

# **Immigration Responsibilities and Regulations**



**Handbook for International Students  
at San Diego State University**

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**SAN DIEGO STATE UNIVERSITY**

**“No question about immigration law is ever stupid or redundant. Wrong immigration information is always more damaging than no information.”**

–Jane Kalionzes  
International Student Center

United States immigration law is often confusing, and even somewhat scary to international students who are not familiar with its regulations and procedures. This handbook is designed as a basic guidebook that you, as an international student, can use as a resource for your immigration concerns while you are studying at San Diego State University. Refer to this handbook whenever you have a question regarding your immigration status. If you need additional information, feel free to make an appointment with an International Student Advisor.

Although the ISC attempts to keep this handbook up-to-date at all times, there is always the possibility that there has been a change in the F or J regulations since it was written. Refer to the ISC website often, and maintain close contact with the ISC to make sure you are informed of any new immigration regulations or procedural changes.

# Legal Requirements

Failure to maintain your non-immigrant visa status can result in serious immigration problems, which could lead to deportation from the US. Compliance with the law involves all of the following:

- Maintain the validity of your passport at all times. Contact the Consulate or Embassy of your country in the US for renewal procedures. If your passport is lost or stolen contact the Embassy or Consulate of your country, and notify the ISC.
- Enroll as a full time student during the Fall and Spring semesters. Undergraduates must enroll in at least 12 units each semester. Graduate students must enroll in a minimum of 9 units. Summer session enrollment is not required. Enrollment in the College of Extended Studies does not count toward full time status, with the exception of Thesis 799B, or the Online Credit Courses. Only one Online Credit Course is allowed per semester.
- Do not accept unauthorized employment. All off-campus employment must be pre-authorized by the Department of Homeland Security, or the SDSU International Student Advisors.
- Report any change in your contact information, including physical address (the address where you actually live), email address, phone number, and home country address within 10 days by updating it at [www.sdsu.edu/e-services](http://www.sdsu.edu/e-services). Updating your information in e-Services will update it in SEVIS. Students registered in the NSEERS Special Registration must also file the NSEERS AR-11 form with the Department of Homeland Security.
- Keep your I-20 or DS-2019 valid at all times. You must apply for an extension of stay if you do not complete your program of studies at SDSU within the time specified on the form. The extension must be completed before the form expires.

# Necessary Documents

**Form I-94 Arrival/ Departure Card:** This small white card is issued to all non-immigrants at the time of arrival in the US, and must remain stapled in your passport at all times. Do not lose the I-94, as replacement is very complicated and expensive. The I-94 indicates the visa classification and the length of authorized stay in the US. This card is surrendered upon departure from the US and a new Form I-94 is issued upon re-entry.

The length of authorized stay for F-1 students and J-1 exchange visitors is noted on the I-94 as D/S and stands for “Duration of Status”. It allows F-1 students to stay in the US for the length of time indicated on the initial I-20 form, plus 60 days. It allows J-1 exchange visitors to stay for the length of time indicated on the DS-2019 form, plus 30 days.

**SEVIS I-20 Form for F-1 Students:** This “Certificate of Eligibility for Nonimmigrant (F-1) Student Status” is issued to students when they are accepted to a school. It is used to apply for an F-1 visa at the American Consulate or Embassy in your country and is then presented to the immigration officer at the port of entry when you arrive in the US. The officer will stamp the form with a red entry stamp and return it to you. Students transferring schools within the US will not have the red entry stamp on their I-20 form. Keep it with your passport at all times. If you do not complete your degree by the date on your form, you must apply for an extension of program at the ISC.

**SEVIS Form DS-2019 for J-1 Students:** The “Certificate of Eligibility for Exchange Visitor (J-1) Status” is the document issued to students on an exchange program, or to students with special sponsorship when they are admitted to a school. It is used to apply for the J-1 visa at the American Consulate or Embassy in the student’s home country. It is then presented to the immigration officer at the port of entry when you arrive in the US. The officer will stamp the form with a red entry stamp and return it to you. Keep it with your passport at all times. If you do not complete your program by the date on your form, contact the ISC to obtain a new form.

