

## FREQUENTLY ASKED QUESTIONS

### Change of Status

#### 1. What is a non-immigrant visa?

A non-immigrant visa is an immigration document that permits a citizen of a foreign country to enter into the U.S. for a temporary period of time. It also determines what a non-immigrant is allowed to do while in the U.S. There are many different types of visas, depending on the reason for coming to the U.S. For instance, if your primary purpose for entering the U.S. is to study, it is in your best interest to get an F-1 (student) visa. For more information about obtaining a visa, please visit [http://travel.state.gov/visa/visa\\_1750.html](http://travel.state.gov/visa/visa_1750.html).

#### 2. Does Kaplan issue F-1 visas?

No. All visas are issued by the U.S. Department of State at a U.S. Embassy/Consulate abroad.

#### 3. Since I'm already in the U.S., how do I get F-1 visa status?

You have two options as follows:

1. Return to your home country with an "Initial Attendance" Form I-20 issued by Kaplan, get your F-1 visa at the U.S. Embassy/Consulate and then return to the U.S. using your newly issued F-1 visa. Please note, this document does not address the requirements and policies for applying to Kaplan as "Initial Attendance."
2. Apply for a Change of Visa Status within the U.S. by submitting a "Change of Status" Form I-20 issued by Kaplan (and other supporting documents) to the United States Citizenship and Immigration Services (USCIS).

#### 4. What is a Form I-20 and why is it important?

The Form I-20, also called a "Certificate of Eligibility", confirms that a non-immigrant has been admitted to a U.S. school that is approved by the U.S. government to enroll non-immigrants. The I-20 is issued by the Designated School Official (DSO) at the school the student intends to study at and is required by the U.S. government to obtain F-1 visa status. In addition, F-1 students must maintain a valid I-20 by studying full-time to remain legally in the U.S. after their start date.

#### 5. What is a DSO?

The DSO, or Designated School Official, is the school administrator responsible for issuing I-20s and advising F-1 students. As an F-1 student, you must regularly communicate with this individual at the center to ensure you maintain legal status while in the U.S.

#### 6. What documents must I present to get F-1 visa status?

Please see Kaplan's document called "Instructions for F-1 Student Applications" for a list of documents required both by Kaplan and the USCIS. It is also recommended that you review the Form I-539 and the USCIS website ([www.uscis.org](http://www.uscis.org)) for up-to-date filing instructions.

#### 7. What is an I-94 and why is it important?

The I-94, also called the "Arrival/Departure Document", is a small white piece of paper that was attached to your passport/visa at the Port of Entry. It confirms successful entry into the U.S. The stamped date at the top-right corner reflects the day you entered the U.S. The handwritten date is the expiration date of your I-94. You must either leave the U.S. or apply for a change of visa status before the expiration of your I-94. A failure to do so typically results in falling out of legal status.

#### 8. For how long will my visa be granted?

If approved a change of visa status, you will not receive a new visa, since visas are issued only by a U.S. Embassy or Consulate abroad. Instead, you will receive a Form I-797A or "Notice of Action" with a new I-94 at the bottom left corner. Your new I-94 will be marked with F-1 status, confirming your change of status was approved.

## 9. For how long will my I-94 be valid?

If approved F-1 status, your I-94 should reflect “Duration of Status” or “D/S.” This means you are able to stay in the U.S. as long as you are maintaining valid F-1 status by studying full-time at a Department of Homeland Security approved school. Please note, however, you can only study with Kaplan as long as permitted by the expiration of your I-20.

## 10. For how long will my I-20 be valid?

The length of your I-20 varies by course type as follows:

Name of Course	Length of I-20
English language training	12 –13 months, depending on center location
GMAT for International Students	6 months
GRE for International Students	6 months
NCLEX Complete for International Students	8 months
SAT for International Students	4 months
USMLE Step 1, USMLE Step 2 or USMLE Step 3	9 months for each step

If you are approved a change of visa status: If the course you purchase is shorter than the I-20 length listed above, you will have to pay for an extension/repeat of the course and continue to maintain full-time studies during the extension, in order to maintain legal status in the U.S. through the end of your I-20. If you end your course before your I-20 expiration date and do not re-enroll, your DSO will shorten your I-20 to reflect your early end date. You will then be permitted 60 calendar days to transfer-out or depart the U.S.

