**Relevant Information About F-1Visa**

**Non-Immigrant Visas:** are for temporary stays, with no intention of permanent residency.

* **Purpose:** It is for people who want to visit a country temporarily. Common reasons include tourism, business, education, or short-term work.
* **Duration:** Non-immigrant visas are typically issued for a set period, and holders are expected to leave the country when their visa expires.
* **Intent:** The applicant does not intend to permanently live in the country. They plan to return to their home country after their visit**.**
* **Examples:**
  + **Student Visa (F-1)**

**Immigrant Visa:** visas are for people looking to move permanently to the country.

**Purpose:** This visa is for individuals who plan to move to a country permanently, either for family, employment, or other reasons.

**Duration:** Immigrant visas allow the holder to live and work in the country indefinitely, and in most cases, it leads to a path for citizenship or permanent residency (like a Green Card in the U.S.).

**Intent:** The applicant intends to reside permanently or indefinitely in the country.

**Examples:**

* Family-based immigrant visa

**This Document focuses only in F-1 Visa (Student Visa).**

**F-1 Visa Overview**

F-1 visa is a non-immigrant student visa that allows international students to pursue a full-time course of study at an accredited U.S. institution. F-1 students can stay in the U.S. as long as they maintain their student status, which includes full-time enrollment in a program of study.

**Eligibility Requirements**

* **Acceptance into a SEVP-approved school**: Student must be enrolled full-time in a U.S. institution that is certified by the Student and Exchange Visitor Program (SEVP). This includes universities, colleges, high schools, language training programs, and vocational schools.
* **Proficiency in English**: While not always explicitly required, student must be proficient enough in English to understand course material, unless the school offers an English language program.
* **Sufficient funds**: student must show that they have enough financial resources to cover tuition, living expenses, and any other costs for the duration of the studies without the need for unauthorized work.

**Application Process**

Step-by-step process to apply for an F-1 visa:

* Get Accepted to a SEVP-Approved School: Once accepted, the school will provide with a **Form I-20 (Certificate of Eligibility for Nonimmigrant Student Status).**
* Pay the SEVIS Fee: The Student and Exchange Visitor Information System (SEVIS) fee is required to be paid before the visa interview. The current fee is about $350 (but can change). It can be paid online, and student will need the receipt for the interview.
* Complete the DS-160 Form: This is the online non-immigrant visa application form. After completing it, student will receive a confirmation page with a barcode, which they need to bring to the interview.
* Schedule a Visa Interview: student will need to schedule an appointment at the U.S. embassy or consulate in their home country. The wait time can vary based on the location, so it's important to plan.
* Prepare for the Interview: Gather the necessary documents:
  + Valid passport (must be valid for at least 6 months beyond your intended stay in the U.S.)
  + Form DS-160 confirmation page
  + Visa application fee receipt
  + Form I-20 from your U.S. school
  + SEVIS fee payment receipt
  + Proof of financial resources (bank statements, affidavits of support, etc.)
  + Academic transcripts, diplomas, and standardized test scores (e.g., TOEFL, IELTS, GRE)
* Attend the Visa Interview: During the interview, student will answer questions about academic goals, financial situation, and ties to their home country. The consular officer will decide whether to approve or deny your application**.**

**F-1 Visa Duration and Extensions**

* Duration of Stay: The F-1 visa allows students to stay in the U.S. for the length of their academic program, plus an additional 60-day grace period. The actual length of stay depends on the program of study.

For instance, if student is pursuing a bachelor’s degree, the stay is typically for the duration of that program (e.g., 4 years). However, the F-1 visa itself is often issued for a shorter period (usually one year), and student will need to get it extended when required.

* Extensions: If your program needs more time, you can apply to extend your F-1 status through your school’s Designated School Official (DSO). The extension is typically granted as long as you continue making progress in your studies.

**Employment on an F-1 Visa**

F-1 students can work under certain conditions, but there are strict rules about when and how you can work:

* On-Campus Employment:
  + F-1 students are permitted to work part-time on campus while studying (up to 20 hours per week during the academic term and full-time during school breaks).
  + The work must be on the school’s premises or at an affiliated location.
  + You don’t need prior approval from USCIS (United States Citizenship and Immigration Services) for on-campus employment, but you should inform your DSO.
* Off-Campus Employment:
  + Curricular Practical Training (CPT): This allows F-1 students to work in a job related to their field of study, either during the academic term or during summer break. CPT requires prior approval from your DSO and can be part-time during school or full-time during breaks.
  + Optional Practical Training (OPT): This is a post-graduation work authorization that allows students to work in the U.S. in their field of study for up to 12 months (24 months for STEM graduates). OPT must be applied for through USCIS, and you must get approval before you start working.
  + Severe Economic Hardship: If you can prove that you are experiencing financial difficulty, you may be eligible to apply for off-campus employment through USCIS.

**Travel on an F-1 Visa**

* Travel While Studying: If you leave the U.S. during studies, student should make sure have the correct documentation for re-entry. Will need:
  + A valid passport
  + A valid F-1 visa stamp in your passport
  + An up-to-date Form I-20 signed by the DSO (a travel signature is required for re-entry).
* Travel After Graduation: If student is on OPT, can travel after graduation, but re-entry may be more difficult. Will need to carry OPT approval documents and proof of employment. It’s advised to consult with the DSO and possibly a lawyer if you plan to travel during OPT.

**Changing Status**

If you're on an F-1 visa and wish to switch to a different visa (e.g., H-1B for work), you can apply for a change of status within the U.S., or you can leave the U.S. and apply at a U.S. consulate in your home country.

**F-1 Visa Rules and Restrictions**

* Full-Time Enrollment: F-1 students are required to be enrolled full-time in their academic program.
* No Unlawful Employment: Unauthorized employment (e.g., working off-campus without approval) can lead to serious consequences, including visa revocation and deportation.
* Return to Home Country: After completing studies, F-1 students must return to their home country unless they change their visa status or are granted permission to stay (for example, through OPT or a change to a work visa).

**Path to Permanent Residency**

F-1 visa is a non-immigrant visa, so it doesn’t directly lead to a Green Card or permanent residency. However, there are pathways to stay in the U.S. after graduation:

* Optional Practical Training (OPT): As mentioned, OPT allows students to work in the U.S. for 12 months (24 months for STEM students). During OPT, you might apply for an H-1B work visa, which could lead to permanent residency.
* H-1B Visa: If you find a job with a U.S. employer willing to sponsor you, you can transition from an F-1 visa to an H-1B work visa.
* Family-based or Employment-based Green Card: Eventually, some F-1 holders transition to a Green Card through family sponsorship or employer sponsorship.

**2. Optional Practical Training (OPT)**

OPT is a temporary employment authorization available to F-1 students, allowing them to work in a field related to their course of study. There are two types of OPT:

* **Pre-Completion OPT**
  + This is for students who want to work before completing their academic program.
  + Can be part-time (20 hours or less per week) during the academic semester or full-time during breaks.
  + Work must be directly related to the student's field of study.
  + Time used for Pre-Completion OPT is deducted from the total time allowed for Post-Completion OPT.
* **Post-Completion OPT**
  + This occurs after the completion of a student's academic program.
  + Full-time work (40 hours or more per week) is allowed.
  + Generally, students are granted 12 months of Post-Completion OPT. However, if the degree is in a STEM field (Science, Technology, Engineering, Mathematics), students can apply for a 24-month extension, bringing the total possible duration of OPT to 36 months.

**Working in the US while on F-1 Visa**

The U.S. government takes working illegally very seriously. This page will help you learn the basics of the work authorization process.

There are limited work opportunities available in the United States for F-1 students. For this reason, before coming to the United States, F-1 students must prove they have the financial ability (e.g., present bank statements) to pay for tuition and living expenses while studying. If you decide that you want to work, the first step is always to talk with your designated school official (DSO).

If your DSO knows you are working without permission, they must report it through SEVIS, meaning your SEVIS record will be terminated. That means that you will have to leave the United States immediately, and you may not be allowed to return.

Depending on your status and program of study, you may be eligible for the following type of employment opportunities while you study in the United States:

* **On campus:** 
  + The definition for on-campus employment is in [*8 CFR 214.2(9)(i)*](https://www.ice.gov/sevis/schools/reg#f).
  + There are two types of limits on the [employment](https://studyinthestates.dhs.gov/working-in-the-united-states). The work must take place either at your school or at an educationally affiliated (associated with the school’s established curriculum or part of contractually funded research projects at the postgraduate level) off-campus location:
  + On the school premises
    - Work that takes place at your school location could be for an on-campus commercial business, like a bookstore or cafeteria, as long as the work directly provides services for students.
    - Employment located on-campus that does not directly involve services to students (such as construction work) does not qualify as on-campus employment.
  + Educationally affiliated off-campus location
    - Work with an employer that is contractually affiliated with the school is on-campus employment even if the work site is not located on the campus (such as a research lab affiliated with your school).
    - On-campus employment must not displace a U.S. citizen or lawful permanent resident (LPR).
  + Basic Guidelines for on campus employment:
    - An F-1 student has three main employment-related guidelines:
      * May work at any qualifying on-campus job that does not displace a U.S. citizen or LPR.
      * May work up to 20 hours per week while school is in session (full-time during those periods when school is not in session or during the annual vacation)
      * Should report their work to you and receive a certification letter to present to the Social Security Administration in order to be able to receive a [Social Security number](https://studyinthestates.dhs.gov/obtaining-a-social-security-number).
        + Not complying with these guidelines for on-campus employment may be a violation of status that could result in the F-1 student having to leave the United States.
  + When does a F-1 Visa students become eligible for on-campus employment:
    - An F-1 student may begin working as much as 30 days before the start of a program of study. They should inform the DSO before they begin work.
    - If an F-1 student finishes a program (such as a bachelor’s degree) and starts another program of study at the same campus, the student may continue on-campus employment as long as the student plans to enroll in the new program of study for the next term. If otherwise eligible, an F-1 student may continue to work on-campus with a pending application for reinstatement or change of status.
    - The job must be physically located on the school’s campus or off-campus at the site of an educationally affiliated organization.
  + Restrictions for students under on-campus employment:
    - Employment on-campus has to be for the school or for a company that contracts with the school to serve students directly.
    - For example, if your school contracts with a food service company, an F-1 student can work for the company at school facilities but not for the same company at any off-campus locations.
      * An F-1 student cannot work for a company contracting with the school for something other than student services
      * An F-1 student cannot work for a company that does not contract with the school, even if the work location is physically located on school property.

For example, an F-1 student cannot work for a construction company, even if the job site is on the campus.

However, an F-1 student may work for a contractually affiliated company such as a school bookstore, because it provides services to students.

* + May an F-1 student work on-campus after enrolling in a new program of study?
    - Yes. If an F-1 student finishes one program of study at one educational level (such as a bachelor’s degree) and starts another program of study at the same campus, the student may continue on-campus employment as long as the student plans to enroll for the next term.
  + For how long may an F-1 Student continue to work on campus?
    - An F-1 student who is enrolled in school, maintains status and follows the guidelines for on-campus employment may continue to work. The F-1 student should keep a DSO informed of any changes in employer and hours, however.

