Week 3: Immigration Policies & Regulations

ISSS is committed to the holistic success of our international students. But what separates ISSS from other student support offices on campus is that we are the only office with the expertise to advise international student visa holders on Department of Homeland Security requirements and regulations for maintaining a valid and active immigration status.

Students are responsible for maintaining a legal status so you are responsible for knowing and understanding all the relevant rules. ISSS is here to help support you and answer your questions. We will also cover these topics at our in-person Orientation this August, but we want to introduce you to these rules and important information to know now. Think about questions you may want to ask us in-person this August.

Our website for Current Students has lots of resources and information available to help students understand these rules. You should always ask for help from ISSS if you do not understand something.

Key Definitions

- **Status**: This refers to your non-immigrant visa category while inside the United States. Students who enter the U.S. using a F-1 or J-1 visa are in F-1 or J-1 status. Your status must be valid in order for you to remain in the United States.
- **Visa**: The visa in your passport is an entry document. It allows you to enter the United States in a certain status. You must obtain a F-1 or J-1 visa before entering the U.S.
- **U.S. Department of Homeland Security (DHS)**: U.S. federal executive department which oversees student visa regulations. It includes Immigration & Customs Enforcement (ICE); Customs and Border Protection (CBP); and U.S. Citizenship & Immigration Services (USCIS)
- **SEVIS**: SEVIS is an online database belonging to DHS which houses real time information about your status. ISSS reports to DHS through SEVIS.
- **I-20 (F-1) or DS-2019 (J-1)**: These documents are required to apply for a visa, enter the U.S., and reflect your program of study while studying in the U.S. The I-20 or DS-2019 document your F-1 or J-1 program. The documents are printed from SEVIS.

Your Immigration Documents

Understanding your immigration documents is an important part of maintaining status. For F-1 and J-1 students there are four key immigration documents to keep track of:

1. **Passport**: must be valid at all times. You can renew it through your country of citizenship's embassy
2. **I-20 (F-1 students) or DS-2019**: You must keep this document valid/unexpired the entire time you are in the U.S. Pay attention to the program end date on the document which should always be in the future. If the information on your I-20 or DS-2019 is no longer correct please contact ISSS
3. **Visa**: Your F-1 or J-1 visa needs to be unexpired when you are seeking entry into the U.S. (in most circumstances). You can only renew the visa from outside the U.S. It is okay if the visa expires while you are inside the U.S. as long as your passport and I-20/DS-2019 are not expired.
4. **I-94**: you will only be able to obtain your I-94 after you enter the U.S. It is your arrival/departure record and is available online. It is your proof that you legally entered the U.S. and your proof of which status you were admitted in

Reporting Changes to Information
U.S. regulations require all F-1 and J-1 students to report a change of residential address, e-mail or phone number to ISSS within 10 days of the change. Students can report these changes by updating their Demographic Data in MyUAlbany.

Additionally, within 10 days students need to report the following changes to an ISSS advisor:

- Change of legal name
- If they are changing academic programs (major, degree pursued, etc...)
- If they have a change in funding
- If they are ending their program early and departing the U.S.
- If they are transferring from UAlbany
- If they have changed to a different immigration status

Course Registration Requirements

Students should be familiar with all the course registration requirements and policies for F-1 and J-1 students. Here we will highlight a few key rules for the Fall and Spring semesters:

1. **Enroll full-time:** at least 12 credits for undergraduate students and 9 credits for graduate students
   - **Authorized Reduced Course Load:** When it’s okay to enroll less than full-time.
2. **Online course enrollment is limited:** no more than one online or distance education course (or 3 credits) may count toward the minimum number of credits needed for full-time enrollment during the semester for F-1 and J-1 students. If the student only needs one course to complete the program of study that course cannot be fully online.
3. **Winter and Summer sessions** are generally considered "vacations" or "annual breaks" during which enrollment is not required and therefore the DHS full-time and online limitations do not apply. Students can enroll during these periods if they want to. However, if you are thinking of graduating at the end of a winter or summer session you need to talk to ISSS first. There are special considerations for your status.

Employment Rules

**On-Campus Employment**

- F-1 and J-1 students may work on-campus up to 20 hours per week during the semester (Fall and Spring) while classes are in session.
- Students may hold multiple on-campus jobs but the combined hours per week between the positions cannot exceed 20 hours per week total during the semester.
- More hours may be possible during break/vacation periods while classes aren’t in session (e.g. winter break, spring break and summer break).
- J-1 students must obtain work authorization in writing from their sponsoring agency before beginning any employment.
- If your hiring is being handled by anyone other than University at Albany Human Resources; University at Albany Research Foundation; or the UAlbany Sodexo (Dining) office please speak to ISSS first to confirm whether or not it is considered on-campus employment.

It’s always better to ask if you aren’t sure— you don’t want to make a mistake that may jeopardize your status.
Off-Campus Employment

F-1/J-1 students cannot begin any training/work off-campus without work authorization. **Do not begin any training/work off-campus, paid or unpaid, without consulting the ISSS office first.** Working without authorization is a violation of your status. Only an ISSS official can approve off-campus work/training for F-1 or J-1 students.

Off-campus practical training authorization is needed for paid internships off campus, but it may still be needed even if:

- The opportunity is not paid (it is “volunteer” or “unpaid”)
- The training/opportunity is related to a course you’re taking (RSSW, UUNI, departmental courses, etc…)
- The opportunity will be conducted remotely
- You learned about the opportunity through a UAlbany contact (professor, Handshake, etc…)
- The opportunity is not “employment,” but does involve training/experience/other opportunities in your field of study

Any of the above scenarios may require off-campus training authorization. The key to protecting your status is that if the opportunity takes place off-campus check with ISSS about it before engaging in any training.

ISSS is the only office on-campus trained in advising students on these issues, so other departments may not know that you have these considerations as part of your status. It’s your responsibility to contact ISSS.

Examples of off-campus employment authorizations include:

**Off-Campus Curricular Practical Training (F-1)**

- Only eligible after completing an academic year of study (fall and spring semester)
- The off-campus training or experience must directly relate to your major and must be tied back to your academic program through a “curricular component,” most commonly through internship-dedicated course credit
- May be authorized as full-time (20+ hours/week) or part time (less than 20 hours/week)

**Off-Campus Optional Practical Training (F-1)**

- Only eligible after completing an academic year of study (fall and spring semester)
- Most often used “post-completion” (after graduation)
- All employment must relate to a student’s major field of study

**Off-Campus Academic Training (J-1)**

- May be used during or after completion of program

Want more information? Visit our [Employment website](#)