

**SEVP Policy Guidance: Practical Training—Determining a Direct Relationship Between Employment and a Student’s Major Area of Study****Date:** September 27, 2019

Purpose:

Federal regulation permits F-1 nonimmigrant students to apply for authorization to engage in Optional Practical Training (OPT) that is directly related to their major area of study.¹ However, students are not required to have a job offer prior to initiating the approval process for OPT, which requires both a recommendation from the school’s Designated School Official (DSO) and an Employment Authorization Document (EAD) from United States Citizenship and Immigration Services (USCIS).² Because a student might not have employment at the time they obtain a recommendation or authorization to work and can also change employment at any time during the OPT period, there has been some uncertainty about the necessary steps to determine if an OPT request or opportunity is directly related to a student’s major area of study.

This guidance addresses both OPT and science, technology, engineering and mathematics (STEM) OPT extension opportunities and explains that students are responsible for providing a description of how their job relates to their major area of study, which the DSO must review and retain. When the DSO has concerns about whether the job directly relates to the student’s major area of study, additional documentation may be required to demonstrate the connection.

This guidance supersedes any information previously provided by the Student and Exchange Visitor Program (SEVP) on this matter.

Background:

In February 2014, the Government Accountability Office (GAO) recommended that SEVP “develop and distribute guidance to DSOs on how to determine whether a job is related to a student’s area of study and require DSOs to provide information in SEVIS to show that they took steps, based on this guidance, to help ensure that the student’s work is related to the area of study.”³ In response to the GAO Report, SEVP enhanced the Student and Exchange Visitor Information System (SEVIS) to provide new mechanisms for reporting and tracking student employment. For example, SEVIS now issues alerts to notify DSOs of students who have failed to report an OPT employer. In addition, beginning in December 2015, SEVIS made the free text field, “Explain How Employment is Related to Course Work,” mandatory when reporting employment. This field is provided so that SEVIS will contain a record of how each job relates

¹ 8 CFR 214.2(f)(10)(ii)(A).

² For STEM OPT the requirements are slightly different and specify that the student have a job or job offer prior to seeking the STEM OPT extension.

³ GAO Report 14-356, [Student and Exchange Visitor Program: DHS Needs to Assess Risks and Strengthen Oversight of Foreign Students with Employment Authorization](#).

to a student's area of study. Other mandatory information related to employment includes employer name, start date, whether the employment is full-time or part-time, and employer address. Also, SEVIS now tracks unemployment days for individuals participating in practical training to help ensure that students do not exceed the applicable unemployment limits, which is 90 days for OPT and 150 days for STEM OPT.

Another enhancement is the creation of the SEVP Portal, which launched on March 23, 2018. The Portal provides students with a way to directly report, through a SEVIS-linked database, certain required information, including information about employment. The Portal includes a text field, titled "*Relation to Field of Study: Explain how this job relates to the degree that qualified you for this OPT,*" so students can explain how their employment relates to their major area of study.

Policy:

One eligibility requirement for practical training is that the practical training opportunity be "directly related to the student's major area of study" (8 CFR 214.2(f)(10)(ii)(A)). Similarly, for the STEM OPT extension, the "practical training opportunity...must be directly related to the degree that qualifies the student for such extension" (8 CFR 214.2(f)(10)(ii)(C)(4)). "When a DSO recommends a student for OPT, the school assumes the added responsibility for maintaining the SEVIS record of that student for the entire period of authorized OPT..." and must update "the student's record to reflect these reported changes for the duration of time that training is authorized" (8 CFR 214.2(f)(11)(ii) and (f)(12)(i)). Prior to making a recommendation, the DSO at the student's educational institution must ensure that the student is eligible for the type and period of OPT and that the student is aware of their responsibility for maintaining status while on OPT (8 CFR 214.2(f)(11)(ii)(A)). The requirement that practical training be directly related to a student's major area of study is longstanding and meant to ensure that the employment experience supplements the individual's educational pursuits.

SEVP recognizes that initiating the recommendation and approval process for OPT without requiring a job is a significant complication in determining whether there is a direct relation between an intended job and a student's course of study. However, nonimmigrant students only have a limited time to obtain both the DSO recommendation and the EAD from USCIS before finding a job. If students had to obtain a job first and then apply for a recommendation and authorization, their ability to start working would be far less certain because an employer would have to wait an unspecified period of time before the student could start and ultimately the student's request for authorization could be denied, wasting both the employer's and student's time. Additionally, it would increase the likelihood that students might start working prior to obtaining proper authorization and therefore lose their immigration status because of unauthorized employment. For these reasons, the regulations, except those pertaining to STEM OPT, permit students to initiate the practical training process and then find a job.

Another potential complexity with practical training is that the relationship between an employment opportunity and a student's major area of study may not be immediately discernable. For example, when a student who graduates with a degree in music lists his/her employer as a restaurant. There may not appear to be a direct relationship with the degree, but

the student could be employed as a musical entertainer. Conversely, a DSO should not assume a direct relationship just because a student with an accounting degree reports working at an accounting firm. Instead, students must describe their job-related duties and explain how those duties relate to their major area of study.

