

**MIDDLETON SCHOOL DISTRICT #134  
POLICY AND PROCEDURE MANUAL  
SECTION 3000 – Students**

**TRACKING FOREIGN STUDENTS AND FOREIGN EXCHANGE VISITORS.....POLICY 3009**

In compliance with the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, this School District will cooperate with the Immigration and Naturalization Service (INS) in tracking foreign students and foreign exchange visitors, and, when required, collecting fees from same.

**DEFINITION**

“Foreign student” or “F-1 visa holder” means an alien having a residence in a foreign country which he or she has no intention of abandoning, who is a bona fide student qualified to pursue a full course of study, and who seeks to enter the United States temporarily and solely for the purpose of pursuing such a course of study at an established academic high school particularly designated by him or her and approved by the Attorney General after consultation with the Secretary of Education.

“Foreign exchange visitor” or “J-1 visa holder” means an alien having a residence in a foreign country which he or she has no intention of abandoning who is a bona fide student, scholar, trainee, teacher, professor, research assistant, specialist, or leader in a field of specialized knowledge or skill, or other person of similar description, who is coming temporarily to the United States as a participant in a program designated by the Director of the United States Information Agency for the purpose of teaching, instructing or lecturing, studying, observing, conducting research, consulting, demonstrating special skills, or receiving training. The terms “foreign exchange visitor” or “J-1 visa holder” also include the spouse and minor children of any such alien if accompanying him or her or following to join him or her.

**COLLECTING INFORMATION**

This District will collect and forward to the INS, via the SEVIS automated system, and within the required timeframes and format, the following information regarding each foreign student or foreign exchange visitor enrolled in the District:

1. Identity and current address;
2. Start date of the student’s next semester;
3. Nonimmigrant classification, date of visa issuance, and date of extension or change of status;
4. Student’s failure to enroll, or complete the educational program;

5. Current academic status, including whether the student is maintaining full-time status, or, in the case of an exchange visitor, whether the student is satisfying the terms and conditions of the exchange program;
6. Any change of the student's legal name or address;
7. Any disciplinary action taken by the District as a result of a criminal conviction of the student, or, in the case of an exchange visitor, any change in J program participation as a result of the alien's conviction of a crime.
8. Date of early graduation, if applicable.

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**LEGAL REFERENCE:**

Illegal Immigration Reform and Immigrant Responsibility Act of 1996  
Immigration and Nationality Act  
8 C.F.R. 214 .3(g)

**ADOPTED: 10/08/02 (Implementation July, 2003)**

**REVISED: 03/11/02 (Implementation July, 2003)**