

CURRICULAR PRACTICAL TRAINING FOR F-1 STUDENT VISA HOLDERS

A publication of the ISSO at Brandeis University, Kutz 215, (781) 736-3480, isso@brandeis.edu 10/2009

Curricular Practical Training (CPT) is a benefit of F-1 Status. CPT is a type of employment authorization for an F-1 Visa Holder that enables a student to pursue work in his/her major (not minor) field of study under certain circumstances. The work experience must either be ***integral*** to the degree program (earns academic credit for all students in that major) or ***required*** (fulfills a degree requirement). [Legal Citation 8 CFR 214.2(f)(10)] The work experience must be part of the established curriculum at Brandeis and noted in the *Brandeis University Bulletin*. The student must meet all academic requirements, university requirements for enrollment, and secure the CPT authorization from ISSO **prior to** beginning the internship/work/practicum/experience.

Please note: Employment that offers “excellent” or “relevant” experience to a student’s field of study, but does not meet the requirements stated above, does not qualify for CPT. Please refer to the handout on Optional Practical Training for an alternative for work authorization.

DEFINITION OF EMPLOYMENT – when do you need authorization to work off-campus?

The Immigration Service defines employment as “any type of service performed or provided in exchange for money, tuition, fees, books, supplies, room, or for any other benefit, or would normally receive.” (Others receive benefits for providing the same service). **Thus, both paid and non-paid positions are considered “employment” by the Immigration Service and will need authorization before the start date of the work experience.** Curricular Practical Training is appropriate for required field projects, internships, practicum experiences, work experience with for-profit corporations, or work experience with non-profit organizations.

ELIGIBILITY REQUIREMENTS

- You must be in F-1 Status for at least one full academic year. The only exception to this regulation is for graduate students only, and is only allowed if the internship is *required* in your first or second semester. The Genetic Counseling Program has the only required internship.
- You must be enrolled as a full-time student for the duration of your program – you must register as a full-time student each semester (or over the summer term, if applicable).
- You must have health insurance for the duration of your program. It is a Commonwealth of Massachusetts law that all full-time students must have health insurance.

IMPORTANT INFORMATION ON CPT

Timing:

- CPT may be done either part-time or full-time depending on the requirement for your project. Except for the SID Second Year Project and the Coexistence Program Internship, all CPT authorizations must be no more than 20 hours per week while school is in session. During the summer months, work can be authorized for more than 20 hours per week.

Number of Hours:

- If you are combining two part-time positions (in the summer or for the SID program), each project/employer will need a separate authorization and each should not exceed the total maximum hours allowed (20 hours per week during the academic year, full-time during the summer is acceptable).
- **CPT authorization must be received from the ISSO prior to your first day at work.**

CURRICULAR PRACTICAL TRAINING FOR F-1 STUDENT VISA HOLDERS

Money Matters:

- CPT can be authorization for paid or non-paid work experiences. If you are being paid, within three days of your start date, you and your employer will complete an Employment Eligibility Verification form (I-9), which the employer keeps. You must show your passport and your I-20 with the CPT authorization on page 3 at the time you complete the I-9. You will also need a Social Security Number (SSN). See the ISSO if you have not applied for the SSN already.
- CPT authorization does not require a fee, however enrolling in a course over the summer or other registration requirements for the university may require a university tuition fee.

Taxes:

- While you are authorized to engage in CPT, since you are in F-1 status, the income you derive from practical training is exempt from social security taxes and withholding for social security purposes if you have been in the United States **for less than five years**. If you have been in the U.S. **for more than five years** you will be required to pay social security taxes. Whether or not you are liable for the payment of income taxes on income earned from practical training depends upon your individual situation and tax status. Most F-1 students who earn income from practical training will pay federal and state income taxes. However, we advise that you seek the resources of the Internal Revenue Service (IRS) for particulars. You should consult the IRS Publication 519: *U.S. Tax Guide for Aliens* and Publication 515: *Withholding of Tax on Non-Resident Aliens & Foreign Corporations* for clarification of your tax status. These can be found on-line at www.irs.gov.

