

# **Rights and Responsibilities of F-1 and J-1 Students**

## **Introduction**

This handout summarizes some of the most important rights and responsibilities you have as an F-1 or J-1 student studying in the United States. It will answer many of the most common questions regarding F-1 or J-1 status. If you have additional questions regarding United States Citizenship and Immigration Services (USCIS) regulations, please contact the International Student Office.

## **Immigration Documents**

### **Passport**

The passport is your identifying document and usually contains your visa and I-94 card. You must maintain a valid passport at all times (unless you are exempt from passport requirements). If you lose your passport, you must apply for a replacement immediately from your home country's embassy or consulate. You should apply for a new passport six months before your current passport expires.

### **Visa**

The visa is permission to come to the United States and apply for entry. It is located in your passport and has an expiration date. **If your visa expires, you may continue to stay in the United States as long as your I-20 or DS-2019 and passport are valid.** The only time you need to renew your visa is when you need to leave and reenter the United States (see 30 day visa rule below regarding travel to Canada and Mexico).

### **I-20/ Ds-2019**

The I-20 (for F1) or DS-2019 (for J1) form gives you your legal status in the United States. It indicates your length of stay, university degree program, financial information and work authorization. You should read and clearly understand the material on page two of the form. If you lose your form, you must request a new one from the International Programs Office immediately. You must also apply for an extension prior to the program end date on your I-20 or DS-2019. You must be in status in order to qualify for an extension. You will most likely have different forms during your career as a student. You should keep copies of all of your forms in a safe place as you may be required to produce them when applying for a benefit.

### **I-94**

The I-94 departure card is used by Immigration Services to track when you arrive and leave the country. It indicates how long your status in the United States is valid and is very important. Do not lose it! It should have a red stamp with the date and F-1 D/S or J-1 D/S written on it. F-1 or J-1 indicates status in which you were admitted; D/S stands for Duration of Status, which is indicated by the dates on your I-20 or DS-2019. If you lose your I-94, you must apply to the USCIS through our office for a replacement. There is a fee for this.

### **Other Documents**

There are other documents that you will encounter during your stay in the United States. Most of these are forms and applications that you use to claim privileges associated with your status as an F-1 or J-1 student. Please see the International Programs Office if you have questions.

## **Maintaining F-1 Status**

### **SEVIS**

SEVIS stands for "Student & Exchange Visitor Information System" and is a database used by the U.S. Department of Homeland Security to track international students and visitors in F-1, J-1 or M-1 status. The International Student Office uses this database to update your student status each semester. This is why it is so important to inform the International Student Office whenever your situation changes. If we are unable to verify your status, we may have to terminate your record within SEVIS. If this happens you will have to apply for reinstatement or leave the country and come back in with a new I-20 or DS-2019.

### **Course Load**

You must register for and complete a minimum of 12 credits per semester. The only exceptions to this are when you need fewer than 12 credits to complete your program that semester, or if you request and are granted permission from

the International Programs Office in advance. You must request and obtain permission from the International Programs Office before you withdraw (officially or unofficially). If you drop below 12 credits you will be out of status. One on-line or distance education class may count for up to three credits towards your full course of study.

### **Transferring or Taking Courses from a Different School**

If you wish to obtain a degree or certificate from your current school but want to take courses temporarily at a different school, you should consult with the International Student Office to determine if any procedures must be followed to authorize the study. If instead, you wish to cease study at your current school and transfer to a different school, you must follow proper transfer procedures. Consult with the International Programs Office **BEFORE** you transfer, to submit a written request to transfer your SEVIS record.

### **Changing Major or Education Level**

If you complete an associate level program and wish to study for a bachelor program or change your major, you should come to the International Programs Office, after meeting with your academic advisor, to request a new I-20 or DS-2019 listing the new educational level and/or major.

### **Change of Address**

You must report any change of address, name and phone number to the International Programs office within ten days of the change. This is a USCIS requirement and is a deportable offense! Please don't forget to tell us your new address!

