



Immigration

Immigration Definitions

1. **SEVIS:** Acronym for Student and Exchange Visitor Information System. It is a system that collects data and monitors student activity in the United States. SEVIS creates an interface between institutions of higher education, the Department of Homeland Security (DHS), consulates and embassies abroad, and ports of entry. Schools are required to make regular electronic updates in SEVIS throughout each semester on the records of their enrolled students in F-1 and J-1 status, dependents of F-1 and J-1 students, and researchers in J-1 status, and faculty in J-1 status. Included in these electronic updates are enrollment status, change in address, changes in level of study, employment recommendations, and school transfers.
2. **Form I-20:** The Certificate of Visa Eligibility for Nonimmigrant F-1 Student Status is commonly known as the I-20. This is the document issued by a school through SEVIS. This form is then presented by the student to a U.S. consulate abroad to apply for an F-1 Student visa. The I-20 must also be presented to an immigration official upon entry into the U.S. When traveling outside the U.S., students in F-1 status intending to return to the U.S. to continue their education must carry financial documentation and either an initial or recertified I-20. The I-20 and its corresponding electronic updates in SEVIS are a permanent record of the one's activities as a student in the U.S. It is very important for students to keep all I-20's issued to them throughout their student status regardless of how long they stay in the U.S. or how many times they travel abroad. The I-20 is a very important immigration document and students should make a photocopy for their records. If you lose your I-20, please report it to World immediately. Under most circumstances, we can provide you with a replacement form within 3-5 working days.
 - *Your Contract with DHS:* When you received your I-20, you were required to sign it (Item 11) after carefully reading the terms and conditions concerning your admission and stay in the U.S. This is your contract with DHS. By signing this document, you show that you have honestly represented yourself and your intentions for being in the U.S. and have read and understood the conditions by which you will enter and remain in the U.S.

3. **DS 2019:** The Certificate of Eligibility for Nonimmigrant J-1o Exchange Visitor Status is commonly known as the form DS-2019. This is the document issued by the program sponsor (Stetson University) through SEVIS for presentation at a U.S. consulate abroad to obtain a J-1 Exchange Visitor Visa. Those in J-1 status must also present the DS-2019 to an immigration official upon entry into the U.S. The completion date on the DS-2019 must always be in the future. The DS-2019 is a very important immigration document and students should make a photocopy for their records. If you lose your I-20, please report it to World immediately. Under most circumstances, we can provide you with a replacement form within 3-5 working days.
 - *Your Contract with DHS:* When you received your DHS, you were required to sign it, after carefully reading the terms and conditions concerning your admission and stay in the U.S. This is your contract with DHS. By signing this document, you show that you have honestly represented yourself and your intentions for being in the U.S. and have read and understood the conditions by which you will enter and remain in the U.S. You also agree to certain rules that may apply to your temporary stay in the U.S., including the Two-Year Home Country Physical Presence Requirement and stay/admission/readmission regulations. (For more information about the requirement, contact the ISA)
4. **Visa:** The visa is a stamp in your passport issued by an American Consulate outside of the U.S. It authorizes you to apply for admission into the United States at the port of entry. All international students with the exception of Canadian nationals, requesting F or J immigration status, are required to have a valid visa stamp in their passport at the time of entry into the U.S. Your visa specifies the type of immigration status you will hold, the date until which you may make entries into the U.S., and the number of entries you may make before you must apply for a new visa stamp. The length of validity of each visa type is determined by an agreement between your own country and the U.S. government and is not necessarily tied to the length of your program of study. F-1 or J-1 visa stamps cannot be obtained within the U.S. Application for a new stamp must be made at a U.S. consulate outside the U.S. **The validity period of your visa stamp does not determine the length of time you may remain in the US after you enter.** Your length of stay is determined by the dates on your form I-94 and I-20 or DS-2019.
5. **I-94:** During the flight or immediately upon arrival, you received your white I-94 card. This is a record of nonimmigrant status and permission to stay in the U.S. An immigration officer usually staples it into the passport when you enter the U.S. It shows your immigration status (see below), the date and port of your arrival in the U.S., and the date until which you have permission to stay. The notation D/S indicating “duration of status,” refers to the completion date on your I-20 or DS-2019 given to those who wish to enter the U.S. in student status.

