Immigration Rights and Responsibilities of Students in F-1 Status

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Purpose

This handout has been prepared by the International Students and Scholars Office (ISSO) to summarize important rights and responsibilities you have as an F-1 student in relation to United States government immigration regulations, and to identify situations for which you should seek assistance from the ISSO. It will not detail all of the actual procedures required for you to take advantage of immigration benefits, but gives an important overview of what you need to know. The ISSO staff will be pleased to offer additional information, as well as counseling and assistance, to help you with any matter related to your immigration status. This "Rights and Responsibilities" outlines regulations and procedures current at the time of the writing of this document. Please note, however, that regulations and procedures continue to change. The ISSO will inform you of substantial changes via electronic communication or on the ISSO website at http://www.bu.edu/iso, but we strongly advise you to contact the ISSO any time you have a question or any time you intend to travel and re-enter the United States.

Immigration Acronyms You Should Know

ISSO International Students & Scholars Office (at Boston University)
SEVIS Student and Exchange Visitor Information System — a computer tracking system for F-1 and J-1 students, exchange visitors and their F-2 and J-2 dependents
DHS Department of Homeland Security — an agency of the U.S. government that houses, among other entities, the three immigration-related departments (USCIS, ICE and CBP)
USCIS U.S. Citizenship and Immigration Services — approves immigration benefits, including employment authorization
ICE Immigration and Customs Enforcement — oversees SEVIS and is charged with enforcement of immigration-related infractions
CBP Customs and Border Protection — operates U.S. ports of entry and departure
DOS Department of State — an agency of the U.S. government that oversees U.S. embassies and consulates abroad

Immigration Documents

The following documents are very important and must be valid at all times in order for you to maintain lawful F-1 status:

- Passport (should be valid for a minimum of 6 months into the future)
- Form I-20 (Certificate of Eligibility for Nonimmigrant Student (F-1) Status)
- U.S. Entry Stamp or Form I-94 Arrival/Departure Record (either document can serve as proof of U.S. admission in F-1 immigration status). If you entered the U.S. after May 2013, you may be able to download an electronic record of your I-94 at www.cbp.gov/I94.

In addition, the following document is required each time you wish to enter or re-enter the United States after travel abroad:

- F-1 visa (must be valid for any entry or re-entry to U.S. but can expire while you remain in the U.S.)

Please keep your original documents in a safe place. We strongly recommend that you make photocopies or a digital copy of these documents and store them in a location separate from the actual documents. If any of these documents is damaged, lost or stolen, you must have it replaced as quickly as possible. You should contact the ISSO if you have any questions about the documents or if you need to have them replaced. Please bring all of these documents with you each time you visit the ISSO.

SEVIS – Electronic Reporting System

The USCIS, ICE, and CBP utilize an electronic database and reporting system called the Student and Exchange Visitor Information System (SEVIS) to “track” international students and exchange visitors. All U.S. schools are required to use this system to report information on F-1 students and their F-2 dependents through secure, encrypted internet transmissions.

Boston University reports to the government only the information required by federal law. This includes all the information on your Form I-20 and information on “reportable events” that affect your immigration status. These events include, but are not limited to: (1) enrollment each school term; (2) leaves of absence, suspensions and withdrawals from school; (3) authorized and unauthorized drops below a “full course of study” as defined by federal regulations; (4) resumption of a “full course of study” after an authorized drop; (5)
employment off-campus; (6) F-2 dependent information; (7) U.S. residential address changes; (8) completion or termination of studies, (9) changes in major, program of study, degree, completion date, etc. (10) school transfer.

Since SEVIS is an electronic reporting system, it is very important that your information on record at the ISSO, and in the University Information System (UIS), be completely up-to-date at all times. Your name on your academic record at Boston University must match the spelling of your name as it appears on your passport. The ISSO will report information about your status from the University’s records to DHS through SEVIS. Failure to maintain accurate records with the University may result in technical violations of your status. If you fall out of status, and your violation is reported to DHS, your F-1 status could be immediately invalidated and you may lose all F-1 benefits.

