



Be bold. Be a Viking.

International Student Handbook
(A guide for F-1 Students)
16TH Edition

Provided by:

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Use of this Publication

The International Student Handbook is intended to provide students in F-1 Status, as well as the faculty and staff who work with them, with a resource to help them *navigate* through the *ocean* of immigration related regulations, policies, procedures and practices that are intertwined with their academic lives. While the Handbook is intended to be comprehensive in nature, it is important to note that the information contained in this Handbook does not constitute legal advice. If you believe that the information contained in this Handbook does not properly address your specific concerns or needs, or if you feel that your specific situation requires assistance beyond the scope of both this Handbook and the services provided by the Office of International Student Services, it is suggested that you contact an attorney who specializes in Immigration Law.

This edition of the International Student Handbook was developed by Dr. Jay Deitchman, and is being used by Hudson Valley Community College with permission of said author. This Handbook should not be reproduced for the use of other individuals, institutions or agencies without the express written permission of the author.

Author's Notes

- 1) This Handbook is being provided to you with the hope that you will use it as a resource. It is the expectation of both Hudson Valley Community College and the author that you will read this publication in its entirety. Additionally, the Office of International Student Services is happy to assist you with any questions or concerns you have regarding your immigration status, academic issues, and personal concerns. However, please note that the responsibility of making certain that you are following any and all policies/procedures necessary to maintain lawful status and/or accessing benefits of such status is ultimately yours.
- 2) The regulations, policies, procedures and practices regarding F-1 Nonimmigrants have undergone changes and continue to change. Therefore it is critical that International Students thoroughly read the Handbook, to be certain that they are aware of any and all changes in the regulations, policies, procedures and practices that may affect them.
- 3) To the best of the author's knowledge, the information contained in this edition of the International Student Handbook is current as of its release, on April 26, 2018. Since changes regarding regulations, policies, procedures and practices regarding F-1 Nonimmigrants may occur between editions, users of this handbook are advised to check the International Student Pages of the Hudson Valley Community College Web Site, found at <http://www.hvcc.edu/international/index.html>, for any changes.

Welcome to Hudson Valley Community College!

On behalf of Hudson Valley Community College, I would like to welcome you to our campus, community and the United States. Hudson Valley Community College is excited and truly honored to have you here. We know that it is a difficult decision for someone to go away to college when they are remaining in their own country, but when you decided to attend college in the United States; we know that was a more difficult decision. Hudson Valley Community College truly offers you our respect and admiration for making this decision and the sacrifices that accompany it. It is our goal to help make your transition to college life in the United States, at Hudson Valley Community College as easy as possible.

For this reason, the International Student Handbook has been prepared. All students who are in F-1 Status (commonly referred to as F-1 students) are required to maintain their status. The purpose of this Handbook is to help F-1 students understand their rights and responsibilities with regard to the policies and procedures of the United States Citizenship and Immigration Services (CIS), formerly known as the Immigration and Naturalization Service (INS). It is the expectation of Hudson Valley Community College that you will thoroughly read the Handbook and seek clarification from the Coordinator for International Student Services/PDSO on any point(s) that you do not completely understand.

While you may not completely appreciate it yet, your decision to begin or further your college education in the United States, and more specifically at Hudson Valley Community College, was a wise one. It is our belief that your experiences while attending Hudson Valley Community College will be enlightening, enriching and enjoyable. If there is anything that you believe we can do to ensure these results, please let us know. If you have any questions or concerns, please feel free to contact me. My office is located in Guenther Hall, on the second floor, room 215, in the Admissions Suite. My telephone number is 518-629-7567. I can also be contacted via email at: j.deitchman@hvcc.edu.

Once again, welcome to Hudson Valley Community College. I look forward to working with you and helping you see why we say “Find your direction for life right here.”

Respectfully,
Jay Deitchman, Ph.D.
Coordinator for International Student Services/PDSO

SEVIS: What it is ... and what it means to you!

SEVIS is the acronym for Student Exchange Visitor Information System. Simply stated, SEVIS is an on-line tracking system for International Students (individuals in F-1, F-3, J-1, M-1 and M-3 immigration status) and their dependents (F-2, J-2 and M-2). SEVIS became operational in July of 2002. Through SEVIS, colleges and universities enter and update various data regarding the International Students who have been issued Forms I-20 by their institutions.

What this means to you is that vital information about you and your F-1 Status will be updated regularly in the SEVIS database. This includes but is not limited to: change of address, change of name, change of major, and dropping below full-time enrollment, practical training, illegal employment and non-enrollment. These and other occurrences are considered "Reportable Events" and Hudson Valley Community College is mandated to report these events.

The U.S. Citizenship and Immigration Services (CIS), formerly known as the Immigration and Naturalization Service (INS), have complete access to your information via SEVIS. Additionally, a CIS Officer will receive a notice via Email and/or an alert any time a significant change is made to your SEVIS records. Additionally, Hudson Valley Community College will receive notices and/or alerts from CIS via Email regarding significant events (i.e. your re-entrance into the United States, upcoming Form I-20 expiration, upcoming Visa expiration, etc.). This will assist you in properly maintaining your F-1 Status.

It is important to note that SEVIS is under constant development, and as such there are still some "bugs" in the system that need to be worked out. Because of this, there is still some "Grey Areas" regarding how processes that were previously done using all paper should be best carried out. To quote one CIS Officer when discussing SEVIS "it's a work in progress."

I-901 SEVIS Fee for F, M, & J Nonimmigrant Students & Exchange Visitors*

Beginning September 1, 2004, international students and exchange visitors are subject to a congressionally mandated SEVIS Fee. This Fee will be collected by the Department of Homeland Security (DHS), and will cover the costs for the continued operation of the Student and Exchange Visitor Program (SEVP).

SEVIS, the automated system for collecting, maintaining and managing information about foreign student and exchange visitors during their entry to, stay in, and exit from the United States, will be used to record and track the I-901 fee payment.

Frequently Asked Questions

What is the SEVIS Fee used for?

This fee will be used to:

1. Administer and maintain the Student and Exchange Visitor Information System (SEVIS).
2. Support compliance activities.
3. Establish SEVIS Liaison Officers.
 - These Officers will serve as local resources for schools and students, providing timely and accurate program and reporting information and assistance.

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) the fee is \$200
- For spouses and dependent children (F-2, M-2, or J-2) of students or exchange visitors, no fee is required.
- For exchange visitors (J-1) the fee is \$180, However:
 - If participating in a federally sponsored exchange visitor program (program codes start with G-1, G-2, or G-3), no fee is required.
 - If participating in a summer work/travel program, the fee is \$35.
 - If participating in an Au pair program, the fee is \$35.
 - If participating in a Camp counselor program, the fee is \$35.

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 interview.
- 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 and process the SEVIS fee before appearing at the Port of Entry.
- Nonimmigrants currently in the United States who apply for student (F-1, F-3, M-1, or M-3) or exchange visitor (J-1) status must pay the fee prior to filing their application for a change of status.

How is the SEVIS Fee paid?

There are four ways in which the SEVIS Fee can be paid:

1. Through the Internet at www.FMJfee.com by using a credit card and completing the online Form I-901 (Fee for Remittance for Certain F, M, and J Nonimmigrants).
2. 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.
3. By a third party such as a school or sponsor.
4. 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.
 - At least three business days before the scheduled visa interview for mail submissions to allow for delivery at the DHS address listed on the Form I-901. This time frame allows the fee payment to be deposited and recorded in SEVIS.

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 file electronically will be able to print an electronic receipt immediately at the time of payment.
- Individuals may request Express delivery service for the I-797 receipt at an additional cost of \$30.

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

There are three situations in which continuing students must pay the SEVIS Fee:

1. Before Filing an application for reinstatement when they have been out of status for more than five months.
2. When applying for a new visa or returning to the United States after an absence of more than five months that did not involve authorized overseas study.
3. 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.

When must continuing exchange visitors (J-1) who have begun, but not finished a program) pay the SEVIS fee?

There are three situations in which continuing exchange visitors must pay the SEVIS Fee:

1. Before filing a reinstatement application after a substantive violation.
2. Before filing a reinstatement application after they have been out of status between 121 and 269 days.
3. When applying for a change of exchange visitor category unless the new exchange visitor category is fee exempt (federally sponsored programs with program codes that start with G-1, G-2, or G-3).

*Adapted from the U.S. Immigration and Customs Enforcement (ICE) SEVIS Fee Fact Sheet found at <http://www.ice.gov/graphics/news/newsreleases/articles/SEVISFactSheet.htm>

I-94 Automation

On April 30, 2013, U.S. Customs and Border Protection (CBP) began implementing the new electronic I-94 process at air and sea ports. What this means to you, is that when you enter the U.S. through either an air or sea port, you will no longer be issued a "paper" I-94 card, but instead will receive a stamp inside your passport. If students need the information from their Form I-94 admission record to verify immigration status or employment authorization, the record number and other admission information will be available at www.cbp.gov/I-94. Because this is a major undertaking for CBP, this program is being "rolled-out" (implemented) in stages. Below you will find the current roll-out schedule:

ADDITIONAL INFORMATION REGARDING THE I-94 AUTOMATION PROCESS

You can find additional information regarding the I-94 Automation process at the following links:

- 1) http://studyinthestates.dhs.gov/assets/webinars/download.php?file=I-94_Quick_Reference_Guide_Flyer_0812_FINAL.PDF
- 2) www.cbp.gov/xp/cgov/newsroom/news_releases/national/03212013.xml
 - a. SEVP posting to CBP's I-94 Quick Reference Guide for Local, State, and Federal Agencies that contains images of the different kinds of Form I-94, including the electronic I-94:
http://studyinthestates.dhs.gov/assets/webinars/download.php?file=I-94_Quick_Reference_Guide_Flyer_0812_FINAL.PDF and
www.cbp.gov/xp/cgov/newsroom/news_releases/national/03212013.xml
- 3) CBP notice about the 4-week roll out for the automatic I-94 process and an I-94 factsheet: www.cbp.gov/xp/cgov/travel/id_visa/i-94_instructions/i94_rollout.xml

Lastly, if you enter the U.S. with an automated I-94, you should go on-line and print a copy out as soon as possible and make sure that you provide me with a copy for your file. If you have any questions please let me know.

Maintaining Lawful Student Status in the United States

In order to be eligible for and to receive all the benefits that CIS provides to International Students (e.g. practical training, school transfer, change of status) it is necessary to maintain lawful status in the United States. To maintain Lawful F-1 status you must:

- ◆ Keep your passport valid.
- ◆ Have a valid SEVIS generated Form I-20.
 - Your Form I-20 expires on the Program End Date, found on your Form I-20, where it says “... complete studies not later than,” or on the date you complete your academic program, whichever comes first.
- ◆ Maintain full time enrollment during the fall and spring semesters (a minimum of 12 credit hours per semester).
- ◆ Demonstrate normal progress toward completion of your degree or educational objective.
- ◆ Accept no employment of any kind without proper authorization from the Coordinator for International Student Services/PDSO or, if necessary, CIS.
- ◆ “Disclose fully and truthfully all information requested by DHS immigration bureaus regardless of whether the information is material” (NAFSA Advisor’s Manual).
- ◆ Make certain that you inform the Coordinator for International Student Services/PDSO at your institution (the institution who issued you your current Form I-20) of any legal changes to your name or any changes to you physical address (The DSO must have your current physical address).
 - These changes must be reported to the Coordinator for International Student Services/PDSO within ten days of the change.

Full-time Enrollment

Non-immigrants who are in the United States in F-1 Status, enrolled at institutions that operate on a semester schedule, are required to maintain full time enrollment during both the fall and spring semesters, and you must complete a minimum of 12 credit hours per semester.

- ◆ Regarding on-line or distance education courses, F-1 students are not permitted to count more than three credits toward the full course of study requirements. Therefore, students in F-1 Status must enroll in a minimum of 9 credits of classroom based courses.
- ◆ In order to maintain lawful F-1 Status you **MUST HAVE THE APPROVAL OF THE COORDINATOR FOR INTERNATIONAL STUDENT SERVICES/PDSO BEFORE YOU REDUCE YOUR COURSELOAD BELOW 12 CREDIT HOURS FOR ANY SEMESTER.**

Taking a Leave of Absence from School or Dropping Below twelve Credits?

It is important to understand that according to CIS there is “no such thing” as a leave of absence from school for an F-1 student. The reason for this is simple. The principle objective of an individual in F-1 Status is to be a student. If they are not enrolled full-time as a student during

the academic year (Post-Completion Optional Practical Training notwithstanding), then they are not engaged in the activity for authorized and dictated by their status. **This means that while the College can grant a student a leave of absence for academic, medical or other personal reasons, CIS does not recognize a leave of absence!**

Under the following academic circumstances the DSO can authorize a student to drop below a full course of study, taking at least six credit hours:

1. Initial difficulty with the English language;
2. Initial difficulty with reading requirements
3. Unfamiliarity with American teaching methods;
4. Improper course placement;
5. To complete course of study in current term (which means that the student will complete their program of study at the conclusion of the semester, and need to complete less than twelve credits to do so);
6. Imminent failure of course.¹

This authorization allows the F-1 Student to drop below a full course of study while maintaining lawful F-1 Status. Additionally, due to properly documented medical circumstances, the DSO can authorize a student to drop below a full course of study, taking at least six credit hours (or if necessary for medical reasons, carry no course load). If due to either academic or medical reasons you are considering reducing your course load to below 12 credit hours (or carrying no course load due to medical reasons) you **MUST** meet with the Coordinator for International Student Services/PDSO prior to doing so to discuss your specific situation, your options, your responsibilities and the required documentation.

**IMPORTANT NOTE: STUDENTS WHO WISH TO RECEIVE AUTHORIZATION FOR AN RCL MUST SUBMIT THE APPROPRIATE OF THE FOLLOWING THREE FORMS: REQUEST FOR A REDUCED COURSE LOAD DUE TO ACADEMIC DIFFICULTY FOR STUDENTS IN F-1 STATUS; REQUEST FOR A REDUCED COURSE LOAD DUE TO MEDICAL CONDITION FOR STUDENTS IN F-1 STATUS; OR REQUEST FOR A REDUCED COURSE LOAD DUE TO COMPLETION OF STUDY FOR STUDENTS IN F-1 STATUS. THESE FORMS CAN BE FOUND AT THE FOLLOWING URL:
WWW.HVCC.EDU/INTERNATIONAL/FORMS/HVCC.HTML.**

Points to Consider

- ◆ Within the first thirty (30) days of each semester that you are enrolled at Hudson Valley Community College, you **must** "check-in" with the Coordinator for International Student Services, so that he can indicate that you are present by "Registering" you in the Student Exchange Visitor Information System (SEVIS).
 - If you do not "check-in," you will not be "registered" in SEVIS, and your SEVIS Record will be automatically terminated.
- ◆ Working without proper authorization is considered by CIS to be the most serious violation of its regulations.
 - It is important, therefore, that you consult the Coordinator for International Student Services/PDSO before you accept an offer of employment or begin to work. If you are eligible, the Coordinator for International Student Services/PDSO will assist you with your application for employment authorization.

¹ This is based upon a court decision, not Federal Regulations.

- ◆ Make certain that you inform the Coordinator for International Student Services/PDSO at your institution (the institution who issued your current Form I-20) of any legal changes to your name or any changes to your physical address. The DSO must have your current physical address!
 - These changes must be reported to the Coordinator for International Student Services/PDSO within ten days of the change.
- ◆ Make sure you meet eligibility criteria before you transfer your SEVIS record to another school in the United States.
- ◆ **A Reduced Course Load (RCL) for academic reasons can only be authorized once per degree level.**
- ◆ Obtain extensions of status, as needed, in order to remain in the United States.
 - Individuals in F-1 Status are granted permission to stay for the period of time reasonably required to pursue a full course of study in an educational program, plus a grace period of 60 days in which to depart from the United States, transfer to another SEVIS Approved institution, apply for a change of status, or apply for employment authorization.
 - The 60 day “clock” begins when your Form I-20 expires, on the Program End Date, found on your Form I-20, where it says “ ... complete studies not later than,” or on the date you complete your academic program, whichever comes first.
 - After the 60 grace period has ended, if you are still in the United States and have not received a valid Form I-20 from a transfer institution or applied for either a change of status or employment authorization (and are awaiting a decision), you will begin to accrue “Unlawful Presence.”
- ◆ If you change programs of study or levels of study, you must notify the Office of International Student Services, since this information will need to be entered into SEVIS, and a new Form I-20 will need to be issued.
- ◆ If you need additional time to complete your current program, you must apply for an extension before the completion date on your Form I-20.
 - If you believe that you will need more time than is permitted on your current visa document, you should contact the Coordinator for International Student Services/PDSO for complete information.

Employment

Definition of Employment: Any service or labor for which wages or other remuneration (compensation) is provided (e.g. salary, room, and board). Sporadic domestic service in a private home is not included.

IMPORTANT NOTE: You are required to have a Social Security Number to engage in ANY employment (see the section "Social Security Numbers" for more information).

Employment for F-1 Students is divided into two main categories: On-campus and Practical Training (Off-campus). Any F-1 Student can engage in on-campus employment.

On-Campus Employment

Definition of On-campus Employment: Employment on the school premises, with any firm that provides *direct* services to students or with any "educationally affiliated" location. Employment does not have to be directly related to the student's program of study. **While engaged in on-campus employment, a student may not work more than twenty (20) hours per week while school is in session. When school is out of session, a student may work in excess of twenty (20) hours per week. CIS authorization is NOT required for on-campus employment. If you are working on campus, please inform the Coordinator for International Student Services/PDSO.**

Practical Training

Definition of Practical Training: Employment that is directly related to the student's program of study, the express purpose of which is to provide the student with the opportunity to apply their knowledge and skills [learned in their program of study], as well as provide them with the opportunity to expand their knowledge and skills through "hands on" experiences.

