



U.S. Immigration and Customs Enforcement

U.S. Immigration and Customs Enforcement Student and Exchange Visitor Program

SEVP Policy Guidance 1307-02: F-1 Off-campus Employment

Issue Date: Click here to enter a date.

Effective Date: Click here to enter a date.

Supersedes: Current “Off Campus – Basic Guidelines” and “A DSO’s Guide to Off Campus – Application Process”

Status: Draft

Purpose/Background: This document gives the Student and Exchange Visitor Program’s (SEVP) interpretation of the off-campus employment regulation for F-1 students¹ (*8 CFR 214.2(f)(9)(ii)*) to guide SEVP adjudicators.

An F-1 student participating in off-campus employment must comply with *8 CFR 214.2(f)(9)(ii)* and should comply with its interpretation in this guidance to maintain nonimmigrant status. Where more restrictive, the student should comply with school policies.

Attachments: [SEVP Fact Sheet 1307-02A: F-1 Off-Campus Employment Processes](#)

Definitions:

- 1. Educationally affiliated:** An integral part of the student’s educational program in one or more of the following respects:
 - Is associated with the school’s established curriculum
 - Relates to contractually funded research projects at the post-graduate level
 - Is part of a financial aid package (i.e., employment-based financial assistance), scholarship, fellowship or assistantship (e.g., a research or teaching assistant)²
- 2. Off-campus employment:** Employment benefit available for a student experiencing

¹ This guidance pertains only to adult, postsecondary F-1 students. All use of the term “student(s)” refers to adult, postsecondary F-1 student(s). F-2 dependents are prohibited from employment (*8 CFR 214.2(f)(15)(i)*). Future guidance will address employment for secondary and minor, postsecondary F-1 students.

² Employment as part of a scholarship, fellowship or assistantship may also occur under certain circumstances as part of curricular practical training (CPT).

[severe economic hardship](#), if other employment opportunities are not available or are otherwise insufficient.

3. **Reasonable commuting distance:** Within 75 miles³
4. **Severe economic hardship:** A financial condition caused by unforeseen circumstances beyond the student's control that make it difficult, if not impossible, for a student to continue education in the United States and may include the following:⁴
 - Loss of financial aid or on-campus employment through no fault of the student
 - Substantial fluctuations in the exchange rate or value of the currency upon which the student depends
 - Inordinate increases in tuition and/or living costs
 - Unexpected changes in the financial condition of the student's source of support
 - Medical bills
 - Other substantial and unexpected expenses

Policy:

1. **Employer.** Off-campus employment may be with any employer in the United States⁵ and does not need to be [educationally affiliated](#) with the school.
2. **Location.** Off-campus employment must be within [reasonable commuting distance](#) of the school. It may be located on-campus, as commercial firms located on-site that are not [educationally affiliated](#) with the school and do not provide direct student services are considered to be off-campus employers.
3. **Hours.** If a student violates regulatory limitations on the number of hours of weekly employment, a DSO must terminate⁶ that student's SEVIS record. The limitation for an F-1 student enrolled in a full course of study who has off-campus employment authorization is as follows:
 - Part-time: No more than 20 hours allowed a week while school is in session.
 - Full-time: More than 20 hours per week allowed when school is not in session (i.e., school holidays, breaks or vacation).

³ This distance is considered an acceptable limit for a student commuting between school and employment. Any distance greater than 75 miles would be considered a "red flag" for adjudicators and a DSO should be prepared to explain the rationale for approval.

⁴ 8 CFR 214.2(f)(9)(ii)(C)

⁵ Employment outside the United States has no impact on nonimmigrant status.

