Optional Practical Training
OPT for F-1 Students

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Definition

Optional Practical Training (OPT), allows F-1 students to gain a maximum of 12 months of practical experience directly related to their field of study at each higher degree level. It is considered off-campus employment.
Eligibility Requirements

• Students may engage in OPT after being enrolled consistently for at least one full academic year. For example, students who start in the Fall term are eligible for OPT at the end of the Spring term.

• Students do not need to secure employment before applying for OPT.
When Can I use OPT?

**Pre-completion OPT**
- While school is in session, provided that practical training **does not exceed 20 hours a week**. Students may only work up to a total of 20 hours per week at any employment both on and off campus during the semester.
- During **school vacations up to full time** (must be separate from part time approval during semester)
- After completion of all course requirements for the degree excluding thesis or research project for a graduate student in a masters, or doctoral degree program.

**Post-completion OPT**
- After completion of the course of study.
Pre-Completion OPT

• Pre-completion OPT months used will be deducted from the total 12 months available.
  For example if you apply for and receive 3 months of full time OPT during a summer session, you will only have 9 months of post completion OPT available.

• Part-time OPT is always deducted from the available OPT at 50% of the full-time rate.
  For example, a student who works for 6 months part-time will have 3 months deducted from the 12 month total OPT time (this option is not available for Post-completion OPT).
OPT process at a glance…

When am I eligible to apply? What do I need from the ISSC in order to apply? What must I include in my application? How much $ is it? How long could it take for USCIS to process my application and EAD? What type of employment is acceptable for OPT? How do I report my employment? When can I start working? What are my reporting requirements while I am on OPT?
When am I done?

The date of completion, defined below, determines when you can apply for post-completion OPT.

**Graduate Students**

"Completion of all degree requirements" is defined strictly as follows: all approvals will have been given, including Graduate Studies Office approval on degree certification paperwork and (if relevant) on theses/dissertations; final thesis/dissertation copies will have been submitted to the Library; and the Library Binding Authorization Form, signed by an appropriate Library representative, will have been returned to the Graduate Studies Office. Students must allow sufficient time for thesis review by the Graduate Studies Office, to make all corrections that may be required, to prepare the final Library submission copies, and to accomplish the final approval steps which generally take a minimum of two to three weeks.

Incompletes must be resolved before your degree is complete. However, carrying an incomplete grade into the next semester does not maintain or qualify you to maintain student status.
When am I done?

The date of completion, defined below, will determine when you can apply for post-completion OPT.

**Undergraduate Students**

Undergraduate Students are complete when all courses and academic requirements have been met to complete degree program.

Incompletes must be resolved before your degree is complete. However, carrying an incomplete grade into the next semester does not maintain or qualify you to maintain student status.
OPT Application Timeline

- **90 Days Before I-20 End Date**
- **USCIS Accepts Applications**
- **I-20 End Date**
- **OPT Start Date Range**
- **60 Days After I-20 End Date**
When applying for OPT, “timing is everything!”

- Student may apply prior to end date on I-20 (up to 90 days prior) or in the sixty day time period after the I-20 end date (completion of degree).
- Requested start dates can be no later than sixty days after end date of completion of the academic program.
- Pre and Post completion OPT requests have identical processing times but separate codes on the I-765 application.
- Pre completion is scheduled to start and end prior to the end date of degree program on I-20.
- Post completion is scheduled to start and end after end date of degree program on I-20.
Time Limits of OPT

• Your OPT ends if you transfer to another school or if you enroll in a new degree program.

• You can only do 12 months of OPT at each higher degree level. You may split the 12 months between two degrees at the same level. However, if you apply for and receive the 12 months after the first degree and you do not use it all, you cannot reapply for the remaining time after the second.
“To avoid a denial of an OPT application, the student must file it with USCIS within 30 days of the OPT recommendation in SEVIS. If a student is unable to submit the Form I-765 and supporting I-20 to USCIS within 30 days of the OPT recommendation in SEVIS, the DSO should cancel the original OPT recommendation in SEVIS and enter a new recommendation. Simply issuing a new Form I-20, which was acceptable until recently, will no longer suffice.”
Application Deadline For OPT Post Completion Of Studies

- **USCIS can take 90-120 days or more** to process OPT applications – Please plan accordingly.
- Pre completion OPT applications can be submitted 90 days before the end of the one academic year requirement, and/or before the start date.
- The regulations mandate that an application request must be received and receipted by USCIS before the sixty day grace period ends after completion of the degree program.
90 Day Unemployment Rule

• Students on post completion OPT who have passed the 90th day after the start date on their EAD card without reporting the beginning of any employment are not maintaining status.
  