## **Visa Information**

The visa is the stamp placed in the passport at a US Consulate. It is the permit necessary to enter the US for the terms and conditions of that visa classification. The visa indicates the specific classification, the expiration date, name of the bearer, the number of valid entries, and the location and date it was issued.

You must always have a valid visa in your passport when you enter the US. It is not required that the visa be valid while you are in the US. It is only when traveling outside the US that you must have a valid visa for re-entry.

## **Obtaining a New Visa**

An F or J visa can only be obtained at a US Embassy or Consulate outside the US. There are no offices within the US to apply for these visa classifications. It is always easier to apply for a new visa in your home country. The Consular Officers there can more easily determine eligibility to obtain the new visa.

The visa renewal process will be the same procedure that you followed the first time you applied for the visa. Each time you apply for a visa you must prove to the consular officer you have enough funds to continue studying, you have been a full time student, and that you plan to return to your home country after completion of your degree. Check your Consulate's website for updated application procedures before your appointment. Consular and Embassy websites are found at <http://usembassy.state.gov>.

# Applying for a Visa in Mexico or Canada

Students who are not citizens of Mexico or Canada are not recommended to apply for a visa at a US Embassy or Consulate in Mexico or Canada. Although students may visit Mexico or Canada without needing a valid US visa to return, the law states that visa applicants denied the visa, must have a valid visa to re-enter the US. The automatic visa revalidation rule does not apply when an application is denied, the passport will be annotated to show there has been a visa denial, and re-entry to the US will be barred.

If visa renewal in Mexico or Canada is unavoidable, appointments can be made on line at: [www.nvars.com](http://www.nvars.com). Students going to Mexico to apply for a visa are required to have a business visa to enter Mexico. For more information, contact the Mexican Consulate in downtown San Diego.

## Travel Information

### Visits To Mexico and Canada

Before leaving the US to travel to Mexico or Canada determine that you have the proper documents to travel in those countries, and the proper documents to return to the US. Necessary documents include a valid passport, I-94 form with D/S, and a SEVIS I-20 or SEVIS DS-2019 recently signed for travel.

To determine if persons from your country need a visa to visit Mexico, check with the Mexican Consulate in downtown San Diego. To verify visa requirements for Canada check with the Canadian Consulate in Los Angeles.

### Automatic Visa Revalidation

Generally, it is not necessary to have a valid US visa for re-entry to the US if your stay in Mexico or Canada is 30 days or less. The visa is considered automatically revalidated, if all required papers are in order. Border Officials at the San Diego-Tijuana border now require students to have a valid visa if their SEVIS I-20 or SEVIS DS-2019 is not stamped with the red entry stamp. Students whose SEVIS I-20 or SEVIS DS-2019 does not have the red entry stamp should talk with an SDSU International Student Advisor before visiting Mexico.

## **Traveling Home or Abroad**

**F-1 students** planning to return home or to visit another country should make sure their I-20 form is valid, has been signed on the back by the International Student Advisor within the past six months, and that their visa is valid. If your visa is not valid, you will need to renew it at a US Embassy or Consulate abroad.

**J-1 students** traveling abroad should make sure the DS-2019 form is valid, that it has been signed for travel, and that your visa is valid. Students with a sponsor other than SDSU should plan in advance to mail their form to their sponsor for a travel signature. If your visa is expired, you will need to renew it at a US Embassy or Consulate abroad.

## **Student and Exchange Visitor Information System (SEVIS)**

Schools are required to maintain records on F-1 and J-1 students and to report this information to the US government at regular intervals. SEVIS is the student and exchange visitor computer tracking system that schools use to provide the required information to the US Department of Homeland Security and US Department of State.

SEVIS is under the jurisdiction of the US Bureau of Immigration and Customs Enforcement (BICE) in the Department of Homeland Security (DHS). The US Immigration and Naturalization Service formerly controlled the student and exchange visitor programs, however with the establishment of the Department of Homeland Security, the INS was eliminated.

