

Student Visas (F-1 and M-1)

Privately Sponsored Foreign Students

STUDENT APPLICANTS (FOR F-1 AND M-1 VISAS) – OVERVIEW

If you are going to the U.S. primarily for tourism, but want to take a short course of study of less than 18 hours per week, you may be able to do so with a visitor visa. You should inquire at the appropriate U.S. Embassy or Consulate. If your course of study is more than 18 hours a week, you will need a student visa. Please read this information for general information on how to apply for an F1 or M1 student visa. For additional student related information, visit the Education USA website at <http://educationusa.state.gov/> created by the Department of State, Bureau of Educational and Cultural Affairs at <http://exchanges.state.gov/> to learn about educational opportunities for undergraduate and graduate study, opportunities for scholars, financial aid, testing, admissions, and much more.

In most countries, first time student visa applicants are required to appear for an in-person interview. However, each embassy and consulate sets its own interview policies and procedures regarding student visas. Students should consult Embassy web sites or call for specific application instructions.

Keep in mind that June, July, and August are the busiest months in most consular sections, and interview appointments are the most difficult to get during that period. Students need to plan ahead to avoid having to make repeat visits to the Embassy. To the extent possible, students should bring the documents suggested below, as well as any other documents that might help establish their ties to the local community.

Changes introduced shortly after September 11, 2001 involve extensive and ongoing review of visa issuing practices as they relate to our national security. It is important to apply for your visa well in advance of your travel departure date.

WHEN DO I NEED TO APPLY FOR MY STUDENT VISA?

- Students are encouraged to apply for their visa early to provide ample time for visa processing. Students may apply for their visa as soon as they are prepared to do so.
- The consular officer may need to get special clearances depending on the course of study and nationality of the student. This can take some additional time. For more information on applicants who may have additional processing requirements see Special Processing Requirements at http://travel.state.gov/visa/temp/info/info_1300.html.
- Students should note that Embassies and Consulates are able to issue your student visa 90 days or less, in advance of the course of study registration date. If you apply for your visa more than 90 days prior to your start date or registration date as provided on the Form I-20, the Embassy or Consulate will hold your application until it is able to issue the visa. Consular officials will use that extra time to accomplish any of the necessary special clearances or other processes that may be required.

- Students are advised of the Department of Homeland Security regulation which requires that all initial or beginning students enter the U.S. 30 days or less in advance of the course of study start/report date as shown on the Form I-20. Please consider this date carefully when making travel plans to the U.S.
- A student who wants an earlier entry in the U.S. (more than 30 days prior to the course start date), must qualify for, and obtain a visitor visa. A prospective student notation will be shown on his/her visitor visa and the traveler will need to make the intent to study clear to the U.S. immigration inspector at port of entry. Before beginning any studies, he or she must obtain a change of classification, filing Form I-506, Application for Change of Nonimmigrant Status, and also submit the required Form I-20 to the Department of Homeland Security office where the application is made. Please be aware that there is an additional fee of \$140 for this process, and that one may not begin studies until the change of classification is approved.

WHAT IS SEVIS AND SEVP? WHAT SHOULD YOU KNOW ABOUT IT?

The Student and Exchange Visitor Program (SEVP) is designed to help the Department of Homeland Security and Department of State better monitor school and exchange programs and F, M and J category visitors. Exchange visitor and student information is maintained in the Student and Exchange Visitor Information System (SEVIS). SEVIS is an Internet-based system that maintains accurate and current information on non-immigrant students (F and M visa), exchange visitors (J visa), and their dependents (F-2, M-2, and J-2). SEVIS enables schools and program sponsors to transmit mandatory information and event notifications via the Internet, to the Department of Homeland Security and Department of State (DOS) throughout a student or exchange visitor's stay in the United States. Select SEVIS at <http://www.ice.gov/graphics/sevis/index.htm> to go to the Department of Homeland Security, U.S. Immigration and Customs Enforcement Internet site and learn more.

All student applicants must have a SEVIS generated I-20 issued by an educational institution approved by DHS, which they submit when they are applying for their student visa. The consular officer will need to verify your I-20 record electronically through the SEVIS system in order to process your student visa application. Unless otherwise exempt, participants whose SEVIS I-20 was issued on or after September 1, 2004 must pay a SEVIS I-901 Fee to the Department of Homeland Security for each individual program. The fee may be paid either through a special website, via Western Union, or by mail. See SEVIS-901 Fee at <https://www.fmjfee.com/index.jhtml> or SEVIS at <http://www.ice.gov/graphics/sevis/index.htm> for further information on how to pay the fee.

WHAT IS NEEDED TO APPLY FOR A STUDENT VISA?

It is important to remember that applying early and providing the requested documents does not guarantee that the student will receive a visa. Also, because each student's personal and academic situation is different two students applying for same visa may be asked different questions and be required to submit different documents. For that reason, the guidelines that follow are general and can be abridged or expanded by consular officers overseas, depending on each student's situation.