* + - An F-1 student may only work on-campus after the program end date if continuing the education at the next program level at the same school.
  + If a school has several campuses in the local area, may an F-1 Student work at a different campus?
    - F-1 students may work at a campus other than the one at which they attend classes if the other campus meets the following criteria:
      * Within reasonable commuting distance
      * Listed on the same [Form I-17, "Petition for Approval of School for Attendance by Nonimmigrant Student"](https://studyinthestates.dhs.gov/schools/apply/getting-started-with-sevp-certification)
      * Within the DSO’s same jurisdiction
  + May an F-1 Student work at more than one on-campus job?
    - Yes. However, the F-1 student’s total work hours for all jobs cannot exceed 20 hours during the school term. The F-1 student may work full-time during those periods when school is not in session or during the student’s annual break.
  + May an F-1 Student work during the 60-grace period after program end date?
    - No. The 60-day "grace" period after graduation or post-completion OPT is for an F-1 student to prepare to leave the United States, unless the student is beginning a new program of study. An F-1 student may consider applying for post-completion OPT to continue working after graduation.
  + Approval Process:
    - An F-1 student automatically has permission to work on campus (unless he or she is a border commuter) but still needs to work with a DSO to ensure the job offered qualifies as on-campus employment.
    - An F-1 student will need certification letters from the DSO and the employer. The student must present these letters to officials at the local Social Security Administration office to [get a Social Security number](https://studyinthestates.dhs.gov/obtaining-a-social-security-number).
  + What does an F-1 student need to do to change on-campus jobs?
    - An F-1 student needs to talk to their DSO before changing jobs. This will allow the DSO to ensure that the new position qualifies as on-campus employment and to ensure the DSO has the correct employment information in the student's SEVIS record.
  + Are there exceptions to the limit of 20h a week for on-campus employment?
    - The only exception is if the Secretary of DHS suspends this requirement, by means of a Federal Register notice, due to emergent circumstances. The student must demonstrate to you that the extra work is necessary because the emergent circumstance has affected his or her source of support.
    - DSOs should endorse the student’s Form I-20 with reference to the Federal Register notice that announced the emergency exception before allowing the student to work more than 20 hours a week.
* **Off-campus:**
  + What is off-campus employment for F-1 Students?
    - Regulation that defines off-campus employment for F-1 students is in 8 CFR 214.2 (f)(9)(ii). Generally, it is employment that is for economic need and does not necessarily have to relate to the student's academic course of study.
  + When is off-campus employment available?
    - An F-1 student must show an ability to afford the costs of school and living expenses before entering the United States and should not plan to work off-campus. U.S. Citizenship and Immigration Services (USCIS) will authorize off-campus employment only in cases of severe economic hardship occurring after a student's enrollment in an academic program and after the student has been in F-1 status for at least one full academic year, or in emergent circumstances as defined by the Department of Homeland Security (DHS).
  + What are emergent circumstances?
    - Emergent Circumstances are world events that affect a specific group of F-1 students and which causes them to suffer severe economic hardship, including, but not limited to natural disasters, wars and military conflicts, national or international financial crises.
    - Special Student Relief is the suspension of certain regulatory requirements for an F-1 student subsequent to an emergent circumstances determination, affecting any or all the following on-campus employment, off-campus employment, duration of status, and full course of study.
  + What are the guidelines for off-campus employment of F-1 students based on severe economic hardship?
    - USCIS makes case-by-case decisions for off-campus employment for students who can show that new, unexpected circumstances beyond their control have created severe economic hardship. These may include the following:
      * Loss of financial aid or on-campus employment (if the student is not at fault)
      * Large increases in tuition or living costs
      * Substantial decrease in the relative value of currency the student depends upon to pay expenses
      * Unexpected changes in the financial conditions for a student's sources of financial support
      * Unexpectedly large medical bills not covered by insurance
      * Other substantial, unexpected expenses

An F-1 student must have remained enrolled for at least one academic year, in status and in good academic standing before USCIS will authorize off-campus employment.

The F-1 student must be unable to get on-campus employment, or the pay from available on-campus employment must be insufficient to meet financial needs.

For each request approval, a DSO must provide the F-1 student with a Form I-20, "Certificate of Eligibility for Nonimmigrant Student Status," endorsed to that effect.

The F-1 student must file a Form I-765, "Application for Employment Authorization," and pay a fee to USCIS. The student should file within 30 days of the day the DSO endorses the Form I-20. If USCIS approves the application, the student will receive a Form I-766, "Employment Authorization Document," (EAD) from USCIS 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, the student must re-apply.

* + What are the guidelines for off-campus employment for F-1 students based on emergent circumstances?

The guidelines for off-campus employment based on emergent circumstances are in the authorizing Federal Register notice. The USCIS website has a listing of notices and memorandums for groups currently allowed relief due to emergent circumstances

* + - **What does a DSO need to consider before recommending off-campus employment for an F-1 student?**

First, a DSO should check to see if on-campus employment is available, and only recommend off-campus employment if available on-campus employment is not sufficient to meet the student's financial needs.

A DSO should ensure the student has read and understands the guidelines for off-campus employment. If the student meets the following criteria, a DSO can recommend off-campus employment:

* + - * Has been in F-1 status for one full academic year
      * Is in good academic standing
      * Is enrolled in a full course of study
      * Can show that working will not adversely impact the ability to attend school full-time and maintain academic standing
      * Can show severe economic hardship due to unforeseen circumstances beyond the student's control
  + How does off-campus work authorization differ from on-campus employment at an off-campus location?

Off-campus work authorization requires case-by-case approval from USCIS. Approval is not based on the student's choice of employer.

On-campus employment at an off-campus location is available to all F-1 students except border commuter students. An F-1 student does not need USCIS approval. However, the employment must be for an employer educationally affiliated with your school. For more details, please see the section about on-campus employment

* + Are border commuter students eligible for off-campus employment?
    - No. According to 8 CFR 214.2(f)(18), a border commuter student may only engage in practical training, specifically CPT and post-completion OPT.
  + Application process for off-campus employment
    - The process starts when an F-1 student asks the DSO’s permission to seek employment in an off-campus job. After the DSO decides if they should make the recommendation, they enter it in SEVIS. The DSO should print the supporting Form I-20, "Certificate of Eligibility for Nonimmigrant Student Status," sign pages 1 and 3 and give it to the student.
    - SEVP recommends that a DSO help the student ensure that the supporting evidence for the Form I-765, "Application for Employment Authorization," clearly shows eligibility.
  + What's the process for requesting off-campus employment in SEVIS?
    - See the F/M Student Employment Overview on the Study in the States SEVIS Help Hub.
  + What does an F-1 student do after receiving a form I-20 endorsing the application for off-campus employment?
    - The student must file a Form I-765 with U.S. Citizenship and Immigration Services (USCIS) within 30 days. See the USCIS website for the form and filing information. The student must pay a fee to USCIS. Electronic filing is available. A DSO should make sure the student reads the form carefully and follows the directions.
    - As part of the supporting evidence, the F-1 student must include the specially endorsed Form I-20 signed on pages 1 and 2 by a DSO.

* + - If you are unable to issue an updated Form I-20, send USCIS a letter of explanation.
  + Can a DSO cancel their recommendation for off-campus employment?
    - Yes. A DSO has the option in SEVIS to cancel their recommendation for off-campus employment – see the SEVIS Help Hub.
  + How does USCIS adjudicate an application for off-campus employment?
    - The only reasons for granting work authorization for off-campus employment are economic hardship or emergent circumstances. The USCIS officer will base the decision on the following information:
      * Form I-20
      * Form I-765
      * Additional supporting materials
      * The Federal Register notice governing emergent circumstances, if applicable
  + How can an F-1 student find out the status of an application for employment authorization?
    - The F-1 student can check online at the USCIS website using the application receipt number.
  + What happens in USCIS approves an application for employment authorization?
    - If USCIS approves an F-1 student's employment authorization application, they will send the student a [Form I-766, "Employment Authorization Document,"](https://studyinthestates.dhs.gov/student-forms?form=Form_I-766) and a letter notifying the student of the decision. In addition, the F-1 student's SEVIS record automatically updates to show the off-campus employment approval.
  + What happens if USCIS denies an application for employment authorization?
    - If denying an application for employment authorization for off-campus employment, USCIS will send the F-1 student a denial letter giving the reason(s) for the denial.
  + Can an F-1 student appeal a USCIS denial of an application for employment authorization for off-campus employment?
    - No. If USCIS denies an application for employment authorization, the F-1 student will receive a letter that explains the decision. The student can file a motion (by the deadline given in the letter) with the same office to re-open or to reconsider the decision.
    - By filing a motion, the F-1 student is asking USCIS to re-examine or reconsider its decision
    - A motion to re-open must state any new facts that would support the motion. USCIS may require the F-1 student to submit affidavits or other documentary evidence in support of these new facts.
    - A motion to reconsider must establish that the decision was based on an incorrect application of law or immigration policy and further establish that the decision was incorrect based on the evidence in the file at the time USCIS made the initial decision. For information on how to file a motion to re-open or to reconsider, see the [USCIS website](https://www.uscis.gov/).
  + What if an F-1 student cannot afford the application fee for Form I-765 or motion?
    - An F-1 student may apply to have the fee waived. For information see the [USCIS website](https://www.uscis.gov/).

## **MAINTAIN F1 STATUS IN EMERGENCY EVENT**

The U.S. Department of Homeland Security (DHS) understands that international students studying in the United States may face emergency situations while attending their [Student and Exchange Visitor Program (SEVP)-certified school](https://studyinthestates.dhs.gov/school-search). These emergencies can range from natural disasters to manmade events and can affect your safety and impact school operations.

It is important that F students maintain their [nonimmigrant student status](https://studyinthestates.dhs.gov/maintaining-your-status), even during emergency events. This means F and M students should continue to take all the necessary actions to remain in status, to the extent possible under the circumstances, and communicate with their designated school official (DSO) about the emergency plans on their campus.

**ITEMS TO KEEP SAFE**

F students should keep the following items in a safe, secure place so that they are easily accessible in the event of an emergency:

* Passport and visa.
* Important [student forms](https://studyinthestates.dhs.gov/student-forms) like the [Form I-20, "Certificate of Eligibility for Nonimmigrant Student Status."](https://studyinthestates.dhs.gov/student-forms?form=Forms_I-20)
* DSO emergency contact information.
* [Contact information for SEVP](https://studyinthestates.dhs.gov/contact-us).
* [Social Security card](https://studyinthestates.dhs.gov/obtaining-a-social-security-number) and [Form I-765, "Employment Authorization Document,"](https://studyinthestates.dhs.gov/student-forms?form=Form_I-766) if applicable.
* Financial records.
* Cash.
* Travel-related documents like boarding passes and plane tickets, if applicable.

## **PREPARING FOR EMERGENCIES**

Campus disruptions can range from natural disasters to manmade events, pandemics or campus violence. The impact of these events can be far-reaching and highlight the need for all students to have an emergency plan in place.

We encourage F students to take the following actions to begin making their own emergency preparedness plan while they study in the United Sates:

* Be Prepared, [Build a Kit](http://www.ready.gov/kit).
* Visit the [Federal Emergency Management Agency (FEMA) website](http://www.fema.gov/plan).
* Explore [Ready.gov’s Campus Ready](http://www.ready.gov/campus) resources.
* Follow [FEMA’s popular accounts](http://www.fema.gov/social-media) on [social media](https://studyinthestates.dhs.gov/social-media).
* Sign up for campus emergency alerts and local information so you can remain informed about what to do while situations unfold and stay updated on the operational status of your school.

## **OBTAINING A SOCIAL SECURITY NUMBER**

The [Social Security Administration (SSA)](https://www.ssa.gov/) assigns nine-digit Social Security numbers (SSNs) to U.S. citizens, permanent residents and eligible nonimmigrant workers in the United States. SSA uses SSNs to report wages to the government, track Social Security benefits and for other identification purposes. Every F and M student who U.S. Citizenship and Immigration Services (USCIS) grants employment authorization to needs an SSN.

Please note: If an F or M student (or dependent) is ineligible to receive an SSN, but receives non-wage income while in the United States (e.g., scholarships, grants, interest on stocks, gambling/lottery winnings), they must apply for an Individual Taxpayer Identification Number (ITIN).

* ITIN:
  + An Individual Taxpayer Identification Number (ITIN) is a tax processing number the Internal Revenue Service (IRS) issues to an individual who needs to report income but is ineligible to obtain a Social Security number (SSN) from the Social Security Administration. To apply for an ITIN, an F or M student must submit a Form W-7, “Application for IRS Individual Taxpayer Identification Number,” with a U.S. tax return.
  + An F or M student who is ineligible for an SSN must apply for an ITIN if any of the following occur:
    - Reception of a grant, fellowship or scholarship
    - Interest from stock options, lottery or gambling winnings
    - Other types of non-wage income
  + Designated school officials should be aware of new IRS requirements effective January 2013 that affect ITINs applicants and certifying acceptance agents (representatives authorized to assist individuals on behalf of the IRS and to process tax documents). The IRS listed these new changes.
  + Apply for an ITIN:
    - Form W-7, “Application for IRS Individual Taxpayer Identification Number”
    - A certification letter (with applicant’s full name and SEVIS number)
    - Copies of identity and foreign status documentation A copy of the Form I-20,
    - “Certificate of Eligibility for Nonimmigrant Student Status”
    - Other required documentation to meet the Form W-7 application requirement

## **STEPS FOR OBTAINING A SOCIAL SECURITY NUMBER**

If you want to receive an SSN while studying in the United States, follow these steps:

**1. Talk with your DSO about working and training in the United States.**

Your DSO will share important information regarding the regulations and requirements for F students, and confirm whether you are eligible to apply for an SSN.

**2. Verify you are in Active status in the Student and Exchange Visitor Information System (SEVIS).**

Your [SEVIS](https://studyinthestates.dhs.gov/site/about-sevis) record must be in Active status for at least two days before applying for an SSN. If you have a record in any other status, you will not be successful in applying for an SSN.