The SEVIS F-1 and J-1 regulations mandated the SEVIS program to begin in 2003. The deadline for entering all student records into the SEVIS system was August 1, 2003.

The SEVIS regulations instituted new requirements for students and schools to follow that are much stricter than previous requirements. Students must be sure to maintain full time student status and to follow immigration regulations and procedures at all times.

# How to Maintain Full Time Status

The US immigration regulations require international students to be enrolled full time each semester. SDSU students must fulfill the full time enrollment requirement during the Fall semester and the Spring semester each academic year. SDSU students are not required to enroll in Summer session to maintain status. Full time enrollment consists of a minimum of 12 units each semester for Undergraduate students, and a minimum of 9 units each semester for Graduate students. With the SEVIS system in place, it is more important than ever that students enroll in a full course load each and every semester as required.

## Reduced Course Load

Students taking less than the required number of units are considered to be taking a reduced course load. The SEVIS regulations allow a reduced course load under certain circumstances, and require that any reduced course load be pre-approved by the school's International Student Advisor.

## Application for Reduced Course Load (ARCL)

The SDSU International Student Center has developed strict procedures students must follow to receive approval of a reduced course load. Students are required to submit the **Application for Reduced Course Load (ARCL)** before the reduced course load will be approved. It is your responsibility as an international student to remember to submit the ARCL form each semester you will enroll in a reduced course load. You can obtain the ARCL from the ISC website or pick it up at the ISC front desk.

Before enrolling in a reduced course load, review the following reasons to determine if your reason is eligible to be approved as a reduced course load. Some reasons may only be used once, while others are used as needed. Only the following reasons are approvable under the law.

## ARCL approvable reasons

**You may use one of these reasons during one semester only while studying at SDSU.**

- Initial difficulties with the English language and/or reading requirements.
- Unfamiliarity with US teaching methods
- Withdrawal from a course due to improper course level placement

**This reason is for undergraduates who take less than full time their last semester.**

- Final semester to graduate

**You may only use this reason for a total of 12 months while studying at SDSU.**

- Medical conditions

**These reasons may be used as needed.**

- Concurrent enrollment at a community college
- Graduate Teaching Assistantship or Graduate Assistantship
- Graduate Advisor recommendation for less than a full course of study.
- Graduate student's final coursework before Thesis or Comprehensive Exams.
- Enrollment in Thesis 799A or 799B, or Comprehensive Exams.
- Authorization for Special Student Relief employment

### **Important ARCL Deadline**

The deadline to submit the ARCL form to the ISC is the Friday of the second week of classes. Students are encouraged to submit the form as soon as they know they will be taking a reduced course load in a semester. It may be mailed, faxed to 619 594-1973, or returned in person.

The International Student Advisors will evaluate each form to determine if the reasons given adhere to the immigration regulations, and will approve or deny the application. Students will receive email notification of the decision within 3 working days after submitting the form.

### **Approved ARCL Required for the SDSU Cashier's Office**

Students enrolling in 6 units or less at SDSU must submit a copy of the approved ARCL form to the SDSU Cashier's office in order to pay the 0-6 units reduced registration fee. A copy of the approved ARCL will be available for you to pick up at the ISC Front Desk as soon the form has been approved.

## **Consequences for Failure to Submit the ARCL**

Students who do not submit the ARCL form, or whose form is not approved, will be terminated from the SEVIS system, will become ineligible for any benefits of the F-1 or J-1 status, and face possible deportation. To ensure that you are maintaining proper status, submit the ARCL form to the ISC by the deadline as required.

## **Concurrent Enrollment**

F-1 visa students are allowed to enroll concurrently at more than one academic institution provided the combined enrollment equals a full course of study. SDSU students usually utilize concurrent enrollment with community colleges in San Diego County. The course work at the other institution must be acceptable toward the degree and the other institution must be authorized by DHS to issue the I-20 Form. The majority of the coursework for each semester should be taken at SDSU.

