

The USCIS requires all students on OPT/STEM OPT to report any changes that occur to the DSO (Designated School Official), which is the staff at the Ivanhoe International Center. Below are common reporting requirements.

This is not comprehensive. Visit the US Department of Homeland Security's Study in the States for more detailed information at the [OPT site](#) and [STEM OPT Hub](#)

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## SEVP Portal

- On Day 1 of your approved OPT, you will receive an email from SEVP with instructions on how to create an account. This is optional but highly encouraged.
- The SEVP Portal does **NOT** replace the Ivanhoe International Center's own reporting system - OPT Reporting form (see link above). You still must report changes to us.
- LOG IN at least once a month to check your details. If anything is wrong or missing, contact us immediately.
- More information can be found on the SEVIS Portal Help site: <https://studyinthestates.dhs.gov/sevp-portal-help>

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## Post Completion OPT Reporting Requirements (First Year)

Update your OPT employment or student personal information within 10 days of the change to the Ivanhoe International Center online through our [OPT Reporting Form](#).

### Job Reporting Requirements

The following information must be reported during the post-completion OPT period of authorization within 10 days of any changes:

- Your residential address
- Your phone number and email address
- Employer's information (new or change), including but not limited to:
  - Employer('s) name
  - Employer('s) address
  - Job title(s)
  - Explanation of how your job(s) relates to your field of study at South Dakota Mines
  - Start and/or end dates of employment
  - Any periods of employment
- Date of exiting the U.S. (you must provide date of exit if you decide to exit the U.S. and complete your OPT status prior to the end date of your OPT)
- If your visa status changes while on OPT

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## Types of Employment for Initial 12-Month OPT

The types of employment allowed during the initial 12-month period of OPT include **(DOES NOT APPLY TO THE STEM EXTENSION)**:

- **Paid employment.** Students may work in a part-time (minimum 20 hours per week) or full-time in a job related to their field of study. *See above for unemployment issues.*
- **Multiple employers.** Students may work for more than one employer, but all employment must be related to the student's degree program.
- **Short-term multiple employers** (performing artists). Students, such as musicians and other performing artists may work for multiple short-term employers (gigs). The student should maintain a list of all gigs, the dates, and duration. *If requested by DHS, students must be prepared to provide evidence showing a list of all gigs.*
- **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. *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 may start a business and be self-employed. In this situation, the student must work full-time (at least 20 hours/week). 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 the student's degree program.
- **Employment through an agency.** Students must be able to provide evidence showing they worked an average of at least 20 hours per week while employed by the agency.
- **Unpaid employment.** Initial 12-month OPT students may work as volunteers or unpaid interns. It must not violate and labor laws. The work must be at least 20 hours per week. These students must be able to provide evidence from the employer that the student worked at least 20 hours per week during the period of employment. For more information on Reporting requirements by the USCIS can be found here: [http://www.ice.gov/doclib/sevis/pdf/opt\\_policy\\_guidance\\_042010.pdf](http://www.ice.gov/doclib/sevis/pdf/opt_policy_guidance_042010.pdf)

**More information on OPT Employment and Unemployment:** See the [Employment and Unemployment Information](#) section below.

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## **24-Month STEM Extension OPT Reporting Requirements**

Update your OPT employment or student personal information within 10 days of the change to the Ivanhoe International Center online through our [OPT Reporting Form](#) above.

### **While on 24 Month STEM OPT**

Update your STEM employment or student personal information within 10 days of the change to the Ivanhoe International Center. See STEM Reporting form link above.

Compared to your 12-month OPT period, there are several additional requirements while on STEM OPT. Additional details are outlined below. The following information must be reported to the Ivanhoe International Center during the STEM OPT period of authorization within 10 days of any changes or reporting deadlines:

- Your residential address
- Your phone number and email address
- Employer('s) name
- Employer('s) address
- Job title(s)
- Explanation of how your job(s) relates to your field of study at South Dakota Mines
- Start and/or end dates of employment
- Any periods of unemployment
- *Material Changes to your I-983 (see below for details)*
- *Validation Reports every 6 months (see below for details)*
- *12-Month Evaluation I-983 (see below for details)*
- *Final Evaluation I-983 (see below for details)*
- *24-Month Final Evaluation I-983 (see below for details)*
- Date of exiting the U.S. (you must provide date of exit if you decide to exit the U.S. and complete your OPT status prior to the end date of your OPT)
- If your visa status changes while on OPT

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### **Change of Employer While on STEM OPT**

If you change employers during your 24-Month STEM period, follow these instructions:

- Fill out the OPT Reporting Form ([see link above](#)) and do the following:
  - **New Employer:** Submit new I-983 through page 4
  - **Previous Employer:** Submit Final Evaluation bottom of page 5 on the I-983

If you change employers while your STEM OPT is pending, contact the Ivanhoe International Center immediately.

