International Services for Students and Scholars
ISSS
ISSS Homepage:
http://doso.rpi.edu/update.do?catcenterkey=11
ISSS facebook page:
http://www.facebook.com/RPI.International.Services
Academy Hall room 4226
276-6266
Immigration Requirements for F-1 Students Working
Types of Employment

• On campus employment
• Off-campus employment for Economic hardships
• Curricular Practical Training (CPT) Co-Op
• Curricular Practical Training (CPT) Required internship
• Optional Practical Training

*Just because it is listed above does not mean you qualify for it.*
On-Campus Employment

• Can be done first semester of attendance.
• Does not require approval of immigration.
• Limit to 20 hours per week during the school year (40 hours during vacation periods).
• Must be enrolled in a full course of study.
• Includes Scholarship, Fellowships & Assistantships.
• You need to get a Social Security number after you get a job, see ISSS homepage.
• No place where on campus jobs are listed
• If you are not sure if its allowed ASK!!!!
Off-Campus Employment
Economic Hardships

• Must have been enrolled for one academic year before you can apply.
• Must be due to serious, urgent and unforeseen economic circumstances.
• Must have a recommendation from ISSS Office.
• Requires immigration authorization.
• Fee of $340 is required.
• Meet with Jane for application.
• Students would get permission to work part-time only, off-campus.
• It could take 12-16 weeks to process
Curricular Practical Training (Co-Op)

• Must be enrolled for one academic year before you can participate.
• Participation is part of the Cooperative Education program (Co-Op).
• Applications are available in the Co-Op office.
• ISSS Office authorizes the employment after first receiving permission from the Graduate Education Office (if you are a graduate student), Co-Op office and the students department.
• **Not available for some degree programs.**
• **Must be full-time.** You cannot do part-time Co-Op.
• **Volunteering is not allowed.**
• Not available for non-matriculated students
• **Must attend a Co-Op briefing.**
Continued Co-Op

- Time is not subtracted from your optional practical training time.
- Participation in more than 12 months of Co-Op cancels eligibility for Optional Practical Training
- **Undergraduate students** must do 2 consecutive semesters. After that you could do it for the summer only.
- Graduate students can do one semester of Co-Op if they desire (good for summer employment)
- **Do not** accept an offer before getting permission from the Co-Op office.
- Must have one semester of full-time study remaining after the Co-Op
- Co-op is not necessary for your degree
Continued Co-Op

• You must get a Social Security number after ISSS Office has given you permission to work.
• Do not work without ISSS Office authorization
• Work permission is typed on your I-20.
• You should have no outstanding balances in your Bursar’s account.
• It appears on your transcript.
Curricular Practical Training (Required internship for degree)

• ISSS Office authorizes the employment. Do not work without ISSS Office Authorization.
• Applications are in the ISSS Office with Jane.
• You must be registered for the required course.
• Participation in more than 12 months of training cancels eligibility for optional practical training.
• **You cannot do an internship unless it is required for your degree** (listed in the course catalog).
• Not available for non-matriculated students
• It appears on your transcript.
Optional Practical Training - OPT

- OPT is permission to work in the U.S. in your field of study granted by Immigration.
- Must be lawfully enrolled for one academic year of full-time studying before participating.
- You are eligible for up to 12 months total before, during or after graduation.
- You are eligible for a second 12 months if you continue for a second degree at a higher level.
Continued OPT

• Requires ISSS Office recommendation
• Requires the authorization of immigration.
• Applications are available in the ISSS Office.
• Fee of $340.00 required
• Can take between 8-16 weeks for immigration to process
• Can apply 90 days prior to commencement of employment or graduation.
Continued OPT

• You do not need a job to apply, **BUT** you **can only be unemployed 90 DAYS** during the 12 months of OPT.

• Graduate students can apply when you have completed all of the course requirements for the degree listed on I-20, but are working on your research or thesis.
  – **BUT** the Graduate Schools will want to see the job offer letter before granting permission.
  – You will be deciding on the work start date in this instance.

• Job must be for the **degree** and **major** listed on your I-20.

• OPT must start within 60 days of graduation or day of degree requirement completion.
Continued OPT

• Do not work or volunteer without immigration authorization (EAD card).

• Once you apply, if you change your mind immigration does not have to cancel the application (Be certain of the dates you are applying for).

• You CAN apply within 60 days after graduation date on form I-20, BUT this is not recommended because of the length of time required to process.

• You can travel while on opt but your I-20 must be signed every 6 months.

• You should have no outstanding balances in your Bursar’s account.
Important Requirements while on OPT

• You are required by law to inform the ISSS Office of change of your local address within 10 days of moving
• You are required by law to inform the ISSS Office of:
  - Employers/company name
  - Full Address including zip code
  - Date employment started
  - Any interruption of employment
• If you change employers you are required to inform the ISSS office within 10 days.
Important Requirements while on OPT

• If you stop working for your employer you are required by law to inform the ISSS Office your last day of employment immediately.

• You are limited to a maximum of 90 days of unemployment while on OPT.

