

#### INTERNATIONAL STUDENTS OFFICE

Massachusetts Institute of Technology



FALL 2018



### David C. Elwell

Associate Dean and Director MIT International Students Office | <u>http://iso.mit.edu</u>

### □ Tianna Ransom

Career Development Specialist MIT Career Advising and Professional Development <u>https://capd.mit.edu/</u>

### Dana Riechman

International Student Programming Administrator/Advisor MIT International Students Office | <u>http://iso.mit.edu</u>



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- Government Policy/Actions Update
- General Overview of OPT/STEM OPT Extension Issues
- Career Support Resources and General Guidance
- Additional Pre-Submitted Questions
- Questions from Forum Attendees (time permitting)



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## Submitting Questions to "Chat"

- The presentation has taken into account questions pre-submitted online.
- If time allows, questions submitted in the "Chat" section of Zoom will be addressed.
- □ No questions will be taken via audio submission.
- A copy of the presentation slides and recording will be made available on the ISO website.



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## Before or After This Session, Please Review:

Details on F-1 Employment Authorization types are available on the ISO website: <u>https://iso.mit.edu/immigration/employment.shtml</u>

In addition, please view the F-1 Employment (OPT-CPT) Information Session presentation slides, required to apply for CPT or OPT: <u>https://iso.mit.edu/sites/default/files/documents/F Employment Session</u> <u>Spring2020.pdf</u>

Details on OPT and STEM OPT Extension:

- F-1 Optional Practical Training <u>http://iso.mit.edu/immigration/emp\_f1\_opt.shtml</u>
- F-1 STEM Optional Practical Training <u>http://iso.mit.edu/immigration/emp\_f1\_stem\_opt.shtml</u>



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## Government Policy/Actions Update

- Executive Orders / Government Agency Guidance
- Visa Processing at U.S. Embassies/Consulates Abroad
- MIT Major Immigration Alerts & Updates
- ISO Updates Spring 2020

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ΜΙΤ

## Executive Orders / Government Agency Guidance

### April 23, 2020 -- Executive Order Issued Suspending New Immigrant Visa Entry to U.S.

- Focused on suspension of Immigrant Visa processing/entry to US from abroad
- Review of Non-Immigrant visa statuses and measure to relieve impact on U.S. workers (likely review of H-1B, O-1, TN, F-1, J-1, others)
- April 20, 2020 -- USDHS Announces Extension of "Non-Essential"
  <u>Travel Restriction Between Canada-U.S.-Mexico</u>
  - Restriction on non-essential travel through May 20, 2020
  - Does not apply to student/employment currently



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# Executive Orders /

## **Government Agency Guidance**

- □ April 1, 2020 FY H-1B Cap Petitions May Be Filed as of April 1
- March 14, 2020 -- United Kingdom and Republic of Ireland added to Europe <u>Travel Restriction to U.S.</u>
- March 14, 2020 -- United Kingdom and Republic of Ireland added to Europe <u>Travel Restriction to U.S.</u>
- March 11, 2020 -- Entry to U.S. from Most European Countries Suspended for 30 Days
- January 31, 2020 -- Presidential Proclamation Barring Entry to U.S. For Those Who Travel to China Within 14 days Prior to Arrival to U.S.
- January 31, 2020 -- Presidential Proclamation Expands Travel Ban to 6 New Countries, Previous 7 Countries Remain Subject to Restrictions



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# Visa Processing at U.S. Embassies/Consulates Abroad

# March 20, 2020 -- U.S. State Department Suspends Routine Visa Services in Most Countries

- Reports of students able to schedule visa interview appointments at some consular posts as early as mid-June
- Consulates resuming visa services will depend on staffing levels and any stay-home regulations in the host country
- U.S. Department of State has indicated consulates will attempt to prioritize student visa applications based on resources and local conditions.



