

# Visa Procedures and Policies Guide



© 2017

**International Student Services Department  
Prospect College**

# Welcome to the USA! Welcome to Prospect College!

International students who wish to attend Prospect College at this moment must apply for an M-1 Student Visa at their nearest US Consulate. Prospect College is authorized by DHS through the Student Visitor Exchange Program to issue I-20s to enroll M1 students. The following is a guide for applicants, international students and staff who wish to become familiar with the standard policy and procedures surrounding the application for and maintenance of M1 status of foreign nationals through the Student Exchange Visitor Program (SEVP).

## M1 Student Visa - How to receive an I-20

It is recommended that you contact Prospect College prior to beginning the process, or get in touch with the agents or agencies we work in direct contact with in your country at least 2 - 3 months prior to becoming a full-time enrolled student at Prospect College. Time is needed by the **Acceptance Committee** to be able to determine eligibility and acceptability, and to review all of your documentation submitted for approval. This will also allow the applicant time to be able to gather all the required documentation, the I-20 and the supporting evidence and other documentation requested by the US Consulate to submit before the interview. An I-20 is a government produced document that serves as an invitation. You will need to get it from a Prospect College official in order to apply for an M1 visa at the US Consulate. A lack of documentation can result in being denied an M1 visa. Avoid the complications of dealing with a denied visa by having all proper documentation ready ahead of time. It is strongly advised NOT to make travel arrangements prior to being actually receiving your approved M1 visa.

Prior to requesting an I-20 from Prospect College, the following documents must be submitted:

- 1.) A completed Prospect College **International Student Application Form**.
- 2.) A minimum of a 1 page essay response to the following essay topic:  
**Why I want to study at Prospect College in the United States.**  
You may also choose a different topic to create a personal statement for submission.
- 3.) A copy of your high school diploma and transcripts. If a copy of your high school diploma and/or transcripts is not available, any degree or diploma from a post-secondary degree granting institution is acceptable.
- 4.) The payment of the application / registration fee of \$50.
- 5.) Pay the DHL express mail fee (it is waived if the applicant pays 50% of the first month's tuition in advance).
- 6.) Financial documentation from your bank confirming your ability to pay tuition and living expenses for the duration of your education at Prospect College is required. The following documentation is deemed acceptable:
  - a. A letter or notice from your bank that indicates the following:
    - i. The amount in your bank account. It should have the appropriate amount to pay for the entire tuition plus living expenses for 1 year.
    - ii. Date the account was opened.
    - iii. Transaction history: the last 6 months to a year of all activity from the account.
- 7.) If you are using a financial sponsor, you must provide the following financial supporting documentation from that sponsor:
  - a. A letter from your sponsor that states he/she will support you financially in both 'tuition payment AND living expenses'. The statement must contain the following line: "**I, John Doe, do hereby confirm that I will fully sponsor the applicant Davy Jones in both**

***tuition obligations and living expenses during his/her attendance at Prospect College for the entire time they are enrolled as students in the program.”***

- b. In the event that the sponsor resides in the United States, Puerto Rico or other US sponsored territories, the Affidavit of Support (I-134 Form) needs to be completed and signed.
- c. A notice or statement from the sponsor's bank that shows the date the account was opened, the balance currently in the account, and a history of deposits over the past 6 months to a year.
- d. If the sponsor is employed, a letter from the employer of that sponsor needs to be submitted and needs to state the start date, the salary (gross amount), whether the position is full-time or part-time, contract employment, salaried, etc. Letter from the sponsor's employer also needs to state the nature of employment.
- e. If the sponsor is self-employed, or owns and operates a business, the sponsor needs to provide a copy of their most recent income tax statement.

## **How to apply for the M1 Visa at the US Consulate**

Once the applicant has submitted all of the documentation, and once the **Acceptance Committee** has reviewed all of the documentation, the following steps need to be taken to apply for and receive an M1 Visa from your nearest US Consulate.

- 1.) Pay the I-901 Fee (\$200) - SEVIS website can assist you with paying the required fee for the appointment. Once payment is made, print out the confirmation of payment. You will have to give that to the US Consulate once you arrive for the interview. You may pay for the I-901 Fee online at <https://www.fmjfee.com/> . You will need your I-20 number in order to fill out the form and pay the fee online. There is also an option to pay for the fee via. Western Union.
- 2.) Apply for an M-1 Visa at your nearest US Consulate. The following documents must be submitted when you apply for your visa:
  - a. A valid passport and any previous passports you may have in your possession
  - b. Print out confirmation that you have completed the DS-160. This is an electronic application for nonimmigrant visas online.
  - c. Recent passport-size photos, taken on a white background. The face must be approximately the size of a person's thumb, with full-face shown, without anything covering the face or head, nothing in the way that conceals identity: i.e., glasses, hats, scarfs, masks, hijabs or other traditional clothing worn on or around the head and face.
  - d. A police certificate issued within the last year if you are 14 years or older
  - e. Original Form I-20 from the DSO at Prospect College.
  - f. Evidence of sufficient funds: originals of the bank statements and sponsor information that was sent to us previously could also be submitted to the Consulate.