• You are allowed to volunteer (minimum 20 hrs a week) while looking for a full-time job. Keep documentation, and keep ISSS Office informed

• ISSS Office must inform immigration of all the information above.
H-1B cap-gap extension of D/S and work authorization until October 1

• Duration of status (D/S) and work authorization will be extended for a student on OPT, who is approved for an H-1B petition requesting an employment start date of October 1 of the following fiscal year.
  – You need the receipt from Immigration stating this.
• This would apply to all students on OPT, not just STEM students.
• The extension of duration of status and work authorization would automatically terminate upon the rejection, denial, or revocation of the H-1B petition filed on the student's behalf.
STEM

- STEM stand for Science, Technology, Engineering, Mathematics.
  - Actuarial Science.
  - Computer Science Applications:
    - Engineering.
  - Engineering Technologies
  - Biological and Biomedical Sciences.
  - Mathematics and Statistics.
  - Military Technologies.
  - Physical Sciences.
  - Science Technologies.
  - Medical Scientist (MS, PhD).

- Approved list is available on SEVP’s website at http://www.ice.gov/sevis
17 month STEM OPT extension

• Student must be currently participating in a 12-month period of OPT, working for a U.S. employer in a job directly related to the student’s major area of study.

• Student must have **successfully completed** a bachelor's, masters, or doctoral degree in a field on the DHS STEM Designated Degree Program List, from a SEVIS-certified college or university. RPI is a SEVIS certified university.

• Student must have a job offer from an employer registered with the [E-Verify](https://www.dol.gov/whd/ets) employment verification system.
Continued STEM OPT Extension

• The student has not previously received a 17-month OPT extension after earning a STEM degree.

• Application for this is on the ISSS Homepage in the section “Immigration and Visas”.

• The student must apply for the 17-month OPT extension with the ISSS at RPI. The ISSS Office will recommend the OPT extension on a new Form I-20 as long as the job meets DHS requirements.
Continued STEM OPT Extension

• Student will have to apply for the 17-month extension on Form I-765 with the $340.00 fee.

• Students who timely file an application for the 17-month OPT extension will be able to continue employment while the extension application is pending, until a final decision on the I-765 or for 180 days, whichever comes first.

• The employer must agree to report the termination or departure of the student to the ISSS office at RPI or through "any process identified by DHS."
  – DHS has not yet notified anyone of this process
  – ISSS Office does have a form that should be filled out
Reporting Requirements while on STEM OPT

– In addition, RPI students with an approved 17-month OPT extension:
  • Must report to ISSS Office at RPI within 10 days of any change of:
    – Students legal name
    – Residential or mailing address
    – Employer name
    – Employer address, and/or
    – Loss of employment
    – Email address
Reporting Requirements while on STEM OPT

• Must make a validation report to the ISSS Office at RPI every six months starting from the date the extension begins and ending when the student's 17-month STEM extension ends.
  – Validation report can be gotten from ISSS Homepage under “Immigration & Visas”
What is e-Verify

• Is an internet-based system operated by USCIS, in partnership with the Social Security Administration (SSA). It compares information contained on the Form I-9 with the records at the SSA and DHS. It helps employers verify identity and employment eligibility of newly hired employees.

• For an employer to participate in the E-Verify program they will need to enter into a memorandum of Understanding (MOU) with the DHS and SSA. Employers can find more information at www.uscis.gov/E-Verify.

• There is no cost to participating in this program and it is available in all 50 states.
Immigration Requirements for J-1 Exchange Visitor Students Working
Types of Employment

- On campus employment
- Off-campus employment for Economic hardships
- Academic Training – Co-Op
- Academic Training – Required internship
- Academic Training – after graduation

*Just because it is listed above does not mean you qualify for it.*
On campus employment

– Can be done first semester of attendance.
– Does not require approval of immigration.
– Limited to 20 hours per week during the school year (40 hours during vacation periods)
– Must be enrolled in a full course of study (12 credit hours)
– Includes scholarship, fellowship, and assistantships.
– Requires the permission of the office that issued your DS-2019
– You must get a Social Security number after you get a job, see ISSS homepage for instructions.
– No place one place where on campus jobs are listed
– If you are not sure if its allowed **ASK!!!!**
Off-Campus employment
Economic Hardship

- Must have been enrolled for one academic year before you can apply.
- Must be due to serious, urgent and unforeseen economic circumstances
- Must have authorization from ISSS Office or whoever issued your DS-2019
- Authorized by ISSS Office.
- Make an appointment to meet with Jane
Academic Training - AT

• AT is permission to work in the U.S. in your field of study authorized by ISSS Office and Department of State Notified.

• Eligible for up to 18 months (36 months for post-doctoral training). But no more than the time you went to school.

• You **MUST** apply before the end date on your DS-2019 or before graduation.

• Must be done with a specific employer and be directly related to the major field of study listed on the form DS-2019.
Continued Academic Training - AT

• Cannot be longer than length of your program.

• Exchange students are eligible.

• Must be directly related to the program of study.