When to Contact the ISSO

To ensure that you maintain lawful immigration status, you must contact the ISSO if any of the following events occurs:

- If there is a change to your legal name, U.S. address, country of citizenship, immigration status, major, program of study, level of education, expected date of completion, information on F-2 dependents, or source of funding.
- If you intend to travel outside the U.S. and need a travel signature from an ISSO staff member on your Form I-20 or if you will apply for a new visa before re-entering the U.S.
- Any time you or your F-2 dependents re-enter the U.S. if have questions about your U.S. entry stamp or the Form I-94 you were given. (Students and dependents should both be granted F-1 or F-2 status for “D/S” or “duration of status.”)
- If you receive a Form I-515A upon entry to the U.S.
- If you lose any of your immigration documents, or if they are stolen.
- If you intend to change your immigration status.
- If you intend to study abroad, take a leave of absence or transfer to another school.
- If you need to request an extension of your Form I-20; contact the ISSO before the Form I-20 expires.
- If you are seeking prior authorization to drop below full-time study or withdraw from Boston University (due to suspension or personal reasons).
- If you want to obtain on-campus work authorization or apply for off-campus work authorization.
- If you want to have your dependent spouse and/or children join you in F-2 status.
- If you are facing charges for any felony or misdemeanor criminal act.
- If you need to apply for a U.S. Social Security Number.

Registration, Attendance and Course of Study Requirements

Registration and Attendance - You must register for and complete a “full course of study”, defined as 12 credit hours, each fall and spring semester at Boston University, and during summer if it is your first, final or only semester. “Audit” courses do not count toward the required 12 credit hours. Although F-1 students have the right to enroll in on-line or distance education courses, only one such course (or 3 credits) per semester may count toward the 12 credits required to maintain full-time status.

Summer Registration – If you begin your program of study with Summer Session I, you must take a combined total of 12 credit hours in Summer I and Summer II. If you begin your program in Summer Session II, you must take at least 8 credit hours during Summer II. You must also be registered for classes in the summer if you will graduate during the summer or in September (see section entitled “Completion of Studies”). If you are completing your program of study during the summer, you must be registered for a commulative total of 12 credits for Summer Session I and Summer Session II combined. If you need to take less than a full-time course load to complete your program in your final Summer term, you must request authorization from your ISSO advisor for a reduced course load.

Undergraduate Students - Although F-1 students have the right to register for as many classes as University policy allows, you must register for at least 12 credit hours each fall and spring semester. Immigration regulations require prior ISSO authorization for all legitimate drops below full-time (see the “Registration Exceptions” listed at the end of this section). Dropping below 12 credit hours without prior authorization from an ISSO advisor will jeopardize your immigration status.

Graduate Students - Although you have the right to register for as many classes as University policy allows, you must register for at least 12 credit hours (or the number of credits your school/college determines to be full-time status) each fall and spring semester. Exceptions are made for graduate students receiving a graduate assistantship or fellowship requiring 20 hours of work per week. In this case, your academic department must officially certify you “full-time.” Failure to be certified full-time in a timely manner will jeopardize your immigration status.

Graduate Students Who Have Completed All Required Course Work – If a thesis or dissertation is required of your program of study and you have completed all required course work, you need to register only for the number of hours of thesis or dissertation research as required by your department to maintain continued enrollment. In addition, you must be certified “full-time” by your department each academic semester. Failure to be certified full-time in a timely manner will jeopardize your immigration status. If you are completing your thesis during the summer and will not be enrolled the following fall semester, you must be registered during that final summer session.
**Registration Exceptions** - In certain circumstances you may be able to request an authorized reduced course of study, for instance:
(1) if you are experiencing initial academic difficulties due to English-language, improper course level placement or unfamiliarity with American teaching methods, (2) if you have a illness or medical condition that prevents you from full-time study, or (3) if you need fewer than 12 credits in your final semester in order to graduate. If you are authorized for a reduced course load, you must maintain a minimum of six credits unless it is your final semester or you are pre-authorized for a medical leave. If you are considering reducing your course load you must make an appointment with your ISSO advisor to discuss your situation prior to dropping below full-time. Registering for a part-time course load or dropping below full-time without prior authorization from the ISSO will immediately jeopardize your immigration status. You must resume a “full course of study” in the following semester unless you obtain renewed authorization by the ISSO advisor for medical reasons.

