



F-1 ADVISING: A TWO-PART SERIES

GAIE Winter Conference 2016

PRESENTED BY:

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Slides adapted from

Charlie Hammond (Georgia Tech)

GIFs from international.tumblr.com

TOPICS



- DSO Terminology
- Issuing the I-20
- I-901 Fee
- Gaining F-1 Status
 - SEVIS Reporting
- Immigration Documents
- Maintaining F-1 Status
 - Enrollment Requirements/Reduced Courseload
 - SEVIS Terminations
 - Dependents
- Employment
- Travel
- Transfers
- Change of Status
- Loss of Status (Terminations & Reinstatement)
- Resources/Questions

DSO TERMINOLOGY

- **DHS** – Department of Homeland Security
- **CBP** – Customs and Border Protection (Port of Entry and Departure)
- **ICE** – Immigration & Custom Enforcement (**SEVIS & investigations**)
- **USCIS** - Citizenship & Immigration Services (benefit assessment)
- **P/DSO** – Primary/Designated School Official
- **D/S** – Duration of Status
- **F-1** – The status associated with a degree seeking student issued an I-20
- **SEVIS** – Student & Exchange Visitor Information System

DSO TERMINOLOGY

I-17 – SEVIS application for school

I-94 – Arrival/Departure record verifying status

I-20 – Certificate of Eligibility

I-515 – Deferred inspection

I-539 – Change of status, Reinstatement

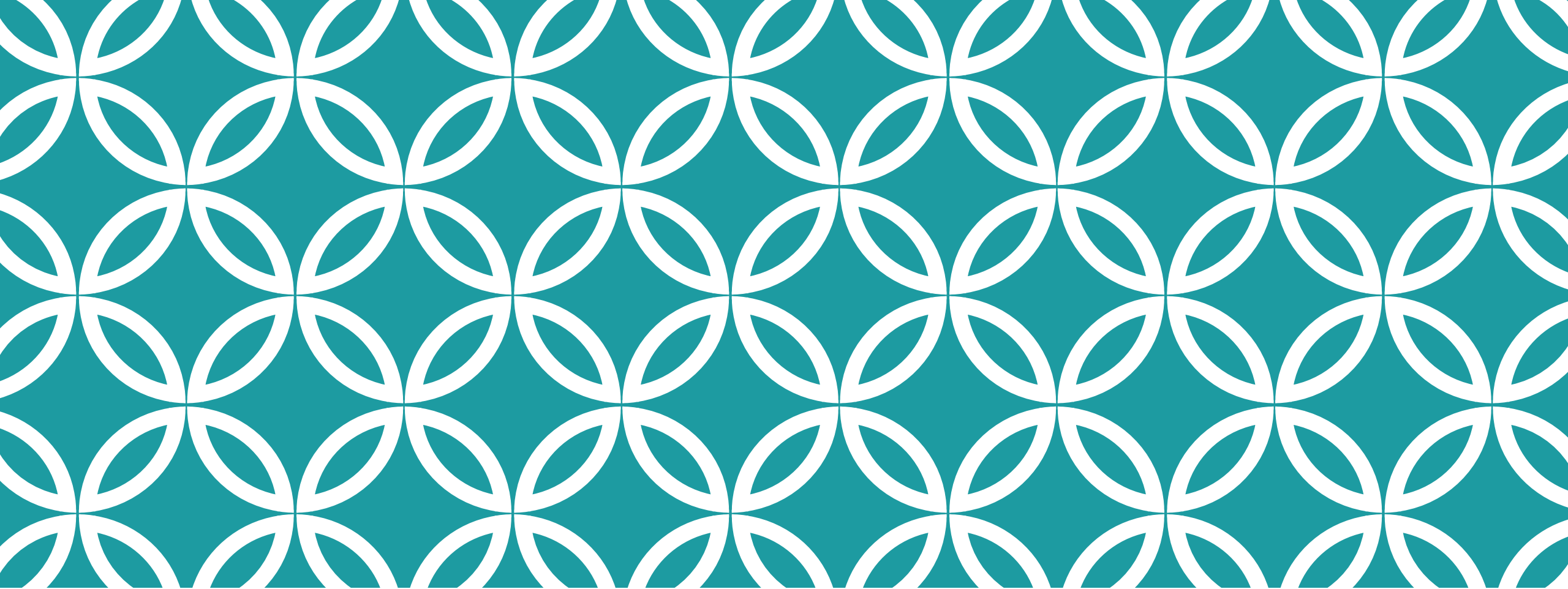
I-765 – Employment





GAINING F-1 STATUS

- Initial I-20 Issuance
- SEVIS I-901 Fee
- Timeline
- Documents
- SEVIS Reporting



I-20 ISSUANCE

Gaining F-1 Status

I-20 ISSUANCE

GAINING F-1 STATUS



From the Student:

- Student submits a written, signed application for admission to the school
- Student has academic records that meet admission requirements
- Proof of language proficiency
- Financial certification (at least 1 year of educational & living expenses)

From the DSO:

- Verify that the student is accepted for enrollment in a full course of study
- Verify student's financial and program information
- Create SEVIS record and issue the "initial" I-20
- Must issue I-20 form within the U.S.