The I-94 is also called the Arrival/Departure form because each time you enter the U.S. you receive a new I-94, and each time you leave the U.S. you surrender your I-94. Only

in the case of short trips to Canada, Mexico, and the Caribbean do you keep your I-94. Be very careful with your I-94. Replacement of the I-94, while in the U.S., is a long and costly process. We recommend you keep it stapled to your passport.

- 6. Legal Immigration Status:** Your immigration status (F-1, J-1, etc) is determined at the time of your entry into the U.S. by the U.S. Citizenship and Immigration Service (USCIS) official at the port of entry and is noted on the form I-94. Your immigration status is generally the same as your entry visa classification. On arrival in the U.S., the immigration official retains the arrival portion of the I-94, notes your immigration status on the departure portion, and staples the I-94 card to your passport, usually to the same page on which the entry visa is stamped. Unlike your entry visa, your immigration status may be changed in the U.S. Your legal immigration status must be maintained at all times by obeying the laws governing the status. For F-1 and J-1 students, this means you must attend the school that issued your I-20 or DS-2019, enroll as a full time student at all times, make normal progress toward your degree, transfer legally, and not work illegally.

Common Immigration Procedures

1. **Transfer between U.S. Institutions:** A student who is in status may transfer from one U.S. educational institution to a new one. To do this, the student's SEVIS record must be transferred from one institution to the other so a new I-20 can be issued. An acceptance letter from the institution you are transferring to is necessary proof to transfer your record. If you plan on transferring to another institution, please come and see your ISA within 2 months of your intended transfer.
2. **Change of Academic Program: Educational Level, Degree, or Major:** Student who wish to change academic programs (such as from undergraduate to graduate) must be sure that the ISA processes a new I-20 or DS-2019. The academic goals noted on your I-20 must be current and correct to maintain status. Please give the ISA at least 5 business days to process a new I-20 for a change in academic program. Please note that if you are changing an academic program from one degree level to another, you must once again provide the necessary documents that demonstrate financial ability to cover expenses while in the United States.
3. **Extension of Stay:** The expiration date in Section 5 of your I-20 must always be in the future to maintain a valid stay in the United States as an F-1 student. If for some valid academic reason you cannot complete your degree by the expiration date in your current I-20, you must apply for an Extension of Stay. Failure to apply for an Extension of Stay prior to the expiration on your I-20 will result in a violation of your legal student status.
 - You must apply to the International Student Advisor for the extension before the program completion date on your current I-20 and provide updated proof of finances.
 - You must have continuously maintained legal student status during your academic career.
 - The delay in completion is caused by compelling academic or medical reasons.
4. **Reduced Course Load:** Although it is required for all international students to carry a full-course of study, there are certain circumstances when a student MIGHT be allowed to drop below full-time enrollment. If you are facing medical or academic difficulties you must **first** contact your ISA to discuss your options and see if a reduced course load is a feasible option. **DO NOT DROP BELOW FULL-TIME ENROLLMENT BEFORE SPEAKING WITH YOUR INTERNATIONAL STUDENT ADVISOR!**
5. **Reinstatement:** Reinstatement is a process in which you apply to the U.S. Citizenship and Immigration Services (USCIS) to be restored to legal student status after a violation. Reinstatement is for individuals who, through no fault of their own or through circumstances beyond their control, have violated the terms of their immigration status

and can show that not being reinstated would cause a significant hardship. The student also has to verify that they have not worked illegally. Students have the best chance of approval if applying within five months of violating status.

You will need to schedule an appointment to meet with the International Student Advisor if you need to apply for reinstatement.

