



#1 - SEVIS Changes for 2008-2009 Academic Year

Fees Increased Oct. 27, 2008 for international students, exchange visitors, and schools:

Payee	Previous Fee	New Fee
Nonimmigrant Students	\$100	\$200
Most Exchange Visitors	\$100	\$180
Au Pair, Camp Counselors, Summer Work/Travel Programs	\$35	\$35
Government-Sponsored Exchange Visitors	\$0	\$0
Recertification of SEVP-certified Schools	\$0	\$0
Initial SEVP School Certification	\$230	\$1,700
School Site Visit	\$350	\$655
Petition for Change in Ownership of SEVP-certified School	\$230	\$1,700
Addition-of-a-Campus Site Visit	\$350	\$655

Fee increases to fund:

- New database designed to improve interactive features for school administrators and reduce user errors.
- Additional regional field liaisons to provide daily advice and assistance to schools
- Additional field agents to investigate threats to system.

Schools Must Be Recertification:

- Jan. 2, 2009 - ICE issued 180-day notice to first group of SEVP-certified schools of eligibility for recertification.
- Recertification notices go out to some 400 schools every month for next 2 years
- July 2009 - First recertification due
- NOTE: Currently participating schools will not be required to pay additional certification fee.



#2 - U.S. Federal Agencies and Aliens

Department of State:

Issues "visas" and other travel documents that allow noncitizens to enter the United States.

Department of Homeland Security (DHS)

Through its bureaus of U.S. Citizenship and Immigration Services (USCIS), Customs and Border Protection (CBP), and Immigration and Customs Enforcement (ICE), DHS controls the entry to and monitors the status of aliens present in the United States. ICE also departs aliens who are in the United States illegally or who have violated their "status" while in the United States.

Department of Labor

Approves "Labor Certifications" in the case of certain classes of aliens (e.g., H-1b nonimmigrants) which allow these classes of aliens to be employed in the United States by certain employers.

Bureau of Educational and Cultural Affairs of the Department of State

Formerly known as the United States Information Agency (USIA), ECA administers the J-1 Exchange Visitor Program in the United States and facilitates educational and cultural exchange between the United States and other nations.

Department of Commerce (DOC)

The DOC often sponsors aliens to visit the United States for the purpose of training and commerce.

Social Security Administration

Issues social security numbers to aliens (generally to aliens who are allowed to be employed in the United States under the immigration laws), accounts for the Social Security credits earned by aliens in the United States, and administers social security benefits payable to aliens.

Internal Revenue Service

Administers the taxation of aliens who live in the United States or who have income which is sourced in the United States. Assists the Department of State and the Department of the Treasury to negotiate and administer tax treaties and other diplomatic conventions which affect taxes.



#3 - Important Documents

Form	Purpose
Form DS-156 – Nonimmigrant Visa Application	Student visa applicant must complete, sign, and present at visa application interview.
Form DS-157 – Supplemental Nonimmigrant Visa Application	Provides additional information that student visa applicant sometimes must complete, sign, and present at visa application interview.
Form DS-158 - Contact Information and Work History for Nonimmigrant Visa Applicant	Student visa applicant must complete, sign, and present at visa application interview.
Form DS-2019 - Certificate of Eligibility for Exchange Visitor (J-1) Status	Issued by a U.S. Department of State-approved exchange visitor program. Must be presented when applying for a visa from a U.S. embassy or consulate.
Form I-20 - Certificate of Eligibility for Nonimmigrant Student Status	Issued by SEVP approved schools. Serves as proof of acceptance to a SEVP-certified school. Must be presented when applying for a visa from a U.S. embassy or consulate, change of status, and admission to U.S.
Form I-539 - Application To Extend/Change Nonimmigrant Status	Used by nonimmigrants already in U.S. to apply to USCIS for change of status to F-1 or M-1 visa.
Form I-765 - Application for Employment Authorization	Used by nonimmigrants to request an Employment Authorization Document (EAD – colloquially known as a “work permit”) from the Bureau of U.S. Citizenship and Immigration Services, Department of Homeland Security.
Passport	Must be presented at visa application interview. Must be valid for at least 6 months after proposed date of entry to U.S.
Photograph	A 2 x 2-inch photo of visa applicant must be presented at visa application interview.
Receipt for SEVIS I-901 Fee	The I-797- or Internet-generated receipt given to student upon payment of the SEVIS I-901 fee.
Receipt for Visa Applicant Fee	Student must present at visa application interview.



#4 - Avoiding Form I-515A Notice to Student or Exchange Visitor

- Issued when student or exchange visitor lacks proper documentation at U.S. point of entry.
- Limits admission to the United States **TO 30 DAYS** because of lack of required documentation.
- Student or exchange visitor must report to their Designated School Official (DSO) or Responsible Officer (RO) immediately.
- The DSO or RO must work with student or exchange visitor to provide proper documentation and complete submission process within by 30-day deadline.
- Failure to meet deadline results in student or exchange visitor falling into legal status and having to leave United States.

