1)	Yes	I-94, Passport, and Visa (must have dependent notation if they apply to study)
F-1 Student Exchange Visitors	Yes, must maintain status	No	I-94, Passport, Visa and I-20
F-2 Dependent of F-1	Less than full-time study only (must change status to F-1 to study full-time)	No	I-94, Passport, Visa, and Dependent I-20
Family Unity Beneficiaries	No study restrictions as long as status is maintained	No	EAD Category A-13
G-1, G-2, G-3, G-4 International Organization or NATO Officials	*Incidental Study (Dependents may study full/part-time)	Yes	I-94, Passport, and Visa (must have dependent notation if they apply to study)



Nonimmigrants Eligible to Study

(Must provide required documentation as applicable status for admission requirement)

Status	Study Eligibility	Eligible to Petition Residency?	Documents Needed to Apply
G-5 Personal Employees of G1-4 Visa	<i>*Incidental Study</i> (Dependents may study full/part-time)	Yes	I-94, Passport, and Visa
Granted Stay of Deportation/Order of Supervision	Yes, must maintain status	No	I-94 stamped "Stay of deportation granted" or "Stay of Removal"
Granted Deferred Action Non-citizen Employment Authorization	Yes, must maintain status	No (Except as provided in Florida Statute Section 1009.21(10))	EAD Card – Category C-14
Granted Deferred Enforced Departure (DED)	Yes, must maintain status	No	EAD Card – Category A-11
Granted Suspension of Deportation or Cancellation of Removal	Yes, must maintain status	Yes (If no additional documentation designating Cuban-Haitian national)	Passport, and I-94 stamped "Suspension of deportation/special rule cancellation and removal granted"
Granted Withholding of Removal	Yes, must maintain status	Yes	USCIS Asylum Office Approval Letter
H-1B Specialty Occupations	<i>*Incidental Study</i>	Yes	I-94, Passport, and Visa
H-1C Registered Nurse for Disadvantage Areas	<i>*Incidental Study</i>	Yes	I-94, Passport, and Visa
H-2A, H-2B, H-3 Agricultural, Non-Agricultural Workers & Trainees	<i>*Incidental Study</i>	No	I-94, Passport, and Visa
H-4 Dependent of H1-B	Yes, must maintain status	Yes	I-94, Passport and Visa
I-1 Representatives of Foreign Media and Dependents	<i>*Incidental Study</i> (Dependents may study full/part-time)	Yes	I-94, Passport, and Visa (must have dependent notation if they apply to study)
J-1 Exchange Visitors (Student, Intern, Professor, Scholar, Teacher, Specialists, Au Pairs, Camp Counselors)	Student: Full-time Au Pair: Full/part-time Postsecondary study <i>*Incidental Study</i> (others)	No (Except as provided in Florida Statute Section 1009.21(10))	I-94, Passport, Visa, and DS-2019
J-2 Dependent of J-1	Yes, must maintain status	No	I-94, Passport, Visa, and DS-2019
K-1, K-2, K-3, K-4 Fiancé of U.S. Citizen, and Children of K-1	Yes, must maintain status	Yes	I-94, Passport, and Visa
L-1A or L-1B Intracompany Transferees	<i>*Incidental Study</i>	Yes	I-94, Passport, and Visa
L-2 Dependent of L-1	Yes, must maintain status	Yes	I-94, Passport, and Visa



Nonimmigrants Eligible to Study

(Must provide required documentation as applicable status for admission requirement)

Nonimmigrant Status	Eligible to Study at Florida Poly?	Eligible to Petition for Residency?	Documents Needed to Apply
M-2 Dependent of M-1	Part-time only	No	I-94, Passport, and Visa
N-8 or N-9 Parent or Child of Special Immigrant	Yes, must maintain status	Yes	I-94, Passport, and Visa
NATO (1-7) Officials, Employees, and Dependents	Yes, must maintain status	Yes	I-94, Passport, and Visa
O-1 Workers with Extraordinary Abilities	<i>*Incidental Study</i>	Yes	I-94, Passport, and Visa
O-2 Essential Support Personnel of O-1	<i>*Incidental Study</i>	No	I-94, Passport, and Visa
O-3 Dependent of O-1/O-2	Yes, must maintain status	Yes, if dependent of principal O-1	I-94, Passport, and Visa
P-1A or B Athlete or Member of International Entertainment Group	<i>*Incidental Study</i>	No (Except as provided in Florida Statute Section 1009.21(10))	I-94, Passport, and Visa
P-2 Individual Performer or Part of a Group Entering to Perform Under a Reciprocal Exchange Program	<i>*Incidental Study</i>		
P-3 Artist or Entertainer Coming to Be Part of a Culturally Unique Program	<i>*Incidental Study</i>		
P-4 Dependents of P-1, P-2 or P-3	Yes, must maintain status		
Parolee: Humanitarian or Significant Benefit	Yes, must maintain status	Yes	I-94 stamped "Paroled"
Permanent Resident (Green Card)	Yes, must maintain status	Yes	Permanent Resident Card or "I-551" notation on Visa, or I-797 approving Permanent Resident Status
Q-1, Q-2, Q-3 Workers in International Cultural Exchange Program	<i>*Incidental Study (Dependents: Yes, must maintain status)</i>	No (Except as provided in Florida Statute Section 1009.21(10))	I-94, Passport, and Visa
R-1 Religious Workers	<i>*Incidental Study</i>	Yes	I-94, Passport, and Visa
R-2 Dependent of R-1	Yes, must maintain status	Yes	I-94, Passport, and Visa
Refugee	Yes, must maintain status	Yes	I-94 stamped "Admitted as a Refugee"



Nonimmigrants Eligible to Study

(Must provide required documentation as applicable status for admission requirement)

Nonimmigrant Status	Eligible to Study at Florida Poly?	Eligible to Petition for Residency?	Documents Needed
<u>S-5, S-6, S-7</u> Witness and Dependents	Yes, must maintain status	Yes	I-94, Passport, and Visa
<u>T-1, T-2, T-3, T-4</u> Survivors and Dependents	Yes, must maintain status	Yes	I-94, Passport, and Visa
<u>TD</u> Dependent of TN	Yes, must maintain status	No	I-94, Passport, and Visa
<u>TN</u> NAFTA Workers	<i>*Incidental Study</i>	No (Except as provided in Florida Statute Section 1009.21(10))	I-94, Passport, and Visa
<u>Temporary Protected Status (TPS)</u>	Yes, must maintain status	No	I-797 for Case Type" I-821"
<u>Temporary Resident</u>	Yes, must maintain status	Yes	"I-551" notation in Passport/Temporary Resident Card
<u>U-1, U-2, U-3, U-4</u> Survivor of Crime and Dependents	Yes, must maintain status	Yes	I-94, Passport, and Visa
<u>V-1, V-2, V-3</u> Dependents of Permanent Residents	Yes, must maintain status	Yes	I-94, Passport, and Visa