One of the benefits that CIS provides to eligible F-1 Students is Practical Training. Practical Training is divided into three categories: Curricular Practical Training, Optional Practical Training Before Completion of Studies, and Optional Practical Training Post Completion of Studies. These three categories are described below. **It is important that you understand the distinction between the three categories. If after reading this section you are unclear about the distinctions, please see the Coordinator for International Student Services/PDSO.**

Curricular Practical Training (CPT)

Definition of Curricular Practical Training: Employment that is directly related to and an integral part of, the established curriculum of your school. This employment is required for degree completion, such as the internships required for programs in the areas of Automotive Technical Services, Health Information Technology, and Emergency Medical Technician-Paramedic. **An internship must be part of a required course in the regular curriculum (listed as a course offering in your school's catalog or bulletin).**

Examples of such internships include but are not limited to:

- ◆ An Automotive Technical Services Student engaged in the "Practical Work Experience" component of their curriculum at a Chrysler dealership.

- ◆ A Health Information Technician Student engaged in the “Internship” component of their curriculum at a physician’s office.
- ◆ An Emergency Medical Technician-Paramedic Student engaged in the “Internship” component of their curriculum working on an ambulance squad.

Eligibility - To be eligible for Curricular Practical Training, you must;

- ◆ Be a matriculated student who has been in lawful status as a full-time student for at least one full academic year.
 - If a student wishes to use the time that they spent studying abroad (as part of a study abroad program) toward meeting the one full academic year requirement, “the student must have spent at least one full academic term in a full course of study in the United States prior to going abroad to study” [8 CFR 214.2]
- ◆ Have a letter offering internship employment from your employer that includes the following information:
 - Beginning and ending dates of employment.
 - How many hours you will work weekly.
 - Descriptions of duties in sufficient detail to clearly show them as appropriate to meeting the requirements of your internship.
 - Location where employment will take place.
- ◆ Receive written authorization from the Coordinator for International Student Services/PDSO. This authorization is specific to the employer, location, and period of time indicated in the previously described letter.

Application Procedure for CPT

To apply for CPT the student must complete the following steps:

Step 1 - Submit the following documentation to the Coordinator for International Student Services/PDSO as early as 90 days but no less than 10 days before you wish to begin employment:

- ◆ [Form I-538, Certification by Designated School Official](http://hvcc.edu/international/forms/imm_formi538.pdf) (found at http://hvcc.edu/international/forms/imm_formi538.pdf), signed with Section “A” completed
- ◆ Current and all previously issued Forms I-20ID
- ◆ Passport and Form I-94 Arrival/Departure Card (the white card inside the student’s passport)
- ◆ A letter from your Faculty Advisor or Department Chairperson indicating that the specific internship is required for degree completion and is approved by the academic department.
- ◆ A letter offering internship employment from the student’s employer (previously described).

Step 2 - After receiving the above listed materials, the Coordinator for International Student Services/PDSO will:

- ◆ Review the student's application for eligibility. If you are eligible, enter all required information into SEVIS, generate and issue you a new Form I-20 with CPT endorsement.

Optional Practical Training (OPT) Before Completion of Degree

Definition of Optional Practical Training Before Completion of Degree: Employment directly related to the student's major before completion of an academic degree (i.e. an Automotive Technology student working at an Auto Repair Shop) that provides the student with practical training in their field of study.

Eligibility - To be eligible you must meet the following criteria:

- ◆ You must have been enrolled on a full time basis for at least one academic year.
- ◆ You must currently be in F-1 status.
- ◆ **You may not have used twelve months or more of full-time curricular practical training or optional practical training** (Part-time CPT *does not* count towards loss of OPT eligibility).
- ◆ According to the regulations, "A student may be authorized 12 months of practical training, and becomes eligible for another 12 months of practical training when he or she changes to a higher educational level. Students in English language training programs are ineligible for practical training" (8 CFR 103.7).

Application Procedure – You may apply to CIS for an Employment Authorization Document (EAD), up to 90 days prior to the date that you will have been in valid F-1 Status for one full academic year. You may not begin employment until you have received the EAD card. Requests for employment authorization may require three months (or longer) for adjudication. This means that if the student wants to begin Optional Practical Training in June, the student should submit their completed application to CIS by March (at the latest). Please note that the Coordinator for International Student Services/PDSO cannot authorize Optional Practical Training. Only CIS can do so by issuing the student an Employment Authorization Document.

IMPORTANT NOTES: 1) YOU MAY NOT BEGIN EMPLOYMENT UNTIL THE DATE THAT YOU WILL HAVE BEEN IN VALID F-1 STATUS FOR ONE FULL ACADEMIC YEAR. 2) YOU ARE REQUIRED TO HAVE AN EMPLOYMENT AUTHORIZATION CARD IN YOUR POSSESSION BEFORE YOU BEGIN YOUR OPTIONAL PRACTICAL TRAINING.

To apply for Before Completion OPT, the student must complete the following steps:

Step 1 - Make an appointment with the Coordinator for International Student Services/PDSO to discuss Practical Training. Please bring with you the documentation listed below:

- ◆ Passport and Form I-94 Arrival/Departure Card (the white card inside your passport)
- ◆ I-765 application for the EAD
 - ◆ The following eligibility code should be used: (c)(3)(a)
- ◆ Form I-538
- ◆ Current Form I-20 and all previously issued Forms I-20 and/or Forms I-20ID
- ◆ A completed [Academic Advisor's Recommendation Form for Optional Practical Training](http://hvcc.edu/international/forms/hvcc_opt_recommend.pdf) (found at http://hvcc.edu/international/forms/hvcc_opt_recommend.pdf)

After reviewing the student's application, if the Coordinator for International Student Services determines that you are eligible for OPT, he will recommend that practical training in the

student's major field of study be authorized by CIS. The College will then notify CIS of the recommendation by entering it into SEVIS. A new or initial SEVIS Form I-20 will then be generated for you. This SEVIS Form I-20 will be endorsed for recommended employment authorization. This endorsement will include the beginning and ending dates of the student's employment. This new SEVIS generated Form I-20 will then be returned to you.

Step 2 – You then need to apply for employment authorization from CIS. There are two options for applying for employment authorization to choose from.

Option #1: You can E-File (electronically file) your application for Employment Authorization. If you wish to E-File, go to the following URL to review the E-filing Instructions and Eligibility Requirements for Form I-765, E-File Application for Employment Authorization (this is one step in the process): <http://uscis.gov/graphics/formsfee/forms/eFiling.htm>

Option #2 - You can send a "hardcopy" application packet for Employment Authorization to CIS, which is currently the recommended application method. This application packet should be sent to CIS by certified mail, return receipt requested so that you have proof that your application packet was received. The Coordinator for International Student Services/PDSO can provide you with the materials needed to do this. Include the following documents in your application packet:

- ◆ Photocopy of completed [Form I-538, Certification by Designated School Official](http://hvcc.edu/international/forms/imm_formi538.pdf) (found at http://hvcc.edu/international/forms/imm_formi538.pdf).
- ◆ Completed [Form I-765, Application for Employment Authorization](https://www.uscis.gov/i-765) (found at <https://www.uscis.gov/i-765>).
 - ◆ Complete item #16 as follows: (c) (3) (a).
 - ◆ It is recommended that you sign the Form I-765 in blue ink (since this will show the adjudicating officer that the signature is original and not photocopied).
 - ◆ While it is not required, submitting the Form I-765 Signature Card reduces the likelihood of CIS requesting another signature.
 - ◆ The required \$410 fee - made payable to U.S. Citizenship and Immigration Services (CIS).
 - ◆ A personal check is recommended (since the application receipt number will be printed on the canceled check), but is acceptable only if your name and address are preprinted on the front.
 - ◆ Dates on personal checks should be written in mmddyy format (i.e., April 13, 2018 would be written as 04-13-18).
 - ◆ CIS does not accept cash.
- ◆ Photocopy of the complete SEVIS Form I-20 with the Coordinator for International Student Services/PDSO's recommendation.
- ◆ Photocopies of the identification page of the passport and both sides of the Form I-94 Arrival/Departure Card (the white card inside your passport). **Do not send your passport to CIS.**
- ◆ Photocopies of both sides of any previously issued EAD cards.
- ◆ Two recent passport style photographs of yourself that comply with specific CIS guidelines.

- ◆ It is recommended that you print your name and Admission Number on the back of the photographs, using a pencil.
- ◆ Mail your application to the USCIS Dallas Lockbox
For U.S. Postal Service (USPS) Deliveries, use the following address:
USCIS
PO Box 660867
Dallas, TX 75266

For express mail and courier deliveries, use the following address:
USCIS
Attn: AOS
2501 S. State Hwy. 121 Business
Suite 400
Lewisville, TX 75067

New Option - E-Notification: If you would like to receive an e-mail and/or a text message that your Form I-765 has been accepted at a USCIS Lockbox facility, complete Form [G-1145, E-Notification of Application/Petition Acceptance](#) and clip it to the first page of your application.

IMPORTANT NOTE: WHEN COMPLETING THE FORMS I-538 AND I-765, BE CERTAIN THAT YOU HAVE CORRECTLY ENTERED YOUR NAME. WHAT YOU MAY REFER TO AS YOUR “FAMILY NAME,” “LAST NAME,” OR “SURNAME” SHOULD BE WRITTEN FIRST, AND WHAT YOU MAY REFER TO AS YOUR “GIVEN NAME,” OR “FIRST NAME” SHOULD BE WRITTEN SECOND. ENTERING YOUR NAME INCORRECTLY CAN RESULT IN A NUMBER OF PROBLEMS AND/OR DELAYS IN THE PROCESSING OF YOUR APPLICATION. ADDITIONALLY, ONCE THE PAPERWORK HAS BEEN PROCESSED, THE PROCEDURE FOR CORRECTING YOUR NAME ON YOUR EAD IS QUITE INCONVENIENT!

*Passport style photographs can be taken by most professional photographers. Additionally, the Automobile Association of America (AAA) takes passport style photographs. Please consult the telephone directory for locations. The specifications for the two photographs are:

- ◆ Head should be positioned directly facing the camera
- ◆ Photo should capture from slightly above top of hair to middle of chest
- ◆ Eyes should be open and looking at the camera
- ◆ Eyeglasses should be worn if normally used by the subject
- ◆ Glare on eyeglasses can usually be avoided with a slight upward or downward tilt of the head
- ◆ Background should be plain white or off-white
- ◆ Include headpieces if worn daily for religious purposes; they should not obscure or cast shadows on the eyes or any other part of the face
- ◆ All photos must be of just the person
- ◆ All photos of the person must be identical.
- ◆ All photos must meet the specifications for full frontal/passport photos
- ◆ All photos must not be more than 30 days old when an application is filed

When the processing of your application is complete, and if you are authorized for employment, CIS will mail the EAD card to the address indicated on the I-765 form. If you are moving to a different location during the summer, you should provide an address where you will be sure to receive your mail.

IMPORTANT NOTES: 1) CIS WILL NOT ACCEPT INCORRECT PHOTOGRAPHS! IF THE PHOTOGRAPHS ARE INCORRECT YOUR APPLICATION FOR EMPLOYMENT AUTHORIZATION WILL BE “KICKED BACK” TO YOU, FURTHER DELAYING YOUR RECEIPT OF EMPLOYMENT AUTHORIZATION. 2) WHEN CIS HAS BEGUN PROCESSING YOUR APPLICATION, THEY WILL SEND YOU A NOTICE OF ACTION. THIS IS A RECEIPT WHICH INFORMS YOU THAT THE APPLICATION HAS BEEN RECEIVED AND IS BEING PROCESSED. THE NOTICE WILL HAVE AN “APPLICATION RECEIPT NUMBER.” KEEP THIS NOTICE IN A SAFE PLACE! WITHOUT THE RECEIPT NUMBER YOU WILL NOT BE ABLE TO CHECK ON THE STATUS OF YOUR CASE!

Processing time - Currently, the entire process for receiving employment authorization is taking more than 6 weeks. If you have an application receipt number, you can check the status of your case online. Simply go to the “Case Status Online” page of the CIS web site at the following URL: <https://egov.immigration.gov/graphics/cris/jsps/index.jsp>

Points to Consider

- ◆ The U.S. Citizenship and Immigration Services (CIS) define employment as "compensation for services". If you are receiving no pay or other compensation for your work, as in an unpaid internship, you do not need authorization to work. If you have any questions, please contact the Coordinator for International Student Services/PDSO.
- ◆ **You are not allowed to work until you receive the EAD from CIS!**
- ◆ While engaging in Practical Training, make certain that you inform the Coordinator for International Student Services/PDSO at your institution (the institution who issued you your current Form I-20) of any legal changes to your name or any changes to your physical address (The DSO must have your current physical address). These changes must be reported to the Coordinator for International Student Services/PDSO within ten days of the change.
- ◆ Changing your mailing address while your application for Employment Authorization is being processed can result in a delay in receiving and/or your EAD being lost in the mail.
 - When completing the [Form I-765, Application for Employment Authorization](#), it is recommended that you use a mailing address that you know will be valid for a minimum of sixty days, and if possible, do not change your mailing address until you have received your EAD.
- ◆ If you are fulfilling a requirement for your degree by completing a paid internship, you may be eligible for Curricular Practical Training (CPT). There are several advantages to accepting Curricular Practical Training. Contact the Coordinator for International Student Services/PDSO for information about this option.
- ◆ “Authorization to engage in optional practical training (OPT) employment is automatically terminated when the student transfers to another school or begins study at another educational level” (8 CFR 214.2). More specifically, OPT is automatically terminated when the student is *registered* in SEVIS at the transfer institution at the commencement of studies.

- ◆ **You are not allowed to work until you have received the EAD Card from CIS.**
- ◆ According to the regulations, “A student may be authorized 12 months of practical training [per educational level], and becomes eligible for another 12 months of practical training when he or she changes to a higher educational level. Students in English language training programs are ineligible for practical training” (8 CFR 214.2).
- ◆ If CIS authorizes you to work for some period of time under the provisions of Optional Practical Training, and for whatever reason you do not use some or all of the time you have been authorized to work, you will lose the “unused” time you have been authorized to work.
 - Examples of this include: 1) If you have been authorized to work full-time for three months during the summer vacation, and you only work for 1.5 months and travel the other 1.5 months, you will lose 1.5 months of OPT. 2) If you have been authorized to work full-time for three months during the summer vacation, and you do not work at all because you are unable to find employment, you will lose the three months of OPT.
- ◆ If you engage in Before Completion of degree OPT, you will not be eligible for the full 12 months of Optional Practical Training after you graduate. Thus, plan carefully if you would like to work after completion of your academic program.
- ◆ If the CIS adjudicating officer feels that additional information is needed in order to complete the review of your application, you will be sent a Request for Evidence (RFE), commonly referred to as a “Blue Sheet” since they are on blue paper.
 - Please note that the only circumstance in which CIS is required to issue an RFE is when initial evidence (*evidence that is specifically indicated in the regulations, on the application or petition, or on accompanying instructions*) is missing from the application. Issuance of an RFE is discretionary. **This means that if your application is complete, but the evidence provided is insufficient to support your application, it can be denied without an RFE being issued beforehand.**
- ◆ Routine security checks are performed on all petitions/applications received by the Vermont Service Center, which may result in adjudication delays. Due to manpower issues, the Service Center is unable to complete these security checks quickly. File your application in a timely fashion.
- ◆ Keep photocopies of all the documents that you submit to CIS.
- ◆ Make sure that all documents are properly signed.
- ◆ Make sure that the proper fee is enclosed.
- ◆ Use the current (3/11/16) version of the Form I-765, which expires 2/28/18.
- ◆ Make sure that the Form I-765 is signed legibly, as it must be scannable.
- ◆ If submitting a Form I-765 Signature Card, use black ink when signing, and make certain that your signature fits within the box, as it must be scannable.

IMPORTANT NOTE: THE U.S. DEPARTMENT OF HOMELAND SECURITY IS NOW REQUIRING INSTITUTIONS TO ENTER INFORMATION IN SEVIS REGARDING STUDENTS’ EMPLOYMENT WHILE ENGAGING IN OPT. THEREFORE, WHILE YOU ARE ON OPT YOU ARE REQUIRED TO REPORT YOUR EMPLOYMENT INFORMATION (I.E., WHO YOU ARE WORKING, THE PHYSICAL ADDRESS WHERE YOU ARE WORKING) AS WELL AS YOUR LIVING ADDRESS TO THE OFFICE OF INTERNATIONAL STUDENT SERVICES AT HUDSON VALLEY COMMUNITY COLLEGE. FAILURE

TO DO SO MAY HAVE A NEGATIVE IMPACT ON YOUR SEVIS RECORD AND/OR YOUR IMMIGRATION STATUS!

Optional Practical Training (OPT) Post Completion of Studies

Definition of Optional Practical Training (OPT) Post Completion of Studies: Employment that is directly related to your major after completion of your degree (i.e. Associate's, Bachelor's).

Eligibility - To be eligible you must meet the following criteria:

- ◆ You must have been enrolled on a full time basis for at least one academic year.
- ◆ You must currently be in F-1 status.
- ◆ **You may not have used twelve months or more of full-time curricular practical training or optional practical training.**
- ◆ According to the regulations, “A student may be authorized 12 months of practical training, and becomes eligible for another 12 months of practical training when he or she changes to a higher educational level. Students in English language training programs are ineligible for practical training” (8 CFR 103.7).

Application Procedure

You must apply to U.S. Citizenship and Immigration Services (CIS) for an Employment Authorization Document (EAD) during the period from 90 days before but no later than the day before the end of your grace period. This means that if your Program End Date is May 30th, you can submit an application for Post Completion Optional Practical Training to CIS no earlier than February 28th and no later than July 29th of that same year. Practical training is authorized according to the DSO’s recommendation. For the beginning date of employment, you may choose any date between your date of completion of studies and up to 60 days after.

Requests for Employment Authorization must be mailed to the CIS Regional Service Center in Vermont and may require 4 to 8 weeks for adjudication. The Coordinator for International Student Services/PDSO cannot authorize Optional Practical Training following completion of your studies - only CIS can do so by issuing you an Employment Authorization Document. Your first step in obtaining an EAD is to receive a recommendation from the Coordinator for International Student Services/PDSO.