You will need a letter from the ISC to enroll at the college. To be issued the letter, complete the Community College Request Form and submit to the ISC Front Desk. You will be issued the letter within 2 working days. If concurrent enrollment causes you to have a reduced course load at SDSU, submit the ARCL form to the ISC with a copy of the enrollment verification from the college. Failure to do so will result in termination from the SEVIS system.

## **Employment**

### **On Campus**

Many offices on campus require a letter from the ISC stating you are eligible to work on campus. Complete the work authorization form at the ISC, it will be signed by an International Student Advisor and ready for you to pick up in 2 working days.

F-1 students are permitted to work up to 20 hours per week on campus while school is in session, and up to 40 hours per week during vacation periods. Permission from DHS or the ISC is not needed for on-campus employment.

J-1 students may work on campus up to 20 hours per week while school is in session and up to 40 hours per week during vacation periods. Permission is required from the Program Sponsor.

## **Off Campus**

F-1 students are allowed to work off-campus if after one academic year of study they have a proven severe unforeseen economic need. This work authorization must be obtained from the DHS by submitting documented proof of the change in financial circumstances, as well as filing an application and paying the required fee. For more information ask for the handout at the ISC front desk.

J-1 students on exchange programs can engage in part-time off campus employment unrelated to the field of study if the employment is due to unforeseen economic need, does not adversely affect full-time enrollment status; and has the written approval of the program sponsor. It is very seldom approved.

## **Practical Training**

F-1 students may engage in practical training or work experience related to the field of study either during or after your studies at SDSU. You must have been in status one full academic year prior to being eligible for Practical Training. There are two types of practical training: curricular and optional. Curricular practical training can only be used when an internship is an integral part of the curriculum during a course of study. Optional practical training can be used during or after a course of study, and is for a total of 12 months. For more information ask for the handout at the ISC front desk.

## **Academic Training**

J-1 students may be authorized for academic training for a total of 18 months, but no more than the total number of months the student studied. The training must be recommended by the SDSU academic advisor and must be authorized for a specific job offer. For more information ask at the ISC Front Desk for a copy of the J-1 academic training handout.

## **Employment of Dependents**

F-2 dependents may not be employed under any circumstances.

J-2 dependents may apply to the DHS for employment authorization. They must verify that the employment is only to pay for their expenses or the expenses of their children, not for the J-1.

# Social Security

A Social Security number is an identification number required for working in the US. If you plan to engage in lawful employment, you will need to obtain a Social Security number. The Social Security office requires international students to present a letter from their International Student Advisor before they will issue a SS number. To request the letter from the ISC, complete the Social Security Request Form. It will only be issued when you are enrolled in a full course of study. Do not request the letter until you are enrolled full time. The Social Security office will use this letter as part of their check on your immigration status. It is recommended that you wait 2-3 weeks after entering the US to apply for the number. Take the letter with you to the Social Security Office along with your passport, I-94, I-20 or DS-2019, and EAD if applicable. You should also take proof of an on campus job offer if you have one.

Although students authorized to work must obtain a Social Security card, contributions for Social Security and Medi-Cal should not be withheld from wages. Be sure to inform your employer before beginning employment.

It is not necessary to have a social security number to open a bank account. The Social Security office will not issue you a social security card for banking purposes. You should obtain an Individual Taxpayer Identification Number (ITIN) from the US Internal Revenue Service (IRS). The form to obtain an ITIN number can be obtained from the bank or the IRS website at [www.irs.gov](http://www.irs.gov).

The Department of Motor Vehicles normally requires a Social Security number to obtain a California Driver's License; however, international students are not eligible to obtain a number for this purpose. In lieu of a number, the Social Security Office will issue international students a letter stating they are not eligible for a number. This letter will allow you to apply to obtain a CA Driver's License. Go to the nearest Social Security Office to be issued this letter.

There are several locations of Social Security offices in San Diego. The office closest to SDSU is located at 7961 University Avenue in La Mesa.