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## General Overview of OPT/STEM OPT Extension Issues



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# Filing timeline for OPT / STEM OPT Extension

- Obtaining new Forms I-20 from ISO -- After filing request in iMIT, ISO goal to process within 10 business days
- MUST be physically inside the US when USCIS receives the OPT or STEM OPT application
- Mailing application to USCIS
  - - Pre-Degree-Completion OPT USCIS can receive no earlier than 90 days prior to requested OPT start date
    - Post-Degree-Completion OPT USCIS can receive no
  - <u>earlier than 90 days prior</u> to program completion date



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# Filing timeline for OPT / STEM OPT Extension

Mailing application to USCIS

- STEM OPT
  - USCIS can receive no earlier than 90 days prior to end date of current OPT EAD card



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## Filing timeline for OPT / STEM OPT Extension

- "Do I maintain my eligibility for OPT if I am outside the U.S. for more than 5 months (left in March, not returning to campus until at least September)?"
  - SEVP FAQ on COVID-19 -- Suspension of F-1 5-month temporary absence rule (applies to continuing students)



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## Travel Outside the U.S. While OPT/STEM OPT Application Pending

#### Pre-Completion OPT

Do not leave the U.S. until receive confirmation email/text from USCIS that application has been received

### Post-Completion OPT

- In minimum, do not leave the U.S. until receive confirmation email/text from USCIS that application has been received
- If are not inside the U.S. by your program completion date, must wait abroad until OPT is approved, EAD card received, and you have a job offer letter to return to U.S.
- If need a new F-1 visa from U.S. Embassy/Consulate to return to the U.S., and returning after OPT period ends, must receive STEM OPT Extension EAD card before traveling (need EAD for new visa application)

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# Travel Outside the U.S. While OPT/STEM OPT Application Pending

### □ STEM OPT Extension

- Do not leave the U.S. until receive confirmation email/text from USCIS that application has been received
- If returning after completion date of OPT EAD card, need the STEM OPT EAD Card to re-enter the U.S.
- If need a new F-1 visa from U.S. Embassy/Consulate to return to the U.S., and returning after OPT period ends, must receive STEM OPT Extension EAD (U.S. Consulate will require STEM OPT EAD card in-hand for visa interview)



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## Pursuing Internships Remotely

### Working Inside the U.S.

- Provide employer address (even if foreign-based) and remote address inside the U.S. where you will be working
- Require employment authorization whether the employer U.S.based or foreign-based

### Working Outside the U.S.

- Provide employer address and address outside the U.S. where you will be working
- Requires employment authorization if the employer is U.S.based or the funding/salary/stipend received is from a U.S.source

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# **USCIS** Processing Times

- Official USCIS guidance indicates processing times between 3-5 months
- Average processing time = 100 days (no guarantees)
- VERY difficult to get OPT/STEM OPT application expedited
  - Have to prove severe hardship to the <u>employer</u>
  - "not able to withstand the temporary financial loss that is the natural result of normal processing times"

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# Layoffs / Furloughs

- "What is the impact of a layoff or furlough? Will that officially end employment and then I would need to use OPT unemployment time?"
  - Layoff usually means end of employment relationship = unemployment
  - Furlough are the terms of the furlough that there is a planned return date to work with that employer?
    - If yes, NOT considered unemployed
    - If no expected return date, likely considered
  - MIT unemployed

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# Limited Unemployment During OPT / STEM OPT

- During Pre-Completion OPT, you do NOT accumulate any period of Unemployment
- Accumulating more than 90 days of unemployment during OPT is considered a violation of F-1 status by USDHS and you must leave the U.S.
- Days of unemployment begin to accumulate:
  - If employment does not start on the OPT approved start date on EAD
  - If you receive the EAD after the OPT approved start date on EAD
  - Between periods of employment
  - Includes weekends
- Your responsibility to keep track of unemployment days
- May use prior to starting employment, or between positions during your OPT authorization period

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# Limited Unemployment During OPT / STEM OPT

- STEM OPT Extension period: eligible for 60 days of unemployment + any unused time from the original 90 days
- □ "What is 'Employed'?"
  - OPT = minimum of 20 hours per week total in a position(s) directly related to field of study; does not need to be paid
  - STEM OPT Extension = <u>each</u> position must be at least



<u>MIT</u> 20 hours per week in field of study AND paid INTERNATIONAL STUDENTS OFFICE

## **Unemployment Benefits**

□ Am I eligible to apply for Unemployment benefits?"

