

# Carleton College

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Dear Seniors:

I am sure you haven't had much time to think about graduation, but June is approaching fast and I want you to be aware of some important immigration regulations.

**I suggest you keep this letter with your documents for reference.**

## Optional Practical Training (OPT)

- If you are planning to apply for Post-Completion Optional Practical Training please come and see me. You are eligible for a total of 12 months of OPT if you have not used any of that time previously. **BUT you must apply for it!** New immigration regulations now allow you to have 12 months of OPT for each program, i.e. B.A., M.A., etc.
- **Please apply for OPT in a timely manner; I suggest you do so by March 2009.** Application packets will be available outside Autumn's door on top of the bookcase.
  - **A student may file the request for post-completion OPT no more than 90 days prior to the end date.** However you may do the paperwork in my office 30 days prior to the date your application is received by the Nebraska Service Center. **Please see me to discuss your time line!**
  - The D/S notation on your I-20 and your I-94 forms refers to "Duration of Status;" immigration regulations define that as being a "full time student in good academic standing." The last day of exams (June 8, 2009) counts as the last day of student status; after that date you have a grace period of 60 days during which you can remain in the country. If you stay longer you would be considered 'out of status.' This means you are in the country illegally and it might deter you from re-entry at some future date.
  - You may apply for OPT during the 60 day grace period after June 8, 2009. Please note though, that maximally you may remain in the country for 14 months only, counting from June 8, 2009. However, I don't recommend you apply at that late date, as adjudication of OPT applications can take 90 days or longer.
  - You do NOT have to have a job offer to apply for employment authorization, BUT:
    - Your employment must be related to your major field of study or, at a stretch, your concentration/s.
    - If you do not have a secured job by the start date on your Employment Authorization Document (EAD) and you are remaining in the U.S., you must be able to prove and document that you have diligently searched for employment.
    - **Students on post-completion OPT may have up to 90 days of unemployment.** Each day during the authorized OPT period you don't have qualifying employment counts. The only exception is that periods of up to 10 days between the end of one and the beginning of another job are not counted as unemployment days.
- **You should not leave the United States while your OPT application is pending unless you are still enrolled at Carleton.**
  - It is a long-standing immigration authority position that an alien with a pending application who departs the United States prior to adjudication **ABANDONS** the application. It is extremely inadvisable for a student who has completed his/her course of study to travel outside the United States until they have received the EAD.
  - Last year the DHS has sent an advisory message that states that students whose OPT application is 'pending' are eligible to reenter the United States to search for employment. However! I would

advise against this since the Port of Entry Officers at the airports are often not aware of those regulations and could possibly refuse you entry.

**If you think you will have to be out of the country while your OPT is pending PLEASE come and see me so I can explain this in person.**

- **Travel outside the United States:** If your **approved** period of OPT has started and you are unemployed, time spent outside the U.S. counts toward your unemployment limit of 90 days
  - Your I-20 must have been endorsed for travel within the last 6 months (by me) and the student must have the EAD in hand.
  - Students whose F-1 visas have expired may find it very difficult to prove permanent ties to their home countries after they have completed their programs. Despite the technical eligibility, some consular officers may find it difficult to grant a student visa for the sole purpose of employment. I suggest you think very carefully about leaving the U.S. if it means you have to have your visa renewed in order to re-enter and start a new job.

**If you are planning to go to graduate school and have been accepted:**

- I will do a “Transfer” within the SEVIS system, that means
    - You must give me the name of the school, I will then ‘release’ you and your new school will enter you into their SEVIS system.
  - You are allowed to stay in the United States during the summer prior to graduate school.
  - You may work on-campus at your **new school without** immigration permission, as on-campus employment is incident to your status. You may **not** work at Carleton during the summer prior to graduate school unless you apply for OPT.
- You may apply for “**Change of Status**” (COS) during the grace period. (For example if you wanted to apply for a different kind of visa status). If you plan to do that you ought to see an immigration lawyer or confer with your employer’s human resource office.

Some more things to remember:

1. Always keep **all** your old I-20 forms!
2. Always keep your passport valid 6 months into the future!
3. Always keep copies of your OPT applications and old Employment Authorization Documents!
4. Always keep your old passports if they have your visas in them!
5. **Always make copies of everything and keep them!**
6. Always inform the Department of Homeland Security (DHS) about your new address on form AR-11 (download from <http://uscis.gov/graphics/formsfee/forms/ar-11.htm>)
7. **Always let me know where you can be reached in the U.S. as long as you are using your Carleton I-20 form!**
8. **Always let me know if you are changing visa status, as long as this occurs within the 14 months after graduation!**
9. **You MUST inform me of your address while you are on OPT and the address of your employer. I must enter that information into the SEVIS system!**

If you have any questions or concerns, please come and see me.

Best wishes,

  
Petra E. Crosby  
Director of International Student Programs, PDSO, RO