International Student Advancement

2019-2020

F-1 STUDENT STATUS

Understanding the Law and Maintaining Your Status

Immigration and You

Definition of Terms

# F-1 Student

A non-immigrant who is pursuing a “full course of study” towards a specific educational objective, at an academic institution that has been designated by the Dept. of Homeland Security to offer courses of study to such students, and has been enrolled in SEVIS.

# Department of Homeland Security

The Former U.S. Immigration and Naturalization Service, reorganized under the U.S. Department of Homeland Security (DHS) and its functions, has been divided into three new Bureaus: Immigration and Customs Enforcement (ICE), Citizenship and Immigration Services (CIS) and Customs and Border Protection (CBP).

The USCIS, ICE and CBP all have access to SEVIS. The Master's University, like all U.S. schools, is required to report information on F-1 students and their F-2 dependents to SEVIS through secure, encrypted internet transmissions.

# SEVIS

The **S**tudent and **E**xchange **V**isitor **I**nformation **S**ystem is a worldwide database that carries information on all students in the United States at any given time. The I-20 document that I sent you includes a barcode. The U.S. government uses the SEVIS computer system to track the activity of their guests.

# I-94

This is your Arrival/Departure record in the form of a white card which is stapled in your passport. The purpose of this card is to show when you last entered the U.S. It is always taken from you when you leave the country at any time.

# I-20

This is a very important document that you need to keep with your passport. The I-20 is the document that you used to apply for your visa to enter the U.S. It is also the document you will use, if properly endorsed by the DSO, to return to the U.S. after visiting your home country during school vacations or any time that you leave the country. **YOUR I-20 MUST BE ENDORSED BY YOUR DESIGNATED SCHOOL OFFICIAL WHENEVER YOU PLAN TO LEAVE THE UNITED STATES.**

# DSO

The **D**esignated **S**chool **O**fficial is the person that is authorized to sign your immigration documents. Josh English, Lydia Fowler, Jay Street, and Madelyn Moses are the DSO’s for this campus.

Definition of Terms continued

# ISO

The **I**nternational **S**tudent **O**ffice, a.k.a. International Student Advancement

# VISA

This is a stamp in your passport that allows you to enter the U.S. for a specific period of time. If you plan to return home during school breaks, be sure your entry visa is still valid. Think of the visa as your ticket into the USA. Even if your visa expires, you are permitted to remain in the USA so long as you remain in valid status, but if you leave and re-enter the USA, you will always need a valid visa.

Your Responsibilities as a Student in F-1 Status

# PURPOSE

This document has been prepared by The Master’s University International Student Office (ISO) to summarize some of the important rights and responsibilities you have as an F-1 student in relation to United States government immigration regulations.

Please note, however, that regulations and procedures can be expected to change. The ISO will inform you of substantial changes. We strongly advise you to contact the ISO any time you have a question about your legal status as well as any time you intend to travel and reenter the United States.

# OVERVIEW

A visa is not connected to your status. A visa is an entry document, giving you permission to enter the United States. At the Port of Entry you are given your status. Even if your visa expires, it will not affect your legal status. Permission to be in the U.S. comes from your most important document, the Form I-94. They stamp this document at the Port of Entry (POE) and for an F-1 student it would state D/S (Duration of Status). As a student, you must maintain all the conditions of your status. This includes advising the DHS of any educational program changes, pursuing a full course of study, attending the school noted on the Form I-20, not working without authorization and leaving the United States upon completion of your studies. Should you fail to maintain status, the DHS have the legal right to deport you (though this is quite rare).

# YOUR MOST IMPORTANT RESPONSIBILITIES

The following list represents the most important responsibilities you will have as an international student at TMU. Failure to comply can seriously affect your future enrollment and your legal right to remain in the United States. Do not hesitate to ask the ISO staff if you have any questions.

* It is expected that you will take personal responsibility for knowing and complying with all immigration regulations affecting your visa status. The information you currently need to know is outlined in this document. Read it carefully and if there is something you do not understand, contact the ISO. It is your responsibility to periodically check with the ISO for information on changes in the immigration regulations.
* Immigration regulations require that you maintain **full time status** as a matriculated student at TMU each and every semester. Undergraduate students must complete a minimum of 12 units each semester. The summer term at The Master’s University is considered to be a vacation period so registration during this period is not necessary.
* Do not accept unauthorized employment. Consult with the ISO before accepting any off campus employment.
* If you plan to leave the U.S., you must take responsibility for making sure you have the necessary documents to re-enter. These documents would be a valid visa and an I-20 that has been signed by a DSO for reentry.
* Your data file at the ISO must be complete and up-to-date at all times. The ISO is required to keep copies of your immigration documents and to know your current address.
* You must contact the ISO if you ***change*** any of the following:
  + your legal name
  + U.S. address
  + country of citizenship
  + immigration status
  + field of study
  + level of education
  + expected program completion
  + source of funding
* You will also need to contact ISO in any of the following situations:
  + For travel outside the U.S., you will need a travel signature from an ISO staff member on your SEVIS I-20 or if you will apply for a new visa before reentering the U.S.
  + Whenever any of your immigration documents are lost or stolen
  + Before you intend to study abroad, take a leave of absence, or transfer to another school
  + If you are seeking prior authorization to drop below full-time study or withdraw from The Master’s University
  + If you want to apply for off-campus work authorization

