



Adjustments to Designated School Official Limits and Dependent Study Frequently Asked Questions

The Department of Homeland Security (DHS) amended its regulations in a Final Rule posted in the Federal Register ([80 FR 23680](#)). The rule took effect May 29, 2015.

The regulation's change improves management of F-1 and M-1 student programs and increases opportunities for study by F-2 and M-2 dependents (accompanying spouses and minor children) of F-1 and M-1 students. Also, Student and Exchange Visitor Program (SEVP)-certified schools will have greater flexibility in determining how many designated school officials (DSO) to nominate. Previously, an SEVP-certified school could have no more than 10 DSOs. The new regulation removes the cap and permits an SEVP-certified school to have an appropriate number of DSOs based on the school's specific needs.

This rule does not alter SEVP's authority to approve or reject a DSO nomination (including a principal designated school official (PDSO) nomination). Those being nominated will not receive Student and Exchange Visitor Information System (SEVIS) access until their nomination is approved.

In the next SEVIS release, scheduled for late June 2015, SEVP will include the ability for a PDSO to nominate additional DSOs beyond current limits based on the school's requirements. A PDSO should wait to submit DSO nominations that would take the school above the current limit of 10 until implementation of this release. SEVP will broadcast updates about the SEVIS release in the coming weeks via the SEVIS message board, Study in the States and through social media.

The new rule also allows F-2 and M-2 dependents to engage in study at an SEVP-certified school in the United States as long as they are enrolled in less than a full course of study. F-2 and M-2 dependents can still participate up to full-time in avocational or recreational studies, such as hobbies. An F-2 or M-2 dependent who wants to enroll full-time in a course of academic or vocational study must apply for and obtain approval to change nonimmigrant classification to F-1 or M-1 before beginning full-time study.

Below are some frequently asked questions and answers about the regulation change.

F-2 and M-2 Programs and Status

Q: What does this regulation change for F-2 and M-2 dependents?

A: Beginning May 29, 2015, an F-2 or M-2 dependent may study part-time in any certified program at an SEVP-certified school. Previously, an adult dependent who studied in an academic or vocational curriculum (English as a second language or a graduate-level course, for example) might have been noncompliant with the conditions of nonimmigrant status. Now, an F-2 and M-2 dependent may engage in a course of study that does not amount to what regulations define as full-time for an F-1 or M-1 student.

Q: Why did DHS change this regulation to allow F-2 and M-2 study?

A: As stated in the preamble of [80 FR 23680](#), “Because DHS recognizes that the United States is engaged in a global competition to attract the best and brightest international students to study in our schools, permitting access of F-2 or M-2 nonimmigrants to education while in the United States would help enhance the quality of life for many of these visiting families. The existing limitations on study to F-2 or M-2 nonimmigrant education potentially deter high quality F-1 and M-1 students from studying in the United States.”

Q: Who can be a dependent?

A: An F-2 or M-2 dependent is a spouse or minor child of the F-1 or M-1 student who meets all of the following conditions:

- Has been issued a Form I-20, “[Certificate of Eligibility for Nonimmigrant Student Status](#)”
- Has an F-2 or M-2 visa
- Has been admitted to the United States in F-2 or M-2 status or applied for and been granted a change of status to F-2 or M-2 in the United States by U.S. Citizenship and Immigration Services (USCIS)

Q: What is part-time versus full-time study?

A: The Code of Federal Regulations at *8 CFR 214.2(f)(6)* and *8 CFR 214.2(m)(9)* defines studying full-time in a course of study for F and M students. These definitions remain the same with the publication of the new regulation. Part-time study is any number of credits or amount of clock hours, as applicable, that is less than full-time study.

Q: Is F-2 and M-2 post-secondary study still incidental to status for a dependent?

A: Yes. Unlike F-1 and M-1 students, dependents still do not need to enroll in or attend any post-secondary classes to maintain status. DSOs are not responsible for overseeing or tracking dependent study.

Q: Does F-2 and M-2 study need to be reflected in SEVIS?