To apply for Post Completion OPT, you must complete the following steps:

Step 1 - Make an appointment with the Coordinator for International Student Services/PDSO to discuss your eligibility for Practical Training. **The CIS Service Center in Vermont must receive your application no later than the day before your 60 day grace period (after the completion of your degree) ends.** Since a recommendation from the Coordinator for International Student Services/PDSO is required, you should make an appointment well in advance of the deadline. Please bring with you the following documentation:

- ◆ [Form I-538, Certification by Designated School Official](http://hvcc.edu/international/forms/imm_formi538.pdf) (found at http://hvcc.edu/international/forms/imm_formi538.pdf), with the student portion completed
- ◆ Your passport and Form I-94 Arrival/Departure Card (the white card inside your passport)

- ◆ Your current Form I-20 and all previously issued Forms I-20 and/or Forms I-20ID
- ◆ A completed [Academic Advisor's Recommendation Form for Optional Practical Training](http://hvcc.edu/international/forms/hvcc_opt_recommend.pdf) (found at http://hvcc.edu/international/forms/hvcc_opt_recommend.pdf)
- ◆ Completed [Form I-765, Application for Employment Authorization](https://www.uscis.gov/i-765) (found at <https://www.uscis.gov/i-765>).

After reviewing your application, if the Coordinator for International Student Services/PDSO determines that you are eligible for Post-Completion OPT, (s)he will recommend that practical training in your major field of study be authorized by CIS. The Coordinator for International Student Services/PDSO will then notify CIS of the recommendation by entering it into SEVIS. A new or initial SEVIS Form I-20 will then be generated for you. This SEVIS Form I-20 will be endorsed for recommended employment authorization. This endorsement will include the beginning and ending dates of your employment. This new SEVIS generated Form I-20 will then be returned to you.

Step 2 – You then need to apply for employment authorization from CIS. There are two options for applying for employment authorization to choose from.

Option #1: You can E-File (electronically file) your application for Employment Authorization. If you wish to E-File, go to the following URL to review the E-filing Instructions and Eligibility Requirements for Form I-765, E-File Application for Employment Authorization (this is one step in the process): <http://uscis.gov/graphics/formsfee/forms/eFiling.htm>

IMPORTANT NOTE: CAREFULLY REVIEW ALL THE INFORMATION AND INSTRUCTIONS ON THIS PAGE BEFORE YOU ATTEMPT TO E-FILE YOUR FORM I-765. IN THE WORDS OF CIS, “FAILURE TO FOLLOW THESE INSTRUCTIONS MAY RESULT IN YOUR APPLICATION OR PETITION BEING DELAYED OR DENIED.” THEREFORE, IF YOU HAVE ANY QUESTIONS ABOUT THE INFORMATION AND INSTRUCTIONS, DISCUSS THEM WITH THE COORDINATOR FOR INTERNATIONAL STUDENT SERVICES/PDSO.

Option #2 - You can send a “hardcopy” application packet for Employment Authorization to CIS, which is currently the recommended application method. This application packet should be sent to CIS by certified mail, return receipt requested so that you have proof that your application packet was received. The Coordinator for International Student Services/PDSO can provide you with the materials needed to do this. Include the following documents in your application packet:

- ◆ Photocopy of completed [Form I-538, Certification by Designated School Official](http://hvcc.edu/international/forms/imm_formi538.pdf) (found at http://hvcc.edu/international/forms/imm_formi538.pdf).
- ◆ Completed [Form I-765, Application for Employment Authorization](http://hvcc.edu/international/forms/imm_formi765.pdf) (found at http://hvcc.edu/international/forms/imm_formi765.pdf).
- ◆ Complete item #16 as follows: (c) (3) (b).
- ◆ It is recommended that you sign the Form I-765 in blue ink (since this will show the adjudicating officer that the signature is original and not photocopied).
- ◆ While it is not required, submitting the Form I-765 Signature Card reduces the likelihood of CIS requesting another signature.
- ◆ The required \$410 fee - made payable to U.S. Citizenship and Immigration Services (CIS).

- ◆ A personal check is recommended (since the application receipt number will be printed on the canceled check), but is acceptable only if your name and address are preprinted on the front.
- ◆ Dates on personal checks should be written in mmddyy format (i.e., November 14, 2016 would be written as 11-14-16).
- ◆ CIS does not accept cash.
- ◆ Photocopy of the complete SEVIS Form I-20 with the Coordinator for International Student Services/PDSO's recommendation.
- ◆ Photocopies of the identification page of the passport and both sides of the Form I-94 Arrival/Departure Card (the white card inside your passport). **Do not send your passport to CIS.**
- ◆ Photocopies of both sides of any previously issued EAD cards.
- ◆ Two recent passport style photographs of yourself that comply with specific CIS guidelines.
 - ◆ It is recommended that you print your name and Admission Number on the back of the photographs, using a pencil.
 - ◆ Mail your application to the USCIS Dallas Lockbox
For U.S. Postal Service (USPS) Deliveries, use the following address:
USCIS
PO Box 660867
Dallas, TX 75266

For express mail and courier deliveries, use the following address:
USCIS
Attn: AOS
2501 S. State Hwy. 121 Business
Suite 400
Lewisville, TX 75067

New Option - E-Notification: If you would like to receive an e-mail and/or a text message that your Form I-765 has been accepted at a USCIS Lockbox facility, complete Form [G-1145, E-Notification of Application/Petition Acceptance](#) and clip it to the first page of your application.

IMPORTANT NOTE: WHEN COMPLETING THE FORMS I-538 AND I-765, BE CERTAIN THAT YOU HAVE CORRECTLY ENTERED YOUR NAME. WHAT YOU MAY REFER TO AS YOUR “FAMILY NAME,” “LAST NAME,” OR “SURNAME” SHOULD BE WRITTEN FIRST, AND WHAT YOU MAY REFER TO AS YOUR “GIVEN NAME,” OR “FIRST NAME” SHOULD BE WRITTEN SECOND. ENTERING YOUR NAME INCORRECTLY CAN RESULT IN A NUMBER OF PROBLEMS AND/OR DELAYS IN THE PROCESSING OF YOU APPLICATION. ADDITIONALLY, ONCE THE PAPERWORK HAS BEEN PROCESSED, THE PROCEDURE FOR CORRECTING YOUR NAME ON YOUR EAD IS QUITE INCONVENIENT!

*Passport style photographs can be taken by most professional photographers. Additionally, the Automobile Association of America (AAA) takes passport style photographs. Please consult the telephone directory for locations.

The specifications for the two photographs are:

- ◆ Head should be positioned directly facing the camera
- ◆ Photo should capture from slightly above top of hair to middle of chest
- ◆ Eyes should be open and looking at the camera
- ◆ Eyeglasses should be worn if normally used by the subject
- ◆ Glare on eyeglasses can usually be avoided with a slight upward or downward tilt of the head
- ◆ Background should be plain white or off-white
- ◆ Include headpieces if worn daily for religious purposes; they should not obscure or cast shadows on the eyes or any other part of the face
- ◆ All photos must be of just the person
- ◆ All photos of the person must be identical.
- ◆ All photos must meet the specifications for full frontal/passport photos
- ◆ All photos must not be more than 30 days old when an application is filed

IMPORTANT NOTES: 1) CIS WILL NOT ACCEPT INCORRECT PHOTOGRAPHS! IF THE PHOTOGRAPHS ARE INCORRECT YOUR APPLICATION FOR EMPLOYMENT AUTHORIZATION WILL BE “KICKED BACK” TO YOU, FURTHER DELAYING YOUR RECEIPT OF EMPLOYMENT AUTHORIZATION. 2) WHEN CIS HAS BEGUN PROCESSING YOUR APPLICATION, THEY WILL SEND YOU A NOTICE OF ACTION. THIS IS A RECEIPT WHICH INFORMS YOU THAT THE APPLICATION HAS BEEN RECEIVED AND IS BEING PROCESSED. THE NOTICE WILL HAVE AN “APPLICATION RECEIPT NUMBER.” KEEP THIS NOTICE IN A SAFE PLACE! WITHOUT THE RECEIPT NUMBER YOU WILL NOT BE ABLE TO CHECK ON THE STATUS OF YOUR CASE!

Processing time - Currently, the entire process for receiving employment authorization is taking more than 6 weeks. If you have an application receipt number, you can check the status of your case online. Simply go to the “Case Status Online” page of CIS web site at the following URL: <https://egov.immigration.gov/graphics/cris/jsps/index.jsp>

Points to Consider

- ◆ **You are required to have an Employment Authorization Card in your possession before you begin your Optional Practical Training!**
- ◆ If the need or desire arises, you are allowed to change employers during the period of authorized practical training. However, your new employment must continue to be directly related to your major/field of study and be appropriate to your educational level (i.e. a student who has completed a BBA in Restaurant and Food Service Management should not be working at a restaurant as a "Bus Person").
- ◆ **You are not allowed to work until you receive the EAD from CIS!**
- ◆ **If you are transferring out of the current school that recommended OPT, you must be able to begin classes [at the institution that you are transferring to] within five months of transferring out of the school that recommended you for post-completion OPT, or by the date that the OPT authorization ends, whichever comes first.**
- ◆ While engaging in Practical Training, make certain that you inform the Coordinator for International Student Services/PDSO at your institution (the institution who issued you your current Form I-20) of any legal changes to your name or any changes to you

physical address (The DSO must have your current physical address). These changes must be reported to the Coordinator for International Student Services/PDSO within ten days of the change.

- ◆ Changing your mailing address while your application for Employment Authorization is being processed can result in a delay in receiving and/or your EAD being lost in the mail.
 - When completing the [Form I-765, Application for Employment Authorization](#), it is recommended that you use a mailing address that you know will be valid for a minimum of sixty days, and if possible, do not change your mailing address until you have received your EAD.
- ◆ You must apply to U.S. Citizenship and Immigration Services (CIS) for an Employment Authorization Document (EAD) during the period from ninety (90) days before the program end-date and up to sixty (60) days after the program end-date [as long as it is filed within thirty (30) days of the date the PDSO enters the recommendation for Optional Practical Training into SEVIS].
 - ◆ The ability to apply for an EAD up to (60) days after the program end-date is new as of April 8, 2008.
- ◆ You are considered to be maintaining your F-1 status for 60 days following the expiration date of your practical training. This time is allowed you to either depart from the United States or change to another status. Employment is not permitted during this 60-day period.
- ◆ If you leave the U.S. during your authorized period of practical training, you may return for the remainder of the authorized period with the following documents: Form I-20 endorsed for re-entry within the last 6 months, a valid F-1 entry visa plus a valid passport, a letter from your employer (indicating where you work, your job title and your beginning and ending dates of employment) and your EAD Card.
- ◆ “Authorization to engage in optional practical training employment is automatically terminated when the student transfers to another school or begins study at another educational level” (8 CFR 214.2).
- ◆ If after completing your degree you leave the United States before you receive the EAD Card from CIS Service Center, you will relinquish your application for employment authorization and will therefore be unable to return to the United States with F-1 student status.
- ◆ If CIS authorizes you to work for some period of time under the provisions of Optional Practical Training, and for whatever reason you do not use some or all of the time you have been authorized to work, you will lose the “unused” time you have been authorized to work.
 - Examples of this include: 1) If you have been authorized to work full-time for three months during the summer vacation, and you only work for 1.5 months and travel the other 1.5 months, you will lose 1.5 months of OPT. 2) If you have been authorized to work full-time for three months during the summer vacation, and you do not work at all because you are unable to find employment, you will lose the three months of OPT.
- ◆ If the CIS adjudicating officer feels that additional information is needed in order to complete the review of your application, you will be sent a Request for Evidence (RFE), commonly referred to as a “Blue Sheet” since they are on blue paper.

- ◆ Please note that the only circumstance in which CIS is required to issue an RFE is when initial evidence (*evidence that is specifically indicated in the regulations, on the application or petition, or on accompanying instructions*) is missing from the application. Issuance of an RFE is discretionary. **This means that if your application is complete, but the evidence provided is insufficient to support your application, it can be denied without an RFE being issued beforehand.**
- ◆ Routine security checks are performed on all petitions/applications received by the Vermont Service Center, which may result in adjudication delays. Due to manpower issues, the Service Center is unable to complete these security checks quickly. File your application in a timely fashion.
- ◆ Keep photocopies of all the documents that you submit to CIS.
- ◆ Make sure that all documents are properly signed.
- ◆ Make sure that the proper fee is enclosed.
- ◆ Use the current (4/06) version of the Form I-765.
- ◆ Make sure that the Form I-765 is signed legibly, as it must be scannable.
- ◆ If submitting a Form I-765 Signature Card, use black ink when signing, and make certain that your signature fits within the box, as it must be scannable.

IMPORTANT NOTE: THE U.S. DEPARTMENT OF HOMELAND SECURITY IS NOW REQUIRING INSTITUTIONS TO ENTER INFORMATION IN SEVIS REGARDING STUDENTS' EMPLOYMENT WHILE ENGAGING IN OPT. THEREFORE, WHILE YOU ARE ON OPT YOU ARE REQUIRED TO REPORT YOUR EMPLOYMENT INFORMATION TO THE OFFICE OF INTERNATIONAL STUDENT SERVICES AT HUDSON VALLEY COMMUNITY COLLEGE. THIS INFORMATION INCLUDES:

- **WHO YOU ARE WORKING**
- **THE PHYSICAL ADDRESS WHERE YOU ARE WORKING**
- **ANY CHANGE, INTERRUPTION OR LOSS OF EMPLOYMENT**
- **YOUR LIVING AND MAILING ADDRESS**

FAILURE TO DO SO MAY HAVE A NEGATIVE IMPACT ON YOUR SEVIS RECORD AND/OR YOUR IMMIGRATION STATUS!

IMPORTANT NOTES - REGARDING LIMITED PERIODS OF UNEMPLOYMENT TO MAINTAIN LAWFUL STATUS : 1) DURING POST-COMPLETION OPTIONAL PRACTICAL TRAINING, MAINTAINING LAWFUL F-1 STATUS IS DEPENDENT UPON EMPLOYMENT; 2) STUDENTS MAY NOT ACCRUE AN AGGREGATE OF MORE THAN 90 DAYS OF UNEMPLOYMENT DURING ANY POST-COMPLETION OPTIONAL PRACTICAL TRAINING CARRIED OUT UNDER THE INITIAL POST-COMPLETION OPTIONAL PRACTICAL TRAINING AUTHORIZATION; AND 3) STUDENTS GRANTED A 17-MONTH POST-COMPLETION OPTIONAL PRACTICAL TRAINING EXTENSION MAY NOT ACCRUE AN AGGREGATE OF MORE THAN 120 DAYS OF UNEMPLOYMENT DURING THE TOTAL 29-MONTH POST-COMPLETION OPTIONAL PRACTICAL TRAINING PERIOD.

IMPORTANT NOTES - REGARDING LIMITED PERIODS OF UNEMPLOYMENT TO MAINTAIN LAWFUL STATUS ²: 1) DURING POST-COMPLETION OPTIONAL PRACTICAL TRAINING,

² This section is directly adapted from information provided by NAFSA.

MAINTAINING LAWFUL F-1 STATUS IS DEPENDENT UPON EMPLOYMENT; 2) STUDENTS MAY NOT ACCRUE AN AGGREGATE OF MORE THAN 90 DAYS OF UNEMPLOYMENT DURING ANY POST-COMPLETION OPTIONAL PRACTICAL TRAINING CARRIED OUT UNDER THE INITIAL POST-COMPLETION OPTIONAL PRACTICAL TRAINING AUTHORIZATION.

IMPORTANT NOTE: THE U.S. DEPARTMENT OF HOMELAND SECURITY IS NOW REQUIRING INSTITUTIONS TO ENTER INFORMATION IN SEVIS REGARDING STUDENTS' EMPLOYMENT WHILE ENGAGING IN OPT. THEREFORE, WHILE YOU ARE ON OPT YOU ARE REQUIRED TO REPORT YOUR EMPLOYMENT INFORMATION TO THE OFFICE OF INTERNATIONAL STUDENT SERVICES AT HUDSON VALLEY COMMUNITY COLLEGE. FAILURE TO DO SO MAY HAVE A NEGATIVE IMPACT ON YOUR SEVIS RECORD AND/OR YOUR IMMIGRATION STATUS!

THIS INFORMATION INCLUDES:

- **WHO YOU ARE WORKING**
- **THE PHYSICAL ADDRESS WHERE YOU ARE WORKING**
- **ANY CHANGE, INTERRUPTION OR LOSS OF EMPLOYMENT**
- **YOUR LIVING AND MAILING ADDRESS**

Special Categories of Employment

There are two additional categories of employment for F-1 Students: **Severe Economic Hardship and Special Relief**. Simply stated eligibility for both types of employment require the student to encounter financial situations that are **COMPLETELY** beyond the control of the student and could **NOT POSSIBLY** have been predicted or foreseen by the student. Since the discussion of both categories is quite lengthy and detailed, please see the Coordinator for International Student Services/PDSO if you feel you require more information.

Extension of Stay to Continue in the Same Academic Program

Students in F-1 Status are limited in the amount of time they may continue in an academic or language program. The length of study and expected completion date (see item 5 on your Form I-20) indicated on the initial Form I-20 (used to begin your current degree program at Hudson Valley Community College) determines whether you must apply for a "Program Extension" to remain in the United States to complete your academic program. CIS recorded this date when you first entered the United States as your expected completion date. If you will not be able to complete your current academic program by the date shown on your Form I-20, you must file a Program Extension notice with CIS before that date. This simple notification procedure is described below.

Eligibility: To be eligible for a program extension you must meet the following criteria:

- ◆ You must be in lawful F-1 status under the visa supervision of Hudson Valley Community College.
- ◆ You must have maintained unbroken full-time status for every semester of your current program during which you have been in F-1 status.
- ◆ Delays in completing your studies must be “caused by compelling academic or medical reasons, such as changes of major or research topics, unexpected research problems, or documented illnesses. Delays caused by academic probation or suspension are not acceptable reasons for program extensions” (8 CFR 214.2).
- ◆ You must apply for an extension before the program end date indicated on the Form I-20.

If you have questions about your eligibility for a Program Extension, please contact the Coordinator for International Student Services/PDSO well in advance of your Form I-20 completion date.

