

When Is It Acceptable To Delay My Graduation?

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❶ Ask Yourself: Am I eligible to receive my diploma?

- If Yes, STOP, you must graduate this semester.
- If No, continue on to question 2.

❷ Ask Yourself: Have I completed all the courses required to earn a particular degree from the University of Iowa?

- ★ For most bachelor's degree candidates, the completion date is determined by the date when you complete all the courses required for your degree program and are eligible to graduate.
- ★ For most master's degree candidates in non-thesis programs, the completion date is determined by the date when you complete all courses required for your degree program and are eligible to graduate.
- ★ For a few master's degree candidates in non-thesis programs, the completion date is determined by the date when you successfully pass your comprehensive exam assuming that the exam is taken at the earliest possible date following completion of all coursework. This does not include exams required for certification or licensing as these are not required for you to earn your degree.
- ★ For master's degree candidates in thesis programs, the completion date is determined by the date when your thesis has been approved by the Graduate College and by your thesis committee.
- ★ For doctoral degree candidates, your completion date is determined by the date when you successfully pass your final oral defense of your written thesis.

❸ Ask Yourself: Do I want to postpone my graduation due to a poor job market, family concerns or for other reasons unrelated to my current academic degree program?

These are not reasons the USCIS will accept for delaying graduation, and you could be viewed as violating the regulations. Also, if you postpone your graduation for administrative reasons such as missing the deadline to apply for graduation, this does not postpone your completion of study for immigration reasons. Once you have **completed all the requirements for your current course of study or degree program**, you cannot remain in the U.S. unless you choose one of the options listed in section #5 of this handout.

❹ Ask Yourself: Do I want to postpone my graduation to take just one more class that is really important for my area of study but that is not required to get my degree?

Courses that are not required by your degree program do not allow you to postpone your graduation. **Taking classes not required by your degree program which then delay normal progress could be perceived by U.S. Citizenship and Immigration Services as a violation of your F-1 or J-1 status.**

❺ Ask Yourself: Do I still have a valid I-20 or DS-2019?

A common misconception is that a student can remain in the U.S. as long as their I-20 or DS-2019 has not yet expired. This is **not true**. You cannot maintain your status as an F-1 or J-1 student by simply having an unexpired I-20 or Ds-2019. The completion or end date listed on your I-20 (section #5) or DS-2019 (section #3) is simply an estimate of the time it takes an average student to complete the same degree or academic program.

U.S. Citizenship and Immigration Services regulations clearly state that you may only maintain status by **pursuing a full course of study** and by **making normal progress** toward completing this specific course of study. The University of Iowa defines normal progress as being able to complete a bachelor's degree in 45 months, a master's degree in 21 months, and a doctoral degree in 57 months.

⑥ **Ask the OISS: How would U.S. Citizenship and Immigration Services ever know if...?**

U.S. Citizenship and Immigration Services might never know that you postponed your graduation even though you had completed your degree program. However, we can tell you that U.S. Citizenship and Immigration Services generally performs a very thorough historical review for applicants applying for a change of status to H-1B or an adjustment of status to U.S. permanent resident. They will ask for copies of all the I-20 or DS-2019 forms which were ever issued to you as well as transcripts. They will scrutinize the timing of various events.

Ultimately, it is up to you to decide if the risk of any action you take is worth the potential future consequences. U.S. Citizenship and Immigration Services holds you responsible for maintaining your F-1 or J-1 status. . .not the Office of International Students and Scholars nor your academic advisor.

⑦ **Ask the OISS: What action would you recommend for someone nearing completion of their degree program?**

Plan ahead! Know your upcoming deadlines! Identify your options!

In general, if you are maintaining your current non-immigrant status, you have the following options available once you complete your course of study:

- ★ Begin a new course of study at The University of Iowa during the next available semester.
- ★ Transfer to a new school or new program sponsor within the U.S.
- ★ Apply for F-1 Optional Practical Training or J-1 Academic Training in order to gain practical work experience directly related to the degree or academic program you just completed.
- ★ Apply to change your nonimmigrant status.
- ★ Depart from the U.S. within 60 days if you are an F-1 student or within 30 days if you are a J-1 student.

⑧ **Ask U.S. Citizenship and Immigration Services: What do the actual written regulations say about all this?**

“. . . If the student is not required to take any additional courses to satisfy the requirements for completion, but continues to be enrolled for administrative purposes, the student is considered to have completed the course of study and must take action to maintain status. Such action may include application for change of status or departure from the U.S.” 8 CFR § 214.2(f)(6)(iii)(C)

“. . . an F-1 student is admitted for duration of status. Duration of status is defined as the time during which an F-1 student is pursuing a full course of studies at an education school approved by the Service for attendance by foreign students. . . . An F-1 student who has completed a course of study will be allowed an additional 60-day period to prepare for departure from the United States or prepare for transfer to a higher level at the same or another educational institution. . . . The student is considered to be maintaining status if he or she is making normal progress toward completing a course of study.” 8 CFR § 214.2(f)(5)(i)