- Depends on the State in which you and your employer are located
- Unemployment benefits are State benefits that you have earned, not Federal "public" benefits
- not considered a "Public Charge" for accepting, but conflicting guidance on how viewed with future visa applications
- Advise to consult your employer or local State agency concerning eligibility for Unemployment benefits



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# Career Support Resources and Guidance

### Employment Transitions

- Internship to a post-degree position
- New job search after a rescinded offer/layoff/furlough
- Moving from OPT to a new employer for STEM OPT Employer
- Positions directly related to my degree

### Welcome to Tianna Ransom

Career Development Specialist MIT Career Advising and Professional Development Office



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# Career Support Resources & Guidance

## Career Advising & Professional Development

- > Available to all MIT students, postdocs, and recent alumni
- > Help with career decision-making, job search, grad school applications, professional development
- > Individual appointments, events, workshops
- Handshake job/internship board
- Career Handbook resources & example professional documents for both industry and academia
  - Join a <u>newsletter</u> for First Years, Student Voice, Graduate Students, Postdocs

## The Job Search:

Strategies for an effective two-pronged approach

#### HOW GRADUATES FOUND JOBS

(Graduates could check all that applied, so numbers will add to more than 100%)

		Bachelors	Masters	PhD
* *	Internship led to job offer	31%	17%	6%
	Career fair	23%	8%	4%
	Networking	23%	26%	27%
	On-campus recruiting	22%	17%	5%
	Directly applied to employer	20%	15%	26%
	Contacts from MIT Career Services, faculty, academic departments	8%	8%	18%
	MIT-sponsored job listings, employer database, INET	3%	5%	1%
	Externally-advertised job listing (on-line, print)	4%	3%	11%
	Returning to or continuing employment	<1%	13%	-
	Academic or professional conference	-	-	5%

Source: <a href="https://capd.mit.edu/resources/survey-data">https://capd.mit.edu/resources/survey-data</a>

## Online search tools

▷ Handshake

- ▷ CAPD <u>Surveys</u>
- ▷ GoinGlobal

PKG Center's <u>Give Pulse</u>, MISTI, UROP, department mailing list

▷ For more options:
 Handshake → Career Center → Resources → 5
 Strategies to Find an Internship

## Networking

### Networking is like asking for AIR

Build connections to gain advice, information and referrals

# Networking is a two way street

Continue to maintain your connection with others

### Schedule an Informational Interview

Schedule informational interviews to learn more about an alum's career path

### Tap into MIT's Alumni Network

With 150,000+ alums, consider finding an alum doing work interesting to you

#### Watch this "Debunking Networking" Presentation for more tips.

### Connect with alumni: MIT <u>Alumni Advisor's Hub</u>

		Advisors	FAQ	Webinars
Search by keyword	Nice Topics: Strategy advice ×			
Search tips				
Show only:	Ravi Mehta			
AVAILABLE NOW	Previously Chief Product Officer @ Tinder, Product @			
Filter Advisors by:	Facebook, TripAdvisor, Xbox.			
V ADVICE TOPICS	Boston Consulting Group Consultant, Boston '05			
> CAREER	Various Angel Investor, United States '17 – Present			
> STARTUPS & BUSINESS	Show all			
> OPPORTUNITIES	Sloan School of Management, MBA Boston University, BS			
> ACADEMIC	School of Management (Sloan) South Asian Alumni Association Management			
> ADMISSIONS				
> EMPLOYERS	Ana Oromendia			
> LOCATION	Analytics Product Director- Omics and Research Analytics at Medidata Solutions			
> GROUPS 👂 2 CONSU				
> FIELDS OF STUDY	Celmatix Associate Product Manager, New York '16 - '17 Show all			
> FUNCTIONS	Massachusetts Institute of Technology, PhD			
> INDUSTRIES	University of Minnesota Twin Cities, B.S School of Science Biology Koch Institute for Integrative Cancer Re			
> UNIVERSITIES	MATCHED 79%			
> LANGUAGES	Austin Ritz Business Strategy Consultant at Accenture			
	Accenture Business Strategy Consultant at Accenture     Accenture Business Strategy Consultant, Boston '17 – Present     Brilliant.org Automotive Engineering Learning Module Author, '17     Massachusetts Institute of Technology (MIT) Graduate Research Assistant,     Cambridge '15 – '17     Show all			
	Massachusetts Institute of Technology, Master of Science (MS)     Liniversity of Wisconsin-Madison, Bachelor of Science (BS)			