**3. Wait 10 days after arriving in the United States before applying for an SSN to allow enough time for your arrival information to update in all government systems.**

SSA uses the Systematic Alien Verification for Entitlements ([SAVE](https://studyinthestates.dhs.gov/glossary?title=SAVE&field_audience_value=All)) program to verify your nonimmigrant student status and determine if you are eligible for an SSN. You can use the SAVE Case Check to follow the progress of your SAVE verification check online; visit our [Checking Your SAVE Case Status](https://studyinthestates.dhs.gov/students/save-case-check) for more information.

**4. Visit your local SSA office.**

You can file your application for an SSN card in person at any [SSA office](http://secure.ssa.gov/ICON/main.jsp). Be prepared to provide your original documents to prove your age, identity and work-authorized immigration status. All evidence of immigration status and work authorization must be unexpired.

For more information on the types of documents you need to apply for an SSN, refer to [the SSA website](http://www.socialsecurity.gov/ssnumber/).

**SOCIAL SECURITY NUMBERS AND DRIVER’S LICENSES**

Many states require that you or your dependent have an SSN or have already applied for one before you apply for a driver's license. In these states, if you or your dependents are not eligible to work but want to apply for a driver's license, you must first apply for an SSN at the local SSA office and receive a [Form SSA-L676, "Refusal to Process SSN Application."](https://secure.ssa.gov/apps10/poms.nsf/lnx/0100299020) To learn more, visit our [Driving in the States](https://studyinthestates.dhs.gov/students/driving-united-states) page and talk with your DSO.

**Policy Manual – Volumen 2 – Nonimmigrants – Part F (Students F, M)**

**A. Purpose**

The F and M nonimmigrant visa categories are for [noncitizens](https://www.uscis.gov/glossary-term/92167) seeking to study in the United States. The nonimmigrant academic student (F-1) classification allows a noncitizen to enter the United States as a full-time student at a U.S. college, university, seminary, conservatory, academic high school, private elementary school, other academic institution, or in a language training program.

**B. Background**

The Immigration and Nationality Act (INA) is the primary body of law governing immigration and visa operations and provides for the admission of various classes of nonimmigrants, including foreign students.[[3]](https://www.uscis.gov/policy-manual/volume-2-part-f-chapter-1#footnote-3) The Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA) created the requirement for a program to collect information for tracking and monitoring foreign students from approved institutions of higher education, other approved educational institutions, and designated exchange visitor programs in the United States.[[4]](https://www.uscis.gov/policy-manual/volume-2-part-f-chapter-1#footnote-4)

IIRIRA led to legacy Immigration and Naturalization Service (INS) initiating a pilot program in 1997 to monitor the academic progress and movement of foreign students and exchange visitors from entry into the United States to departure. This program was known as the Coordinated Interagency Partnership Regulating International Students (CIPRIS).

As part of reforms following September 11, 2001, legacy INS renamed CIPRIS to the Student and Exchange Visitor Information System (SEVIS). Legacy INS also established the U.S. Immigration and Customs Enforcement (ICE) Student and Exchange Visitor Program (SEVP) to manage SEVIS.[[5]](https://www.uscis.gov/policy-manual/volume-2-part-f-chapter-1#footnote-5)

IIRIRA, as amended by the Enhanced Border Security and Visa Entry Reform Act of 2002, required that legacy INS establish an electronic means to monitor and verify the acceptance of noncitizen students by schools. The amended IIRIRA also mandated that schools notify legacy INS when a foreign student fails to enroll within 30 days after the end of a school’s enrollment period.[[6]](https://www.uscis.gov/policy-manual/volume-2-part-f-chapter-1#footnote-6)

The Homeland Security Act of 2002 transferred the authority and functions of legacy INS into the newly created DHS.[[7]](https://www.uscis.gov/policy-manual/volume-2-part-f-chapter-1#footnote-7) Those functions relating to SEVIS and SEVP were placed within ICE.

In 2004, DHS published a final rule amending regulations requiring payment of a fee by certain noncitizens seeking status as F-1, F-3, M-1 or M-3 nonimmigrant students.[[8]](https://www.uscis.gov/policy-manual/volume-2-part-f-chapter-1#footnote-8)

In 2008, DHS again amended its regulations and adjusted application fees for that certain noncitizens who are seeking status as F-1, F-3, M-1, or M-3 nonimmigrant students.[[9]](https://www.uscis.gov/policy-manual/volume-2-part-f-chapter-1#footnote-9)

On December 14, 2010, President Obama signed the Accreditation of English Language Training Programs Act, which amended INA 101(a)(15)(F)(i) to state that F-1 nonimmigrant students intending to pursue an English language training course of study must enroll in an English language training program that has been accredited by a regional or national accrediting agency recognized by the Department of Education.[[10]](https://www.uscis.gov/policy-manual/volume-2-part-f-chapter-1#footnote-10)

