



EAST TENNESSEE STATE
UNIVERSITY

International Student Employment Policy

Policy Name: International Student Employment Policy

Policy Purpose

This policy specifies the requirements for employment of International Students pursuant to federal law.

Applicability

This policy is applicable to ETSU staff, undergraduate, and graduate students.

Responsible Official, Office, and Interpretation

The Vice President of Student Enrollment is responsible for the review and revision of this policy. For questions about this policy, please contact the Office of International Enrollment and Services. The Vice President of Student Life and Enrollment in conjunction with the Office of University Counsel has the final authority to interpret this policy.

Defined Terms

A defined term has a specific meaning within the context of this policy.

Anticipated to Enroll

For Initial and Transfer Students: A newly admitted student or transfer student who holds an ETSU-issued I-20 that has been activated in SEVIS. These students are eligible to begin on-campus employment no sooner than 30 days prior to program start date.

For ETSU Students Changing Programs: An ETSU student who has been issued a Form I-20 to begin a new program in accordance with the federal regulations and who intends to enroll for the next regular academic year, term, or session at ETSU may continue on-campus employment incident to status (For example: an ETSU undergraduate student graduating in the spring term and beginning a graduate program in the fall term may continue on-campus employment if the student has been issued a new Form I-20 for their new ETSU graduate program).

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Form I-20

Certificate of Eligibility for Nonimmigrant Student Status”

A form issued by the DSO/PDSO to show that the student has been accepted into a college or university certified by the Student and Exchange Visitor Program.

DS-2019

“Certificate of Eligibility for Exchange Visitor Status”

A form issued by the RO/ARO to show that the student has been accepted into a college or university certified by the Student and Exchange Visitor Program.

International Student

Any student enrolled at ETSU who is not a U.S. citizen or U.S. permanent resident and is on an F-1 or J-1 visa.

Qualifying On-Campus Job

Working for any unit of ETSU and any authorized third-party employer permitted to employ International Students (e.g. third-party dining services).

F-1 Students

On the school premises:

Work that takes place at your school location could be for an on-campus commercial business, like a bookstore or cafeteria, as long as the work directly provides services for students.

Employment located on-campus that does not directly involve services to students (e.g. construction work) does not qualify as on-campus employment.

Educationally affiliated off-campus location:

Work that takes place with an employer that is contractually affiliated with the school is on-campus employment even if the work site is not located on the campus (e.g. a research lab affiliated with your school).

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Off-Campus Employment

Any employment that is not a Qualifying On-Campus Job.

Work Week

ETSU's work week is Sunday to Saturday. Note, authorized on-campus third party employers may be subject to a different work week and the hour limitations are subject to that employers set work week.

Policy

Pursuant to and subject to the regulations of the Department of Homeland Security ("DHS") and the U.S. Citizenship and Immigrant Services ("USCIS"), International Students may work at a Qualifying On-Campus Job, subject to hourly limitations. It is the student's obligation to: (1) ensure they have filled out all required paperwork, including obtaining a social security number, prior to working; (2) meet all employment requirements of their position; and (3) meet all requirements of the terms of their visa. If a student fails to meet these requirements, the student will be responsible for the consequences of such violation(s).

Any Off-Campus Employment, including, but not limited to paid and unpaid opportunities, is strictly prohibited, unless permitted by federal law and only after receiving specific authorization on the student's I-20 or DS-2019 or application to USCIS.

1. Initial On-Campus Employment Eligibility.

Once the student's Student and Exchange Visitor System ("SEVIS") registration is active, the Office of International Enrollment and Services will notify the student that they are eligible to seek employment at a Qualifying On-Campus Job. Upon receipt of notice from the Office of International Enrollment and Services of eligibility to work, the student may seek employment at a Qualifying On-Campus Job. The student may start working 30 days before their initial term of enrollment at the institution.

If a student wishes to hold more than one Qualifying On-Campus Job, the student must: (1) complete the required paperwork with the Office of International Enrollment and Services; and (2) receive approval from the Office of International Enrollment and Services to work multiple jobs. Regardless of the number of jobs the student may hold, the total hourly limitations described in this policy apply at all times (e.g. if the student holds two jobs, they may only work a total of 20.00 hours a week

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during the semester between the jobs; the student is not permitted to work 20.00 hours at one job and 20.00 hours at another job in the same week).

2. Limitations on Hours Worked

2.1. Fall and Spring Terms.

While classes are in session during Fall and Spring Terms, a student is permitted to work 20.00 hours or less per Work Week at a Qualifying On-Campus Job except as provided hereinbelow during qualifying breaks. Violations of this section must be reported to the Office of International Enrollment and Services.

2.1.1. Breaks subject to 20-hour Limitation during Fall and Spring Terms.

During a specific Work Week that includes a University Holiday, Fall Break, Administrative Closure, or Inclement Weather Closure pursuant to the applicable institutional policy, an International Student is not permitted to work more than 20.00 hours per week.

2.1.2. Winter Break.

During the period starting the day after Winter Commencement through the Saturday directly preceding the first day of the Spring Term, an International Student may work up to 37.5 hours per Work Week if the student is anticipated to enroll in classes during the Spring Term as part of their program of study.