# Taxes

All F-1 and J-1 students must file federal tax forms every year they are in the US even if they do not earn any money in the US. The deadlines to file the forms are April 15, if you have earned money in the US (including scholarships and assistantships), and June 15, if you have not earned money in the US.

Students earning money while in the US may have to pay federal and state income taxes. The completion of a W-4 form at the time of hire determines the amount of tax to be withheld from each paycheck. Students often mistakenly claim “exempt” on this form only to find they must pay a large sum of tax on April 15. Students should only claim “exempt” if they are positive it will not negatively affect their tax liability.

The ISC holds a workshop every Spring semester on Federal non-resident tax information. Federal tax information can be obtained from the IRS website at [www.irs.gov](http://www.irs.gov). The IRS also offers tax-recorded information on a variety of topics through the Tele-Tax service at (619) 293-5020. State tax information can be obtained from the California Franchise Tax Board at [www.ftb.ca.gov](http://www.ftb.ca.gov).

The following federal tax publications are of special interest to international students: Publication 519: US Tax Guide for Aliens; Publication 520: Scholarships and Fellowships; Publication 901: US Tax Treaties. They are available in the ISC between March and June, or can be downloaded from the website [www.irs.gov](http://www.irs.gov).

# Consular Offices in California

All embassies are located in the Washington, DC area. Call (202) 555-1212 for the telephone number of the embassy you want to contact.

Argentina	5055 Wilshire Blvd. #210, Los Angeles 90036	213/739-5959
Armenia	50 N La Cienega Blvd. #210, Beverly Hills 92011	310/657-6102
Australia	2049 Century Park UN, E, 19th Flr., Los Angeles 90067	310/229-4800
Austria	11859 Wilshire Blvd. # 501, Los Angeles 90025	310/444-9310
Bangladesh	10850 Wilshire Blvd. # 1250, Los Angeles 90024	310/441-9399
Belgium	6100 Wilshire Blvd. # 1200, Los Angeles 90048	213/857-1244
Belize	5825 W Sunset Blvd. # 206, Hollywood 90028	323/469-7343
Bolivia	870 Market Street # 575, San Francisco 94102	415/495-5173
Brazil	8484 Wilshire Blvd. # 730, Beverly Hills 90211	213/651-2664
Canada	550 S Hope St. 9th Floor, Los Angeles 90071	213/346-2700
Chile	1900 Ave of the Stars # 2450, Los Angeles 90067	310/785-0113
China	443 Shatto Pl., Los Angeles 94115	213/380-3105
Colombia	8383 Wilshire Blvd. # 420, Beverly Hills 90211	323/653-9863
Costa Rica	1605 W Olympic Blvd. # 400, Los Angeles 90015	213/380-7915
Croatia	11766 Wilshire Blvd. #1250, Los Angeles 90025	310/477-1009
Cyprus	4219 Coolidge Ave., Los Angeles 90066	310/397-0771
Czech Republic	10990 Wilshire blvd. #100, Los Angeles 90024	310/473-0889
Denmark	10877 Wilshire Blvd. # 1105, Los Angeles 90024	310/443-2099
Dominican Rep.	1516 Oak St. # 982, Alameda 94501	415/982-5144
Ecuador	8484 Wilshire Blvd. # 540, Beverly Hills 90211	323/658-6020
Egypt	3001 Pacific Ave, San Francisco 94115	415/346-9700
El Salvador	3450 Wilshire Blvd. #250, Los Angeles 90010	213/383-8580
Eritrea	409 13th St. #14, Oakland 94612	510/986-1991
Ethiopia	3460 Wilshire Blvd #308, Los Angeles 90010	213/365-6651
Finland	1801 Century Park East #2100, Los Angeles 90067	310/203-9903
France	10990 Wilshire Blvd. # 300, Los Angeles 90024	310/235-3200
Germany	6222 Wilshire Blvd. # 500, Los Angeles 90048	323/930-2703
Great Britain	11766 Wilshire Blvd. # 1200, Los Angeles 90025	310/477-3322
Greece	12424 Wilshire Blvd #800, Los Angeles 90025	310/826-5555
Guatemala	1605 W Olympic Blvd. #422, Los Angeles 90015	213/365-9251
Honduras	3450 Wilshire Blvd.#230, Los Angeles 90010	213/383-9244
Hungary	11766 Wilshire Blvd. # 410, Los Angeles 90025	310/473-9344
India	540 Arguello Blvd., San Francisco 94118	415/668-0662

