Immigration regulations for F-1 students with STEM OPT work authorization

You have applied for STEM Optional Practical Training (OPT) Employment. Your EAD card allows you to have paid employment anywhere in the U.S. in a position related to your major field of study listed in item #5 on your I-20. Because OPT regulations continue to change contact ISS, check our website, and read our newsletters for current regulations. **Failure to follow the F-1 immigration regulations during your STEM OPT could result in losing your STEM OPT authorization, your F-1 SEVIS record being closed and/or you being subject to negative consequences.** These regulations are outlined below, please initial after each statement:

_____ 1. You are not allowed to purchase the Northern Kentucky University sponsored health insurance plan on a semester basis during your OPT. Because U.S. medical care and procedures are extremely expensive; ISSS strongly recommends that all F-1 students and their family members enroll in U.S. health insurance coverage during your time on STEM OPT.

_____ 2. If you have a Kentucky or Ohio Driver’s License, you should report to the Kentucky Department of Public Safety Driver and Vehicle Services for a Status Check before the Status Check deadline listed in the bottom right corner of the Kentucky Driver’s License. F-1 students on OPT should take their: (1) OPT EAD, (2) I-20, (3) I-94 and (4) passport for their Status Check registration so a new Kentucky Driver’s License can be issued with an extended Status Check deadline.

_____ 3. You are required to report your personal address and employer information to ISS within 10 days of a change (start/end of employment. To avoid situations where a DHS official may determine the student is out of status report these changes with the ISSS by email at ISSS@nku.edu.

_____ 4. You are allowed a sum total of (aggregate) **120 days of unemployment** (weekdays and weekends included) during the 29-month period of OPT (regular and STEM OPT combined).

_____ 5. Students authorized for the 24-Month STEM Extension must work at least 20 hours per week for an E-Verify employer in a position directly related to each individual student’s STEM degree. For students who are on a 24-Month STEM Extension, this employment may include:

- **Paid Employment:** All employment during the 24-Month STEM Extension must be paid employment. Volunteer experience does not count as employment for the purpose of maintaining F-1 status during the 24-Month STEM Extension.

- **Multiple Employers:** Students may work for more than one employer, but all employment must be related to each individual student’s degree program and all employers must be enrolled in E-Verify.

- **Work for Hire:** This is also commonly referred to as 1099 employment where an individual performs a service based on a contractual relationship rather than an employment relationship. The company for whom the student is providing services must be registered with E-Verify. If requested by DHS, students must be prepared to provide evidence showing the duration of the contract periods and the name and address of the contracting company.

- **Self-Employed Business Owner:** Students on a STEM extension can start a business and be self-employed. In this situation, the student must register his or her business with E-Verify and work full time. The student must be able to prove that he or she has the proper business licenses and is actively engaged in a business related to his or her degree program.

- **Employment through an Agency or Consulting Firm:** Students on a STEM extension may be employed by an employment agency or consulting firm. The employment agency or consulting firm
must be registered with E-Verify, but the third parties contracting the agency or firm (for which the student is providing services) need not be.

6. **Students should not travel outside of the United States if his or her employment authorization document expires and the 24-Month STEM Extension request is pending.**
You may travel outside of the U.S. after you have received your 24-Month STEM Extension EAD card. You will also need to carry with you a letter from your employer, a valid I-20 with a new travel signature, a valid passport and F-1 visa, (other documents that you should carry with you will be discussed during your Advisor appointment) and you MUST meet with an ISSS Advisor before you travel outside of the U.S. at least one week before your departure.

7. **You are allowed to study part time during OPT.** Part-time enrollment at the Northern Kentucky University:
   - less than 12 credit hours during the Fall and Spring semesters and less than 6 credit hours during the Summer term for undergraduate students
   - less than 9 credit hours during the Fall and Spring semesters and less than 6 credit hours during the Summer term for graduate students
You will automatically terminate your OPT authorization if you study full time, transfer to a new school or receive a new I-20. You are allowed to continue your education at NKU or another U.S. institution following your OPT completion. Students who intend to transfer to another U.S. institution need to complete the ISSS Transfer Out form found under forms online at: http://ISSS.nku.edu.

You must (1) apply, (2) be admitted and (3) receive an I-20 for your new program of study within 60 days following your OPT EAD end date. You must begin studying in the new program of study within 5 months of your EAD end date or the next available academic term, whichever comes first. If you choose not to seek any additional education in the U.S. you have 60 days from your OPT EAD end date to depart the U.S.

8. **You are required to submit verification of your new immigration status to ISSS if you change your immigration status (i.e.: H-1B, H-4, F-2, Permanent Resident, etc.) within 10 days of a change.** After ISSS receives verification of your new immigration status, we will update your SEVIS and NKU records.

9. **Spring and Summer graduates with a timely filed H-1B petition requesting a change of status and an employment start date of October 1st can have their F-1 duration of status (D/S) and post-completion OPT work authorization automatically extended until October 1st when the H-1B status begins.** You should send a clear copy of your I-797 H-1B receipt notice to ISSS to request an updated I-20 showing your OPT extension dates.

**To qualify for the H-1B cap-gap extension:**
- You must be the beneficiary of an H-1B petition that:
  - has been timely filed;
  - that requests an employment start date of October 1 of the following fiscal year; and
  - that requests a change of status
- You must not have violated the terms or conditions of your F-1 status.
- The automatic extension terminates when USCIS rejects, denies, or revokes your H-1B petition.
  - However, you would have a grace period after the termination during which you are authorized to remain in the United States for up to 60 days to prepare for departure from the U.S., change degree level, transfer, change status, etc.
- The limits on unemployment continue to apply to F-1 students with H-1B cap-gap employment.

I acknowledge that I have read and understand the above information.

Name (*Please print*):______________________________________________________________

Signature:_________________________ Date:_________________________