C. Legal Authorities

* [INA 101(a)(15)(F)](https://uscode.house.gov/view.xhtml?req=granuleid:USC-prelim-title8-section1101&num=0&edition=prelim) - Academic student definition
* [8 CFR 214.2(f)](https://www.ecfr.gov/current/title-8/chapter-I/subchapter-B/part-214/section-214.2) - Students in colleges, universities, seminaries, conservatories, academic high schools, elementary schools, other academic institutions, and in language training programs
  + (f) ***Students in colleges, universities, seminaries, conservatories, academic high schools, elementary schools, other academic institutions, and in language training programs.***
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* + (1) ***Admission of student*** —
  + (i) ***Eligibility for admission.*** A nonimmigrant student may be admitted into the United States in nonimmigrant status under section 101(a)(15)(F) of the Act, if:
  + (A) The student presents a Form I-20 or successor form issued in the student's name by a school certified by the Student and Exchange Visitor Program (SEVP) for attendance by F-1 foreign students;
  + (B) The student has documentary evidence of financial support in the amount indicated on the Form I-20 or successor form;
  + (C) For students seeking initial admission only, the student intends to attend the school specified in the student's visa (or, where the student is exempt from the requirement for a visa, the school indicated on the Form I-20 or successor form); and
  + (D) In the case of a student who intends to study at a public secondary school, the student has demonstrated that he or she has reimbursed the local educational agency that administers the school for the full, unsubsidized per capita cost of providing education at the school for the period of the student's attendance.
  + (ii) ***Form I-20 or successor form requirements at the port-of-entry.*** When an F-1 student applies for admission with a complete Form I-20 or successor form, the inspecting officer will:
  + (A) Transcribe the student's admission number from Form I-94 onto the student's Form I-20 or successor form (for students seeking initial admission only);
  + (B) Endorse the Form I-20 or successor form; and
  + (C) Return the Form I-20 or successor form to the student.
  + (iii) ***Use of the Student and Exchange Visitor Information System (SEVIS).*** Schools must issue a Form I-20 or successor form in SEVIS to any current student requiring a reportable action (*e.g.,* extension of stay, practical training, and requests for employment authorization), or to any alien who must obtain a new nonimmigrant student visa.
  + (2) ***Student maintenance of Form I-20 or successor form.*** An F-1 student is expected to retain for safekeeping the initial Form I-20 or successor form bearing the admission number and any subsequent Form I-20 issued to them. Should the student lose their current Form I-20 or successor form, a replacement copy bearing the same information as the lost copy, including any endorsement for employment and notations, should be issued by the designated school official (DSO) as defined in [§ 214.3(l)(1)](https://www.ecfr.gov/current/title-8/section-214.3#p-214.3(l)(1)).
  + (3) ***Admission of the spouse and minor children of an F-1 student.*** The spouse and minor children accompanying an F-1 student are eligible for admission in F-2 status if the student is admitted in F-1 status. The spouse and minor children following-to-join an F-1 student are eligible for admission to the United States in F-2 status if they are able to demonstrate that the F-1 student has been admitted and is, or will be within 30 days, enrolled in a full course of study, or engaged in approved practical training following completion of studies. In either case, at the time they seek admission, the eligible spouse and minor children of an F-1 student must individually present a Form I-20 or successor form in the name of each F-2 dependent issued by a school certified by SEVP for attendance by F-1 students. A new Form I-20 or successor form is required for a dependent where there has been any substantive change in the F-1 student's current information.
  + (4) ***Temporary absence.*** An F-1 student returning to the United States from a temporary absence of five months or less may be readmitted for attendance at an SEVP-certified educational institution, if the student presents:
  + (i) A current Form I-20 or successor form properly endorsed by the DSO for reentry if there has been no substantive change to the most recent Form I-20 or successor form information; or
  + (ii) An updated Form I-20 or successor form if there has been a substantive change in the information on the student's most recent Form I-20 or successor form, such as in the case of a student who has changed the major area of study, who intends to transfer to another SEVP-certified institution, or who has advanced to a higher level of study.
  + (5) ***Duration of status*** —
  + (i) ***General.*** Duration of status is defined as the time during which an F-1 student is pursuing a full course of study at an educational institution certified by SEVP for attendance by foreign students, or engaging in authorized practical training following completion of studies, except that an F-1 student who is admitted to attend a public high school is restricted to an aggregate of 12 months of study at any public high school(s). An F-1 student may be admitted for a period up to 30 days before the indicated report date or program start date listed on the Form I-20 or successor form. The student is considered to be maintaining status if the student is making normal progress toward completing a course of study.
  + (ii) ***Change in educational levels.*** An F-1 student who continues from one educational level to another is considered to be maintaining status, provided that the transition to the new educational level is accomplished according to transfer procedures outlined in [paragraph (f)(8)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(8)) of this section.
  + (iii) ***Annual vacation.*** An F-1 student at an academic institution is considered to be in status during the annual (or summer) vacation if the student is eligible and intends to register for the next term. A student attending a school on a quarter or trimester calendar who takes only one vacation a year during any one of the quarters or trimesters instead of during the summer is considered to be in status during that vacation, if the student has completed the equivalent of an academic year prior to taking the vacation.
  + (iv) ***Preparation for departure.*** An F-1 student who has completed a course of study and any authorized practical training following completion of studies will be allowed an additional 60-day period to prepare for departure from the United States or to transfer in accordance with [paragraph (f)(8)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(8)) of this section. An F-1 student authorized by the DSO to withdraw from classes will be allowed a 15-day period for departure from the United States. However, an F-1 student who fails to maintain a full course of study without the approval of the DSO or otherwise fails to maintain status is not eligible for an additional period for departure.
  + (v) ***Emergent circumstances as determined by the Secretary.*** Where the Secretary has suspended the applicability of any or all of the requirements for on-campus or off-campus employment authorization for specified students pursuant to [paragraphs (f)(9)(i)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(9)(i)) or [(ii)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(9)(ii)) of this section by notice in the Federal Register, an affected student who needs to reduce their full course of study as a result of accepting employment authorized by such notice in the Federal Register will be considered to be in status during the authorized employment, subject to any other conditions specified in the notice, provided that, for the duration of the authorized employment, the student is registered for the number of semester or quarter hours of instruction per academic term specified in the notice, which in no event shall be less than six semester or quarter hours of instruction per academic term if the student is at the undergraduate level or less than three semester or quarter hours of instruction per academic term if the student is at the graduate level, and is continuing to make progress toward completing the course of study.
  + (vi) ***Extension of duration of status and grant of employment authorization.***
  + (A) The duration of status, and any employment authorization granted under [8 CFR 274a.12(c)(3)(i)(B)](https://www.ecfr.gov/current/title-8/section-274a.12#p-274a.12(c)(3)(i)(B)) or [(C)](https://www.ecfr.gov/current/title-8/section-274a.12#p-274a.12(c)(3)(i)(C)), of an F-1 student who is the beneficiary of an H-1B petition subject to section 214(g)(1)(A) of the Act ([8 U.S.C. 1184(g)(1)(A)](https://www.govinfo.gov/link/uscode/8/1184)) requesting a change of status will be automatically extended until April 1 of the fiscal year for which such H-1B status is being requested or until the validity start date of the approved petition, whichever is earlier, where such petition:
  + (*1*) Has been timely filed;
  + (*2*) Requests an H-1B employment start date in the fiscal year for which such H-1B status is being requested consistent with [paragraph (h)(2)(i)(I)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(h)(2)(i)(I)) of this section; and
  + (*3*) Is nonfrivolous.
  + (B) The automatic extension of an F-1 student's duration of status and employment authorization under [paragraph (f)(5)(vi)(A)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(5)(vi)(A)) of this section shall automatically terminate upon the rejection, denial, revocation, or withdrawal of the H-1B petition filed on such F-1 student's behalf or upon the denial or withdrawal of the request for change of nonimmigrant status, even if the H-1B petition filed on the F-1 student's behalf is approved for consular processing.
  + (C) In order to obtain the automatic extension of stay and employment authorization under [paragraph (f)(5)(vi)(A)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(5)(vi)(A)) of this section, the F-1 student, consistent with [8 CFR part 248](https://www.ecfr.gov/current/title-8/part-248), must not have violated the terms or conditions of his or her nonimmigrant status.
  + (D) An automatic extension of an F-1 student's duration of status under [paragraph (f)(5)(vi)(A)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(5)(vi)(A)) of this section also applies to the duration of status of any F-2 dependent aliens.
  + (6) ***Full course of study*** —
  + (i) ***General.*** Successful completion of the full course of study must lead to the attainment of a specific educational or professional objective. A course of study at an institution not certified for attendance by foreign students as provided in [§ 214.3(a)(3)](https://www.ecfr.gov/current/title-8/section-214.3#p-214.3(a)(3)) does not satisfy the requirement of this [paragraph (f)(6)(i)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(6)(i)). A “full course of study” as required by section 101(a)(15)(F)(i) of the Act means:
  + (A) Postgraduate study or postdoctoral study at a college or university, or undergraduate or postgraduate study at a conservatory or religious seminary, certified by a DSO as a full course of study;
  + (B) Undergraduate study at a college or university, certified by a school official to consist of at least 12 semester or quarter hours of instruction per academic term in those institutions using standard semester, trimester, or quarter hour systems, where all undergraduate students who are enrolled for a minimum of 12 semester or quarter hours are charged full-time tuition or are considered full-time for other administrative purposes, or its equivalent (as determined by SEVP in the school certification process), except when the student needs a lesser course load to complete the course of study during the current term;
  + (C) Study in a postsecondary language, liberal arts, fine arts, or other non-vocational program at a school which confers upon its graduates recognized associate or other degrees or has established that its credits have been and are accepted unconditionally by at least three other institutions of higher learning which are either:
  + (*1*) A school (or school system) owned and operated as a public educational institution by the United States or a State or political subdivision thereof; or
  + (*2*) A school accredited by a nationally recognized accrediting body; and which has been certified by a designated school official to consist of at least 12 clock hours of instruction a week, or its equivalent as determined by SEVP in the school certification process;
  + (D) Study in any other language, liberal arts, fine arts, or other nonvocational training program, certified by a designated school official to consist of at least eighteen clock hours of attendance a week if the dominant part of the course of study consists of classroom instruction, or to consist of at least twenty-two clock hours a week if the dominant part of the course of study consists of laboratory work; or
  + (E) Study in a curriculum at a certified private elementary or middle school or public or private academic high school which is certified by a designated school official to consist of class attendance for not less than the minimum number of hours a week prescribed by the school for normal progress toward graduation.
  + (F) Notwithstanding [paragraphs (f)(6)(i)(A)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(6)(i)(A)) and [(B)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(6)(i)(B)) of this section, an alien who has been granted employment authorization pursuant to the terms of a document issued by the Secretary under [paragraphs (f)(9)(i)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(9)(i)) or [(ii)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(9)(ii)) of this section and published in the Federal Register shall be deemed to be engaged in a “full course of study” if he or she remains registered for no less than the number of semester or quarter hours of instruction per academic term specified by the Secretary in the notice for the validity period of such employment authorization.
  + (G) For F-1 students enrolled in classes for credit or classroom hours, no more than the equivalent of one class or three credits per session, term, semester, trimester, or quarter may be counted toward the full course of study requirement if the class is taken on-line or through distance education and does not require the student's physical attendance for classes, examination or other purposes integral to completion of the class. An on-line or distance education course is a course that is offered principally through the use of television, audio, or computer transmission including open broadcast, closed circuit, cable, microwave, or satellite, audio conferencing, or computer conferencing. If the F-1 student's course of study is in a language study program, no on-line or distance education classes may be considered to count toward a student's full course of study requirement.
  + (H) On-campus employment pursuant to the terms of a scholarship, fellowship, or assistantship is deemed to be part of the academic program of a student otherwise taking a full course of study.
  + (ii) ***Institution of higher learning.*** For purposes of this paragraph, a college or university is an institution of higher learning which awards recognized associate, bachelor's, master's, doctorate, or professional degrees. Schools which devote themselves exclusively or primarily to vocational, business, or language instruction are not included in the category of colleges or universities. Vocational or business schools which are classifiable as M-1 schools are provided for by regulations under [8 CFR 214.2(m)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(m)).
  + (iii) ***Reduced course load.*** The designated school official may allow an F-1 student to engage in less than a full course of study as provided in this [paragraph (f)(6)(iii)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(6)(iii)). Except as otherwise noted, a reduced course load must consist of at least six semester or quarter hours, or half the clock hours required for a full course of study. A student who drops below a full course of study without the prior approval of the DSO will be considered out of status. On-campus employment pursuant to the terms of a scholarship, fellowship, or assistantship is deemed to be part of the academic program of a student otherwise taking a full course of study.
  + (A) ***Academic difficulties.*** The DSO may authorize a reduced course load on account of a student's initial difficulty with the English language or reading requirements, unfamiliarity with U.S. teaching methods, or improper course level placement. The student must resume a full course of study at the next available term, session, or semester, excluding a summer session, in order to maintain student status. A student previously authorized to drop below a full course of study due to academic difficulties is not eligible for a second authorization by the DSO due to academic difficulties while pursuing a course of study at that program level. A student authorized to drop below a full course of study for academic difficulties while pursuing a course of study at a particular program level may still be authorized for a reduced course load due to an illness medical condition as provided for in [paragraph (B)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(B)) of this section.
  + (B) ***Medical conditions.*** The DSO may authorize a reduced course load (or, if necessary, no course load) due to a student's temporary illness or medical condition for a period of time not to exceed an aggregate of 12 months while the student is pursuing a course of study at a particular program level. In order to authorize a reduced course load based upon a medical condition, the student must provide medical documentation from a licensed medical doctor, a licensed doctor of osteopathy, a licensed psychologist, or a licensed clinical psychologist to the DSO to substantiate the illness or medical condition. The student must provide current medical documentation and the DSO must reauthorize the drop below full course of study each new term, session, or semester. A student previously authorized to drop below a full course of study due to illness or medical condition for an aggregate of 12 months may not be authorized by a DSO to reduce their course load on subsequent occasions while pursuing a course of study at the same program level. A student may be authorized to reduce course load for a reason of illness or medical condition on more than one occasion while pursuing a course of study, so long as the aggregate period of that authorization does not exceed 12 months.