Application Procedure

Step 1 - Make an appointment with the Coordinator for International Student Services/PDSO. Bring the following documents with you to the appointment:

- ◆ Your current Form I-20 and any previous Forms I-20
- ◆ Your passport
- ◆ Your Form I-94 Arrival/Departure Card (the white card inside your passport)
- ◆ Proof of registration
- ◆ Current financial documentation indicating that you can meet the costs of the additional time needed to complete your program
- ◆ A completed [Academic Advisor's Recommendation Form for an Extension of Time Limitation for a Program of Study](http://hvcc.edu/international/forms/hvcc_extension_recommendation.pdf) (http://hvcc.edu/international/forms/hvcc_extension_recommendation.pdf)
 - If a program extension is needed because of delays in completing your studies due to compelling medical reasons, it is necessary to attach statements (and any other necessary evidence) from appropriate medical professionals, stating the medical reasons for your need to extend your stay at Hudson Valley Community College and the expected date of completion of your program of study.

Step 2 - The Coordinator for International Student Services/PDSO, after verifying your eligibility, will authorize an extension of stay. The Coordinator for International Student Services/PDSO will then notify CIS of the program extension by entering it into SEVIS. A new or initial SEVIS Form I-20 will then be generated for you. This SEVIS Form I-20 will indicate an extension of stay. This new Form I-20 will include new programs start and end dates. This new SEVIS generated Form I-20 will then be returned to you.

Points to Consider

- ◆ An extension of stay to continue in the same academic program will be granted in one year increments only.
 - This means that if you need more time to complete the program of study that you are already enrolled in, and the program end date on your current Form I-20 is at the conclusion of the spring 2008 semester, if eligible, you will be granted an extension until the end of the conclusion of the spring 2009 semester. If you then need additional time to complete your program of study, and you are once again eligible for an extension, you can be granted another year.
- ◆ You must apply for an extension of stay before the program end date indicated on the Form I-20.
- ◆ If you are unable to complete your educational program (your degree) within the program start and end dates indicated on your Form I-20, and if you are ineligible for an extension of stay, you will be considered “out of status.”
- ◆ If you do not file for an extension of stay, or if you file late, you automatically lose your student status and you will need to apply for Reinstatement (if eligible). Reinstatement is a complicated, expensive and difficult procedure that will cost you a significant amount of money and take months for approval.
- ◆ When you have determined that you will need an extension of stay to complete your academic program, it is **your responsibility** to notify the Coordinator for International Student Services/PDSO who, after verifying this, will assist you with the application process which includes the issuance of a new Form I-20. To qualify for a new Form I-20, it is necessary for you to provide the Coordinator for International Student Services/PDSO with updated financial documentation that demonstrates that you have the ability to meet all financial obligations associated with your extended stay at Hudson Valley Community College to complete your program of study.
- ◆ If the CIS adjudicating officer feels that additional information is needed in order to complete the review of your application, you will be sent a Request for Evidence (RFE), commonly referred to as a “Blue Sheet” since they are on blue paper. Please note that the only circumstance in which CIS is required to issue an RFE is when initial evidence (*evidence that is specifically indicated in the regulations, on the application or petition, or on accompanying instructions*) is missing from the application. Issuance of an RFE is discretionary. **This means that if your application is complete, but the evidence provided is insufficient to support your application, it can be denied without an RFE being issued beforehand.**

Extension of Stay to Begin a New Program

If you are completing one academic program at Hudson Valley Community College and are planning to pursue another degree or program without interruption, CIS must be notified.

Examples of this include but are not limited to:

- ◆ Completing a certificate in Accounting and transferring into the AAS in Administrative Information Technology.
- ◆ Completing an AAS in Business Administration and transferring into the AAS in Computer Information Systems.
- ◆ Completing an undergraduate degree program and continuing for a graduate degree (at the same school).
- ◆ Completing an ESL program and being accepted into a degree program (at the same school).

Eligibility - To be eligible for an extension to begin a new program, you must meet the following criteria:

- ◆ You must be in lawful F-1 status under the visa supervision of Hudson Valley Community College.
- ◆ You must have maintained unbroken full-time status for every semester of your current program during which you have been in F-1 status.
- ◆ You must apply for an extension before the program end date indicated on the Form I-20.

Application Procedure

Step 1 - Make an appointment with the Coordinator for International Student Services/PDSO.

Bring the following documents with you to the appointment:

- ◆ Your current Form I-20 and any previous Forms I-20
- ◆ Your passport
- ◆ Your Form I-94 Arrival/Departure Card (the white card inside your passport)
- ◆ Current financial documentation indicating that you can meet the costs of the additional time needed to complete your new program
- ◆ A completed Academic Advisor's Recommendation Form for an Extension of Stay to Begin a New Program of Study (found at <http://hvcc.edu/international/forms/hvcc.html>)

Step 2 - The Coordinator for International Student Services/PDSO, after verifying your eligibility, will authorize an extension to begin a new program. The Coordinator for International Student Services/PDSO will then notify CIS of the program extension by entering it into SEVIS. A new or initial SEVIS Form I-20 will then be generated for you. This SEVIS Form I-20 will indicate an extension to begin a new program. This new Form I-20 will include new programs start and end dates. This new SEVIS generated Form I-20 will then be returned to you.

Points to Consider

- ◆ An extension of stay to begin a new academic program will be granted in two year increments only.
 - This means that if you need more time to complete a program of study that you are just starting, and the program end date on your current Form I-20 is at the conclusion of the spring 2008 semester, if eligible, you will be granted an extension until the end of the conclusion of the spring 2010 semester.
- ◆ If you are unable to complete your educational program (your degree) within the program start and end dates indicated on your Form I-20, and if you are ineligible for an extension of stay, you will be considered “out of status.”
- ◆ You must apply for an extension to begin a new program before the program end date indicated on the Form I-20.
- ◆ If you do not file for an extension to begin a new program, or if you file late, you automatically lose your student status and you will need to apply for Reinstatement (if eligible). Reinstatement is a complicated, expensive and difficult procedure that will cost you a significant amount of money and take months for approval.
- ◆ When you have determined that you will need an extension to begin a new program, it is **your responsibility** to notify the Coordinator for International Student Services/PDSO who, after verifying this, will assist you with the application process which includes the issuance of a new Form I-20. To qualify for a new Form I-20, it is necessary for you to provide the Coordinator for International Student Services/PDSO with updated financial documentation that demonstrates that you have the ability to meet all financial obligations associated with your extended stay at Hudson Valley Community College to complete your program of study.
- ◆ If the CIS adjudicating officer feels that additional information is needed in order to complete the review of your application, you will be sent a Request for Evidence (RFE), commonly referred to as a “Blue Sheet” since they are on blue paper. Please note that the only circumstance in which CIS is required to issue an RFE is when initial evidence (*evidence that is specifically indicated in the regulations, on the application or petition, or on accompanying instructions*) is missing from the application. **This means that if your application is complete, but the evidence provided is insufficient to support your application, it can be denied without an RFE being issued beforehand.**

Transfer information

In addition to following the school's academic and administrative procedures for transferring to another school, F-1 Students must complete the transfer procedure established by CIS.

Definition of Transferring: According to CIS, a "transfer" occurs when an F-1 Student moves from:

- ◆ one ESL program to another
- ◆ an ESL program to an academic program
- ◆ an undergraduate program to a graduate program
- ◆ full-time Optional Practical Training to another academic program

Eligibility - To be eligible for a transfer you must:

- ◆ be a bona fide nonimmigrant student
- ◆ have been maintaining status at the previous school
- ◆ intend to pursue a full course of study at the new school
- ◆ provide documentation showing that you are able to meet all anticipated financial obligations associated with attending the transfer institution
- ◆ have completed the application and acceptance process for the school you wish to transfer to

Transfer Procedure

To transfer to another institution, you must complete the following steps:

Step 1 - Make an appointment with the Coordinator for International Student Services/PDSO to discuss your eligibility for a school transfer. Since a recommendation from the Coordinator for International Student Services/PDSO is required, you should make an appointment well in advance of the completion of your degree or the date you wish to transfer out. Please bring with you the following documentation:

- ◆ Your current Form I-20
- ◆ Your old Forms I-20 and/or Forms I-20ID
- ◆ Your passport
- ◆ Your I-94
- ◆ Proof of acceptance at the school you wish to transfer to
- ◆ A completed SEVIS Release Form

Step 2 - After reviewing your documentation, if the Coordinator for International Student Services/PDSO determines that you are eligible for a transfer, CIS will be notified of the pending transfer by initiating a student record transfer in SEVIS. At this time the Coordinator for International Student Services/PDSO will enter a release date into SEVIS. The release date used will be based upon the date indicated by the student on the SEVIS Release Form. This date should be the date the student completes their educational program, the date the last semester the student plans on attending their current institution ends, or the date the student's Post-Completion OPT ends, whichever is appropriate.

Step 3 - When you have "academically" transferred to a new school, it is **your responsibility** to notify the Coordinator for International Student Services/PDSO. If you have not done this prior

to the start of classes, make an appointment to meet with Coordinator for International Student Services/PDSO as soon as you register for classes or arrive on campus. When you meet with the Coordinator for International Student Services/PDSO, please bring with you:

- ◆ Your old and new Form I-20s
- ◆ Your passport
- ◆ Your I-94
- ◆ Proof of registration

After verifying that you meet the eligibility requirements for a transfer (list above) the Coordinator for International Student Services/PDSO will issue you a new SEVIS Form I-20. The Coordinator for International Student Services/PDSO will then complete the transfer via SEVIS, and endorse the Form I-20 as such.

Step 4 – When the semester has started, it is your responsibility to notify the Coordinator for International Student Services/PDSO that they are registered for classes and on campus. This must be done “within 15 days of the program start date listed on the SEVIS Form I-20” (8 CFR 214.2). Once the Coordinator for International Student Services/PDSO has been notified that you are registered for classes and in attendance, (s)he will update SEVIS to indicate your registration and current address, which will indicate that you have completed the transfer process. The Coordinator for International Student Services/PDSO will note in the “remarks” section of your SEVIS Form I20 that the transfer has been completed (including the date) and return the Form I-20 to you.

Points to Consider

- ◆ **When transferring between schools, “the student may not remain in the U.S. between programs if the student will not resume classes within five months of transferring out of the current school, or within five months of the program completion date as indicated on the Form I-20 issued by the current school, whichever date is earlier” (8 CFR 214.2). The 5-month countdown begins on the date that the academic program at the current institution was completed.**
- ◆ In order to qualify for a Form I-20, it is necessary for you to provide the Coordinator for International Student Services/PDSO [at the institution you are transferring to] with financial documentation that demonstrates that you have the ability to meet all financial obligations associated with attendance at your new school.
- ◆ **CIS must be notified within the first 45 days of beginning your studies at your new school. This means that you MUST have been issued a Form I-20 by the institution you transferred to by the 45th day after the first day of classes. If you miss this deadline, you must apply to CIS for reinstatement. This is a lengthy and expensive procedure.**
- ◆ If you plan to travel outside the United States and reenter with your new Transfer I-20 but your plans change, make an appointment to see the Coordinator for International Student Services/PDSO.
- ◆ Once the release date is reached, the Coordinator for International Student Services/PDSO at the current school will no longer be able to access your records in SEVIS for any reason (including canceling your request to transfer). If you decide not to transfer after the release date is reached you will need to contact the “transfer institution”

and request a transfer back to your current institution. Therefore, it is important to carefully consider and plan your school transfer.

- ◆ If CIS authorizes you to work under the provisions of Optional Practical Training, and for whatever reason you do not use some or all of the time you have been authorized to work, you will lose the “unused” time you have been authorized to work. For example, if you have been authorized to work full-time for 8 months after you complete your degree, and choose to transfer to another school to after working for only three months, you will lose five months of OPT. Your employment authorization ends when you transfer from the school that recommended it, and the unused time is lost.

Change of nonimmigrant status

Definition: Changing your nonimmigrant classification (i.e. J-1 to F-1, F-2 to F-1).

Application Procedure

Applications for change of nonimmigrant status (COS) are reviewed and adjudicated by CIS. The adjudication (decision) is based upon the applicant's ability to justify and demonstrate (through documentation) their change of intent after they arrived in the U.S.

Step 1 – Make an appointment to meet with the Coordinator for International Student Services/PDSO to discuss your specific situation. Please bring the following documents with you to the meeting:

- ◆ Passport
- ◆ Visa documentation
- ◆ Form I-20 (if applicable)
- ◆ Form I-94 Arrival/Departure Card Arrival/Departure Record (the white card in your passport)

Eligibility: In order to be eligible for a COS, you must:

- ◆ Qualify for a Form I-20
- ◆ Be maintaining your current status lawfully
- ◆ Have had a change of plans **after** your arrival in the U.S

Be prepared to candidly discuss your specific situation with the Coordinator for International Student Services/PDSO. The Coordinator for International Student Services/PDSO will need to make a determination as to whether or not you are eligible to apply for a COS.

IMPORTANT NOTE: IF YOU CURRENTLY HOLD A J-1 VISA AND WISH TO CHANGE YOUR STATUS, YOU MUST FIRST DETERMINE IF YOU ARE SUBJECT TO SECTION 212(E) OF THE U.S. IMMIGRATION AND NATIONALITY ACT (INA), COMMONLY REFERRED TO AS THE “TWO YEAR RULE.” PLEASE CONSULT WITH THE COORDINATOR FOR INTERNATIONAL STUDENT SERVICES FOR FURTHER INFORMATION.

Step 2 - You must submit an application for a change of status to CIS. The purpose of this application is to demonstrate to CIS that your intent changed after you arrived in the U.S., and that you should be granted a change of status. This application packet should be sent to CIS by certified mail, return receipt requested so that you have proof that your application packet was received. The Coordinator for International Student Services/PDSO can provide you with the materials needed to do this. Once you have all the documentation completed and assembled, the Coordinator for International Student Services/PDSO will review and photocopy your application packet. The application packet includes the following documents:

- ◆ A completed [Form I-539, Application To Extend/Change Nonimmigrant Status](http://hvcc.edu/international/forms/imm_formi539.pdf) (found at http://hvcc.edu/international/forms/imm_formi539.pdf).
 - ◆ Complete parts 1 through 5 of the Form.

- ◆ For Part 4, Question 3F - Financial Support Statement must be attached. It is recommended that you sign the Form I-539 in blue ink (since this will show the adjudicating officer that the signature is original and not photocopied).
- ◆ A letter to CIS requesting a COS. This letter should state the reason(s) for a change, how/why your intentions changed once in the U.S. and any other relevant information.
- ◆ A completed/Signed New Form I-20AB or DS-2019, along with the documentation indicating financial support (i.e., bank statement; Form I-134, Affidavit of Support).
- ◆ A letter of admission to the College.
- ◆ Passport (photocopy)
- ◆ Previously issued visa documents (Form I-20, DS-2019, etc.) (photocopies)
- ◆ Form I-94 Arrival/Departure Record (photocopy)
- ◆ U.S. Entry Visa Stamp in passport (photocopy)
- ◆ Dependent's (spouse and children) documents - if applicable (photocopy)
- ◆ Documentation of Health Insurance coverage for J's - if applicable.
- ◆ Personal Check/Money Order for the required \$370 application fee made payable to CIS.
- ◆ A personal check is recommended (since the application receipt number will be printed on the canceled check), but is acceptable only if your name and address are preprinted on the front. Dates on personal checks should be written in mmddyy format (i.e., April 13, 2018 would be written as 04-13-18).

- ◆ Mail your application to: United States Citizen and Immigration Services
Vermont Service Center
75 Lower Welden Street
St. Albans, Vermont 05479-9765

IMPORTANT NOTES:

WHEN COMPLETING THE FORM I-539 BE CERTAIN THAT YOU HAVE CORRECTLY ENTERED YOUR NAME. WHAT YOU MAY REFER TO AS YOUR “FAMILY NAME,” “LAST NAME,” OR “SURNAME” SHOULD BE WRITTEN FIRST, AND WHAT YOU MAY REFER TO AS YOUR “GIVEN NAME,” OR “FIRST NAME” SHOULD BE WRITTEN SECOND. ENTERING YOUR NAME INCORRECTLY CAN RESULT IN A NUMBER OF PROBLEMS AND/OR DELAYS IN THE PROCESSING OF YOUR APPLICATION. ADDITIONALLY, ONCE THE PAPERWORK HAS BEEN PROCESSED, THE PROCEDURE FOR CORRECTING YOUR NAME ON DOCUMENTS ISSUED TO YOU IS QUITE INCONVENIENT!

When filing an application for a COS to an F, M, or J classification (except for changes between F-1 and F-3 or between M-1 and M-3) continuing students are required to pay the SEVIS Fee.

Step 3 - After receiving the application for a COS, CIS reviews the documentation and then determines whether or not a change of status should be granted. After the application has been adjudicated you will receive written notification of the decision.

IMPORTANT NOTE: WHEN CIS HAS BEGUN PROCESSING YOUR APPLICATION, THEY WILL SEND YOU A NOTICE OF ACTION. THIS IS A RECEIPT WHICH INFORMS YOU THAT THE APPLICATION HAS BEEN RECEIVED AND IS BEING PROCESSED. THE NOTICE WILL HAVE AN “APPLICATION RECEIPT NUMBER.” KEEP THIS NOTICE IN A SAFE PLACE! WITHOUT THE RECEIPT NUMBER YOU WILL NOT BE ABLE TO CHECK ON THE STATUS OF YOUR CASE!

Processing time - Currently, the processing time for a COS is approximately 6 - 8 weeks. If you have an application receipt number, you can check the status of your case online. Simply go to the “Case Status Online” page of CIS web site at the following URL:
<https://egov.immigration.gov/graphics/cris/jsps/index.jsp>

Points to Consider

- ◆ **If you are applying for a COS to an F, M, or J classification (except for changes between F-1 and F-3 or between M-1 and M-3), you will need to pay the I-901 (SEVIS) Fee before filing your application.**
- ◆ An application for a COS shortly after arrival arouses suspicion that the individual intentionally misrepresented his/her intentions in order to obtain a U.S. Visa and enter the country. An example of this would be entering the U.S. on a B-2 Visa with the intention of enrolling at a college or university.

