

Minutes PIER Meeting

Wednesday, June 14, 2006

1:30pm @ National University

A. Welcome: Chair Kim Jackson welcomed everyone to the last PIER meeting of 2005-2006 in which she would only be PIER chair until the end of the meeting.

B. Introduction of PIER Members: In keeping with tradition, all members in attendance introduced themselves by name and institution.

C. PIER Business

1. **Membership:** Kasey McCarthy

a. Kasey informed everyone that as of today there were 142 members for the year, 40 of which are new members this year.

2. **Treasurer:** Eric Abutin

a. Eric informed the membership that we had \$860.98 in checking and \$36.16 in savings.

3. **Chair:** Kim Jackson

a. Kim thanked Kasey for all of her help with the new logo, and informed the membership that the website is being updated to reflect the new logo.

Announcements on the back of the agenda:

06/13/06: California Service Center (CSC) EAD Error Correction / Replacement

- ✓ The procedure to replace an Employment Authorization Document (EAD) card that has an error is to have the student return the card to the Designated School Official (DSO).
- ✓ The DSO will make a copy of the EAD, circle the error on the copy, and write down the correction that needs to be done.
- ✓ **Mail the copy and original card to:**
California Service Center (CSC)
Anna Rili, Division II
24000 Avila Road, 2nd Floor
Laguna Niguel, CA 92677
OPEN BY ADDRESSEE ONLY
- ✓ She will request the file to verify the information. If it turns out indeed be a Service error, a new card will be issued free of charge.

06/07/06: Urgent California Service Center Announcement

- ✓ The CSC has been receiving inquiries from DSO's indicating that the I-765 instructions (page 7 and 8) on the USCIS website states an erroneous mailing zip code for CSC. The correct one is 92607-1076. USCIS Headquarters has also been notified.

NAFSA REGION XII Conference Fall 2006 – Las Vegas, NV

Viva International Education: What Happens at this Conference Doesn't Stay at this Conference!

The NAFSA Region XII 2006 Annual Conference in Las Vegas, Nevada will be held from October 30 – November 3, 2006 at the Flamingo Hotel on the middle of the famous Las Vegas Strip!

For more information, visit: <http://www.region12.nafsa.org/>

Other Announcements from the NAFSA Conference:

- ✓ Please be aware that the USCIS California Service Center (CSC) folks have informed us that within the next six months, reinstatements will be adjudicated by the CSC, not at our local CIS office
- ✓ Some regions in the country work very well with the district offices, and others are horrible; therefore this service is now being moved to CSC
- ✓ No further details are available at this time regarding how this new process will work
- ✓ Once the new process is in place, we may no longer have much contact with Chuck Kotkin, who up to this time has been our liaison at the local CIS office for reinstatements.

Service Center Announcement:

Some people have been getting RFE's (Request for Evidence) regarding the Original I-94 card not being sent in with the I-539 form. You can continue to send in copies, however, the service center does have the right to ask for the original.

General Announcements:

Has anyone heard about bill AB2899? Dulce forwarded to PIER a while ago.

- ✓ It is the bill regarding whether to make it a crime if agencies, etc., do not do background checks on host families. Some have heard that it may only apply to minors (i.e., high school students)
- ✓ Institutions are at risk if you don't have institutional policies and practices in place. It is hard to operate homestay services and it is something to consider.
- ✓ UCSD has a host family program, but might be possibly canceling the program.

Jane K: If this bill is not being voted on soon, maybe PIER can do some advocacy? We all have students who have used host families and the agencies that place them there, and maybe we can either support it or just give suggestions.

Announcements from the floor:

- ✓ Dulce D. – Student Advisor position is open at UCSD for handle all foreign student advising duties.
- ✓ Where do we look for CSC announcements?
 - Kim: Region 12 newsletter and website under immigration link.
- ✓ SDSU has an exchange coordinator position open. Please visit the SDSU website.
- ✓ Thank you to the travel grant selection committee, Maheba Merhi, Maria Malloy, Karla Macias, for all of their efforts.

D. NAFSA national conference presentation by Travel Grant recipient - Ruby Rosas

Ruby first thanked the selection committee for selecting her, as it gave her an opportunity to attend the National conference, which was very powerful.

Ruby went over the Cover Your Advising (CYA) session she attended. This session was about how we document conversations we have about advising students.

