



UNIVERSITY
AT ALBANY

State University of New York

International Student and Scholar Services

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Information Regarding MOUs (Memorandums of Understanding) and Other Agreements for F-1 International Students

Please Note: ISSS does not verify or facilitate MOU agreements in any way. This handout is intended for informational purposes only. ISSS cannot advise on specific MOU agreements or provide information on what MOU agreements exist. As the visa holder, the student is the one ultimately responsible for maintaining his or her status and abiding by all regulations related to employment and practical training.

What is a MOU?: A MOU, or Memorandum of Understanding, is a formal, written agreement between two parties, in this case between a Department at the University at Albany and an external Agency. This agreement establishes a formal connection or relationship between the two entities. Many MOU agreements specify that students employed by the Agency are employed under this relationship, and therefore considered to be student employees of the University.

MOUs are Specific: Just because a MOU of some form exists between a University Department and an external agency does not mean all students are eligible for the benefits of that MOU, nor that employment with that agency is considered on-campus employment. Not all students can benefit from the employment clauses. It can depend on a number of criteria such as the student's major or the position a student will work in. An MOU does not mean that all positions at that agency are considered to be on-campus employment.

Is employment under an MOU or other valid agreements considered to be On-Campus Employment?: The UAlbany Department and the external Agency must verify that you and your position are covered by a MOU or other appropriate agreement and that the position is considered to be the equivalent of on-campus employment as a result of this formal, written agreement. F-1 regulations state that work "at an off-campus location which is educationally affiliated with the school" may still be considered on-campus employment. If the MOU establishes an educational affiliation between the University Department and the Agency, and your position is specifically considered part of this educational affiliation under the agreement, it may be considered on-campus employment.

On-Campus Employment Requirements: If the employment is considered on-campus under a MOU, then the student must follow on-campus employment regulations. F-1 students may work on campus up to 20 hours per week (cumulatively, if you hold multiple jobs) during the fall and spring semester and are eligible to work full-time when classes are not in session during the winter and summer breaks. Please note that the University has policies related to student employment as well, such as limiting students to 25 hours per week year-round and requiring students to be registered for at least 6 credits to be eligible for on-campus employment. In addition, the MOU agreement may have limitations on acceptable hours per week. Students will need to speak to the department and agency to see which rules apply to a particular position. If you do not abide by all the stipulations for the on-campus employment listed under the agreement, the employment is not considered to be on-campus.

Who is Responsible for Verifying that the Employment is On-Campus?: Since ISSS cannot verify MOUs, the student is recommended to obtain written verification from both the University Department



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and the external Agency that this position is considered to be on-campus employment at the University at Albany as expressly stated in an already existing MOU agreement. Students should retain this written verification for your records. Students who apply for future benefits through USCIS or other agencies may be questioned about how the employment was on-campus, and the student is responsible for verifying this. ISSS cannot verify this information.

Other Recommendations: As the visa holder, the student is the one ultimately responsible for maintaining his or her status. **Do not, under any circumstances, begin any work unless you have written verification from the appropriate officials certifying it is on-campus employment** (See “Who is Responsible for Verifying the Employment is On-Campus,” above). “Beginning work” includes reporting to an off-campus site or completing I-9 paperwork. If you are completing I-9 paperwork anywhere other than UAlbany’s Human Resources, exercise caution. Do not complete an I-9 anywhere else unless you have it documented that the position is a UAlbany on-campus position. Engaging in work which you are not authorized for (including beginning work in a position you *thought* was on-campus employment under a MOU but no such agreement existed) can have serious consequences, including but not limited to: termination of your SEVIS record; being found to be in violation of status, which may also include you incurring overstay time and being barred from returning to the U.S. in the future; and being denied future benefits or adjustments of status.

Sample Statement From Employer Regarding MOU

For example only

This is to certify that (Student Name) is an on-campus employee of the University at Albany, SUNY. The student will be working at (Agency/Partner Institution Name) under a formal educational agreement/MOU between the University at Albany and (Agency/Partner Institution Name). Under this agreement, the student will hold the position of (Position Title). He/she will work from (Employment Start Date) to (Employment End Date) a total of (Number of hours) per week, and never to exceed 20 hours per week during the semester while classes are in session.

-Name of Official at SUNY Albany with Signatory Authority Regarding Agreement

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-Name of Official at Agency/Partner Institute with Signatory Authority Regarding Agreement

-Signature of Official at Agency/Partner Institute with Signatory Authority Regarding Agreement