Note: All male students between 16 and 45 must complete the DS-157, Supplemental Nonimmigrant Visa application.

Take all the documentation listed above, your I-901 payment confirmation and financial supporting documentation to the U.S. Consulate in your area to apply for an M1 Student Visa. Any further

documentation needed to prove worthiness of entry should be consulted with your local US Consulate. They will be happy to inform you of any further documentation required.

***Please note: Prospect College PDSO / DSO are not required by Federal Law, nor are they advised to give detailed consulting to applicants on matters related to the actual interview process at the US Consulate that would guarantee VISA approval. All applicants are encouraged to be truthful and honest when answering questions and submitting documentation.***

Take the documentation to the U.S. Consulate in your country to apply for an M-1 Student Visa. Other documents may be requested by the U.S. Consulate to support your visa application. We recommend that you contact the U.S. Consulate prior to your visa interview to find out if you will be required to supply any additional information.

Once you are approved for an M1 visa, you must contact us to let us know immediately about your travel plans and entry date in the United States. It is not advised that you purchase a ticket prior to knowing the results of your interview and subsequent approval for an M1 Visa. Prospect College does not guarantee approval of your M1 Visa application. Application fees payable to Prospect College are non-refundable. Any previous tuition fees paid to Prospect College will be refunded to the applicant in the event of the M1 visa being denied.

## **Travelling on an M1 Visa**

Once the visa application has been approved and you have the visa in your passport, you are able to enter the United States at any point during a 30 day period prior to the start date indicated on your I-20. It is NOT recommended that you attempt to enter the US more than the 30 day period. The student will be denied entry at the border.

It is strongly advised that you DO NOT pack your visa-immigration documentation away in your luggage, as you will be required by officials at the border to hand over all documentation for review; this may include, but not exclusively, your passport, SEVIS I-20, financial documentation, SEVIS payment proof, etc.

### **Did you get a 515-A when you entered the US?**

In the event the border officers (CBP Officers) issue you a 515-A, do not panic. This is not a denial to entry. The CBP official may not feel that the requirements for admission have been satisfied and feels that more proof is needed. You must bring this 515-A form immediately to the International Student Services Department at Prospect College for review. If you receive this form, you are allowed a temporary stay of 30 days to get the proof requested on the form. If you are not able to provide the proof on this form, you will be required by US immigration law to leave the country immediately, as your temporary stay will be terminated. The International Student Services Department at Prospect College will do all they can to help resolve the requested documentation.

## **I-94 Arrival and Departure Card**

The I-94 will be given to you at the border upon entry. It is a card that is used to determine when the arriving student entered and left the US. The I-94 card will show the date of arrival, the kind of visa you have (M-1) and the date of expiration. You are required by immigration law to leave the US prior to the expiration date on your I-94, OR prior to the particular program end date indicated on your I-20.

**IMPORTANT:** If the end dates on the I-94 or I-20 differ, you must leave by the earlier of the two different dates. In the event that you lose your I-94, a new one must be requested.

Upon arrival at the airport, immigration law requires you to give your I-94 Arrival-Departure card to the ticket agent when you are checking in for your flight. The returned part of the form will prove that you left by the required date and that you are not in violation of US immigration law (you did not overstay your visa). It is proof that you are following US immigration laws and it will be useful to you when applying for another non-immigrant or immigrant visa to the US.

### **Did you forget to hand back your I-94 upon departure?**

It happens, but if you forgot to hand back your I-94 Arrival-Departure card to the ticket agent as you were checking in, you must mail it back IMMEDIATELY when you arrive back in your own country. Please make sure to mail the following items:

- I-94
- Your boarding pass you used to leave the US.
- Copies of your passport pages that include entry and exit stamps, showing when you entered and left the US.
- Copy of the 1<sup>st</sup> page of your passport (bio-page) that includes your facial photo.
- Any other proof that you would like to submit to show when you left the US. For example, a receipt from some form of payment in your own country after the date of departure, paycheck stubs, etc.).
- Write a letter in English explaining the situation.

