



SENATE BILL #2826

TITLE: Codification of ASUW Policy Regarding Stipends for ASUW Student Employees

DATE INTRODUCED: October 4th, 2022

AUTHOR: Senator Swilling

SPONSORS: The ASUW Budget and Planning Committee and President Brown

1. WHEREAS, the purpose of the Associated Students of the University of Wyoming (ASUW)
2. Student Government is to serve our fellow students in the best manner possible; and,
3. WHEREAS, ASUW has previously utilized stipends as a form of payment to students; and,
4. WHEREAS, this model had several significant flaws, notably that it does not provide
5. consistent hourly compensation, that it is less fiscally responsible given that it provides less
6. ability to ensure work is being completed throughout the semester compared to an hourly
7. pay model, and that it potentially creates issues with US federal immigration law for
8. international students here on certain types of visas who are capped at 20 hours per week of
9. work, as outlined in Addendum A; and,
10. WHEREAS, due to these reasons, ASUW has moved away from stipends as a
11. form of payment; and,
12. WHEREAS, due to this, ASUW now has no stipends budgeted in the current Fiscal Year
13. 2023 budget; and,
14. WHEREAS, codifying a permanent policy regarding stipends will prevent these issues from
15. re-arising in the future.
16. THEREFORE, be it enacted by the Associated Students of the University of Wyoming
17. (ASUW) Student Government that the ASUW Budget and Planning Finance Policy be
18. amended to reflect the changes outlined in Addendum B; and,
19. THEREFORE, be it further enacted that these changes take effect immediately upon


Passed 20-0-0

20. passage and enactment of this bill.

Referred to: Budget and Planning; Program and Institutional Development; Advocacy, Diversity, and Policy

Date of Passage: _____ **Signed:** 
(ASUW Chairperson)

“Being enacted on _____, I do hereby sign my name hereto and

approve this Senate action.” 
ASUW President

Addendum A

An Overview of International Student Employment

The United States has very strict rules regarding the ability of foreign nationals to work in the United States. It is important to note that U.S. Immigration and Customs Enforcement (ICE) will enforce civil and criminal penalties against those who work without the appropriate authorization and employers who fail to verify employment eligibility. Illegal employment is a deportable offense. Therefore, it is very important that international students understand the regulations governing employment eligibility.

Questions about employment eligibility should be directed to staff in International Students and Scholars, Cheney International Center, Suite 5, 1-307-766-5193, uwglobal@uwyo.edu prior to the commencement of any employment opportunity.

Work Authorization Requirements for Common Visa Types

F-1 students: May work on campus at the school which they are authorized to attend (issued their current form I-20) up to 20 hours per week during the academic year, and full time during official university vacation and breaks. Students in valid F-1 status cannot be employed off-campus without meeting eligibility requirements and obtaining prior authorization from International Students and Scholars and/or the U.S. Citizenship and Immigration Services (USCIS). For information about paid internships, please read the section regarding Curricular Practical Training (CPT). For information about working after completion of a degree, please refer to the [Optional Practical Training \(OPT\) Information page](#).

F-2 dependents: May not be employed under any circumstances while in the U.S.

J-1 students: May work on campus at the school which they are authorized to attend (issued their current form DS-2019) for up to 20 hours per week during the academic year, and full time during university vacation and holiday breaks. Students in J-1 status must request work authorization from ISS before beginning work on campus. Please read the [J-1 work authorization information](#) for details. Students in valid J-1 status cannot be employed off-campus without meeting eligibility requirements and obtaining prior authorization from International Students and Scholars, the U.S. Citizenship and Immigration Services (USCIS) or the Department of State.

J-2 dependents: Must have a work authorization card issued by USCIS before they can work on or off campus. Those interested in applying for work authorization and download the [Instructions for Requesting J-2 Employment Authorization](#) and the [J-2 form I-765](#) and contact ISS with questions or for more information.

Students in other statuses are generally prohibited from any kind of employment, either on or off-campus.

Differences Between Volunteering and Employment

How is "Employment" defined?

U.S. federal regulations offer the following definition: *"The term employee means an individual who provides services or labor for an employer for wages or other remuneration."* 8 CFR 274a. 1(f).

Remuneration is the same as compensation. Compensation means something is given to you because you provided a service. It can be a paycheck, a gift card, a stipend, or it can be meal vouchers, room and board, or payment of your travel costs. Any of these would be considered to be compensation under USCIS regulations. Simply put, if you receive anything for providing a service, you are being compensated.

Can international students "volunteer"?

Volunteering is defined as engaging in an activity that anyone (U.S. citizen or citizen of another country) would engage in without expectation of compensation, monetary or otherwise, for the service provided. International students can volunteer, but may not receive any type of compensation. Those sponsoring volunteer activities should make sure that the activity is considered volunteering by the U.S. Department of Labor as to not violate any labor laws.

Addendum B

Article 4. ASUW Student Employee Pay

Section 4.01 Stipends and Honoraria

1. ASUW shall not utilize stipends or honoraria as means of compensation for any ASUW employee. An ASUW employee shall be defined as an individual who provides services or labor for ASUW for wages or other remuneration. Stipends and honoraria shall not be confused with scholarships, which are a grant or payment made to support a student's education without expectation of labor attached. No ASUW scholarship shall have any expectation or request for services or labor to be performed attached.