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INFORMATION FOR CHANGE OF STATUS APPLICANTS

Do I need a change of status? Individuals in other immigration statuses may wish to change their status to F-1 to be eligible for certain student benefits. Change of status applications are submitted to and adjudicated by the U. S. Citizenship and Immigration Services (previously INS). The success of this application depends on your particular situation as well as your current visa status. You must make an appointment to meet with the School Director to discuss your individual case.

Can anyone apply for a change of status? If your I-94 card has expired you cannot apply for a change of status. You must leave the United States to apply for your desired status at the U.S. Embassy. Also, if you are in WT (visa waiver) status or in J status with a two year home residency requirement you may not apply for a change to F-1 student status in the United States. Lastly, if you are in C, D, K or M status, you are not eligible for a change of status to F-1.

What happens if I plan to travel outside of the United States? You can also change your immigration status by traveling to another country (preferably your home country). You will need to get an F-1 entry visa stamped in your passport from a U.S. Consulate by providing them with an I-20, an unexpired passport, and financial documents. *Even if you get a change of status approved within the U.S., you will need to apply for an F-1 entry visa the next time you travel outside the United States. Having a change of status approved is no guarantee that you will be granted an F-1 entry visa. It is highly recommended that you seek legal advice to discuss travel plans.*

What should I do while I'm waiting for an answer from USCIS? Individuals in B-1/B-2 or F-2 status must wait to begin full-time classes until their change of status is approved, so as not to violate their current status. Those holding other immigration statuses can attend classes while their application is pending at USCIS. Although it is not required to be a full-time student, it is recommended. *(You MUST register to be a full-time student for all semesters once your change of status is approved. You are not eligible for any benefits of F-1 status until your application is approved.)*

Are there any special circumstances I need to know? If you are applying to change from B-1/B-2 status to F-1 status, you will need to prove to USCIS that your intention to become a student happened AFTER you arrived in the United States. **Applications for change of status filed shortly after arrival arouse suspicion that you misrepresented yourself by failing to reveal your intention to study when applying for a visa to enter the United States.** Your cover letter should clearly explain how and when you decided to go to school. USCIS will occasionally ask the school to verify when a student first contacted us.

If you are applying to change from a non-immigrant status with a date-specific expiration on your I-94 card (examples would be a B-1/B-2, H-1B, H-4) you should wait until 4-6 weeks before the program start date to submit your application. **Any applications adjudicated more than 30 days before the program start date will be automatically rejected. Your current status must be valid until at least 30 days before the program start date on your I-20.**

What financial documents are required? You must submit financial documentation in the form of bank statements, letter from a sponsoring agency, or affidavit of support to show that you have enough money for tuition and living expenses for **at least \$1,700 per month** of study in the United States. You must submit a recent bank statement (less than 3 months old) as well as a letter of support from your sponsor, if applicable. We cannot accept letters from accountants in place of a bank statement.

Requirements

Before the International Language Institute (ILI) will issue a Form I-20 for a Change of Status, the student must

- schedule a meeting with the School Director to discuss Change of Status procedure and eligibility
- be admitted to the International Language Institute Intensive English Program
- be “in status” and not have stayed beyond the departure date on the I-94
- make all necessary payments at the time of application
- complete and submit the following documents to the School Director

DOCUMENTS

1. Intensive English Program Application
2. Financial documentation in the form of bank statements, letter from a sponsoring agency, or affidavit of support.
 - a. Bank statements or letters from banks must include the name on the account, the date the account was opened and the current balance.
 - b. You may submit more than one bank statement or letter to document multiple accounts.
 - c. All documents must be translated into English and amounts shown in US dollars.
3. I-539 Form (*Application to Extend/Change Nonimmigrant Status*).
4. Copy of valid passport with expiration date, visa, and front and back of the I-94 Form.
5. Letter explaining your reason for change of status. Include the following information:
 - why you originally entered the US on a B1/B2 visa
 - when and why your intentions changed and you decided to study in the US
 - how you will support yourself in the US while studying
 - describe your plans for departure from the US after finishing your program

It is important that you prove non-immigrant intent in this letter and that you plan to return home after completing your studies in the US.