List of examples will be posted on the PIER website. <http://www.piergroup.org/meetings.htm>

Audience Recommendations:

- ✓ Kim asked the audience if everyone had case notes on file.
- ✓ Ruby recommended having a system and consistency in the documentation. Also that open communication with other departments is very important.

- ✓ Olga: An attorney recommended that email is the best way to document, especially after a phone conversation, it is wise to email the student "per our phone conversation ..." and review what was discussed. Make sure to copy yourself, print it and place in the student's file.
- ✓ Jane K: Warned to be careful of what you write as anything in your email on your computer can be subpoenaed.
- ✓ Kim: Make sure you stick to the facts.
- ✓ Ruby: Make sure you record the student's legal name, date and time, so that there is no doubt which student you are talking about. Example: Student's are now 'blogging' on myspace.com, and other websites. Students will document their perception of what you are advising; therefore it is important to document clearly for our protection.
- ✓ Doug B: Write emails as if they will be passed around to organizations.

E. NAFSA national conference presentation by Travel Grant recipient Michael Dietz:

This was his first NAFSA conference. Michael went over the F1 update / F1 transfer FAQ session. This might be new information or it might just be reaffirming to others.

Recertification –

- ✓ Maybe another year before getting any other information.

Kim: The Recertification session at NAFSA was actually cancelled, but the January minutes have an email to post recertification questions to.

Entry to the US period:

The Dept. of State issued a cable on a proposed new rule that says students will be allowed to enter the U.S. up to 45 days before their program start date. Currently students/scholars can only enter the US 30 days before commencing their studies. This rule has only been proposed, so it still needs to be ruled on and published as a final rule. *Until that time, advisors should continue to inform students and scholars that the limit is 30 days.*

Reinstatement:

Schools that have terminated a student record will be responsible for reinstating the student before transferring to another institution.

Terminations:

"Flag" information that is questionable will cause a student to be sent to secondary.

A "flag" can be positive or negative. If the student is consistently sent to secondary, call SEVIS and ask to check for "flags".

Jane K: post issues on NAFSA's "IssueNet" and maybe it will raise a flag to have some of these issues reviewed.

F1 transfer FAQ: www.ice.gov/sevis/f_1_transfers.htm

Transfer of Initial Student:

It is ok for a student to transfer upon arrival in the US from one school to another. It is not in the regulations that they must be full term before transfer; therefore you can't hold them at the school.

Logic:

- ✓ If the student decides to attend a different school before entering the U.S., they must get a new I-20 and new visa before they enter.

- ✓ If they are already in the US and decide to transfer to another school, it is ok to transfer.

[Olga](#): Is there a rule as to how long a student can sit out?

Example: If a student shows up for your start date, but then decides to transfer to a school that doesn't start for 60 days for more, are they still maintaining their status?

Transfer prior to completion/without attending:

Do you as an institution have something to protect yourself? How does it affect your institution if the student leaves mid term or doesn't study at your school at all?

Possible solution: your institution could request non-refundable fees or a non-refundable tuition deposit to deter students from arriving with your I-20 and transferring out before completing any coursework.

Transfer forms:

These are very important. Maybe a student owes a lot of money but has been maintaining status, is it ok to transfer them?

[Olga](#): You cannot hold a student record because they owe your institution money.

F. Revising your student transfer form by Jane Kalionzes

SDSU got rid of their transfer form all together. At the university level, it is usually ok to transfer from school to school. Language schools are a little harder. Here are a few suggestions and comments on updating the student transfer forms.

Questions that should be taken off or updated:

- ✓ INS, BCIS Please update with USCIS
- ✓ Information that is irrelevant or that other institutions are unable to provide, such as I-94 admission number, etc.
- ✓ Is this student in SEVIS?
- ✓ Does this student owe you money?
- ✓ Has this student applied for OPT, CPT, Economic Hardship?
- ✓ SEVIS release date?
- ✓ Suggestion: adding a SEVIS Id number field.

[Olga](#): UCSD extension is having a discussion about keeping the forms or not. You do want to make sure the student is status or not and have the ability to decide whether or not to accept the student.

[Mia](#): last date of attendance is important as she needs to verify when they need to be released or start classes. She has encountered that SDSU students have been having trouble figuring out when they are ready for an I-20, etc. As soon as the student is admitted the student is sent an email letting them know that as soon as their program is completed, they can transfer.

