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?**

<table>
<thead>
<tr>
<th>Possible</th>
<th>Not possible</th>
</tr>
</thead>
<tbody>
<tr>
<td>Paid, unpaid or volunteer positions</td>
<td>Work unrelated to your major</td>
</tr>
<tr>
<td>Multiple employers</td>
<td>On-campus employment through Student Employment unless enrolled in a higher</td>
</tr>
<tr>
<td></td>
<td>level degree program at UR for the next available term</td>
</tr>
<tr>
<td>Work for hire as contractor or consultant</td>
<td>Work for UR after graduation UNLESS the job is a faculty, staff or other</td>
</tr>
<tr>
<td></td>
<td>professional position recruited through Human Resource Services</td>
</tr>
<tr>
<td>Self-employed business owner</td>
<td></td>
</tr>
<tr>
<td>Agency or consulting firm</td>
<td></td>
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</tbody>
</table>
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?

<table>
<thead>
<tr>
<th>Pre-completion</th>
<th>Post-completion</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Must be used BEFORE graduation</td>
<td>- Must be used AFTER graduation</td>
</tr>
<tr>
<td>- Job offer is REQUIRED</td>
<td>- Job offer is NOT REQUIRED</td>
</tr>
<tr>
<td>- Part-time during semester (20 hour per week maximum including on-campus employment); Full-time during official school breaks</td>
<td>- At least 20 hours per week or an average of 20 hours per week in 1-month for variable schedules</td>
</tr>
<tr>
<td>- 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)</td>
<td></td>
</tr>
</tbody>
</table>
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 1\textsuperscript{st} full academic year
- If you have completed 1\textsuperscript{st} 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
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.

What is the latest date I can apply for OPT?

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

90-100 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

Office of International Education
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?

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 Canadians)

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 Canadians)

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

<table>
<thead>
<tr>
<th>Approved application with EAD but no job</th>
</tr>
</thead>
<tbody>
<tr>
<td>■ Travel is NOT recommended</td>
</tr>
<tr>
<td>■ I-20 signed for travel every 6 months, EAD, passport, F-1 visa stamp (except for Canadians)</td>
</tr>
<tr>
<td>■ Proof of job search (e.g. interview invitation, job application submissions)</td>
</tr>
<tr>
<td>■ Unemployed time abroad cannot be regained</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Approved application with EAD and job</th>
</tr>
</thead>
<tbody>
<tr>
<td>■ Cannot enter the U.S. until EAD start date</td>
</tr>
<tr>
<td>■ 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)</td>
</tr>
<tr>
<td>■ Not permitted during pending H-1B applications</td>
</tr>
</tbody>
</table>
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](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)