8 C.F.R. § 214.3(k)

SEVIS ID: N0000148174

SURNAME/PRIMARY NAME	GIVEN NAME	CLASS F-1 ACADEMIC AND LANGUAGE
PREFERRED NAME	PASSPORT NAME	
COUNTRY OF BIRTH JORDAN	COUNTRY OF CITIZENSHIP JORDAN	
DATE OF BIRTH 24 OCTOBER 1976	ADMISSION NUMBER	
FORM ISSUE REASON INITIAL ATTENDANCE	LEGACY NAME	

Student's **SEVIS** number

SCHOOL INFORMATION

SCHOOL NAME State University of New York at Binghamton State University of New York at Binghamt	SCHOOL ADDRESS International Student & Scholar Services, Binghamton, NY 13902
SCHOOL OFFICIAL TO CONTACT UPON ARRIVAL Director of International Student & Scholar Services	SCHOOL CODE AND APPROVAL DATE BUF214F20000000 22 OCTOBER 2010

Level of education that the student is pursuing or will pursue in the U.S., as well as major field of study.

PROGRAM OF STUDY

EDUCATION LEVEL DOCTORATE	MAJOR 1 Industrial Engineering 14.3501	MAJOR 2 None 00.0000
NORMAL PROGRAM LENGTH 72 Months	PROGRAM ENGLISH PROFICIENCY Required	ENGLISH PROFICIENCY NOTES Student is proficient
PROGRAM START DATE 23 JUNE 2015	PROGRAM END DATE 31 MAY 2018	

Normal program length; program start date and end date.

FINANCIALS

ESTIMATED AVERAGE COSTS FOR: 12 MONTHS		STUDENT'S FUNDING FOR: 12 MONTHS	
Tuition and Fees	\$ 14,200	Personal Funds	\$ 5,524
Living Expenses	\$ 13,200	Assistanship-Tuition Scholar	\$ 27,876
Expenses of Dependents (0)	\$ 6,000	Funds From Another Source	\$
33400	\$ 0	On-Campus Employment	\$
TOTAL	\$ 33,400	TOTAL	\$ 33,400

Estimated average costs (left)
Student's funding information (right)

REMARKS

SCHOOL ATTESTATION

I certify under penalty of perjury that all information provided above was entered before I signed this form and is true and correct. I executed this form in the United States after review and evaluation in the United States by me or other officials of the school of the student's application, transcripts, or other records of courses taken and proof of financial responsibility, which were received at the school prior to the execution of this form. The school has determined that the above named student's qualifications meet all standards for admission to the school and the student will be required to pursue a full program of study as defined by 8 CFR 214.2(f)(6). I am a designated school official of the above named school and am authorized to issue this form.

<input checked="" type="checkbox"/> SIGNATURE OF: Director of International Student & Scholar Services	DATE ISSUED 23 June 2015	PLACE ISSUED Binghamton, NY
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STUDENT ATTESTATION

I have read and agreed to comply with the terms and conditions of my admission and those of any extension of stay. I certify that all information provided on this form refers specifically to me and is true and correct to the best of my knowledge. I certify that I seek to enter or remain in the United States temporarily, and solely for the purpose of pursuing a full program of study at the school named above. I also authorize the named school to release any information from my records needed by DHS pursuant to 8 CFR 214.3(g) to determine my nonimmigrant status. **Parent or guardian, and student, must sign if student is under 18.**

SIGNATURE OF:	DATE
<input checked="" type="checkbox"/> SIGNATURE	
NAME OF PARENT OR GUARDIAN	ADDRESS (city/state or province/country)
	DATE



SEVIS I-901 FEE

Gaining F-1 Status

SEVIS (I-901) FEE

GAINING F-1 STATUS



Purpose of the SEVIS fee:

The SEVIS fee is mandated by Congress to support the program office and the automated system that keeps track of students and exchange visitors and ensures that they maintain their status while in the U.S.

The fee is used to:

- Maintain and update SEVIS
- Hire and train SEVIS Liaison Officers
- Staff and manage the SEVP office
- Maintain enforcement oversight

Who needs to pay?

- All prospective F-1 students needing admission at a U.S. POE
- Any nonimmigrant in the U.S. applying for a change of nonimmigrant status to F-1 status
- An F-1 applying for reinstatement
- An F-1 student who has been absent from U.S. for more than 5 months and wishes to re-enter in F-1 visa status.

Who does not need to pay?

- A dependent of an F-1 student who will be applying for an F-2-visa
- Any F-1 student with continuous F-1 status even when applying for a new visa or transferring schools.

