

This document is to announce the Office of International Student Services' (ISS) new interim policy regarding international students' permission to work during the academic year (Fall and Spring semesters). The interim policy, effective January 27, 2014, will be reviewed and formalized by Spring 2015. ISS will provide notification to all international students again at that time.

ISS' interpretation of this regulation has been and continues to be that students are limited to working a total of 20 hours per week. With proper authorization from ISS, a student may be employed in one position for up to 20 hours per week or in multiple jobs and under different classifications (on-campus, assistantships, off-campus, Curricular Practical Training (CPT), etc.); however, **the aggregate hours of weekly work must always be limited to 20**. If a student works in excess of 20 hours, it's considered a violation of visa status.

ISS informs students of this regulation and their responsibility to abide by it in various ways. Information appears on the Terms and Conditions pages of both on-campus work permission and CPT applications and students are required to initial these statements as an acknowledgment of having read them and agreeing to them. ISS also discusses these limitations in-person, through emails, and they're published on our website.

Examples of weekly work permission scenarios that *comply*:

1. working as a research assistant for your academic department is considered a 20 hour commitment
2. working 15 hours on-campus at the library and 5 hours on-campus in a computer lab
3. working 10 hours on CPT and 10 hours as a lab assistant on-campus

Examples of weekly work permission scenarios that *do not comply*:

1. working as a research assistant and working 10 hours as a tutor
2. working 15 hours on-campus at the library and 20 hours on CPT
3. working 10 hours on CPT for one employer and working 12 hours on CPT for another employer

ISS has and will continue to take steps to ensure that students are properly complying with this regulation. Conducting audits is one way as is keeping accurate records of when we provide work authorization in student files. If ISS discovers that a student is working in excess of the 20 hour limit during the academic year, there are consequences. Our policy was as follows:

Upon a 1<sup>st</sup> violation, students are issued a warning. The advisor reminds the student of the terms, discusses the violation, and explains that there will be no penalty as long as the

student properly adheres to the regulation moving forward. All current authorizations and future eligibility for work authorization are unaffected.

Upon a 2<sup>nd</sup> violation, students lose all work permission eligibility for at least one full semester.

Examples:

1. A student works more than 20 hours per week during the first month of Fall semester. It's a second violation. The student's current authorization for Fall semester is cancelled and he/she is not permitted to work in Spring semester. The earliest that he/she may reapply for work authorization is Summer.
2. A student works for more than 20 hours per week during their final semester. It's a second violation. The student's current authorization for Spring semester is cancelled and she/she is not eligible to apply for Optional Practical Training (OPT).

Upon a 3<sup>rd</sup> violation, a student's visa status is TERMINATED for either Unauthorized Employment or Otherwise Failing to Maintain Status. The particular nature of the violation will determine which reason is used. Both are considered very serious violations and could impact a student's ability to obtain a visa in the future.

Termination in either situation mandates that the student leave the United States immediately. In order to return to the US and resume studies, the student will need to apply and be approved for a new visa after first obtaining a new I-20 from ISS and paying the I-901 fee.

If a student returns to the US after a previous status has been terminated, the termination can significantly impact his/her eligibility for CPT and OPT. Students are only eligible for these types of work authorizations after they've properly maintained their F-1 status for at least one academic year (a Fall and Spring semester).

Examples:

1. An undergraduate student is terminated in the Spring semester of his/her 2<sup>nd</sup> year and returns to campus in F-1 status the following Fall (start of 3<sup>rd</sup> year). Student will not be eligible for CPT until after he/she completes the Fall and following Spring semester. The summer before starting the 4<sup>th</sup> year will mark his/her earliest eligibility for CPT. Eligibility for OPT upon graduation will be unaffected if status is properly maintained.

2. A graduate student is terminated in the Spring semester, returns to campus in F-1 status in the Fall, and plans to graduate the following Spring (a semester later). The student will not be eligible for CPT (because he/she will not be an enrolled student upon graduating at the end of Spring), but will be eligible to apply for OPT to commence after graduation.

3. A student is terminated in the Spring, returns to campus in F-1 status in the Fall semester, and plans to graduate at the end of that same Fall semester. The student will not be eligible for CPT or OPT because he/she won't be in status for at least one academic year.

Effective today, January 27, 2014, students who are discovered to be in violation of the regulation, as interpreted by ISS, will be subject to the following penalties as part of the interim policy:

Upon a 1<sup>st</sup> violation, students lose all work permission eligibility for at least one full semester.

Examples:

1. A student works more than 20 hours per week during the first month of Fall semester. The student's current authorization for Fall semester is cancelled and he/she is not permitted to work in Spring semester. The earliest that he/she may reapply for work authorization is Summer.

2. A student works for more than 20 hours per week during their final semester. The student's current authorization for Spring semester is cancelled and she/she is not eligible to apply for Optional Practical Training (OPT).

Upon a 2<sup>nd</sup> violation, a student's visa status is TERMINATED for either Unauthorized Employment or Otherwise Failing to Maintain Status. The particular nature of the violation will determine which reason is used. Both are considered very serious violations and could impact a student's ability to obtain a visa in the future.

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Examples:

1. An undergraduate student is terminated in the Spring semester of he/her 2<sup>nd</sup> year and returns to campus in F-1 status the following Fall (start of 3<sup>rd</sup> year). Student will not be eligible for CPT until after he/she completes the Fall and following Spring semester. The summer before starting the 4<sup>th</sup> year will mark his/her earliest eligibility for CPT. Eligibility for OPT upon graduation will be unaffected if status is properly maintained.
2. A graduate student is terminated in the Spring semester, returns to campus in F-1 status in the Fall, and plans to graduate the following Spring (a semester later). The student will not be eligible for CPT (because he/she will not be an enrolled student upon graduating at the end of Spring), but will be eligible to apply for OPT to commence after graduation.
3. A student is terminated in the Spring, returns to campus in F-1 status in the Fall semester, and plans to graduate at the end of that same Fall semester. The student will not be eligible for CPT or OPT because he/she won't be in status for at least one academic year.