2.1.3. Spring Break.

During Spring Break, an International Student who is enrolled in classes during the week preceding Spring Break may work up to 37.5 hours during the Work Week in which the majority of Spring Break falls.

For example, the work week runs Sunday to Saturday; during the green period below, the student may work up to 37.5 hours for the Work Week. The days in yellow are subject to the applicable Work Week's with a 20.00 limitation.

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Fri	Sat	Sun	Mon	Tues	Wed	Thu	Fri	Sat	Sun	
Last Day of Classes before Spring Break		During this Work Week, student may work up to a total of 37.5 hours.								

2.2. Summer.

2.2.1. Summer is considered a Break, unless the student is:

- 2.2.1.1. Required by their program of study to enroll full-time, as defined by the program of study; or
- 2.2.1.2. Required to enroll in classes as part of a full-time graduate assistantship.

If the student meets the requirements of 2.2.1.1 or 2.2.1.2 above, then during the period starting the day after Spring Commencement through the Saturday directly preceding the first day of the Fall Term in which the student is anticipated to enroll, an International Student shall not work more than 20.00 hours in a Work Week during the weeks in which the student is enrolled in courses.

If the student does not meet the requirements of 2.2.1.1 or 2.2.1.2 above, then during the period starting on the day after Spring Commencement through the Saturday directly preceding the first day of the Fall Term in which the student is anticipated to enroll in courses as part of their program of study, an International Student may work up to 37.5 hours per Work Week at a Qualifying On-Campus Job.

Examples of potential scenarios that may occur are found hereinbelow; if a student's situation does not fit one of these examples, the student and the supervisor must contact the Office of International Enrollment and Services for guidance before the student begins working during the summer.

2.2.2. No Classes Example.

If a student is not taking classes in the summer and is anticipated to enroll in courses in the Fall Term as part of their program of study, the student

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may work up to 37.5 hours per Work Week at a Qualifying On-Campus Job starting the day after Spring Commencement through the Saturday directly preceding the first day of the Fall Term.

2.2.3. Summer I Examples.

2.2.3.1. Required Full-Time Enrollment.

If a student's program of study requires the student to be enrolled full-time, as defined by the program of study during Summer I session and the student is anticipated to enroll in courses in the Fall Term, the student may work up to 37.5 hours per Work Week starting the day after Spring Commencement through the Saturday directly preceding the first day of the Summer I term.

During a Work Week in which classes are held in Summer I term, the student shall not work more than 20.00 hours per Work Week.

From the day after the last day of classes for the Summer I term through the Saturday preceding the first day of classes of Fall Term, the student may work up to 37.5 hours per Work Week.

2.2.3.2. Required Part-Time Enrollment.

If the student is required to be enrolled part-time during Summer I session and is anticipated to enroll in courses in the Fall Term as part of their program of study, the student may work up to 37.5 hours per Work Week at a Qualifying On-Campus Job starting the day after Spring Commencement through the Saturday directly preceding the first day of the Fall Term.

2.2.3.3. Elected Enrollment.

If a student elects to enroll in courses during the summer of the student's own choosing and the student is anticipated to be enrolled in the Fall Term as part of their program of study, the student may work up to 37.5 hours per Work Week at a Qualifying On-Campus Job starting the day after Spring Commencement through the Saturday directly preceding the first day of the Fall Term.

2.2.4. Summer II Examples.

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2.2.4.1. Required Full-Time Enrollment.

If a student's program of study requires the student to be enrolled full-time, as defined by the program of study during Summer II session and the student is anticipated to enroll in courses in the Fall Term, the student may work up to 37.5 hours per Work Week starting the day after Spring Commencement through the Saturday directly preceding the first day of the Summer II term.

During a Work Week in which classes are held in the Summer II term, the student shall not work more than 20.00 hours per Work Week.

From the day after the last day of classes for the Summer II term through the Saturday preceding the first day of classes of Fall Term, the student may work up to 37.5 hours per Work Week.

2.2.4.2. Required Part-Time Enrollment.

If the student is required to be enrolled part-time during Summer II session and is anticipated to enroll in courses in the Fall Term as part of their program of study, the student may work up to 37.5 hours per Work Week at a Qualifying On-Campus Job starting the day after Spring Commencement through the Saturday directly preceding the first day of the Fall Term.

2.2.4.3. Elected Enrollment.

If a student elects to enroll in courses during the summer of the student's own choosing and the student is anticipated to enroll in Fall Term as part of their program of study, the student may work up to 37.5 hours per Work Week at a Qualifying On-Campus Job starting the day after Spring Commencement through the Saturday directly preceding the first day of the Fall Term.

2.2.5. Full Summer Examples.

2.2.5.1. Required Full-Time Enrollment.

If a student's program of study requires the student to be enrolled full-time, as defined by the program of study, during the full summer session and the student is anticipated to enroll in courses in the Fall

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Term, the student may work up to 37.5 hours per Work Week starting the day after Spring Commencement through the Saturday directly preceding the first day of the summer classes.

