REMOVING THE MYSTERY FROM IMMIGRATION DOCUMENTATION

Stacye Fraser Thompson
Jefferson State Community College
Coordinator of International Student Services
Southern State Laws/Policies Limiting Enrollment of Undocumented Students

- **Alabama** – Beason-Alabama Taxpayer and Citizen Protection Act (HB56) -- Stipulates that undocumented students cannot enroll in Public Higher Education – Section 8

- **South Carolina** – HB 4400 Bans undocumented students from enrolling in higher education

- **Georgia** – BOR rule against undocumented immigrants enrolling in public colleges in state.

https://uleadnet.org/map/south-carolina-policy
https://legiscan.com/AL/text/HB56/id/321074
https://uleadnet.org/map/georgia-policy
Undocumented Students

- Foreign born person who have entered the United States without a legal entry and have no proof of immigration standing within the United States. They do not have ‘lawful presence’ in the U.S.
International Students

- International students are those students that are coming from overseas or transferring from within the United States who hold a non-immigrant visa. This means they would not be Permanent Residents, US Citizens, Refugees, or Asylums.
If an FN Driver’s License is listed, then this indicates a person is a Foreign National. If they are, then Proof of Immigration Status (POIS) is required.
Permanent Residents

Permanent Residents are NOT international students. They are eligible for financial aid and often become US citizen in the future.
Different Types of Permanent Resident Documentation


Permanent Residents
I-551 Visa – Good for 1 year of Permanent Residency
Deferred Action Childhood Arrivals (DACA)

- These students are not classified as international students by Jefferson State, but they are required to provide Proof of Immigration State due to State Law.

- Document Requirements:
  - I-797 Notice of Action (With Dates- Examples to Follow)
  - Employment Authorization Document (Work permit)
Deferred Action Approval Notices

- Renewable and has a fixed duration

![Deferred Action Approval Notice Image]
Deferred Action Documents

The Category is Specified on the Work Permit for the type of approval that a person holds. C33 is always Deferred Action.
Work Permits (Other Types)

Work permits can help you identify visa type. Category is an indicator - Examples:
C33-Deferred Action
A03- Refugee
A05- Asylee
A12- Temp Protected Status
A19-U1 Non-Immigratns

For full list go to US CIS:  https://www.uscis.gov/working-united-states/information-employers-employees/employer-information/employment-authorization
I-797 Notices

Indicates Status and duration of that status
I-94 Card or Print Out

Has a fixed expiration date

Individuals can visit [www.cbp.gov/I94](http://www.cbp.gov/I94) to retrieve a copy of their electronic Form I-94.
Identifying Status – I-94 Card or Printout
Visas

Will indicate visa type
Pending Legal Permanent Resident

Department of Homeland Security
U.S. Citizenship and Immigration Services

I-797, Notice of Action

The United States of America

Welcome to the United States of America

This is to notify you that your application for permanent residence has been approved. It is with great pleasure that we welcome you to permanent resident status in the United States.

At the top of this notice you will see a very important number. It is your USCIS A Number. This is your permanent resident account and file number. This permanent account number is very important to you. You will need it whenever you contact us.

We will soon mail you a new Permanent Resident Card. You should receive it within the next 1 weeks. You can use it to show your new status. When you receive your card you must carry it with you at all times if you are 18 or older. It is the law.

Please call us at 800-375-5283 if any of the information about you shown above is incorrect. If you move before you receive your card, or if you don’t receive your card within the next 1 weeks. If you call us, please have your A Number and also the receipt number shown above available. The receipt number is a tracking number for your application.
### Who Can Study in the US? Alabama?

#### Nonimmigrants: Who Can Study?

<table>
<thead>
<tr>
<th>Nonimmigrant Status</th>
<th>Eligibility Requirements</th>
<th>Principal Place of Residence</th>
<th>School Attendance</th>
<th>Educational Visa Status</th>
<th>Nonimmigrants Entering the United States</th>
<th>Alabama?</th>
</tr>
</thead>
<tbody>
<tr>
<td>F-1 Students</td>
<td>Must be enrolled in a course of study at an institution of higher education.</td>
<td>Principal campus</td>
<td>Full-time</td>
<td>Student</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>M-1 students</td>
<td>Must be enrolled in a course of study at an institution of higher education.</td>
<td>Principal campus</td>
<td>Full-time</td>
<td>Student</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>J-1 Exchange Visitors</td>
<td>Must be enrolled in a course of study at an educational institution.</td>
<td>Branch campus</td>
<td>Full-time</td>
<td>Student</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Q-1 Religious Workers</td>
<td>Must be enrolled in a course of study at an educational institution.</td>
<td>Branch campus</td>
<td>Full-time</td>
<td>Student</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>R-1 Religious Workers</td>
<td>Must be enrolled in a course of study at an educational institution.</td>
<td>Branch campus</td>
<td>Full-time</td>
<td>Student</td>
<td>Yes</td>
<td>Yes</td>
</tr>
</tbody>
</table>

### Notes:

1. Students may engage in research or independent research.
2. In some cases, boarding students may be allowed to stay if they can prove they are enrolled in a full-time program of study.
4. The school must be a SEVIS-certified school.
5. J-1 and M-1 nonimmigrants are required to maintain their status while studying in Alabama.
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14. Students may engage in research or independent research.

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**Institutional Visitor Program (IVP)**

May 2015
Visitor Visa

- B1 – Visitor for Business
- B2 – Visitor for Pleasure (Tourism/Visiting)

This is the most common type of change of status to International Student visas (F1 or J1). Students who wish to study in the F visa category (Student) must change their status. They cannot study before that status is approved or they are violating their visa type.
Dependents and K-12 Study

- Dependents of Visa Holders – except B Visa may study in the United State in K-12 without restriction.
Questions/Resources

- Study in the States – https://studyinthestates.dhs.gov/
- US Department of State – Travel.state.gov
- NAFSA: Association of International Educators – www.nafsa.org