



Nonimmigrant Foreign Students with F-1 Visa

*Bureau of Postsecondary and Adult Education
Division of Adult Education Policy*

Subject: **Nonimmigrant Foreign Students with F-1 Visa**
Number: C.800
Effective: July 1, 2014
Expires: Indefinite
Status: Replaces C.800, issued July 2013

POLICY STATEMENT

Foreign students with an F-1 visa are prohibited from enrolling in any Bureau-funded adult education or family literacy program.

PURPOSE

The federal law (Section 625 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, which can be found in the Omnibus Consolidated Appropriations Act, 1997, Public Law 104-208) prohibits foreign students in F-1 immigration status from enrolling in publicly-funded adult education programs.

GUIDANCE

According to the Immigration and Nationality Act, federal immigration policy is based on the principle of self-sufficiency so that "...aliens within the Nation's borders [do] not depend on public resources to meet their needs...." An alien is "any person not a citizen or national of the United States." Aliens may be immigrants or non-immigrants. Non-immigrants may be admitted to the United States for numerous purposes under section 214 of this act, including admission as a foreign student to study at an educational institution. Such individuals receive visas under subsection F-1 of section 214 of the act.

This policy does not affect foreign students in any other category, such as exchange students (who hold J-1 visas) or students with F-2 visas (dependents of F-1 students) or students whose parents are in the U.S. as diplomats, researchers, or foreign workers. Moreover, Section 625 does not constitute a basis for requiring students to verify alien or citizenship status. Posting this policy statement or otherwise providing sufficient notice to all prospective students will be considered adequate enforcement by local programs.