



**U.S. Department of Justice**  
Immigration and Naturalization Service

HQOPP 70/21.1

Office of the Executive Associate Commissioner

425 I Street NW  
Washington, DC 20536

May 30, 2002

**NOTICE TO DESIGNATED SCHOOL OFFICIALS**

On November 30, 2001, notice was provided to designated school officials announcing that the Immigration and Naturalization Service (INS) had terminated its contract with "UNIBAND" and had entered into contract with "ACS, Inc." to enter information contained on certain INS forms into a national electronic information system. A copy of the notice is attached. The purpose of this letter is to clarify the use of each form referenced in the previous notice and to provide procedures for filing each form.

***Form I-20 A/B, Certificate of Eligibility for Nonimmigrant (F-1) Student Status – For Academic and Language Students, and Form I-20 M/N, Certificate of Eligibility for Nonimmigrant (M-1) Student Status – For Vocational Students***

Forms I-20A/B and Form I-20 M/N are issued by the DSO of an INS approved school to prospective F-1 or M-1 students. Forms I-20 A/B and I-20 M/N should be issued for initial attendance in accordance with the procedures of Title 8 Code of Federal Regulations, section 214.3(k).

When a DSO issues a Form I-20 A/B or I-20 M/N for initial attendance by a student, the DSO should not send the Form I-20 A/B or I-20 M/N to ACS. However, if the DSO approves a program extension for a current F-1 student in accordance with 8 Code of Federal Regulation, section 214.2(f)(7), the DSO should:

- update the I-20 A/B;
- return the student copy to the student;
- complete Form I-538; and,
- forward the school copy of Form I-20 with the Form I-538 to ACS.

For F-1 school transfers or program level changes within the same school, the DSO should send a new Form I-20 A/B school copy to ACS, in accordance with 8 Code of Federal regulations, sections 214.2(f)(5)(ii) and 214.2(f)(8). The DSO should return the student copy of Form I-20 to the student. Note that the above transfer and extension procedures do not pertain to M-1 students (See section below on Form I-539, *Application to Extend or Change Nonimmigrant Status*).

**Form I-17, *Petition for Approval of School for Attendance by Nonimmigrant students*, Form I-17A, *Designated School Officials*, and Form I-17B, *School System Attachment***

Schools seeking initial approval to enroll F-1 or M-1 students should submit Form I-17 to the appropriate INS district office. Form I-17 should not be sent to ACS.

Once approved, authorized schools are to notify the INS district office that approved the original Form I-17 of any updates or addendums to the initial petition, including additions or changes to DSOs, using Forms I-17, I-17A, and I-17B, in accordance with the procedures of Title 8 Code of Federal Regulations, section 214.3. Schools should not send these forms to ACS.

Please also note, pursuant to section 214(m) of the Immigration and Nationality Act (INA), F-1 students are not authorized to attend public schools, kindergarten through 8<sup>th</sup> grade.

**Form I-538, *Certification by Designated School Official***

In accordance with Title 8 Code of Federal Regulations, section 214.2(f), Form I-538 must be submitted to ACS when the DSO:

- makes a recommendation for optional practical training to accompany an F-1 or M-1 employment request to a Service Center;
- has approved an F-1 student for curricular practical training; or
- has approved an extension of an F-1 student's course of study.

The Form I-538 must be sent within 30 days of the DSO's decision to approve an extension of an F-1 student's course of study. A filing fee is not required for Form I-538.

If an F-1 student is applying for employment authorization based upon severe economic hardship, Form I-538 should be submitted to the appropriate Service Center, not to ACS, along with Form I-765, *Application for Employment Authorization*, and a copy of the student's Form I-20.

**Form I-539, *Application to Extend or Change Nonimmigrant Status***

Form I-539 should be filed in accordance with 8 Code of Federal Regulations, sections 214.2(f), 214.2(m), and 248. Form I-539 should not be sent to ACS.

When an F-1 or M-1 student seeks reinstatement of status, Form I-539 must be submitted together with a new Form I-20 A/B or Form I-20 M/N, to the appropriate INS district office. If the INS approves the reinstatement request, the INS will return the school copy of the new Form I-20 to the DSO.

When an alien lawfully admitted to the U.S. as a nonimmigrant seeks to change his or her nonimmigrant status to that of an F-1 or M-1 student, Form I-539 must be submitted together with a Form I-20 A/B or Form I-20 M/N, to the appropriate INS Service Center. If the INS

approves the reinstatement request, the INS will return the school copy of the Form I-20 to the DSO.

When an M-1 student seeks an extension of M-1 status or a transfer to a different vocational school, Form I-539 must be submitted together with a new form I-20 M/N, to the appropriate INS Service Center. If the INS approves the extension or transfer request, the INS will return the school copy of the new Form I-20 M/N to the DSO.

**Form I-702, *School Violations and Approval Review***

Form I-702 is no longer in use by the INS.

**Form I-506, *Application for Change of Nonimmigrant Status***

Form I-506 was cancelled on December 11, 1991, and is no longer in use by the INS.

**Obtaining Forms:** All listed forms, with the exception of the Form I-20 and Form I-17, can be obtained on the web at <http://www.ins.usdoj.gov/> or by calling 1-800-870-3676.

Form I-20 and Form I-17 may be obtained by faxing a request to the Form Center West, (323) 526-7682, using institutional letterhead. Be sure to include the name, address and telephone number of the school, as well as the type of form being requested. When requesting additional Forms I-20, the school code must be included.

**Sending forms to ACS:** If sending forms via the United States Postal Service to ACS, the mailing address is:

INS Student/School Processing  
ACS, Inc., P.O. Box 170  
London, KY 40741

If sending forms via an overnight carrier, the mailing address is:

INS Student/School Processing  
ACS, Inc.  
1084 South Laurel Rd.  
London, KY 40744

**Additional Regulatory Information:** Institutions may access the INS website, [www.ins.usdoj.gov](http://www.ins.usdoj.gov), to view information on the laws and regulations regarding the responsibilities of institutions and designated school officials who enroll foreign students (INA section 101(A)(15)(F) and (M); 8 CFR section 214.2(f) and (m), 214.3 and 214.4). For inquiries as to whether your institution has been approved by the INS to enroll F-1 or M-1 nonimmigrants, please contact your local INS district office.

Should you have any other questions concerning this notice, please contact Jean Tharpe, (202) 514-9559.

Thank you again for your cooperation.

Sincerely,

Johnny N. Williams /s/  
Executive Associate Commissioner  
Office of Field Operations

[Attachment:](#)