- ◆ The Coordinator for International Student Services/PDSO cannot support your application for a COS if (s)he feels that you intentionally misrepresented your intentions in order to obtain a U.S. Visa and enter the country.
- ◆ A COS is not a visa change. It is always better to return to your home country and go through the process of getting an F-1 Visa.
- ◆ Changing your nonimmigrant status may not be viewed favorably by the U.S. Consulate, if you later apply for an F-1 Visa.
- ◆ If the CIS adjudicating officer feels that additional information is needed in order to complete the review of your application, you will be sent a Request for Evidence (RFE), commonly referred to as a “Blue Sheet” since they are on blue paper.
- ◆ Please note that the only circumstance in which CIS is required to issue an RFE is when initial evidence (*evidence that is specifically indicated in the regulations, on the application or petition, or on accompanying instructions*) is missing from the application. Issuance of an RFE is discretionary. **This means that if your application is complete, but the evidence provided is insufficient to support your application, it can be denied without an RFE being issued beforehand.** If your application for a COS [to F-1] is approved after the semester/term has started, and it is too late for you to register for classes, you are still considered to be “in status” until the next semester/term [that you are eligible to register for] begins. However, to be considered “in status” in this situation, you must not engage in any activity that would violate F-1 Status, such as unauthorized employment. Additionally, you should not engage in study of any kind.
- ◆ Immigration Officers who adjudicate applications for a change of status [to F-1] have been directed that they need to be fairly certain that applicants have the necessary financial resources for their entire course of study (i.e., two year for an Associate’s Degree, four years for a Bachelor’s degree) before approving the change of status.
 - Thus, some applicants have received an RFE requesting documentation indicating that the applicant has secured funding for the duration of their academic program, as opposed to only the first year.
 - It is therefore suggested that applicants for a COS provide documentation that indicates that they have the actual “liquid” assets that they will need to meet their educational expenses for their first year of study, along with an affidavit of support for the remaining years that can be viewed as credible.
- ◆ File your application in a timely fashion.
- ◆ **When applying for a change of status, you must maintain your current status until 30 days prior to the program start date indicated on your Form I-20.**
- ◆ Make sure that all documents are properly signed.
- ◆ Make sure that the proper fee is enclosed.
- ◆ Use the current (4/06) version of the Form I-539.
- ◆ Make sure that the Form I-539 is signed legibly.

Reinstatement to Lawful Status

In the event that an F-1 Student violates his/her status, they are required by CIS to apply for a reinstatement to Lawful Status.

Definition: If it is determined that a violation of status may have occurred, CIS will adjudicate (judge) whether or not to issue a reinstatement to lawful F-1 status (a judgment to forgive the violation of status or not to).

Eligibility: In order to be eligible for a reinstatement, the student must establish (through evidence) to the satisfaction of CIS that either:

- ◆ The violation of status resulted from circumstances beyond the student's control, or
- ◆ Failure to receive reinstatement would result in extreme hardship to the student.

IMPORTANT NOTE: IF YOU HAVE BEEN OUT OF LAWFUL STATUS FOR FIVE MONTHS OR MORE, YOU ARE NOT ELIGIBLE TO APPLY FOR REINSTATEMENT!

Application Procedure

Before applying for a reinstatement, it is important to determine if it is necessary. Violations of status can occur in a number of ways, many of which are obvious, others that may not be.

Step 1 - Make an appointment with the Coordinator for International Student Services/PDSO to discuss applying for a reinstatement. Please bring with you the documentation listed below:

- ◆ Your passport and Form I-94 Arrival/Departure Card (the white card inside your passport)
- ◆ Photocopies of your financial documents
- ◆ Form I-538
- ◆ Your current and all previously issued Forms I-20ID

The Coordinator for International Student Services/PDSO will discuss your situation with you and determine if it is necessary to apply for a reinstatement. If it is determined that application for reinstatement is necessary, you will be advised as to what type of evidence you should submit with your application.

Step 2 - An application packet for Reinstatement is sent to CIS. The application packet should include the following materials:

- ◆ [Form I-539, Application To Extend/Change Nonimmigrant Status](https://www.uscis.gov/i-539) (found at <https://www.uscis.gov/i-539>).
 - It is recommended that you sign the Form I-539 in blue ink (since this will show the adjudicating officer that the signature is original and not photocopied).
- ◆ Attachment to Form I-539
- ◆ Evidence to support application
- ◆ New Form I-20
- ◆ Photocopies of all previously issued Forms I-20 and/or Forms I-20ID
- ◆ Photocopy of your passport (optional but recommended)
- ◆ I-94 (Original)
- ◆ Photocopies of financial documents
- ◆ Letter from the DSO
- ◆ The required \$290 fee - made payable to U.S. Department of Homeland Security.

- A personal check is recommended (since the application receipt number will be printed on the canceled check), but is acceptable only if your name and address are preprinted on the front.
 - Dates on personal checks should be written in mmddyy format (i.e., November 14, 2005 would be written as 11-14-05).
- ◆ Mail your application to:
 - ◆ U.S. Citizenship and Immigration Services
 - ◆ Vermont Service Center
 - ◆ 75 Lower Welden Street
 - ◆ St. Albans, Vermont 05479-9765
 - ◆ STUDENT REINSTATEMENT

IMPORTANT NOTE: WHEN COMPLETING THE FORM I-539 BE CERTAIN THAT YOU HAVE CORRECTLY ENTERED YOUR NAME. WHAT YOU MAY REFER TO AS YOUR “FAMILY NAME,” “LAST NAME,” OR “SURNAME” SHOULD BE WRITTEN FIRST, AND WHAT YOU MAY REFER TO AS YOUR “GIVEN NAME,” OR “FIRST NAME” SHOULD BE WRITTEN SECOND. ENTERING YOUR NAME INCORRECTLY CAN RESULT IN A NUMBER OF PROBLEMS AND/OR DELAYS IN THE PROCESSING OF YOU APPLICATION. ADDITIONALLY, ONCE THE PAPERWORK HAS BEEN PROCESSED, THE PROCEDURE FOR CORRECTING YOUR NAME ON DOCUMENTS ISSUED TO YOU IS QUITE INCONVENIENT!

After receiving the application for Reinstatement, CIS reviews the circumstances surrounding an alleged violation of status, and then determines whether or not a violation occurred. If it is determined that a violation of status did in fact occur, CIS will decide whether or not a Reinstatement is in order.

IMPORTANT NOTE: EFFECTIVE SEPTEMBER 1, 2004, IF YOU HAVE BEEN OUT OF STATUS FOR MORE THAN FIVE MONTHS, BEFORE YOU SUBMIT YOUR APPLICATION FOR REINSTATEMENT, YOU WILL NEED TO PAY THE SEVIS FEE.

Step 3 - CIS issues adjudication regarding the student's application for Reinstatement. The two possible results are:

- ◆ CIS issues a Reinstatement, and you are returned to "Lawful F-1 Status".
- ◆ CIS denies a Reinstatement, and the student needs to leave the United States. *

*If there is evidence that has just been found or that you feel has been overlooked, or that the judgment was "unfair", you are advised to consult an Immigration Attorney. Please see the Coordinator for International Student Services/PDSO for further information.

Processing time - Currently, the processing time for a reinstatement is 6 – 12 months.

Points to Consider

- ◆ **If you have been out of status for more than five months, you will need to pay the [I-901 \(SEVIS\) Fee](#) before filing an application for reinstatement.**

- ◆ Unlike the application procedure for Optional Practical Training, CIS does not send out a Notice of Action to indicate that your application for Reinstatement is being processed. The only response that you will receive from CIS is the Adjudication, which generally takes **6 - 12 months to receive**.
- ◆ While waiting for adjudication, you can continue to study and work on-campus, if you are already working.
- ◆ You cannot begin working on-campus while waiting for adjudication.
- ◆ While waiting for adjudication, you can travel using your old Form I-20.
- ◆ Time periods that you were out of status do not count toward the time required to be eligible for the various benefits of F-1 Status, such as OPT.
- ◆ If CIS denies you a Reinstatement, and your violation of status was less than full-time enrollment, you are subject to the penalties of the Illegal Immigration Reform and Responsibility Act of 1996, which means that you can be barred from entering the United States. Please see the Coordinator for International Student Services/PDSO for further details.
- ◆ Effective October 30, 2006, applications for Reinstatement are being processed and adjudicated at the CIS Vermont Service Center (VSC), instead of the CIS District Office in Latham, New York. In order to make certain that your application for Reinstatement is properly routed once it arrives at the VSC, it is necessary to note “STUDENT REINSTATEMENT” on the envelope.”
- ◆ If the CIS adjudicating officer feels that additional information is needed in order to complete the review of your application, you will be sent a Request for Evidence (RFE), commonly referred to as a “Blue Sheet” since they are on blue paper.
 - Please note that the only circumstance in which CIS is required to issue an RFE is when initial evidence (*evidence that is specifically indicated in the regulations, on the application or petition, or on accompanying instructions*) is missing from the application. Issuance of an RFE is discretionary. **This means that if your application is complete, but the evidence provided is insufficient to support your application, it can be denied without an RFE being issued beforehand.**

How to Renew your Student Visa

In most countries, to renew your student visa (while in the United States) you must make an appointment with your nearest American embassy or consulate. Before you apply for the visa, you should understand the process and rules governing the renewal of a United States visa. Please read the following information very carefully and contact us if you need more information or help.

The Rules

1. **By law, you are seen as someone who plans to remain in the United States permanently. The consul MUST, by United States law, assume, "You're not coming back home when you finish your studies!"** Student visas are only given to persons who can *convince* the consul that they intend to return permanently to their home country. You convinced the consul once so the process should be easier the second time!
You should not attempt to renew a visa if you are on authorized F-1 optional practical training after completion of studies since it is harder to convince the consul you will return home.
2. You must prove that you are making normal full-time progress toward completing the educational or professional objective that brought you to the United States and can still finance it.
3. Consuls are impersonal when administering laws. In the United States, laws are applied equally to all people regardless of status or gender. **DO NOT TRY TO NEGOTIATE OR DISCUSS PERSONAL MATTERS** with the consul.
4. **United States Government officials like documents.** Try to have papers to show the consul that prove why you are qualified to renew your student visa.

Be Prepared

1. Bring with you the following items:
 - ◆ your current Form I-20 (endorsed for reentry) or if there has been any significant change in the information on it, a new one
 - ◆ your valid passport
 - ◆ all new evidence of financial support
 - ◆ your I-901 (SEVIS) Fee payment receipt
 - When applying for a new visa or returning to the United States after an absence of more than five months that did not involve authorized overseas study, you are required to pay the SEVIS Fee.
2. Be ready to prove that you have been a full time student and are making normal progress toward completing the educational or professional objective that brought you to the United States. Plan to account for all the time since your last visa interview. You can do this by:
 - ◆ Bringing with you transcripts from every school you have attended in the United States.
 - ◆ If full-time study is not clear from the transcript, obtain a letter from the Coordinator for International Student Services/PDSO certifying that you were maintaining your student status.

- ◆ Did you change your major? Be prepared to describe your career opportunities back home.
 - ◆ Did you attend the school that appears on your last student visa? If not, be prepared to explain why not. If the new school was at a higher academic level, emphasize it.
 - ◆ Did you pursue the program of study that was approved during your last visa interview? If not, be prepared to explain why not and how the new program prepares you for a career at home.
3. Be ready to convince the consul that you will return home permanently after you complete your studies.
- ◆ **Present papers which can prove that you still have strong "ties" to your country which will force you to return.**
 - ◆ Show how you have been making regular trips back home. If you haven't, explain why: summer school to finish sooner; family visits here.
 - ◆ If your program of study is in great demand in your country, get a letter from a possible employer saying that they are interested in hiring people with degrees like the one you will earn.
 - ◆ If your family owns a business, take a letter from the bank describing it. If they own property, bring the deeds.
4. **Do not emphasize any ties you have to the United States** or to family members in the United States.
5. **Do not talk about working in the United States** unless you have an assistantship or fellowship or have employment authorization from CIS.

How to apply for a Visa at a border post if you are a Third Country National present in the United States, visiting Canada or Mexico

Any third country national (TCN) present in the United States and visitors present in Canada who wish to apply for a nonimmigrant visa at any of our border posts in Canada or Mexico must make an appointment for an interview. United States Consular offices are located in a number of locations including Calgary, Halifax, Montreal, Ottawa, Quebec City, Toronto, Vancouver and Tijuana.

On March 7, 2002 the U.S. Department of State announced new rules for non-immigrants who choose to apply for a new visa while in "contiguous territory" (Canada or Mexico). The new rules became effective April 1, 2002.

Even though U.S. non-immigrants may travel to Canada or Mexico for stays of thirty days or less and re-enter the United States with a valid I-94 Form on their expired U.S. visas (called the "automatic revalidation" benefit), some individuals use this trip as an opportunity to apply for a U.S. visa, to facilitate future entries to the United States after travel abroad. However, under the new rule, any non-immigrant who chooses to apply for a new visa while in Canada or Mexico will no longer be eligible for the "automatic revalidation" benefit during the course of that trip, but will have to wait until the visa is approved in order to re-enter the United States.

This means that a non-immigrant foreign national, who travels from the United States into Canada or Mexico, applies for a new U.S. visa there, and whose application is denied, will be

barred from re-entering the United States. It is essential for international students to understand the risks that are now involved in applying for a U.S. visa in Canada or Mexico.

If the visa application is approved, there is no problem. **However, if the visa is denied, you cannot return to the United States!**

Additionally, citizens of the following countries are no longer eligible for the automatic revalidation of visa benefit: Iran, Iraq, Libya, Sudan, Syria, North Korea and Cuba. This means that a person who is a citizen of these countries can only enter Canada or Mexico and return to the United States if they have an unexpired multiple entry visa in their current status. Therefore, if you have an expired U.S. visa, is it a good idea to attempt to renew the visa at a U.S. visa issuing post in Canada, rather than in your home country?

Generally, the most successful visa applications are those from individuals who are applying for a visa in a category for which they have been previously issued a visa, and who are continuing at the same school and in the same program for which the original visa was issued. However the risks for those who travel to Canada or Mexico for a new U.S. visa have certainly increased, because should the visa application be denied for any reason, you will no longer be allowed to re-enter the United States.

Special note to Hudson Valley Community College students who have "landed immigrant" status in Canada:

You are strongly advised not to travel to a U.S. visa issuing post in Canada to obtain a new U.S. visa unless you have established a residency in Canada for which you can show proof. Examples of such proof include but are not limited to:

- Rent receipts
- Documentation of employment in Canada
- Documentation of immediate family living in Canada

Individuals who have "landed immigrant status" in Canada but who have not established residency in Canada will find it impossible to prove to a U.S. visa official that they have strong ties to Canada, and equally impossible to prove that they still have strong ties to their home country (U.S. visa officials will assume that anyone who has obtained "landed immigrant" status in Canada no longer plans to return to their country of citizenship). In such instances, U.S. visa officials will deny the visa application.

Scheduling Appointments by Telephone

If you are in the United States and you wish to schedule an appointment, you should call **1-900-443-3131**; in Canada you should call **1-900-451-2778**. Callers from the United States or Canada wishing to charge the cost of the call to a credit card may schedule an appointment by calling **1-888-840-0032**. Unlike the 900 numbers, which are blocked from most hotels, office or pay telephones, the credit card line can be accessed from virtually any telephone. The appointment system requires a touch-tone phone; a push-button rotary phone will not work.

Scheduling Appointments by Internet

Applicants can also book appointments via the Internet <http://nvars.com>. Each appointment costs \$6.25 Canadian, which will be charged to a major credit card. Applicants are advised to have their credit card information handy.

After your appointment is scheduled, you will be mailed an application form (OF-156) and an information sheet for the post where you will be applying. Please **DO NOT** call an individual post directly to request an appointment. They can only be scheduled by calling the appropriate 1-900 or 1-888 telephone number or by using the Internet.

Hours of Operation

Operators are available from 7 A.M. to 10 P.M. Eastern Time. Callers may have difficulty getting through if they call during the peak times of 7 A.M., 11 A.M., 2 P.M., 4:30 P.M. and 7 P.M. Eastern Time. Appointments for border posts outside the Eastern Time Zone can only be made after it is 7 A.M. in the post's time zone. The Internet system is available 24 hours a day, seven days a week.

Official U.S. State Department information on obtaining a new U.S. visa in Canada is now posted at <http://travel.state.gov/tcn.html>. Note that advance appointments are required at all U.S. visa issuing posts in Canada. However, here are some additional points to consider:

- Always come to the Office of International Student Services (OISS) first, as you would prior to any trip abroad, to be sure that your visa documents are accurate, and that you have the required signatures.
- **When applying for a new visa or returning to the United States after an absence of more than five months, that did not involve authorized overseas study, you are required to pay the [I-901 \(SEVIS\) Fee](#). You should bring the SEVIS Fee payment receipt with you when applying for a new F, M or J Visa.**
- Pick up a copy of the OISS handout, "Tips for Applying for Student Visa."
- You will also want our office to prepare a letter certifying that you are an enrolled student and maintaining valid status.
- Some students may also need to apply for a Canadian tourist visa (officially called a Temporary Residents Visa) to enter Canada. Go to <http://www.hvcc.edu/international/canada.html> for more information.
- Like any U.S. visa interview, expect to show evidence that your ties to your home country are stronger than your ties to the U.S., that you have sufficient financial resources to support your studies and living expenses, and that you are maintaining satisfactory academic progress at your school.
 - It is a good idea to have a copy of your Hudson Valley Community College transcript with you.
- Be prepared to answer the following questions:
 - Why are you applying for a new visa in Canada rather than in your home country?
 - Why have you chosen your specific field of study?
 - How will that field of study be useful in your home country?
- Appointments are required.
- Applicants who are unable to attend their scheduled appointments must cancel them two full working days prior to the appointment by calling toll-free to 1-888-611-6676.
- Visa applicants should take their appointment letters to the interview. They may be admitted without one, but absence of the letter could cause delays.
- None of the border posts will accept applications for "E" visas from TCN applicants who are not resident in their consular districts.
- Individuals who have ever been out of status in the United States because they overstayed their visa or their I-94 are not eligible to apply at a border post. **In other words, if you have remained in the United States longer than the period authorized by the immigration officer when you entered the United States in any visa category, you must apply in the country of your nationality.**
- Individuals seeking appointments should be aware that applicants may be more likely to encounter difficulties at the time of interview when they apply for a visa outside of their home district.
- Consular officers at border posts will deny visas whenever they believe there are fraud indicators present, or their lack of knowledge of local conditions and familiarity with documents in the applicant's home country prevents them from properly adjudicating the case.
- It is important to note that there is a high visa denial rate at many of the U.S. visa issuing posts in Canada (**Inconsistent and at times arbitrary decisions on the part of U.S. visa officials in Canada have been noted**).

