

MIT

ISO

INTERNATIONAL STUDENTS OFFICE

Massachusetts Institute of Technology

# GUIDANCE ON F-1 (AND J-1) OFF-CAMPUS EMPLOYMENT “DIRECTLY RELATED TO DEGREE MAJOR FIELD OF STUDY”

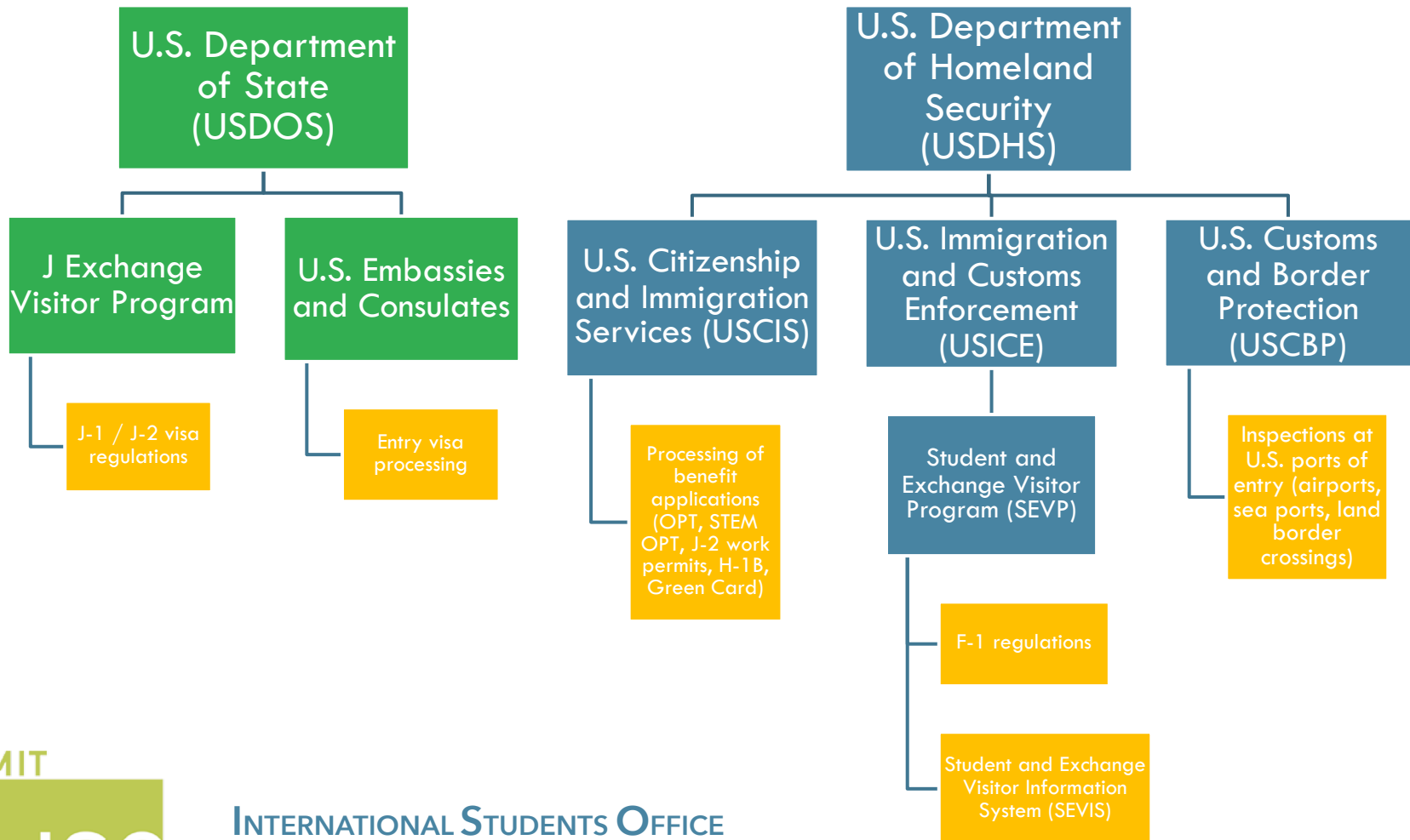
Physics Department Faculty/Staff/Student Luncheon  
September 17, 2020