PAYMENTS

1. Non-Refundable Application Fee \$50.00
2. Personal check/money order payable to: \$290.00
Department of Homeland Security
3. SEVIS Fee* \$200.00
**The SEVIS fee payment may be made to the International Language Institute. We will pay SEVIS and include the receipt with the I-20, or you can make the payment yourself at www.FMJfee.com.*
4. Express Courier Delivery Fee (FedEx): \$15-25 (depending on service)

Once you have provided all of the above documents and payments to the International Language Institute, MD, we will make a copy of all documents to keep in your file before sending them together with the I-20 Form issued by the International Language Institute, MD, to USCIS. You will receive an answer in anywhere from 2 to 6 months. If your change of status is approved, USCIS will return your I-20 Form stamped with the approval. In a separate mailing you will receive a Notice of Action with a new I-94 card attached. The International Language Institute, MD, will also be notified of the outcome of your application. Bring a copy of your approved I-20 Form and new I-94 card to the International Language Institute for photocopying once they arrive.

USCIS rarely denies an application without first asking for additional documentation. **If you get a letter on blue paper from USCIS you should bring a copy to the International Language Institute so that we can advise you on what additional documents need to be submitted.** What happens if your application for a change of status is denied subsequently depends on the immigration status you hold now. If it has not expired by the time your application is denied and you have done nothing to violate it, you simply continue on in that same status as if nothing had happened. If, on the other hand, your immigration status expired while your application was pending, USCIS will send you a Notice of Action with a voluntary departure date. You can choose to leave the U.S. by the date indicated on your

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Notice of Action and apply for an F-1 entry visa outside the U.S. (preferably in your home country), or you can seek the advice of an immigration lawyer to discuss your options.

Understanding Changes in the Immigration Regulations

The tragic events of September 11, 2001 drastically changed the way many Americans view visitors to the United States. As a democracy, the U.S. government has reacted to this strong public concern with a wide array of new laws, procedures, and regulations and has changed the way in which existing laws are interpreted and enforced. International students and scholars and their families are affected by these measures in numerous and important ways.

Updated regulations governing the status of international students, scholars, and their families took effect on January 1, 2003. These regulations indicate that the U.S. government has adopted a policy of "no tolerance" for mistakes on the part of non-immigrants, including F-1 students. It is critical that you understand the F-1 regulations and comply with them.

The immigration offices of the U.S. government are part of the Department of Homeland Security (DHS). Its functions are divided into three offices within DHS: U.S. Citizenship and Immigration Services (USCIS), Immigration and Customs Enforcement (ICE), and Customs and Border Protection (CBP). USCIS processes applications for F-1 benefits, CBP officers staff ports of entry, and ICE handles cases of students who fail to maintain status.

Immigration Documents

All immigration regulations are handled by the U.S. Citizenship and Immigration Services (USCIS) under the Department of Homeland Security (DHS).

Passport: You must make sure that your passport is valid for at least six months in the future. An expiring passport can be renewed or revalidated through your country's Embassy in Washington DC, or your Consulate in New York.

Visa: The visa is a stamp made in the passport by a U.S. Embassy or consulate outside the United States. It shows the number of entries you are permitted in and out of the United States, but does not determine the length of time you may remain in the United States. Remember that having a valid visa is necessary for entering and re-entering the U.S.

I-94 Card: This is a small, white card, which is usually stapled to the visa page in your passport when you enter the U.S. It indicates the amount of time you are authorized to stay in the U.S. For this reason, the I-94 card is extremely important - DO NOT LOSE IT. Students on an F1 or J1 visa will have D/S written on the I-94 card. "Duration of Status" (D/S) means that you may remain in the U.S. as long as you continue to be a full time student.

I-20 Form: This is a form given to F1 and F2 visa holders as a permanent record of your periods of stay in the U.S. When you enter the U.S. for the first time, the immigration officer will stamp the upper right corner of the I-20 form. This document notes extensions of stay, school transfer and permission to work, among other things. Every time you plan to leave the country, you must have your I-20 form signed by the School Director in order to return to the United States.

Maintaining Student Status

Full-time Status: All F1 students must maintain full time status at all times. This means that International Language Institute students must be enrolled for a minimum of 20 hours per week. Once an international student has stopped taking at least 20 hours per week, he/she is out of status.