Maintaining Immigration Status

F-1/J-1 visa students must comply with all requirements imposed by the USCIS. Briefly, you must follow these ten regulations:

1. F-1/J-1 students must check-in with World and provide World with copies of all immigration related documents upon arriving on campus for registration in SEVIS.
2. F-1/J-1 students must register for a full course of study each term (except summer term when attendance is optional). An undergraduate student enrolled for 12 or more credit hours of coursework and a graduate for 9 or more credit hours is a full time student.
3. F-1 students must make normal progress towards completing the degree program as noted on your I-20. Normal progress is defined as the successful completion of twelve (12) hours per semester and attaining a cumulative Grade Point Average of 2.00 or above.
4. F-1/J-1 students may accept on-campus employment not to exceed 20 hours per week while school is in session or 39 hours per week during breaks and holidays.
5. You must not accept off-campus employment during your first year at Stetson, and after that, only with permission from the USCIS.
6. F-1 visa students must attend the school specified on the I-20 for at least one semester before initiating any transfer procedures.
7. F-1/J-1 students must make certain that all information on the I-20/DS-2019 is current and complete. If anything is incorrect, contact this department immediately.
8. Abide by rules requiring disclosure of information regarding criminal activity or special registration.
9. You must report any change of address to World within 10 days of moving.
10. You must keep your passport valid at all times.

Immigration Problems

A few words of advice you should consider before dealing with the USCIS:

- Never go to an USCIS office without first consulting with WORLD staff.
- WORLD is the first place to contact when you have any problems with your immigration status.
- Do not rely on your friends as a source of advice on immigration matters when faced with serious problems.
- Do talk with WORLD staff about the possibility of consulting an attorney who specializes in immigration law.

Other Immigration Concerns: Traveling in, out and to the United States

Traveling Outside The U.S

If you plan to travel outside the United States, reentry on an F-1 or J-1 visa requires a valid I-20 or DS-2019, passport, and F-1 or J-1 entry visa stamp.

If you need a new entry visa stamp, see the visa renewal section of this handbook.

1. **Entry at the Border** : U.S. Customs will require that you present your I-20 or DS-2019 along with your financial documentation as you reenter. They may also want to review any previous I-20 or DS-2019 documents.
2. **If You Already Have a Valid Visa Stamp**: If your current entry visa stamp will be valid at the time you reenter the United States, you will not need to visit the U.S. Consulate. For reentry, you will need a valid I-20 or DS-2019 that reflects your current program, as well as a completion-of-studies date that is in the future. In addition, the USCIS requires a signature for reentry on page 4 of the I-20 or the back of the DS-2019 form. This signature should be made just prior to travel.
 - **Note**: The reentry signature is **valid for 6 months only** and must be renewed if it has expired or will expire soon. Also, if your entry visa stamp was issued for a school other than Stetson University, you should be prepared to present documentary evidence of your finances to the USCIS officials when you reenter. To make a request for a reentry signature, present your I-20 to the International Student Office at least two weeks before departure.
3. **If You Are Planning a Trip to Canada or Mexico**: If you wish to visit Canada or Mexico, find out whether you need a visitor's visa to enter that country. To do so, visit www.embassy.org and click on Canada. To reenter the United States, you will need a valid I-20 or DS-2019 with a current signature from the International Student Advisor. You are not required to have a valid U.S. reentry visa stamp in your passport if your visit to Canada or Mexico is for less than 30 days, unless you are a citizen of Iraq, Iran, or Libya.
4. **If You Have OPT Authorization**: If you are currently pursuing Optional Practical Training and plan to reenter the United States, you must present the following documentation for reentry
 - A valid I-20 that has been signed for reentry within the last 6 months
 - Passport with valid entry visa stamp, unless you are reentering from Canada or Mexico (see previous),
 - The Optional Practical Training Card
 - A letter from your current employer stating you are returning to RESUME employment

NOTE - If you are on Optional Practical Training and need a new entry visa stamp, be aware of the risk that your visa request may be denied. Consulates do not like to issue new visas for OPT.

Travel Checklist

Verify expiration dates of passport and visa. Make plans to renew if necessary.

