

FEES FOR NONIMMIGRANT (F-1) STUDENTS**Section 625 – Foreign Students****Limitations**

In General, Section 214 (8 U.S.C. 1184) is amended by adding at the end of the following new subsection:

1. An alien may not be accorded status as a nonimmigrant under section 101(a) (15) (F) (I) in order to pursue a course of study:
 - a. At a public secondary school unless:
 - (1) The aggregate period of such status at such a school does not exceed 12 months with respect to any alien, and
 - (2) The alien demonstrates that the alien has reimbursed the local educational agency that administers the school for the full, unsubsidized per capita cost of providing education at such school for the period of the alien's attendance.
 - b. An alien who obtains the status of a nonimmigrant under section 101(a) (15) (F) (I) in order to pursue a course of study at a private elementary or secondary school or in a language training program that is not publicly funded shall be considered to have violated such status, and the alien's visa under section 101(a) (15) (F) shall be void, if the alien terminates or abandons such course of study at such a school and undertakes a course of study at a public elementary school, in a publicly funded adult education program, in a publicly funded adult education language training program, or a public secondary school (unless the requirements of paragraphs (1) (B) are met).
2. Conforming Amendment. Section 101 (a) (15) (F) (8 U.S.C. 1101 (a) (15) (F) is amended by inserting "consistent with section 2144 (I)" after "such a course of study".
 - a. Reference to New Ground of Exclusion For Student Visa Abusers – For addition of ground of inadmissibility for certain nonimmigrant student abusers, see section 347 of this division.

FEES FOR NONIMMIGRANT (F-1) STUDENTS (Continued)

- b. Effective Date – The amendments made by subsection (a) shall apply to individuals who obtain the status of a nonimmigrant under section 101 (a) (15) (F) of the Immigration and Nationality Act after the end of the 60-day period beginning on the date of the enactment of this Act, including aliens who status as such as a nonimmigrant is extended after the end of such period.

Section 52613 has been added to the Education Code and requires Governing Boards to charge a student fee to cover the full costs of instruction for nonimmigrant (F-1) aliens who attend school on a Form I-20. This policy applies to nonimmigrant aliens enrolled in a class in English and Citizenship for foreigners or a class in elementary subjects. A.D.A. money shall no longer be provided by the state for attendance of these students.

The hourly fee charged by the school district will be annual revenue limit ÷ by 525 hours. Students on an I-20 must attend a minimum of 20 hours per week.

The student fee shall be payable monthly in advance at the Tracy Adult School office. The student fee shall be based upon 20 hours of weekly attendance and shall be adjusted monthly based upon the actual attendance above 20 hours per week during the previous month.

Legal References:

EDUCATION CODE

52613

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