

Foreign Students Public Law

From: Public Law 104-208, Omnibus Authorization bill for the Commerce, State and Justice Departments, signed into law on September 30, 1996. The bill contained provisions entitled the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA). Provisions dealing with foreign students in public schools follows:

SEC. 625. FOREIGN STUDENTS

(a) Limitations--

1. In general--Section 214 (8 U.S.C. 1184) is amended by adding at the end the following new subsection:

“(1) (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 elementary school or in a publicly funded adult education program; or

“(B) at a public secondary school unless--

“(i) the aggregate period of such status at such a school does not exceed 12 months with respect to any alien, and

“(ii) 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.

“(2) 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 program, in a publicly funded adult education language training program or at a public secondary school (unless the requirements of paragraph (1)(B) are met).”

2. Conforming amendment, -- Section 101(a)(15)(F) (8 U.S.C. 110 (a)(15)(F)) is amended by inserting “consistent with section 214(1)” after “such a course of study” (b) Reference to New Ground of Exclusion for Student Visa Abusers. -- For addition of ground of inadmissibility for certain nonimmigrant student abusers, see section 347. (c) 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 the Act. including aliens whose status as such a nonimmigrant is extended after the end of such period.