Relationship to OPT:

Time spent doing Curricular Practical Training does not subtract from your available twelve months of Optional Practical Training, UNLESS you have worked for one year or more in full-time Curricular Practical Training. Any student who works for one year or more in full-time Curricular Practical Training is not eligible for any Optional Practical Training. Part-time CPT does not have these timing restrictions.

CPT is date specific and employer specific.

If you decide to extend your internship, you must receive a new authorization for CPT from the ISSO. If you decide to change employers for your internship, you must also obtain a new authorization. Both would entail the same process as your initial authorization. ***If you fail to obtain proper authorization prior to beginning or extending your work experience, you will violate your student status.***

Examples of CPT-type courses / program requirements in the *Brandeis University Bulletin*

- *Cultural Production students: CP 202b Internship in Cultural Production*
- *IBS students: the 297A "Field Project"*
- *Heller MBA students: HS 231*
- *Genetic Counseling required field work or clinical internships*
- *The second year project for SID*
- *Office of the Dean of Arts and Sciences: INT92g credit internship course in the summer [also see <http://www.brandeis.edu/programs/internships/>] for more undergraduate opportunities]*
- *Coexistence Program required internship.*

** Please see current listing in the *Bulletin* of courses within your major field of study **

CURRICULAR PRACTICAL TRAINING FOR F-1 STUDENT VISA HOLDERS

FREQUENTLY ASKED QUESTIONS

I'm working outside the U.S.; do I need CPT work authorization?

MAYBE. Some organizations have a home base in the United States and field offices across the globe. You may be based overseas, but the income or employee status may come from the U.S. office. If this is the case, we recommend getting CPT work authorization. This would cover you for tax purposes. It would also cover you if you had to work in the U.S. office for any period of time (provided that the CPT authorization dates are active). If there are absolutely no ties to the U.S. and you are absolutely sure of this, then you do not need CPT work authorization. Please check with ISSO if you have any questions.

I'm just doing research; do I need CPT work authorization?

YES. Research is considered employment in the eyes of the immigration service if you are providing a service or receiving any compensation from your employer (whether it is a company, college/university, or research institute). You would therefore need authorization to pursue research. If your research is being paid by Brandeis University and is under 20 hours per week while school is in session or full-time over the summer term, this authorization is covered under "on-campus" employment regulations. If a faculty member has an outside grant, you would need either Curricular Practical Training or Optional Practical Training to conduct the research. Please consult ISSO with any questions.

I'd like to do some translating (or something else) on the side; can I get CPT work authorization?

Most likely, no. Unless the employment is an integral part of your internship or field project course, you are not authorized to do additional work.

A NOTE OF CAUTION: You may not begin your Curricular Practical Training until the ISSO has given you the authorization. Working improperly or without authorization is a serious violation of your status and would result in the loss of benefits normally granted to F-1 students.

CURRICULAR PRACTICAL TRAINING FOR F-1 STUDENT VISA HOLDERS

APPLYING FOR CPT

There are four stakeholders in this process: **your employer, your advisor, Brandeis's Registrar, and your ISSO advisor.** Failure to secure these four steps would lead to a violation of your student status.

PLEASE ALLOW TEN DAYS FOR THE ISSO TO PROCESS YOUR CPT REQUEST.
YOU MUST HAVE CPT AUTHORIZATION BEFORE BEGINNING WORK.

1. The first step is to secure an internship. Your employer will then create an offer letter stating the terms of your internship. This letter should include the following details:

- Your job title
- A brief description of your duties
- The **specific** beginning **and** ending dates of the employment
- The number of hours you will work per week (up to 20 hours is considered part-time and 21+ is full-time)
- The name and address of your direct supervisor

**** The offer letter must be on company letterhead, it must be signed by your supervisor, and it must state specific dates of employment. Email is not an acceptable format for this requirement.**

****Please also take into account the dates of your academic requirement for the internship. Your internship dates should correspond to the dates of your course and/or project. CPT cannot be authorized for dates beyond those of the semester. (Fall 2009 dates: the start date needs to be 9/14/2009 and can go through 12/14/2009).**

*****NOTE: If you are graduating in the spring term, your CPT authorization needs to end on the date that you finish finals, or other degree requirements. For May 2010 graduates, that would be May 8, 2010.**