Make sure you keep copies of everything, and mail the information you have gathered to:

**ACS – CBP SBU  
PO Box 7125  
London, KY 40742-7125  
USA**

**Avoid the complications caused by forgetting to hand in your I-94 card. ALWAYS REMEMBER TO KEEP YOUR PASSPORT AND IMMIGRATION DOCUMENTS WITH YOU AT ALL TIMES WHEN TRAVELLING.**

### **Report immediately to Prospect College when you arrive!**

You are required to report to your PDSO/DSO at Prospect College when you arrive into the US as soon as possible. Please bring with you your I-20 and I-94. If a student fails to come and check in with their PDSO/DSO on campus, the PDSO/DSO may have to terminate the student's status for failure to register. This will cause the student to be *'out of status'* and will result in a lot of complications to the student's

immigration status and standing in the country. At that point, a foreign national becomes illegal in the United States and could face deportation.

## **Maintaining your M1 status in the US**

### **Failure to report on campus for registration and orientation**

All entering M1 students to Prospect College are required to come to the campus for their orientation and registration for classes no later than 3 days after entering the United States. If the campus is closed during the three day period and / or is closed for a longer period than three days, on the immediate following day the campus is opened the student is required to appear and report to their PDSO/DSO on campus who issued them their I-20. Failure to do so could end in the termination of your M1 status. Please call the International Student Department at Prospect College for assistance.

### **Losing your M1 status**

If, for whatever reason, you lose your legal status in the US as an M1 student, you will need to apply for reinstatement with the assistance of your PDSO/DSO if you wish to remain in the US legally as an M1 student. Otherwise, you will be required to leave the US and come back under a new I-20. This process may not require a new visa. Nevertheless, losing your status is a very unfortunate consequence, as it may make continual legal stay in the country complicated. Reinstating your previously lost status may be possible; however, there is no guarantee that reinstatement will be approved by DHS. Please speak with your PDSO/DSO for assistance.

### **Reasons for a loss of M1 Status**

Some of the main reasons for losing your status may include:

- Failure to attend classes at the acceptable rate of weekly attendance: M1 students are expected to be 'full-time' registered students (according to immigration law, as defined by the 8 FCR (DHS/ICE), 'full-time' for an M1 student means "18 to 22 hours a week". 'Online' classes or 'distance learning' is not counted as credited hours to this requirement by SEVP.
- Failure to report to Prospect College after entering into the US.
- Failure to maintain an acceptable GPA in the enrolled program. Please see the student handbook for details.
- Failure to complete the requirements of the program in which an M1 student is enrolled.
- Engaging in activity that is either unlawful or not allowed under SEVP – DHS policy for M1 students; i.e., working unlawfully in unapproved employment.

Please talk to your PDSO/DSO at Prospect College about your status and the legal requirements for maintaining your lawful status in the US. They are here to help you ensure you maintain your legal status while you are in the US. Students who follow policy and procedures correctly as required by DHS and Prospect College will have greater chances at becoming successful students and, if desired, successful professionals in their fields of choice in either their home country or the US. Obeying DHS-SEVP policy is in your interest. It's the law.

## Extending your program

M1 students are allowed to extend their program after completing the required one year of study. M1 students are only admitted into the US for one year at a time, so any further extension is seen as needing approval. For this reason, if you wish to extend your status further after completing one year, allow yourself at least 2 months, no later than one month, prior to the end date shown on the M1 I-20 or I-94 card, whichever one is earlier. This will allow time to get a response back from DHS in time to determine whether you need to leave the country or not. The form I-539 is generally used. Please see your PDSO/DSO for assistance with this application and supporting documents. The maximum an M1 student can receive is up to 3 years' worth of extensions. (*Source: 8 C.F.R. § 214.2(m)(5) and (10) – Students in established vocational or other recognized nonacademic institutions, other than in language training programs*).

## Leaving the USA

An M1 student and his/her dependents are allowed to stay in the US for one year, or at least until the date indicated on the I-94 card, whichever date is earlier, unless an application for extension has been filed with DHS.

## Tax responsibilities

As immigration law requires that M1 visa holders be restricted from employment, they are not required by IRS (Internal Revenue Service) law to file a tax-return and report income. However, M1 visa holders are able to work in practical training capacity, if such training is related to their studies and area of focus. Nevertheless, all M1 students are required to fill out and file the IRS Form 8843. Any funds that an M1 visa student must receive during their practical training must be reported to the IRS. Assistance with these forms can be provided by the International Student Department at Prospect College.

## M2 Dependents

A 'Dependent' of an M1 student is defined as any spouse or dependent children under the age of 21 of the applying M1 student. These dependents will be considered M2, and their status will be tied to the status of the M1 student. For example, if the M1 student is required to leave the US, the M2 must also leave prior to the end date on the I-94 or I-20 of the M1 student, whichever one is earlier. If the M1 student loses his/her status, the M2 dependents lose their status also. Transferring to another institute also applies.

When applying for an I-20 and subsequent visa, the M1 student / applicant must also provide documentation supporting the legitimacy of their relationship with the M2 dependents, including the following documentation:

- Copies of all passports of the dependents.
- Financial documentation must be shown to prove the ability to support dependents during their stay in the US. \$2500 minimum is required to show per M2 dependent, with a maximum of \$7500 for each.