Note: A significant amount of the content of this section was adapted from the International Student and Scholar Services Office at Binghamton University.

Applying for a Social Security Number

F-1 students may apply for a Social Security Number as soon as they begin their studies at Hudson Valley Community College (as long as they are in Lawful Student Status and enrolled full-time, thus being eligible to work on-campus) and have secured on-campus employment. Please note that your College Identification Number (e.g., H00XXXXXX) is not a Social Security Number! The only way to obtain a Social Security number is to formally apply for one.

To apply for a Social Security Number you must submit an application in person at a Social Security Administration office, the closest of which is listed below. Prior to visiting the Social Security Administration Office, you must meet with the Coordinator for International Student Services/PDSO, so that he can provide you with a letter to facilitate your application. When you go to apply, you will need to bring with you the following five items:

1. Your original passport
2. Your Form I-20
3. Your Form I-94 Arrival/Departure Card (the white card inside your passport)
4. A letter from your employer that proves that you have secured on-campus employment and indicates the nature of the employment that you will be engaged in (*effective 10/13/04*)
5. A letter from the Coordinator for International Student Services/PDSO that indicates that you are in Lawful F-1 Status, enrolled full-time, and authorized for on-campus employment

The Social Security Administration Office closest to Hudson Valley Community College is located in Troy, New York. The office is open between 9:00 a.m. and 4:00 p.m. Monday – Friday (except for legal holidays). The office's address and telephone numbers are below:

Suite 101
500 Federal Street
Troy, NY 12180
(800) 772-1213
(518) 272-5200
TTY: (518) 272-7264

Directions to the Social Security Administration Office in Troy, NY: The office is on the eastern end of the Green Island Bridge, in the Riverfront Office Building, at the corner of 4th Street and Federal Street. The office is on the first floor. Enter via the parking lot entrance on Federal Street. Parking is free.

Important Notes:

1. If you would like to find the location of another Social Security Administration Office, you can do so by using the [Social Security Online Office Locator](http://s3abaca.ssa.gov/pro/fo/fo-home.html) (found at <http://s3abaca.ssa.gov/pro/fo/fo-home.html>).
2. For F-1 student employment that does not require Employment Authorization (CPT and on-campus employment), the Social Security Administration will no longer process an application for a Social Security Number if it is more than 30 days in advance of the scheduled employment start date.

- 3. For F-1 student employment that does require Employment Authorization, the employment start date on the Employment Authorization Document (a.k.a. “Employment Authorization Card”) must already have been reached before the Social Security Administration will process the application for a Social Security Number.**

The Social Security Card issued to nonresident F-1 students often specifies that it is "valid only with employment authorization". F-1 Students may use this card number for employment, only if their employment has been properly authorized (by CIS or by the Coordinator for International Student Services/PDSO). Any questions about applying for authorization to accept employment should be directed to the Coordinator for International Student Services.

Applying for an Individual Taxpayer Identification Number (ITIN)*

What an Individual Taxpayer Identification Number (ITIN) is and what it is used for?

An ITIN is a number used for tax processing, available for certain nonresident and resident aliens, their spouse, and dependents. An ITIN is only used for federal income tax purposes. This is an important point, because:

- The issuance of an ITIN does not entitle the recipient to Social Security benefits or the Earned Income Tax Credit (EITC);
- The issuance of an ITIN does not infer or suggest anything regarding the individual's immigration status;
- The issuance of an ITIN does not authorize the individual to work in the U.S.
- When completing the federal income tax return (1040, 1040A, 1040EZ, 1040NR, 1040NR EZ), the individual will enter their ITIN in the space for the SSN

Who is eligible for an Individual Taxpayer Identification Number (ITIN)?

Only individuals who cannot obtain a Social Security Number are eligible for an ITIN. The ITIN is a 9-digit number, beginning with the number "9", and is formatted like a Social Security Number (###-##-###). Any temporary IRS Number that was previously assigned is no longer valid.

How do I know if I need an ITIN?

If you must file a U.S. tax return or you are listed on a tax return as a spouse or a dependent and you do not have, and cannot obtain a valid Social Security Number, you must apply for an ITIN.

- The IRS no longer accepts "SSA205c", "applied for", "NRA", blanks, or previously issued IRS temporary numbers.
- Include your ITIN on the tax return to ensure prompt processing and receipt of any refund.
- New Internal Revenue Regulations require including a valid Tax Identification Number (TIN) on all U.S. federal income tax returns.
- Each person listed on the federal income tax return must have a valid TIN (either an SSN or an ITIN).
- If a federal income tax return requesting a refund is filed without a Social Security Number or ITIN for the primary filer and spouse, the refund will be delayed until they obtain the Identification number.
- If a dependent SSN/ITIN is missing, the exemptions will be denied and refunds will be adjusted accordingly.
- If you were previously issued a temporary IRS Number, you must now apply for an ITIN.

How do I apply for an ITIN?

To obtain an ITIN, you must complete an [IRS Form W-7, Application for IRS Individual Taxpayer Identification Number](http://www.irs.gov/individuals/international/irsformw7) (found at http://www.hvcc.edu/international/forms/imm_irsformw7.pdf).

- You may complete and sign an [IRS Form W-7](#) for a minor dependent. However, other dependents and spouses must complete and sign their own Forms W-7.
- The Form W-7 requires documentation substantiating foreign/alien status and true identity for each individual.
- If you, your spouse and/or dependents need an ITIN, you may submit a separate [IRS Form W-7](#) for each person and documentation at the same time.
- You may either mail the documentation, along with the [IRS Form W-7](#), to the Philadelphia Service Center, present it at IRS walk-in offices, or process your application through Acceptance Agent authorized by the IRS.

Is an ITIN valid for work purposes?

No! An ITIN is not valid for work purposes. An ITIN is only used for federal income tax purposes. Alien individuals who are legally admitted to the U.S. as permanent residents, or in another immigration status for which employment authorization can be granted, are eligible for Social Security Numbers. Individuals who are eligible for a Social Security Number are not eligible for an ITIN.

For additional information on Individual Taxpayer Identification Numbers, please refer to [IRS Publication 1915: Understanding Your IRS Individual Taxpayer Identification Number](#) (found at http://www.hvcc.edu/international/forms/imm_irs1915.pdf).

* The information in the previous section was adapted from information provided by the Legal Aid Society and Community Legal Services of Orange County, California

Applying for a New York State Driver License

F-1 students may apply for a New York State (NYS) Driver License, if they are enrolled in a school located in New York, as soon as they begin their studies at Hudson Valley Community College, as long as they are eligible.

Eligibility: In order to apply for a New York State Driver License, F-1 students must go to a local [Department of Motor Vehicles \(DMV\) Office](#) (<http://www.nydmv.state.ny.us/offices.htm>) and bring the following items with them to prove their identity:

- ◆ Form I-94 Arrival/Departure Record showing F-1 Status
- ◆ Valid passport with U.S. Entry Visa Stamp
- ◆ Valid Form I-20, that was issued for one year or more and is valid for at least six more months
- ◆ The initial Form I-20 used for entry into the U.S.
- ◆ Previously issued visa documents (Form I-20, DS-2019, etc.)
- ◆ Any extension document stamped by CIS with Form I-20

Drivers from Other Nations*

A valid driver license from another country is also valid in NYS. You do not need to apply for a NYS driver license unless you become a [resident of NYS](#).

According to NYS law, a resident of another country **can** get a NYS driver license. The DMV **does not** recommend this because:

- NYS recognizes your foreign driver license if you remain a resident of the nation that issued the license. You do not need to have a NYS driver license to drive in NYS unless you become a [resident of NYS](#) (<http://www.nydmv.state.ny.us/resident.htm>).

- If you have a driver license from any nation except Canada, you must pass a written test, complete a 5-hour pre-licensing course and pass a road test to qualify for a NYS driver license. See "[New Drivers - How to Apply](#)".
- **You must show a Social Security Card.** If you do not qualify for a Social Security Card, you must provide a letter from the U.S. Social Security Administration (SSA) that states that you do not qualify. The SSA Letter must have been issued within the last 30 days. You must also show an I-94 with one of the following codes: B-1, B-2, E-2, F-2, H4, L-2, M-2, O-3, P-4, Q-3, R-2 or TD. The I-94 must have been issued for at least one year and must be valid for at least six more months.
- When you receive your NYS driver license, you must surrender your foreign driver license to the DMV road test examiner. The local DMV office keeps your foreign driver license, and then destroys the license after 60 days. If you plan to return to your home country and use your foreign driver license, ask the road test examiner how to make sure that your foreign driver license is not destroyed. If you need to get your foreign driver license, go to the local DMV office where you applied for your NYS driver license.

Note for F-1 Students who are attending a school in New York State but living in another state: You can only be issued a driver license by the state in which the school you are enrolled in is located. Thus, if you are living in another state (close to the New York State border) and commuting to your school in New York, the state that you are living cannot issue you a driver license.

International Driving Permit: *An International Driving Permit is not a driver license.* The permit only verifies that you hold a valid driver license in your home country. Your foreign driver license, **not** the International Driving Permit, allows you to drive in NYS. Contact the authorities in your home country to get an International Driving Permit. If you are not a resident of the US, you cannot apply for an International Driving Permit in the US.

You are not required to have an International Driving Permit to drive in NYS, but the permit has value. The permit verifies, in several languages, that you have a valid foreign driver license. A police officer who cannot read the language on your foreign driver license can read the permit.

Note for U.S. residents: The DMV **does not** issue International Driving Permits. Contact an automobile club that is a member of the American Automobile Association (AAA).

* **Information in the previous section was taken directly from the NYS DMV Web Site at <http://www.nydmv.state.ny.us/license.htm#driversfromothernations>)**

For drivers from Canada: [Specific Information for Drivers from Canada](#) can be found at <http://www.nydmv.state.ny.us/driversmoving#driversmoving>.

For more detailed information about obtaining a NYS Driver's License, please use the following link: [New Drivers: How to Get Your Driver License](#) (<http://www.nydmv.state.ny.us/newdrivers#newdrivers>)

Traveling to Canada

The Canadian Government requires visitors who are citizens of certain countries to obtain a Temporary Residents Visa (TRV) from the Canadian Consulate prior to traveling to Canada. An up-to-date list of countries whose citizens require a TRV to enter Canada can be found at on the Canadian Consulate's Web Site at: <http://www.cic.gc.ca/english/visit/visas.html>.

Applying for a TRV

Applying in person: To apply in person you will need to present the following documentation to the Canadian Consulate:

- valid passport or travel document
- valid Form I-94 (small white card in passport)
- valid Form I-20 or DS-2019, signed
- evidence of sufficient funds/financial support
- Supplementary Information Sheet
- processing fee
- two passport size photos

Applying by mail: To apply by mail you will need to mail the following items to the Canadian Consulate:

- valid passport or travel document
- valid Form I-94 (small white card in passport)
- valid Form I-20 or DS-2019, signed
- evidence of sufficient funds/financial support
- [Canadian TRV Application Form, Form # IMM 5257](http://www.cic.gc.ca/english/pdf/kits/forms/IMM5257B.PDF) (found at <http://www.cic.gc.ca/english/pdf/kits/forms/IMM5257B.PDF>)
- Supplementary Information Sheet
- processing fee
- two passport size photos

Additional information about the Canadian Temporary Resident Visa can be found at the following URL: <http://www.cic.gc.ca/english/applications/visa.html>.

IMPORTANT TIP: Mail your application by a courier (i.e. FedEx, UPS). To insure the safest and most timely return of your application, include a self-addressed, pre-paid courier slip and envelope with the above items for the Canadian Consulate to return your documents.

Students wishing to apply in New York City must do so by mail or in person at the following address:

Canadian Consulate
1251 Avenue of the Americas - 50th Street
New York City, NY 10020
Phone: (212) 586-2400

Students wishing to apply by mail or in person may do so in Buffalo, NY at the following address:

Canadian Consulat General
Immigration Section
1 Marine Midland Center, Suite 3000
Buffalo, NY 14203
Phone: (716) 858-9500
Consulate Hours: Monday - Friday 8:30am - 11:30am

Reentering the United States from Canada

To re-enter the United States you will be required to show the following documents:

- valid passport
- I-94 (small white card in passport)
- Form I-20 (DS-2019 for J-1 Visa Holders)

Points to Consider

- ◆ If you are re-entering the U.S. on a NEW Form I-20 after a trip of more than 30 days, you must be sure to have your Form I-20 processed and complete a new I-94. If the border official does not process your documents, you should have him/her do so.
- ◆ If your trip to Canada was for less than 30 days, you may possibly be able to re-enter the U.S. even if your U.S. Visa stamp has expired, however, there is no guarantee of this. It is recommended that if your U.S. Visa stamp has expired, you apply for a new one prior to leaving the United States.
- ◆ If your trip to Canada was for more than 30 days, or, if you traveled outside of Canada before re-entering the U.S., or, if you have changed visa status while in the U.S., you will need a valid U.S. visa stamp. If your U.S. visa stamp has or will expire prior to re-entry, you must apply for a new one at the United States Consulate or Embassy. This may only be done outside U.S. borders.
- ◆ Processing time to receive completed applications by mail is typically from one to three weeks. The Canadian Consulate reserves the right to request that you appear for an in-person interview even though you have applied by mail.

How to Reenter the United States after Traveling

If you are an F-1 Student planning to travel outside the United States, make sure you do not have any difficulty returning by having all the documents you need to reenter! Check the list below and make sure you have everything ready before you leave.

Reentry Document Checklist

_____ **A valid passport** (unless you are exempt from passport requirements).

_____ **A valid F-1 visa**. You must have a valid F-1 visa in your passport. There is one exception to this requirement. If you are maintaining F-1 status and are returning to the United States after a trip of less than 30 days to Canada, Mexico or adjacent islands in the Caribbean, you do not need to have a valid visa to return. Instead of the valid visa, you must have the Form I-94 Departure Record stapled in your passport.

If you entered the United States in another nonimmigrant classification and changed your status to F-1, you must obtain an F-1 visa before reentering from any country except a neighboring country. It is not possible to obtain a new visa inside the United States.

If you need a new F-1 visa to reenter the United States after a temporary absence, you will need to get a new Form I-20 from the Office of Enrollment Services and apply for the visa at a United States embassy or consular office in your country of permanent residence. To get a new Form I-20 you must file an application and submit current evidence of your financial support to the Office of Enrollment Services at least two weeks before your departure.

_____ **A Valid Form I-20** Make sure that your program of study is still correct and that the date you are expected to complete your program has not expired. You must have a valid reentry signature on the back to reenter. If you need a new reentry signature, bring your Form I-20 to the Office of Enrollment Services at least three days before your departure. If you are starting a new degree program, your completion of study date has passed, or you need to obtain a new visa, you will need to obtain a new Form I-20 from the Office of Enrollment Services. File an application and submit current evidence of financial support at least two weeks before your departure.

_____ **Financial documents**. Take photocopies of your financial documents showing that you have adequate funding for your studies. If you are going to apply for a new visa from the American embassy or consulate at home, you will need to have original financial documents, not photocopies.

Accident and Illness Insurance

International Students at Hudson Valley Community College are required to purchase accident and illness insurance, through the SUNY International Students and Scholars Accident and Illness Insurance Plan with GeoBlue (formerly HTH World-Wide). The cost for the insurance is added onto your bill for tuition and fees for each semester. Students are enrolled in the plan after the start of each semester. Once enrolled, you will receive an email message (sent to your College email account) containing your insurance card, coverage information and much more. Please make certain that you review all of the information that you receive. If you have questions, please feel free to contact the Coordinator for International Student Services.

Accepting Public Benefits ... Don't Do It

Before a visa can be issued for you and/or your dependents to enter the U.S., you are required to show proof of sufficient financial support. The same requirement is in force for non-immigrants in the U.S. who wish to change their nonimmigrant status (i.e. from J-1 to F-1). This is because U.S. Immigration law requires that all foreign nationals entering the U.S. have either a sponsor or present proof of sufficient financial resources so as not to become a "public charge."

This is very important to remember, because if you or a member of your family accepts public benefits, for which you need to meet income eligibility requirements (i.e. Medicaid, food stamps, subsidized housing, or free public school meals for children) from a federal, state or local public service agency, you risk placing your nonimmigrant status in jeopardy. The possible results of such action include: deportation, denial of immigration benefits (i.e. change of non-immigrant status, employment authorization, reinstatement) denial of Permanent Resident Status and denied future entry into the U.S. If at any time you and/or your dependents are offered public benefits, it is strongly recommended that you contact the Office of International Student Services to discuss the matter before accepting them.

Special Registration Procedures for Visitors and Temporary Residents

Note: The information in this section was taken directly from the CIS Web Site and only slightly modified for publication in this Handbook. The information can be found in its entirety at the following link: <http://www.immigration.gov/graphics/shared/lawenfor/specialreg/srprocl.htm>

The United States has a proud tradition of welcoming immigrants and visitors. This tradition is renewed and enriched by each and every law-abiding immigrant and visitor. Because of terrorist attacks that claimed the lives of thousands of Americans as well as nationals from many other countries, new regulations have been put into effect to help ensure the safety of all persons in the United States -- citizens, residents, and visitors as well. We appreciate your understanding and cooperation in complying with the special registration procedures.

How to Comply

Now that you have been fingerprinted and photographed, and interviewed about your plans during your stay in the United States, there are a few more special registration procedures that you must follow. Please take the time to read these instructions carefully. Keep them with you, as it is your legal responsibility to follow them.