  This includes students who have acquired employment but will not start the employment until after the 90th day.
  
• The 90 day rule is applicable for the entire 12 months. For example: you begin work thirty days after the start date on your EAD card. At that point you only have 60 days of allowed unemployment remaining. Three months later you are laid off and you don’t start employment for 50 days. You are now left with 10 days of allowed unemployment.
  
• There is no sixty day grace period after the 90th day if you remain unemployed
  
• The ISSC is not required or directed to terminate the student’s I-20 or take any action at all at this time. SEVIS functionality exists and may automatically terminate SEVIS records for cumulative unemployed days.
OPT Application Checklist:
(you can print the 1 page checklist – visit OPT section on ISSC website)

✓ Completed OPT Request and Recommendation Form

✓ Check or money order made payable to the US Department of Homeland Security for $410. Be sure to verify the amount prior to filing. Write your name and I-94 number on the check.

✓ Make sure that you have money in your account to cover the amount of the check. Write your name and your accurate US address on the check. Information regarding problems with a check are often sent to the name and address on the check.

✓ Make sure date on check is written MM/DD/YY.
OPT Application Checklist continued

✓ Completed Form I-765. Follow the Instructions for Form I-765.

Reminder: Use the following codes for Form I-765 question #27:

If applying for Pre-completion OPT, use (c) (3) (A)
If applying for Post-completion OPT, use (c) (3) (B)

Use the fillable PDF I-765 to type your information.

Print and sign the form.
OPT Application Checklist continued

✓ Two (2) US style passport photos taken within 30 days of filing your application. Specifications for the size of the photo and other details can be found in the I-765 instructions

✓ Copy of all prior I-20s

✓ Copy of biographical pages of current passport

✓ Copy of most current visa

✓ Copy of I-94

✓ Copy of the SEVIS I-20 requesting OPT must accompany the application request. This I-20 will be created by a staff member at the International Student & Scholar Center when you bring in all materials for the application. Student must sign the original I-20 and ensure the copy is sent with their application.

✓ Copy of any previous Employment Authorization Documents (EAD cards)

✓ Completed Form G-1145: Although not a required form, if it is submitted with the application, the student will receive email notification of the arrival of the packet at the Texas Lock Box address
Bring your completed application materials to the ISSC

• When you have all items and have followed all instructions on the checklist, bring your application to the ISSC.

• Materials will not be accepted from students who bring in incomplete applications.
When you submit your application:

1. The materials will be reviewed as soon as possible by ISSC staff

2. A new I-20 recommending the student for OPT will be created. A requested Start Date and End Date for OPT will be recorded on the I-20.

3. If necessary the **program end date** on your I-20 will be adjusted to reflect the date that the advisor has reported as the date of degree completion.

4. You will receive an email when the application has been reviewed and the I-20 is ready to be picked up in order for you to mail your packet to USCIS.
Important Information for Post completion OPT Applicants

• The ISSC confirms that the **degree certification paperwork** has been received before releasing the EAD for any post-completion OPT since this is part of the OPT approval process at UMass Dartmouth.

• Travel outside of the United States after the program end date on your I-20 is not recommended until you have received your EAD card and have, at minimum, a confirmed job offer. If you leave the country before practical training is authorized you might forfeit your practical training experience or may not be able to return to the US.

• If you plan to travel after post completion OPT has been granted you must have the following documents with you at the Port of Entry to the United States:
  • I-20 with travel signature on page 2 within the last six months
  • Unexpired F-1 student visa
  • EAD card
  • Unexpired passport
  • Letter from employer confirming employment or a job interview

• OPT employment begins and ends on the dates stipulated on the EAD card.

• You must **not** work, participate in training, or collect wages until your OPT has been granted, and you have reached the start date on the EAD card. Additionally in the case of post completion OPT you must have finished your degree program before you start employment.
Student REPORTING REQUIREMENTS while on OPT:

1. While on OPT you are required to update your **address** in your COIN account within 10 days of any move (You will continue to have access to your COIN account during OPT)

2. You are required to report (in your SEVP Portal) all **employers**, employer’s addresses, and the dates that you are employed

3. Explain how your practical training relates to your major area of study (in your SEVP Portal)

Sample Explanation: *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.
Types of Employment which can be reported while on OPT

In all cases, your employment must be in your field of study. Keep all of your employment records.