2. Discuss the job training with your academic advisor. Complete the student section of the advisor's recommendation form (the last page of this hand-out) and ask your advisor to review and sign accordingly.
3. Complete registration requirements for the course (enroll in the course or enroll as "continuation full-time" if applicable). ISSO will verify your enrollment at the time of your meeting.
4. Schedule an appointment (email isso@brandeis.edu or call 6-3480) with your ISSO Advisor to submit:
- Your employer's offer letter
 - Completed and signed advisor's recommendation form (attached or in the "forms" section of the ISSO web page)
 - Current I-20 and any previous I-20s
 - Passport and I-94 Card (do not bring copies)

The ISSO Advisor will then determine if your request complies with the immigration regulations related to CPT. If the ISSO Advisor approves your CPT application, you will receive a new I-20 with the CPT work authorization. You will be eligible to work after you receive this new I-20.

If your offer of employment does not meet the requirements for CPT, you are free to explore an application for pre-completion Optional Practical Training (OPT). Please note that it can take 2-3 months to receive OPT authorization from USCIS, so please plan accordingly.

CURRICULAR PRACTICAL TRAINING FOR F-1 STUDENT VISA HOLDERS

Sample Offer Letter for Curricular Practical Training Authorization

Company Letterhead with name and address of employer

January 4, 2010

Ms. Mary Smith
Brandeis University
Waltham, MA 02454

Dear Mary,

We are pleased that you will be joining us this spring as an Intern at the XYZ Company. Please find the following confirmation of the specifics regarding your internship:

Start date: January 19, 2010

End date: May 21, 2010

Number of Hours: You will be working 15 hours per week.

Reporting Relationship: You will be reporting to John Mockler, President of XYZ Inc.

Responsibilities: Day-to-day responsibilities will include working on various M&A and valuation assignments.

Office Location: You will be located in our branch office at 100 South Street, Waltham, MA 02454.

Should you have any questions concerning the specifics of this internship please contact me at (781) 123-4567.

Sincerely,

John Mockler

John Mockler
President, XYZ Inc.

CURRICULAR PRACTICAL TRAINING FOR F-1 STUDENT VISA HOLDERS

Student Name: _____ SAGE ID # _____
Phone Number: _____ Email _____

Have you been enrolled full-time for the last 2 academic semesters? (please circle) YES NO

Proposed Employment Dates: FROM ____ / ____ / ____ TO ____ / ____ / ____
mm dd yyyy mm dd yyyy

Check One: Part-time (20 hours or less per week)
 Full-Time

Have you registered for the internship course? (SID and Coexistence Program can leave this blank) YES NO
Course Number _____ Title _____

ACADEMIC ADVISOR AUTHORIZATION: to be completed by Brandeis University Faculty or Staff

Heller: MA students - completed by Cristina Espinosa / Cara King-Anderson (required for SID second year project)
IBS: to be completed by Karen Muise
Coexistence Program: Mari Fitzduff or Anne Gudaitis
Undergraduate Summer Internship 92g course: requires signed "Internship Learning Agreement" form and letter of internship offer from employer, to be completed by Jessica Paquin, Academic Internships Administrator, Office of the Dean of Arts and Sciences, Rabb 216
Unless specified above, please have your Faculty Advisor for the internship course complete the recommendation.

Student is expected to complete the degree program (including thesis or dissertation) by: ____ / ____ / ____
mm dd yyyy

How will the student's work be evaluated for academic credit?

When will the student need to submit materials in order to complete the academic component of the work?

** Please attach a copy of the approved internship proposal or second year project form as appropriate **

Please check one:

A course offered in the Brandeis University course bulletin for which the student will earn academic credit.
Course # _____ Title _____
This course is (circle one): Mandatory / Elective for ____ credits
Name of the course instructor: _____

A Brandeis University required practicum or internship project
To fulfill the degree requirement for a major in _____

Does the proposed practicum or internship project include an appropriate faculty supervisor and study plan to meet the degree requirement? (circle one) YES NO

Advisor's Signature: _____ Date: _____

Printed Name: _____ Department: _____

Title: _____ Extension: _____