School of Engineering Intramural Football Intramural Ice Hockey Edgerton

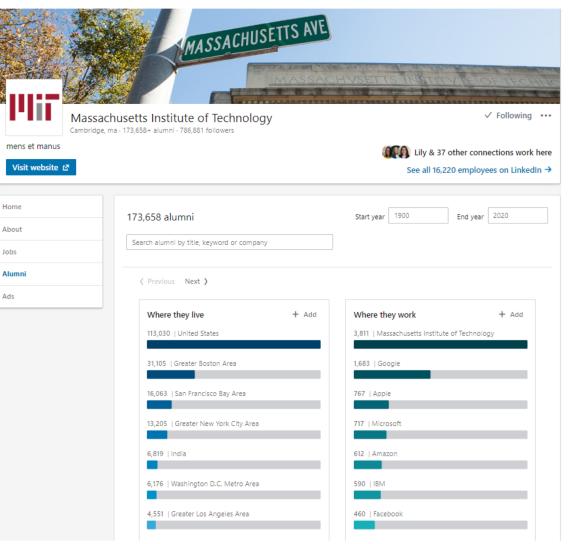
## **Additional Networking Resources**

MIT <u>Alumni</u> <u>Directory</u>

- > LinkedIn
- > Professional associations

Skype a Scientist

Your friends, family, student groups, extracurricular activities, and hobbies



Consider non-traditional opportunities

Multinational companies

▷ Staffing firms

- O <u>TEK Systems</u> | <u>LaSelle Network</u>
- Pitch projects to professors & employers
- Online challenges, competitions, programs, hackathons like <u>I-Corps Spark</u>
- ▷ Personal projects
- ▷ Volunteer

# Negotiating

Start dates and remote work options

## **Negotiation Conversations**

- ▷ It's a conversation
- Only negotiate if you are seriously considering the offer
- Consider needs vs. wants and compromises
- ▷ Get decisions in writing

Take "Successful Negotiation: Essential Strategies and Skills" for free through Coursera

## **Negotiator Best Practices**

- Stay positive and display confidence
- Understand and express your emotions and concerns
- Prepare your value statements and potential solutions
- ▷ Ask for time to think if needed
- Set up an appointment with CAPD to come up with your negotiation strategy

# Navigating Job Loss and Furloughs

Practicing self-care and being prepared for a job search

### Loss and Reactions to Stress

Some reactions to loss/stress

- Emotional: anxiety, depression, anger, grief, numbness, uncertainty
- Physical: fatigue, nausea, headaches, sleep problems
- Mental: confusion, forgetfulness, poor concentration
- Behavioral: restlessness, appetite changes, increased substance use

Some strategies to cope

- $\triangleright$  Set a schedule
- ▷ Get rest and exercise
- $\triangleright$  Eat balanced, healthy meals
- Talk to friends, family, mentors, advisors, therapists
- Dedicate time for your hobbies
- Give yourself advice you would give a close friend

#### Virtual Wellness Resources

MIT@2:50 for daily meditation

How to Freak out Skillfully, and Other Pandemic Survival Skills on Mondays in May

> Wellness consultations with a health coach through MIT Medical



https://medical.mit.edu/community/wellness/classes

#### **Be Prepared**

▷ Get job search ready

▷ Focus on your professional skills

▷ Manage your personal finances

# Thank you!

Tianna Ransom CAPD, E17-294 transom@mit.edu

Join CAPD on Twitter & Facebook @MITCareers

- If I file my application with USCIS, and then my mailing address changes, how do I notify USCIS?
  - Call the USCIS Contact Center (phone number is on the Receipt Notice received for the OPT application
  - Need the application Receipt Number (on the Receipt Notice)
  - Also recommend filing the electronic Change of Address Form (AR-11) on the USCIS website --<u>https://egov.uscis.gov/coa/displayCOAForm.do</u>



IS0

- I'm completing my program in August 2020, I have not found a job at this point. I would like to prolong my stay in the US as long as I could so that I can have enough time to do the job searching. In this case, when should I apply for OPT? What starting date should I indicate?
  - For Post-Completion OPT, students can apply up to 90 days prior to program completion date
  - Do NOT need a job offer in-hand to apply for OPT
  - Can request start date as early as the day after program completion date or up to 60 days after
  - Once OPT application filed, cannot change requested start date



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- I'm completing my degree on May 28, 2020, but I'm currently abroad. Can I apply for OPT from abroad? If I cannot apply from abroad, when must I be back in the U.S. in order to apply?
  - Current USCIS regulations do NOT allow for applying for OPT from abroad
  - In order to be eligible to apply for Post-Completion OPT, students must be physically inside the U.S. before their program completion date to be eligible to apply
  - As long as the student is inside U.S. by May 28, can file the OPT application, and USCIS can receive the application, after May 28 (up to 60 days after, but should file as soon as possible)



- I am graduating with a dual degree, do I need to have supporting letters for OPT from each academic department or one letter from my home department?
  - In order for the ISO to include recommendation for OPT in both degree fields, for graduate students a letter of confirmation of earned degree from each academic program will be required.
    - For undergraduate students, one letter from their
    - academic advisor confirming the dual majors

MIT completed is sufficient.