  + (C) ***Completion of course of study.*** The DSO may authorize a reduced course load in the student's final term, semester, or session if fewer courses are needed to complete the course of study. If the student is not required to take any additional courses to satisfy the requirements for completion, but continues to be enrolled for administrative purposes, the student is considered to have completed the course of study and must take action to maintain status. Such action may include application for change of status or departure from the U.S.
  + (D) [Reserved]
  + (E) ***Reporting requirements.*** In order for a student to be authorized to drop below a full course of study, the DSO must update SEVIS prior to the student reducing their course load. The DSO must update SEVIS with the date, reason for authorization, and the start date of the next term or session. The DSO must also notify SEVIS within 21 days of the student's commencement of a full course of study. If an extension of the program end date is required due to the student dropping below a full course of study, the DSO must update SEVIS by completing a new Form I-20 or successor form with the new program end date in accordance with [paragraph (f)(7)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(7)) of this section.
  + (iv) ***Concurrent enrollment.*** An F-1 student may be enrolled in two different SEVP-certified schools at one time as long as the combined enrollment amounts to a full course of study. In cases where a student is concurrently enrolled, the school from which the student will earn their degree or certification should issue the Form I-20 or successor form, and conduct subsequent certifications and updates to the Form I-20 or successor form. The DSO from this school is also responsible for all of the reporting requirements to SEVP. In instances where a student is enrolled in programs with different full course of study requirements (*e.g.,* clock hours vs. credit hours), the DSO is permitted to determine what constitutes a full course of study.
  + (7) ***Extension of stay*** —
  + (i) ***General.*** An F-1 student who is admitted for duration of status is not required to apply for extension of stay as long as the student is maintaining status and making normal progress toward completion of their educational objective. An F-1 student who is currently maintaining status and making normal progress toward completing their educational objective, but who is unable to complete their course of study by the program end date on the Form I-20 or successor form, must apply prior to the program end date for a program extension pursuant to [paragraph (f)(7)(iii)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(7)(iii)) of this section.
  + (ii) ***Report date and program completion date on Form I-20 or successor form.*** When determining the report date on the Form I-20 or successor form, the DSO may choose a reasonable date to accommodate a student's need to be in attendance for required activities at the school prior to the actual start of classes. Such required activities may include, but are not limited to, research projects and orientation sessions. However, for purposes of employment, the DSO may not indicate a report date more than 30 days prior to the start of classes. When determining the program completion date on Form I-20 or successor form, the DSO should make a reasonable estimate based upon the time an average student would need to complete a similar program in the same discipline.
  + (iii) ***Program extension for students in lawful status.*** An F-1 student who is unable to meet the program completion date on the Form I-20 or successor form may be granted an extension by the DSO if the DSO certifies that the student has continually maintained status and that the delays are caused by compelling academic or medical reasons, such as changes of major or research topics, unexpected research problems, or documented illnesses. Delays caused by academic probation or suspension are not acceptable reasons for program extensions. A DSO may not grant an extension if the student did not apply for an extension until after the program end date noted on the Form I-20 or successor form. An F-1 student who is unable to complete the educational program within the time listed on Form I-20 or successor form and who is ineligible for program extension pursuant to this [paragraph (f)(7)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(7)) is considered out of status. If eligible, the student may apply for reinstatement under the provisions of [paragraph (f)(16)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(16)) of this section.
  + (iv) ***SEVIS update.*** A DSO may grant a program extension only by updating SEVIS and issuing a new Form I-20 or successor form reflecting the current program end date. A DSO may grant an extension any time prior to the program end date listed on the student's Form I-20 or successor form.
  + (8) ***School transfer*** —
  + (i) ***General.*** A student who is maintaining status may transfer to another SEVP-certified school by following the notification procedure prescribed in [paragraph (f)(8)(ii)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(8)(ii)) of this section. However, an F-1 student is not permitted to remain in the United States when transferring between schools or programs unless the student will begin classes at the transfer school or program within five months of transferring out of the current school or within 5 months of the program completion date on their current Form I-20 or successor form, whichever is earlier. In the case of an F-1 student authorized to engage in post-completion optional practical training (OPT), the student must be able resume classes within 5 months of transferring out of the school that recommended OPT or the date the OPT authorization ends, whichever is earlier. An F-1 student who was not pursuing a full course of study at the school he or she was last authorized to attend is ineligible for school transfer and must apply for reinstatement under the provisions of [paragraph (f)(16)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(16)) of this section, or, in the alternative, may depart the country and return as an initial entry in a new F-1 nonimmigrant status.
  + (ii) ***Transfer procedure.*** To transfer schools, the student must first notify their current school (the “transfer-out” school) of the intent to transfer and indicate the school to which the student intends to transfer (the “transfer-in” school). Upon notification by the student, the transfer-out school must update SEVIS to show the student is transferring out, indicate the transfer-in school, and input the transfer release date. The release date will be the current semester or session completion date, or the date of expected transfer if earlier than the established academic cycle. The transfer-out school will retain control over the student's record in SEVIS until the student completes the current term or reaches the release date. At the request of the student, the DSO of the transfer-out school may cancel the transfer request at any time prior to the release date. As of the release date specified by the transfer-out DSO, the transfer-in school will be granted full access to the student's SEVIS record and then becomes responsible for that student. The transfer-out school conveys authority and responsibility over that student to the transfer-in school and relinquishes its SEVIS access to that student's record. As such, a transfer request may not be cancelled by the transfer-out DSO after the release date has been reached. After the release date, the transfer-in DSO must complete the transfer of the student's record in SEVIS and may issue a Form I-20 or successor form. The student is then required to contact the DSO at the transfer-in school within 15 days of the program start date listed on the Form I-20 or successor form. Upon notification that the student is enrolled in classes, the transfer-in DSO must update SEVIS to reflect the student's registration and current address, thereby acknowledging that the student has completed the transfer process. The transfer is completed when the transfer-in school notifies SEVIS that the student has enrolled in classes in accordance with the 30 days required by [§ 214.3(g)(2)(iii)](https://www.ecfr.gov/current/title-8/section-214.3#p-214.3(g)(2)(iii)).
  + (iii) [Reserved]
  + (9) ***Employment*** —
  + (i) ***On-campus employment.*** On-campus employment must either be performed on the school's premises, (including on-location commercial firms which provide services for students on campus, such as the school bookstore or cafeteria), or at an off-campus location that is educationally affiliated with the school. Employment with on-site commercial firms, such as a construction company building a school building, which do not provide direct student services is not deemed on-campus employment for the purposes of this [paragraph (f)(9)(i)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(9)(i)). In the case of off-campus locations, the educational affiliation must be associated with the school's established curriculum or related to contractually funded research projects at the post-graduate level. In any event, the employment must be an integral part of the student's educational program. Employment authorized under this [paragraph (f)(9)(i)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(9)(i)) must not exceed 20 hours a week while school is in session, unless the Secretary suspends the applicability of this limitation due to emergent circumstances, as determined by the Secretary, by means of notice in the Federal Register *,* the student demonstrates to the DSO that the employment is necessary to avoid severe economic hardship resulting from the emergent circumstances, and the DSO notates the Form I-20 or successor form in accordance with the Federal Register document. An F-1 student may, however, work on campus full-time when school is not in session or during the annual vacation. A student who has been issued a Form I-20 or successor form to begin a new program in accordance with the provision of [§ 214.3(k)](https://www.ecfr.gov/current/title-8/section-214.3#p-214.3(k)) and who intends to enroll for the next regular academic year, term, or session at the institution that issued the Form I-20 or successor form may continue on-campus employment incident to status. Otherwise, an F-1 student may not engage in on-campus employment after completing a course of study, except employment for practical training as authorized under [paragraph (f)(10)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(10)) of this section. An F-1 student may engage in any on-campus employment authorized under this [paragraph (f)(9)(i)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(9)(i)) which will not displace United States residents. In the case of a transfer in SEVIS, the student may only engage in on-campus employment at the school having jurisdiction over the student's SEVIS record. Upon initial entry to begin a new course of study, an F-1 student may not begin on-campus employment more than 30 days prior to the actual start of classes.
  + (ii) ***Off-campus work authorization*** —
  + (A) ***General.*** An F-1 student may be authorized to work off-campus on a part-time basis in accordance with [paragraph (f)(9)(ii)(C)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(9)(ii)(C)) of this section after having been in F-1 status for one full academic year provided that the student is in good academic standing as determined by the DSO. Part-time off-campus employment authorized under this section is limited to no more than 20 hours a week when school is in session. A student who is granted off-campus employment authorization may work full-time during holidays or school vacation. The employment authorization is automatically terminated whenever the student fails to maintain status. In emergent circumstances as determined by the Secretary, the Secretary may suspend the applicability of any or all of the requirements of [paragraph (f)(9)(ii)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(9)(ii)) of this section by notice in the Federal Register.
  + (B) [Reserved]
  + (C) ***Severe economic hardship.*** If other employment opportunities are not available or are otherwise insufficient, an eligible F-1 student may request off-campus employment work authorization based upon severe economic hardship caused by unforeseen circumstances beyond the student's control. These circumstances may include loss of financial aid or on-campus employment without fault on the part of the student, substantial fluctuations in the value of currency or exchange rate, inordinate increases in tuition and/or living costs, unexpected changes in the financial condition of the student's source of support, medical bills, or other substantial and unexpected expenses.
  + (D) ***Procedure for off-campus employment authorization due to severe economic hardship.*** The student must request a recommendation from the DSO for off-campus employment. The DSO must complete such certification in SEVIS. The DSO may recommend the student for work off-campus for one-year intervals by certifying that:
  + (*1*) The student has been in F-1 status for one full academic year;
  + (*2*) The student is in good standing as a student and is carrying a full course of study as defined in [paragraph (f)(6)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(6)) of this section;
  + (*3*) The student has demonstrated that acceptance of employment will not interfere with the student's carrying a full course of study; and
  + (*4*) The student has demonstrated that the employment is necessary to avoid severe economic hardship due to unforeseen circumstances beyond the student's control pursuant to [paragraph (f)(9)(ii)(C)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(9)(ii)(C)) of this section and has demonstrated that employment under [paragraph (f)(9)(i)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(9)(i)) of this section is unavailable or otherwise insufficient to meet the needs that have arisen as a result of the unforeseen circumstances.
  + (E) [Reserved]
  + (F) ***Severe economic hardship application*** —
  + (*1*) The applicant should submit the economic hardship application for employment authorization on Form I-765 or successor form, with the fee required by [8 CFR 106.2](https://www.ecfr.gov/current/title-8/section-106.2), and any other supporting materials such as affidavits which further detail the unforeseen circumstances that require the student to seek employment authorization and the unavailability or insufficiency of employment under [paragraph (f)(9)(i)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(9)(i)) of this section to USCIS. Students should submit the Form I-20 or successor form with the employment page demonstrating the DSO's comments and certification. USCIS will adjudicate the application for work authorization based upon severe economic hardship on the basis of Form I-20 and Form I-765 or successor forms, and any additional supporting materials. If employment is authorized, the adjudicating officer will issue an employment authorization document (EAD). USCIS will notify the student of the decision, and, if the application is denied, of the reason or reasons for the denial. No appeal will lie from a decision to deny a request for employment authorization under this section. The employment authorization may be granted in one-year intervals up to the expected date of completion of the student's current course of study. A student has permission to engage in off-campus employment only if the student receives the EAD endorsed to that effect. Off-campus employment authorization may be renewed by USCIS only if the student is maintaining status and good academic standing. The employment authorization is automatically terminated whenever the student fails to maintain status.
  + (*2*) [Reserved]
  + (iii) ***Internship with an international organization.*** A bona fide F-1 student who has been offered employment by a recognized international organization within the meaning of the International Organization Immunities Act (59 Stat. 669) must apply for employment authorization with USCIS. A student seeking employment authorization under this provision is required to present a written certification from the international organization that the proposed employment is within the scope of the organization's sponsorship, Form I-20 or successor form with employment page completed by DSO certifying eligibility for employment, and a completed Form I-765 or successor form, with the fee required by [8 CFR 106.2(a)(32)](https://www.ecfr.gov/current/title-8/section-106.2#p-106.2(a)(32)).
  + (10) ***Practical training.*** Practical training may be authorized to an F-1 student who has been lawfully enrolled on a full-time basis, in an approved SEVP-certified college, university, conservatory, or seminary for one full academic year. This [paragraph (f)(10)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(10)) also includes students who, during their course of study, were enrolled in a study abroad program, if the student had spent at least one full academic term enrolled in a full course of study in the United States prior to studying abroad. A student may be authorized 12 months of practical training, and becomes eligible for another 12 months of practical training when they change to a higher educational level. Students in English language training programs are ineligible for practical training. An eligible student may request employment authorization for practical training in a position that is directly related to their major area of study. There are two types of practical training available:
