

Eligible Nonimmigrant Visas

Refer to the following chart for visa eligibility for California Community College Resident Classification. A person's visa status is that of their most recent I-94 entry or visa and I-94 renewal. Students must provide an eligible visa and corresponding valid I-94 with the Statement of Legal Residence application, to include subsequent renewals and change of status documents as applicable. Dependent Students must provide documentation for both the principal and dependent visa holders. Married students on dependent visas must provide documentation for the principal visa holder.

A change in status from an eligible visa to an ineligible visa will result in reclassification to Nonresident effective with the next academic term. *The burden is on the student to monitor and report their immigration status and to provide all documents to their campus in a timely manner.* Failure to report a change in status may result in retroactive assessment of NRST.

VISA TYPE	Eligible for Resident	CATEGORY OF VISA	INITIAL PERIOD OF ADMISSION
A visas: 1 to 3	Yes	Diplomatic Visa: official, dependents, eligible staff Physical presence only	Duration of assignment.
B-1 / B-2	No	Temporary visitor for business / pleasure, medical	One year – extensions granted for no more than six months' time
Visa waiver Program	No	Visitor	No visa required.
C-1, C-2, C-3 / C-4	No	Noncitizen in transit / Transit without visa	Twenty-nine days.
D-1, D-2	No	Crewmen (ship or aircraft crew)	Twenty-nine days
E-1	Yes	Principal Treaty trader, and spouse and Child	Two years w/unlimited extensions granted in increments not over two yrs.
E-2	Yes	Principal Treaty investor, spouse and Child	Two years w/unlimited extensions granted in increments not over two years
E-2C	Yes	Long-term foreign investors in the CNMI (Commonwealth of Northern Mariana Islands)	Allows foreign, long-term investors to remain lawfully present in the CNMI through December 2014
E-3	Yes	Specialty Occupation Workers, Nationals of the Commonwealth of Australia. Dependents may study in the U.S. but need work authorization for employment.	Two years maximum with unlimited extensions granted in increments not to exceed two years.
F-1	No	Academic Students, Students in language programs	Duration of status (D/S in the passport).
F-2	No	Spouse and Child of F-1 Student.	Duration of status of F-1
G visas: 1-4	Yes	Diplomatic Visas: employees of international organizations and qualified dependents, staff. Physical presence only.	3-years; two 2-year renewals
H-1B H-4 of H-1B	Yes	H-1B Principal H-4 spouse and H-4 Child of H-1B Principal eligible	Six-year maximum
H-2A H-4 of H2-A	No	Temporary worker performing agricultural services. H-4 spouse/Child of H2A Principal not eligible	Three-year maximum
H-2B H-4 of H-2B	No	Temporary worker, skilled and unskilled H-4 spouse/Child of H-2B Principal not eligible	One year initially, three-year maximum
H-3 H-4 of H-3	No	Noncitizen trainee H-4 spouse/Child of H-3 Principal not eligible	As authorized in petition, not to exceed two years

VISA TYPE	Eligible for Resident	CATEGORY OF VISA	INITIAL PERIOD OF ADMISSION
H-4		Refer to Principal H visa for dependent eligibility	
Humanitarian Parole	Yes	Temporary parole into the U.S. for urgent humanitarian reasons or significant public benefit	Duration of emergency or 1 year
“I” visa	Yes	Representative of foreign media, spouse and child	Duration of authorized Employment
J-1 (Student)	No	Exchange visitor, International Student	Duration of approved program
J-2	No	Spouse and Child of J-1 exchange visitor, Student	Duration of status of J-1
K visas: 1 to 2	Yes	Noncitizen fiancée or fiancé of U.S. citizen, minor child	90 days
K-3	Yes	Spouse of U.S. citizen who is the beneficiary of I-130 petition filed in U.S. (LIFE Act)	
K-4	Yes	Child of noncitizen entitled to K-3 classification (LIFE Act)	
L-1A L-2	Yes	Principal: Intracompany transferee L-2 dependent spouse/child of L-1A	7-year maximum
L-1B L-2	Yes	Principal: Intracompany transferee L-2 dependent spouse/child of L-1B	5-year maximum
M-1	No	Student of vocational or nonacademic institution, not in language training program	Duration of studies as indicated
N-8	Yes	Parent of special immigrant Child (Classified SK-3)	
N-9	Yes	Child of special immigrant (classified N-8, SK-1, SK-2, SK-3)	
NATO 1-7 visas	Yes	Diplomatic Visas: representatives of NATO member country. Physical presence; no intent	Subject to consular approval (not USCIS) and State Dept. recognition of status.
O-1 O-3 of O-1	Yes	O-1 Principal; Noncitizen with extraordinary ability in the sciences, arts, education, business or athletics O-3 Spouse and Child of O-1 eligible	3 years; extensions 1-year increments
O-2 O-3 of O-2	No	Individuals accompanying and assisting an O-1 O-3 Spouse and Child of Principal O-2 not eligible	Same as O-1
P-1	Yes	Individual or team athletes	5 years; one 5-year extension for P-athlete
P visas: 2 to 4	No	Artists, entertainers, dependents	
Q visas: 1 to 3	No	International programs	
R-1 R-2	Yes	Religious occupation R-2 Spouse/child of R-1	Not to exceed 5 years
S visas: 5 to 6	No	Noncitizens supplying critical information	
T visas: 1 to 6	Yes	Victim of a severe form of trafficking in persons	4 years
TN TD	No	NAFTA Professional visa (status) for citizens of Canada and Mexico, and dependent visa (status)	Until visa (status) expires or assignment terminated
U visas: 1 to 5	Yes	Victim of Certain Criminal Activity	4 years
V visas: 1 to 3	Yes	Inactive per USCIS	