- Full Time Employment
- Part Time Employment: Minimum of 20 hours per week
- Multiple employers: In some cases a performing artist can have short term multiple employers, for example gigs for musicians. Student should keep an accurate list of dates, durations, employers etc.
- Self Employed Business Owner: Must be able to provide business licenses and documentation that you are actively engaged in the business
- Work for Hire (1099 contractors): Must be able to provide evidence of the duration of the contract, and the name and address of the contracting company
- Employment through an agency: Must be working a minimum average of 20 hours weekly in your field of study
- Unpaid employment: Must always be an “unpaid” position which does not violate any labor laws and not a paid position for which you “volunteer“ to do without payment. Must be able to produce evidence from the organization that the student provided at least 20 hours a week during post completion OPT.

- Please see Department of Labor FACT SHEET
- UMass does not support unpaid “volunteer” positions for students on OPT engaging in research, i.e., work.
What documentation does the SEVP recommend maintaining?

"SEVP recommends that students maintain evidence - for each job - of the position held, proof of the duration of that position, the job title, contact information for the student's supervisor or manager, and a description of the work. If it is not clear from the job description that the work is related to the student's degree, SEVP highly recommends that the student obtain a signed letter from the employer's hiring official, supervisor, or manager stating how the student's degree is related to the work performed."

-NAFSA Advisors Manual-
More Information....

• Students who are currently on post completion OPT and who received degrees in certain STEM fields (Science, Technology, Engineering and Mathematics) and who are working for companies that are registered on E-Verify MAY be able to apply for an additional 24 months of OPT. You may not apply until 90 days before the end of your 12 month OPT.

• Your dependents will remain in valid status for the duration of your OPT.

• Your on-campus student employment must end on the date specified as the I-20 program end date. The only way you could continue to work at the University is if you are hired as a University employee through Human Resources while on your OPT.

• Your OPT ends if you transfer to another school or if you enroll in a new degree program.
After you mail your OPT packet you should receive the following:

- Post office or tracking number receipt for OPT packet
- An email as a result of Form G-1145
- Notice of Action from USCIS, acknowledging the receipt of your money and the I-765 (OPT) application. You are required to provide us with a copy of this form.
- On rare circumstances you might receive a request from USCIS to submit additional evidence to process your OPT application. Provide the ISSC with a copy.
- Notice of Action from USCIS notifying you of the results of the application and if approved when you will receive the card. You are required to provide us with a copy of this form.
- EAD card will be sent in a different envelope. You are required to provide us with a copy of this form.
OPT Problems

- Mailing incomplete application packets
- **Applying for post completion OPT and then not completing the degree program by the specified completion date on the I-20 and not requesting a program extension**
- Starting post completion OPT employment or training before the start date on the EAD card and/or before receiving the EAD card
- “An OPT withdrawal request must be received by the Service Center prior to the adjudication of the I-765 form.”
- Applications that are delayed for security checks
- Lost applications because they were sent through the regular mail, or occasionally lost documents
- Leaving the US then attempting to return without the EAD card and proof of employment
Important Notes

• You must continue to follow F-1 regulations as they apply to students on OPT:
  ○ Update any change of address in your COIN account (and SEVP Portal) within 10 days
  ○ Employment must be in your field of study
  ○ Report your employer, the employer’s address and start date in SEVP Portal
  ○ Report periods of employment and unemployment

• You may begin your employment when you have:
  1. *the card in your hand*
  2. *the start date listed on the card has been reached, and*
  3. *you have completed your degree program if it is post completion OPT*

• You must end your OPT employment on the date listed on the EAD card. Always keep your old EAD cards because you may be asked to provide a copy of it for future USCIS applications.

• When you reach the end of your OPT (post completion only), if you have not changed your visa status to another type or have not been admitted to another degree program you must make plans to leave the United States within the sixty day grace period.
Check Your Case Status Online:

- [https://egov.uscis.gov/casestatus/landing.do](https://egov.uscis.gov/casestatus/landing.do)

Once you receive your application receipt number, you can check the status of your case at this address.
H-1B Cap Alternatives:

http://www.abil.com/resources_subpage.cfm
Questions?

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http://www.umassd.edu/international_students/