

OVERVIEW: WORK AUTHORIZATION UNDER THE F-1 AND J-1 VISAS

Visa Types

Baylor University is approved by the U.S. government to issue immigration documents to students who want to study at Baylor University. The Form I-20 is issued to students who plan to study on the F-1 visa, and the Form DS-2019 is issued to students who plan to study on the J-1 visa by the International Student and Scholar Services (ISSS) at the Center for Global Engagement (CGE). All F-1 and J-1 visa holders may request permission to work on campus for a maximum of 20 hours during the semester and full time during the summer and winter breaks

Off-Campus Work Authorization for Students on F-1 Visas:

The F-1 visa allows students to study, live, and work in the U.S. for the duration of an academic program at a SEVIS-approved institution. The F-1 status grants students two types of off-campus work options:

Curricular Practical Training (CPT): Once a student has completed one full academic year of study, the student may participate in an internship provided it is a component of a course that is listed on the curriculum as an integral part of the major. This request is processed on a CPT Form I-20 through the ISSS on the campus where the student is studying, and no further processing is needed. This internship may be paid or unpaid, provided it is approved by the department and ISSS. It is approved by the international advisor for one semester at a time and can be extended if the course is also extended.

Optional Practical Training (OPT): Upon completion of an academic program, F-1 regulations grant an option for students to request Optional Practical Training (OPT). This request is processed on an OPT Form I-20 through the ISSS on the campus where the student completed the degree and then submitted by the student to USCIS. USCIS may authorize the employment by issuing an Employment Authorization Document (EAD) for up to 12 months of employment for a regular degree program (Bachelor's, Master's, PhD's). This gives permission to the student to work in the area of the completed major at any business within the 50 U.S. states. A 24-month extension may be requested by students whose major is a

SEVIS-approved STEM degree. Click the link for the current list: <https://www.ice.gov/sites/default/files/documents/stem-list.pdf>.

Note: In cases where a student has an approved OPT from another institution, and is working on Baylor campus, the STEM extension can only be processed by the institution that issued the OPT.

Off-Campus Work Authorization for Students on J-1 Visas:

The J-1 visa allows degree-seeking students, often those with government sponsorship, to study, live, and work in the U.S. for the duration of an academic program. The J-1 regulations for the student categories allows students to request Academic Training (AT). The student's primary reason for being in the U.S. must be to study rather than to engage in AT. The AT must take place during the student's study or within 30 days after completion of studies that is directly related to the student's major field of study at the academic institution listed on the Form DS-2019. (Note: it must be approved before the Form DS-2019 expires). The undergraduate and pre-doctoral training must not exceed 18 months. The post-doctoral training cannot exceed 36 months and can be paid or unpaid. It is approved by the program sponsor at Baylor ISSS. For more information on AT, please contact Baylor ISSS.

The J-1 visa also allows Exchange Student to come to study as non-degree seeking student. This process is initiated through the Study Abroad office working together with ISSS. These students may also seek AT and are advised to communicate with the program sponsor at Baylor ISSS.

The Professor or Research Scholar/Exchange Visitors J-1 Category:

Baylor University has been designated by Department of State (DOS) to host Professors and Research Scholars, including Postdocs, for a maximum of five years and a minimum participation of three weeks. They must have at a minimum an undergraduate degree. Baylor's practice is to invite Postdocs as scholars. As Non-student foreign nationals they may receive compensation from the sponsor (Baylor), or may be supported by their government or an external organization. However, they are not permitted to be employed on a tenure track.

The process for inviting a scholar to Baylor can be found at these links:

Click this link if you are inviting a scholar who will be funded by Baylor:
<https://www.baylor.edu/globalengagement/doc.php/370797.pdf>.

Click this link if you are inviting a scholar who will be funded by an external institution or government:

<https://www.baylor.edu/globalengagement/index.php?id=961442>

The Scholar may be invited to Baylor from another U.S. institution, as a transfer. If for example, the Scholar has already used two years of the J-1 status at another U.S. institution, then the Scholar can only be invited to Baylor for a maximum of the remaining three years. Whereas, if the Scholar is coming on the J-1 status from an external institution, then the Sponsoring department may choose to issue an invitation for one or more years at a time, and then request an extension before the expiration date on the Form DS-2019, or for the maximum five years at once.

Note: This category of J-1 Scholars may be subject to the Two-Year Home Residency requirement and other bars. More information on this category may be found at this link: <https://www.baylor.edu/globalengagement/index.php?id=962316>. You may also communicate with Baylor ISSS for further guidance.