During a Work Week in which classes are held in the summer session, the student shall not work more than 20.00 hours per Work Week.

From the day after the last day of the finals period for the full Summer Term through the Saturday preceding the first day of classes of Fall Term, the student may work up to 37.5 hours per Work Week.

2.2.5.2. Required Part-Time Enrollment.

If the student is required to be enrolled part-time during the full Summer Term and is anticipated to enroll in courses in the Fall Term as part of their program of study, the student may work up to 37.5 hours per Work Week at a Qualifying On-Campus Job starting the day after Spring Commencement through the Saturday directly preceding the first day of the Fall Term.

2.2.5.3. Elected Enrollment.

If a student elects to enroll in courses during full Summer Term of the student's own choosing and the student is anticipated to be enrolled in Fall Term as part of their program of study, the student may work up to 37.5 hours per Work Week at a Qualifying On-Campus Job starting the day after Spring Commencement through the Saturday directly preceding the first day of the Fall Term.

3. Student Obligations.

International Students must follow the steps and instructions found on the International Student Employment website (www.etsu.edu/international/employment) and must follow all requirements found in this policy and procedures.

Earnings from employment are subject to U.S. and the State of Tennessee laws. It is the student's responsibility to pay all taxes.

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4. Employer Obligations.

4.1. ETSU Hiring Department.

Hiring departments will confirm that each temporary employment contract has a start date and an end date.

Hiring departments will verify weekly that the International Student does not work over 20.00 hours per Work Week.

4.2. Qualifying On-Campus Employers.

Qualifying On-Campus Employers will verify eligibility with the Office of International Enrollment and Services prior to hiring an International Student.

Qualifying On-Campus Employers will verify weekly that the International Student do not work over 20.00 hours per Work Week.

5. Required Trainings.

International Students are required to attend new student orientation, additional trainings, and/or workshops provided by the Office of International Enrollment and Services.

6. Reporting Violations.

ETSU's hourly work limitations conform with federal law. Employers and the International Student are required to notify the Office of International Enrollment and Services immediately if a violation of the hourly work limitation occurs. The Office of International Enrollment and Services will investigate any report of a violation. If a finding is made that a violation occurred, ETSU will report the violation to USCIS under federal law, such violations result in a termination of the SEVIS record under federal law.

7. Disclosures.

International Students are required to provide truthful and accurate information. Providing false information can result in penalties, up to and including termination of the SEVIS record.

8. Discrimination.

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In accordance with ETSU's Policy on Discrimination and Harassment, ETSU does not discriminate against applicants for admission on the basis of race, color, religion, creed, national origin, sex, sexual orientation, gender identity/expression, disability, age, status as a protected veteran, genetic information, or any other legally protected class.

9. Accommodations.

Accommodations or clarifications to this policy may be granted at the discretion of the Vice President of Student Life and Enrollment or their designee.

Procedures

1. Student Responsibilities.

- 1.1. Prior to starting an employment position, students must submit an International Employment Authorization Form found here:
www.etsu.edu/international/employment.
- 1.2. As stipulated in the International Employment Authorization Form, students must notify the Office of International Enrollment and Services of any change in on-campus employment positions.
- 1.3. If students need to obtain a social security number prior to starting employment, they must submit the request form found here:
www.etsu.edu/international/employment.

2. Office of International Enrollment and Services Responsibilities.

- 2.1. The Office of International Enrollment and Services will respond to each submitted International Employment Authorization Form within 5 days.
- 2.2. Prior to signing the International Employment Authorization Form, the Office of International Enrollment and Services will verify that the student is federally eligible to work and does not hold another position that already requires 20.00 hours of work per week.
- 2.3. Prior to approving employment, the Office of International Enrollment and Services will notify Hiring Departments if students already hold another employment position on campus.

3. ETSU Hiring Department/Employer Responsibilities.

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- 3.1. ETSU hiring departments will confirm that each temporary employment contract has a start date and end date.
 - 3.2. ETSU hiring departments will verify weekly that the International Student does not work over 20.00 hours per week.
4. Qualifying On-Campus Employers.
- 4.1. Qualifying On-Campus Employers will verify with the Office of International Enrollment and Services prior to hiring an International Student.
 - 4.2. Qualifying On-Campus Employers will verify weekly that the International Student does not work over 20.00 hours per week.

Applicable Forms and Websites

Authority and Revisions

Authority: 8 CFR 214.2(f); TCA § 49-8-203, et seq.

Previous Policy: N/A

The ETSU Board of Trustees is charged with policy making pursuant to TCA § 49-8-203, et seq. On March 24, 2017, the Board delegated its authority to ETSU's President to establish certain policies and procedures for educational program and other operations of the University, including this policy. The delegation of authority and required process for revision to this policy can be found on the [Policy Development and Rule Making Policy webpage](#).

To suggest a revision to this policy, please contact the responsible official indicated in this policy. Before a substantive change to the policy section may take effect, the requested changes must be: (1) approved by the responsible office; (2) reviewed by the Office of University Counsel for legal sufficiency; (3) posted for public comment; (4) approved by either Academic Council or University Council; and (5) approved by ETSU's President.

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