⁶ Using the SEVIS Termination reason of "Unauthorized Employment"

- DHS may waive the 20 hour limitation on employment for a student enrolled in a full course of study during a required session due to emergent circumstances.⁷

4. Duration.

4.1. Start. A student may begin off-campus employment either due to [severe economic hardship](#) or emergent circumstances:

- [Severe economic hardship](#), wherein the student:
 - Has been in F-1 status for one full academic year⁸ and is found eligible ([section 5.1](#)), as determined by the designated school official (DSO).
 - Has received a DSO recommendation for off-campus employment in the Student and Exchange Visitor Information System (SEVIS)⁹ and (as needed) receives a letter from the DSO to get a Social Security number.¹⁰
 - Has submitted a [Form I-765, “Application for Employment Authorization,”](#) to U.S. Citizenship and Immigration Services (USCIS) and, if favorably adjudicated, received a Form I-766, “Employment Authorization Document” (EAD). The student may not begin off-campus employment until receipt of an EAD.
- Emergent circumstances: See SEVP Policy Guidance 1308-07: F-1 Emergent Circumstances.

4.2. Continuation. Authorization for off-campus employment is valid for up to one calendar year, as requested, or valid up to the student’s program end date, whichever occurs first. The dates of validity are on the EAD.

- A student who needs to continue off-campus employment beyond the duration of the original authorization must receive a recommendation in SEVIS from the DSO and reapply with USCIS.
- A student must not continue off-campus employment if the current authorization has expired, regardless of whether a new Form I-765 is pending. A student hoping to renew the authorization should apply early enough to allow time for the adjudication process.
- A DSO may deny a request to recommend renewal of off-campus employment authorization for a student who is not maintaining good academic standing (i.e., is on academic probation).

⁷ For more information, see SEVP Policy Guidance 1308-07: F-1 Emergent Circumstances.

⁸ For more information, see SEVP Policy Guidance 1408-01: Academic Year.

⁹ See the attached [SEVP Fact Sheet 1307-02A: F-1 Off-Campus Employment Processes](#) for how to record the recommendation in SEVIS. A DSO must provide evidence supporting the recommendation upon DHS request.

¹⁰ For more information, see SEVP Policy Guidance 1311-02: F-1 and M-1 General Employment.

4.3. End. A student's off-campus employment authorization ends as follows:

- When a student fails to maintain status.¹¹
- When a student transfers from one school to another ([section 4.5](#)).
- At the expiration of the current authorization period or the student's program end date, whichever occurs first (except as noted in [section 4.4](#)).
- When [severe economic hardship](#) ends; even if the current authorization, i.e. the end date as listed on the student's EAD, has not passed.¹²

4.4. Off-campus employment and a new program of study at the same school. As an exception to [section 4.3](#), a student may continue off-campus employment beyond the program end date if all of the following conditions are satisfied:

- The student's off-campus employment authorization end date extends beyond the program end date,¹³
- As indicated in SEVIS, the student intends to begin a new program of study or change educational levels at the next required session or within five months of the current program end date, whichever occurs first, and¹⁴
- The student has a valid EAD.

4.5. Off-campus employment and transferring to a new school. As an exception to [section 4.3](#), while the transfer process is pending, a student with valid employment authorization may continue off-campus employment while enrolled at the transfer-out school until the transfer release date in SEVIS.

4.6. Off-campus employment and a pending application for change of status. As an exception to [section 4.3](#), a student may continue off-campus employment with a pending [Form I-539, "Application to Extend/Change Nonimmigrant Status."](#) from F-1 to another nonimmigrant status until one of the following occurs:

- Adjudication of the Form I-539¹⁵
- Expiration of the off-campus employment authorization

5. Obtaining and keeping off-campus employment authorization.¹⁶

¹¹ A DSO must terminate the SEVIS record of a student who fails to maintain status or a full course of study.

¹² A student should report an end of severe economic hardship to the DSO, who will edit the SEVIS record to reflect this. The student will then notify USCIS and return the EAD.

¹³ This will not occur unless the student's program end date was shortened after issuance of the EAD.

¹⁴ 8 CFR 214.2(f)(8)(i)

¹⁵ As indicated by a termination of student status in SEVIS due to approval or denial of the change of status request.

5.1. Eligibility. A student¹⁷ may engage in off-campus employment, but only if on-campus employment or practical training opportunities are unavailable, or if they are insufficient to overcome the student's unforeseen financial hardship.