### **Length of Time You May Remain in the United States**

You may remain in the United States until the program completion date of your I-20 or DS-2019 provided that you maintain your status. If you require more time to finish your program, you will need to request an extension from the International Student Office. This request must be done prior to the expiration date on the I-20/DS-2019. If your form expires you will have to request reinstatement from the USCIS. Once you finish your course of study, students in F-1 status have 60 days before they must leave the country unless they have another authorization such as a new I-20 from a different program, OPT work authorization, etc.

Students in J-1 status have only 30 days before they must leave the country unless they have another authorization such as a new DS-2019 from a different program or academic training work authorization.

You may remain in the United States and will be considered to be maintaining lawful F-1/J-1 status during holidays and vacation periods observed by Carroll College, including annual vacations, provided (1) you are eligible and intend to register for the next school term (the term immediately following a annual vacation), and (2) the "completion of studies" date in form I-20 or DS-2019 will not be reached before you resume study.

## **Employment**

### **On-campus Employment**

You may be employed Carroll College in any job on campus. You may **NOT** accept on-campus employment without prior written clearance from International Programs Office. The office will provide you with a verification of your legal status for employment purposes.

### **Social Security Number**

If you do not already have a US Social Security Number, you will need to have a job offer from an on-campus employer before you can apply. You will also need authorization from the International Programs Office.

### **Off-campus Employment**

With appropriate authorization, you may work off campus, but this requires prior approval from the International Student Office or the USCIS. There are several types of authorization as outlined below.

### **F1 students only: Economic Hardship Work Authorization**

If there is an unforeseen change in your financial situation you may be eligible to apply for a Severe Economic Hardship Work Authorization from the USCIS. You must have completed at least one academic year of schooling before you can apply. See the International Student Office for more information.

### **Practical Training (CPT/OPT) or Academic Training**

Practical Training is work which is directly related to your field of study. Most F-1 students are eligible to apply for Curricular Practical Training (CPT) before completion of studies, and/or Optional Practical Training (OPT) during or after a program of study. You may request 12 months of OPT at each program level (Associate's, Bachelor's, Master's, or PhD).

**Please note:** OPT after completion of studies must be requested before you complete your studies.

J-1 degree seeking students may apply for academic training to be done following their academic program. The program sponsor must approve this well in advance of the program completion date. Please consult your program sponsor within 90 days of the completion of your program if you are interested in applying for academic training.

**Important Note:** On-campus and off-campus employment must not exceed 20 hours per week while school is in session, but may be full-time when school is not in session or during your annual vacation period (off-track). Check your hours worked to ensure you do not go over the 20 hour limit. The Carroll College work week begins Saturday and goes through Friday evening. This is not the same as your pay period.

### **Travel**

#### **Travel within the United States.**

You may travel freely within the United States provided you maintain your lawful F-1 or J-1 status and have your valid Passport, I-20/DS-2019 and I-94 in your possession.

#### **Travel Outside the United States and Returning to Carroll College**

If the travel authorization on the third page of your I-20 or at the bottom of the first page of your DS-2019 is expiring, you should bring the following documents to the International Programs Office before departing the United States: (1) your valid Passport, (2) your I-20/DS-2019, and (3) your I-94. In most cases you must have a valid visa to return to the U.S. The travel authorization is valid for one year if you are a current student and six months if you are on post-completion OPT (F-1) or Academic Training (J-1). Contact the International Programs Office if you have questions.

#### **Travel Outside the United States Returning to a Different School.**

In addition to the requirements above, you must obtain a new I-20 or DS-2019 from your new school BEFORE you attempt to re-enter the United States. Entering this country using an old form from a school you do not plan to immediately attend can cause serious problems with the USCIS.

#### **Thirty-day Visa Law**

If you travel to Canada, Mexico, or adjacent islands for fewer than 30 days you may be eligible to re-enter the U.S. even if the F-1 visa in your passport has expired, provided you have a valid Form I-94, passport and I-20 or DS-2019.

**If you apply for a visa during these 30 days and are denied, you may not re-enter the U.S. but must return to your home country and obtain a new visa.** The 30-day rule does not apply to students that are out of status.

#### **Further Information**

Additional information is available from the International Programs Office. We offer information, counseling and assistance on all federal regulations related to maintaining your student status. We advocate for you, so please come see us with any questions regarding your stay in the US or at Carroll. It's better to check rather than fall out of status.