Indonesia	3457 Wilshire Blvd., Los Angeles 90010	213/383-5126
Ireland	44 Montgomery Street # 3830, San Francisco 94104	415/392-4214
Israel	6380 Wilshire Blvd. # 1700, Los Angeles 90048	213/852-5500
Italy	12400 Wilshire Blvd. # 300, Los Angeles 90025	310/826-5998
Japan	350 S Grand Ave. # 1700, Los Angeles 90071	213/617-6700
Kenya	9150 Wilshire Blvd. # 160, Beverly Hills 90212	310/274-6635
Korea	3243-45 Wilshire Blvd., Los Angeles 90010	213/385-9300
Lebanon	7060 Hollywood Blvd. # 510, Los Angeles 90028	213/467-1253
Luxembourg	1 Sansome Street # 830, San Francisco 94104	415/788-0816
Malawi	3420 Fredas Rd. # 14, Vista 92084	760/598-1836
Malaysia	550 S Hope Street # 400, Los Angeles 90071	213/892-1238
Mexico	1549 India Street, San Diego, 92101	619/231-8414
Netherlands	11766 Wilshire Blvd. #1150, Los Angeles 90025	310/268-1598
New Zealand	12400 Wilshire Blvd. 11th Fl, Los Angeles 90025	310/207-1605
Nicaragua	3303 Wilshire Blvd. # 410, Los Angeles 90010	213/252-1170
Norway	20 California Street, 6th Fl, San Francisco 94111	415/986-0766
Oman	10940 Wilshire Blvd. # 1600, Los Angeles 90024	310/443-4175
Pakistan	10850 Wilshire Blvd. #1100, Los Angeles 90024	310/441-5114
Panama	870 Market St. #551, San Francisco 94102	415/391-4268
Paraguay	12301 Wilshire Blvd. #205, Los Angeles 90025	818/907-1959
Peru	3450 Wilshire Blvd. # 800, Los Angeles 90010	213/252-5910
Philippines	3600 Wilshire Blvd. # 500, Los Angeles 90010	213/639-0980
Poland	12400 Wilshire Blvd. # 555, Los Angeles 90025	310/442-8500
Portugal	1801 Ave of the Stars # 400, Los Angeles 90067	213/277-1491
Romania	11766 Wilshire Blvd. #560, Los Angeles 90025	310/444-0043
Russia	2790 Green Street, San Francisco 94123	415/928-6878
Saudi Arabia	2045 Sawtelle Blvd., Los Angeles 90025	310/479-6000
Singapore	595 Market St. #2450, San Francisco 94105	415/543-4775
South Africa	6300 Wilshire Blvd. #600, Los Angeles 90048	323/651-5902
Spain	5055 Wilshire Blvd. # 860, Los Angeles 90036	323/938-0158
Sweden	10940 Wilshire Blvd. # 700, Los Angeles 90024	310/445-4008
Switzerland	11766 Wilshire Blvd. # 1400, Los Angeles 90025	213/575-1145
Taiwan, ROC	501 Shatto Place # 300, Los Angeles 90020	323/962-9574
Tunisia	3401 Sacramento, San Francisco 94118	415/922-9222
Turkey	4301 Wilshire Blvd., Los Angeles 90010	213/937-0118
Uruguay	429 Santa Monica Blvd. # 400, Los Angeles 90401	310/394-5777
Venezuela	311 California St. #620, San Francisco 94104	415/955-1982
Vietnam	1700 California St. #430, San Francisco 94109	415/922-1577



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