SEVIS (I-901) FEE

GAINING F-1 STATUS

Payment Options:

- \$200 for F-1 visa type
- Country of citizenship or country of birth of Cameroon, Ghana, Kenya, Nigeria or Gambia must pay by money order, Western Union Quick Pay or certified check drawn from a U.S. bank.
- All others also have the option to make a credit/debit card payment on www.FMJfee.com
- SEVP will also accept third party payments; someone else can pay the I-901 for student's behalf.

When to pay?

- Must be paid at least 3 days before:
 - Initial visa appointment, or
 - Initial entry when a visa is not required (Canada/Bermuda), or
 - Before submitting an I-539 to request a change of visa status to F-1





TIMELINE AND DOCUMENTS

Gaining F-1 Status

TIMELINE

GAINING F-1 STATUS

Before arriving in the U.S.

- Student applies to your school and is accepted
- DSO creates I-20 in SEVIS
- I-20 is sent to student
- Student pays SEVIS I-901 fee
- Student applies for and receives F-1 visa in passport

Arrival in the U.S.

- Student presents immigration documentation to CBP:
 - Passport with F-1 visa
 - I-20
 - I-901 fee receipt
- CBP inspects and approves entry
- DSO reports the student's arrival by registering the student's record in SEVIS

VISA

GAINING F-1 STATUS

The visa is issued by the US embassy.

UNITED STATES OF AMERICA

VISA

Issuing Post: Nassau

19993505690003

Surname

Given Name

IMA

Passport Number

Sex F

Birth Date 24AUG19

Nationality BAMA

Issue Date 16DEC1999

Expiry Date 15DEC2004

Entries M

Annotation

GEORGIA INSTITUTE OF TECHNOLOGY

ATLANTA, GEORGIA 30332-0284

31605947

Photo

Number of entries allowed

Visa Type/Class

Expiration Date

Visa Number

PORT OF ENTRY

GAINING F-1 STATUS

- Students may enter the U.S. no more than 30 days before the program start date on the I-20
- CBP will stamp the passport with the following information:
 - Date of entry
 - Port of entry
 - Admission status (F-1)
 - Duration of their stay (D/S means duration of status)
- CBP will also issue the student an I-94 record
- Students with insufficient documents may be granted a 30 day provisional admission and issued an I-515A form



I-94

GAINING F-1 STATUS

- Most I-94 records are now electronic
 - Accessed online at cbp.gov/i94
- The paper version (stapled into the passport) still used in some cases

Departure Number OMB No. 1651-0111

624833440 12

I-94
Departure Record

14. Family Name
STUDENT


15. First (Given) Name
Example

16. Birth Date (Day/Mo/Yr)
09/06/82

17. Country of Citizenship
INDIA

CBP Form I-94 (10/04)
STAPLE HERE

See Other Side

 **U.S. Customs and Border Protection**
Securing America's Borders

OMB No. 1651-0111
Expiration Date: 11/30/2014

Get I-94 Number I-94 FAQ

Admission (I-94) Number Retrieval

Admission (I-94) Record Number: 68523424920

Admit Until Date (MM/DD/YYYY): D/S

Details provided on Admission (I-94) form:

Family Name:

First (Given) Name:

Birth Date (MM/DD/YYYY):

Passport Number:

Passport Country of Issuance: India

Most Recent Date of Entry (MM/DD/YYYY): 06/04/2013

Class of Admission: F1

► Effective April 26, 2013, DHS began automating the admission process. An alien lawfully admitted or paroled into the U.S. is no longer required to be in possession of a preprinted Form I-94. A record of admission printed from the CBP website constitutes a lawful record of admission. See 8 CFR § 1.4(d).

► If an employer, local, state or federal agency requests admission information, present your admission (I-94) number along with any additional required documents requested by that employer or agency.

► Note: For security reasons, we recommend that you close your browser after you have finished retrieving your I-94 number.

SEVIS REPORTING

GAINING F-1 STATUS

DSO Action: Reporting the arrival of a student in “initial” SEVIS status



Student Situation:	DSO Action:
Initial Student Reports to School	Register <u>within 30 days</u> of Program Start Date <i>⇒ changes Initial SEVIS record to active</i>
Initial Student with POE Records does not report (Not consistently reported in SEVIS)	Terminate record <u>within 30 days</u> of Program Start Date
Initial Student with NO POE Records does not report	Cancel record <u>within 30 days</u> of Program Start Date



MAINTAINING F-1 STATUS

- Enrollment
- Travel
- Employment
- Other updates

“BUT MY FRIEND TOLD ME”