  + (i) ***Curricular practical training.*** An F-1 student may be authorized by the DSO to participate in a curricular practical training program that is an integral part of an established curriculum. Curricular practical training is defined to be alternative work/study, internship, cooperative education or any other type of required internship or practicum that is offered by sponsoring employers through cooperative agreements with the school. Students who have received one year or more of full time curricular practical training are ineligible for post-completion academic training. Exceptions to the one academic year requirement are provided for students enrolled in graduate studies that require immediate participation in curricular practical training. A request for authorization for curricular practical training must be made to the DSO. A student may begin curricular practical training only after receiving their Form I-20 or successor form with the DSO endorsement. To grant authorization for a student to engage in curricular practical training, a DSO will update the student's record in SEVIS as being authorized for curricular practical training that is directly related to the student's major area of study. The DSO will indicate whether the training is full-time or part-time, the employer and location, and the employment start and end date. The DSO must sign, date, and return the Form I-20 or successor form to the student prior to the student's commencement of employment indicating that curricular practical training has been approved.
  + (ii) ***Optional practical training*** —
  + (A) ***General.*** Consistent with the application and approval process in [paragraph (f)(11)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(11)) of this section, a student may apply to USCIS for authorization for temporary employment for optional practical training directly related to the student's major area of study. The student may not begin optional practical training until the date indicated on his or her employment authorization document, Form I-766. A student may be granted authorization to engage in temporary employment for optional practical training:
  + (*1*) During the student's annual vacation and at other times when school is not in session, if the student is currently enrolled, and is eligible for registration and intends to register for the next term or session;
  + (*2*) While school is in session, provided that practical training does not exceed 20 hours a week while school is in session; or
  + (*3*) After completion of the course of study, or, for a student in a bachelor's, master's, or doctoral degree program, after completion of all course requirements for the degree (excluding thesis or equivalent). Continued enrollment, for the school's administrative purposes, after all requirements for the degree have been met does not preclude eligibility for optional practical training. A student must complete all practical training within a 14-month period following the completion of study, except that a 24-month extension pursuant to [paragraph (f)(10)(ii)(C)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(10)(ii)(C)) of this section does not need to be completed within such 14-month period.
  + (B) ***Termination of practical training.*** Authorization to engage in optional practical training employment is automatically terminated when the student transfers to another school or begins study at another educational level.
  + (C) ***24-month extension of post-completion OPT for a science, technology, engineering, or mathematics (STEM) degree.*** Consistent with [paragraph (f)(11)(i)(C)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(11)(i)(C)) of this section, a qualified student may apply for an extension of OPT while in a valid period of post-completion OPT authorized under [8 CFR 274a.12(c)(3)(i)(B)](https://www.ecfr.gov/current/title-8/section-274a.12#p-274a.12(c)(3)(i)(B)). An extension will be for 24 months for the first qualifying degree for which the student has completed all course requirements (excluding thesis or equivalent), including any qualifying degree as part of a dual degree program, subject to the requirement in [paragraph (f)(10)(ii)(C)(*3*)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(10)(ii)(C)(3)) of this section that previously obtained degrees must have been conferred. If a student completes all such course requirements for another qualifying degree at a higher degree level than the first, the student may apply for a second 24-month extension of OPT while in a valid period of post-completion OPT authorized under [8 CFR 274a.12(c)(3)(i)(B)](https://www.ecfr.gov/current/title-8/section-274a.12#p-274a.12(c)(3)(i)(B)). In no event may a student be authorized for more than two lifetime STEM OPT extensions. A student who was granted a 17-month OPT extension under the rule issued at [73 FR 18944](https://www.federalregister.gov/citation/73-FR-18944), whether or not such student requests an additional 7-month period of STEM OPT under [8 CFR 214.16](https://www.ecfr.gov/current/title-8/section-214.16), is considered to have been authorized for one STEM OPT extension, and may be eligible for only one more STEM OPT extension. Any subsequent application for an additional 24-month OPT extension under this [paragraph (f)(10)(ii)(C)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(10)(ii)(C)) must be based on a degree at a higher degree level than the degree that was the basis for the student's first OPT extension. In order to qualify for an extension of post-completion OPT based upon a STEM degree, all of the following requirements must be met.
  + (*1*) ***Accreditation.*** The degree that is the basis for the 24-month OPT extension is from a U.S. educational institution accredited by an accrediting agency recognized by the Department of Education at the time of application.
  + (*2*) ***DHS-approved degree.*** The degree that is the basis for the 24-month OPT extension is a bachelor's, master's, or doctoral degree in a field determined by the Secretary, or his or her designee, to qualify within a science, technology, engineering, or mathematics field.
  + (*i*) The term “science, technology, engineering or mathematics field” means a field included in the Department of Education's Classification of Instructional Programs taxonomy within the two-digit series or successor series containing engineering, biological sciences, mathematics, and physical sciences, or a related field. In general, related fields will include fields involving research, innovation, or development of new technologies using engineering, mathematics, computer science, or natural sciences (including physical, biological, and agricultural sciences).
  + (*ii*) The Secretary, or his or her designee, will maintain the STEM Designated Degree Program List, which will be a complete list of qualifying degree program categories, published on the Student and Exchange Visitor Program Web site at [*http://www.ice.gov/sevis*](http://www.ice.gov/sevis). Changes that are made to the Designated Degree Program List may also be published in a notice in the Federal Register. All program categories included on the list must be consistent with the definition set forth in [paragraph (f)(10)(ii)(C)(*2*)(*i*)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(10)(ii)(C)(2)(i)) of this section.
  + (*iii*) At the time the DSO recommends a 24-month OPT extension under this [paragraph (f)(10)(ii)(C)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(10)(ii)(C)) in SEVIS, the degree that is the basis for the application for the OPT extension must be contained within a category on the STEM Designated Degree Program List.
  + (*3*) ***Previously obtained STEM degree(s).*** The degree that is the basis for the 24-month OPT extension under this [paragraph (f)(10)(ii)(C)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(10)(ii)(C)) may be, but is not required to be, the degree that is the basis for the post-completion OPT period authorized under [8 CFR 274a.12(c)(3)(i)(B)](https://www.ecfr.gov/current/title-8/section-274a.12#p-274a.12(c)(3)(i)(B)). If an application for a 24-month OPT extension under this [paragraph (f)(10)(ii)(C)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(10)(ii)(C)) is based upon a degree obtained previous to the degree that provided the basis for the period of post-completion OPT authorized under [8 CFR 274a.12(c)(3)(i)(B)](https://www.ecfr.gov/current/title-8/section-274a.12#p-274a.12(c)(3)(i)(B)), that previously obtained degree must have been conferred from a U.S. educational institution that is accredited and SEVP-certified at the time the student's DSO recommends the student for the 24-month OPT extension and must be in a degree program category included on the current STEM Designated Degree Program List at the time of the DSO recommendation. That previously obtained degree must have been conferred within the 10 years preceding the date the DSO recommends the student for the 24-month OPT extension.
  + (*4*) ***Eligible practical training opportunity.*** The STEM practical training opportunity that is the basis for the 24-month OPT extension under this [paragraph (f)(10)(ii)(C)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(10)(ii)(C)) must be directly related to the degree that qualifies the student for such extension, which may be the previously obtained degree described in [paragraph (f)(10)(ii)(C)(*3*)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(10)(ii)(C)(3)) of this section.
  + (*5*) ***Employer qualification.*** The student's employer is enrolled in E-Verify, as evidenced by either a valid E-Verify Company Identification number or, if the employer is using an employer agent to create its E-Verify cases, a valid E-Verify Client Company Identification number, and the employer remains a participant in good standing with E-Verify, as determined by USCIS. An employer must also have an employer identification number (EIN) used for tax purposes.
  + (*6*) ***Employer reporting.*** A student may not be authorized for employment with an employer pursuant to [paragraph (f)(10)(ii)(C)(*2*)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(10)(ii)(C)(2)) of this section unless the employer agrees, by signing the Training Plan for STEM OPT Students, Form I-983 or successor form, to report the termination or departure of an OPT student to the DSO at the student's school, if the termination or departure is prior to the end of the authorized period of OPT. Such reporting must be made within five business days of the termination or departure. An employer shall consider a student to have departed when the employer knows the student has left the practical training opportunity, or if the student has not reported for his or her practical training for a period of five consecutive business days without the consent of the employer, whichever occurs earlier.
  + (*7*) ***Training Plan for STEM OPT Students, Form I-983 or successor form.***
  + (*i*) A student must fully complete an individualized Form I-983 or successor form and obtain requisite signatures from an appropriate individual in the employer's organization on the form, consistent with form instructions, before the DSO may recommend a 24-month OPT extension under [paragraph (f)(10)(ii)(C)(*2*)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(10)(ii)(C)(2)) of this section in SEVIS. A student must submit the Form I-983 or successor form, which includes a certification of adherence to the training plan completed by an appropriate individual in the employer's organization who has signatory authority for the employer, to the student's DSO, prior to the new DSO recommendation. A student must present his or her signed and completed Form I-983 or successor form to a DSO at the educational institution of his or her most recent enrollment. A student, while in F-1 student status, may also be required to submit the Form I-983 or successor form to ICE and/or USCIS upon request or in accordance with form instructions.
  + (*ii*) The training plan described in the Form I-983 or successor form must identify goals for the STEM practical training opportunity, including specific knowledge, skills, or techniques that will be imparted to the student, and explain how those goals will be achieved through the work-based learning opportunity with the employer; describe a performance evaluation process; and describe methods of oversight and supervision. Employers may rely on their otherwise existing training programs or policies to satisfy the requirements relating to performance evaluation and oversight and supervision, as applicable.
  + (*iii*) The training plan described in the Form I-983 or successor form must explain how the training is directly related to the student's qualifying STEM degree.
  + (*iv*) If a student initiates a new practical training opportunity with a new employer during his or her 24-month OPT extension, the student must submit, within 10 days of beginning the new practical training opportunity, a new Form I-983 or successor form to the student's DSO, and subsequently obtain a new DSO recommendation.
  + (*8*) ***Duties, hours, and compensation for training.*** The terms and conditions of a STEM practical training opportunity during the period of the 24-month OPT extension, including duties, hours, and compensation, must be commensurate with terms and conditions applicable to the employer's similarly situated U.S. workers in the area of employment. A student may not engage in practical training for less than 20 hours per week, excluding time off taken consistent with leave-related policies applicable to the employer's similarly situated U.S. workers in the area of employment. If the employer does not employ and has not recently employed more than two similarly situated U.S. workers in the area of employment, the employer nevertheless remains obligated to attest that the terms and conditions of a STEM practical training opportunity are commensurate with the terms and conditions of employment for other similarly situated U.S. workers in the area of employment. “Similarly situated U.S. workers” includes U.S. workers performing similar duties subject to similar supervision and with similar educational backgrounds, industry expertise, employment experience, levels of responsibility, and skill sets as the student. The duties, hours, and compensation of such students are “commensurate” with those offered to U.S. workers employed by the employer in the same area of employment when the employer can show that the duties, hours, and compensation are consistent with the range of such terms and conditions the employer has offered or would offer to similarly situated U.S. employees. The student must disclose his or her compensation, including any adjustments, as agreed to with the employer, on the Form I-983 or successor form.
  + (*9*) ***Evaluation requirements and Training Plan modifications.***
  + (*i*) A student may not be authorized for employment with an employer pursuant to [paragraph (f)(10)(ii)(C)(*2*)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(10)(ii)(C)(2)) of this section unless the student submits a self-evaluation of the student's progress toward the training goals described in the Form I-983 or successor form. All required evaluations must be completed prior to the conclusion of a STEM practical training opportunity, and the student and an appropriate individual in the employer's organization must sign each evaluation to attest to its accuracy. All STEM practical training opportunities require an initial evaluation within 12 months of the approved starting date on the employment authorization document granted pursuant to the student's 24-month OPT extension application, and a concluding evaluation. The student is responsible for ensuring the DSO receives his or her 12-month evaluation and final evaluation no later than 10 days following the conclusion of the reporting period or conclusion of his or her practical training opportunity, respectively.
  + (*ii*) If any material change to or deviation from the training plan described in the Form I-983 or successor form occurs, the student and employer must sign a modified Form I-983 or successor form reflecting the material change(s) or deviation(s). Material changes and deviations relating to training may include, but are not limited to, any change of Employer Identification Number resulting from a corporate restructuring, any reduction in compensation from the amount previously submitted on the Form I-983 or successor form that is not tied to a reduction in hours worked, any significant decrease in hours per week that a student engages in a STEM training opportunity, and any decrease in hours worked below the minimum hours for the 24-month extension as described in [paragraph (f)(10)(ii)(C)(*8*)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(10)(ii)(C)(8)) of this section. Material changes and deviations also include any change or deviation that renders an employer attestation inaccurate, or renders inaccurate the information in the Form I-983 or successor form on the nature, purpose, oversight, or assessment of the student's practical training opportunity. The student and employer must ensure that the modified Form I-983 or successor form is submitted to the student's DSO at the earliest available opportunity.
  + (*iii*) The educational institution whose DSO is responsible for duties associated with the student's latest OPT extension under [paragraph (f)(10)(ii)(C)(*2*)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(10)(ii)(C)(2)) of this section is responsible for ensuring the Student and Exchange Visitor Program has access to each individualized Form I-983 or successor form and associated student evaluations (electronic or hard copy), including through SEVIS if technologically available, beginning within 30 days after the document is submitted to the DSO and continuing for a period of three years following the completion of each STEM practical training opportunity.
  + (*10*) ***Additional STEM opportunity obligations.*** A student may only participate in a STEM practical training opportunity in which the employer attests, including by signing the Form I-983 or successor form, that:
  + (*i*) The employer has sufficient resources and personnel available and is prepared to provide appropriate training in connection with the specified opportunity at the location(s) specified in the Form I-983 or successor form;
  + (*ii*) The student on a STEM OPT extension will not replace a full- or part-time, temporary or permanent U.S. worker; and
  + (*iii*) The student's opportunity assists the student in reaching his or her training goals.