[Olga](#): Students sometimes struggle because schools do things differently. She asks for the student to authorize the release of his/her SEVIS record to a particular school.

H. Officer David Backe: CBP

Updates?

- ✓ Recently saw one student with one terminated record and one active record. Because of the one active record it was ok for the student to re-enter.

- ✓ F1 students, who finish their program and are on their 60 day grace period, are sometimes going to Mexico during that grace period and are trying to re-enter. Some are coming back as visa waivers so they are ok, but some are not and are being denied admission.
- ✓ Some officers are confused, and if the student goes to Mexico for one hour they consider them not 'departing'.

Audience:

- ✓ Can a student go to TJ during their 60 day grace period?

Officer: Yes. They will honor as continuous territory, and if they are from a visa waiver country they are ok.

Audience: NO, 60 day grace period is to depart the US, transfer to another school or change their status.

- ✓ Does auto revalidation apply to Mexican nationals who always want to keep their visa updated?

Officer: Yes they can do auto revalidation as long as they have a valid passport, valid status and are in Mexico for less than 30 days.

- ✓ Many put border crossing visa on their SENTRI Passes, and then when they change their status to F1 they submit the changes to SENTRI. The wait to have the visa information changed on their SENTRI Pass is way too long. Is it ok for them to use the SENTRI Pass to cross although the SENTRI Pass says B visa?

Officer: Yes, but he will check with the SENTRI Pass people and get back to PIER.

- ✓ Many students spend the weekends at home in Tijuana, and come in and out of the US during the weekend. Officers have been telling them to use their border crosser cards. Is this correct?

Officer: Every time they cross it is a new entry. They are admitted into the country on the status related to the purpose of the visit.

Example: Coming in to the US to stay and do something academic, then they should enter as an F1. Coming in to the US to go to the movies, then they should enter as a tourist. The I-94 card reflecting the F1 status should not be removed. They can have several I-94 cards as long as they are not for the same status.

- ✓ So if they have two I-94 cards in the passport, one reflecting the F1 status and the other reflecting the B visa status does that mean the student has a dual status?

Officer: No, the I-94 card with the latest date is the current status.

Example: I-94 card with B2 status for six months, and use it for multiple entries to go to Disneyland, etc. If they are coming to school they would then use the I-94 card with the F1 status as they are crossing to study, and they would be in F1 student status as that is the last status they entered with.

- ✓ Researchers come in for a month or two, etc. Scholar came in short term. Scholar fell asleep on plane, and the officer gave her WT status. Deferred inspections fixed it; however would the airline be fined if not registering students in the proper status?

Officer: Yes, the airlines are fined \$3,000 per person or maybe even more now.

✓ Most scholars are coming in through Atlanta with many mistakes on their documents, who do you contact?

Officer: Contact the Airline.

✓ Short term student travel to Mexico with initial I-20 and extended I-20's are being sent to secondary for not having a stamp on the second I-20, and are being detained for 4 to 5 hours in secondary.

Officer: Unstamped I-20's do require secondary inspection where they will be stamped, but it shouldn't take that long. It is important for students to show their current I-20, stamped or not, instead of an expired I-20 with a stamp.

✓ Name misspelled on their visa (the names were switched) and the I-94 card was issued incorrectly as well. What to do?

Officer: Advise to get a new visa if traveling outside the US. It shouldn't be a problem. It is a state department issue. "They" will correct it if they catch it.

Olga: Tell your student to check the visa before they leave the embassy (i.e. Name, visa classification, etc.)

Officer Announcement:

✓ If someone has been issued an I-193 they should not travel to Mexico as they can not revalidate a visa that was waived the first time.

Announcements:

- New Board for 2006-2007 currently has two positions available: Chair-elect and Secretary.

- In closing, Kim's last official act as Chair was to introduce the new board.
 - Chair – Olga Piro
 - Treasurer – Eric Abutin
 - Membership – Melissa Diaz
 - Webmaster – Karla Macias

Kim: "It has been a lot of fun these past two years and I could not have learned as much as I did without my colleagues. What is great about international educators is that everyone is willing and ready to share, and serving on the PIER board is my way to give back. It's been a pleasure, and have a great summer!"

I. Meeting Adjourned: Kim adjourned the meeting at 3:00pm.

Respectfully submitted,

Melissa Diaz

PIER Secretary 2005-2006

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