When Traveling In And Out Of The Country ...

International students should always carry:

- Passport/Visa
- Signed Sevis Form I-20
- Form I-901 Fee Payment Receipt

Exchange visitors should always carry:

- Passport/Visa
- Signed DS 2019 (with blue ink)
- Form I-901 Fee Payment Receipt



#5 - Employment for International Students & Exchange Visitors

- Approximately 95% of the international academic students in the United States have entered the country on F-1 (student) or J-1 (Exchange Visitor) visas.
- A large number of international teachers and researchers have entered the United States on J-1 (Exchange Visitor) visas; but a great many of the international faculty members have also entered the United States on H-1b visas (Specialty Occupation), O-1 visas (Alien with Extraordinary Ability), and TN visas (NAFTA Professional from Canada or Mexico).
- Most students in F-1 or J-1 status have no specific time limits imposed on their stay in the United States.
- During the academic year, international students in F-1 or J-1 status are usually limited to no more than 20 hours of paid employment per week.
- During the summer and other vacations, international students in F-1 or J-1 status usually are allowed to work 40 hours per week.
- Certain students may be allowed to work off campus with permission from the Bureau of U.S. Citizenship and Immigration Services (www.uscis.gov) or from their school's Designated School Official (usually the international student advisor).
- Certain students in hardship situations are issued Employment Authorization Documents (EAD – colloquially known as a “work permit”) and are allowed to work off campus with no hour limitations.
- F-1 students are allowed to be employed for a maximum of 12 months in "practical training" jobs both on and off campus. These jobs must be related to the student's subject area of study.



#6 - On-Campus Employment for F-1 Students

- On-campus employment must take place either at F-1 student's school or at an off-campus location that is educationally affiliated with the school.
- The F-1 student's work must directly provide services for students or be with an employer that is contractually affiliated with the school (such as a research lab affiliated with the school). Educational affiliation means the job is associated with the school's established curriculum or is part of contractually funded research projects at the post-graduate level.
- An F-1 student's work may not displace a U.S. citizen or lawful permanent resident at a qualifying on-campus job.
- F-1 students can begin working as much as 30 days before the start of classes. They should have permission from their Designated School Official before they begin work.
- F-1 students may work up to 20 hours per week while school is in session. They may work full-time during those periods when school is not in session or during the student's annual break.
- The job has to be physically located on the school's campus or off-campus at the site of an educationally affiliated organization.
- F-1 students should report their work to their Designated School Official and receive a certification letter to present to the Social Security Administration to be able to receive a social security number.
- If an F-1 student finishes one program (such as a Bachelor's Degree) and starts another program at the same campus, he or she may continue on-campus employment as long as he or she plans to enroll for the next term.
- Border commuter students are not eligible for off-campus employment. Border commuter students are limited to practical training – CPT and post-completion optional practical training (OPT).
- Failure to comply with these guidelines may violate the student's status and may result in the student having to leave the United States.



Designated School Official's Responsibilities

- Counsel the student concerning.
 1. Number of hours they can work
 2. Type of employment
 3. Need to maintain F-1 status
 4. Tax and social security implications
 5. Reporting changes in employment and hours worked
- Have a letter from each employer concerning the nature of the job and the work hours.
- Give the student a letter for social security purposes certifying that the job qualifies as on-campus employment and that the student is in F-1 status.
- Keep records on the student's employment in the school files.
- Terminate the student's SEVIS record if the student engages in any unauthorized employment or works hours in excess of those allowed.



#7 - Off-Campus Employment For International Students

- Off-campus employment for F-1 students is for economic need and need not be related to the student's academic course of study.
- Prior to entering the United States, F-1 students are required to show that they will be able to afford the costs of school and living expenses, and they should not plan on being allowed to work off-campus.
- Off-campus employment is authorized only in cases of severe economic hardship occurring subsequent to a student's enrollment in an academic program or in "emergent circumstances" (a world event that impacts a group of nonimmigrants) as defined by DHS.
- When emergent circumstances arise, the Secretary of DHS may publish a special notice in the Federal Register and grant special relief. The notice will give details on who is included in the group and the eligibility requirements. The Secretary can waive any restrictions on F-1 student employment.
- Off-campus employment is a case-by-case exception made for students who can show that new, unexpected circumstances beyond the student's control have created severe economic hardship. These may include:
 1. Loss of financial aid or on-campus employment – if it is not the student's fault.
 2. Large increases in tuition or living costs.
 3. Substantial decrease in the relative value of currency the student depends upon to pay expenses.
 4. Unexpected changes in the financial conditions for his or her sources of financial support.
 5. Unexpectedly large medical bills not covered by insurance.
 6. Other substantial, unexpected expenses.
- F-1 students must have been enrolled for at least one academic year and be in good academic standing before they can be authorized to work off-campus.
- They must be unable to get on-campus employment or the pay from available on-campus employment must be insufficient to meet the student's financial needs.
- The F-1 student must file a Form I-765 and pay a fee to USCIS. This should be done within 30 days of the day the student's school endorses the Form I-20. If the application is approved, the student will receive an Employment Authorization Document card and can begin working.