1. **If you remain in the United States for 30 days or longer**, you must report in person to an INS office (a list is attached) between day 30 and day 40 and show that you are following your travel plans or the statement of intentions made when you entered;
2. **If you remain for 1 year or longer**, you must report in person to an INS office within 10 days of the anniversary of the date when you last were admitted to the United States and show that you are following your travel plans or statement of intentions made when you entered;
3. **If you change your address, your employer, or school after remaining in the United States for 30 days or more**, you must notify the Immigration and Naturalization Service in writing within 10 days of the change;
4. **When you leave the United States** (after October 1, 2002), you must appear in person before an INS inspecting officer at a designated port of departure (links to lists of these designated ports of departure are available under "Departing the United States," below) and leave from that port on the same day.

This document provides additional information and helpful tips to make it easier for you to follow the special registration procedures.

CHANGE OF ADDRESS/EMPLOYER/SCHOOL

If you change your address, employer or school after you have been in the United States for 30 days or longer, you must notify INS by mail within 10 days. You should use a Form AR-11SR (Alien's Change of Address Card); you can download this form from the following link: <http://www.immigration.gov/graphics/formsfee/forms/ar-11sr.htm>. It is also available by mail from the INS Forms Distribution Center (1-800) 870-3979, and at INS District and Sub Offices.

When completing the form, you should:

- write "Special Registrant" on the top left of the form,
- copy the FIN (Fingerprint Identification Number) that was written on your I-94 (Arrival – Departure Record) either when you entered the United States or at your 30 day interview to the top right of the form, and
- mail to the address noted on the form.

While not required, it is to your benefit to keep a copy of your completed form and to request and keep a receipt to document the date on which you mailed the AR-11 and the address to which it was mailed.

DEPARTING THE UNITED STATES

If you leave the United States after October 1, 2002, including visits to Mexico, Canada, or adjacent islands, you must notify INS on the date of your departure and leave only through a designated port. If you do not report your departure, you may be denied admission to the United States at a later date. Links to lists of the designated ports of departure and more detailed instructions on where to register your departure can be found at <http://www.immigration.gov/graphics/shared/lawenfor/specialreg/srprocl.htm>. This information is also available from the National Customer Service Center (1 (800) 375-5283 or TTY 1 (800) 767-1833 for the hearing impaired).

If you are just passing through the United States en-route to another country and you are intending to depart from a non-designated port, your departure information will be collected during the arrival registration.

NON-COMPLIANCE

If you do not comply with the special registration requirements or other terms of your admission to the United States during your stay, you will be considered out of status. You may be subject to arrest, detention, fines and/or removal from the United States, and any future application for an immigration benefit from the United States may be impacted. Decisions will be made on an individual basis, dependent on the circumstances of each case.

Arrests, Convictions and Immigration Consequences

A student is arrested for disturbing the peace and is fingerprinted. The charges are later dismissed. She returns to her home country for vacation, and when she applies for a new F-1 visa, her name appears in the National Crime Information Center (NCIC) Database. The consular official denies the F-1 visa, cancels her tourist visa, and tells her that it will take at least five weeks before the embassy receives the NCIC Report, which will explain why she is in the “system.” Eventually she gets her visa, but she misses a semester of school.

You already know that in order to maintain lawful status you are required to be enrolled full-time in school and that you cannot work illegally. However, did you realize that arrests like the one described above can negatively affect your ability to study in the U.S. or even enter the U.S. on a student or tourist visa. While you may not consider certain behaviors a *serious crime*, or while those same behaviors may not be as serious for a U.S. Citizen, or may not be considered a crime in your home country, you must remember this—arrests and convictions can have serious immigration consequences! You need to be aware of the law and what is considered criminal activity and avoid it at all costs, but know what to do if you are arrested or convicted.

Criminal activity with immigration consequences:

- Arrests and/or convictions even for crimes that may not be serious for U.S. Citizens. If you are fingerprinted, this can delay visa issuance **even if you are not convicted or if your record is expunged** (meaning it no longer appears on your record).
- Willful misrepresentations on an immigration or visa application that result in securing immigration benefit through fraud. This can also include an application for admission to school if a Form I-20 or DS-2019 was issued and the student uses the document to enter the U.S.
- Drug related offences which may or may not result in conviction.
- Conviction for, or admission of, crimes of moral turpitude (These are usually serious crimes but for more information, contact an attorney of OISS).
- Suspension or expulsion from school as a result of criminal activity, whatever the nature of the crime.
- “Conviction of a crime of violence for which a sentence of more than 1 year could be imposed, regardless of whether such a sentence is in fact imposed, constitutes a violation of status” (NAFSA Advisor’s Manual).

The immigration consequences of criminal activity include but are not limited to:

- Delays in obtaining visas: ANY arrest or conviction will cause a positive “hit” in NCIC and delay new visa issuance. It does not matter if you take the record of your arrest or conviction with you to the consulate, as they will still have to wait for the NCIC Report.
- Denial of immigration benefits in the U.S. including but not limited to extension, practical training and change of status.
- Removal or deportation from the U.S
- Denial of visa or entry into the U.S.

How to avoid these consequences:

- Do not drink and drive. While this may not be as serious in your home country, it is taken very seriously in the U.S. If you plan to drink alcohol while you are out, arrange to either have a designated driver or to take a taxi.
- Do not use illegal drugs! Being arrested with even a small quantity of marijuana can make you deportable.
- Do not lie or misrepresent your actions on immigration applications or to a Department of Homeland Security (DHS) employee.
 - If you have concerns regarding something that you have done, then talk with the OISS or contact an immigration attorney before you are interviewed or complete an application.
- Do not assume that *they won't find out*. Since September 11, 2001 there is a greater level of cooperation among government agencies.

If you are arrested:

- You have the right to remain silent, as well as the right to decline answering some, any or all of the questions posed to you.
- You have the right (if needed) to an interpreter, provided at no charge to you.
- You do have the right to an attorney and anything that you say can and will be used against you.
- Do not talk with anyone (except your attorney) about your situation (including the arresting officer and the person sharing a cell with you).
- Do not make any plea until you have talked with an attorney.
- Lying to a police officer is a crime!
- Make sure that you have a criminal attorney who is aware that you are an international student and is aware that there may be immigration consequences to any plea bargain or guilty plea.
- Remember that everything that you say in “on the record,” regardless of any assurances that other may make.
- **Remember, it is your responsibility to know the law and avoid committing crimes.**

If you find yourself in this situation, the Office of International Student services can help you find a competent criminal attorney who is familiar with immigration regulations.

Note: A significant amount of the content of this section was adapted from documentation provided by Loyola University New Orleans.

My Role and Responsibilities as an International Student
(Adapted from documentation provided by the Office of International Services at Montclair State University)

Due to the complexity of the regulations affecting individuals in F-1 Immigration Status (International Students), it is critical that International Students maintain “lawful status” while in the United States (U.S.). International Students must be aware of and fully comply with the following (*PLEASE INITIAL EACH SECTION IN THE SPACE PROVIDED TO INDICATE YOUR UNDERSTANDING*):

- I understand that it is the expectation of Hudson Valley Community College that I will thoroughly read the International Student Handbook and seek clarification from the Coordinator for International Student Services/DSO on any point(s) that I do not completely understand. The Handbook is available on the College’s International Students Web Pages at <http://www.hvcc.edu/international/index.html>. _____
- I understand that I must maintain a valid passport at all times. _____
- I understand that I must make sure that my Form I-20 does not expire (see number 5 of your Form I-20). _____
- I understand that if my Form I-20 will expire before I can complete my degree, I must apply for an Extension of Stay **BEFORE** the Form I-20 expires. Information on this process may be obtained from the Office of International Student Services (hereafter OISS), and is also available on the College’s International Students Web Pages at <http://www.hvcc.edu/international/index.html>. _____
- I understand that application for an Extension of Stay should be submitted 30-90 days prior to the expiration date of the Form I-20 so the extension process can be completed prior to the expiration date on the document. _____
- I understand that I must register full-time (or be full-time certified) and **complete** a full course of study (12 credits per semester for undergraduates) during the academic year. _____
- I understand I must complete 12 credits at the conclusion of each semester. Further, I understand that if I will not complete 12 credits at the conclusion of the semester, I must receive permission from the Coordinator for International Student Services **BEFORE** dropping below full-time enrollment. I understand that this also applies to withdrawing from classes and dropping below full-time enrollment. _____
- I understand that regarding on-line or distance education courses, F-1 students are not permitted to count more than one course (3 credits) toward the full course of study requirements. However, F-1 students may enroll in more than one course or three credits of on-line or distance education coursework after the full course of study requirements have been met. Thus, students in F-1 Status must enroll in a minimum of 9 credits of classroom-based [in class] coursework. _____
- I understand that within the first thirty (30) days of each semester that I am enrolled at Hudson Valley Community College, I **must** “check-in” with the Coordinator for International Student Services, so that he can indicate that I am present by “registering” me in the Student Exchange Visitor Information System (SEVIS). I further understand that if I do not “check-in,” I will not be “registered” in SEVIS, and my SEVIS Record will be automatically terminated. _____
- I understand that I am **NEVER** allowed to work off-campus in the U.S. without prior authorization (even if the employer tells me differently). F-1 students are allowed to work **on campus** up to 20 hours per week when school is in session, and up to 40 hours per week when school is not in session. **ANY off-campus work MUST be approved by the Coordinator for International Student Services and/or the USCIS BEFORE the work begins.** _____

- I understand that it is my responsibility to check my Hudson Valley Community College e-mail account at least twice per week, for periodic updates and information notices from the OISS, and that the Office will **only** send e-mail to my College e-mail address, and will not send e-mail to me at an alternate email address (i.e., AOL, Hotmail, and Yahoo). _____
- I understand that e-mail messages from the OISS are important, and that if I do not check my Hudson Valley Community College e-mail account, and read the messages, it may cause me to miss important information that could negatively affect me, and could jeopardize my F-1 Status. _____
- I understand that if I have missed an e-mail message from the OISS, the most important messages are archived at <http://academ.hvcc.edu/%7Edeitcjay/EmailArchive.htm>. _____
- I understand that new information may also appear on the International Student Pages of the Hudson Valley Community College Web Site, found at <http://www.hvcc.edu/international/index.html>. _____

Continued on Reverse Side

- I understand that I must submit photocopies of all relevant immigration information (e.g., passport information, visa stamp, I-94 Card, any previous Form(s) I-20, Employment Authorization Card(s) etc.) to the OISS for my file. _____
- I understand that I must report any change of address or residence **directly to the OISS within ten (10) days of the move**, so the Office can electronically notify the USCIS of the change, via SEVIS. _____
- I understand that I can go to the OISS for clarification on any of the information issued by the Office. _____
- I understand that I must report any change of name **directly to the OISS within ten (10) days of the change**, so the Office can electronically notify the BCIS of the change, via SEVIS. _____
- I understand that in order to re-enter the U.S. after traveling, I must have my Form I-20 endorsed for travel (specifically re-entry) within 12 months of the date that I plan on re-entering the U.S. _____
 - In other words, the signature on the last page of your Form I-20 cannot be more than 12 months old on the day you attempt to re-enter the U.S. (e.g., if you are planning to re-enter the U.S. on March 25, 2010, be sure that your current Form I-20 has an authorizing signature for re-entry no older than March 24, 2009).
- I understand that I must notify the OISS of any accompanying dependents in F-2 status and provide biographical information (e.g., full name, address, country of birth, etc.) and immigration information (e.g., passport information, visa information, etc.) regarding those dependents. _____
- I understand that because there are many international students at Hudson Valley Community College it is very important to plan ahead. Therefore, I will do my best to submit any requests to the OISS in advance of when I need them. I understand and accept that if I want to get something done at the last minute, it may not be completed when I need it. _____
- I understand that most of my requests at the OISS will have to be processed through the SEVIS system, which means that some processing delays may result. Therefore, for important time-sensitive requests (such as OPT and requests for an Extension of Stay), I understand that I should **always plan ahead**, and submit my requests in a timely fashion that will allow for such unexpected delays. Finally, I understand that my failure to do this may result in my falling out of lawful status. _____
- I understand that I must complete the official F-1 transfer process whenever I change educational institutions. _____
 - This means that you must notify the OISS if you intend to transfer, and that you must obtain a Form I-20 from the new institution, and I must report to the Designated School Official at the new school within 15 days of the program start date listed on the Form I-20 issued to you by your new institution.

- I understand that it is **my** responsibility to ask questions and seek clarification when I do not understand something. _____
- I understand that it is always **my** responsibility to make sure I maintain lawful status, understanding that the OISS will take steps to assist me. However, if I fail to meet these responsibilities, I realize that the OISS' ability to help me may be extremely limited. _____

IMPORTANT NOTE: Because the regulations regarding those in F-1 Status are continually changing, this information is not guaranteed to stay the same for extended time periods, and is subject to change without notice. The OISS will make every attempt to notify you of any such changes, which is why it is critical that you always read all information provided by the OISS. As always, you can contact the OISS to discuss any questions or concerns related to your legal status in the United States.

The Family Educational Rights and Privacy Act (FERPA)

The college has procedures in place to comply with the federal law, FERPA (the Family Educational Rights and Privacy Act). **These procedures pertain only to students who have either been accepted by the College or have a previous formal association with the College (e.g., previously non-matriculated students).**

Students may choose to give consent to another individual (i.e., parent, guardian, sponsor, spouse, etc.) to have access to any and all education records, or to only very specific records (i.e., billing/student account information, grades, financial information for Form I-20 issuance, etc.). Whether speaking with the student or to the individual(s) to who consent has been given, the college is required to verify the identity of the individual.

A [FERPA Waiver/Authentication Form](#) will be included in the Registration Payment Booklet that is being sent to all students along with their bill. Additionally, it has been sent as a PDF attachment to this message. A letter will also be sent to students, and another letter will be sent to the family of the student so that they are aware of FERPA and the importance of completing the form. The [Form](#) is also available under the “Quick Find” area of the college’s website.

This [FERPA Waiver/Authentication Form](#) serves two purposes:

- It allows students to designate a FERPA password so information can be discussed over the phone, and
- It allows students the opportunity to designate to whom they are giving consent and what information may be disclosed.

What does this all mean?

- No specific information can be discussed over the **phone** with the student, or to the individual the student gave consent to, **unless** the student or the individual provides the FERPA password. **If there is no password, no discussion.** This includes but is not limited to:
 - any type of registration activity,
 - case specific advisement,
 - test results,
 - discussion about completed and/or needed immigration forms,
 - information regarding a student’s immigration status,
 - information regarding a student’s application for immigration benefits,
 - deadline reminders,
 - paying of bills,
 - class attendance, etc.
- If the individual is in person, we **must** see picture identification to verify identity prior to discussing any student personal information.
- If the individual is someone other than the student, we **must** verify (in the campus’ database system) that the student has given consent **and** that consent was given for the particular topic the individual wants to discuss. If “any and all education records” is checked, then anything can be discussed. If students have completed the paperwork and

indicated that the college cannot disclose information to a specific individual—this will be noted in the campus’ database system as well.

Please realize that this policy affects the way offices on campus conduct business and exchange information with students, their families, and other involved parties. I ask that you understand that this policy is intended to provide Hudson Valley Community College Students with the level privacy protection that they deserve, and try and remember this if you are feeling frustrated because of a delay in receiving information.

I strongly encourage each of you to submit a completed [FERPA Waiver/Authentication Form](#) as soon as possible. You may submit your completed [Form](#) in one of two ways:

1. You can bring the completed [Form](#) to the registrar’s Office in Guenther Hall, where one of the staff members will verify your identity before you sign the Form.
2. You can mail the completed form in. If you choose this option the Form **must** be notarized to verify your signature. **If the [Form](#) is not notarized it will not be accepted!**

Submitting a completed [FERPA Waiver/Authentication Form](#) as soon as possible will help you avoid delays and frustration when you want them least ... when you are trying to get something done!

Evaluation of Foreign Post-Secondary Transcripts

When students transfer to Hudson Valley Community College from another college and/or university, the college evaluates their transcripts to determine how many credits are transferable. When dealing with transcripts from colleges and/or universities outside the United States that the college does not have specific articulation agreements with, it is often difficult to determine the exact curriculum of a course.

Therefore, international students are required to utilize [World Education Services](#), a fee-based credentialing service. This service will evaluate your transcript(s) and then provide you with a transcript evaluation that can be presented to Hudson Valley Community College. The college can then review the evaluation and transfer credits appropriately. Please note that all credits may not be transferable to Hudson Valley Community College; the evaluation provided by World Education Services is used as a reference guide.



Glossary of Immigration Related Terms

The following definitions are intended to serve as an introduction to terms used by CIS and Hudson Valley Community College. Please note that these are simply definitions, and that more detailed explanations regarding the procedures and processes they relate to can be found in the Handbook. If you have specific questions about these definitions, please contact the Coordinator for International Student Services/PDSO who will be happy to discuss them with you.

Certificate of Eligibility for Non-Immigrant (F-1) Student Status [commonly referred to as a Form I-20]: Students who have been admitted to Hudson Valley Community College and have documented their ability to finance their education may receive a Certificate of Visa Eligibility for F-1 Student Status (Form I-20). This document certifies eligibility for an entry visa and must be shown to a CIS official at the time of entry into the United States in order to enter in a valid status. You are required to keep all Forms I-20 issued to you throughout your student status; no matter how long you stay in the U.S. or how many times you travel abroad.

Curricular Practical Training (CPT): Employment that is directly related to, and an integral part of the established curriculum of your school. This employment is required for degree completion, such as the internships/practical work experiences required for programs in the areas of Automotive Technical Services, Health Information Technician and Emergency Medical Technician-Paramedic.

Designated School Official (DSO): An employee of the institution who is authorized by the institution and approved by CIS to issue and/or sign and/or certify various documents. This includes but is not limited to: the Form I-20, Form I-538 and Form I-539. The DSO is authorized to enter information into and generate various documents from the SEVIS database. An institution can have up to nine DSO's.

Duration of Status (D/S): This notation refers to the time during which students in F-1 status are permitted to remain in the United States. The D/S notation is made on the Form I-20 and the Form I-94 Arrival/Departure Card. It is the time during which the student is registered full-time at the school they are authorized to attend plus Practical Training or Academic Training plus a grace period of 60 days for F-1 students.

Employment: Any service or labor for which wages or other remuneration (compensation) is provided (e.g. salary, room, and board). Sporadic domestic service in a private home is not included.