M2 dependents are recommended to go to the interview with the applying M1 student at the US Embassy or extended US Consulate. Proof of their relationship to the applying M1 needs to be

shown (marriage certificate, birth certificate, etc.). If the M2 applicant must arrive at a later time to the US Embassy or Consulate, they must bring with them a copy of the M1 applicant's I-20.

M2 spouses may not engage in full-time study; however, M2 dependent children may engage in full-time study if it involves elementary, middle or high-school studies (K – 12).

## **Passports**

All M1 students and their M2 dependents are required to maintain passports of their home country while they are residing in the US and attending Prospect College. Failure to do so may result in complications in their status. Please see your home embassy for information on renewing your passport prior to its expiration date.

## **Change of Address**

M1 students at Prospect College and their M2 dependents are required by immigration law to report any address changes to the International Student Services Department within 10 days. Failure to report any change of address can result in a loss of your M1 status. Please notify your PDSO/DSO of the address change in time.

## **Visa Renewals**

In the event an M1 student left the US temporarily and his/her visa expired while outside the US, the M1 student must apply for a new visa at the US embassy or consulate where they are located. According to law, M1 students are not allowed to renew their visa while presiding in the US. It is possible to apply for and obtain a new visa while inside a country that is neither the US nor the M1 student's home country. However, providing eligibility and other requirements might be more stringent than if the M1 were to be physically in their home country. The M1 applicant may have to prove there was a good reason for the temporary absence from the US and the filing of the M1 visa application in a foreign country, and this could be time consuming with no guarantee of re-entry and visa approval. Therefore, it is always recommended that the M1 return to their home country to apply for a new visa, if possible. As always, granting of a visa is not guaranteed.

## **Transferring out from Prospect College**

In order to transfer to another SEVP approved program from Prospect College, the student must be a full-time student and be willing to continue to study at a full-time rate at the program to which they wish to transfer. Again, just as the student had proven their financial capacity to live and study in the US upon applying for their initial I-20 with Prospect College, they must also maintain their proof of financial ability upon transferring out to another program.

If the student wishes to transfer out to another SEVP approved program, the student must transfer within 6 months after entering the US or after having changed status to M1. Please note that an M1 student may not change their status to F1, nor may they change their plan of studies.

In order to do a transfer out, the following need to be provided:

- A completed I-539 Form.
- A copy of I-20 from the program in which you wish to transfer to.
- The I-94 Arrival / Departure Card.

The student can transfer 60 days after filing the application form.



## **Your status is your responsibility**

It is the responsibility of students accepted into the program at Prospect College through the Student Exchange Visitor Program to maintain their M1 status. It is also up to the PDSO/DSO assigned to the student file of the M1 student to assist in being informed on all procedural changes, policy changes and reporting to DHS of various required information and changes. The PDSO/DSO will be more than happy to assist the student in being informed of any changes and policies that affect the student's status in the USA. It is in everyone's interest to maintain contact and be up to date on any changes or modifications in policies and procedures in the SEVP system and on campus. As an international student, you have every right to know of important issues surrounding your M1 status. You are able to contact SEVP in the event you have any questions or concerns, or wish to inquire or file complaints about a sponsoring program. The PDSO/DSO on campus are also here to help you resolve any issues, concerns or questions you have. Please make note of the following contact information taken from <http://www.ice.gov>. Please contact your PDSO/DSO indicated on your I-20 if you have questions before reaching out to SEVP.

### **General Questions**

**Email:** [sevp@ice.dhs.gov](mailto:sevp@ice.dhs.gov)

### **Mailing Address**

Student and Exchange Visitor Program  
Attn: (Branch Name or Job Title)  
DHS/ICE  
500 12th Street, SW Stop 5600  
Washington, D.C. 20536-5600

### **SEVP Response Center**

If you have an SEVP or SEVIS-related question, call **(703) 603-3400** between the hours of 8:00 a.m. and 6:00 p.m. ET on weekdays, except holidays.

### **SEVP Student Questions**

### **I-901 Student and Exchange Visitor Information System (SEVIS) fee questions and payment issues**

E-mail: [fmjfee.sevis@ice.dhs.gov](mailto:fmjfee.sevis@ice.dhs.gov)

Please Note: This e-mail address may only be used for school officials with a pending Form 1-17, "Petition for Approval of School for Attendance by Nonimmigrant Student". If you have not applied, please contact [sevp@ice.dhs.gov](mailto:sevp@ice.dhs.gov).

**Call the I-901 SEVIS fee hotline:** (212) 620-3418

### **Form I-515A "Notice to Student or Exchange Visitor" issues**

Email: [sevis.i-515@ice.dhs.gov](mailto:sevis.i-515@ice.dhs.gov)