### Length of Time You May Remain in the United States on your Boston University Form I-20

Your Form I-20 is issued for the expected duration of your program of study. When you enter the U.S. you should receive a “F-1 D/S” notation on the U.S. entry stamp in your passport or on your I-94 Arrival/Departure card (if applicable), indicating that you have permission to remain in the U.S. for “duration of status.” The duration of your F-1 status ends as soon as your Form I-20 expires or as soon as you complete your program of study, whichever is sooner.

If you need more time to complete your studies than allowed by your Form I-20, you must contact the ISSO before the expiration date (see the date indicated in Item #5 of your Form I-20) to request an extension. Before completing your program of study, you may wish to discuss with your ISSO advisor your options for extending lawful status in the U.S. (see section on “Completion of Studies”).

### Semester Verification

You are required to complete Semester Verification within the first two weeks of each semester for the duration of your program. To meet this requirement, you must present yourself in person – and show your BU ID card – to a designated “Semester Verifier” in your department, or at one of the other designated locations on campus (see our web site for locations).

Semester Verification is necessary because the ISSO is required to report to the Department of Homeland Security each semester that you are present on campus and enrolled. When you complete Semester Verification, notice is automatically sent to the ISSO which we forward to the DHS through SEVIS. Please refer to the ISSO web site at: [www.bu.edu/iso](http://www.bu.edu/iso) for more detailed information.

### Employment

**On-Campus Employment** – As a student in F-1 status, you may be employed at most on-campus jobs with authorization from the ISSO. On-campus employment may not exceed 20 hours per week during fall and spring semesters. Full-time on-campus employment (more than 20 hours per week) is allowed only when classes are not in session; during winter intersession, summer vacation and spring break. If you are a new student, you authorization for on-campus employment may begin no more than 30 days before the start of your program, as listed on your I-20. On-campus employment during summer vacation and academic breaks is permissible only if you are registered to continue at Boston University following the break. If summer is your first or final semester, only part-time employment (less than 20 hours) is permitted as summer term is considered a required academic semester for you and not a vacation period.

- Please note that on-campus employment implies that you will receive a Boston University paycheck. Please contact your ISSO advisor should you have any questions about whether a particular on-campus job will qualify for standard on-campus employment authorization.

**Off-Campus Employment** – As a student in F-1 status, you are eligible for limited employment off-campus. You must obtain written authorization from the ISSO or U.S. Citizenship and Immigration Services before you engage in any off-campus employment. Please contact the ISSO for additional information regarding employment options.

- For more information on off-campus employment options (including Curricular Practical Training, Optional Practical Training, Economic Hardship and working for an International Organization) please refer to the ISSO website at [http://www.bu.edu/iso/students/current/f1/employment/off-campus/index.html](http://www.bu.edu/iso/students/current/f1/employment/off-campus/index.html) or visit the ISSO for handouts on Curricular Practical Training (CPT) or Optional Practical Training (OPT).

- Please schedule an appointment with your ISSO advisor to discuss any off-campus employment questions.

You must be in valid F-1 immigration status to be authorized for on- or off-campus employment.

