

Optional Practical Training for F-1 Students

International Student & Scholar Center (ISSC)

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

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

- F-1 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 (in F-1 status) 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

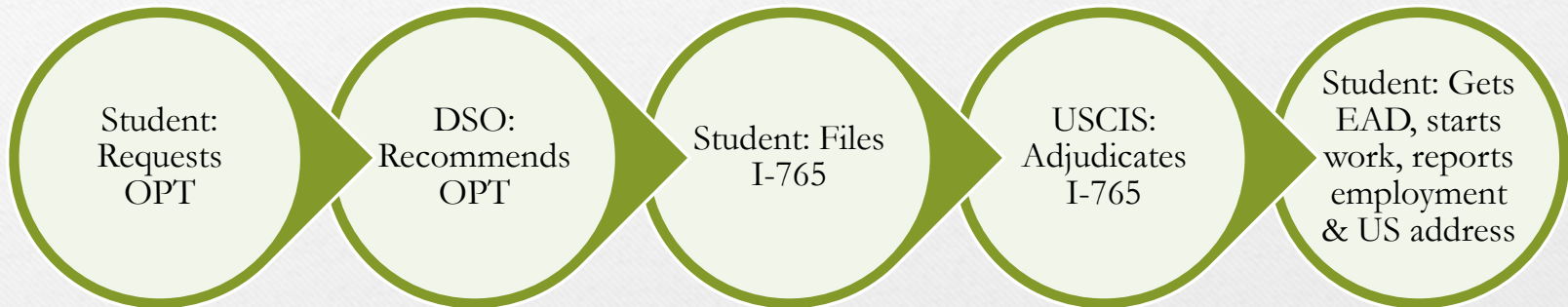
- **Pre-completion OPT months used will be deducted** from the total 12 months available.

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?

Understanding your **date of completion**, defined below, will help you determine when you can apply for post-completion OPT.

Undergraduate

- When all courses and academic requirements for your degree program have been met
- Last date of the finals period in the Fall, Spring, or Summer of which you take your last required class(es)
- **Example:** I will finish my program this semester and the last day of finals in Spring 2023 is **May 4, 2023**

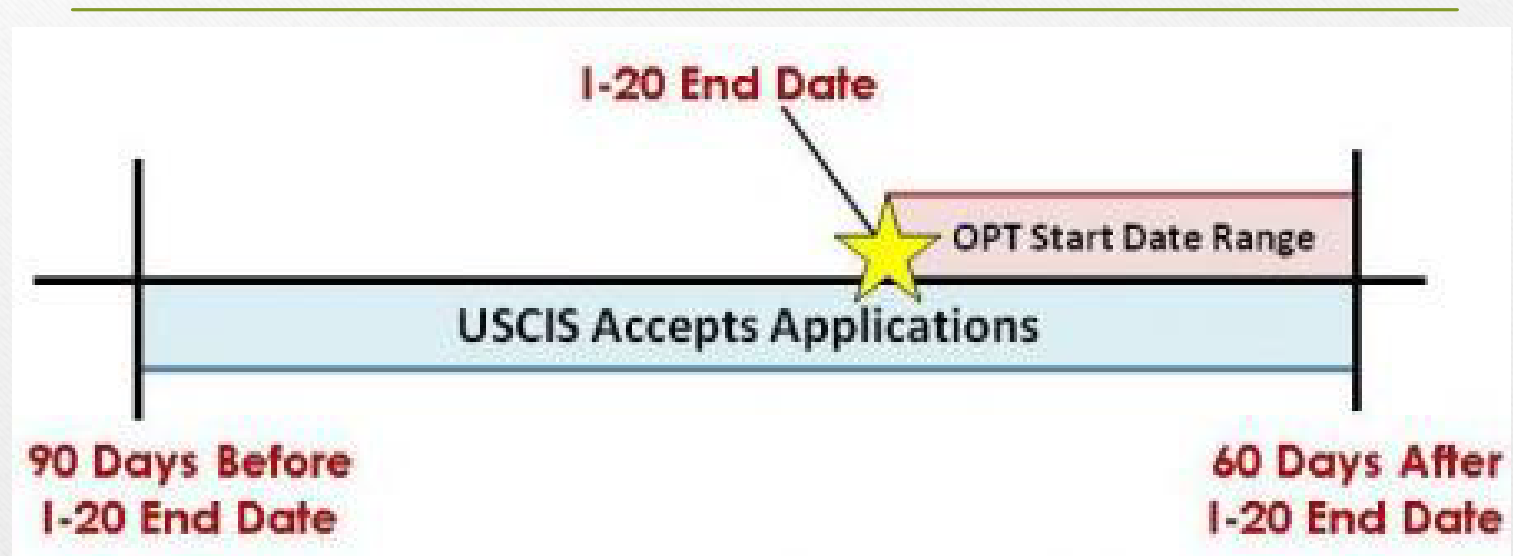
Graduate

- When all courses and academic requirements for your degree program have been met, and...
- All approvals 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. Students must allow for 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 three weeks)
- **Example:** I will defend my thesis on August 1 and estimate minor corrections. I estimate my date of completion to be **August 31**

Incompletes must be resolved before your degree is complete. **Carrying an incomplete grade into the next semester does not maintain or qualify you to maintain student status.**

Remember, your I-20 was issued to you using an *estimated* period of time to complete your degree program. In this process of applying for Post-completion OPT, your I-20 end date must match when you are actually completing your degree program (according to the information above).