- I am completing my graduate degree and I am being offered a position to work in my same lab at MIT. Do I need OPT approved before I can begin working at MIT after completing my degree?
  - YES. After completion of degree, students require OPT authorization to work anywhere in the U.S. or for a U.S. employer. Students may not begin their employment until OPT is approved, the EAD card is received, and the start date on the EAD card has arrived. Students may not pursue any activity, even if not paid, at MIT until EAD card is in hand and the EAD MIT start date has arrived.



- After graduation I am returning home for a job. I will not apply for OPT. If I decide to return to the U.S. 2-3 years later, can I use my OPT then?
  - A student is eligible to apply for Post-Completion OPT within 60 days of completion of degree. If OPT is not applied for within that timeframe, the student forfeits use of OPT based on completion of that degree.
    - In order to be eligible for OPT in the future, a student would need to pursue/complete a new degree program and meet eligibility to apply for OPT based on that new degree.



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- After submitting the OPT application to USCIS, is it possible to postpone my "program end date"? My concern is that the start date of my job gets delayed due to COVID-19, and I stay for a long time away from the MIT program and without a job.
  - If your program end date changes after filing your OPT application, please contact your ISO Advisor. If you will need significant time to complete the degree (after the requested OPT start date), it may be advisable to withdraw the OPT application (unfortunately with loss of the application fee), extend your I-20, and file a new OPT application.



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- If you start working for a US company from abroad (e.g., borders closed for internationals) does that count as employed for OPT? Or does it consume your 90 days of unemployment?
  - If working for a U.S. company, and assigned abroad, students will need to have the OPT approved before starting the employment (especially if the intention is to work in the US for the company at a future date). If working for the U.S. company, that time would be considered employment (not unemployed) under OPT. We advise that the offer letter from the company
    MIT confirm you are assigned temporarily to work abroad.



- My internship was cancelled. If I try to get another offer for a US internship and fail to do so, do I accrue unemployment days?
  - If your OPT position ends, then you would accrue unemployment time until you find a new position(s) that meets the minimum requirements for employment
    - OPT = minimum of 20 hours per week total, can be paid or non-paid
    - STEM OPT = each position must be at least 20 hours per week and paid
    - All positions must be directly related to degree major field of
  - MIT study

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- Is it possible to cancel an approved OPT application or adjust the dates? How exactly do I cancel my OPT application and when is the latest I can do it?
  - It is possible to cancel the OPT application up until the application is approved by USCIS. If you do not request cancellation of the OPT application before it is approved, then the OPT time will be deducted from eligible OPT time at that degree level.
    - Changing the dates requested for OPT authorization is not possible once the application is filed. The only way to change the requested date is to cancel the first application and file a new application (if still eligible to timely file).



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- Does an RA extension at MIT count as a job (for OPT purposes), if it starts in June, from June to August 31?
  - After completion of degree, OPT cannot be used for student positions (since you are now an alumnus and no longer a student), even if working in same lab. To work at MIT under OPT authorization, you would need to be appointed to an appropriate staff or researcher position. Your faculty host can speak with the HR administrator in the department about appointment options. For Post-Completion OPT, to work at MIT or any other employer after program completion date OPT must be approved and EAD card in-hand to start work activity.

MIT



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- I am a student completing a Masters degree and planning to continue on for a PhD. After I get my Masters, can I use my Masters OPT to do an internship in the summer? Is this OPT a separate one from my Ph.D. OPT?
  - Students are eligible for 12-months of OPT per degree level at a progressively higher degree level. If a student finishes a Master's degree, they can apply for Post-Completion OPT to work after completion of the Master's degree (as long as they did not already use 12-months of OPT based on completion of a previously earned U.S. Master's degree.
    - Moving to the PhD degree will allow for eligibility for 12-months of OPT during/after completion of PhD (as long as 12-months of OPT was not used during a previous US PhD degree).

MIT



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- Could one be eligible for an extension to the 90-day unemployment period because it may be very difficult to find employment within 90 days given the financial strain of COVID-19?
  - USDHS has not extended the available OPT (or STEM OPT) unemployment limit it remains 90 days for OPT (and an additional 60 days during STEM OPT Extension). It is very unlikely that the OPT Unemployment limit will be extended given recent Executive Order wording and U.S. immigration policies.