• Sponsor gives approval in a written letter and is typed on DS-2019.
Academic Training (Co-Op)

- Must be enrolled for one academic year before you can participate.
- Participation is part of the Cooperative Education program (Co-Op).
- Applications are available in the Co-Op office or the ISSS Office.
- ISSS Office authorizes the employment after first receiving permission from, Graduate Education Office, (if graduate student) Co-Op office and the students department.
- Time is subtracted from your academic training time.
- It appears on your transcript.
- **Not available for exchange students or non-matriculated students**
Academic Training (Required internship for degree)

• ISSS Office authorizes the employment.
• An internship must be required for the degree (listed in the course catalog)
• It appears on your transcript.
• Participation is subtracted from your academic training.
• Do not work or volunteer without ISSS Office Authorization
Continued AT (Required internship for degree)

• You should have no outstanding balances in your Bursar’s account.

• **Not available for exchange students.**

• You need a job to apply

• You must be authorized to start work within 30 days after graduation.
Continued AT (Required internship for degree)

• Can be part-time but will be counted as full time.
• You will have to get a Social Security number after ISSS Office has given you work permission. See ISSS homepage for instructions.
• You should have no outstanding balances on your Bursar’s account
• Applications are available in ISSS Office.
Two-year Home country Residency requirements

• When subject to this requirement, the student must reside and be physically present in his/her country of nationality or last residence before being eligible for permanent resident status for an H-1 or L-1 status.
Other Visa types
H-1B

- Temporary worker status for person performing services in a specific occupation or of an exceptional merit and ability relating to cooperative research and development project. Stay can be valid for up to three years expendable to six.
TN status under NAFTA

• For Canadian and Mexican citizens seeking temporary admission to engage in business at a professional level. A job that requires at least baccalaureate degree or appropriate credentials showing status as a professional. Separate procedure for each nation.
Why Are You At RPI

• You are here to get your degree/or exchange program.
• You **might** be eligible for Curricular Practical Training.
• You are eligible for Optional Practical Training or Academic Training after you graduate or complete your program.
  – Immigration says after your degree you can apply for permission to work through OPT/AT – which allows you take what you have learn and use it in the working world, and then go HOME.
  – You are not guaranteed a job.
• That is what you have agreed to when you signed your I-20/DS-2019.
Who Should You NOT Listen To When It Comes to students working in the USA and Immigration Law?

- Blogs by anyone
- Blogs by other International students
- Other RPI students (American or international)
- American students from other schools
- International students from other schools
- RPI faculty
- RPI staff
- Your RPI advisor
- Employers
Who You Should Listen To When It Come to working in the USA and Immigration Law?

• ISSS Staff – for Immigration law
• Career Counselors in CCPD for work related issues.
• Management students can talk to Tom Whelan in Management school.
Frequently Asked Questions

• Q: What if I work without permission but don’t accept any money?
• A: You have broken the law, you can be DEPORTED!

• Q: But I need experience.
• A: Immigration says you are here to get your degree first. If you want experience that is what OPT/AT is for.
Q: But a company won’t hire me without experience.

A: Get involved in a club on campus, get an officer position, that will give you some experience.
   – Get involved with the Graduate Council.
A: Volunteer in campus activities.
Frequently Asked Questions - cont

• Q: If I can’t work off campus what else can I do?
• A: Improved your **ENGLISH**
• A: Learn about **American Culture**
• A: Read, practice your English
• A: Integrity, Integrity, Integrity
• A: Read about American business practices
Frequently Asked Questions

• Q: My Professor at RPI has a company and he said I can do consulting work for him.
• A: That is off campus employment you need Immigration’s permission for it.
• Q: But my friend said at his school he can work off campus.
• A: Every school has different requirements for a degree – don’t take a chance ask me.
Frequently Asked Questions - cont

• Q: But the employer says its ok I can help him out 1-4 hrs a week and get some experience. Helping is not working.

• A: That is working, even if it is only 30 minutes and that is against the law.

• Q: The employer says Jane Havis is giving you the wrong information, the employer has had international students volunteer all the time.

• A: Jane can tell you the regulations. If you get caught working illegally you are deported, the employer just pays a fine. So ask yourself who do you want to listen to.
Frequently Asked Questions - cont

• Q: Is there a set amount of money a company should pay me?
  • A: Yes, it is unwritten that with a certain degree a company would pay a certain amount.

• Q: How do you find out these amounts?
  • A: Management students talk to Tom Whalen in Management.

• A: Talk to Dawn Weaver in the CCPD
Frequently Asked Questions – cont.

• Q: My friends said I can tell an employer RPI won’t give me permission to work for them unless they pay me a certain amount of money per hour.

• A: Your friend is wrong! If RPI thinks the job should pay more the Dean of the Graduate Education office or the Co-Op Office will talk to the employer. NOT YOU!
What Happens If You Work Without Permission

- You can be **DEPORTED!!!!**
- Immigration says YOU!!! are suppose to know the regulations.
- Don’t listen to Friends. If they give you wrong advise that is your bad luck and you could be DEPORTED!!!
- If you have a question about working ask Jane Havis in the ISSS Office
Don‘t Risk Your Career

• If you break the law and are deported you will be barred from the U.S. for
  – 5-10 years.
  – You might not get your degree