### Change of Address

If you move within the United States, DHS must be informed of your change of address within 10 days of your move. To ensure timely notification, please access your personal information through the Boston University Student Link ([http://www.bu.edu/studentlink](http://www.bu.edu/studentlink)) and update your current address information using the *Immigration-U.S. Address* option. The change of address will then be forwarded automatically to the ISSO and on to DHS through your record in SEVIS.
Since a change of address notification is required for all non-immigrants and since SEVIS only permits one U.S. address, F-2 dependents who maintain a U.S. address different than that of the F-1 student must notify the ISSO and DHS of their address by filing Form AR-11. Form AR-11 can be completed electronically at: www.uscis.gov/AR-11. If you choose to mail the AR-11, we recommend using Certified Mail, Return Receipt Requested as proof that you have submitted the form. More information on reporting changes of address can be found at http://www.bu.edu/isso/students/current/change-address/index.html.

Dependents and Other Family Members

If you are married and/or have children, you may be eligible to have your legal spouse (husband or wife) and/or children (under the age of 21), visit you temporarily or join you for the duration of your studies. Under federal immigration regulations, dependent spouses and children who accompany or follow-to-join you must each be issued an independent Form I-20 in order to apply for an F-2 dependent visa. Your F-2 dependents are allowed to remain in the U.S. as long as you remain in the U.S. in legal F-1 status. Your dependents may not engage in any form of employment. F-2 spouses may not engage in any full-time study or part-time study leading toward a degree and an F-2 child may only study full-time in elementary or secondary school (kindergarten through 12th grade). Your F-2 dependents must be approved by the USCIS for change to F-1 status before commencing full-time study at the college level.

If other members of your family (parents, siblings, etc.) wish to visit you temporarily, the ISSO will be pleased to issue a Letter of Invitation to assist with their applications for visitor visas.

Travel

We encourage you to contact the ISSO anytime you plan to travel outside of the U.S. This is particularly important as regulations and practices concerning re-entry into the United States continue to change. Many students now experience significant difficulties and delays in applying for visas at U.S. embassies or consulates. When you return to the U.S. after travel abroad, you should bring any new passport, new visa, new U.S. entry stamp or new Form I-94 to the ISSO so that we may update your file. Immigration regulations require that we maintain current copies of your passport and immigration documents.

Travel within the U.S. - You may travel within the U.S. provided you maintain your lawful F-1 status and have a valid passport, Form I-20, and U.S. entry stamp or Form I-94 in your possession.

Travel Outside the U.S. before Completion of Studies – You may leave the U.S. at any time. You are permitted to return in F-1 status if you have a valid passport, valid F-1 visa stamp and a current Form I-20 that has been signed for travel on page 3 by an authorized staff member at the ISSO. Only a Designated School Official (DSO) at the ISSO is authorized to sign a Form I-20. A “travel signature” is generally valid for one year. You may request a more updated travel signature (six months prior to your expected date of return) if you intend to renew your F-1 visa during your trip abroad.

Procedures for returning to Boston University are different from those for returning to attend a different school. If you wish to attend a different school upon your return to the U.S., you should notify ISSO of your intention before your departure. You must obtain a new Form I-20 from your new school and present it to a CBP Inspector upon re-entry the U.S.

Travel Outside the U.S. after Completion of Studies - The date you officially complete your studies (see “Completion of Studies” section) is very important to your ability to travel and re-enter the U.S. If you attempt to return to the U.S. in F-1 status after your completion date, you may be denied the right to re-enter the U.S. unless you have been authorized to engage in Optional Practical Training (OPT) and have secured an offer of employment in your field of study. If you depart the U.S. and wish to return after the date of your completion of studies, you must present the following documents to the CBP inspector upon arrival back in the U.S.:

2. Your Form I-20 which has been endorsed for travel within the last six months by the ISSO
3. Your valid passport
4. Your valid F-1 visa
5. Proof of employment in the field of study

Application for New F-1 Visa during Travel – As an F-1 student, you are allowed to remain in the U.S. with an expired F-1 visa, provided that you are maintaining your status and valid passport and provided your Form I-20 is valid. Although you may remain in the U.S. with an expired F-1 visa, it will be necessary to apply for a new visa during your next trip abroad, as this will be required in order to re-enter the U.S.