- Approval for off-campus employment is good for one year. If the F 1 student needs to continue working off-campus, he or she must reapply.

Eligibility Guidelines For Off-Campus Employment

The student must:

- Have been in F–1 status for one full academic year;
- Be in good academic standing;
- Be enrolled in a full course of study;
- Show that working will not adversely impact his or her ability to attend school full-time and maintain their academic standing; and
- Show severe economic hardship due to unforeseen circumstances beyond the student's control.
- Border commuter students are not eligible for off-campus employment. Border commuter students are limited to practical training – CPT and post-completion optional practical training (OPT).



#8 - International Student/Scholar Federal Income Tax Filing Requirements

International students and scholars have special filing requirements for U.S. federal income tax returns.

1. The dollar-limit thresholds that trigger a filing requirement for a U.S. citizen or a resident alien do not apply to international students or scholars.
2. However, a nonresident alien whose only U.S. source income is wages is not required to file a U.S. federal income tax return unless his U.S. source wages exceed the personal exemption amount (refer to IRS Publication 501 to determine the personal exemption amount).
3. Filing IS required by nonresident alien students and scholars who have:
 - A taxable scholarship or fellowship, as described in Chapter 1 of Publication 970, Tax Benefits for Education;
 - Income partially or totally exempt from tax under the terms of a tax treaty; and/or
 - Any other income, which is taxable under the Internal Revenue Code.
4. Filing IS NOT required by nonresident alien students and scholars who have income ONLY from:
 - Foreign sources,
 - Interest Income from:
 1. a U.S. bank
 2. a U.S. savings & loan institution
 3. a U.S. credit union
 4. a U.S. insurance company
 5. an investment, which generates Portfolio Interest (Described in section "Exclusions From Gross Income" - "Interest Income" – "Portfolio interest" of Publication 519, U.S. Tax Guide for Aliens)
 - A scholarship or fellowship, which is entirely a Tax Free Scholarship or Fellowship as described in Chapter 1 of Publication 970, Tax Benefits for Education; and/or
 - Any other income, which is nontaxable under the Internal Revenue Code. However, income, which is not taxable because of an income tax treaty must be reported on a U.S. income tax return even though no income tax is due on the U.S. income tax return.



#9 - International Student Income Tax Exemption

F-visas, J-visas, M-visas, Q Visas

Nonresident alien students, scholars, professors, teachers, trainees, researchers, and other aliens temporarily present in the United States in F-1, J-1, or M-1, or Q-1/Q-2 nonimmigrant status are exempt on wages paid to them for services performed within the United States as long as such services are allowed by USCIS for these nonimmigrant statuses, and such services are performed to carry out the purposes for which such visas were issued to them.

Exempt Employment includes:

- On-campus student employment up to 20 hours a week (40 hrs during summer vacations)
- Off-campus student employment allowed by USCIS.
- Practical Training student employment on or off campus.
- Employment as professor, teacher or researcher.
- Employment as a physician, au pair, or summer camp worker

Limitations on exemption:

- The exemption does not apply to spouses and children in F-2, J-2, M-2, or Q-3 nonimmigrant status.
- The exemption does not apply to employment not allowed by USCIS or to employment not closely connected to the purpose for which the visa was issued.
- The exemption does not apply to F-1, J-1, M-1, or Q-1/Q-2 nonimmigrants who change to an immigration status which is not exempt or to a special protected status.
- The exemption does not apply to F-1, J-1, M-1, or Q-1/Q-2 nonimmigrants who become resident aliens.

Nonresident Alien

- Nonresident Aliens use Form 1040NR or 1040NR-EZ to report only income that is sourced in the United States, or that is effectively connected with a United States trade or business.
- Nonresident Aliens who receive interest income from deposits with a U.S. bank, savings & loan institution, credit union, or insurance company, or who receive Portfolio Interest (described in Publication 519) are exempt from taxation on such interest income as long as such interest income is not effectively connected with a United States trade or business.



#10 - Tips for Recruitment and Retention of International Students

- Contact EducationUSA (<http://educationusa.state.gov>) advising centers around the world to reach potential candidate students.
- Use your own international alumni for outreach.
- Send representatives to international educational fairs.
- Encourage your office of International Programs/Students to engage international students in campus life and events.
- Hold special programs for international students to share their cultures with each other as well as with U.S. college students.
- Hold an orientation for first-semester international students to learn the nuts and bolts of American higher education.
- Match international students with American campus buddies.
- Create or provide access to a local host family program.
- Offer an orientation specifically for new international students.
- Provide housing options for new international students.
- Provides English instruction for non-native speakers if needed.
- Provide emergency housing options for international students during vacation periods.