Travel: To travel outside the United States, an F1 (or J1) student must have 3 things: a valid I-20 (or DS-2019) form with a recent signature from the International Student Advisor, a valid passport, and a valid visa allowing for re-entry.

Program Extension: If F-1 students need to stay at The International Language Institute longer than the completion date on their I-20 form in order to complete their studies, an application for an Extension of Stay must be processed. Students in this situation should make an appointment to see the School Director **BEFORE** their I-20 expires.

Student and Exchange Visitor Information System (SEVIS)

Every F visa holder must understand the Student and Exchange Visitor Information System (SEVIS), the new mechanism employed by the U.S. government to track the arrival, enrollment and departure of international students and their dependents. The International Language Institute, like every other school admitting international students in the United States, is using SEVIS.

SEVIS is an internet-based system that requires schools and the U.S. Citizenship and Immigration Services (USCIS, formerly INS) to exchange data on the immigration and academic status of international students, scholars, and their dependents. Information pertaining to an F-1 or J-1 student, scholar, or dependent's stay in the United States is available to U.S. embassies and consulates as well as to the USCIS.

How SEVIS works:

1. After admitting an international student, the school enters data into SEVIS. If the USCIS approves the school's request to issue an I-20 (for F students), SEVIS creates the document and sends it via the Internet to the school. The school prints and sends the new bar-coded I-20 form to the student or dependent.
2. The student visits the U.S. consulate abroad, and the consulate confirms through SEVIS that the I-20 is a valid document. If everything is in order, the consulate can issue the visa.
3. A BCBP officer (formerly INS) at the airport reports the student's entry into the U.S. to SEVIS. When the student arrives, he/she reports to the International Language Institute and the school confirms the student's enrollment through SEVIS.
4. The International Language Institute continues to provide regular electronic reports to USCIS throughout the student's affiliation with us. Finally, SEVIS records the student's departure from the International Language Institute.

Data Schools must report

- Name, date of birth, country of birth, country of citizenship, source and amount of financial resources, academic program, level of study, program start and end dates.
- Enrollment or failure to enroll.
- A change of the student's or dependent's legal name or address.
- Graduation prior to the end date listed on the I-20.
- Academic or disciplinary actions taken due to criminal conviction.
- Registration for less than a full course of study without prior authorization.
- Termination date and reason for termination.
- Other data generated by standard procedures such as program extension, school transfer, change in level of study, employment authorization, and reinstatement.
- Failure to maintain status or complete the academic program or program objective.

Failure to maintain status: Examples of failure to maintain status include dropping from full-time to part-time enrollment, attending a school other than the one authorized to attend, failure to apply for a timely transfer or I-20 extension or change in level of study, unauthorized employment, and failure to report change of address.

Consequences of failure to maintain status: The student's or dependent's record will be updated in SEVIS every month and every time there is a change in any of the required data elements. Individuals

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who fail to maintain status lose the privileges of their student status and become subject to possible deportation. Specific consequences may include denial of re-entry to the U.S., denial of requests for employment authorization, denial of requests to change status, and possible denial of future visa applications. Ignorance of the regulations ("I didn't know"), unintentional neglect, and inadvertent oversight ("I forgot") have been explicitly rejected as excusable reasons for violations and cannot be used to support a reinstatement application. It is vital that you confer with the International Language Institute as often as needed to ensure you maintain valid F-1 status.

Prepare for SEVIS: The USCIS has information on their web site about SEVIS at <http://www.uscis.gov/portal/site/uscis>. Keep all documents up-to-date: changes in degree level, program extensions, and travel validations must be done in a timely manner and on SEVIS documents. Allow time for processing new forms.

- Understand immigration regulations, learn how to maintain lawful status in the U.S., and refer any questions or problems immediately to CIP.
- Be proactive. Plan your course schedules carefully so that you maintain full-time enrollment every semester.
- Make travel arrangements early, and anticipate delays at consulates and border crossings.

I-901 SEVIS Fee for Nonimmigrant Students

Beginning September 1, 2004, the Department of Homeland Security (DHS) will collect a congressionally mandated fee to cover the costs of the Student and Exchange Visitor Program (SEVP). International students and exchange visitors are subject to this fee, which will be used to administer and maintain the Student and Exchange Visitor Information System (SEVIS), support compliance activities, and establish SEVIS Liaison Officers to provide information and assistance to students and schools.

