



Off-Campus Employment Regulations **Based on Economic Hardship** for Students in F-1 Status

Current Immigration regulations governing off-campus employment based on economic hardship took effect on January 1, 2003. These regulations apply to all students in F-1 status.

In order to be eligible, the student must:

- be in valid F-1 status for at least one academic year (two semesters)
- be in good academic standing and registered for a full-time course load
- provide evidence of economic hardship based on unforeseen circumstances beyond the student's control
- demonstrate that on-campus employment is either unavailable or insufficient to meet needs

The regulations require that students make a good faith effort to locate employment on campus before applying for employment authorization based on economic hardship.

The regulations offer examples of unforeseen circumstances that may cause economic hardship, including the 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 rates; inordinate increases in tuition and/or living costs; or unexpected changes in the financial condition of a student's sponsor, medical bills, or other substantial and unexpected expenses.

Employment is limited to no more than 20 hours per week when school is in session, full-time during holidays or vacation periods. Employment authorization is automatically terminated when a student fails to maintain status. Students may work for an employer at any job anywhere in the United States. A job offer is NOT required in advance of obtaining employment authorization. Employment may not commence until the student receives the work authorization (EAD) card from the U.S. Citizenship and Immigration Services (USCIS)

Students seeking employment authorization based on economic hardship will need to apply by mail to the USCIS Dallas Service Center to obtain an employment authorization document (EAD), which will be valid for one-year intervals. There is an application fee for the EAD. Students interested in this type of work authorization should schedule an appointment to meet with the Director of International Programs. (315) 386-7608, FOB 232A.

The following items must be submitted to the International Programs Office to process an application for off-campus employment based on economic hardship:

- cover letter from student explaining unforeseen circumstances causing economic hardship
- statement of assets, income, and expenses and corresponding financial documentation

Once the application for off-campus employment based on economic hardship is complete, the International Programs Office will provide you with an updated SEVIS I-20 with off-campus work authorization certification on page 3. The SEVIS I-20 and the written evidence of unforeseen circumstances will be returned to the student along with a supporting letter from the International Programs Office.

Items that must be submitted to the USCIS Dallas Service Center include the written evidence of unforeseen circumstances and supporting letter from student, Form I-765, photocopies of Form I-20 and I-94, two photographs, and the fee and photocopy of identity pages from passport. Students will be given a check sheet and complete mailing information from the International Programs Office.

It can take up to twelve weeks for the EAD card to be processed by the USCIS Dallas Service Center. Therefore, students are urged to allow sufficient processing time for this procedure by submitting their paperwork **early**.

Employment may not commence until the student obtains the EAD.