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.
What kind of work can I do with OPT?

Possible

- Paid, unpaid or volunteer positions
- Multiple employers
- Work for hire as contractor or consultant
- Self-employed business owner
- Agency or consulting firm

Not possible

- Work unrelated to your major
- On-campus employment through Student Employment unless enrolled in a higher level degree program at UR for the next available term
- Work for UR after graduation UNLESS the job is a faculty, staff or other professional position recruited through Human Resource Services
How long is OPT?

- 12 month maximum at each higher educational level for non-STEM majors
- Cannot combine 12 month OPT periods
- 24-month extension for qualifying STEM majors starting 05/10/2016
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.
- Full-time enrollment in any status that does not prohibit full-time study 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 24-month STEM extension)

- Approval by the Office of International Education (USCIS approves OPT)

- Working in a particular U.S. location (work can be done anywhere in the U.S.)
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
- Applications received 91 or more days before graduation will be rejected and you will have to re-apply with a new application form and fee
- 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, the Office of International Education will NOT consider applications after the stated deadlines except by prior arrangement or personal hardship.

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

<table>
<thead>
<tr>
<th>Pre-completion</th>
<th>Post-completion</th>
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<tbody>
<tr>
<td>Known or estimated dates of employment</td>
<td>Start date anytime from 1 to 60 days after graduation</td>
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<tr>
<td></td>
<td>End date no more than 12 months from start date if you have not used pre-</td>
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<td>completion OPT</td>
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Office of International Education
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
When does my OPT end?

- On EAD end date UNLESS you have a pending H-1B petition, a 24-month STEM extension, or you have exceeded the 90 day unemployment limit

- If you transfer to another institution

- If you start a new degree program

- If you cancel your OPT (please consult the Office of International Education 1st) - NO REFUND of USCIS fee!

- 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 your visa, begin a new program, or depart the U.S.
24-month STEM Extension

- Apply up to 90 days before OPT end date
- 180 day automatic work authorization extension while application is pending
- Two 24-month extensions can be used after each higher degree level; Cannot be combined; Can be based on previous STEM degree obtained within 10 years of application date
- Work at least 20 hours per week in paid position for E-Verify employer; No volunteering or self-employment allowed
What are the requirements of OPT?

- Cannot exceed 90 calendar days of unemployment (150 days for 24-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

- 10-day reporting requirements for 12-month post-completion OPT

- Additional reporting requirements for 24-month STEM extension including self evaluations
What happens if I exceed the unemployment limit?

- Only the Department of Homeland Security (DHS) 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!!**
  - Keep documentation of your work history, such as paystubs and employment contracts
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 (except for Canadians)
- 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 (except for Canadians), EAD, and contract letter (EAD alone is not valid for re-entry)
- Cannot enter the U.S. until EAD start date
- Unemployed time abroad cannot be regained
- Not permitted during pending H-1B 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/index.html to bring to the workshop

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