

Economic Hardship Employment for F-1 Students

International Office, 601 University Dr., San Marcos, TX 78666
Ph: (512) 245-7966 - Fax: (512) 245-8264 – Email: International@txstate.edu

The Department of Homeland Security (DHS) may authorize off-campus employment for F-1 students who experience severe economic hardship. Severe economic hardship may be considered to be situation that are unforeseen and beyond your control. There may include loss of Financial Aid or on-campus employment that is not your fault, a significant devaluation of your home currency, inordinate increase in tuition, or unexpected changes in the financial condition of your main source of support.

You are eligible for employment based on severe economic hardship if:

- (1) you are in good academic standing and are taking a full course load
- (2) you can demonstrate unforeseen severe economic hardship
- (3) Employment is not available or is insufficient on-campus for F-1 students.
- (4) you have been in F-1 status for one full academic year
- (5) employment will not interfere with your studies

Application and Authorization Procedures

You should ask the International Student Adviser to evaluate your situation to make certain that you meet the eligibility requirements.

You may not begin employment until you have received an Employment Authorization Document (EAD) from the DHS. To get the EAD, you must submit the following to the International Office [the office will send your packet to the DHS (INS) Service Center in Irving, Texas].

- Form I-765
- Personal check payable to "Department of Homeland Security" for \$380.00
(Do not make check payable to "DHS" or "USCIS")
- 2 "passport" photos in small envelope
- Materials documenting your economic hardship

The International Student Adviser in the International Office can help you put these materials together. Employment will be granted in **one year period** up to the time you are expected to complete your studies. Your work permission can only be renewed by the DHS and only if you continue to meet the eligibility requirements.

This type of work permission is often hard to obtain. If the DHS denies your request, you will be told why but you may not appeal the decision.

When you begin work, you and your employer must complete a form entitled "Employment Eligibility Verification" [DHS Form I-9], which the employer retains.

In general, F-1 students who have been in the United States less than five years are exempt from Social Security (F.I.C.A.) Taxes. Your earnings are subject to applicable Federal, State, and Local Taxes. Students must file a tax return on or before April 15th of each year. Students may be entitled to a refund of Taxes withheld from their wages if the amount of Tax owed is less than the amount withheld.

While DHS regulations provide a variety of opportunities for you to be employed during your time in F-1 status, working improperly or without authorization is a serious violation of your status. You should therefore consult with your International Student Adviser before taking up any employment. It is your responsibility to comply with all immigration regulations that apply to F-1 students. The International Office is responsible for advising and counseling you regarding your responsibilities. If you fail to meet your responsibilities, you may not be eligible for benefits normally granted to F-1 students.