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<http://iso.mit.edu>

# U.S. Government Agency Structure



# Regulations

- Regulations have **always required** that any authorized activity for F-1 CPT or OPT must be **“directly related to student’s major area of study”** [8 CFR 214.2(f)(10)(ii)(A)]
  - NOT a minor or concentration
  - STEM OPT Extension **“must be directly related to the degree that qualifies the student for such extension”** [8 CFR 214.2(f)(10)(ii)(C)(4)]
- J-1 Academic Training authorization also must be **“directly related to his or her major field of study”** [22 CFR 62.23(f)(3)(ii)]



# USICE SEVP Guidance on Practical Training

- USICE SEVP Policy Guidance: “Practical Training – Determining a Direct Relationship Between Employment and a Student’s Major Area of Study” -- Released September 27, 2019  
[<https://www.ice.gov/doclib/sevis/pdf/optDirectlyRelatedGuidance.pdf>]
- ISO Summary of SEVP guidance posted on the [ISO website](#)
- For F-1 CPT and J-1 Academic Training, the school (MIT ISO) by regulation had always been required to review and approve that activity directly related to degree
- New guidance adds additional responsibility of a review of OPT and STEM OPT Extension activity from only the student/employer to also include the school (MIT ISO)
- The ISO highlights on its [website](#), and in Employment Information Sessions, that students need to show extra care to be sure that the work/training being pursued is a direct application of the degree earned at MIT.



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# ISO Summary

- Questions that can help determine eligibility determine are:
  - ▣ How do your job/internship duties require your MIT academic degree background?
    - Position title is not as important as the position duties
  - ▣ How are you putting into practice your degree in your CPT/OPT/STEM OPT Training?
  - ▣ Did the employer require individuals with education in your specific degree field for the position hired?
    - Not one subject taken during the program, or general field area, but your specific degree field.
    - For example, for a student with a degree in Physics: Why is your degree in Physics needed to do this training/work; and **not** just requiring general statistics/mathematics background or courses?



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# USDHS Scrutiny: Impact/Consequences

- Review during future visa applications with USCIS (e.g. OPT, STEM OPT, H-1B, Green Card)
- "Requests for Evidence" (RFE) for filed applications
  - ▣ Letter from employer confirming why specific degree is required in order to perform position duties and full description of duties
  - ▣ Proof of enrollment and specific subject enrollment
  - ▣ Advisor's letter confirming why Physics degree is being applied to the position duties
- Denial of application/status even if previous benefit/status was originally granted (viewed as granted in error)



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# ISO Resources

- **ISO Website** (<https://iso.mit.edu/>)
  - Employment: <https://iso.mit.edu/employment/>
  - Knowledge Base for Frequently Asked Questions (FAQs)
- **Know your ISO Advisor** – Assigned by academic program
  - Physics Graduate Students = Janka Moss
  - Physics Undergraduate Students = Aurora Brule
  - <https://iso.mit.edu/about-iso/student-advisors-by-program/>



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# Travel

- Need a new Travel Signature on your Form I-20 or DS-2019?
  - ▣ Student requests a “Replacement Form I-20/DS-2019” in iMIT
  - ▣ Requires uploading of current academic year funding documentation
  - ▣ ISO will mail the new Form I-20 to the student
  - ▣ Please provide at least 2 weeks for processing
- Visa Processing at U.S. Embassies/Consulates abroad
  - ▣ <http://usembassy.gov>
- Travel Bans / Travel Restrictions - please consult with ISO Advisor
- Travel Guidance/Resources

MI <https://iso.mit.edu/visas-and-travel/>



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# Additional Issues / Questions

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# Questions?

- ISO Contact Information
  - Tel: 617-253-3795
  - Email: [iso-help@mit.edu](mailto:iso-help@mit.edu)
  - <https://iso.mit.edu>
- Office Hours: Monday- Friday, 9:00am–4:00pm,  
Closed Wednesdays, 10:00am-11:30am
- Office Location: 50 Ames Street, Second Floor, E18-219 (Physical office currently CLOSED; Operating Remotely)



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