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### **Making Edits to a STEM Employer and Reporting Material Changes to your I-983**

Both STEM OPT students and employers must report material changes to, or deviations from, the student's formal training plan. This requires submission of a new I-983 to the Ivanhoe International Center. Material changes include, but are not limited to:

- Change an employer address or supervision
- Any change of the employer's EIN number, resulting from a change in the employer's ownership or structure
- Any reduction in student compensation that is not tied to a reduction in hours worked
- Any significant decrease in hours per week that a student engages in a STEM training opportunity
- Changes to the employer's commitments or student's learning objectives as documented on the Form I-983.

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### **6-Month Validation Reports and Evaluations**

Validation Reports and Evaluations must be submitted to the Ivanhoe International Center via the OPT Reporting Form. Be advised that your F-1 record may be terminated for failure to submit these required updates.

- **6 Month Reporting** – Fill out the OPT Reporting form only
- **12 Month Reporting** - submit the top of page 5 of the [I-983 Form](#). Upload to the OPT Reporting Form. Do not email.
- **18 Month Reporting** – Fill out the OPT Reporting form only
- **BEFORE 24 Month Reporting** - submit the bottom of page 5 of the [I-983 Form](#). Upload to the OPT Reporting Form. Do not email.

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### **Employment and Unemployment Information**

During the period of OPT authorization, a student should be working or actively seeking employment. There are limits to what jobs count as employment and to the numbers of days you may remain unemployed.

#### **When can I start working?**

On the start date of your approved EAD card. You must physically have the EAD card before working. Your approval notice is not sufficient to begin working.

#### **What counts as "employment" on OPT?**

- The job must be directly related to the student's degree program;
- *If the relationship between the job and a student's field of study is called into question by USCIS in the future, the burden of proof is on the student to demonstrate the relationship.*
- At least 20 hours per week; if work is less than full-time, it counts towards the 90 days of unemployment; paid or unpaid.

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### **How do I know if my job is related to my degree?**

OPT is intended to further the knowledge gained in your area of study and all jobs while on OPT must be directly related to your major at SD Mines. It is your responsibility to be able to connect your OPT jobs to your major. Discuss uncertainties related to a job with your academic advisor, professors in your major field of study and/or the Career Center.

If the relationship between the job and a student's field of study is called into question by USCIS in the future, the burden of proof is on the student to demonstrate the relationship.

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### **What documentation/records should I keep about my employment?**

It is recommended that students maintain evidence for each job: the position held, duration of that position, the job title, contact information for the student's supervisor or manager, and a description of the work. Students must always report employment online through our [OPT Reporting Form](#) within 10 days of any change. See OPT or STEM Extension OPT above for links.

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### **Changing Employers/Multiple Employers**

Students may have multiple jobs and may change jobs as many times as they wish during OPT, provided that all employment is directly related to their field of study and the work is a minimum of 20 hours per week.

No special permission is required to change employers. However, you must update your employer information online through our OPT Reporting Form (see link above) within 10 days of any change.

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### **Unemployment 90-day Rule - Report to [international@sdsmt.edu](mailto:international@sdsmt.edu)**

During the period of OPT authorization, a student should be working or actively seeking employment. If you decide to quit your job, or if you do not find a job, keep the unemployment rules in mind.

- Students on post-completion OPT have up to 90 days of unemployment. The 90 days starts from your approved OPT/EAD start date **not** the recommended start date nor the program end date on your I-20. It is cumulative.
- If you accumulate 90 days or more of unemployment, you are in violation of your F-1 status. You are expected to leave the U.S., transfer to another school, or change your visa status before the 90th day. See After OPT options below.
- Students who are granted a 24-month extension are given an additional 60 days of unemployment for a total of 150 days over their entire post-completion OPT and STEM periods.
- Approved vacation from a job does not count as "unemployment" if you are still considered an employee there.
- Jobs that are less than 20 hours per week count towards the 90-day unemployment limit.
- Students who have OPT extended due to the H-1B cap gap provisions continue to accrue unemployment time and are subject to the 90-day limitation on unemployment.

- More information on Unemployment Reporting Requirements by the USCIS can be found here:  
[http://www.ice.gov/doclib/sevis/pdf/opt\\_policy\\_guidance\\_042010.pdf](http://www.ice.gov/doclib/sevis/pdf/opt_policy_guidance_042010.pdf)

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#### **How does travel outside the U.S. impact the period of unemployment?**

- If a student travels outside of the United States while unemployed during the approved period of OPT, the time spent outside the United States will count as unemployment against the 90 (post completion OPT)/150 (STEM Extension)-day limits.
- If a student travels while employed either during a period of leave authorized by an employer or as part of their employment, the time spent outside the United States will not count as unemployment.

