Immigration Essentials

Berkeley International Office
Introduction
Current COVID-19 Updates

• See the [BIO COVID-19 FAQ](#) page for information about U.S. entry requirements including vaccination and testing
• For F-1/J-1 purposes, you are considered a “new” student if you entered or will enter the U.S. with F-1 or J-1 Initial status with an **I-20/DS-2019 start date for Fall 2021 or later.** Basically— you are a **New** student in your first semester of entry!
• A “continuing” student for visa purposes is a student who entered the U.S. with F-1/J-1 status with **I-20/DS-2019 start date for a prior semester (Summer 2021, Spring 2021, Fall 2021, etc).** You are a **Continuing** student after your finish your first semester in the US.
Campus Requirements

- See the UC Berkeley COVID-19 Resources page for current information regarding campus access, testing, and vaccination requirements for the return to campus
- This page also has all updates about instruction for Spring 2022
New Student Guidance

• The first 2 weeks of instruction are remote. However, the default instructional mode for Spring 2022 will be primarily in-person and in general, all students are expected to be physically present on campus for Spring 2022 beginning Feb 1, 2022 unless further updates are announced from the university.

• **New or Initial F-1/J-1 students** entering the US to begin studies in Spring 2022 must be enrolled in *at least one course with in-person instructional mode*. Berkeley’s instructional model is primarily in-person, but it includes hybrid instruction as well.

• **Continuing F-1/J-1 students** who entered the US in a previous semester and were enrolled continuously are technically allowed fully remote instruction if needed, but most instruction will be in-person.
Late Arrival

Late Arrivals (after start of your I-20/DS-2019)
• As long as you have the approval of your academic advisors/instructors, you can arrive within the first 30 days of the semester.
• See the BIO Spring 2022 Arrival letter
• First contact your academic department/EAP to see what options are possible for you, if you must arrive after the start of in-person instruction.
• Then Contact BIO to notify us of your late arrival
• BIO will work with students who face arrival difficulties for Spring 2022 to determine the best option for their specific circumstances, including advising on late arrivals, readmission and return after deferral/withdrawal, and how to receive updated I-20/DS-2019 documents.

Admissions Deferrals
• EAP students should contact the EAP program if they wish to defer to a future semester
• Newly admitted undergraduates will need to contact the Office of Admissions to determine if you have an option to defer to a future semester.
• Graduate students should also communicate with their academic department regarding any option to defer.
Arrival Support

• Our COVID-19 website has arrival letters for students entering in Spring 2022
• The letter states you can arrive up to 30 days after the start of your I-20/DS-2019 (if necessary)
• If you’ll be arriving more than 30 days after the start of Your I-20/DS-2019, you need an updated I-20/DS-2019 and BIO will work with you on that.
• You MUST have the approval of your academic department for Late arrival
• No special notes or annotations are needed on the I-20 or DS-2019 regarding instructional models!
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:
  – COVID 19 FAQ
  – Immigration Policy Updates FAQ
• Read ALL emails from BIO
• Speak with an adviser using our virtual or in-person advising. See the BIO Student Services 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: Top 10 Tips for Maintaining Your F/J Student Status

Additional information specific for J-1s from Dept of State Exchange Visitor Brochure
Stay in Status

1. Keep addresses & phone number updated
2. Enroll in Full-time units
3. Get Approval for course reductions and withdrawal
4. Obey laws, regulations, student code of conduct
5. Attend the school on your I-20/DS-2019
6. Keep documents valid
7. Understand travel documents
8. Grace period
9. Work permission
10. Health insurance
First Steps
Complete your Arrival Confirmation and keep your address updated!
Go to calcentral.berkeley.edu and complete these Task items:

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

THEN: Update your LOCAL U.S. Phone & address in Cal Central

Temporary addresses are ok. Remember to update again when you find permanent housing.

If you move or change your email, update Cal Central within 10 days.
Enroll Full Time
Most academic departments require 12 units each semester.

COVID-19 special rules: New Students arriving for Spring 2022 must have some instruction which is coded as *in-person*.

Full time enrollment is determined by your academic department. *College of Letters & Science requires* 13 units.

Normal F-1/J-1 rules: only 1 *class* of online instruction is allowed.
Study/Work Balance
Reduced Course Load

Approval from a BIO Advisor is required. Notify BIO if you plan 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.

Academic Reasons

Medical Reasons

Final Semester*

*degree-seeking students only NOT EAP
Employment
Employment

• See the BIO Employment page 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.
• J-1s: Know Your Rights pamphlet
F-1 Visa

On campus employment

- Fall and Spring: <20> Summer/Vacation
- No special permission required
- On-campus employment page

Off campus employment

- Curricular Practical Training (CPT)
- Optional Practical Training (OPT)
  - Permission from BIO or USCIS required before beginning employment.
  - Must be in ACTIVE F-1 status for at least 1 academic year

J-1 Visa

On campus employment

- Fall and Spring: <20> Summer/Vacation
- Permission from BIO required before beginning employment.
- On-campus employment page

Off campus employment

- Academic Training
  - Must be in Active J-1 status for 1 semester.
  - Permission from BIO required before beginning employment.
What does it mean to be in Active F-1 or J-1 status?