- A student may request off-campus employment, and a DSO may recommend authorization from USCIS in SEVIS if the student meets all of the following criteria:
 - Has been in F-1 status for one full academic year, unless waived under emergent circumstances¹⁸
 - For a student approved for reinstatement of F-1 status, this may include time enrolled before the SEVIS termination and while the Form I-539 was pending.¹⁹
 - A student who had a break in nonimmigrant status since the previous enrollment. A student who has a break in nonimmigrant status loses all enrollment time previously accrued for eligibility for F-1 benefits (e.g., practical training and annual vacation).
 - Is currently maintaining status and is in good standing as a student
 - Is not a part-time border commuter student²⁰
 - Is enrolled in a full course of study or on authorized reduced course load²¹
 - Shows [severe economic hardship](#) due to unforeseen circumstances beyond the student's control
 - Shows that off-campus employment will not adversely impact the student's ability to maintain good academic standing in a full course of study
- Off-campus employment is not required to be [educationally affiliated](#) with the school.

5.2. Determination of financial qualification for enrollment. When assessing the financial resources a student is required to establish prior to admission qualifying that student for nonimmigrant student status, a DSO may not consider a student's off-campus employment as part of the financial aid the student is receiving.

6. Related issues.

¹⁶ See the attached [SEVP Fact Sheet 1307-02A: F-1 Off-Campus Employment Processes](#) for information on related processes.

¹⁷ Including a student enrolled in an English language training program of study.

¹⁸ For more information, see SEVP Policy Guidance 1308-07: F-1 Emergent Circumstances.

¹⁹ The student must be able to provide documentary evidence (such as transcripts) to establish completion of at least one academic year enrolled at an SEVP-certified school before SEVIS termination and while the Form I-539 was pending.

²⁰ 8 CFR 214.2(f)(18)(iv)

²¹ 8 CFR 214.2(f)(6)

6.1. General employment issues. See SEVP Policy Guidance 1311-02: F-1 and M-1 General Employment for more information on the following issues:

- Employment when the student has a lost or stolen EAD
- Replacing an EAD Card
- Reinstatement
- Obtaining a Social Security number
- Combination with other forms of employment
- Study abroad, travel, student absences and vacation

6.2. Recordkeeping and reporting issues. See SEVP Policy Guidance 1403-07: Recordkeeping and Reporting of F-1 and M-1 Student Information for more information on the following issues:

- Student recordkeeping, employment information
- Student recordkeeping, employment tracking
- Student reporting, all employment
- SEVP enforcement of student recordkeeping and reporting related to employment
- School oversight of F-1 students during employment
- DSO recordkeeping and reporting, all employment
- Means and methods of student and employer reporting
- School processes and procedures while the student is employed
- Employer reporting

References:

8 CFR 214.2(f)(6)

8 CFR 214.2(f)(8)(i)

8 CFR 214.2(f)(9)(ii)

8 CFR 214.2(f)(15)(i)

8 CFR 214.2(f)(18)(i)

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Purpose/Background: This fact sheet supplements the Student and Exchange Visitor Program’s (SEVP) Policy Guidance 1307-02: F-1 Off-campus Employment and provides information explaining the processes related to obtaining and keeping off-campus employment authorization for F-1 students.²² A designated school official (DSO) authorizing off-campus employment should review this fact sheet.

Definitions: See [SEVP Policy Guidance 1307-02: F-1 Off-campus Employment](#)

Procedures/Requirements:

1. **F-1 student requesting off-campus employment for severe economic hardship.** If the student requests a recommendation for off-campus employment from a DSO and satisfactorily demonstrates off-campus eligibility ([section 5.1](#)) for [severe economic hardship](#):
 1. The DSO may recommend the off-campus employment in the Student and Exchange Visitor Information System (SEVIS) student record by taking the following action on the *Add Off-Campus Employment* screen:
 - In Fields 1-2, enter the requested employment start and end dates
 - In Field 3, select *Economic Hardship* for the off-campus employment type
 - In Field 4, *Recommendation*, enter the following remark recommending the

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employment for severe economic hardship:

Recommended for off-campus employment authorization for severe economic hardship from [DSO insert requested employment start date] until [DSO insert the student's program end date or one year from the requested start date, whichever comes first].