Entry Visa: A machine-readable stamp in your passport issued by an American Consul abroad, authorizing you to apply for admission to the United States at the port of entry. All international

students (except Canadian nationals requesting F or J immigration status) are required to have a valid entry visa stamp in their passport at the time of entry into the United States. Your visa indicates the type of immigration status you will hold (F-1, J-1, etc.), the date until which you may enter the United States, and the number of entries you may make before you must apply for a new entry visa stamp. An agreement between your home country and the United States Government determines the length of validity of each visa type, and is not necessarily tied to the length of your program of study. Application for an entry visa is made at a United States consulate or embassy outside the United States. F-1 visa stamps generally cannot be obtained within the United States. The validity period of your visa does not determine the length of time you may remain in the United States. Your length of stay is determined by the date on your form I-94.

F-1 Student: A student who is in F-1 Status.

Form I-20/I-20 ID (Student Copy): The Certificate of Visa Eligibility for Nonimmigrant F-1 Student Status is commonly known as the Form I-20. This is the document issued by a school for presentation at a United States consulate abroad to obtain an F-1 Student visa. It must also be presented to immigration official upon entry into the United States. Those in F-1 status who are entering the U.S. must carry either an initial Form I-20 or one with a recent signature on page 4 to verify their continuing attendance at Hudson Valley Community College. The Form I-20ID Copy (page 3/4 of the Form I-20) is a permanent record of one's activities as a student in the US.

Form I-94 (Arrival/Departure Record): This small white card (usually stapled into your passport by an immigration official when you enter the United States) is a record of your nonimmigrant status and permission to stay in the United States. It shows your "immigration status", the date and port of your arrival in the United States and the date until which you have permission to stay. Each time you leave the country you surrender your I-94. However, if you make short trips to Canada, Mexico and parts of the Caribbean you do keep this form. **Make sure you safeguard this card!**

Immigration Status: Your immigration status, (e.g., F-1, B-2, etc.) is generally the same as your entry visa classification, and is determined at the time of your entry into the United States by a CIS official and is noted on the form I-94. Upon entry in the United States, the immigration official retains the Arrival portion of the I-94, notes your immigration status on the Departure portion, and staples the I-94 (Departure) card into your passport. Your immigration status (commonly referred to as your "status" indicates your primary reason for being in the United States.

MANTIS Program (Visas MANTIS): A process in which visa applications from science students and scholars receive extra scrutiny from State Department consular officers and other security agencies. This is in compliance with U.S. laws that prohibit issuance of a visa to someone who may violate prohibitions on the export of goods, technology and sensitive information from the United States.

Nonimmigrant: An alien who seeks temporary entry to the United States for a specific purpose. The alien must have a permanent residence abroad (for most classes of admission) and qualify for the nonimmigrant classification sought. There are numerous nonimmigrant classifications

(i.e. foreign government officials, visitors for business and for pleasure, students and exchange visitors). Most nonimmigrants can be accompanied or joined by spouses and unmarried minor (or dependent) children.

Optional Practical Training (OPT) Before Completion of Degree: Employment directly related to your program of study before completion of an academic degree (i.e. a Culinary Arts student working as a cook at a local restaurant) that provides the student with practical training in their field of study.

Optional Practical Training (OPT) Post Completion of Studies: Employment that is directly related to your program of study after completion of your degree (i.e. Associate's, Bachelor's).

Passport: This document is issued by your country of origin and must be valid at least six months into the future at all times. Extensions of your passport may be obtained through the nearest consulate or embassy of your country. The Coordinator for International Student Services/PDSO will provide you with any appropriate documents your government may require.

Permanent Resident - Any person not a citizen of the United States who is residing in the U.S. under legally recognized and lawfully recorded permanent residence as an immigrant. Also known as "Permanent Resident Alien," "Lawful Permanent Resident," "Resident Alien Permit Holder," and "Green Card Holder."

Practical Training (PT): Employment that is directly related to your program of study. The express purpose of which is to provide you with the opportunity to apply your knowledge and skills [learned in your program of study], as well as provide you with the opportunity to expand your knowledge and skills through "hands on" experiences. The three categories of Practical Training are Curricular Practical Training, Optional Practical Training Before Completion of Degree and Optional Practical Training Post Completion. Practical Training is considered a benefit/privilege of F-1 immigration status.

Primary Designated School Official (PDSO): Like the Designated School Official (DSO), an employee of the institution who is authorized by the institution and approved by CIS to issue and/or sign and/or certify various documents. This includes but is not limited to: the Form I-20, Form I-538 and Form I-539. The DSO is authorized to enter information into and generate various documents from the SEVIS database. The primary differences between the PDSO and the DSO are: 1) the PDSO is ultimately responsible for the accuracy of the data pertaining to the institution and its individual students who are registered in SEVIS and 2) the PDSO has the ability to designate (with institutional approval) other individuals as Designated School Officials. An institution can have only one PDSO.

Program of Study (Major): This is the academic discipline that you are concentrating in (e.g. Carpentry, Culinary Arts, Veterinary Science technology, Welding, etc.) for which you will be receiving a degree or certificate of completion.

Systematic Alien Verification for Entitlements (SAVE) Program: The SAVE Program enables Federal, state, and local government agencies to obtain immigration status information they need in order to determine applicant's/recipient's eligibility for many public benefits. The

Program also administers employment verification pilot programs that enable employers quickly and easily to verify the work authorization of their newly hired employees.

Student and Exchange Visitor Program (SEVP): "The reengineered nonimmigrant student and exchange visitor (F, M, & J visa categories) process, converting what is currently a manual procedure into an automated process. This change is expected to improve data collection and reporting, enhance customer service, and facilitate compliance with regulations, and help U.S. Citizenship and Immigration Services (CIS) better monitor school and exchange programs. This program was formerly referred to as the Coordinated Interagency Partnership Regulating International Students (CIPRIS). CIPRIS was the name assigned to the now-completed pilot project, which tested the concepts associated with new data collection and reporting methods. Information obtained from this pilot system was incorporated into the national system development effort that resulted in the Student and Exchange Visitor Information System (SEVIS)" (<http://www.ins.gov/graphics/services/tempbenefits/sevpqa.htm#WHATIS>).

Student Exchange Visitor Information System (SEVIS): "SEVIS is an Internet-based system which 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 electronic information and event notifications via the Internet, to CIS and Department of State (DOS) throughout a student or exchange visitor's stay in the United States. The system will reflect international student or exchange visitor status changes, such as admission at Port of Entry (POE), change of address, change in program of study, and other details. SEVIS will also provide system alerts, event notifications, and basic reports to the end-user schools, programs, and CIS field offices" (<http://www.ins.gov/graphics/services/tempbenefits/sevpqa.htm#WHATIS>).

Technology Alert List (TAL): Lists science and technology-related fields where, if knowledge gained from work in these fields were used against the United States, it could be potentially harmful.

Terrorist Screening Center (TSC): Administered by the Federal Bureau of Investigation (FBI), the TSC I consolidates information from the Department of Homeland Security (DHS), the Central Intelligence Agency (CIA), the U.S. Department of Justice (DOJ) and the FBI "into an unclassified terrorist screening database" making "the database accessible to queries for federal, state, and local agencies for a variety of screening purposes" (DHS Website).

Unlawful Presence: An alien is considered to be *unlawfully present* if they either: a) entered the U.S. without being inspected and admitted or paroled by an immigration inspector (entered without inspection) or b) were admitted to the U.S. after being inspected by an immigration inspector, but remain in the U.S. after the period of stay, authorized by the Attorney General, has expired (i.e. after an application for reinstatement has been denied, or after an F-1 Student's sixty day grace period has passed, without a school transfer or an application for either a change of status or employment authorization). Once a person reaches 180 days of unlawful presence, that person, should they depart from the U.S., would be barred from re-entry for as long as three years. Remaining in the U.S. for more than a year would bar re-entry for a period of ten years.

US-VISIT: A program designed to secure U.S. borders and expedite the entry/exit process while enhancing the integrity of the U.S. immigration system and respecting the privacy of our visitors.



Glossary of College Terms*

Academic Dismissal: A student who is dismissed is no longer matriculated and, in addition, may not register for any credit courses at the college for one full term. Refer to Policies and Procedures.

Academic Probation: A student will be placed on academic probation at the end of a term in which the student's grade point average falls below that which is required according to the Retention Table. Refer to Policies and Procedures.

Academic Suspension: Academic Suspension is the removal of a student from a matriculated status in a program. Refer to Policies and Procedures.

Articulation Agreement: A formal agreement between Hudson Valley Community College and a baccalaureate degree granting institution. These agreements are established for specific academic programs and assure transfer with junior standing upon completion of appropriate coursework and achievement of a minimum grade average.

Attendance: Attendance in class is necessary for successful completion of a course of study. To understand the college's policy on attendance, refer to Policies and Procedures.

Associate Degree: A title conferred on a student signifying completion of a two-year program comprised of sixty or more credits. For additional information refer to Policies and Procedures.

Certificate: A document issued to a student signifying completion of a specific series of skill courses. A certificate program is one year or less in length.

Change of Major: The process of changing a student's matriculation in one program to a different program. To change majors, a student must be in good academic standing, and meet all prerequisites for the desired new program. A student should initiate the change by contacting his/her current academic advisor.

Contact Hours: The total hours of class and lab required per week in a course.

Continuing Education: The Office of Continuing Education is designed to offer students a viable and flexible alternative to the traditional full-time college degree. Advisors are available to assist with the selection of courses.

Course Description: Tells the student what is taught in the course, what the objectives are, and what one should be able to do upon completion. It also describes the required classroom hours,

lab hours, clinic or co-op hours, credit hours, and indicates if a prerequisite (a requirement that must be met before you take a course) or a corequisite (a course that must be taken at the same time) is needed.

Course Load Status: Regardless of matriculation status, a student who carries 12 or more credits during the Fall or Spring term is considered a full-time student. Anything less than 12 credits is part-time.

Course Withdrawal: If a student is unable to complete a course, for whatever reason, the student must withdraw from the course or risk receiving a grade of “F” for the course. For withdrawal procedures refer to Policies and Procedures.

Corequisite: Any course which must be taken during the same term as the desired course.

Credit: A unit of academic award applicable toward a degree, measured in term hours.

Drop/Add: The procedure whereby a student may change his/her class schedule, after initial registration, by dropping or adding a course without academic penalty.

Elective Course: A major requirement which a student may choose to take from a number of possible courses, as distinguished from specific required courses.

Full-time Student: A student enrolled for 12 or more credits per term.

Note: Full-time status for New York State scholarships is determined by enrollment in 12 or more degree applicable hours. A course in which a grade of “D” or better was previously earned is not counted toward the 12-hour full-time study requirement.

General Education Coursework: Courses which represent the common areas of knowledge and skills that pertain to educated persons and those which offer a coherent and broadly comprehensive academic foundation.

Good Academic Standing: The status of a student who has met or exceeded the requirements specified in Policies and Procedures. A student must be in good academic standing to be eligible for veterans' benefits, intercollegiate athletics, the Student Senate and other campus activities.

Grade Point Index: The numerical average based on the credit hours attempted and grades earned for courses taken at Hudson Valley Community College. At the close of each term a separate index is calculated to indicate the term, and cumulative average.

Humanities Elective: Courses from those branches of knowledge which are concerned with man and his culture.

In-State Resident: A legal resident of New York State for a minimum of one calendar year.

Learning Skills Courses: Basic courses which prepare students for college-level study.

Liberal Arts and Science Coursework: Courses which are intended to provide chiefly general knowledge and to develop student's general intellectual capacities.

Major: A set of courses which awards a certificate or associate degree with a purpose such as preparing a student to enter the work world immediately or to transfer to a degree program at another college.

Mathematics Elective: Courses which study number, form, arrangement and associated relationships, using defined literal, numerical and operational symbols.

Matriculated Student: A matriculated student has been accepted for admission to the college, has registered in a major and is pursuing courses toward a degree or certificate.

Mid-Term Grades: Mid-term grades are indicators of a student's progress. Mid-term grades are not recorded on official transcripts, but they may be used to determine the eligibility of a student to continue participation in intercollegiate sports or student activities.

Non-degree Courses: A course that is not applicable toward a degree, and is designated “ND” in the course description. ND units indicate the number of hours for which a student is charged tuition and the number of hours counted toward course load status.

Non-matriculated Student: A non-matriculated student is one who has not yet been accepted for admission to the college, has lost matriculated status by not enrolling in coursework for one term, or has been suspended from a program because of failure to maintain good academic standing. Courses taken by a non-matriculated student may later count toward a degree, however, the student will not be eligible for financial aid.

Out-of-State Residents: Legal resident of a state other than New York, or of a foreign country.

Part-time Student: A student enrolled for fewer than 12 credits per term.

Prerequisite: A course that a student must successfully complete for background information before enrolling in a particular course. For example, Nursing II has a prerequisite of Nursing I.

Program: (see Major).

Registered Student: A registered student is one who has scheduled classes. A student who registers but does not complete the payment process will not be granted credit, regardless of class attendance.

Restricted Elective: Major requirements which may be chosen from a group of courses specifically identified for that major.

Term: A 15-week period of instruction and a one-week period of examinations and outcome assessments.

Satisfactory Academic Progress (SAP): The status of a student who has met or exceeded both the qualitative and quantitative measurements specified in Policies and Procedures. A student must meet the Satisfactory Academic Progress requirements to be eligible for financial aid.

Science Elective: Courses which foster the observation, identification, description, experimental investigation and theoretical explanation of natural phenomena.

Semester: (see Term).

Social Science Elective: Courses which study society and the individual relationships in and to society.

Title IV Financial Aid: The student financial assistance programs authorized by Title IV of the Federal Higher Education Act of 1965, as amended, consist of: Federal Pell Grant Program, Federal Supplemental Educational Opportunity Grant (SEOG), Federal Work-Study (FWS), Federal Direct Student Loans (including the Federal Direct Subsidized Loans, Federal Direct Unsubsidized Loans, and the Federal Direct Parent Loan for Undergraduate Students (PLUS) Loans).

Total Withdrawal: The procedure whereby a student may withdraw from all coursework. The withdrawal process must be completed at the Enrollment Information Center, Guenther Enrollment Services Center lobby, by the deadlines published each term.

Transcript (student record): A student's official academic record maintained by the Registrar's Office. It shows all academic work attempted and grades earned, as well as transfer credits accepted from other schools.

Transfer Credit: Credit from coursework taken at a previous institution which is accepted toward a degree requirement at Hudson Valley Community College. Transfer credit is posted to the transcript of matriculated students only.

* The information in the previous section was taken directly from the "Glossary of College Terms" section of the Hudson Valley Community College Catalog, found at <http://hvcc.edu/catalog/glossary.html>.



Important Tips

- ◆ Keep your immigration documents (i.e., passport, Form I-20, Form I-94 Arrival/Departure Card) and all other important documents in a safe place.
- ◆ Make two sets of photocopies of your immigration documents and carry one set with you.
- ◆ Do not carry your original immigration documents with you unless it is necessary.
- ◆ Set up a file for all of your immigration related paperwork, and keep this file in a safe place.
- ◆ Make photocopies of all documents/materials that you submit to any federal, state or local government agency.
- ◆ Make photocopies of all documents/materials that you submit to the Office of International Student Services.
- ◆ Never send cash through the mail. Use a personal check, money order, or bank check. Money orders can be obtained at any United States Post Office, as well as most grocery stores.
- ◆ All checks or money orders sent to CIS should be stapled to the appropriate documents.
- ◆ Never mail your passport!
- ◆ All materials should be mailed to CIS as "Certified Return Receipt." The Coordinator for International Student Services/PDSO can provide you with the materials needed to do this.
- ◆ Make certain that you inform the Coordinator for International Student Services/PDSO at your institution (the institution who issued you your current Form I-20) of any legal changes to your name or any changes to you physical address (The DSO must have your current physical address). These changes must be reported to the Coordinator for International Student Services/PDSO within ten days of the change.
- ◆ Make sure to provide the Coordinator for International Student Services/PDSO with photocopies of all materials that are sent to CIS.
- ◆ All College rules, regulations and policies apply to International Students the same way they apply to non- International Students. However, in addition to College rules, regulations and policies International Students must abide by rules, regulations and policies set forth by CIS and other federal agencies.
- ◆ It is important to understand that College rules, regulations and policies may at times differ with rules, regulations and policies set forth by CIS and other federal agencies. Therefore, it is important to make sure that you are familiar with your rights and responsibilities as an F-1 Student.
- ◆ While some members of the faculty and staff have some knowledge, or may even be quite knowledgeable about your rights and responsibilities as an F-1 Student, some are less knowledgeable (and their guidance regarding what you should do in the context immigration issues may be less than informed). If you have any questions regarding these rights and responsibilities, contact the Coordinator for International Student Services/PDSO.

- ◆ Keep your immigration documents (i.e., passport, Form I-20, Form I-94 Arrival/Departure Card) and all other important documents in a safe place (important enough to list twice).
- ◆ Regularly contact you family and friends at home, so they know you are alright!

Acknowledgements

Understanding the policies and procedures put forth by the United States Citizenship and Immigration Services can be quite difficult. Therefore, putting together a handbook that clearly and effectively outlines and explains these policies and procedures was a true challenge. In developing this Handbook, several sources were used as references and/or models. These sources include written materials, individuals with a wealth of experience in working with International Students, and information available on the World Wide Web.

The information presented in this Handbook is presented in very similar fashion in many other sources, since the easiest way to explain these issues is always preferred. Additionally, it is important to note that direct quotes have not been taken from any written material without the express permission of the author, (the exception being publicly accessible documents). Therefore, while many sources have been used as references, this Handbook contains few citations.

However, I would like to acknowledge some of the many sources of information that were used in the writing of this Handbook. These sources include: The Office of International Student and Scholar Services at Binghamton University; International Educational Training Services; NAFSA: Association of International Educators; The Legal Aid Society and Community Legal Services of Orange County; California the Bechtel International Center at Stanford University; Loyola University New Orleans; The University of San Diego; International Student Services at SUNY New Paltz; Office of International Services at Montclair State University; Pace University; The NYU Office for International Students and Scholars; Manny Vargas, J.D. and Steve Yale-Loehr and various agencies of the U.S. Department of Homeland Security.