

MEMORANDUM

To: The Deans
From: Nojin Kwak, Vice Provost for International Education
Date: 21 July 2026
Subject: Maintaining Compliance for F-1 OPT Volunteer Appointments at UB

As we discussed at our deans meeting in June, **Optional Practical Training (OPT)** is a Department of Homeland Security program that authorizes international students on F-1 visas to work in the United States in their field of study for up to 12 months following graduation. Of particular relevance here is the fact that OPT students are permitted only 90 days of unemployment during their entire authorized period, after which they must secure employment or depart the United States.

To avoid extended periods of unemployment, graduating F-1 students who've applied for OPT often approach faculty to create volunteer positions during the interim while they wait for their regular employment to begin. I have attached a recent report listing current OPT students employed at UB, a significant percentage of whom are in volunteer positions. Without proper procedures in place, this practice creates significant DHS compliance risks for both students and the University and may result in regulatory consequences for our institution.

When OPT students request volunteer positions to "stop their unemployment clock" while seeking permanent employment, several critical compliance issues arise:

- Students may misrepresent volunteer positions as employment or fail to maintain compliance with immigration regulations.
- Faculty may inadvertently facilitate immigration violations if volunteer work does not strictly meet DHS requirements.
- The University is exposed to audit risk from the Department of Homeland Security (DHS) regarding compliance with SEVIS regulations.
- Without proper documentation and oversight, students may face serious immigration consequences, including loss of status.

Recommendation

The University discourages *ad hoc* volunteer arrangements. We support that there may be legitimate instances where faculty have real, substantive work for students with OPT authorization. In such cases, faculty should follow these requirements:

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716.645.2368 (F) 716.645.2528
vpinted@buffalo.edu

www.buffalo.edu/internationaleducation

- Work with their department's HR staff to process the students through UB's volunteer appointment system.
- Complete the required OPT volunteer appointment letter (attached template provided by ISS).
- Maintain detailed records of volunteer hours and duties performed.
- Ensure the work is directly related to the volunteer student's field of study.
- Be prepared to terminate the volunteer engagement if the student does not meet expectations.

Volunteer Letter Template

I have attached the standardized volunteer letter template that International Student Services (ISS) has developed to meet DHS requirements. This template includes attestations from both the employer and student, clearly outlines the scope of the volunteer assignment and provides necessary compliance documentation. If your faculty member has determined there is a legitimate volunteer assignment available, they should use this template and coordinate with HR to complete the Volunteer Appointment process to ensure all requirements are met before the volunteer period begins.

Faculty considering volunteer appointments for F-1 students on OPT should consult International Student Services at 716.645.2258 or ISS@buffalo.edu regarding compliance requirements and questions.

Please share this guidance with your chairs, faculty, and staff, as appropriate.

cc: President Tripathi
Provost Weber
Vice Presidents
Vice Provosts