If you need to apply for a new visa during a trip abroad, you should inform the ISSO before travel. In certain cases, security checks and supplemental visa application forms may significantly delay your visa application process in many countries. If you are planning to apply for a visa in Canada or in a country other than your home country, you must first consult an ISSO advisor.

- Please refer to the ISSO website at www.bu.edu/isso or the most current ISSO Travel Tips for information on recent travel and visa application changes.
- If you travel to Canada, Mexico or certain islands near the U.S., you may be eligible to re-enter the country even if your F-1 visa in your passport has expired, provided your visit does not exceed 30 days. You should consult with ISSO prior to travel.
Form I-515A issued at the Port of Entry upon entry to the U.S. – If a Customs and Border Protection Officer determines your documentation is incomplete when entering the U.S., you may be issued a Form I-515A and a date-specific I-94 card. These documents will grant you temporary admission to the U.S. (generally for 30 days). You must submit the required response and documents to the Form I-515A prior to the expiration date of your I-94 card to prove that you entered the U.S. lawfully. If you receive a Form I-515A, you must contact the ISSO immediately to ensure that proper procedures are followed in a timely manner. Failure to submit the proper original documentation prior to the expiration date of your I-94 card will result in termination of both your F-1 student status and your Student and Exchange Visitor Information System (SEVIS) record.

Holidays and Vacations

You may remain in the United States and maintain F-1 status during holidays and vacation periods observed by Boston University, including summer vacation, provided you are eligible for and intend to register for the next academic semester and all of your immigration documents remain valid.

Tuition Settlement

To ensure that you will be able to register each semester, please settle your tuition bill in a timely manner. Not being able to register for classes because your account is not settled will impact your ability to maintain lawful status. If you have problems meeting your financial obligations please contact your ISSO advisor.

Study Abroad or Physical Absence from the U.S. for Graduate Research

If you are an F-1 student planning to study abroad or do research abroad, you should consult with your advisor at the ISSO.

1. If you plan to participate in a Boston University Study Abroad program or participate in research abroad while remaining academically registered, you are eligible to travel and return to the U.S. with your current Form I-20 provided you will be absent from the U.S. for fewer than 5 months and you obtain a new travel signature on your Form I-20.

2. If you will be physically absent from the U.S. for more than five (5) months, you must obtain a new Form I-20 to re-enter and resume studies at Boston University.

3. If you plan to study abroad through another college or organization, you will need to take an official leave of absence from Boston University and request a new Form I-20 to re-enter the U.S. and resume studies following your time abroad.

Any physical absence from the United States for a period of five (5) months or more may affect your eligibility for Optional Practical Training or other off-campus employment. Please discuss this with your ISSO advisor in an appointment before finalizing your travel plans or leaving the United States.

Course Work at or Transfer to a Different School

If you wish to take one or more courses at another university or college temporarily, you should first consult with an ISSO advisor to determine if there are any special procedures to authorize this study. If you wish to cease your study at Boston University and transfer to a different school, you must inform your advisor at the ISSO and follow proper transfer procedures before you attend the new school.

Leave of Absence, Suspension or Withdrawal

While in the United States in F-1 status, you must remain continuously enrolled for a full-course of study at Boston University until you have completed your academic program (see "Registration, Attendance and Course of Study Requirements" above). If you interrupt your studies, your Form I-20 will become invalid and you will not be eligible to remain in the United States in F-1 status. Important: if you are working on- or off-campus, you must cease employment immediately upon withdrawal. You must contact the ISSO before you interrupt your studies for any one of the following reasons:

1. You are planning to request an official leave of absence from the University (for study abroad, academic reasons, a medical leave or personal reasons) during the fall or spring semester.

2. You are being suspended (or are under review for suspension)

3. You are planning to withdraw from all of your classes at any point during the fall or spring semester (or summer term if it is your first or final semester of study).

