

OPTIONAL PRACTICAL TRAINING Employment Authorization for F-1 Students

Optional Practical Training (OPT) is employment authorization granted by the bureau of Citizenship and Immigration Services (USCIS) to students in F-1 status. The purpose of OPT is to allow F-1 students to gain experience in their field of study prior to or after completion of program requirements. F-1 students are eligible for 12 months of OPT for each higher education level completed. ***Students authorized for OPT remain in F-1 status, and are required to report any changes in address, interruptions in employment or the stoppage of OPT before the expiration of the authorization.*** It is the responsibility of each student on OPT to inform OIE of these changes.

Applications for OPT must be received by USCIS no later than 60 days after the completion of the F-1 student's program requirements. ***Please note: It can take USCIS up to 3 months to process applications.*** Applying after completion of program requirements may result in the loss of some OPT time.

Please carefully prepare all of the following materials for an OPT intake session with an International Student Advisor in the Office of International Education (OIE).

CHECKLIST FOR THE OPT APPLICATION:

- _____ Application for OPT and Academic Advisor Verification (blue sheet)
- _____ Form I-765, completed and signed (see "Hints" below)
- _____ Form G-1145, completed (if desired)
- _____ Two color, passport-style photographs (see "Guidelines" below)
- _____ All original I-20's; Molly will make a new I-20 for you at your OPT Intake appointment
- _____ Copy of the name and photo page of your passport (include expiration date)
- _____ Copy of I-94 card (front and back)
- _____ Copy of any previous Employment Authorization Documents (front and back), if applicable
- _____ Check or money order for US \$380.00 made payable to "**US Department of Homeland Security**"

Hints for filling out the USCIS form I-765:

- Item #3 We advise that you use our address:
**c/o Int'l Education, 216 MacMillan, Miami Univ. (all on the first line!)
Oxford, OH 45056**
- Item #9 Use your U.S. Social Security Number
- Item #10 This is the 11 digit number on your most recent I-94 card
- Item #11 This only includes employment for which you received a card directly from immigration. This does not include CPT or on-campus employment.
- Item #14 USCIS wants to know what your status was the last time you entered the U.S. For most students applying for OPT, it is "F-1 Student"
- Item #15 This must be "F-1 Student"
- Item #16 (c)(3)(B)
- Item #17 Leave this section blank

Guidelines for the "Two Passport Style" photos

- **Photos should be taken within the last 30 days prior to OPT application intake appointment.** Photos used for obtaining a non-US passport or a US visa stamp are generally not acceptable, as they are often not the correct size, and rarely taken within 30 days of the OPT application.
- On the back of the photos, print your name and I-94 number in pencil or pen; press lightly so you don't dent or smear the picture.
- Photos can be obtained at the MCIS Print Center in Room 100 Gaskill Hall (2 for approx. \$5.00).
- Head should be positioned directly facing the camera.
- Photo should capture from slightly above top of hair to middle of chest.
- Eyeglasses should be worn if normally used by the subject.
- Background should be plain white or off-white.
- Include headpieces if worn daily for religious purposes; they should not obscure or cast shadows on the eyes or any other part of the face.
- Check out this website for examples and guidelines: http://travel.state.gov/passport/get/first/first_827.html

Application for Optional Practical Training (OPT)

Last name: _____ First name: _____

Banner ID #: _____ Non-Miami Email address: _____

Current address:

Degree and major that you are completing at Miami: _____

Expected completion date: _____

Requested OPT start date (within 60 days of completion date): _____

By signing below, you verify that you understand and agree to adhere to the following DHS regulatory requirements:

1. You will report to OIE:

- any change in your address within 10 days of moving, each time that you move;
- any change in the name **OR** the address of your employer;
- the loss of your job at any time during your OPT authorization

2. Your OPT will end if you:

- accrue a total of 90 days of unemployment;
- transfer to another school; or
- change your education level

I affirm that I understand the information provided to me on this application form and on the supplemental "OPT Basics" sheet, and I agree to the conditions set forth as described by these documents.

Print name

Sign name

Today's date: _____

ACADEMIC ADVISOR VERIFICATION

Optional Practical Training (OPT) is employment authorization granted by the bureau of Citizenship and Immigration Services (USCIS) to students in F-1 status. The purpose of OPT is to allow F-1 students to gain experience in their field of study after completion of program requirements. In order to recommend OPT, the Office of International Education must have the Academic Advisor's verification of the student's expected date of completion.

