Immigration Essentials

Berkeley International Office



Enrollment Reminder

- Reminder- F-1/J-1 students are required to enroll <u>full-time</u> Online coursework is very limited! Your enrollment must be primarily in-person coursework. Only 1 course or 3 units of online coursework is allowed due to normal F/J visa regulations.
- You can search for classes using the <u>Berkeley Academic</u> <u>guide</u>, which also allows you to filter for mode of instruction.
- A class is 100% online if the course <u>instructional mode</u> is listed as "Online" or "Web-based .
- Courses considered "in-person" have at least one course component coded with "In Person" <u>instructional mode</u> and you MUST physically attend the in-person classes



Stay up-to-date

Things can change quickly in the immigration world. Please stay up to date on the latest information and how it could affect your immigration status in the following ways:

- BIO Website, especially:
 - Immigration Policy Updates FAQ
- Read ALL emails from BIO!
- Speak with an adviser using our virtual or in-person advising. See the <u>BIO Student Services</u> page.





Your F-1/J-1 Student Status



Top 10 Rules for F-1/J-1 Status

BIO Advisers are the resource for information and guidance on questions related to your student visa.

See: <u>Top 10 Tips for Maintaining Your F/J Student Status</u>

Additional information specific for J-1s from Dept of State: <u>Exchange</u> <u>Visitor Brochure</u> & <u>J-1 Exchange Visitor Welcome Brochure</u>



Stay in Status

- 1. Maintain U.S. Physical Presence & Keep your local U.S. address/Phone up-to-date
- 2. Enroll in Full-time units
- 3. Get Approval for course reductions and withdrawal
- 4. Understand your work permission
- 5. Obey laws, regulations, student code of conduct
- 6. Attend the school on your I-20/DS-2019
- 7. Keep documents valid
- 8. Understand travel documents
- 9. Grace period
- 10. Health insurance

+ Information for F-1/F-2 Dependents

J-1s ONLY: Understand the 2-Year Physical Presence Requirement



First Steps







Complete your Arrival Confirmation and keep your address updated!



et I-94 Number	04 FAQ
Admission (I-94) Number	Retrieval
Admission (I-94) Record	Number: 69000888062
Admit Until Date (MM/DD/	YYYY): D/S
Details provided on Admiss	ion(I-94) form:
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First (Given) Name:	LYDIA
Birth Date (MM/DD/YYYY):	01/01/1990
Passport Number:	P123123213
Passport Country of Issuar	nce: Mexico
Date of Entry (MM/DD/YYYY): 04/11/2012
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their electronic Form I-94.

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Go to <u>Cal Central</u> and complete these Task items:

- 1. Arrival Confirmation Form (includes uploading I-94)
- 2. U.S. Address & Phone Reporting Form

Temporary addresses are ok. Remember to update again when you find permanent housing. Phone & address in Cal Central

If you move or change your email, update Cal Central **within 10 days.**

See <u>Arrival & Address reporting</u> on the BIO webpage!

Maintain U.S. Physical Presence

F/J students cannot be outside of the US for 5 or more consecutive months, or the F/J status will end.

- You are expected to be **in the US** either:
 - studying in person full-time or
 - after completion, engaged in full-time F/J post-completion employment.
- Temporary absences or travel are allowed but should not interfere with your studies and work in the U.S

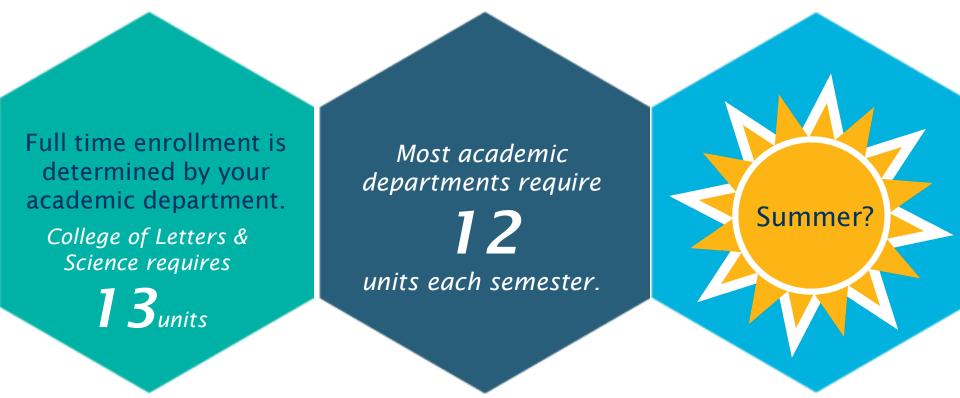




Enroll Full Time



Online instruction: only 1 class (or 3 units) of online instruction is allowed, to be counted toward your full-time enrollment requirements