OPT Application Timeline



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.
- You cannot submit an OPT application to USCIS (by mail or online) without a new I-20 from the ISSC indicating the OPT recommendation by a Designated School Official (DSO).

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.

Thirty Day Filing...

- 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.

Application Timing

- 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.
- **SEVIS may automatically terminate SEVIS records for 90+ unemployed days.**

2021 USCIS Application News

<https://www.uscis.gov/i-765>

There is now an electronic way to submit your OPT application (I-765) to USCIS. It is your decision to file electronically or by mail.

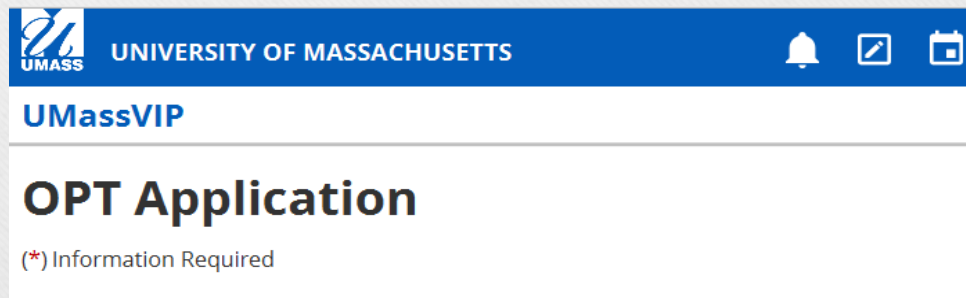
In either case, please follow the instructions on the ISSC's OPT checklist to request your new I-20 from the ISSC **prior to** submitting your application to USCIS.

ISSC's OPT eForm

You must obtain a new I-20 from the ISSC (containing the DSO's OPT recommendation) **prior to applying to USCIS** for any type of OPT. Failure to obtain the new I-20 first will result in an OPT denial.

- When you have all items and have followed instructions on the ISSC's OPT checklist, please submit the ISSC OPT eForm:

https://www.umassd.edu/international_students/forms-and-instructions/



OPT Application Checklist

- ✓ Completed [OPT Request and Recommendation Form](#)
- ✓ Download the **PDF version** of [Form I-765](#) and follow [Instructions for Form I-765](#)

Per I-765 instructions, you must *sign in ink*.

- ✓ Check or money order made payable to the **US Department of Homeland Security**. 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

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)**

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 prior I-20s (include only if you were granted CPT or OPT)
- ✓ 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 submit all checklist items in the ISSC's OPT Application eForm. Student must sign the I-20 in blue ink and ensure the copy is sent with their application to USCIS.
- ✓ 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.

When you submit your OPT eForm to the ISSC to request your new I-20 containing the OPT recommendation:

1. The materials will be reviewed as soon as possible by ISSC staff (typically within 3-5 business days)
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 shortened 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 processed in order for you to apply 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. Upload your EAD copy to ISSC eForm
2. While on OPT you are required to update your **address** in your COIN account within 10 days of moving (You will continue to have access to your COIN account during OPT)
3. You are required to report (in your [SEVP Portal](#)) all **employers**, employer's addresses, and the dates that you are employed
4. 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.
 - [Department of Labor FACT SHEET](#)
 - See next slide for more information on reporting UMass Dartmouth as employer for unpaid positions

Reporting UMass Dartmouth as an employer in your SEVP portal for unpaid positions:

UMass does not support unpaid “volunteer” positions for students engaging in OPT for any role that would normally be a paid position (i.e. research). This is a Department of Labor and Fair Labor Standards Act issue.

Note: No person, regardless of what immigration status they hold, should be classified as a volunteer if the activity they are engaging in is one that the University would normally pay for.

Example: F-1 individual is offered an unpaid position as a post doc in her advisor’s lab and typically other students get paid for this role. The advisor must work with HR to officially hire her in this role. UMass Dartmouth cannot be listed as an employer in the SEVP portal unless the advisor works with HR to officially hire her.

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 apply within 90 days of the end date 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.**
- Your OPT ends if you transfer to another school or if you enroll in a new degree program.

If 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

- Submitting an incomplete application to USCIS.
- 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 without tracking information, or occasionally lost documents
- Leaving the US then attempting to return without the EAD card and proof of employment
- Mailing an outdated version of Form I-765. Please use the .gov link to obtain the most recent I-765 version directly from their site.
- Signing the I-765 electronically

Important Notes

- You must continue to follow F-1 regulations as they apply to students on OPT:
 - Update change of US 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 and requested the transfer of your SEVIS record, 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>

Once you receive your application receipt number, you can check the status of your case at this address.

Questions?

International Student & Scholar Center

Pine Dale Hall, Suite 7123

intl_office@umassd.edu

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