## 11. Can my I-20 be extended if I need more time to study?

You should plan to complete your studies with Kaplan by the end date listed on your I-20. If your paid course ends before this date, you can re-enroll through your I-20 end date, as long as you are in status and request to continue studies before your last day of study. If you believe you need to continue studies after your I-20 end date, you can speak to your DSO to see if you qualify for an extension. However, extensions are rare and require you to meet very specific criteria. Given this, it is important that you pace yourself during your studies to ensure you meet your academic goals in a timely manner. Please note, all requests for extensions must be made to your DSO before your last day of study. Extensions will not be granted if requested after your last day of study. There are no exceptions to this policy.

## 12. What is the application deadline?

You must submit your application to the USCIS before your I-94 expires. A failure to meet this deadline typically results in an immediate denial of your change of status. In order to ensure you receive your I-20 from Kaplan by this deadline, you should submit your application to Kaplan at least two (2) weeks prior to your I-94 expiration date. Do not wait until the last minute to apply.

## 13. How long does it take to be approved F-1 status?

You should allow at least two (2) weeks for Kaplan to process your application and issue the I-20. On average, it takes an additional 3-4 months for USCIS to review your application.

## 14. What is the likelihood I will be approved F-1 status by USCIS?

Kaplan does not change visa status and therefore cannot confirm the likelihood of approval, since it is a decision made only by the U.S government. However, you should note, approval is not guaranteed, even if you meet all deadlines and submit all required documentation.

## 15. What does Kaplan require in a bank statement?

The bank statement/letter should show that you and/or your sponsor have enough funds to cover the cost of study. In addition, it must show that all funds are readily available without penalty for withdrawal. For this reason, statements from checking and/or savings accounts are best. Income statements, property deeds and other similar forms of investments are typically not acceptable. See Kaplan’s “Instructions for F-1 Student Applications” document for additional requirements and/or for directions on how to calculate the cost of study.

**16. Can I submit multiple bank statements if I do not have enough funds in one account?**

Yes. You can show funds through multiple accounts and/or multiple sponsors, if necessary.

**17. Do I have to show a bank statement even if I have paid?**

In most cases, yes. Kaplan is required to list the amount of available funds on your I-20. We cannot print your I-20 without this information.

**18. Do I have to show a bank statement even if I am living with friends or relatives?**

Yes. The government wants to ensure you have enough funds to study and live in the U.S.

**19. Can Kaplan help me complete and/or mail the Form I-539 to the USCIS?**

No. Students are solely responsible for completing and mailing the Form I-539 and supporting documents to the USCIS. However, Kaplan does recommend mailing your documents by a trackable method of mail, such as UPS or DHL. Doing so will allow you to prove that you mailed the original package before your I-94 expired should your documents be lost in the mail.

**20. Do I have to work with an immigration attorney?**

Not necessarily. According to the USCIS, working with an immigration attorney neither increases or decreases the odds of being approved F-1 status. However, some students feel more comfortable working with an attorney and thus choose to hire one. It is strictly your decision.

**21. Can Kaplan recommend a good immigration attorney?**

No. Should you choose to work with an immigration attorney, you must research the person yourself. Kaplan is not involved in this process. However, Kaplan does recommend fully researching the attorney to ensure he/she is well versed in the change of status process. You may also wish to speak with past clients to see if they were satisfied with the services.

**22. Do I have to leave the U.S. if my I-94 expires before I'm approved F-1 status?**

As long as you submit your application and supporting documents to the USCIS before your I-94 expires, you should be able to stay in the U.S. until you receive an approval or denial notice from the USCIS. This is true regardless of whether or not your I-94 expires.