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#### **What happens if the student exceeds the period of unemployment?**

A student who has exceeded the period of unemployment while on post-completion OPT has violated his or her status unless he or she has taken one of the following actions:

- Requested a change of level or transfer from the Ivanhoe International Center (prior to the 90/150-day limit)
- Departed the U.S. and contact the Ivanhoe International Center on your exit date from the U.S.
- Act to otherwise maintain legal status (such as apply for a change of status)

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#### **Early Completion and Leaving the USA or Change of Status**

If you decided to leave the U.S. prior to the expiration of your Employment Authorization Document (EAD), you are required to report your date of departure from the U.S. to the Ivanhoe International Center. Send us an email at [international@sdsmt.edu](mailto:international@sdsmt.edu)

If your OPT/STEM OPT ends before the Employment Authorization Document (EAD) expiration date due to a change of status, send us an email and submit your I-797 Approval Notice or other proof of your change of status from USCIS for your Change of Status.

#### **60-Day Grace Period After OPT/STEM**

You are allowed a 60-day grace period following your OPT expiration date to leave the U.S., change your status, or transfer your F-1 to a new school or program. Please keep your address information updated during this period as well (you are not allowed to work during the grace period).

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#### **Change Of Status**

If you change your status to H1B or another status, please fill out the [Change of Status Form](#). You will need to upload your approval notice. If you are on STEM OPT, you will also need to upload your I-983.

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## Studying on OPT/STEM

### Taking Classes on OPT/STEM OPT

A student on OPT/STEM OPT must be actively searching for employment or working full-time, time spent going to school may only be an incidental part of a student's stay in the U.S. while on OPT/STEM OPT.

If a student decides to begin a new full-time program during your OPT/STEM OPT, he/she must get a new I-20 from the school and forfeit the remainder of his/her OPT/STEM OPT time, depending on when the new program begins.

- If the new program is not at South Dakota Mines, you must apply for a transfer of your SEVIS record.
- Your OPT/STEM OPT automatically ends when the Ivanhoe International Center releases your SEVIS I-20 to the new school.
- If your new program is at South Dakota Mines, you must request a change of level to your current I-20. See the Ivanhoe International Center or at your new school if you are considering this OPT/STEM Option.

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### Beginning a New Program of Study While on OPT/STEM OPT

Beginning a **full-time** program of study while on OPT/STEM OPT is **NOT** allowed (see also Taking Classes on OPT/STEM OPT). If a student has been admitted to a full-time degree program while on OPT/STEM OPT, the remainder of the OPT/STEM OPT (if any) must be forfeited before beginning classes at the new school. To maintain F-1 status and remain in the U.S., a student must do one of the following:

- **Request transfer of F-1 record** if admitted to a school different from the school that recommended the OPT/STEM OPT.
  - This must be done before the end of the 60-day grace period following the OPT/STEM OPT end date.
  - We recommend that students speak to the International Student Advisor at the new school about this process (see below for more information about issues that affect a transfer while on OPT/STEM OPT).
- **Request an I-20 for a "change of level"** if returning to the same school that recommended the OPT/STEM OPT.
  - If the OPT/STEM OPT was recommended by South Dakota Mines, contact the Ivanhoe International Center before the new program begins or the OPT/STEM OPT expires, whichever is earlier.

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### F-1 Transfer "Release Date"

When a student decides to leave one school to attend another, the student's SEVIS record must be electronically transferred to that new school on a specific date. This is called the "release date." Students should keep in mind the following points when deciding on an appropriate release date:

- After the release date has passed, students may not continue working on OPT/STEM OPT, even if the Employment Authorization Document (EAD) has not expired. The release date, in effect, cancels the EAD.
- The transfer release date must be no earlier than 5 months before the new program start date and no later than 60 days after the expiration date on the EAD.
- Students may request a release date in the future and continue working on OPT/STEM OPT until that date as long as the EAD has not expired.
- If the time between the OPT/STEM OPT end date and the start date of the new school will be more than five months, please contact the Ivanhoe International Center to discuss your OPT/STEM Options.

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### Transfer Out of South Dakota Mines Instructions

If you are transferring out of South Dakota Mines to a new university, please fill out the [F-1 Transfer Out](#) Form. You will need the following documentation:

- Admission letter from the new school with semester start date
- SEVIS School Code for the new school
- Date you wish your SEVIS record to be transferred
- Transfer Out form from new school, if applicable.