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
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 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, 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?

**Pre-completion**

- Known or estimated dates of employment

**Post-completion**

- 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)

Up to 5 months 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 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 – application MUST be submitted within 60 days of STEM OPT recommendation 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 each E-Verify employer; No volunteering or self-employment allowed
What 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 through SEVP Portal** 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?

- Department of Homeland Security calculates unemployment time in SEVIS and will auto-terminate records exceeding unemployment limit

- Date of record termination equals loss of F-1 status immediately – **NO GRACE PERIOD!!**

- Accrual of unlawful presence starts the day after unemployment limit is reached**

- Unlawful presence can lead to 3-year, 10-year or permanent bars to re-entering the U.S. and adjustment of status to permanent residency**

- Report all periods of employment and volunteering

- Keep documentation of your work history (e.g. paystubs, employment contracts, experience letters for volunteer positions)

**There is currently an injunction, or temporary halt to the unlawful presence policy pending a final court decision.
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?

Pending application before graduation

• Possible with or without a job if you re-enter the U.S. a few weeks before graduation

• I-20 signed for travel every 6 months, passport, F-1 visa stamp (except for citizens of Canada & Bermuda)

Pending application after graduation

• Possible with or without a job (but risky). Travel is NOT recommended near the time your EAD is supposed to be approved.

• I-20 signed for travel every 6 months, I-797C receipt, passport, F-1 visa stamp (except for citizens of Canada & Bermuda)

• Job offer letter for confirmed employment or proof of job search for unconfirmed employment (e.g. interview invitation)
Can I travel?

**Approved application with EAD but no job**

- Travel is **NOT** recommended
- I-20 signed for travel every 6 months, EAD, passport, F-1 visa stamp (except for citizens of Canada & Bermuda)
- Proof of job search (e.g. interview invitation, job application submissions)
- Unemployed time abroad cannot be regained

**Approved application with EAD and job**

- Cannot enter the U.S. until EAD start date
- I-20 signed for travel every 6 months, passport, F-1 visa stamp (except for citizens of Canada & Bermuda), EAD, and contract letter (EAD alone is not valid for re-entry)
- 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 OPT application materials from https://international.richmond.edu/international-students/stay/employment/index.html to bring to the workshop.

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