**23. When can I start studies?**

If you are on B1, B2 or F2 visa status, you must not study (part-time or full-time) until approved F-1 status by the USCIS. If you begin/continue studies before approval, you will be denied F-1 status, forcing you to leave the U.S. immediately. All other visa holders can begin studies prior to approval, but it is strongly recommended that you wait until approval for the following reasons:

- The USCIS expects you to maintain your current visa status until approved F-1 visa status.
- Kaplan's refund policy begins from your first day of study and is independent of the USCIS' approval. If you begin studies and find out later that you have been denied a change of status, you will likely not qualify for a refund. If you wait to begin studies and later find out your F-1 status was denied, you will qualify for a full refund in most cases.
- Vacation privileges do not begin until you are approved F-1 status. If you begin studying before approval, you will likely study over one year before earning vacation.

For all visa types, once approved F-1 status by USCIS, you must start studies no later than the start date listed on your Form I-20 at the time of approval.

**24. Can I postpone my start date?**

Once approved F-1 status by USCIS, you will not be permitted to postpone your start date. There are no exceptions to this policy.

## **25. Can I transfer to another school or Kaplan center before I'm approved F-1 status?**

No. You can only transfer to another school or Kaplan center after you have been approved F-1 status by the USCIS. If you relocate before approval, you will likely have to withdraw your original change of status application and reapply to the USCIS for change of status with the new school. This will require you to repay all fees and get a new I-20 from the new school/center. Please note, you will only be eligible to reapply for a change of status under the new school if your I-94 has not expired at the time the second application is submitted. If your I-94 has expired, it is best to wait for approval and then transfer.

## **26. Can I travel before beginning studies?**

You will not be permitted to travel outside the U.S. If you do so, your change of status petition will be denied and you will be required to get your F-1 visa at a U.S Embassy/Consulate abroad.

If you wish to travel inside the U.S., you may be able to do so if your current visa status permits travel. You should check with your current visa's sponsor (i.e. employer if on H-1B status or ARO/RO if on J-1 status) to confirm eligibility.

## **27. What happens if I am denied a change of visa status?**

You should receive a "Notice of Action" from the USCIS confirming denial, with instructions for how to proceed. In most cases, you will have to leave the U.S. immediately, unless you have maintained your previous visa status and have a valid I-94 that has not expired. In most cases, there is little Kaplan can do to change the government's decision. Given this, Kaplan does not assist in appealing the USCIS' decision. If you are still interested in studying with Kaplan, you should speak to your DSO about reapplying to Kaplan as "Initial Attendance."

## **28. What are the study requirements at Kaplan?**

As an F-1 student, you will be required to study at the Kaplan center that issued your I-20 at least 22 hours per week, during each week of your paid enrollment(s). You will learn more about Kaplan's attendance requirements on your first day of class.

## **29. What happens if I do not study 22 hours per week?**

If you do not study 22 hours per week, you risk falling out of legal status with the following consequences:

- Your I-20 will be terminated.
- You will no longer be eligible to study with Kaplan.
- You will not be eligible for a refund.
- You will be required to leave the U.S. immediately after termination.

## **30. Can I work during my studies at Kaplan?**

As an F-1 student, your primary purpose for staying in the U.S. must be full-time study, so that you can achieve your academic and/or career goals. Therefore, the government restricts your ability to work to the following situations only:

- On-Campus, Part-Time Employment: You may work at the Kaplan center that issued your I-20 for no more than 20 hours per week. This is an option only if there is a position available and you are the most qualified candidate for that position. Please note, there is a limited number of these positions at most Kaplan centers.
- Off-Campus Employment Due to Financial Hardship: If you have studied for nine (9) months and can demonstrate in writing that you are experiencing a financial hardship that arose after admission to Kaplan, you may qualify for this type of employment. This type of employment requires DSO and government approval before you begin work.

Please note, if you are found to be working without government approval and/or in a position not listed above, your employment will be considered unauthorized employment. This will result in immediate termination of your I-20 in SEVIS. If this occurs, you will no longer be eligible to study with Kaplan, will not receive a refund and must leave the U.S. immediately.

## **31. Can I participate in practical training or OPT/CPT while at Kaplan?**

No. As a Kaplan student, you are not eligible for practical training (OPT/CPT) under any circumstance. There are no exceptions.