Student's Name: _____ Banner ID: _____

Degree: _____ Major: _____

For undergraduate students, the completion date is the student's last day of required classes (i.e., the last day of his/her final semester).

Student's expected completion date: _____

Comments: _____

Advisor: _____ Signature: _____ Date: _____

For graduate students, the "final completion date" should be the date that the student is expected to complete all degree requirements (this could be the last day of required classes, but in most cases it is the date a final thesis, report, or dissertation is handed in/defended). This does NOT necessarily coincide with the graduation date. Note that graduate students may choose to use an earlier completion date in order to apply for OPT (as long as they have already completed all required coursework), and then complete their thesis or dissertation during their OPT period. For more information about this option, please contact Molly Heidemann (529-2512; mheidemann@muohio.edu).

Date student completed (or will complete) required coursework (all but thesis/dissertation): _____

Student's expected **final** completion date (see above): _____

Comments: _____

Advisor: _____ Signature: _____ Date: _____

OPT Basics

Application process:

1. After you have picked up the OPT information packet from OIE, you should meet with your academic advisor. Ask your academic advisor to complete the Academic Advisor verification form (blue sheet).
2. Collect all information required for the application as detailed on the green "**Checklist for OPT application**". Call or email OIE to schedule an appointment for an "OPT Intake" with an international student advisor. At the appointment, the advisor will review your application materials, make you a new OPT I-20, and submit the OPT application to USCIS on your behalf.
3. Approximately 2-3 weeks after USCIS receives your application, they will mail a receipt notice to the address you used on your I-765. There is a tracking number on the notice that you can use to track the progress of your OPT application online at www.uscis.gov. The link for checking the status of your specific case is: <https://egov.uscis.gov/cris/jsps/index.jsp>.
4. Your card should arrive to the address listed on your I-765 approximately 3 months after USCIS receives your application.

Timing

- USCIS **must** receive your application no later than the 60th day after completion of your program requirements. Please keep in mind that filing later will NOT give you additional OPT time. Expect that USCIS will need 3 months to process your application. You are eligible for 12 months of OPT, and those 12 months must be used within the 14 months after you finish your program requirements. If it will take 3 months for USCIS to process your request for OPT authorization and if you file your application one month after completing your program, you will end up with only about 10 months of OPT authorization.
- Your OPT start date is a date that you will choose. It must be within 60 days of the completion of your degree/coursework requirements. Master's and Ph.D. students who have completed their coursework and are working on a thesis/dissertation may apply for OPT to begin from the day after completion of coursework until the 60th day after completion of the final degree requirement.

Employment while on OPT

- You may not work without the OPT authorization. The OPT card (known as an EAD – Employment Authorization Document) will have a start and end date listed on it. You may only begin working when you have the OPT card, and you may only work during the dates listed on the card. Between the time you complete your degree requirements and the start date on the card, you cannot work. **This includes on-campus employment.**
- Work must be directly related to your major field of study.
- Immigration regulations require that you report any interruptions in your employment to the Office of International Education. You will need to do this anytime that you have a gap in your employment (loss of a job, changing employers, etc.). **You are only allowed to accrue a total of 90 days of unemployment during your OPT period.**
- Your OPT employment is not limited to one employer and limitations on the amount of time you work will depend on labor regulations and choices you and your employer will make. If your employer has questions about your status and OPT, they may contact OIE. Please inform OIE in writing that your employer plans to contact the office, which will give us permission to speak to a potential employer about your immigration status.
- Your employer will ask you to fill out a Form I-9. Show the employer your EAD (OPT card), passport, I-20, and I-94 card. Use the end date on the card for the expiration date of your employment authorization.
- **ONLY** in the case that your employer has filed a timely H-1B petition requesting an employment start date of October 1 will you be permitted to remain legally in the US and continue working beyond the end date on your OPT card. Your permission to continue working and remain legally in the US will automatically end upon the rejection, denial or revocation of the H-1B petition.

SEVIS (Student and Exchange Visitor Information System) Reporting Requirements:

While you are on OPT, OIE is responsible for your SEVIS record. You must, therefore:

- 1) Update your local address within 10 days moving, each time that you move (new apartment, house, city, etc.).
- 2) Notify OIE via email if you change status or wish begin a new academic program at any U.S. academic institution during your OPT. If you begin a new academic program and are issued a new I-20 from Miami or any other academic institution, your OPT authorization is terminated.
- 3) Report any period of unemployment to OIE.
- 4) **We may need to contact you by email for other regulatory requirements. You must respond to these email messages. Failure to do so can jeopardize your F-1 status and your OPT authorization.**

FREQUENTLY ASKED QUESTIONS

When I am on OPT what is my status? Can I extend my OPT like I could extend my I-20?