A: No. Because DSOs are not responsible for overseeing or tracking dependent study, no entry related to F-2 or M-2 study is required in SEVIS.

Q: Can an F-2 or M-2 minor attend kindergarten through 12th grade full-time?

A: Yes. In fact, consistent with the compulsory education requirements of the state where the F-2 or M-2 minor lives, full-time study is mandatory. The school the minor attends does not need to be SEVP-certified.

Q: Can an F-2 and M-2 dependent attend a post-secondary school that is not SEVP-certified?

A: No. An F-2 or M-2 dependent who engages in post-secondary part-time study must attend an SEVP-certified school, and the program of study must be in the school's SEVP certification.

Q: For an F-2 dependent who attends school part-time but has filed a change of status application to F-1, what happens if USCIS approves the application in the middle of the semester when the student is not enrolled full-time?

A: The F-2 dependent must specify a requested F-1 status start date so the F-2 dependent can complete any study currently enrolled in before being required to be enrolled at the F-1 full-time course of study level.

Q: Are there any programs of study in which an F-2 or M-2 dependent may not engage?

A: Yes. The same limited restrictions exist as for F-1 and M-1 students based on 8 *CFR* 214.5 and the [“Iran Threat Reduction and Syria Human Rights Act of 2012.”](#)

Q: Can an F-2 or M-2 dependent enroll part-time or full-time in online or distance education classes, or part-time in a combination of online and in-person classes?

A: Yes. The restrictions regarding online study in regulations are directed to F-1 or M-1 students. Online classes alone will always be less than a full course of study for F-1 and M-1 students, and so are permissible for an F-2 and M-2 dependent at the postsecondary level. An F-2 or M-2 dependent may enroll in a combination of online and in-person classes that is less than a full course of study as defined by regulations governing F-1 and M-1 students.

Q: What should a dependent do who wants to study full-time at a post-secondary level?

A: The F-2 or M-2 dependent should apply for a change of status by filing a Form I-539, [“Application to Extend/Change Nonimmigrant Status,”](#) with USCIS to F-1 or M-1. The dependent should work with a DSO to do this and should not study full-time unless and until approval of the change of status. As a reminder, M nonimmigrants cannot change status to F-1, but F category nonimmigrants can change status to M-1.

DSO Recordkeeping and Reporting on F-2 and M-2 Dependents

Q: Does this change in regulation add to DSO recordkeeping and reporting responsibilities for dependents?

A: No. DSOs are not responsible for overseeing or tracking dependent study. Unlike an F-1 or M-1 student, an F-2 or M-2 dependent still does not need to enroll or attend classes at the post-secondary level to maintain status. Recordkeeping and reporting responsibilities for F and M students and dependents remain the same, as listed in 8 *CFR* 214.3 (g) and (k).

Q: Does F-2 and M-2 study need to be reflected in SEVIS?

A: No. Because DSOs are not responsible for overseeing or tracking dependent study, no entry related to F-2 or M-2 study is required in SEVIS.

How to Add More DSOs in SEVIS

Q: When will functionality be available to add more than 10 DSOs to a school's Form I-17 "Petition for Approval of School for Attendance by Nonimmigrant Student," in SEVIS?

A: SEVP anticipates that PDSOs will have this ability in the next SEVIS release, which should occur in late June 2015. A PDSO should wait to submit DSO nominations that would take the school above the current limit of 10 DSOs until implementation of this release. A future SEVIS release tentatively scheduled for the end of July will allow any DSO to print out a Form I-17 that lists more than 10 DSOs.

Q: How can schools add additional DSOs in SEVIS and on the printed and signed Form I-17?

A: A PDSO will be able to add additional DSOs the same way as these additions now occur. SEVP is removing the validation business rule that prevents a PDSO from adding more than 10 DSOs in the late June 2015 release. DSOs will be able to print out a Form I-17 that lists more than 10 DSOs with the tentatively scheduled July SEVIS release.

Q: What is the standard process for adding a DSO for your school?

A: Please see the [DSO Update Process Fact Sheet on Study in the States](#).

For additional questions, please email the SEVP Response Center at SEVP@ice.dhs.gov.