  + (*11*) ***Site visits.*** DHS, at its discretion, may conduct a site visit of any employer. The purpose of the site visit is for DHS to ensure that each employer possesses and maintains the ability and resources to provide structured and guided work-based learning experiences consistent with any Form I-983 or successor form completed and signed by the employer. DHS will provide notice to the employer 48 hours in advance of any site visit, except notice may not be provided if the visit is triggered by a complaint or other evidence of noncompliance with the regulations in this [paragraph (f)(10)(ii)(C)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(10)(ii)(C)).
  + (D) ***Duration of status while on post-completion OPT.*** For a student with approved post-completion OPT, the duration of status is defined as the period beginning on the date that the student's application for OPT was properly filed and pending approval, including the authorized period of post-completion OPT, and ending 60 days after the OPT employment authorization expires.
  + (E) ***Periods of unemployment during post-completion OPT.*** During post-completion OPT, F-1 status is dependent upon employment. Students may not accrue an aggregate of more than 90 days of unemployment during any post-completion OPT period described in [8 CFR 274a.12(c)(3)(i)(B)](https://www.ecfr.gov/current/title-8/section-274a.12#p-274a.12(c)(3)(i)(B)). Students granted a 24-month OPT extension under [paragraph (f)(10)(ii)(C)(*2*)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(10)(ii)(C)(2)) of this section may not accrue an aggregate of more than 150 days of unemployment during a total OPT period, including any post-completion OPT period described in [8 CFR 274a.12(c)(3)(i)(B)](https://www.ecfr.gov/current/title-8/section-274a.12#p-274a.12(c)(3)(i)(B)) and any subsequent 24-month extension period.
  + (11) ***OPT application and approval process*** —
  + (i) ***Student responsibilities.*** A student must initiate the OPT application process by requesting a recommendation for OPT from his or her DSO. Upon making the recommendation, the DSO will provide the student a signed Form I-20 indicating that recommendation.
  + (A) ***Applications for employment authorization.*** The student must properly file an Application for Employment Authorization, Form I-765 or successor form, with USCIS, accompanied by the required fee, and the supporting documents, as described in the form's instructions.
  + (B) ***Applications and filing deadlines for pre-completion OPT and post-completion OPT*** —
  + (*1*) ***Pre-completion OPT.*** For pre-completion OPT, the student may properly file his or her Form I-765 or successor form up to 90 days before being enrolled for one full academic year, provided that the period of employment will not start prior to the completion of the full academic year.
  + (*2*) ***Post-completion OPT.*** For post-completion OPT, not including a 24-month OPT extension under [paragraph (f)(10)(ii)(C)(*2*)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(10)(ii)(C)(2)) of this section, the student may properly file his or her Form I-765 or successor form up to 90 days prior to his or her program end date and no later than 60 days after his or her program end date. The student must also file his or her Form I-765 or successor form with USCIS within 30 days of the date the DSO enters the recommendation for OPT into his or her SEVIS record.
  + (C) ***Applications and filing deadlines for 24-month OPT extension.*** A student meeting the eligibility requirements for a 24-month OPT extension under [paragraph (f)(10)(ii)(C)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(10)(ii)(C)) of this section may request an extension of employment authorization by filing Form I-765 or successor form, with the required fee and supporting documents, up to 90 days prior to the expiration date of the student's current OPT employment authorization. The student seeking such 24-month OPT extension must properly file his or her Form I-765 or successor form with USCIS within 60 days of the date the DSO enters the recommendation for the OPT extension into his or her SEVIS record. If a student timely and properly files an application for such 24-month OPT extension and timely and properly requests a DSO recommendation, including by submitting the fully executed Form I-983 or successor form to his or her DSO, but the Employment Authorization Document, Form I-766 or successor form, currently in the student's possession expires prior to the decision on the student's application for the OPT extension, the student's Form I-766 or successor form is extended automatically pursuant to the terms and conditions specified in [8 CFR 274a.12(b)(6)(iv)](https://www.ecfr.gov/current/title-8/section-274a.12#p-274a.12(b)(6)(iv)).
  + (D) ***Start of OPT employment.*** A student may not begin OPT employment prior to the approved start date on his or her Employment Authorization Document, Form I-766 or successor form, except as described in [paragraph (f)(11)(i)(C)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(11)(i)(C)) of this section. A student may not request a start date that is more than 60 days after the student's program end date. Employment authorization will begin on the date requested or the date the employment authorization is adjudicated, whichever is later.
  + (ii) ***Additional DSO responsibilities.*** A student must have a recommendation from his or her DSO in order to apply for OPT. When a DSO recommends a student for OPT, the school assumes the added responsibility for maintaining the SEVIS record of that student for the entire period of authorized OPT, consistent with [paragraph (f)(12)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(12)) of this section.
  + (A) Prior to making a recommendation, the DSO at the educational institution of the student's most recent enrollment must ensure that the student is eligible for the given type and period of OPT and that the student is aware of the student's responsibilities for maintaining status while on OPT. Prior to recommending a 24-month OPT extension under [paragraph (f)(10)(ii)(C)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(10)(ii)(C)) of this section, the DSO at the educational institution of the student's most recent enrollment must certify that the student's degree being used to qualify that student for the 24-month OPT extension, as shown in SEVIS or official transcripts, is a bachelor's, master's, or doctorate degree with a degree code that is contained within a category on the current STEM Designated Degree Program List at the time the recommendation is made. A DSO may recommend a student for a 24-month OPT extension under [paragraph (f)(10)(ii)(C)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(10)(ii)(C)) of this section only if the Form I-983 or successor form described in [paragraph (f)(10)(ii)(C)(7)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(10)(ii)(C)(7)) of this section has been properly completed and executed by the student and prospective employer. A DSO may not recommend a student for an OPT extension under [paragraph (f)(10)(ii)(C)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(10)(ii)(C)) of this section if the practical training would be conducted by an employer who has failed to meet the requirements under [paragraphs (f)(10)(ii)(C)(*5*)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(10)(ii)(C)(5)) through [(*9*)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(10)(ii)(C)(9)) of this section or has failed to provide the required assurances of [paragraph (f)(10)(ii)(C)(*10*)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(10)(ii)(C)(10)) of this section.
  + (B) The DSO must update the student's SEVIS record with the DSO's recommendation for OPT before the student can apply to USCIS for employment authorization. The DSO will indicate in SEVIS whether the OPT employment is to be full-time or part-time, or for a student seeking a recommendation for a 24-month OPT extension under [paragraph (f)(10)(ii)(C)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(10)(ii)(C)) of this section whether the OPT employment meets the minimum hours requirements described in [paragraph (f)(10)(ii)(C)(*8*)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(10)(ii)(C)(8)) of this section, and note in SEVIS the OPT start and end dates.
  + (C) The DSO must provide the student with a signed, dated Form I-20 or successor form indicating that OPT has been recommended.
  + (iii) ***Decision on application for OPT employment authorization.*** USCIS will adjudicate a student's Form I-765 or successor form on the basis of the DSO's recommendation and other eligibility considerations.
  + (A) If granted, the employment authorization period for post-completion OPT begins on the requested date of commencement or the date the Form I-765 or successor form is approved, whichever is later, and ends at the conclusion of the remaining time period of post-completion OPT eligibility. The employment authorization period for a 24-month OPT extension under [paragraph (f)(10)(ii)(C)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(10)(ii)(C)) of this section begins on the day after the expiration of the initial post-completion OPT employment authorization and ends 24 months thereafter, regardless of the date the actual extension is approved.
  + (B) USCIS will notify the applicant of the decision on the Form I-765 or successor form in writing, and, if the application is denied, of the reason or reasons for the denial.
  + (C) The applicant may not appeal the decision.
  + (12) ***Reporting while on optional practical training*** —
  + (i) ***General.*** An F-1 student who is granted employment authorization by USCIS to engage in optional practical training is required to report any change of name or address, or interruption of such employment to the DSO for the duration of the optional practical training. A DSO who recommends a student for OPT is responsible for updating the student's record to reflect these reported changes for the duration of the time that training is authorized.
  + (ii) ***Additional reporting obligations for students with an approved 24-month OPT extension.*** Students with an approved 24-month OPT extension under [paragraph (f)(10)(ii)(C)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(10)(ii)(C)) of this section have additional reporting obligations. Compliance with these reporting requirements is required to maintain F-1 status. The reporting obligations are:
  + (A) Within 10 days of the change, the student must report to the student's DSO a change of legal name, residential or mailing address, employer name, employer address, and/or loss of employment.
  + (B) The student must complete a validation report, confirming that the information required by [paragraph (f)(12)(ii)(A)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(12)(ii)(A)) of this section has not changed, every six months. The requirement for validation reporting starts on the date the 24-month OPT extension begins and ends when the student's F-1 status expires or the 24-month OPT extension concludes, whichever is first. The validation report is due to the student's DSO within 10 business days of each reporting date.
  + (13) ***Temporary absence from the United States of F-1 student granted employment authorization.***
  + (i) A student returning from a temporary trip abroad with an unexpired off-campus employment authorization on their Form I-20 or successor form may resume employment only if the student is readmitted to attend the same school that granted the employment authorization.
  + (ii) An F-1 student who has an unexpired EAD issued for post-completion practical training and who is otherwise admissible may return to the United States to resume employment after a period of temporary absence. The EAD must be used in combination with a Form I-20 or successor form endorsed for reentry by the DSO within the last six months.
  + (14) ***Effect of strike or other labor dispute.*** Any employment authorization, whether or not part of an academic program, is automatically suspended upon certification by the Secretary of Labor or the Secretary's designee to the Secretary of Homeland Security or the Secretary's designee, that a strike or other labor dispute involving a work stoppage of workers is in progress in the occupation at the place of employment. As used in this paragraph, “place of employment” means the facility or facilities where a labor dispute exists. The employer is prohibited from transferring F-1 students working at other facilities to the facility where the work stoppage is occurring.
  + (15) ***Spouse and children of F-1 student.*** The F-2 spouse and minor children of an F-1 student will each be issued an individual Form I-20 or successor form in accordance with the provisions of [§ 214.3(k)](https://www.ecfr.gov/current/title-8/section-214.3#p-214.3(k)).
  + (i) ***Employment.*** The F-2 spouse and children of an F-1 student may not accept employment.
  + (ii) ***Study*** —
  + (A) ***F-2 post-secondary/vocational study*** —
  + (*1*) ***Authorized study at SEVP-certified schools.*** An F-2 spouse or F-2 child may enroll in less than a full course of study, as defined in paragraphs (f)(6)(i)(A) through (D) and (m)(9)(i) through (iv), in any course of study described in [paragraphs (f)(6)(i)(A)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(6)(i)(A)) through [(D)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(6)(i)(D)) or [(m)(9)(i)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(m)(9)(i)) through [(iv)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(m)(9)(iv)) of this section at an SEVP-certified school. Notwithstanding [paragraphs (f)(6)(i)(B)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(6)(i)(B)) and [(m)(9)(i)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(m)(9)(i)) of this section, study at an undergraduate college or university or at a community college or junior college is not a full course of study solely because the F-2 nonimmigrant is engaging in a lesser course load to complete a course of study during the current term. An F-2 spouse or F-2 child enrolled in less than a full course of study is not eligible to engage in employment pursuant to [paragraphs (f)(9)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(9)) and [(10)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(10)) of this section or pursuant to [paragraph (m)(14)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(m)(14)) of this section.
  + (*2*) ***Full course of study.*** Subject to [paragraphs (f)(15)(ii)(B)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(15)(ii)(B)) and [(f)(18)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(18)) of this section, an F-2 spouse and child may engage in a full course of study only by applying for and obtaining a change of status to F-1, M-1 or J-1 nonimmigrant status, as appropriate, before beginning a full course of study. An F-2 spouse and child may engage in study that is avocational or recreational in nature, up to and including on a full-time basis.
  + (B) ***F-2 elementary or secondary study.*** An F-2 child may engage in full-time study, including any full course of study, in any elementary or secondary school (kindergarten through twelfth grade).
  + (C) An F-2 spouse and child violates his or her nonimmigrant status by enrolling in any study except as provided in [paragraph (f)(15)(ii)(A)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(15)(ii)(A)) or [(B)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(15)(ii)(B)) of this section.
  + (16) ***Reinstatement to student status*** —
  + (i) ***General.*** USCIS may consider reinstating a student who makes a request for reinstatement on Form I-539, Application to Extend/Change Nonimmigrant Status, accompanied by a properly completed Form I-20 or successor form indicating the DSO's recommendation for reinstatement. USCIS may consider granting the request if the student:
  + (A) Has not been out of status for more than 5 months at the time of filing the request for reinstatement (or demonstrates that the failure to file within the 5 month period was the result of exceptional circumstances and that the student filed the request for reinstatement as promptly as possible under these exceptional circumstances);
  + (B) Does not have a record of repeated or willful violations of DHS regulations;
  + (C) Is currently pursuing, or intending to pursue, a full course of study in the immediate future at the school which issued the Form I-20 or successor form;
  + (D) Has not engaged in unauthorized employment;
  + (E) Is not deportable on any ground other than section 237(a)(1)(B) or (C)(i) of the Act; and
  + (F) Establishes to the satisfaction of USCIS, by a detailed showing, either that:
  + (*1*) The violation of status resulted from circumstances beyond the student's control. Such circumstances might include serious injury or illness, closure of the institution, a natural disaster, or inadvertence, oversight, or neglect on the part of the DSO, but do not include instances where a pattern of repeated violations or where a willful failure on the part of the student resulted in the need for reinstatement; or
  + (*2*) The violation relates to a reduction in the student's course load that would have been within a DSO's power to authorize, and that failure to approve reinstatement would result in extreme hardship to the student.
  + (ii) ***Decision.*** The adjudicating officer will update SEVIS to reflect USCIS' decision. If USCIS does not reinstate the student, the student may not appeal the decision.
  + (17) ***Current name and address.*** A student must inform DHS and the DSO of any legal changes to the student's name or of any change of address, within 10 days of the change, in a manner prescribed by the school. A student can satisfy the requirement in [8 CFR 265.1](https://www.ecfr.gov/current/title-8/section-265.1) of notifying DHS by providing a notice of a change of address within 10 days to the DSO, and the DSO in turn must enter the information in SEVIS within 21 days of notification by the student. Except in the case of a student who cannot receive mail where the student resides, the address provided by the student must be the actual physical location where the student resides rather than a mailing address. In cases where a student provides a mailing address, the school must maintain a record of, and must provide upon request from DHS, the actual physical location where the student resides.
  + (18) ***Special rules for certain border commuter students*** —