Let someone know of your travel plans—roommate, RA, or ISA

Pack your passport, I-94 and I-20/DS2019

Give copy of passport, I-94, I-20 and visa to your “travel buddy” or pack in different location than your original documents.

Pack your insurance card and be sure you understand your coverage.

Have the following emergency contact information readily available:

Embassy or Consulate for your home country

Family contact information

World and Stetson University contact information

5. If traveling by air, follow Federal Aviation Administration regulations regarding items prohibited on carry-on and checked luggage and check –in times.
6. If you are traveling within the United States, immigration officials encourage international students to carry all identification documents at all times (passport, visa, I-20). For practical purposes consider carrying photocopies while placing your passport and other documents in a safe place.
7. Read Practical Concerns-transportation, and safety and security sections.

Employment in the United States

Students entering the United States on an F or J visa have certain restrictions on the location and type of employment they are able to accept. Below are outlined the circumstances and procedures in obtaining legal work authorization with an F or J student visa. While USCIS regulations provide a variety of opportunities for you to be employed during your time in F-1 or J-1 status, working improperly or without authorization is a serious violation of your status. You should therefore consult with your foreign student adviser before taking up any employment.

On-Campus Employment

1. **USCIS Regulations:** You may work on campus provided:
 - You are maintaining F-1 status
 - You do not work more than a total of 20 hours per while school is in session
 - You do not displace a U. S. resident.
 - You may be employed full time during holidays and vacation periods, including summer vacations, provided you are eligible and intend to register for the next school term.
 - The 20-hour-per-week limit on your employment while school is in session applies to all types of on-campus employment
2. **Stetson Regulations:**
 - You are not allowed to work on-campus if you have a full scholarship
 - You must have a Social Security to Human Resources by December 1st
 - To obtain on-campus employment (university employment) you must speak with Glenna Roof at extension 7104.
 - **Please note:** on-campus employment is limited and preference is given to upper classmen. You should not rely on having on-campus employment to subsidize your income while in the U.S.

F-1 Curricular Practical Training

Curricular Practical Training (CPT) is a work permit option available to F-1 students when work experience is required for internship and/or academic credit. Curricular Practical training is intended to give students relevant work experience in their field of study. Examples of CPT are internships and practicum.

1. **Conditions for Curricular Practical Training:**
 - You must have been in legal F-1 status for nine consecutive months. However, graduate students in programs that require immediate participation in internship or practicum are not subject to this requirement.
 - Employment must be an integral part of your degree program by being required and/or for credit.

2. Additional Important Information:

- Students will need to check with their academic departments regarding availability of academic credit for internships or independent studies.
- Students who have failed to maintain legal F-1 status and who make a new entry to the U.S. to regain legal status are not eligible for practical training until they have maintained legal F-1 status for nine consecutive months from the new date of entry.
- Students involved in part-time (20 hours per week or less) CPT during the academic year must also maintain full-time student status.
- The time you spend on CPT will not be deducted from the 12 months allotted for Optional Practical Training UNLESS you use the 12 months or more of full-time CPT
- See *Finances: From Banking to Taxes* for more information for responsibilities of international students for declaring earnings to the IRS.

3. Completed applications must include:

- A letter from your employer stating the duties of the job, beginning and ending date of your employment, and supervisor's name, title, address, and phone number
- CPT application with authorization from academic advisor
- Complete SEVIS Release form
- Proof of enrollment in course credit for internship
- Most recent I-20 form

4. **Note:** You cannot begin employment until you have received authorization on your I-20 form World. You must also be careful not to continue employment past the date authorized on your I-20 unless you apply and are granted an extension of your permission to work by your academic advisor and the ISA.

Please make an appointment with the ISA for more information.