MIT

IS0

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- When applying for the STEM extension, what happens if the extension has not been granted before my current EAD expires?
   Will I still be allowed to work while the application is pending?
  - As long as the STEM OPT Extension application is received by USCIS <u>before</u> the expiration date of the original OPT EAD card, a student can remain in the U.S. and continue working up to 180 days for the STEM OPT employer while awaiting the STEM OPT EAD card. A student should not travel outside the U.S. until the STEM OPT EAD card is received.



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- I am a postdoc finishing my OPT STEM Extension, and trying to obtain H-1B visa, but the new visa might not be in time. Is there any possibility of automatic extension of the validity of employment authorization (like what happened for J-1 visa) for a couple of months?
  - There is no current indication that USCIS will provide any automatic extension beyond the current 24-month STEM OPT Extension period. If you are approaching the end of your STEM OPT Extension period, it will be important to speak with your employer and/or an immigration attorney about other visa options.



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- If we are working from home due to Covid19, should the "employer address" in form I-983 section 5 be the office address or home address?
  - Recent guidance from USDHS indicates that the Form I-983 should reflect the address of your U.S.-based employer where you would be working if you did not have to work remotely.
    - We advise that students should be sure to update their SEVIS U.S. Address in iMIT to confirm where you are living in the U.S.

MIT

IS0

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- What are the job role limitations for OPT or for STEM OPT Extension - I am a PhD in Aeronautics thinking of going into management consulting. If I work on some aviation projects, can I qualify?
  - New USDHS Guidance on OPT/STEM OPT Direct Relationship to Degree
    - https://www.ice.gov/doclib/sevis/pdf/optDirectlyRelatedGuidance.pdf
    - Why is your degree field experience needed for the position?
    - How are you applying your degree field experience to this position?



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- I am the founder of a Start-Up. I heard that I must be an employee instead of being an owner for the STEM extension. Is that true?
  - Students can work on their start-up (be self-employed) on the original 12-months of OPT.
    - To be eligible for STEM OPT Extension, you and your employer have to demonstrate there is an employer-employee relationship (on example is to show that you can be fired, such as by a Board of Directors). We advise that students in this situation consult with a qualified immigration attorney, and perhaps an employment attorney, about proper structure of the startup.

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#### How do we get our Forms I-20 signed by ISO during OPT or STEM OPT Extension?

- While the ISO is operating remotely, the best way to get a new travel validation signature will be to request a new Form I-20. Login to <u>iMIT</u>, click on the left-hand menu "F-1 Student Services", click on "Request Replacement Form I-20", and complete the eform for reason "Travel Signature".
  - Where financial documentation is requested, you may upload a copy of your OPT/STEM OPT job offer letter showing the salary/stipend you are receiving. ISO will mail the new Form I-20 to the mailing address you provide.

MIT



If I want to work this Summer 2020, am I too late to apply for OPT?

Depending on your intended start date, it may be possible to apply for OPT for Summer, but it is getting late. Average processing time in the past has been 90-100 days, but processing times are unpredictable. We recommend that you contact your ISO Advisor to discuss your specific situation.



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- I do not have a Social Security Number. The Social Security Administration Offices are currently closed. How can I get an SSN in order to start working?
  - The SSN is not required to complete the Form I-9: Employment Eligibility Verification document with your employer, though the SSN is required for E-Verify needed for STEM OPT Extension.
  - USDHS provides guidance that the SSN is not required, and an employee may start working if they can document authorization to work and an SSN has been applied for. There is no clear guidance about not being able to apply for the SSN.
  - Recommend you consult with your employer about ability to start working without the SSN but ability to complete the Form I-9.

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# Questions From Forum Attendees (Time permitting)

#### Review of Questions posed in Zoom Chat



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## Questions?

MIT Career Advising and Professional Development

**MIT International Students Office** 

ISO Immigration-Employment website

http://iso.mit.edu/immigration/employment.shtml

- F-1 Curricular Practical Training <u>http://iso.mit.edu/immigration/emp\_f1\_cpt.shtml</u>
- F-1 Optional Practical Training <u>http://iso.mit.edu/immigration/emp\_f1\_opt.shtml</u>
- F-1 STEM Optional Practical Training <u>http://iso.mit.edu/immigration/emp\_f1\_stem\_opt.shtml</u>

Contact your ISO Advisor <u>http://iso.mit.edu/about/student-advisor.shtml</u>



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