

V. F-1 VISA/ STATUS – STUDENT

The F-1 Visa is issued to international students who are pursuing an academic program or English Language Program at a U.S. colleges, seminaries, conservatories, academia high schools, private elementary schools, academic institutions, universities, or language training programs.

To apply, you must apply to study at a U.S. Citizenship and Immigration Service (“USCIS”)-approved school in the United States, a school approved by the U.S. Citizenship and Immigration Services for accepting international students (foreign students). When you contact a school that you are interested in attending, you should be told immediately if the school accepts foreign national students (international students). When accepted, the school should give you USCIS Form I-20 (Certificate of Eligibility for Nonimmigrant (F-1) Student Status - for Academic and Language Students). You should also be prepared to prove that you have the financial resources required for your education and stay in the United States.

After receiving an immigration form I-20, you must make an appointment at their nearest U.S. Consulate to apply for a student visa and pay a SEVIS (Student and Exchange Visitor Information System) fee. Your I-20 Form is needed in paying. Print out the receipt after paying. Bring the following during the appointment: Form I-20, passport, SEVIS fee receipt, proof of funding, proof of ties to your home country, and any other forms which your consulate requires.

I also recommend to my clients that it behooves them to apply for their visa early to provide ample time for visa processing. Students may apply for their visa as soon as they are prepared to do so. Students should note that Embassies and Consulates are able to issue your student visa 120 days or less, in advance of the course of study registration date. If you apply for your visa more than 120 days prior to your start date or registration date as provided on the Form I-20, the Embassy or Consulate will hold your application until it is able to issue the visa. Consular officials will use that extra time for application processing.

Students are advised of the Department of Homeland Security regulation which requires that all initial or beginning students enter the U.S. 30 days or less in advance of the course of study start/report date as shown on the Form I-20. Please consider this date carefully when making travel plans to the U.S. A beginning student who wants an earlier entry into the U.S. (more than 30 days prior to the course start date), must qualify for, and obtain a visitor visa. A prospective student notation will be shown on his/her visitor visa and the traveler will need to make the intent to study clear to the U.S. immigration inspector at port of entry.

As an F-1 visa applicant, you must undergo an interview at the Embassy Consular section if you are from age 14 through 79, with few exceptions. Persons age 13 and younger, and age 80 and older, generally do not require an interview, unless requested by the Embassy or Consulate. You must prove consular officer that you have binding ties to your residence in your country that you have no intention of abandoning, and that you will depart the United States when you have completed your studies. It is impossible to specify the exact form the evidence should take since circumstances vary greatly.

If you pass the interview and are granted the visa you can travel to the United States. Upon entering the United States on a student visa, usually, you will be admitted for the duration of your student status. In other words, you may stay as long as you are a full-time student even when the F-1 visa in your passport expires while you are in the U.S. Spouses and children below 21 years of age are eligible to obtain F-2 derivative status. They may accompany the F-1 student and remain in the United States. Children may also attend elementary and secondary schools. But again, if you are with F-2 status, you are not allowed to work.

In any event, to maintain your F-1 status, you must maintain the minimum course load requirement for full-time student status. You may remain in the United States for up to 60 days beyond the length of time it takes you to complete your academic program. The school you are enrolling at must have the authority from the Department of Homeland Security to issue Form I-20. Furthermore, you must be skilled in the English language, or must be enrolled in English language courses. You must not engage in unauthorized employment in the United States. In addition to that, you must also have enough funds available to support your entire period of study; must have a foreign residence and must intend to return there upon completion of studies; must have strong ties to home country. It is possible for you to convert this visa to a temporary work visa upon completion of your studies.

A common question I get is whether or not travel is allowed. The answer is **Yes**. Foreign students may enter the United States multiple times if they hold a valid F-1 Student Visa. It is important that the F-1 Student Visa holders have all the necessary documents and signed authorizations to avoid any problems at the U.S. port of entry. The passport must also be valid for a certain amount of time in order to be granted entry. F-1 Visa holders can also travel freely within the within the United States

To find out more about the procedural steps involved and an estimate of fees, call or email us today for your free in-depth consultation!