Summer enrollment is NOT required unless Summer is your very FIRST or VERY LAST semester of study.

See BIO's Full-Time Enrollment Requirements page for full details



Study/Work Balance





Reduced Course Load

Academic Reasons

Medical Reasons

Final Semester*

*Degree-Seeking students ONLY!

NOT AVAILABLE FOR EAP

Approval from a BIO Advisor is **required IN ADVANCE.** BIO Approval is REQUIRED to drop below full time enrollment, withdraw, or cancel. Reduced enrollment for Academic reasons is limited to issues during the first semester of arrival in the US.

See BIO's <u>Reduced Course Load Authorization</u> page for more information



Employment



Employment

- See the <u>BIO Employment page</u> for general information for both F and J types of employment.
- DO NOT WORK without the correct work authorization!
- Working without authorization is a serious violation of your F-1/J-1 student visa. If you are uncertain if you need work authorization for certain activities, come check with us first.
- More information to come in our Working in the US presentation later today!





Academic Conduct & Extra Curricular Activities





UC Berkeley takes academic integrity very seriously. Academic misconduct can lead to suspension or dismissal from the university. *Any impact on your enrollment impacts your F-1/J-1 visa status

Contact BIO about any Student Conduct issue IMMEDIATELY!



Examples of Academic Misconduct



- Cheating
- Plagiarism, selfplagiarism
- Unauthorized group work or collaboration
- Falsification
- Inappropriate Al use





Extra Curricular Activities are a great way to meet others and have fun.





Activities that you engage in on & off campus can impact your visa status.

Be safe, be smart, be peaceful. Respect consent in your interpersonal relationships.



Examples of Behavioral Misconduct

- Dishonesty
- Forgery
- Theft
- Drug/Alcohol Violations
- Abuse of electronic resources
- Housing policy violations
- Physical abuse
- Terrorizing conduct

- Violation of privacy
- Harassment
- Stalking
- Hazing
- Obstruction of University Activities
- Disorderly Conduct
- Failure to comply
- Destructive devices, weapons

Contact BIO about any Student Conduct issue IMMEDIATELY!



Visa/Immigration Rules ≠ CA Laws

Just because it's legal in California... Does not mean it's OK while you're on a student visa!

Cannabis use, possession, or even possession of drug paraphernalia can lead to **deportation or arrest**.

Drug/alcohol violations can also lead to **bars from the U.S** and **future inadmissibility**.

You must obey all State AND Federal Laws!







The legal drinking age in the U.S. is...







Contact BIO as soon as possible if you have an encounter with police/law enforcement. We are here to **help** and **support** you.





Travel & Immigration Document Maintenance



Required Entry Documents- Enrolled Students

Be prepared to present the following documents to the CBP Officer when you arrive in the US:

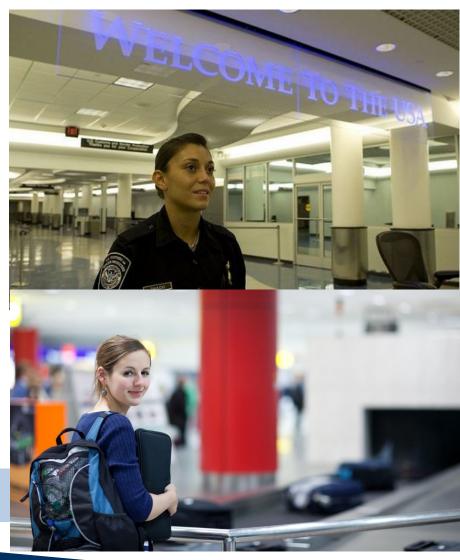
- Passport (valid for at least 6 months into the future)
- Valid F/J nonimmigrant visa (not Canadians!)
- Printed & signed, form <u>I-20</u> or <u>DS-2019</u> with valid travel signature within *12 months* of entry date
- Evidence of financial resources (see <u>Required</u> <u>Funding Documentation</u>)
- Proof of UC Berkeley enrollment (current students)
- Proof of <u>SEVIS fee payment</u>

Officers may ask you questions about your reason for entering the U.S., where you are traveling, or about your academic program.

