

Tax guide for international students and scholars in the US on an F-1 visa

The importance of completing these forms correctly cannot be underestimated – **the way you handle your international student tax affairs will have a major impact on future Green Card and visa applications.**

How can I determine my residency status while in the US on an F-1 visa?

In general, international students who are in the US on an F-1 visa are considered **nonresident aliens for tax purposes for the first five calendar years of their stay in the US.**

Most F-1 visa holders will be considered nonresident aliens for tax purposes.

Most F-1 students are considered nonresident aliens by the IRS. As a nonresident alien, you will need to file form 1040-NR (federal tax return) to assess your federal income and taxes.

Even if you don't earn money during your time in the US, you will still need to file [Form 8843](#) with the IRS by the **15 April 2024** deadline.

You may also be required to **file a state tax return**, depending on the state.

Form 1098-T

Many US nonresidents are unsure if they need to file **Form 1098-T** (Tuition Statement). This is **for U.S. nationals and residents only** to figure out any educational credits – these credits are not available to nonresidents. In other words, you won't need this form when filing.

Necessary documents

The first thing you will need is your [W-2 form](#), officially known as a “Wage and Tax Statement”. This is an IRS tax form used to report wages paid to employees

and the taxes withheld. You'll need your W2 to file your tax return and your employer should give it to you at the end of January. It will state the previous year's earnings and tax withheld.

You will also need your Social Security Number or [ITIN](#).

You will receive a [1042-S form](#) from your school or institution if you received a taxable scholarship (such as for example a stipend or housing allowance).

You may also receive a [1099 form](#), though this is less common, but you may receive it if you earned rental income, [investment income](#) or if you worked as an independent contractor.

The deadline for all F-1 students to file their tax documents is **Monday 15 April 2024**.

Missing the deadline may lead to some unwanted penalties, and jeopardize your chances of securing a US visa or Green Card in the future

What is the Standard Deduction and can F-1 students claim it?

In the US, Standard Deduction is an amount of money that some taxpayers may subtract from their income before tax is applied.

Nonresident aliens cannot claim the standard deduction. However, there is a special rule, described next, for certain nonresident aliens from **India**, who can claim it under Article 21 of the US-India Income Tax Treaty.

A special rule applies to students and business apprentices who are eligible for the benefits of Article 21(2) of the United States–India Income Tax Treaty. They can claim the standard deduction provided they do not claim itemized deductions.

Do F-1 students have to pay tax on their capital gains in the US?

International students can also benefit from a tax treaty with their home country. The US has [income tax treaties](#) with 65 countries.

F-1 students who, at the time of their arrival in the US, intend to reside in the states for longer than one year are subject to the 30% taxation on their capital gains during any tax year in which they are present in the US for 183 days or more, unless a tax treaty provides for a lesser rate of taxation.

I am an F-1 student and married, can I file a joint tax return?

As a rule of thumb, those who are married on an F-1 visa cannot jointly file.

However, F-1 students can file joint returns if the spouse is a US citizen or resident.

If both F-1 visa holders are nonresidents for tax purposes the filing status on their returns should be 'Married Filing Separate'.

Who can help me with my international student tax return?

You can file your tax return yourself directly with the IRS. However, every year many F-1 international students feel daunted by the prospect of filing US tax documents and enlist the help of a tax agent or accountant to help them with their return.

But it is important to be careful when choosing who to assist you with your taxes.

For More details you may contact

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