All applicants for a student visa must provide:

- Form I-20A-B, Certificate of Eligibility for Nonimmigrant (F-1) Student Status-For Academic and Language Students or Form I-20M-N, Certificate of Eligibility for Nonimmigrant (M-1) Student Status for Vocational Students. You will need to submit a SEVIS generated Form, I-20, which was provided to you by your school. You and your school official must sign the I-20 form. All students, as well as their spouses and dependents must be registered in the Student and Exchange Visitor Information System (SEVIS), an Internet-based system that maintains accurate and current information on non-immigrant students and exchange visitors and their dependents (F/M-2 visa holders). Your school is responsible for entering your information for the I-20 student visa form into SEVIS. Students will also have to pay an SEVIS I-901 fee for each program of study. Questions regarding your exchange program should be directly to your program sponsor;
- a completed application Form DS-156, together with a Form DS-158. Both forms must be completed and signed. Some applicants will also be required to complete and sign Form DS-157. A separate form is needed for children, even if they are included in a parent's passport. The DS-156 must be the February 2003 date, either the electronic "e-form application" or the non-electronic version. Select Nonimmigrant Visa Application Form DS-156 at <http://evisaforms.state.gov/> to access both versions of the DS-156. You may also check with the Embassy Consular Section where you will apply to determine if the hard-copy blank DS-156 form is available, should you need it;
- a passport valid for at least six months after your proposed date of entry into the United States;
- one (1) 2x2 photograph. See the required photo format explained in nonimmigrant photograph requirements at http://travel.state.gov/visa/temp/info/info_1287.html;
- an MRV fee receipt to show payment of the visa application fee, a visa issuance fee if applicable (Please consult the Visa Reciprocity Table) at and a separate SEVIS I-901 fee receipt. While all F visa applicants must pay the MRV fee, including dependents, only the F-1 principal applicants must pay the SEVIS fee.

All applicants should be prepared to provide:

- Transcripts and diplomas from previous institutions attended;
- scores from standardized tests required by the educational institution such as the TOEFL, SAT, GRE, GMAT, etc.;
- financial evidence that shows you or your parents who are sponsoring you have sufficient funds to cover your tuition and living expenses during the period of your intended study. For example, if you or your sponsor is a salaried employee, please bring income tax documents and original bank books and/or statements. If you or your sponsor own a business, please bring business registration, licenses, etc., and tax documents, as well as original bank books and/or statements.

Applicants with dependents must also provide:

- Proof of the student's relationship to his/her spouse and/or children (e.g., marriage and birth certificates.);

- it is preferred that families apply for F-1 and F-2 visas at the same time, but if the spouse and children must apply separately at a later time, they should bring a copy of the student visa holder's passport and visa, along with all other required documents.

WHAT ITEMS DOES A RETURNING STUDENT NEED?

All applicants applying for renewals **must** submit:

- A passport valid for at least six months;
- an application Form DS-156, together with a Form DS-158. Both forms must be completed and signed. Some applicants will also be required to complete and sign Form DS-157. Blank forms are available without charge at all U.S. consular offices and on the Visa Services website under Visa Applications Forms;
- a receipt for visa processing fee. A receipt showing payment of the visa application fee for each applicant, including each child listed in a parent's passport who is also applying for a U.S. visa, is needed;
- a new I-20 or an I-20 that has been endorsed on the back by a school official within the past 12 months.

All applicants applying for renewals **should be prepared** to submit:

- A certified copy of your grades from the school in which you are enrolled;
- financial documents from you or your sponsor, showing your ability to cover the cost of your schooling.

HOW LONG MAY I STAY ON MY F-1 STUDENT VISA?

When you enter the United States on a student visa, you will usually be admitted for the duration of your student status. That means you may stay as long as you are a full time student, even if the F-1 visa in your passport expires while you are in America. For a student who has completed the course of studies shown on the I-20, and any authorized practical training, the student is allowed the following additional time in the U.S. before departure:

- F-1 student - An additional 60 days, to prepare for departure from the U.S. or to transfer to another school.
- M-1 student - An additional 30 days to depart the U.S. (Fixed time period, in total not to exceed one year). The 30 days to prepare for departure is permitted as long as the student maintained a full course of study and maintained status. An M student may receive extensions up to three years for the total program.

As an example regarding duration of status, if you have a visa that is valid for five years that will expire on January 1, 2001, and you are admitted into the U.S. for the duration of your studies (often abbreviated in

your passport or on your I-94 card as "D/S"), you may stay in the U.S. as long as you are a full time student. Even if January 1, 2001 passes and your visa expires while in America, you will still be in legal student status. However, if you depart the U.S. with an expired visa, you will need to obtain a new one before being able to return to America and resume your studies. A student visa cannot be renewed or re-issued in the United States; it must be done at an Embassy or Consulate abroad.

Public School

There are certain restrictions on attending public school in the U.S. Persons who violate these restrictions may not receive another visa for a period of five years.

The restrictions apply only to students holding F-1 visas. They do not apply to students attending public school on derivative visas, such as F-2, J-2 or H-4 visas. The restrictions also do not apply to students attending private schools on F-1 visas.

The restrictions are:

- Students who attend public high schools in the U.S. are limited to twelve months of study. Public school attendance in the U.S. prior to November 30, 1996 does not count toward this limit.
- F-1 visas can no longer be issued to attend public elementary or middle schools (Kindergarten - 8th grade) or publicly-funded adult education programs.
- Before an F-1 visa for a public school can be issued, the student must show that the public school in the U.S. has been reimbursed for the full, unsubsidized per capita cost of the education as calculated by the school. Reimbursement may be indicated on the I-20. Consular officers may request copies of canceled checks and/or receipts confirming the payment as needed.

November 2004

The above information can be found on web site:

http://travel.state.gov/visa/temp/types/types_1268.html#