If you encounter problems at entry, please contact BIO as soon as possible:

http://internationaloffice.berkeley.edu/contact-us

See full details on the Travel & Re-Entry page







See BIO's Travel & Re-Entry webpage for all required documents!



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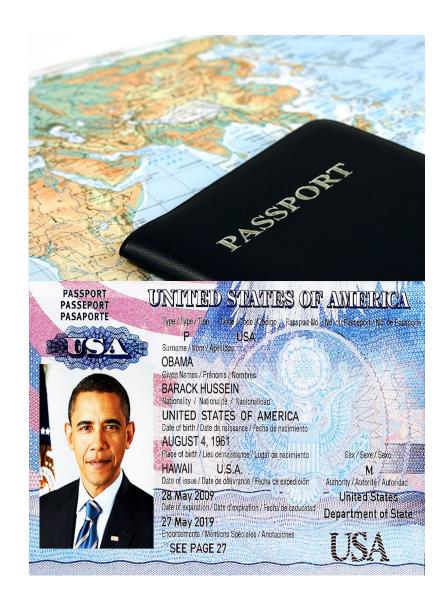


Passport

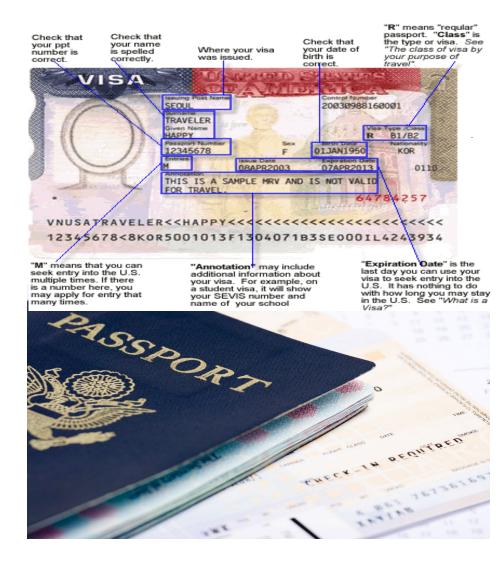
Must be valid at least 6 months into the future, 12 months recommended.

Can be renewed inside the United States.

If yours will expire soon, contact your <u>home country's embassy</u> in the United States





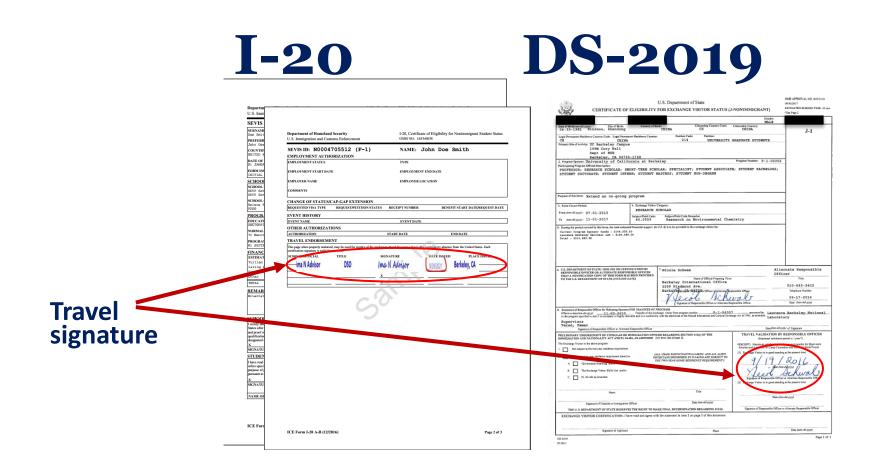


Visa

- Entry document into the United States.
- Should be unexpired on the date of your return to the U.S.
- It does not need to remain valid during your stay inside the U.S.
- Canadian citizens do not need a U.S. entry visa. Canadian "Landed immigrants" (Permanent Residents, without Canadian citizenship/passport) are required to obtain U.S. entry visas