CHECKLIST

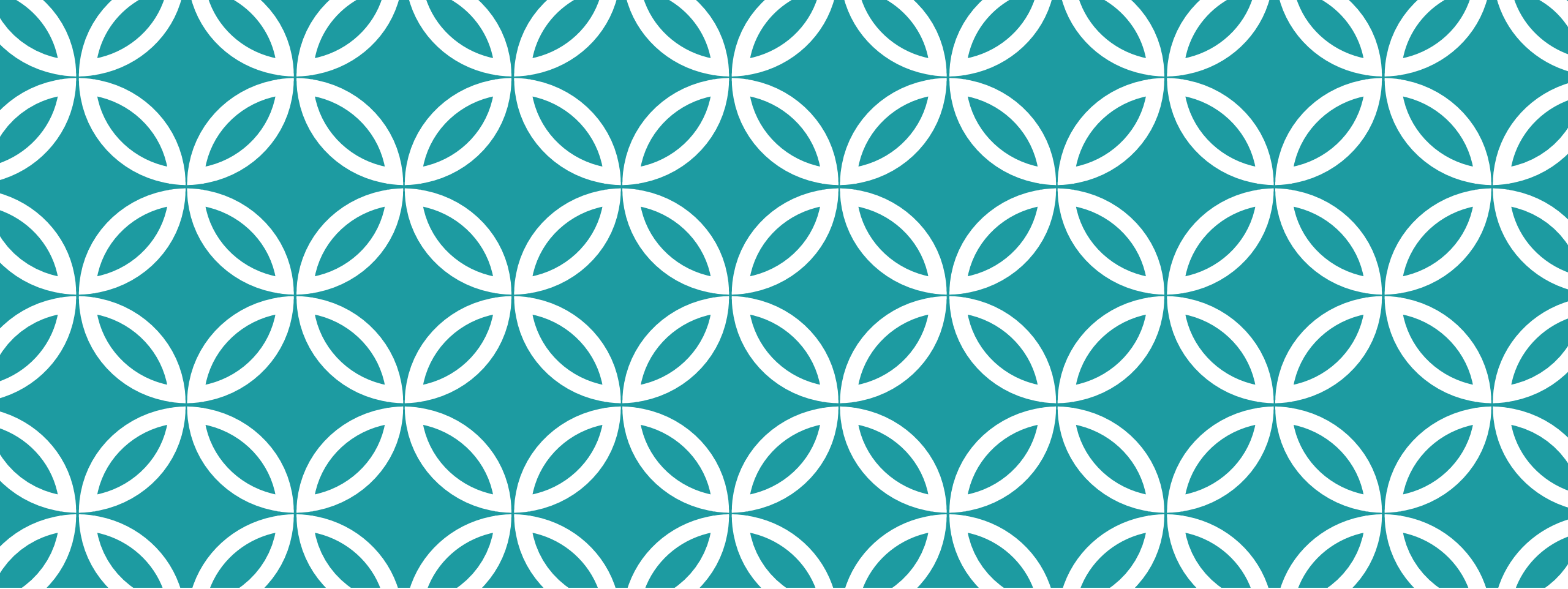
MAINTAINING F-1 STATUS

- Maintain a valid passport
- Attend authorized school
- Complete a full course of study
- Make 'normal' progress
- Update addresses within 10 days
- No unauthorized work
- Obey state & federal laws

- File timely requests if any program edits are needed:
 - Extension
 - Transfer
 - Change of education level
 - Change of status
- Depart U.S. in a timely manner
 - Complete program – 60 day grace period
 - Authorized Early Withdrawal – 15 day grace period
 - No grace period if there is a violation of visa status

TO DO LIST

<input type="checkbox"/>	
<input type="checkbox"/>	
<input type="checkbox"/>	
<input type="checkbox"/>	
<input type="checkbox"/>	



ENROLLMENT

Maintaining F-1 Status

ENROLLMENT REQUIREMENTS

ENROLLMENT

Graduate Study	Undergraduate Study	Post Secondary	Other Post Secondary	Special Circumstances
<ul style="list-style-type: none"> •College/Univ. •MS, PhD 	<ul style="list-style-type: none"> •College/Univ. •BS 	<ul style="list-style-type: none"> •School •Assoc., Other 	<ul style="list-style-type: none"> •Schools w/ ESL program •Certificate 	<ul style="list-style-type: none"> •Any Institution •Any level
Full course of study as certified by DSO (should be reinforced by institute's policy)	At least 12 credit hours (or the equivalent) per term	At least 12 clock hours per week (per regulations); minimum 12 credit hours	<ul style="list-style-type: none"> •18 clock hours per week (classroom dominant) •22 clock hours per week (lab dominant) 	As certified by DHS due to special circumstances affecting a country, group of people, or area of the U.S.
RCL not required for final term	RCL not required for final term			
<p>*Only 1 class (3 credit hours) of online or distance learning courses may count toward meeting the full-time enrollment requirement</p> <p>Concurrent enrollment (attending 2 approved schools at the same time) is OK if the hours meet the requirement of a full course of study.</p>				