2. The DSO will issue the student an updated and signed²³ Form I-20, "Certificate of Eligibility for Nonimmigrant Student Status," reflecting the recommendation.
3. After receiving a recommendation from the DSO, a student applying for off-campus employment must file a [Form I-765, "Application for Employment Authorization"](#) (electronic filing is available) with U.S. Citizenship and Immigration Services (USCIS).²⁴
 - USCIS must receive the application within 30 days of the date the DSO enters the recommendation in SEVIS or USCIS may deny the application.²⁵ A student who does not file on time should advise the DSO. If still within the filing period, the DSO can cancel the off-campus employment request, submit a new request and provide a new printed and signed Form I-20 to the student.
 - The mailing address in the student's SEVIS record and on the Form I-20 should be identical to ensure correct delivery of the EAD.
 - A student can check the status of a pending application online at the [USCIS website](#) using the application receipt number.
4. USCIS adjudication:
 - Approval: A student who receives approval for off-campus employment will receive a Form I-766, "Employment Authorization Document" (EAD).²⁶
 - The EAD will contain an expiration date that does not exceed the last day of the student's program of study or one year from the date of issuance, whichever comes first.
 - The student's SEVIS record automatically updates to show the employment approval. The student should request a newly printed Form I-20 from the DSO

²³ Page 1, School Attestation – DSO signature, Student Attestation – student signature. The only other signature block on the form relates to authorization for temporary absence. Page 1 presents the date of the document; page 2 presents the recommendation, but the signature on page 2 does not relate to the employment recommendation.

²⁴ While a DSO will provide advice and may assist the student in applying for off-campus employment, responsibility for submitting the application belongs to the student. A student who cannot afford the application fee may apply to have the [fee waived](#) (8 CFR 103.7(c)).

²⁵ The "Off-campus Employment Requested" date as found in the "Event History" of the student's SEVIS record, and the date found on the Form I-20, School Attestation section.

²⁶ If the EAD needs correction or replacement, see SEVP Policy Guidance 1311-02: F-1 and M-1 General Employment.

showing the employment approval on page 2.

- The student must have the EAD before beginning employment and may use the EAD as proof of employment authorization.
 - Denial: If a student's employment authorization application is denied, USCIS will send the student a written notice giving the reason(s) for the denial.
 - The student may not appeal the decision, but may file a [Form I-290B, "Notice of Appeal or Motion,"](#) to initiate a motion to reopen or reconsider the decision.
 - The student may reapply.
2. **Off-campus employment, renewal authorization.** A student continuing to meet the eligibility for severe economic hardship beyond the current authorization expiration date may apply for a renewed authorization before the expiration, using the Form I-765 and with an appropriate fee payment. If the DSO approves, the same process outlined in [section one](#) will occur.
3. **School oversight of student financial qualification during severe economic hardship.** A DSO should document a student's [severe economic hardship](#) and oversee the impact of employment upon the hardship.
- [Severe economic hardship](#) will be reflected in changes in personal funding and/or funds from other sources.
 - A DSO may document changes in the student's SEVIS record on the student's Form I-20, Page 2—*Financial Information*, field 23, *Funding, Other Source Type*.
4. **Off-campus employment processes related to special student relief for emergent circumstances.** See SEVP Policy Guidance 1308-07: F-1 Emergent Circumstances.

References:

8 CFR 103.7(c)

8 CFR 214.2(f)(9)(ii)

8 CFR 214.2(f)(15)(i)

User Manual for School Users of the Student and Exchange Visitor Information System (SEVIS): Form I-20, Version: 6.21, Section 15.3 Financial Information (pg. 106) and Section 17.3 Off-Campus Employment (pg. 148)