# THE US GOVERNMENT REQUIREMENTS FOR THE ISO

The Master’s University is required to report all the information on your SEVIS Form I-20 and information on "reportable events" that affect your immigrant status. These events include but are not limited to:

* Registration/enrollment each school term
* Leaves of absence, suspensions, or withdrawals from school
* Authorized and unauthorized drops below a "full course of study”
* Resumption of a "full course of study" after an authorized drop
* Employment off-campus
* F-2 dependent information
* U.S. residential address changes
* Completion/termination of studies
* Changes in major, program of study, degree, completion date, etc.
* School or program transfer

Since SEVIS is an electronic reporting system, it is very important that your information on file at the ISO be completely up-to-date. Failure to maintain accurate records with the University may result in technical violations of your F-1 status resulting in your F-1 status being invalidated and the loss of all F-1 status benefits.

# IMMIGRATION REGULATIONS

Failure to maintain your non-immigrant visa status can result in serious problems with the Bureau of Citizenship and Immigration Service and could lead to deportation from the U.S. Compliance with the law involves the following:

* **Maintain the validity of your passport at all times.** The consulate or embassy of your country here in the U.S. will have information on how to renew it. Consult [Foreign Consulates](http://www.state.gov/www/travel/consular_offices/fco_index.html) for addresses and telephone numbers.
* **Enroll as a full time student each semester.** For undergraduates, this means 12 units must be completed each semester.
* **Do not accept unauthorized employment.** Consult the FSA before accepting any employment.
* **Keep your I-20 up to date.** You must apply for an extension of stay if you do not complete your program of studies at TMU within the time specified on the I-20 issued to you at the time of admission.
* **F-1 students may enroll concurrently at another local college.** To qualify, the combined enrollment must equal a full course of study, the course work at the other institution must be acceptable toward the TMU degree, and the other institution is a SEVIS authorized school. Also, the majority of the coursework for the semester is taken at TMU.
* **Necessary Immigration Documents.** The I-20, I-94 and a valid passport.

**Length of Time You May Remain in the United States on your Master’s University SEVIS Form I-20**

Your SEVIS Form I-20 is issued for the expected duration of your program of study. F-1 students admitted to the U.S. generally receive a "D/S" notation on their Form I-94 arrival/departure card, indicating permission to remain in the U.S. for "duration of status." The duration of F-1 status ends as soon as the completion date listed on the SEVIS Form I-20 (see #5 on your SEVIS Form I-20) or as soon as you complete your program of study, whichever is earlier. Upon completion of study and any authorized practical training, you are allowed an additional 60 days for departure from the U.S. or to transfer.

If you need more time to complete your studies than is given on your SEVIS Form I-20, you must contact ISO before the expiration date to request an extension. Before completing your program of study, you may want to make an appointment with an ISO advisor to discuss options for extending your lawful status in the U.S. (see section on "Completion of Studies").

**Leave of Absence, Suspension or Withdrawal**

While in the United States in F-1 status, you must remain continuously enrolled for a full-course of study at The Master’s University until you have completed your academic program. If you interrupt your studies, your SEVIS Form I-20 will become invalid and you will not be eligible to remain in the United States in F-1 status. *Important:* If you are working on- or off-campus, you must cease employment immediately upon withdrawal.

**You must contact ISO before you interrupt your studies for any of the following reasons:**

1) You are planning to request an official leave of absence from the University (for Study Abroad, Medical Leave or personal reasons) during the fall or spring semester. Applying for and obtaining an official leave of absence from The Master’s University does not preserve your lawful F-1 status.

2) You are being suspended (or are under review for suspension) OR

3) You are planning to withdraw from all of your classes at any point during the fall or spring semester (or summer term if it is your initial or final semester of study).

In the event that a medical condition requires you to interrupt your studies at The Master’s University, you can request authorization for a medical leave of absence from ISO. Such authorization will enable you to maintain valid F-1 status during the time you are not enrolled.

If you withdraw from school (due to suspension or personal reasons), you may be granted a 15-day grace period in which to leave the country if, and only if, you are granted prior authorization. Only an ISO advisor may authorize this benefit. If you do not gain prior ISO authorization before withdrawing, the SEVIS system will be informed of your action of withdrawing without authorization. You will have violated your status and must leave the country immediately. If you are granted the 15-day grace period, you may discuss options such as a Change of Status or School Transfer with an ISO advisor.

