

UNIVERSITY RULE

33.99.08.M2 **On Campus Employment of International Students**

Approved January 27, 2011

Revised July 30, 2014

Next scheduled review: July 30, 2019

Rule Statement

The employment of non-citizens is governed by federal law. Employment of non-citizens by Texas A&M University includes the employment of international students incidental to their status. International students, in general, are hired in part-time positions on-campus while enrolled. Federal regulations permit international students to work on campus with certain restrictions, depending on their immigration status. While international students are also eligible under certain circumstances to work off campus, this rule addresses only international student employment on campus. This rule does not apply to the employment of former international students with full-time federal work authorization (e.g. graduated international students with F-1 Optional Practical Training and J-1 Academic Training). Failure to obtain or to comply with their employment authorization could result in the student losing his/her immigration status.

Reason for Rule

To facilitate the on-campus employment of international students and ensure employing departments are in compliance with federal regulations required by those in nonimmigrant statuses.

Definitions

J-1 Employment Certification – This refers to a verification of the eligibility for an international student who is pursuing a Texas A&M academic program to be employed on campus. This process of employment certification applies to students in J-1 status only. Department of State regulations require all J-1 students to receive written authorization by an RO or ARO (defined below) before the student is eligible to begin working on campus. The process for certification will be authorized by ISS.

F-1 Student – An F-1 student is a nonimmigrant who is pursuing a full course of study in order to achieve a specific educational or professional objective. The F-1 category is created by section [101\(a\)\(15\)\(F\)](#) of the Immigration and Nationality Act (INA), and regulated by DHS regulations at 8 C.F.R. § 214.2(f). Students in F-1 status will have a form I-20.

F-1 Curricular Practical Training (CPT) – Training designed to achieve a curricular academic objective that is an integral part of the student’s curriculum. Students on CPT may only be employed by a specific employer, at a specific location, and for specific dates as approved by an ISS advisor who is a DSO (Designated School Official). Students may not begin employment until they receive a new I-20 verifying CPT authorization.

F-1 Optional Practical Training – Temporary full-time or part-time employment available to F-1 students. The employment must be related to the student’s field of study and commensurate with the student’s education level. Employment must be authorized by the Department of Homeland Security, and this process begins at ISS.

International Student – Any enrolled student who is not a U.S. citizen or a U.S. lawful permanent resident (LPR). Such students could be pursuing non-degree or degree seeking undergraduate, graduate, or professional programs at Texas A&M.

IFSS – The International Faculty and Scholar Services (IFSS) office is responsible for the employment of international faculty, researchers and professional staff at Texas A&M University. Accordingly, IFSS is the RO (defined below) for reviewing the immigration credentials of former international students with full-time federal work authorization (e.g. graduated international students with F-1 Optional Practical Training and J-1 Academic Training) that have accepted an offer to work at Texas A&M University in accordance with § 4.2 of TAMU Rule 33.99.09.M1.

ISS – The International Student Services office reviews the status of and certifies employment incidental to status of currently enrolled international students.

J-1 Student – A J-1 student is a nonimmigrant who is pursuing a full course of study at a secondary accredited educational institution. J college and university students are governed by regulations at 22 C.F.R. § [62.23](#). Students in J-1 status will have a form DS-2019.

J-1 Academic Training – A type of off-campus work authorization for employment in a student’s field of study. The J-1 student’s program sponsor (the institution that issues the DS-2019) is responsible for granting the authorization, which is documented on a new DS-2019.

On Campus Employment – Federal regulations governing international students allow a broad definition of “on-campus employment”. Generally, any Texas A&M University department, office, institute, etc., would be considered an on-campus employer. Other System school campuses are not considered on-campus employers. The workplace of an international student can be physically located off the campus, as long as the employer is an on campus component. In addition, a commercial firm that is located on campus (e.g. bookstore) that provides services directly to students is also considered “on campus employment.”

Designated School Official (DSO) – These are the individuals authorized to represent a school in all matters related to F-1 students. Students in F-1 status will have a form I-20.

Responsible Officer (RO) / Alternate Responsible Officer (ARO) – These are the individuals authorized to represent a school in all matters related to J-1 students. Students in J-1 status will have a form DS-2019.

Sponsored - A student is considered sponsored when the financial sponsor is his or her home government, the U.S. Government, or a private company.

Vacation Periods – Enrolled international students are considered by the Department of Homeland Security (DHS) to have vacation during regularly scheduled University breaks (Winter Break and Spring Break) and during summer semesters (unless the summer semester is the student’s first or last semester in the student’s academic program). During a vacation period, they are not limited to the 20 hour per week regulatory cap in effect during the regular academic session.