Documenting the Direct Relationship:

Nonimmigrant students are responsible for providing a description of how their practical training opportunity relates to their major area of study, which the DSO must review and retain. Preferably, this description would be entered in the free text section in SEVIS, described above, which is provided for the purpose of capturing this information. Students can enter the information by using the Portal or DSOs can enter the information directly in SEVIS.⁴

As an alternative to entering the information in SEVIS, the DSO must obtain an explanation of how the job relates to the student’s major area of study and retain that explanation in the student’s records. SEVP may request this information as part of a compliance review. If an explanation is not entered in SEVIS, a notation should be made in the free text field indicating that the DSO has received an explanation of the direct relationship and will maintain the record in the student’s file.

The written explanation, maintained in SEVIS or otherwise, should include the student’s job title, employer name, major area of study, whether full time⁵ or the average hours worked per week, and a brief explanation of how the job is directly related to the student’s studies. The regular duties should be explained and the nexus between those duties and the degree described (see examples provided at the end of this document).

Assessing the Direct Relationship:

As described in the regulations (*8 CFR 214.2(f)(11)(ii)*), when a DSO recommends a student for OPT or STEM OPT, the school assumes additional responsibilities to monitor and update the student’s SEVIS record. Consistent with those responsibilities, a DSO must make a determination of whether there is a direct relationship between the job and the major area of study. The decision should be made on a case-by-case basis. The inquiry is whether there is a logical connection between the duties involved in the practical training opportunity and the student’s major area of study. In the vast majority of cases, a DSO should be able to make that assessment based on the documentation provided by the student. If a DSO believes that the documentation does not provide a sufficient explanation, they should ask for additional evidence to better understand the relationship. Although not required, DSOs may make use of websites that provide a general crosswalk between jobs and programs of study. Examples of these types of websites include, but are not limited to, sites maintained by the College Board,⁶ the Department of Labor⁷ and the National Center for Education Statistics.⁸

⁴ [DSO instruction](#); [Student instruction](#).

⁵ For the purpose of this policy, full time is considered to be 20 hours or more per week.

⁶ <https://bigfuture.collegeboard.org/majors-careers>.

⁷ <https://www.onetonline.org>.

⁸ <https://nces.ed.gov/ipeds/cipcode/Default.aspx?y=55>.

Common Scenarios and Responsibilities:

The following describes common scenarios and responsibilities related to establishing a relationship between practical training opportunities and a student's major area of study:

1. **Students on Pre-Completion OPT:** The DSO is not required to report employer information directly in SEVIS for students engaging in Pre-Completion OPT. However, the DSO should collect and retain a written explanation from the student on how each OPT employment opportunity directly relates to their major area of study.
2. **Students on Post-Completion OPT:** When making a recommendation for OPT, the DSO should inform the student of the responsibility to only engage in practical training opportunities that are directly related to the student's major area of study. The student is responsible for reporting their employment to the DSO and explaining, in writing, how the job relates to their major area of study so that the information can be reported in SEVIS or otherwise retained. This written explanation should be kept in the student's record if not entered in the free text field in SEVIS.
3. **Students on STEM OPT Extension:** Prior to making a recommendation for a STEM OPT extension or when adding new STEM OPT employment, the DSO must collect a completed and signed Form I-983, "Training Plan for STEM OPT Students." The Form I-983 must be retained in the student's record.
4. **Students registered with the SEVP Student Portal:** DSOs may direct students to report their OPT information via the Portal. However, this does not negate the DSO's recordkeeping and other responsibilities related to practical training. For that reason, it may be necessary to implement spot-check procedures to ensure that appropriate information is provided by the student. Students who fail to report or enter their information in the Portal in a timely manner or otherwise fail to comply with their reporting requirements may be deemed to be in violation of their nonimmigrant status.

Sample Explanations of a Direct Relationship

1. **Bachelor's degree in Electrical Engineering:** I work full time as an Electrical Engineer at ABC Corp., a government contractor. In my job, I analyze client requirements for electrical systems and provide them with cost estimates of such systems. My work requires understanding of electrical circuit theory, which I studied in-depth at the University of ABC.
2. **Bachelor's degree in Business:** I work full time as a Loan Officer at a mortgage company, Happy Homes, where I meet with clients and evaluate, authorize and recommend approval of loan applications. On a daily basis, I use the knowledge I gained in my credit analysis, sales and marketing classes that I took as part of my major program of study.
3. **Master's degree in Music:** I am working at a hospital playing the harp in patient rooms. I also conduct hands-on harp beginner workshops for long-term patients. On average, I

work at the hospital 35 hours a week. My duties directly utilize the skills and knowledge I acquired from my coursework and degree in music therapy.

4. PhD in Computer Science: I am employed as a Computer and Information Research Scientist at ABC Research Institute. I work as part of a team of scientists and engineers that designs experiments to test the operation of various software systems. My work builds on research in complex algorithms and machine learning, which I studied as part of my dissertation.
5. Master's degree in Kinesiology: I am working 25 hours a week in a health food store as a consultant for Self-Made Inc., designing and teaching exercise classes that are incorporated into a customer's overall nutrition and exercise plan. My designs and customer instruction draw upon my studies and classwork in exercise therapy and physical reconditioning.

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