Some schools charge a fee by the year or the semester to support their foreign student/exchange visitor offices and automated systems. ***These fees are neither mandated nor collected by the U.S. Government.***

The payment of I-901 fees will be recorded and tracked in SEVIS, the automated system for collecting, maintaining, and managing information about nonimmigrant student and exchange visitors in the United States.

Who pays the fee? Those who wish to enter the United States either as a student or an exchange visitor with a Form I-20 (or DS-2019) dated on or after September 1, 2004. *Participants of federally sponsored exchange visitor programs, which are designated by program codes beginning with G-1, G-2, or G-3, are not subject to this fee. Spouses and dependent children (F-2, M-2) of students or exchange visitors (J-2) do not pay this fee.*

How much is the fee?

For students (F-1, F-3, M-1, or M-3)	\$200
For spouses and dependent children (F-2, M-2, or J-2) of students or exchange visitors	None

When do prospective students or exchange visitors pay the SEVIS fee?

- Applicants who require a visa to enter the United States must pay the SEVIS fee before going to the U.S. embassy or consulate for their visa interviews.

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- Applicants who are citizens of Canada, Bermuda, Bahamas and residents of certain other islands (see 8 CFR 212.1a) wishing to apply for F-1, F-3, M-1, M-3, or J-1 status at a Port of Entry into the United States must pay the SEVIS fee before appearing at the Port of Entry.
- Non-immigrants currently in the United States who apply for student or exchange visitor status must pay the fee prior to filing their change of status application.

How is the fee paid?

- Through the Internet at www.FMJfee.com by using a credit or debit card and completing the online Form I-901 (Fee for Remittance for Certain F, M, and J Non-immigrants); or
- Through the mail by submitting a completed Form I-901 and a check or money order drawn on a U.S. bank and payable in U.S. currency; or
- By a third party such as a school or sponsor; or
- By selected sponsors of an exchange program by submitting a bulk or group payment.

When must the fee be paid? The fee must be paid to ensure that the payment can be deposited and recorded in SEVIS prior to the scheduled visa interview. The interviewing consular officer will confirm that the fee has been paid by accessing SEVIS. To allow for adequate processing time the fee must be paid:

- At least three business days prior to the visa interview date for electronic submissions.
- For regular mail submissions, 15 business days should be allowed before the scheduled visa interview. This time frame allows adequate time for the fee payment to be received at the DHS address listed on the Form I-901, deposited, and recorded in SEVIS.
- Add local mail processing times to these processing times for accuracy.

How will the payment be verified? The payment will be recorded in the SEVIS system. However, it is recommended that the paper I-797 or the Internet-generated receipt be brought to the visa interview.

- DHS will issue an official paper receipt (I-797) for every payment received.
- Individuals, who are paying by mail, may request Express delivery service for the I-797 receipt at an additional cost of \$30.
- Individuals who file electronically will be able to print an electronic receipt immediately at the time of payment.

When must continuing students (F-1, F-3, M-1, or M-3 non-immigrants who have begun but not finished a program) pay the SEVIS fee?

Continuing students must pay the SEVIS fee before:

- Filing an application for reinstatement when they have been out of status for more than five months; or
- When applying for a new visa and returning to the United States after an absence of more than five months that did not involve authorized overseas study; or
- When filing an application for a change of status to an F, M, or J classification except for changes between F-1 and F-3 or between M-1 and M-3.

Arriving at a U.S. Port of Entry...What a student can expect

U.S. Immigration and Customs Enforcement's **Student and Exchange Visitor Program (SEVP)** is committed to facilitating your stay in the United States while you take advantage of our nation's academic, educational, and cultural offerings. To enhance security without slowing legitimate travel, the Department of Homeland Security (DHS) has instituted some changes in U.S. entry and exit procedures. Careful planning and preparation by international students can ensure that any delay based on these procedures is minimal.

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Plan Your Arrival: You may be refused entry into the United States if you attempt to arrive more than 30 days before the program start date listed on your SEVIS I-20 form.

