

Qualifying for an F-1 Visa

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Every year, many foreigners come to the U.S. to study. Because many of these students come with the intention of obtaining employment and permanent residence, the INS has stringent rules regarding applications for F-1 visas.

To qualify for F-1 status, the alien must be enrolled in an academic education program. He or she must be enrolled in an elementary school, high school, college, university, seminary, conservatory or language training program. The school that the alien is enrolled in must be approved by the Attorney General. Only these schools are allowed to issue INS Form I-20 A-B, which must show the date of approval and INS file number.

The alien must be enrolled in a full course of study, which means that he or she must take the usual number of courses to finish the degree in the customary amount of time. For example, the student aiming for a bachelor's degree must be enrolled in a sufficient number of courses per semester such that the degree is obtained within four years.

The alien must be proficient in English or enrolled in a language training program. He or she must be able to certify proficiency through one of the following: the passing of an English language entrance examination such as TOEFL, enrollment in courses in a language which the student is proficient in, enrollment in a full course of study which includes both academic courses and English instruction, or enrollment in a full course of study in a language training program.

The alien must be able to show that there is sufficient funding which will support him or her throughout the entire course of study. Funds may include financial aid, fellowships, funds provided by the student's family or government, and personal funds. Earnings of any kind are not acceptable, as the student is expected to pay for his or her education without having to seek employment.

The prospective student must maintain a residence abroad and be able to demonstrate his or her intention to leave the U.S. upon completion of the academic program. The inability to do this has been the main reason many visas have been denied.

Applications for F-1 nonimmigrant visas are filed at U.S. consulates in the applicant's country of residence after obtaining a certificate of eligibility (INS Form I-20 A-B) from a school which will be attended by the applicant on a full course of study. If the prospective student is already in the U.S. in another nonimmigrant category and wishes to obtain student visa, he or she may apply for a change of nonimmigrant status to the INS or leave the U.S. to obtain an F-1 visa at a U.S. consulate and reenter the U.S. as a student.

Under certain conditions students may engage in off-campus or on-campus employment.