



The Basics of Maintaining Legal Status in the United States

With the finalization of new regulations by the U.S. Citizenship & Immigration Services (USCIS) and the U.S. Department of State (DOS) implementing the Student & Exchange Visitor Information System (SEVIS), it is critical that international students and scholars in F-1 and J-1 visa classifications maintain their legal status in the United States. Students and scholars must be aware of and comply fully with the following:

1. Maintain a **valid and unexpired passport** at all times.
2. Maintain a **valid (unexpired) I-20 form or Iap-66 form** at all times.
3. **Register for and complete a full course of study each and every fall and spring semester at the university USCIS has authorized you to attend. The hourly requirements are as follows:**

- 12 credit hours for undergraduates
- 9 credit hours for graduate/professional students without assistantships or employment-based fellowships appointments.
- 6 credit hours for graduate/professional students with assistantships or fellowship employment-based appointments.

(Exceptions to these credit hour limits must be pre-approved by an ISS immigration counselor.)

These exceptions are:

-Academic- defined solely as initial difficulties with English language, American teaching methods, or improper course placement. Students must be enrolled for at least ½ the normal full-time load (for example, 6 credit hours for an undergraduate student). Only one semester of under-enrollment based on academic reason permitted per program level.

Medical- must be certified by doctor of medicine, doctor of osteopathy, or licensed psychologist. An aggregate of 12 months of under enrollment based on medical reasons permitted per program level.

Final Semester- student is only required to enroll in courses required for graduation during the final semester.

4. You must report any change of address or residence directly to the Office of International Student Services within 10 days of the change. The address reported must be a place of residence, not a P.O. Box or office address.
5. **Never engage in unauthorized employment.** All forms of off-campus employment require pre-authorization from either International Student

Services or the USCIS before the first day of employment. Employment is limited to 20 hours per week on or off campus while school is in session. Full time employment is allowed during vacation periods and during summer months. J-1 students need pre-authorization from the International Student Services for both on campus and off campus employment.

6. Purchase and maintain adequate health insurance for oneself and for dependents, if applicable, in accordance with Purdue University Calumet's requirements, which are based on U.S. federal guidelines.
7. Read each and every Office of International Student Services (ISS) email message that you receive that is entitled, "ISS announcements." These announcements contain immigration news, updates, and reminders that international students need to know.
8. When traveling in the US, always carry your passport, I-94, I-20 or IAP-66/DS-2019 with you. Anytime you travel outside the US please submit a student request form and your I-20 for travel endorsement at least **two weeks before leaving**. This will help you to prove legal status if ever questioned.
9. **To transfer from Purdue University Calumet to another U.S. College or university**, you must obtain approval from a DSO in the Office of International Student Services. Regulations require the DSO at your current school to specify in SEVIS the new school you will be transferring to, and a "release date" from Purdue. The new school will not have access to your SEVIS record until the Purdue release date becomes active. This will prevent the new school from issuing an I-20 until the release date.
10. You must obtain a new I-20 before changing your academic program from one degree level to another (eg., from Bachelor's to Master's level), one school to another (eg., from the School of Accounting to the School of Engineering), or one major/field of study to another (eg., from Chemical Engineering to Physics). **You must receive authorization from the DSO in the Office of International Student Services.**
11. If you are in need of an extension of your program of study you must **apply prior to the expiration date on your I-20**. If you will not be enrolled full-time (9 credit hours for graduate students; 12 credit hours for undergraduate students), you must receive authorization from the DSO in the Office of International Student Services **in advance**. Requests for extensions should be submitted 30-60 days prior to the expiration date of the I-20 so the extension process can be completed prior to the expirations date on the document.
12. **You may not enroll in more than one (3 credit hour) course in Distance learning per semester. Any class (television, video, live, internet) where the majority of the work is done in a classroom setting is considered distance learning. The remaining number of required credit hours must be regular classes. English as a Second**

- Language students cannot take any distance learning classes at all.**
- 12. When in doubt check it out.** Seek advice and clarification from the staff in the Office of International Student Services regarding immigration-related issues. The office is located in CLO 243. Contact us via phone or email at 219-989-2559 or gordon@calumet.purdue.edu.