OPT is part of F-1 status. Though you may no longer be a student, you are still in F-1 status. A one-time, 17-month extension of OPT is only possible for students who are completing a Bachelor's, Master's or Doctoral degree in DHS-designated STEM (**S**cience, **T**echnology, **E**ngineering and **M**athematics) fields. If your degree is in a non-STEM field, the maximum amount of time for which you are eligible for OPT is 12 months for each higher degree level.

CAN I TRAVEL WHILE ON OPT?

It is a common misconception that students can never travel while on OPT. However, if you have the proper documentation that is pertinent to your particular situation, you should be eligible to depart from and re-enter the US after a brief absence. If you are:

1. If traveling outside of the US **while your OPT is pending approval but before your degree completion**, you will need to carry your passport (valid for at least six months from the date of your re-entry), signed I-20 (signature given within the past six months), and valid F-1 visa stamp when you return to the US.

2. If traveling outside of the US **after your OPT has been approved and after the completion date on your I-20** (check item 5 on your I-20), you must have the following documents to re-enter the United States: passport (valid for at least six months from the date of your re-entry), valid F-1 visa stamp, your OPT I-20 with a valid travel signature (given within the last six months), your OPT card, and a job offer letter. Immigration regulations state that you can re-enter the US to *resume employment* while on OPT.

3. Traveling outside of the US **while your OPT is pending approval and after your degree completion** is somewhat riskier. You will need to bring your passport (valid for at least six months from the date of your re-entry), signed I-20 (travel signature given within the past six months) and valid F-1 visa when you travel. It is also recommended that you bring your I-797C (receipt notice from USCIS). **OIE recommends particular caution in this situation.** US immigration status is determined by the I-94 card that is placed in your passport and because the I-94 is taken each time you depart from the US, establishing your F-1 status while outside the US can be difficult if USCIS has questions about your application. If USCIS sends a request for additional information about an aspect of your application and if it is not resolved in a timely fashion, your application can be denied. According to DHS, traveling back to the US while your OPT is *pending* is permitted in order to *search* for employment. **If your OPT is approved while you are abroad, you must have your OPT card and job offer letter to re-enter the US!**

It can be very difficult to apply for an F-1 visa stamp while you are on OPT. If your visa stamp is expired, or will soon expire, keep this in mind. **Please remember that anytime you leave the U.S. there is never a guarantee that the immigration official at the port of entry will allow you to reenter.** Please speak with Molly if you have questions.

How long can I remain in the US after my OPT expires?

You may only work until the expiration date on your OPT card, but you may remain in the US for 60 days after your OPT ends. This is known as a "grace period", and will permit you to prepare to depart the US, or to apply for a change of status. **ONLY** in the case that your employer has filed a timely H-1B petition requesting an employment start date of October 1 will you be permitted to remain legally in the US and continue working. Your permission to continue working and remain legally in the US will automatically end upon the rejection, denial or revocation of the H-1B petition.

Do I have to pay taxes while working on OPT?

Yes. You must pay state *and* federal income taxes. Taxes are due on April 15 each year. Most large cities will have tax assistance services to help you with this process. VITA (Volunteer Income Tax Assistance) is an example of such assistance. When dealing with a tax service center, ensure that the tax consultant classifies you properly as a resident or non-resident for tax filing purposes (different from immigration status). NOTE: If you have been in the U.S. for less than 5 years, you may be exempt from Social Security taxes. Look at the IRS publication 519 (www.irs.gov), pages 5 and 42 for more information.

Do I need a new Social Security card?

If your SSN card says "**Valid for Employment with DHS (or INS) Authorization**", you **WILL NOT** need to get your Social Security Number card changed. If it says "**Not Valid for Employment**", you **WILL** need to get it changed. If you need to get your Social Security card changed, take your OPT card, a job offer letter, I-20, passport and a picture ID with you to a local Social Security office.

Can I take classes while on OPT?

If you begin study at another education level, your OPT authorization is terminated with the notification of a new degree program in SEVIS or with a transfer of your SEVIS record to another institution. You are meant to be working full-time while on OPT. If you are pursuing work in your major field of study and wish to take a class or two, there should not be a problem with this, provided that you do not begin a new education level.