**“CAN I TAKE SPRING TERM OFF BECAUSE IT’S
TOO COLD HERE?”**



REDUCED COURSE LOAD: ACADEMIC REASONS

ENROLLMENT

Academic Exceptions to a Full Course of Study

The DSO may authorize an F-1 student in advance to engage in less than a full course of study in the following academic situations:

RCL due to Academic Difficulties

- Initial difficulties with the English language
- Initial difficulties with reading requirements
- Unfamiliarity with American teaching methods
- Improper course level placement

Restrictions on RCL due to Academic Difficulties:

- Can only be used once per program level
- Usually only used in first semester

RCL during the final semester

- Students in their final semester are eligible for RCL if they have less than a full course load remaining in their program

Restrictions on RCL during the final semester:

- Applies only to students in degree programs
- “0” hour enrollment is not an option
- Must be enrolled in at least one course with physical presence requirements



REDUCED COURSE LOAD: MEDICAL REASONS

ENROLLMENT

Medical Exceptions to a Full Course of Study

The DSO may authorize an F-1 student in advance to engage in less than a full course of study in the following medical situations:

RCL due to Medical Conditions

- An illness or other medical condition may justify an interruption or reduction in a full course of study
- Per recommendation of US licensed practitioner: MD, Doctor of Osteopathy, Clinical Psychologist

Restrictions on RCL due to medical conditions:

- May not exceed 12 month total
- Possible reduced course load or no course load



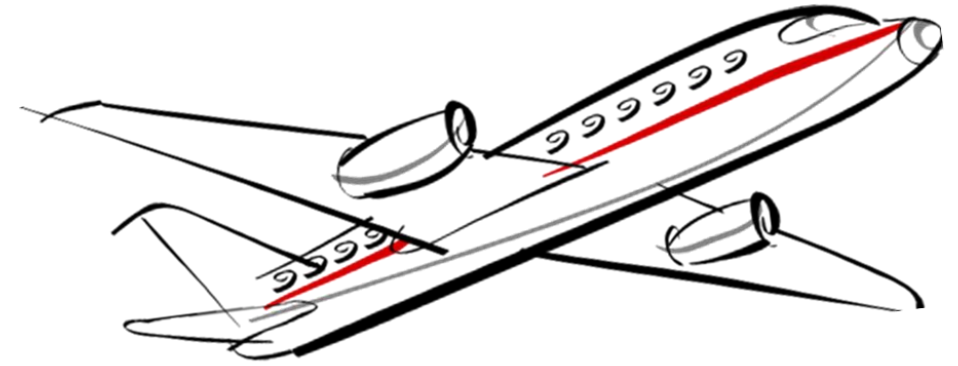


TRAVEL

Maintaining F-1 Status

DOCUMENTATION

TRAVEL



Documents required for travel:

- I-20 with valid travel signature
 - Travel signatures are valid for 12 months
- Valid Visa
 - Except for visa waiver and automatic revalidation
- Valid Passport
 - Passport must be valid for at least 6 months into the future at the time of return to the U.S.
- Students on Post-Completion OPT should also bring:
 - EAD
 - Proof of employment (job offer letter)
 - I-20 with valid travel signature

Length of Absence

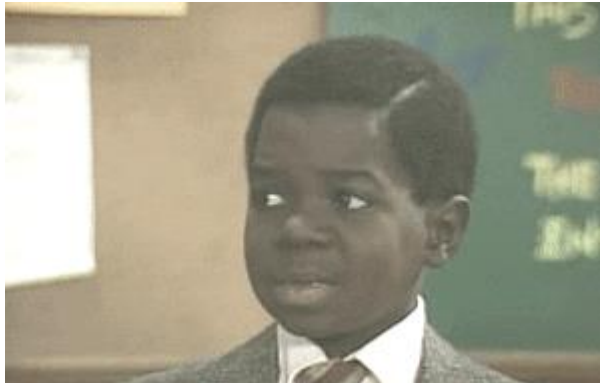
- Temporary Absence: 5 months or less
 - Exceptions:
 - Enrolled for study abroad or research abroad
 - Approved leave of absence
- Non-Temporary Absence: 5 months or more
 - Requires a new initial I-20 for re-entry
- F-2 travel

TRAVEL SIGNATURES

TRAVEL

- Travel signatures are signed on page 2 of the I-20
- Travel signatures are valid for one year
 - Best practice: Recommend that students make sure their travel signature is less than 6 months old at the time of re-entry.

“Just this once, can my friend sign my I-20 for me?”



