

## STUDENTS

### Nonresident Foreign Students

#### Definitions

*F-1 Visa Students:* An F-1 visa student is a nonimmigrant visa category intended for use by nonresident aliens whose primary purpose for visiting the United States is to study at an academic school. (8 USC 1184)

*J-1 Visa Students:* A J-1 visa student is a nonimmigrant exchange student who has come to the United States to study for a specific period of time under the sponsorship of a government approved agency. (8 USC 1184)

*(cf. 6145.6 - International Exchange)*

Nonimmigrant foreign students may be admitted to the United States for a temporary stay for the purpose of study.

*(cf. 5111.1 - District Residency)*

#### F-1 Visa Students

On a case-by-case basis, students with or seeking an F-1 visa designation shall be accepted for admission to district schools in grades 9-12.

*(cf. 6200 - Adult Education)*

In determining whether to admit the student, the Superintendent or designee shall consider whether the following conditions exist: (8 CFR 214.3, 22 CFR 41.61)

1. A suitable program exists at the school the student has selected
2. The student's English proficiency is sufficient for successful study at that school
3. Space is available
4. The student has provided proof of financial responsibility

In addition, the student shall also submit evidence that he/she has been fully immunized in accordance with California law.

*(cf. 5141.31 - Immunizations)*

A student shall be admitted for a maximum of one year. In addition, a student granted admission under this program shall pay the district the full, unsubsidized per-student cost of attendance at the secondary school. (8 USC 1184)

*Legal Reference:*

*EDUCATION CODE*  
*8050-48054 Nonresidents*  
*UNITED STATES CODE, TITLE 8*  
*1184 Foreign students*  
*CODE OF FEDERAL REGULATIONS, TITLE 8*  
*214.3 Petition for school approval*  
*214.4 Withdrawal of school approval*  
*CODE OF FEDERAL REGULATIONS, TITLE 22*  
*41.61 Students; academic and nonacademic*

*Management Resources:*

*CDE LEGAL ADVISORIES*  
*0319.97 Amendments to F-1 Student Visa Requirements, LO: 1-97*

Regulation approved 7/05