F-1 Optional Practical Training

Optional Practical Training (OPT) is the opportunity to apply knowledge gained in the classroom to a practical work experience off campus. The U.S. Citizenship and Immigration Service (USCIS) issues Optional Practical Training for temporary employment directly related to your major area of study. The maximum amount of time granted to work in F-1 Optional Practical Training (OPT) status is 12 months for an undergraduate degree and an additional 12 months for a graduate degree. You may use some or all of the available 12 months of Optional Practical Training (OPT) during your course of study or save the full twelve months to use after you complete your degree. However, new USCIS regulations require that all applications for OPT must be submitted before completion of the degree. This authorization can take up to 120 days to obtain, so it is important to apply well in advance of the date you wish to begin employment.

1. Eligibility Requirements

- You must have been in full-time student status for at least one full academic year.
- You must be maintaining valid F-1 status at the time of the application.
- You must intend to work in a position directly related to your major field of study.

2. **Application Procedure:** Application packets are available at the Department of International Learning. The following documents are required for the application:

- \$380 check or money order made payable to the USCIS
- Pictures
- Completed I-765 form
- Immigration documents
 - Copy of passport expiration page, biographical data and picture page
 - Copy of Visa
 - Copy of I-94- FRONT & BACK
 - Copies of all previous I-20's or DS-2019's- FRONT & BACK
 - Copies of any Change of Immigration Status Approval Forms
 - Copies of any previous work permits

3. **Final Steps:** Return to World after submitting your completed application to sign your new I-20 and pick up your application for mailing. Within 30 days of mailing, World should receive a receipt stating the average processing time and your file number. This information will be forwarded to you. Finally, when the EAD (work permit card) is received, World will contact you for mailing instructions.

See *Finances: From Banking to Taxes* for more information for responsibilities of international students for declaring earnings to the IRS.

For more information, visit the International Student Advisor and pick up an OPT application.

F-1 Off-Campus Work Permit Due to Severe Economic Hardship

If you are experiencing severe economic hardship based on an unforeseen change in your financial circumstances, you may submit an application to the U.S. Citizenship and Immigration Service (USCIS) for permission to work off campus. You will be required to document the change in your financial situation and your economic need. Examples of changes in financial circumstances are tuition increases of 30 percent or more, loss of a sponsor, severe illness in the family, etc. Permission to work off-campus based on severe economic hardship allows you to work in any type of job.

1. **Limits** : Limits imposed on off-campus work are:
 - Students authorized for off-campus employment by the USCIS may not work more than 20 hours per week while school is in session. During vacations and breaks, students may work full-time if not enrolled in classes.
 - Remember you can only work a total of twenty hours per week while school is in session. So, if you have a campus job for 10 hours per week, you may only work off campus for 10 hours. Scholarship service hours count toward this total as well.

2. **Eligibility Requirements:** You are eligible to apply for off-campus work permission based on severe economic hardship if you meet the following conditions:
 - You have been in F-1 status for a minimum of nine months
 - You are currently in legal status and carry a full course of study
 - You have made a good effort to find employment on campus
 - You are able to demonstrate unforeseen severe economic hardship
 - You are in good academic standing (Grade Point Average is at least 2.0)

3. **The following documents are required for the application:**
 - \$180 check or money order made payable to the USCIS
 - Pictures (See page 3)
 - Completed I-765 form (Page 5)
 - Student letter stating need (See Page 6)
 - Documentation of economic hardship
 - Completed SEVIS Release Form (Page 7)
 - Immigration documents
 - Copy of passport expiration page, biographical data and picture page
 - Copy of visa page
 - Copy of I-94- FRONT & BACK
 - Copies of all previous I-20's- FRONT & BACK
 - Copies of any Change of Immigration Status Approval Forms
 - Copies of any previous work permits

- 4. **Final Steps:** Return to World 3-5 days after submitting your application to sign your new I-20 and pick up your application for mailing. Within 30 days of mailing,

World should receive a receipt stating the average processing time and your file number. This information will be forwarded to you. Finally, when the EAD (work permit card) is received, the ISA will contact you for mailing instructions. Please see *Finances: From Banking to Taxes* for more information for responsibilities of international students for declaring earnings to the IRS.