NEW Version of I-20

Department of Homeland Security
U.S. Immigration and Customs Enforcement

I-20, Certificate of Eligibility for Nonimmigrant Student Status
OMB NO. 1653-0038

SEVIS ID: (F-1)		NAME:	
EMPLOYMENT AUTHORIZATION			
EMPLOYMENT STATUS	TYPE		
EMPLOYMENT START DATE	EMPLOYMENT END DATE		
EMPLOYER NAME	EMPLOYER LOCATION		
COMMENTS			
CHANGE OF STATUS/CAP-GAP EXTENSION			
REQUESTED VISA TYPE	REQUEST/PETITION STATUS	RECEIPT NUMBER	BENEFIT START DATE/REQUEST DATE
EVENT HISTORY			
EVENT NAME		EVENT DATE	
Registration		02 SEPTEMBER 2015	
OTHER AUTHORIZATIONS			
AUTHORIZATION	START DATE	END DATE	
TRAVEL ENDORSEMENT			
This page when properly endorsed, may be used for reentry of the student to attend the same school after a temporary absence from the United States. Each certification signature is valid for one year.			
SCHOOL OFFICIAL	TITLE	SIGNATURE	DATE ISSUED
		X	
		X	
		X	

Date Signed

Travel Signature

**“I DON’T NEED A TRAVEL SIGNATURE, BECAUSE I
DIDN’T HAVE ONE THE LAST TIME I CAME BACK TO THE
U.S.”**



AUTOMATIC VISA REVALIDATION

TRAVEL

- In Automatic Visa Revalidation, the expired F visa is considered to be “extended” to the date of re-entry
 - This eliminates the need to obtain new visa at U.S. consulate before reentry
- Requirements regarding the travel:
 - The student is traveling for less than 30 days
 - The student is traveling ONLY to Canada, Mexico, or adjacent islands in Caribbean (except Cuba)
- Requirements regarding the student:
 - Not a national of one of the countries identified as supporting terrorism in DOS (Iran, Syria, Sudan, Cuba)
 - Has maintained and intends to resume F status, and is reentering prior to expiration of program
 - Must present valid I-20 with valid travel signature, possess valid passport, and unexpired I-94
 - Has not applied for a visa while abroad





EMPLOYMENT

Maintaining F-1 Status

ON-CAMPUS JOBS

EMPLOYMENT

- F-1 students are permitted to work on campus; no special authorization is needed
- Restrictions:
 - The job must take place on campus
 - The job must be paid by the school OR be a service which is directly provided to students
 - For example, a company contracted by the university to run the university bookstore
 - Students may work on campus up to 20 hours/week while classes are in session
 - During official school breaks, full-time on-campus employment is permitted
- Any off-campus work or training must be specifically authorized before employment begins.

ON-CAMPUS JOBS

EMPLOYMENT

“Is there someone I can speak to about waiving the
20 hour per week rule while taking classes?”



CURRICULAR PRACTICAL TRAINING (CPT)

EMPLOYMENT

- CPT employment authorization is granted by the DSO and reported in SEVIS
 - Noted on the second page of the I-20
- CPT is used in cases where the employment is an “integral” part of student’s program of study
 - Used during (not after) the student’s academic program
- CPT is appropriate for:
 - Internships
 - Co-ops
 - Training required for the student’s degree program



OPTIONAL PRACTICAL TRAINING (OPT)

EMPLOYMENT

- OPT employment authorization is recommended by the DSO and then **requires further adjudication by USCIS** (submission of I-765 application)
- OPT employment must be related to the student's major
- Pre-Completion OPT
 - Used before the student graduates from the academic program
 - Limited to 20 hours/week or full-time during breaks
 - May require multiple applications and fees (student needs to re-apply for Post-Completion OPT)
- Post completion
 - Used after the student graduates
 - Must be at least 20 hours/week, paid or volunteer
 - Cap-Gap OPT extension:
 - Used when an H-1B is filed for the student before OPT EAD expires
 - Successful cap-gap extension is documented with new I-20