Procedures and Responsibilities

1. Types of Employment

- 1.1 Part-time: On campus employment of international students is primarily intended to be part time, per federal regulations. Federal regulations define part-time employment to be 20 hours per pay week or less, as defined by the University. Most international students will seek part-time employment on campus while taking a full course of study. International students may be employed on the school’s premises including departments or on-location commercial firms that provide direct services to students on campus. In addition some employment may be with regard to a scholarship, fellowship, or assistantship.
- 1.2 Full-time: International students whose primary purpose is to engage in temporary full-time on-campus work may do so, if they are eligible based on federal regulations regarding such employment and their visa types. In all cases, such employment (F-1 Curricular or Optional Practical Training, J-1 Academic Training, etc.) must be authorized in advance and conform to Department of Homeland Security or Department of State regulations. Obtaining such authorization is facilitated by ISS. Once federal authorizations are obtained, J-1 employment certification of full-time on-campus employment takes place through IFSS or ISS, depending on the student’s circumstances.
- 1.3 Full-time during annual vacation period: According to federal regulations, international students in valid F-1 or J-1 status may “work on campus full-time when school is not in session or during the annual vacation” 8 C.F.R. § 214.2(f)(9)(i); 22 C.F.R. § 62.23(g)(2)(iii). International students will also be eligible to work full time (within OGAPS and FLSA guidelines) during the annual winter break, spring break, and summer vacation period. ISS issues an annual memorandum regarding when a student can begin working full-time during the specified break periods.

2. Procedure for Certifying F-1 Employment

- 2.1 All F-1 students on a Texas A&M University College Station, Galveston, or School of Law I-20 are eligible for on-campus employment under federal regulation 8 C.F.R. 214.2 (f)(9)(i).

- 2.2 Hiring departments will review the student's immigration documents in order to verify that a student is eligible to work.
- 2.3 Once the hiring department has determined the student is eligible to work, the hiring department will process HR paperwork as normal.

3. Procedure for Certifying J-1 Employment

- 3.1 Department of State regulation 22 C.F.R. § 62.23(g)(2) states that a J-1 student may engage in on campus employment if the student has prior written approval from an ISS advisor who is an RO or ARO. The authorization for a J-1 student who has a DS-2019 issued by Texas A&M University, Galveston, or School of Law will be provided by ISS.
- 3.2 Hiring departments will review the student's J-1 immigration documents in order to verify that a student is eligible to work. Once the hiring department has determined the student is eligible to work, the student will need to receive written authorization from ISS. To receive authorization from ISS, the student will submit the request for employment by uploading the valid employment offer letter through the International Student Services Information System (ISSIS). Once ISS has determined the student is eligible and has updated the Student and Exchange Visitor Information System (SEVIS), ISS will send the authorization to the student. The student is not eligible for employment until SEVIS is updated and received the authorization from ISS.

4. Other Procedures

- 4.1 Hiring departments who want to employ international graduate assistants for more than 20 hours a week during vacation periods must comply with regulations governing all graduate assistants, overseen by the Office of Graduate and Professional Studies (OGAPS).
- 4.2 International students enrolled at Texas A&M University in College Station, but employed by one of the branch campuses should contact ISS for special instructions about maintaining their visa status with such employment.
- 4.3 Sponsored students are strongly advised to contact Sponsored Student Programs to ensure that the on campus work opportunity does not violate the conditions of the student's sponsorship. While an international student may be authorized for employment per federal regulations, failure to obtain the consent of a sponsor before engaging in on-campus employment may impact his/her funding.
- 4.4 Federal regulations permit F-1 graduate students to work off-campus with some companies/institutions that are educationally affiliated with Texas A&M University. Students may also conduct research related to contractually-funded projects that have an educational affiliation with Texas A&M University. Students interested in engaging in this type of employment will be required to obtain additional federal authorization and should contact ISS.

Related Statutes, Policies, or Requirements

[System Regulation 33.99.09, Employment of Foreign Nationals](#)

[22 C.F.R. § 62.23\(g\)\(2\)](#)

[8 C.F.R. § 214.2](#)

Contact Office

Federal regulations related to student employment are complex and change frequently, so hiring departments are urged to consult with [International Student Services](#) for rule clarification and interpretation. Employers of OPT or J-1 Academic Training former students should contact [International Faculty and Scholar Services](#) directly.