See full details on the <u>Understanding</u> <u>Your Visa</u> page





See full details on the Understanding Your I-20 or Understanding Your DS-2019 pages

** If you receive an electronically signed I-20/DS-2019 by email, you must print out the I-20/DS-2019, sign it, and carry a physical copy when using it for travel or other official purposes.



I-20/DS-2019 Travel Endorsement

- If you are a student returning to the US after travel, your <u>I-20</u> or <u>DS-2019</u> needs a valid travel endorsement for re-entry
- The travel endorsement is valid for 12 months**
- *OPT or STEM OPT students- travel endorsement is only valid for 6 months!

F-1s: Check your I-20 on page 2 in the "Travel Endorsement" section.

J-1s: Check your DS-2019 on page 1 in the "Travel Validation" box.

Signature of Responsible Officer or Alternate Responsible Officer





How do I get a new travel signature?

- Sign in for <u>Drop-In Virtual Advising</u> and receive a same-day electronic travel signature during your Virtual Advising session. See the <u>Frequently Asked Questions</u> on this page for how to prepare.
- 2. Visit our **In-Person Drop-in Advising hours** for a same-day travel signature.
- 3. Submit a <u>Replacement Document request (#13)</u> to receive a new I-20 or DS-2019 with a new travel endorsement. (Note: BIO has a 5 business day processing time!).
- Drop off your I-20 or DS-2019 at <u>Berkeley International Office</u>. Your I-20/DS-2019 with an updated travel signature will be ready for you to pick up 5 business days later.



SEVIS Fee Payment

SEVIS: Student and Exchange Visitor Information System



You made this payment after receiving your SEVIS ID for the FIRST TIME. You'll need proof of the payment for future visa interview or entry to the US.

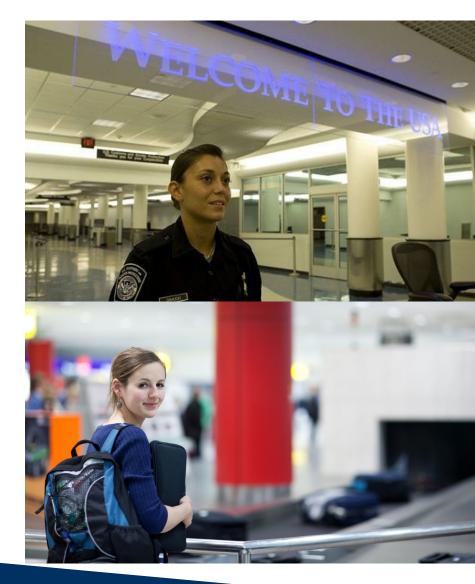
You only pay this fee once for the SEVIS record. If you have already paid the fee, you'll just need your receipt!

- 1. Go to www.fmjfee.com
- 2. Click "Check I-901 Status"
- 3. Follow instructions to look up your fee payment and print receipt.



Preparing for Arrival

- Carry all required documents with you, not in your checked bag!
- If possible, arrive during BIO Office hours Monday-Friday from 10-12 or 1-4pm. If you have a problem during arrival, request that CBP call BIO.
- Do not bring any <u>restricted items</u>. Make sure you follow rules regarding travel with medications, food, or pets.
- Medical and recreational marijuana remains illegal under U.S. federal law. Possession or use may result in deportation or incarceration.
- It is **illegal** to bring drug paraphernalia into the United States, unless prescribed for authentic medical conditions such as diabetes.
- Be aware that U.S. Customs and Border Protection (CBP) may inspect your electronic devices.
- See the ACLU's tips regarding precautions you can take to prepare your devices for travel







Attend the school noted on your I-20 (F-1s) or DS-2019 (J-1s)



Transferring SEVIS Record

- <u>Transfer IN</u> = Must have UC Berkeley I-20/DS-2019 & full-time study at UC Berkeley
- <u>Transfer OUT</u> = Request I-20/DS-2019 transfer to another school for full-time study

Taking classes at another school while still at UCB: Concurrent enrollment classes at other schools will not count towards your full-time enrollment at UC Berkeley for visa purposes.