STEM OPT EXTENSION

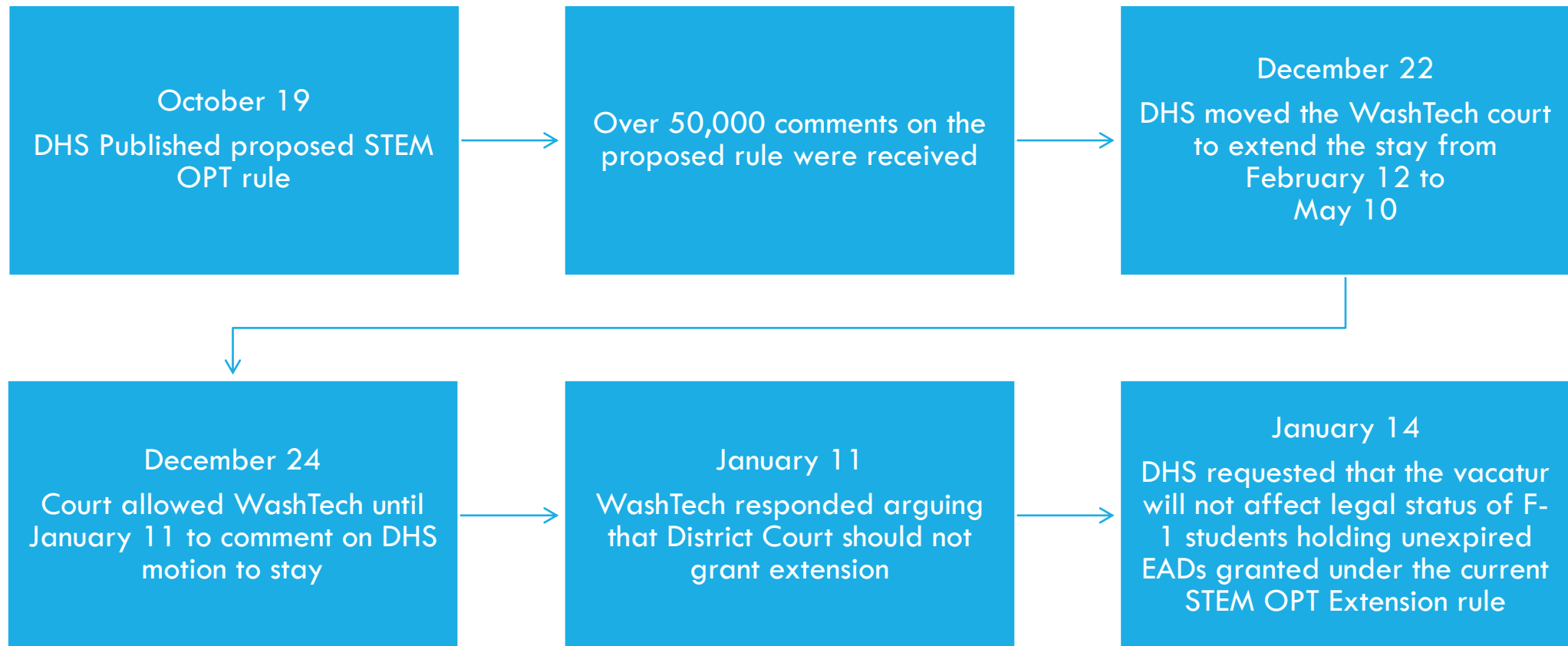
Extension of Optional Practical Training

- Limited to specific majors
- Student must complete a new application to USCIS for the STEM extension
- Currently 17 Months

Pending Changes to STEM OPT Extension-*Proposed*

- STEM Extension increased to 24 months
- I-765 filing deadline increased to 60 days
- Second STEM extension after higher STEM degree
- Expansion of eligible degrees and (probably) CIP codes
- Implementation of Mentoring & Training Plan

TIMELINE OF EVENTS SURROUNDING STEM OPT CHANGES



CURRENT STATUS OF STEM OPT

- January 21, 2015- 3:00 PM
- Court Hearing regarding DHS motion to extend deadline
- Originally set for February 13th, 2016, the court approved the Department of Homeland Security (DHS) request to delay this deadline until May 10th, 2016.
- DHS hopes to have new regulations published by May 10th, to allow STEM OPT to continue. We have no further information at this point, but will send an update when we have one.

OPTIONAL PRACTICAL TRAINING (OPT)

EMPLOYMENT



When a student reports their OPT employment at a gas station...

OPTIONAL PRACTICAL TRAINING (OPT)

EMPLOYMENT

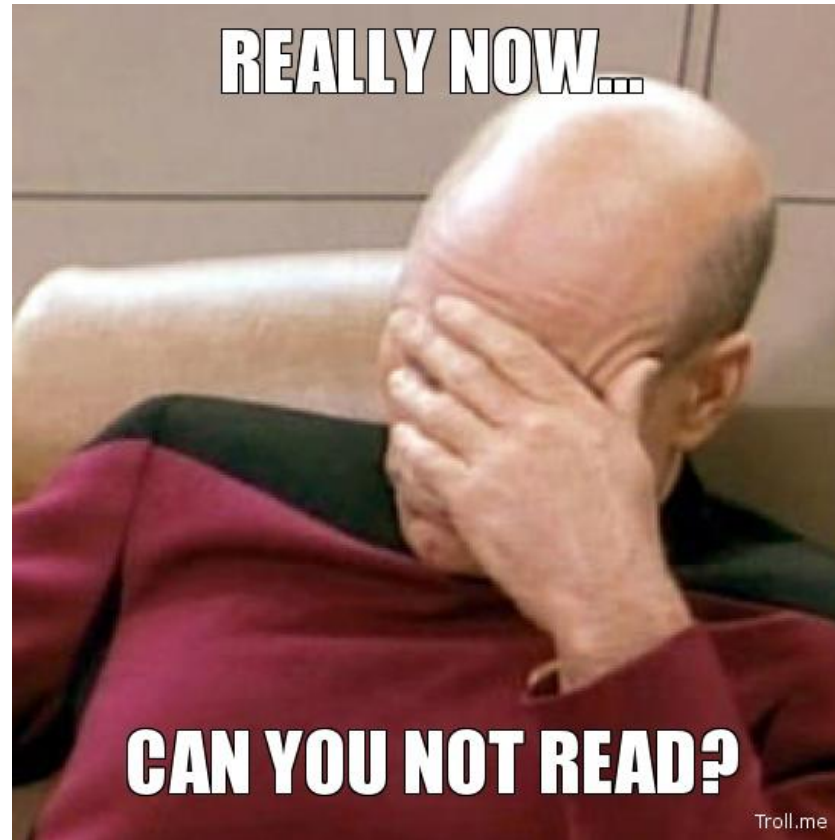
Yes, I totally have control to
have your OPT expedited.



