Optional Practical Training (OPT)

A Guide to Working Off Campus for F-1 Visa Holders
What is OPT?

Work experience in the U.S. related to an F-1 student’s major to provide practical training during or upon completion of a degree program.
<table>
<thead>
<tr>
<th>Possible</th>
<th>Not possible</th>
</tr>
</thead>
<tbody>
<tr>
<td>Paid, unpaid or volunteer positions</td>
<td>Work that does not relate to your major</td>
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<tr>
<td>Multiple employers</td>
<td>On-campus employment through Student Employment unless enrolled in a higher</td>
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<tr>
<td>Work for hire as contractor or consultant</td>
<td>level degree program at UR for the next available term</td>
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<tr>
<td>Self-employed business owner</td>
<td>Work for UR after graduation UNLESS the job is a faculty, staff or other</td>
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<tr>
<td>Agency or consulting firm</td>
<td>professional position recruited through Human Resource Services</td>
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How long is OPT?

- 12 month maximum at each higher educational level
- Cannot combine OPT periods
- 17-month extension for qualifying STEM majors for a 29 month total
When can I use OPT?

**Pre-completion**
- Must be used BEFORE graduation
- Job offer is REQUIRED
- Part-time during semester (20 hour per week maximum including on-campus employment); Full-time during official school breaks
- Time will be deducted from 12 month maximum (part-time is calculated at full-time equivalent, e.g. 6 months part-time=3 months full-time)

**Post-completion**
- Must be used AFTER graduation
- Job offer is NOT REQUIRED
- At least 20 hours per week or an average of 20 hours per week in 1-month for variable schedules
What is required for OPT?

- Valid F-1 status and good UR standing at time of application
- Physical presence in the U.S.
- F-1 status for at least 1 academic year by employment start date
- Not having been approved for 12 months of OPT at same degree level
- Not having used 12 months or more of full-time CPT
What is NOT required for OPT?

- A job offer for post-completion except for 17-month STEM extension
- Approval by OIE (USCIS approves OPT)
- Working in a particular U.S. location
What is the earliest date I can apply for OPT?

**Pre-completion**
- 90 days before completing 1st full academic year
- If you have completed 1st full academic year, 90 days before employment start date

**Post-completion**
- 90 days before graduation
- Must apply separately for pre- and post-completion
What is the latest date I can apply for OPT?

- December 1 in the fall semester
- May 1 in the spring semester

- Although immigration regulations allow students to apply for post-completion OPT up to 60 days after graduation, OIE will NOT consider applications after the stated deadlines except by prior arrangement or cases of personal hardship.

- Application must be received at USCIS within 30 days of OIE recommendation and no later than the end of the 60 day grace period after your graduation date.
How do I choose my OPT start and end dates?

- Known or estimated dates of employment
  - Start date anytime from 1 to 60 days after graduation
  - End date no more than 12 months from start date if you have not used pre-completion OPT
What is the timing of the OPT application and approval process?

Starting 90 days before graduation
- Submit OPT application to USCIS

2-3 weeks after mailing application
- Receive USCIS receipt notice (I-797C)

90 calendar days from receipt date
- USCIS approves OPT application

2-4 weeks from OPT approval
- Receive approval notice and then work permit

Within 90 days of OPT start date
- Begin employment or depart the U.S.

Within 60 days after OPT end date
- Depart the U.S. OR
- Change status OR
- Begin new program
When does my OPT start?

- Must be in physical possession of EAD (Employment Authorization Document)
- Cannot work until EAD start date
- Employment must begin and end during authorized period
If you do not graduate and your application is pending it must be withdrawn; if your application has already been approved, you can work part-time while completing your program and full-time upon program completion.

- 60 day grace period after EAD end date to change to another visa status, begin a new degree program, or depart the U.S.

- On EAD end date UNLESS you have a pending H-1B petition or 17-month STEM extension

- If you transfer to another institution

- If you start a new degree program

- If you cancel your OPT (please consult OIE 1st) - NO REFUND of USCIS fee!
17-month STEM Extension

- Apply 120 days before OPT end date
- 180 day automatic work authorization extension while application is pending
- Work at least 20 hours per week in paid position for E-Verify employer
- Volunteering allowed but does not count toward work hours requirement
What are the requirements of OPT?

- **Cannot exceed 90 calendar days of unemployment** (120 days for 17-month STEM extension); employment travel and periods of authorized leave do not count as unemployment

- Cannot work during gap between end of semester (pre-completion) or graduation (post-completion) and EAD start date

- Employment reporting within 10 days

- Additional reporting requirements every 6 months for 17-month STEM extension
What happens if I exceed the unemployment limit?

- Department of Homeland Security (DHS), not OIE, is responsible for calculating unemployment time and taking action in SEVIS
- Denial of future immigration benefits
  - SEVIS system will auto-terminate F-1 records with 90 consecutive days of unemployment
  - DHS officials will manually terminate F-1 records with 90 cumulative days of unemployment
  - Record termination requires students to depart the U.S. immediately – NO GRACE PERIOD!!
What is my status during post-completion OPT?

- You are **still in F-1 status** while your application is pending and after it has been approved.

- If you filed by the end of the 60 day grace period after graduation, **you can remain in the U.S.** while your application is pending but you cannot work.

- **Part-time study is permitted** during pending and approved periods of OPT but you cannot begin a degree program.
Can I travel during post-completion OPT?

Pending application

- Possible without a job (but NOT recommended)
- I-20 signed for travel every 6 months, I-797C receipt, passport, F-1 visa stamp
- Proof of job search such as an interview invitation

Approved application

- Not possible without a job
- I-20 signed for travel every 6 months, passport, F-1 visa stamp, EAD, and contract letter
- Cannot enter the U.S. until EAD start date
- Unemployed time abroad cannot be regained
- Not permitted during pending H-1B or 17-month STEM extension applications
What happens if I leave the country without applying for OPT?

- Ineligible to apply for post-completion OPT
- May not be allowed to enter U.S.
How do I apply for OPT?

- Print out this confirmation page and bring it to the OPT workshop

- Print out OPT application materials from [http://international.richmond.edu/students/stay/employment/opt/index.html](http://international.richmond.edu/students/stay/employment/opt/index.html) to bring to the workshop

- Attend a mandatory OPT workshop (times and dates will be sent via email)