If you fail to register for a semester, yet remain in the U.S., you have violated your status and must leave the country immediately or seek reinstatement to F-1 status. In such a case, we also encourage you to discuss reinstatement procedures with an ISO advisor.

**Employment**

Off-Campus Employment - F-1 students are eligible for limited off-campus employment. Please come to the ISO for complete information before taking any employment off-campus.

On-Campus Employment - F-1 students may be employed at most on-campus jobs with student employment authorization from the ISO. On-campus employment may not exceed 20 hours per week during fall and spring semesters. Full-time (more than 20 hours per week) on-campus employment is allowed only when classes are not in session – during winter break, spring break and summer vacation. Authorization for on-campus employment may begin no more than 30 days before the start of classes. On-campus employment during summer vacation and academic breaks is permissible only if the student is eligible and intends to continue attendance at The Master’s University following the break.

Please contact the ISO for additional information regarding employment options. You must be maintaining valid F-1 immigration status in order to be authorized for on- or off-campus employment.

**Completion of Studies**

The date you officially complete your program is very important because DHS regulations state that your lawful F-1 status automatically ends 60 days after you complete your academic program unless you take some action to remain lawfully in the United States.

If you are interested in beginning a new program of study at The Master’s University or another college or university, you will need to do an immigration transfer. This process must be completed before the end of the 60-day grace period. Students must begin studying in the new program within 5 months from the date of transferring out of The Master’s University or from the date of program completion (whichever date is earlier).

Note that you are not permitted to depart the U.S. and return in F-1 status during the 60-day grace period following program completion. The grace period ends when you depart the U.S.

**Holidays and Vacations**

You may remain in the United States and still maintain F-1 status during holidays and vacation periods observed by The Master’s University, including summer vacation, provided you are eligible and intend to register for the next academic semester and all of your immigration documents remain valid.

**Travel**

We encourage you to contact the ISO anytime you plan to travel outside of the U.S. This is particularly important as regulations and practices concerning reentry into the United States continue to change and new visa issuance procedures are much more time consuming at all U.S. embassies or consulates.

Travel Within the U.S. - You may travel within the U.S. provided you maintain your lawful F-1 status and have a valid passport, SEVIS Form I-20, AND Form I-94 in your possession. You need not travel inside the U.S. with actual documents; photocopies will be sufficient.

Travel outside the U.S. before Completion of Studies – You may leave the U.S. at any time. You are permitted to return in F-1 status if you have a valid passport, valid visa stamp and a current SEVIS I-20, that has been signed on the second page by an ISO staff member. Only a Designated School Official (DSO) at the ISO is authorized to sign or reissue a Form I-20. A travel signature is valid for six months.

Application for New F-1 Visa during Travel – All F-1 students are allowed to remain in the U.S. with an expired F-1 visa, provided they are maintaining their status and that their passport and SEVIS I-20 are valid. Although a student may remain in the U.S. with an expired F-1 visa, it will be necessary to apply for a new visa during the next trip abroad.

Students needing to apply for a new visa should inform the ISO prior to traveling abroad. New security checks and supplemental visa application forms developed since September 11, 2001, have significantly delayed the visa application process in many countries. Students planning to apply for a visa in Canada, Mexico, or in any country other than their home country should first consult with the ISO.

# Beware of Immigration Myths

Immigration law in the United States has been going through tremendous change especially within the 10+ years since 9/11.

There are some students who are convinced that they are familiar with the immigration system and choose to advise others of immigration procedures. The information they give you may be a presumption and not at all accurate. It is important that you get your immigration advice from a reliable source.

Your International Student Advancement PDSO, Joshua English, is current on all of the new immigration regulations. He is your primary source for your immigration questions concerning your student status and work permits.

**NOTE:** Advice from friends is not always true; take their advice at your own risk!

Checklist for Student to Maintain F-1 Status

# Students in F-1 status must do the following to maintain status:

* Attend the school that you are authorized to attend
* Know what a full course of study is for your program and maintain at least the minimum number of units
* Engage in authorized practical training following completion of studies
* Refrain from unlawful employment
* Make normal progress towards completing a course of study
* Have a valid I-20 and apply for timely extensions
* Maintain a valid passport
* Follow transfer procedures if you choose to change schools
* Alert the PDSO of the International Office if you plan to withdraw from school

# Failure to Comply with Responsibilities

Immigration laws in the United States provide for severe penalties if you fail to comply. Maintenance of accurate records at the ISO will be especially important since the SEVIS system will automatically report details of your status to the DHS. You should work closely with the ISO staff to make certain that you comply with all F-1 regulations. The staff of the ISO is always pleased to provide you with information, counseling, and assistance so that you may achieve your educational goals while at The Master’s University.

PLEASE SIGN THE FOLLOWING STATEMENT:

My signature indicates that I have received a copy of this document and I realize that I am required to fully comply with the regulations, policies and procedures described therein. I agree to comply with all such regulations, policies and procedures.

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(Signature) (Today’s Date)