OPTIONAL PRACTICAL TRAINING (OPT)

EMPLOYMENT

When students ask you what they need to do to apply for OPT after you have just given them a detailed list.



ECONOMIC HARDSHIP

EMPLOYMENT

- An F-1 student can apply for off-campus employment authorization due to severe economic hardship
- Requires an I-765 application to USCIS
- Student must be experiencing unforeseen economic problems due to no fault of their own:
 - Substantial fluctuations in the value of student's home currency
 - Unexpected changes in the student's source of financial support
 - Medical bills
 - Other substantial, unexpected expenses



OTHER UPDATES TO A STUDENT RECORD

Maintaining F-1 Status (or not...)

PROGRAM EXTENSIONS

Extensions can not be granted when the student is not completing on time due to poor academic performance

I-20 Extensions

- Student must apply prior to program end date on the I-20
- Student has “continually maintained status”
- DSO can certify the delay in completion is “caused by compelling academic or medical reasons”
 - **Examples:** changes of major or research topics, unexpected research problems, or documented illnesses
- Student must show new financial documents – documents showing the student’s ability to continue financing studies for the period of the extension
- SEVIS reporting: new end date and explanation
- Issue a new I-20 with the extension of up to 12 months
 - Multiple 12-month extensions can be done back to back if necessary.



TRANSFER OF A SEVIS RECORD



- Must be transferring from/to a DHS approved school
- Classes at the transfer-in school must begin within 5 months of completing classes at the transfer out school or ending OPT employment
- Student must be fully accepted and SEVIS release completed within the 60-day grace period
 - It is good practice to request documentation of admission before releasing SEVIS record
- Some schools will not assist with reinstatement application
 - Check with transfer-in DSO before releasing the SEVIS record of a student who violated status.

F-2 DEPENDENTS



- A dependent can be a spouse or child (unmarried minor under age 21).
- The F-1 must show proof of funding to support their dependents
 - The financial section of the F-1's SEVIS record must be updated to reflect the increased estimated expenses and the new amount of funding shown.
- Generate new I-20 for primary
- Generate I-20(s) for dependent(s)
- Schools are not required to verify relationship (but this might be required for visa or change of status applications)
- The status of a dependent is based upon the status of the principal
- F-2 dependents cannot accept employment
- F-2 dependent **children** may enroll full-time at a K-12 institution
- F-2 dependent **spouses** may study part-time (but not full-time)

SEVIS TERMINATIONS

- A DSO needs to terminate student SEVIS records when they are in violation of their terms of their status or are no longer in their program due to authorized circumstances.
- It is important to clarify the facts as much as possible before terminating a student's record
- Note: If the violation is one that may be 'fixed', the DSO has 21 days to report it to SEVIS.
- If a student's record has been terminated, the student may be able to apply for reinstatement

Common termination reasons used by the DSO:

- No show - manual termination
- Otherwise failing to maintain status
- Suspension
- Transfer student no show
- Unauthorized drop below full course of study
- Failure to enroll
- Authorized early withdrawal
- Unauthorized withdrawal
- Change of status approved (this is usually updated by USCIS)

SEVIS REPORTING

MAINTAINING F-1 STATUS

DSO Action: Reporting requirements during a student's program of study

Periodic (30 days)

- Via SEVIS registration
 - Full-time enrollment
 - Student's addresses (local & international)
 - Current term's ending date
 - Start date of next required term
- Reduced Course Load Authorizations
- Failure to enroll

Event-based (within 21 days)

- Student failed to maintain status
- Change in name or address
- Completed early
- Disciplinary action by school as result of a criminal conviction
- Notification request about student's status

FINALLY...



RESOURCES/QUESTIONS

NAFSA: www.nafsa.org

GAIE: <http://www.gaie.org>

ICE SEVIS pages: www.ice.gov/sevis

Travel information: http://www.ice.gov/sevis/travel/faq_f.htm

Study in the States (DHS): <http://studyinthestates.dhs.gov>

Custom and Boarder Protection (CBP): www.cbp.gov



Ashley Johnson: ashleyhj@uga.edu

Marie Goodwin: mariet@uga.edu