AMERICAN IMMIGRATION LAWYERS ASSOCIATION

Maintaining F-1 Student Status

As an F-1 international student in the United States, it is your responsibility to maintain your immigration status. Follow these key guidelines to stay in compliance and avoid jeopardizing your education or legal stay:

Maintain Required Documentation

F-1 students must have the following documents:

- All issued Forms I-20;
- Passport valid for at least 6 months into the future. It is the student's responsibility to renew it through his/her embassy **before** it expires;
- I-94 record that reflects "D/S" and "F-1" status
  - D/S means "Duration of Status". There is no definite end date listed on the I-94. D/S includes time needed to complete the full-time course of study as indicated on Form I-20, plus any authorized period of practical training and a 60-day grace period to change status to another visa category or leave the U.S.

Academic Requirements

- Attend the school listed on your Form I-20;
- F-1 undergraduate students must enroll full-time and take at least 12 credit hours per term. Those in graduate programs must take a minimum of 9 credit hours;
- Only one online class (3 credit hours) can count toward full-time enrollment per semester;
- If you plan to enroll less than full-time, you must obtain written approval from your advisor **before** dropping below the required number of credits;
- You must maintain good academic standing as defined by your school

Program Updates and Changes

- **Keep your Form I-20 up to date.** Report any of the following changes to your DSO within **10 days:**
  - Change of major, degree level, or funding;
  - Change of address or phone number;
  - Name change
- **Extend your I-20 before it expires** if you need more time to finish your program.

Employment

F-1 students can only work in the following limited circumstances without violating status:

- **On-Campus Employment**
  - F-1 students may work on-campus part-time (no more than 20 hours per week) while school is in session and full-time during school vacations;
- **Off-Campus Employment**
  - Requires prior approval through CPT (Curricular Practical Training) or OPT (Optional Practical Training). Both are handled through the Designated School Official (DSO);
- **Curricular Practical Training**
  - Must be authorized by the DSO, endorsed on Form I-20, and updated in SEVIS.
- **Optional Practical Training (OPT) & STEM OPT**
  - OPT provides F-1 students with an opportunity to gain practical experience in their field of study. It can be authorized for up to 12 months and can be used either before (pre-completion) or after (post-completion) the completion of the degree program. Students who have completed a degree in a qualifying STEM field can apply for a 24-month extension of OPT.
  - The F-1 student must get prior approval from the DSO and apply for and receive an Employment Authorization Document (EAD) before beginning work.
- **Severe Economic Hardship**
  - Students may qualify for off-campus employment if they face severe economic hardship due to unforeseen circumstances beyond their control, such as loss of financial aid or significant currency fluctuations.

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Traveling as an F-1 Student

- Before making international travel plans, check that your SEVIS record is up-to-date and in Active status.
- Make sure that your DSO has signed your Form I-20, "Certificate of Eligibility for Nonimmigrant Student Status" in the "Travel Endorsement" section within the last year, and that you are not leaving the country for more than 5 months.
- If you have a pending practical training application, it is not recommended that you leave the United States.
- If USCIS approves your OPT application, you will receive an EADto your U.S. address. You are expected to have your EAD in hand to re-enter the United States.
- When you arrive at a US port of entry you will meet with U.S. Customs and Border Protection (CBP) officers for primary and sometimes secondary inspection. The CBP officer may ask for your valid passport, I-20(s), student visa, and practical training employment EAD, as applicable.
- CBP Officers may search your electronic devices. See AILA Flyer on Searches of Electronic Devices at US Ports of Entry: https://www.aila.org/library/ client-flyer-electronic-device-searches.

F-2 Dependents

- F-2 dependents must maintain their lawful status while in the United States. F-2 dependents may study part-time in certain programs, but employment for F-2 dependents is prohibited.

Report a Change of Address

- Report a change of address to the Designated School Official and the United States Citizenship and Immigration Services within 10 days of the change so that your SEVIS record can be updated.

Loss of F-1 Status

If you violate immigration regulations or U.S. laws, you may lose your F-1 status and benefits (e.g. employment authorization). The U.S. Department of State may revoke your visa on various grounds while you are in the U.S. Visa revocation by itself does not put you out of status. Your SEVIS record may also be terminated by the DSO or ICE. If your visa has been revoked or your SEVIS record is terminated, **you may be subject to removal and/or detention and should seek the advice of a reputable attorney**. In preparation to meet the attorney, you should:

- Download and document all relevant immigration history, including:
  - SEVIS record and ALL I-20s and notes;
  - I-94 & travel history;
  - Keep digital copies of your passport, visas, all I-20s, and both sides of any EAD;
- Sign a Family Educational Rights and Privacy Act (FERPA) release, and an ICE Privacy Waiver (Form 60-001) to enable information to be released to a third party

Final Reminders:

- **Keep your SEVIS record active** by staying enrolled and communicating with your school's international office.
- **Depart the U.S. within 60 days** of program completion unless you transfer, apply for OPT, or change status.
- **Talk to your DSO before making any changes** to your academic program or visa status.

If you have questions about maintaining your F-1 status, we recommend that you contact your Designated School Official. If you have further questions, you may contact our office through the "contact us" tab at https://immigration-hawaii.com.

This flyer is intended for general information purposes only and does not constitute legal advice. You should not act or rely on any information in this flyer without seeking the advice of a competent, licensed immigration attorney.