



## MAINTAINING F-1 STUDENT STATUS

### Qualifications

There are several qualifications for obtaining an F-1 visa or F-1 status.

- You must be accepted to study full-time at a U.S. educational institution.
  - Institution issues a SEVIS I-20 (Certificate of Eligibility) to obtain F-1 visa from a U.S. Consulate or Embassy
- You should be fluent enough in English to study full-time.
- You must show proof of financial ability to study full-time.

### Penalty for Being “Out of Status”

The Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA) imposes penalties for non-immigrants who have “overstayed” their period of authorized stay or who are “unlawfully present” in the U.S. Possible penalties, depending on severity of the violation, as follows:

- Automatic cancelation of visa
- Bar from re-entry to the U.S. from 3-10 years
  - The visa is automatically cancelled and the individual is barred from re-entry to the U.S. for 3 year if he/she is unlawfully present from 6-12 months.
  - If he/she is unlawfully present for 12 months or more, the student cannot re-enter for 10 years.
- Deportation without appeal and permanent bar from the U.S.

### Unlawful Presence

The period of unlawful presence begins on the date a USCIS officer or Immigration Judge determines an individual is out of status or on the expiration date on an I-94 card.

### Regulations for Maintaining F-1 Status

#### Full-Time Study

- F-1 students must maintain full-time student status each Fall and Spring semesters until their program of study is completed.

- Enrollment in summer sessions is not required unless the student is beginning the program of study in the summer or intends to undertake curricular practical training during the summer.
- Full-time study for an **undergraduate-level** student at Austin College is 3 course credits in a long semester.
- Full-time study for a **graduate-level** student at Austin College is 2 course credits in a long semester.
- Students can only take one online course per semester to meet minimum enrollment requirements.

### Penalty for Dropping Below Full-Time Status

Dropping below full-time study can have serious implications. Regulations allow approved exceptions to the full-time enrollment requirement for extraordinary medical or specific academic reasons. These exceptions are only allowed for one semester per degree level unless reduced enrollment is due to health reasons. Medical documentation must be provided each semester for the waiver to continue.

**Before dropping below full-time study, seek approval from the Registrar to determine if you can be granted a waiver for the rest of the term. Failure to do so will result in “out of status” and then you must apply for reinstatement.**

### Duration of Status

There may be a hand-written date in the upper right-hand corner of your I-94. This is your duration of status (D/S). You must either leave the U.S., apply for an extension, or apply for a change of status by that date. If D/S is noted, you will be considered in status as long as you attend school or pursue your exchange visitor program and your I-20 has not expired.

### Extending Your Stay

If your permission to stay in the U.S. is going to expire and you need additional time to complete your program, you may apply for an extension. You must apply for the extension **before**, ideally 30 days before, your stay expires. If you do not apply for the extension before the expiration dates on your I-20, you will be out of status and will have to apply for Reinstatement.

### Change of Educational Level or Major

- A student who changes to a different level of study (e.g. undergraduate to graduate level) requires a new I-20 and a change in completion date, even if remaining at the same institution.
- Student must show evidence that he/she is 1) admitted to the program and 2) current financial support documents
- A student who is admitted to a new major at the same degree level (e.g. change from a Biology to a Chemistry major, change from an Art major to an Anthropology major, etc.) must request a new I-20 to reflect the change within 10 days of making the change.

## Travel Outside of the United States

See **Travel Outside of the U.S. on an F-1 Visa** posted on the web site.

## Transfer of Schools

- If a student decides to transfer from Austin College to a new school, he/she must see the Registrar and provide proof of acceptance for admission and the date the student wishes to be released for transfer.
- With release of transfer, the Registrar will transfer the SEVIS record to the new institution. The new institution cannot issue an I-20 until the release date.
- NOTE: Once Austin College releases your SEVIS record, we lose control of the record and the student is no longer able to work on campus or take classes.
- The release date can be no earlier than the end of the current term and not later than 60 days after graduation or end of OPT.
- Sometimes a new institution may require a transfer notification form to be completed. The Registrar's Office can help with providing that information.
- The student will be responsible for sharing the release date with the new institution.

## Reinstatement

An F-1 student must apply for reinstatement if he/she failed to:

- maintain full-time enrollment
- apply for an extension of stay on time
- complete the transfer process
- entered the U.S. but did not enroll in school

See **Reinstatement of F-1 Status** on the web site.

## Employment

Employment opportunities for international students in the U.S. are restricted by law. Employers are required to verify employment eligibility for every employee regardless of citizenship or immigration status by completing an I-9 – Verification of Employment Eligibility.

To complete an I-9 you would be required to:

- establish your identity with a passport
- provide documentation that you are eligible to work with an EAD – Employment Authorization Document, a notation on your I-20 (in cases of CPT) or a stamp in your passport.

NOTE: Having a Social Security Card does not establish your **authorization** to work, but is required to begin working. (see **Application Process for Social Security Card for F-1 Students**).

F-1 Students are restricted to work a maximum of 20 hours per week, so that work does not interfere with your purpose in the U.S. – to gain an education.

### **On-Campus Employment**

- Student must be enrolled full-time in good academic standing.
- Student cannot work more than 20 hours per week.
- Student must have a Social Security Number.

### **Off-Campus Employment**

- Student must have an Employment Authorization Document (EAD) unless the work is considered Curricular Practical Training (CPT) and is related to a practicum, co-op, or independent study related to the field of study and provides academic credit as well.
- Student must have a Social Security Number.

### **Optional Practical Training (OPT)**

See **Optional Practical Training (OPT) Guide** on the web site.