Details about changes in the new SEVIS rules

- F-1 students, who complete a course of study and/or optional practical training, have a 60-day grace period to depart the U.S., transfer, or begin a new program.
- F-1 students, who completely withdraw from classes after obtaining DSO approval, have 15 days to depart the U.S.
- F-1 students on OPT have an additional 12 months available after completion of a program at a higher educational level (12 months after the BS degree then 12 more after the master's degree.)
- F-1 students, **must apply for OPT before completion of their academic programs.** This must be **before** the graduation date for graduate/professional students.
- F-1 students who completely withdraw from classes without prior DSO approval are immediately out of status.
- International Student Services must report students to the USCIS via SEVIS when they:
 - Enroll in less than a full course of study
 - Are not enrolled in courses
 - Are suspended
 - Engage in unauthorized employment
- F-2 and J-2 dependents are required to have their own SEVIS generated I-20 or DS-2019 and means of financial support.
 - F-2 dependents, except children attending K-12 educational programs, are not allowed to attend classes on a full-time basis, and **may enroll as part-time students for "a vocational or recreational" purposes only.**
 - F-2 status holders who were enrolled as full-time students prior to January 1, 2003, must apply to change their status to F-1 on or before March 11, 2003, if they intend to continue full-time study during the Spring 2003 semester.

Reinstatement Process for Students Who Fall Out of Status

Can a student who has been reported by International Student Services to the USCIS as out of status regain their legal student status? For instance, if a student dropped below a full course of study without obtaining prior approval from International Student Services, he or she would be out of status and reported to USCIS. What should the student do in this case?

- If an international student violated his or her legal immigration status, he/she may apply to USCIS for a reinstatement if the "violation of status resulted from circumstances beyond the student's control" such as an illness, injury or natural disaster. If the institution was in error in

reporting the student as out of status, this would be considered out of the student's control as well. The student would be eligible to apply to USCIS for reinstatement to student status.

- The student may not apply for reinstatement under any circumstances if he or she has been out of status for more than five months.
- According to USCIS, "The Service wishes to emphasize the importance of complying with academic requirements and wishes to emphasize that reasons for reinstatement will be closely scrutinized. Reinstatement is intended to be a rare benefit for exceptional cases and is not intended to remedy situations within the student's control."

Students should be mindful that they may violate status for the following reasons:

- Failure to enroll in a given semester
- Taking a reduced course load without prior authorization.
- Engaging in employment without authorization or working more than 20 hours per week during the academic year without prior authorization.
- Not reporting an address or name change in a timely fashion.
- Carrying an expired passport
- Carrying an expired Form I-20 or DS-2019.
- If the institution takes disciplinary action resulting from conviction of a crime.

Important Reminders & Suggestions

- A student should not drop below a full course of study unless he/she has **prior** approval from the Office of International Student Service. ISS will not be able to make exceptions for students who neglect to obtain prior approval. Approval must come from you're a academic advisor in your department and you immigration counselor.
- ISS will not prevent a student from dropping below a full course of study-- our goal is to ensure that students know legal consequences for decisions such as dropping a course below a full course of study without approval.
- ISS will do everything possible to help students maintain a legal stay, but ultimately, individual student decisions will control legal status.
- If a student does not continue to enroll at the institution that he/she is authorized to attend, or if the student remains in the U.S. beyond the 60-day grace period allowed after completion of studies or after completion of Optional Practical Training, the student will be out of status.
- ISS may request SEVIS system administrators to administratively correct a student record when there are instances of technological computer problems on the part of SEVIS that caused the error.
- If a student takes an incomplete course and is registered for the minimum required hours per USCIS rules, and then he/she must complete it within Purdue's guidelines. Failure to do so will result in a student falling below a full course of study and hence, falling out of status.
- Do not retake a course until after it is completed, if full-time status depends on completion of the course.
- If a student enrolls in less than a full course of study for his/her last semester, be

certain that it is the last semester by completing the academic program. For graduate students, this may or may not mean that the student will graduate that same semester.

- I-20s and DS-2019s are now produced by SEVIS and printed in USCIS the next business day. Please plan accordingly when submitting requests to International Student Services Office.
- An ISS reported event change to SEVIS will result in the production of a new I-20 or DS-2019. Please be diligent in retrieving documents when notified by ISS.
- Only one distance learning class can count toward full-time status each semester.

Odds-N-Ends

- Completion of studies-60-day deadline to leave the U.S.
- Withdrawal--15-day deadline to leave the U.S.
- Failure to maintain status or full-time enrollment—leads to immediate departure
- RCL must be 6 hrs or half the full load (5 hours for graduate students at Purdue)
- Administrative registration at end of program
- Delays caused by academic probation, suspension are not acceptable for program extensions (apply before program end date)
- Only one distance education course can count toward full-time status each semester