In the event that you are suffering from an illness or other medical condition that compels you to interrupt your studies at Boston University, you can request authorization for a medical leave of absence from your advisor at the ISSO, to enable you to maintain valid F-1 status during the time you are not enrolled.
If you request a leave of absence or withdraw from school (due to suspension or personal reasons), you may be granted a 15-day grace period to leave the country only if you are granted authorization prior to withdrawal. Only your ISSO advisor may authorize this benefit. If you do not gain ISSO authorization before withdrawing, you will violate your status and will be required to leave the country immediately. If you are considering a withdrawal, please discuss options such as a change of status or school transfer with an ISSO advisor prior to finalizing your plans. **NOTE:** If you fail to register for a semester, you will violate your status and must leave the country immediately or seek reinstatement to F-1 status.

### Completion of Studies

Immigration regulations pay careful attention to the date on which you officially complete your program. After your official completion date, you have *up to 60 days* to remain in the U.S. and during this “grace period” must depart the U.S unless you have taken some action to remain lawfully in the U.S. (see options below). Different programs have different dates of completion. Please see below for specific information concerning official dates of program completion. Once you depart the U.S. after your completion date, your F-1 status and grace period end, and you can no longer enter the U.S. with the Form I-20 issued for the program you have just completed.

* Important: the 60-day pre-departure “grace period” described above is not available to students who do not complete their program of study (e.g. are suspended, withdrawn, or otherwise do not complete their program objective as stated on their Form I-20.)

#### Undergraduate Students and Graduate Students Who Are Not in Thesis or Dissertation Programs

— Your date of completion will be the University’s official graduation date for the semester that you complete all program requirements, as follows:

- **Spring semester:** Date of program completion will be the date of the May graduation ceremony
- **Summer term:** Date of program completion will be September 25th
- **Fall Semester:** Date of program completion will be January 25th

* F-1 students who do not intend to enroll for the fall semester, but who will complete their program of study during the summer, must be registered during the summer term in order to maintain their lawful student status.

#### Graduate Students in Thesis or Dissertation Programs

— Your official date of completion will be the day of the graduation ceremony of the semester in which you submit your thesis/dissertation. You must be enrolled in that semester, as well. Please note that all students who will complete and submit their thesis/dissertation during the summer must be registered as continuing students during the summer semester to maintain lawful F-1 status.

#### Non-Degree Students

— Since non-degree students do not graduate from a program, your completion date is the last day of exams for the term in which you finish your non-degree studies, or the date specified on your Form I-20, whichever is earlier.

#### All Undergraduate Students and Graduate Students

- Once you complete your program, you must do one of the following:

  1. Apply for up to twelve months of “Optional Practical Training” (OPT) employment. Employment may begin up to 60 days after degree completion. Although applications for OPT can be submitted during the 60 day grace period, it is strongly recommended that students apply prior to completion of studies.
  
  2. Apply to the U.S. Citizenship and Immigration Services for a change to a different immigration status.
  
  3. Complete an immigration transfer to a new program of study at Boston University or another college or university. Transfer must be processed before the end of the 60-day grace period. You must begin studying in the new program within five (5) months from the date of transferring out of Boston University or from the date of program completion, whichever date is earlier.

  4. Depart the country no more than 60 days after the completion of your program. Please note that this grace period ends when you depart. You are not permitted to depart the U.S. and return in F-1 status during the 60-day grace period.

Please consult with staff at the ISSO regarding your options at least one semester before you complete your studies.

### Failure to Comply with Responsibilities

Immigration laws in the United States impose severe penalties if you fail to comply with your immigration responsibilities. Maintenance of accurate records at the ISSO and in the University Information System (UIS) is especially important since details of your status are reported automatically to DHS through SEVIS. You should work closely with the ISSO staff to make certain that you comply with all F-1 regulations. The staff of the ISSO is always pleased to provide you with information, counseling and assistance so that you may achieve your educational goals while at Boston University.