

RFE QUESTIONS

1. I-20 Lapsed Program Start Date

A review of the record indicates that the program start date on your Student and Exchange Visitor Information System (SEVIS) Certificate of Eligibility for Nonimmigrant Student Status, Form I-20, has lapsed.

Submit a new, properly completed and signed photocopy of your Form I-20, with the same SEVIS number, issued by your present school or institution reflecting a program start date for the next valid school term. DO NOT submit a Form I-20 with a new SEVIS ID number.

If USCIS has not adjudicated your change of status at least 15 days before the program start date on your new Form I-20, contact the DSO at your new school. If USCIS does not grant your request to change status prior to the start date of classes, you will need to defer your program start date and attendance and wait until the following term in order to begin your studies at the school in F or M status. Please, note that you must maintain a valid nonimmigrant status while this Form I-539 change of status application is pending.

We encourage all students and prospective students to work closely with their DSO to coordinate the timing of applying for change of status and enrolling in a course of study.

2. Maintenance of Status

The instructions for completing the application require applicants to submit a written statement explaining, in detail, the reasons for the request to extend their stay in the United States, including why the extended stay would be temporary, what arrangements have been made to depart the United States, and any effect the extended stay may have on their foreign employment or residency.

Although you submitted a reason for the extension of stay, the reason provided appears to be a very general statement rather than a detailed explanation and is insufficient to show that you will continue to engage only in activities specifically consistent with the “B” nonimmigrant classification as a temporary visitor for business or a visitor for pleasure.

As such, provide the following to establish that you have been maintaining your B-2 status and that the reason for requesting an extension of stay and your proposed activities are consistent with the B classification:

- Activities: Submit a detailed, chronological list (with exact from – to dates) of all the activities, including any voluntary activities, as well as any type of employment, paid

or otherwise, in which, to the best your knowledge, you have engaged in since being admitted to the United States. Such activities should include selling or offering any services or items for sale. For example, if you were engaged in tourist activities, include all towns, cities, and tourist attractions such as parks and museums that you have visited for a significant amount of time. You do not need to include places that you passed through briefly in transit. If you were visiting a friend or relative, provide the name and address of the person and the dates visited.

- Evidence:** Provide documentary evidence of such activities, if you have it, which may include but is not limited to receipts, bank statements, credit card statements, hotel invoices, ticket stubs, rent receipts, and affidavits from those you have visited.
- Addresses:** List addresses where you have stayed overnight and the dates (from – to) that you stayed there since you were admitted to the United States, including your current residential address and contact telephone number. Provide documentary evidence such as lease agreements, hotel invoices, telephone bills, utility bills, rent receipts, mortgage bills, and official correspondence from government offices or agencies. Bills for cellular phone service are not sufficient to establish valid residential address.

3. **Reason for Attending School**

Provide a detailed statement in your own words that addresses the following questions regarding your purpose for entering the United States, and how your plans have changed:

- What was your stated reason(s) for seeking admission to the United States, and how long did you intend to stay? When you were seeking admission at the POE (Port of Entry), if you were already considering changing status to an F-1 while in the United States, did you disclose to the Customs and Border Protection Officer that you may possibly seek to study in the United States? If not, provide an explanation why you did not disclose this possibility at the time you sought admission at the POE.
- How and when did your plans change? How or from whom did you hear about the school listed on your U.S. Immigration and Customs Enforcement Form I-20, and what prompted you to apply for admission to the school?
- What are your reasons for returning to school at this time? How will such study benefit you upon your return to your home country? What is your justification for remaining

in the United States to study English instead of attending an institution in your home country?

- How will study in the United States affect your foreign residence and/or employment?

Submit the following documents to support your statement:

- A detailed statement explaining your academic history and goals in chronological order. This statement should include a list of all educational institutions you have attended in your home country as well as since your arrival in the United States. Your statement should describe the specific course of study pursued, the result of your attendance (degree, certificate, incomplete, etc.), as well as your intended goal. In addition, please submit evidence of all degree and/or certifications that you currently hold. Such evidence may include but is not limited to an official copy of your transcript(s); a copy of your diploma; online verification of degree completion; certificate of completion; or letter from the registrar of the institution granting the degree or certification.