Completing your Program







Keep your I-20 or DS-2019 valid at all times and understand your completion date.



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<u>Request a program extension</u> **before** your I-20 or DS-2019 expires if you need additional time to complete your program.





Grace Period



What is my Grace Period?

Your main goal on an F-1 or J-1 visa is to study. When you are finished with that, you will have some time to decide what to do next. This length of time is called a **grace period**.

- F-1s have a 60 day grace period.
- J-1s have a **30 day grace period**, but must take some actions before their DS-2019 program end date as outlined below.

Action	F-1	J-1	
	Final Deadline	Final Deadline	
Depart the U.S.	60 days after your I-20 program end date	30 days after your DS-2019 program end date	
Transfer to a new school (or remain at Cal but change educational level)	60 days after your I-20 program end date	before your DS-2019 program end date	
Apply for work authorization or explore employment options	60 days after your I-20 program end date * Start applying 90 days before completion!	before your DS-2019 program end date * Start applying anytime in your last semester!	

J-1: Understand the 2-Year Physical Presence Requirement

- Certain J-1 Exchange Visitors are subject to a <u>two-year home</u> <u>country physical presence requirement</u>.
- If you are subject to this rule, you must return to your country of last legal residence for two years or obtain a waiver before you are eligible for the H (temporary employment), L (intracompany transfer), K (fiancée) or Permanent Residence (Green Card) categories.
- J-2s are subject to the rule if the J-1 is subject. J-2s can't fulfil or waive the requirement separately (the J-1 has to waive or complete it.)



Health Insurance

- All registered students at the University of California are required to meet the university's <u>health insurance mandate</u>. Registered UC Berkeley undergraduate and graduate students are automatically enrolled in the Berkeley <u>Student Health Insurance Plan</u> (SHIP)
- J-1 students and their J-2 dependents must maintain <u>health</u> <u>insurance coverage</u> that meets J-1 federal guidelines *for the entire length of their program*, including post-completion Academic Training. SHIP meets these requirements.
- More info in the Health & Safety presentation!



J-1: Understand the 2-Year Physical Presence Requirement

- Who is subject to the requirement? (BIO provided you a preliminary opinion with your DS-2019 You may notice a marking on your J-1 visa or your DS-2019 from the consulate.) Below are reasons you may be subject:
 - Home Government or US Government Funding
 - Funding from an International Organization or Bi-National Commission
 - The Exchange Visitor Skills List
- BIO holds <u>workshops</u> that cover all aspects of the two-year home country physical presence requirement.
- Don't file for a waiver without consulting BIO!



F-2/J-2 Dependents

Visas for Dependents

Who's eligible for F-2/J-2?

- F-2
- J-2

- Children under 21
- Legally married spouse

What activities are allowed for Dependents?

- J-2 dependent spouses can apply for work permission
- J-2 dependents are eligible to **study** part-time or full-time in the U.S.
- F-2 dependents (spouse, child) are NOT eligible for any work or employment.
- **F-2 children** may attend full-time elementary or secondary school (kindergarten-12th grade).
- F-2 spouses and children may enroll in other academic programs for *less than a full course of study* <u>at an SEVP-approved school</u>
- **F-2 spouses and children** may participate in studies that are "avocational or recreational in nature" (i.e., non-academic hobbies and recreational studies) up to and including *full-time*.



What about travel?

- F-2/J-2- need the same travel documents: passport, F-2/J-2 I-20/DS-2019 with travel signature, F-2/J-2 visa
- They also need copies of all of the F-1/J-1 documents



BIO wants to help you have an enjoyable career during and after your time at Cal.

Remember that any violation of your visa status can have serious consequences.

Update us! Stay enrolled full-time! Work only with authorization! Don't exceed your grace period for exit! Don't fall for scams!

Be safe! BIO's here to help!