  + (i) ***Applicability.*** For purposes of the special rules in this [paragraph (f)(18)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(18)), the term “border commuter student” means a national of Canada or Mexico who is admitted to the United States as an F-1 nonimmigrant student to enroll in a full course of study, albeit on a part-time basis, in a certified school located within 75 miles of a United States land border. A border commuter student must maintain actual residence and place of abode in the student's country of nationality, and seek admission to the United States at a land border port-of-entry. These special rules do not apply to a national of Canada or Mexico who is:
  + (A) Residing in the United States while attending a certified school as an F-1 student, or
  + (B) Enrolled in a full course of study as defined in [paragraph (f)(6)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(6)) of this section.
  + (ii) ***Full course of study.*** The border commuter student must be enrolled in a full course of study at the school that leads to the attainment of a specific educational or professional objective, albeit on a part-time basis. A designated school official at the school may authorize an eligible border commuter student to enroll in a course load below that otherwise required for a full course of study under [paragraph (f)(6)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(6)) of this section, provided that the reduced course load is consistent with the border commuter student's certified course of study.
  + (iii) ***Period of admission.*** An F-1 nonimmigrant student who is admitted as a border commuter student under this [paragraph (f)(18)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(18)) will be admitted until a date certain. The DSO is required to specify a completion date on the Form I-20 that reflects the actual semester or term dates for the commuter student's current term of study. A new Form I-20 will be required for each new semester or term that the border commuter student attends at the school. The provisions of [paragraphs (f)(5)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(5)) and [(f)(7)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(7)) of this section, relating to duration of status and extension of stay, are not applicable to a border commuter student.
  + (iv) ***Employment.*** A border commuter student may not be authorized to accept any employment in connection with his or her F-1 student status, except for curricular practical training as provided in [paragraph (f)(10)(i)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(10)(i)) of this section or post-completion optional practical training as provided in [paragraph (f)(10)(ii)(A)(*3*)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(10)(ii)(A)(3)) of this section.
  + (19) ***Remittance of the fee.*** An alien who applies for F-1 or F-3 nonimmigrant status in order to enroll in a program of study at an SEVP-certified educational institution is required to pay the Student and Exchange Visitor Information System (SEVIS) fee to DHS, pursuant to [8 CFR 214.13](https://www.ecfr.gov/current/title-8/section-214.13), except as otherwise provided in that section.
* [8 CFR 214.3](https://www.ecfr.gov/current/title-8/chapter-I/subchapter-B/part-214/section-214.3) - Approval of schools for enrollment of F and M nonimmigrants
* [8 CFR 214.13](https://www.ecfr.gov/current/title-8/chapter-I/subchapter-B/part-214/section-214.13) - SEVIS fee for certain F, J, and M nonimmigrants
  + (a) ***Applicability.*** The aliens in [paragraphs (a)(1)](https://www.ecfr.gov/current/title-8/section-214.13#p-214.13(a)(1)) through [(3)](https://www.ecfr.gov/current/title-8/section-214.13#p-214.13(a)(3)) of this section are required to submit a payment in the amount indicated for their status to the Student and Exchange Visitor Program (SEVP) in advance of obtaining nonimmigrant status as an F or M student or J exchange visitor, in addition to any other applicable fees, except as otherwise provided for in this section:
  + (1) An alien who applies for F-1 or F-3 status in order to enroll in a program of study at an SEVP-certified institution of higher education, as defined in section 101(a) of the Higher Education Act of 1965, as amended, or in a program of study at any other SEVP-certified academic or language training institution, including private elementary, middle, and secondary schools and public secondary schools, the amount of $350;
  + (2) An alien who applies for J-1 status in order to commence participation in an exchange visitor program designated by the Department of State, the amount of $220, with a reduced fee for certain exchange visitor categories as provided in [paragraphs (b)(1)](https://www.ecfr.gov/current/title-8/section-214.13#p-214.13(b)(1)) and [(c)](https://www.ecfr.gov/current/title-8/section-214.13#p-214.13(c)) of this section; and
  + (3) An alien who applies for M-1 or M-3 status in order to enroll in a program of study at an SEVP-certified vocational educational institution, including a flight school, in the amount of $350.
  + (b) ***Aliens not subject to a fee.*** No SEVIS fee is required with respect to:
  + (1) A J-1 exchange visitor who is coming to the United States as a participant in an exchange visitor program sponsored by the Federal government, identified by a program identifier designation prefix of G-1, G-2, G-3, or G-7;
  + (2) Dependents of F, M, or J nonimmigrants. The principal alien must pay the fee, when required under this section, in order for his/her qualifying dependents to obtain F-2, J-2, or M-2 status. However, an F-2, J-2, or M-2 dependent is not required to pay a separate fee under this section in order to obtain that status or during the time he/she remains in that status.
  + (c) ***Special Fee for Certain J-1 Nonimmigrants.*** A J-1 exchange visitor coming to the United States as an au pair, camp counselor, or participant in a summer work/travel program is subject to a fee of $35.
  + (d) ***Time for payment of SEVIS fee.*** An alien who is subject to payment of the SEVIS fee must remit the fee directly to DHS as follows:
  + (1) An alien seeking an F-1, F-3, J-1, M-1, or M-3 visa from a consular officer abroad for initial attendance at an SEVP-certified school or to commence participation in a Department of State-designated exchange visitor program, must pay the fee to DHS before issuance of the visa.
  + (2) An alien who is exempt from the visa requirement described in section 212(d)(4) of the Act must pay the fee to DHS before the alien applies for admission at a U.S. port-of-entry to begin initial attendance at an SEVP-certified school or initial participation in a Department of State-designated exchange visitor program.
  + (3) A nonimmigrant alien in the United States seeking a change of status to F-1, F-3, J-1, M-1, or M-3 must pay the fee to DHS before the alien is granted the change of nonimmigrant status, except as provided in [paragraph (e)(4)](https://www.ecfr.gov/current/title-8/section-214.13#p-214.13(e)(4)) of this section.
  + (4) A J-1 nonimmigrant who is applying for a change of program category within the United States, in accordance with [22 CFR 62.42](https://www.ecfr.gov/current/title-22/section-62.42), must pay the fee associated with that new category, if any, prior to being granted such a change.
  + (5) A J-1 nonimmigrant initially granted J-1 status to participate in a program sponsored by the Federal government, as defined in [paragraph (b)(1)](https://www.ecfr.gov/current/title-8/section-214.13#p-214.13(b)(1)) of this section, and transferring in accordance with [22 CFR 62.42](https://www.ecfr.gov/current/title-22/section-62.42) to a program that is not similarly sponsored, must pay the fee associated with the new program prior to completing the transfer.
  + (6) A J-1 nonimmigrant who is applying for reinstatement after a substantive violation of status, or who has been out of program status for longer than 120 days but less than 270 days during the course of his/her program must pay a new fee to DHS, if applicable, prior to being granted a reinstatement to valid J-1 status.
  + (7) An F or M student who is applying for reinstatement of student status because of a violation of status, and who has been out of status for a period of time that exceeds the presumptive ineligibility deadline set forth in [8 CFR 214.2(f)(16)(i)(A)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(16)(i)(A)) or [(m)(16)(i)(A)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(m)(16)(i)(A)), must pay a new fee to DHS prior to being granted a return to valid status.
  + (8) An F-1, F-3, M-1, or M-3 nonimmigrant who has been absent from the United States for a period that exceeds 5 months in duration, and wishes to reenter the United States to engage in further study in the same course of study, with the exception of students who have been working toward completion of a U.S. course of study in authorized overseas study, must pay a new fee to DHS prior to being granted student status.
  + (e) ***Circumstances where no new fee is required.***
  + (1) Extension of stay, transfer, or optional practical training for students. An F-1, F-3, M-1, or M-3 nonimmigrant is not required to pay a new fee in connection with:
  + (i) An application for an extension of stay, as provided in [8 CFR 214.2(f)(7)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(7)) or [(m)(10)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(m)(10));
  + (ii) An application for transfer, as provided in [8 CFR 214.2(f)(8)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(8)) or [(m)(11)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(m)(11));
  + (iii) A change in educational level, as provided in [8 CFR 214.2(f)(5)(ii)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(5)(ii)); or
  + (iv) An application for post-completion practical training, as provided in [8 CFR 214.2(f)(10)(ii)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(10)(ii)) or [(m)(14)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(m)(14)).
  + (2) Extension of program or transfer for exchange visitors. A J-1 nonimmigrant is not required to pay a new fee in connection with:
  + (i) An application for an extension of program, as provided in [22 CFR 62.43](https://www.ecfr.gov/current/title-22/section-62.43); or
  + (ii) An application for transfer of program, as provided in [22 CFR 62.42](https://www.ecfr.gov/current/title-22/section-62.42).
  + (3) Visa issuance for a continuation of study. An F-1, F-3, J-1, M-1, or M-3 nonimmigrant who has previously paid the fee is not required to pay a new fee in order to be granted a visa to return to the United States as a continuing student or exchange visitor in a single course of study, so long as the nonimmigrant is not otherwise required to pay a new fee in accordance with the other provisions in this section.
  + (4) Certain changes in student classification.
  + (i) No fee is required for changes between the F-1 and F-3 classifications, and no fee is required for changes between the M-1 and M-3 classifications.
  + (ii) Institutional reclassification. DHS retains the discretionary authority to waive the additional fee requirement when a nonimmigrant changes classification between F and M, if the change of status is due solely to institutional reclassification by the Student and Exchange Visitor Program during that nonimmigrant's course of study.
  + (5) Re-application following denial of application by consular officer. An alien who fully paid a SEVIS fee in connection with an initial application for an F-1, F-3, M-1, or M-3 visa, or a J-1 visa in a particular program category, whose initial application was denied, and who is reapplying for the same status, or the same J-1 exchange visitor category, within 12 months following the initial notice of denial is not required to repay the SEVIS fee.
  + (6) Re-application following denial of an application for a change of status. A nonimmigrant who fully paid a SEVIS fee in connection with an initial application for a change of status within in the United States to F-1, F-3, M-1, or M-3 classification, or for a change of status to a particular J-1 exchange visitor category, whose initial application was denied, and who is granted a motion to reopen the denied case is not required to repay the SEVIS fee if the motion to reopen is granted within 12 months of receipt of initial notice of denial.
  + (f) [Reserved]
  + (g) ***Procedures for payment of the SEVIS fee*** —
  + (1) ***Options for payment.*** An alien subject to payment of a fee under this section may pay the fee by any procedure approved by DHS, including:
  + (i) Submission of Form I-901, to DHS by mail, along with the proper fee paid by check, money order, or foreign draft drawn on a financial institution in the United States and payable in United States currency, as provided by [8 CFR 103.7(d)(8)](https://www.ecfr.gov/current/title-8/section-103.7#p-103.7(d)(8));
  + (ii) Electronic submission of Form I-901 to DHS using a credit card or other electronic means of payment accepted by DHS; or,
  + (iii) A designated payment service and receipt mechanism approved and set forth in future guidance by DHS.
  + (2) ***Receipts.*** DHS will provide a receipt for each fee payment under [paragraph (g)(1)](https://www.ecfr.gov/current/title-8/section-214.13#p-214.13(g)(1)) of this section until such time as DHS issues a notice in the Federal Register that paper receipts will no longer be necessary. Further receipt provisions include:
  + (i) DHS will provide for an expedited delivery of the receipt, upon request and receipt of an additional fee;
  + (ii) If payment was made electronically, both DHS and the Department of State will accept a properly completed receipt that is printed-out electronically, in lieu of the receipt generated by DHS;
  + (iii) If payment was made through an approved payment service, DHS and the Department of State will accept a properly completed receipt issued by the payment service, in lieu of the receipt generated by DHS.
  + (3) ***Electronic record of fee payment.*** DHS will maintain an electronic record of payment for the alien as verification of receipt of the required fee under this section. If DHS records indicate that the fee has been paid, an alien who has lost or did not receive a receipt for a fee payment under this section will not be denied an immigration benefit, including visa issuance or admission to the United States, solely because of a failure to present a paper receipt of fee payment.
  + (4) ***Third-party payments.*** DHS will accept payment of the required fee for an alien from a certified school or a designated exchange visitor program sponsor, or from another source, in accordance with procedures approved by DHS.
  + (h) ***Failure to pay the fee.*** The failure to pay the required fee is grounds for denial of F, M, or J nonimmigrant status or status-related benefits. Payment of the fee does not preserve the lawful status of any F, J, or M nonimmigrant that has violated his or her status in some other manner.
  + (1) For purposes of reinstatement to F or M status, failure to pay the required fee will be considered a “willful violation” under [8 CFR 214.2(f)(16)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(16)) or [(m)(16)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(m)(16)), unless DHS determines that there are sufficient extenuating circumstances (as determined at the discretion of the Student and Exchange Visitor Program).
  + (2) For purposes of reinstatement to valid J program status, failure to pay the required fee will not be considered a “minor or technical infraction” under [22 CFR 62.45](https://www.ecfr.gov/current/title-22/section-62.45).
* 8 CFR 274a.12(c) - Aliens who must apply for employment authorization
  + ***Aliens who must apply for employment authorization.*** An alien within a class of aliens described in this section must apply for work authorization. If authorized, such an alien may accept employment subject to any restrictions stated in the regulations or cited on the employment authorization document. USCIS, in its discretion, may establish a specific validity period for an employment authorization document, which may include any period when an administrative appeal or judicial review of an application or petition is pending.
    - A nonimmigrant (F-1) student who:
      * (i):
        + (A) Is seeking pre-completion practical training pursuant to [8 CFR 214.2(f)(10)(ii)(A)(*1*)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(10)(ii)(A)(1)) and [(*2*)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(10)(ii)(A)(2));
        + (B) Is seeking authorization to engage in up to 12 months of post-completion Optional Practical Training (OPT) pursuant to [8 CFR 214.2(f)(10)(ii)(A)(*3*)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(10)(ii)(A)(3)); or
        + (C) Is seeking a 24-month OPT extension pursuant to [8 CFR 214.2(f)(10)(ii)(C)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(10)(ii)(C));
      * (ii) Has been offered employment under the sponsorship of an international organization within the meaning of the International Organization Immunities Act (59 Stat. 669) and who presents a written certification from the international organization that the proposed employment is within the scope of the organization's sponsorship. The F-1 student must also present a Form I-20 ID or SEVIS Form I-20 with employment page completed by DSO certifying eligibility for employment; or
      * (iii) Is seeking employment because of severe economic hardship pursuant to [8 CFR 214.2(f)(9)(ii)(C)](https://www.ecfr.gov/current/title-8/section-214.2#p-214.2(f)(9)(ii)(C)) and has filed the Form I-20 ID and Form I-538 (for non-SEVIS schools), or SEVIS Form I-20 with employment page completed by the DSO certifying eligibility, and any other supporting materials such as affidavits which further detail the unforeseen economic circumstances that require the student to seek employment authorization.
* [22 CFR 41.61](https://www.ecfr.gov/current/title-22/chapter-I/subchapter-E/part-41/subpart-G/section-41.61) - Students - academic and nonacademic

**Website Resources:**

* [**https://travel.state.gov/content/travel/en/us-visas/study/student-visa.html**](https://travel.state.gov/content/travel/en/us-visas/study/student-visa.html)
* [**https://www.uscis.gov/policy-manual/volume-2-part-f-chapter-1**](https://www.uscis.gov/policy-manual/volume-2-part-f-chapter-1)
* [**https://www.uscis.gov/policy-manual/volume-2-part-f-chapter-8**](https://www.uscis.gov/policy-manual/volume-2-part-f-chapter-8)
* [**https://www.uscis.gov/working-in-the-united-states/stem-employment-pathways/nonimmigrant-pathways-for-stem-employment-in-the-united-states**](https://www.uscis.gov/working-in-the-united-states/stem-employment-pathways/nonimmigrant-pathways-for-stem-employment-in-the-united-states)