4. Program of Study

- Provide the following documentary evidence of the classes you intend to enroll in for your Language Training:
- Which classes will be entirely on campus.
 - Which classes will be entirely online.
 - Which classes will be hybrid, and
 - For hybrid classes, provide documentary evidence explaining what percentage of instruction time on-campus and what percentage will be online.
- Provide a copy of Mentor Language Institute's brochure regarding your program of study, including details on pre-requisite education.
- Provide documentary evidence that establishes the date when you initially applied for admission to the school listed on your U.S. Immigration and Customs Enforcement Form I-20.

5. Residence abroad

INA 101(a)(15)(F)(i) requires that an F-1 student establishes that he or she has a residence in a foreign country which he or she has no intention of abandoning, is a

bona fide student qualified to pursue a full course of study and seeks to enter the United States temporary and solely for the purpose of pursuing such a course of study.

Submit documentation to establish that you have maintained a foreign residence to which you intend to return at the expiration of your period of authorized study. The evidence may include, but is not limited to:

- Recent telephone bills and/or utility bills at your place of foreign residence.
- Residence Permit (government issued identity card) establishing foreign residence.
- Letter from government authorities on official letterhead with government seal showing your foreign residence.
- A letter from your parents indicating that you reside with them.
- Mortgage statements or current rental agreements relating to your foreign residence, to include rental receipt.
- A letter from your foreign bank, on the bank's letterhead with the bank's certification signature, which verifies your foreign residence address, bank account number, and shows an established relationship with the bank (e.g., bank account opened for 3 months)

In addition, submit a statement and evidence detailing the effect your extended stay in the United States will have on your foreign residence.

This request for evidence pertains to your residence outside of the United States and not your temporary residence in the United States, and USCIS will consider how much weight to give to the evidence depending on all the circumstances/facts presented.

6. Ability to Pay Tuition and Living Expenses

Regulations require that you establish that you currently have the financial means to pay for the course of study and living expenses for your first year of study.

USCIS acknowledges receipt of your statement regarding your financial ability to support yourself for the proposed period of stay which will go towards your tuition and living expenses as an F-1 student as well as your foreign banking certificate dated on March 4, 2022; however, this is insufficient because the document is not a current financial document and it cannot be established that those funds are still available to pay for your studies and living expenses as stated on the I-20.

Submit evidence that you have immediate funds available to pay for your tuition and living expenses for the first year of study as indicated on your SEVIS Certificate of

Eligibility for Nonimmigrant Student Status (Form I-20). Such evidence includes, but is not limited to:

- Complete copies of detailed financial account statements for each account you intend to use to fund your education.
- Other immediately available cash assets.
- Receipts and/or a letter from your school accounts office indicating tuition payments already made and any outstanding account balance; and/or
- Affidavits of support from a sponsor.

In addition, you must prove that you will have ability to pay for your course of study and living expense for the entire period of study as indicated on your I-20.

Furthermore, provide a detailed explanation as to how you have been supporting yourself as a B-2 visitor thus far. Provide documentary evidence to support your statement.

Submit evidence that there is money or financial assistance available to you for tuition and living expenses for the remaining course of study. Such evidence includes, but is not limited to:

- Stocks
- Bonds
- Affidavits of support from a sponsor (Form I-134)
- Other financial documents, etc.

If you have a sponsor, please have your sponsor submit a statement or affidavit of support specifying the intended type and amount of contributions he or she will make on your behalf, such as tuition and school expenses, room and board, living expenses, medical expenses, insurance, etc. Your sponsor should submit documentary evidence that he or she is able to provide immediate funds for your first year of study. This should include the most recent complete copies of detailed financial account statements for each account your sponsor intends to use to fund your tuition and living expenses for the remaining course of study. Such evidence includes, but is not limited to, current employment records, tax records, business records, property records, etc.

Note: Written statement, bank letters, and account summaries regarding financial support alone may be insufficient to establish financial support and should be accompanied by any available supporting documentary evidence.

7. Documentation-Translation, Extracts, and Foreign Currency

If you submit a document in any language other than English, you must include a full English translation. The translator must certify that the translation is complete and accurate, and that he or she is competent to translate from the foreign language to English. Official extracts are acceptable, but only if they contain all the information necessary to make a decision on the case. Only extracts prepared by a translator is unacceptable.