- We created a new SEVIS record for you. You were given an I-20 or DS-2019, and are in Initial status.
- Your I-20 or DS-2019 has a start date.
- When you enter the US, and report your Arrival Confirmation, BIO makes your F-1 or J-1 record Active in SEVIS.
- If you will enter the US for a future semester (like Fall 2022) your F-1 or J-1 record will only be Active starting your entry for the future semester (example: August 2022)
How does that impact J-1 academic training?

- AT is available after completion of 1 semester in the U.S., unless the student has a degree requirement for internship for all students in the degree program.
- The amount of AT granted is either 18 months OR the length of the J-1 academic program in the U.S., whichever is less.
How can I qualify for CPT or OPT?

To be eligible for F-1 CPT or OPT authorization, students must have been enrolled continuously for 1 academic year in **Active F-1 status**.

- If you will not enter the U.S. to begin your program for Spring 2022, your “clock” for CPT/OPT qualification will only begin later when you enter the US have have your F-1 record Activated.

- CPT exception- graduate programs who have internship as a degree requirement for all students in the program.
Social Security Numbers

A Social Security Number is...
• a tax identification number.
• required for all paid work in the U.S.
• not a work authorization.
• You can only apply in the U.S.

For how and when to apply, see: internationaloffice.berkeley.edu/living/ssn
Who needs a Social Security Number?

**J-1:**
- Receiving a fellowship or stipend from the university (with or without employment)
- Working on campus
- Working off campus

**F-1:**
- Working on campus
- Working off campus jobs (don’t forget work authorization!)

Note: prior authorization is required for all of the above. Learn more at bit.ly/BIOworkauth.

An F-1 student who is not working but receiving a non-service fellowship, scholarship, or grant in excess of tuition and fees must apply for an Individual Tax Identification Number (ITIN). Learn more at bit.ly/BIO-ITIN.
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!
Examples of Misconduct

- Cheating
- Plagiarism, self-plagiarism
- Unauthorized group work or collaboration
- Falsification
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, and respect consent.
Freedom of Expression

• One of the norms of a university environment is the freedom to express oneself in open dialogue and discussion.
• Students should be able to express themselves without fear of any intimidation from others and that any views that they share in classroom discussions or public forums will not be used in an adverse or negative way that could lead to their harm.

Intellectual Property

• Students should be aware that there are certain rights that go along with discoveries or inventions by faculty or other students. You should exercise caution in how you use the discoveries of others.
• For additional information about Intellectual Property you are encouraged to review this presentation: https://ipira.berkeley.edu/ip-protection
Visa Rules ≠ CA Laws

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

You must obey all State AND Federal Laws!
The legal drinking age in the U.S. is... 21
Contact BIO as soon as possible if you have an encounter with law enforcement. We are here to **help** and **support** you.
Travel & Immigration
Document Maintenance
See BIO’s Travel webpage for all required documents:

https://internationaloffice.berkeley.edu/entry-us-travel-and-re-entry
Additional Required Documents:

- Proof of current or next semester’s enrollment
- Evidence of current Financial Support
- Proof of SEVIS Fee payment
- Proof of post-completion employment and authorization*

* After graduation/program completion only
Travel & Entry Tips

• Don’t bring restricted items to the U.S. (bit.ly/CBPlst)
• Be calm and answer any questions succinctly about your academic program and your activities in the U.S.
• Jokes about terrorism, breaking laws, drugs, etc. are never a wise choice.
• Be prepared in case of Secondary Inspection (bit.ly/CBP-SI)
• See the ACLU’s Know Your Rights resources for Rights at Airports & Other Ports (aclu.org/know-your-rights)
Electronic Devices

- Customs & Border Protection may request to inspect your electronic devices. See bit.ly/ACLUdevices for tips on how to prepare your device before you travel.
- Are you presenting your best self in social media and messaging apps?
- How would you feel if U.S. immigration looked at all of your photos and messages?
- Is there any possibility it might appear that you are engaged in activities that violate U.S. laws or your visa status or that show academic dishonesty?
Attend the school noted on your I-20 (F-1s) or DS-2019 (J-1s)
Transferring SEVIS Record

Transfer IN = Must UC Berkeley I-20/DS-2019 & full-time study at UC Berkeley

Transfer OUT = 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.
Request a program extension 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.

<table>
<thead>
<tr>
<th>Action</th>
<th>F-1</th>
<th>J-1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Depart the U.S.</td>
<td><strong>60 days</strong> after your I-20 program end date</td>
<td><strong>30 days</strong> after your DS-2019 program end date</td>
</tr>
<tr>
<td>Transfer to a new school (or remain at Cal but change educational level)</td>
<td><strong>60 days</strong> after your I-20 program end date</td>
<td><strong>before</strong> your DS-2019 program end date</td>
</tr>
<tr>
<td>Apply for work authorization or explore employment options</td>
<td><strong>60 days</strong> after your I-20 program end date * Start applying 90 days before completion!</td>
<td><strong>before</strong> your DS-2019 program end date * Start applying anytime in your last semester!</td>
</tr>
</tbody>
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Health Insurance
Insurance Requirements

Maintaining health insurance is a university requirement until graduation.

Federal immigration regulations require J-1/J-2 students to maintain proper health insurance meeting specific requirements throughout their J program, including period of post-completion employment.
Contact a BIO adviser if you suspect you are a victim of a scam or fraud.

Learn how to identify common scams and how to protect yourself:

More info about [Scams and Safety in Berkeley](#).
Communication from BIO
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!