Always Hand-Carry Your Documents: If your baggage is lost or delayed, you will be unable to present the documents at your port of entry. As a result, you may not be able to enter the United States. **Do not check the following documents in your baggage:**

1. **Your passport, valid for at least six months beyond the date of your expected stay;**
2. **Your immigration documents:** When you receive your nonimmigrant visa at a U.S. embassy or consulate, the consular officer may seal your immigration documents in an envelope and attach it to your passport. You should not open this envelope! The Customs and Border Protection Officer at the U.S. Port of Entry will open the envelope; and
3. **SEVIS Form I-20.**

In addition, it is strongly recommended that you also hand carry the following documentation:

1. Evidence of financial resources;
2. Evidence of student status, such as recent tuition receipts and transcripts;
3. Paper receipt for the SEVIS fee, Form I-797, and
4. Name and contact information for your "Designated School Official", including a 24-hour emergency contact number at the school.

For comprehensive information on procedures for traveling and arriving in the United States, visit: <http://educationusa.state.gov/predeparture/travel/customs.htm>

Complete Your Entry Paperwork:

If Arriving By Air: Flight attendants will distribute Customs Declaration Forms (CF-6059) and Arrival Departure Record Forms (I-94). These must be completed prior to landing.

If Arriving By Land or Sea: The CBP Officer at the port of entry will provide the necessary Customs Declaration Forms (CF-6059) and Arrival-Departure Record Forms (I-94) to be filled out upon your arrival.

As You Arrive at the Port of Entry:

Proceed to the terminal area for arriving passengers. Have the following documents available for presentation: your passport; SEVIS Form (I-20); Arrival-Departure Record Form (I-94); and Customs Declaration Form (CF-6059). The Form I-94 should reflect the address where you will reside, not the address of the school or program.

All visitors entering the United States must state their reason for wishing to enter the country. You will also be asked to provide information about your final destination. **It is important that you tell the CBP Officer that you will be a student.** Be prepared to include the name and address of the school program where you will enroll/participate.

Once your inspection is successfully completed, the inspecting officer will:

- **Stamp your SEVIS Form for duration of status ("D/S") for F visa holders**
- **Stamp your SEVIS Form for 30 days beyond program end date for M visa holders**
- **Stamp the Arrival-Departure Record Form (I-94) and staple it in the passport**

Following Admission into the United States:

Students should report to their school within 30 days of the date that appears on the SEVIS I-20 form to register for courses or to validate their intended participation. Failure to do so may result in serious consequences.

Additional Information:

Secondary Inspection Requirements: If the CBP officer at the port of entry cannot initially verify your information or you do not have all of the required documentation, you may be

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directed to an interview area known as “secondary inspection.” Secondary inspection allows inspectors to conduct additional research in order to verify information without causing delays for other arriving passengers.

The inspector will first attempt to verify your status by using the Student and Exchange and Visitor Information System (SEVIS). In the event that the CBP Officer needs to verify information with your school or program, **we strongly recommend** that you have the **name and telephone number of the foreign student advisor at your school**. In the event you arrive during non-business hours (evening, weekends, holidays), you should also have an emergency or non-business hour phone number available for this official.

Failure to comply with U.S. government entry-exit procedures may result in your being denied entry to the United States. Under certain circumstances, the CBP officer may issue a “Notice to Student or Exchange Visitor” Form (I-515A), which authorizes temporary admission into the United States. Work with your school to submit the proper documentation without delay.

US-VISIT: All nonimmigrant visitors holding visas -- regardless of race, national origin, or religion -- participate in the US-VISIT program, a comprehensive registration system tracking entries to and exits from the United States. For more information: www.dhs.gov/dhspublic/interapp/editorial/editorial_0440.xml

National Security Entry-Exit Registration System (NSEERS): Some individuals may be asked to provide additional information under the National Security Entry-Exit Registration System (NSEERS). A packet of information will be available at each port of entry explaining the registration procedure. For more information: www.dhs.gov/dhspublic/interapp/editorial/editorial_0440.xml

Student Health Insurance

In the United States, individuals are responsible for paying for their own medical care costs. In general, these costs are very high. To prepare for the financial responsibility of unexpected illness or injury, all international students on F-1 visas at the International Language Institute should have health insurance. One of the companies offering health insurance for international students is Compass Benefits at <http://www.compassbenefit.com>.