AUSTIN COLLEGE

Optional Practical Training (OPT) Guide

Contents

General Information

The F-1 visa provides for one year of Optional Practical Training (OPT) per educational level. There are three categories from which to choose and one extension option for students in certain fields.

- **Pre-completion OPT** – after at least one academic year of full-time study but before graduation. Provides for part-time work while continuing as a full-time student.
- **Coursework-completion OPT** – for PhD and Master's students who completed all face-to-face classes and are working on a thesis or dissertation. Work/enrollment requirements vary.
- **Post-completion OPT** – after graduation. Full-time work and no classes.

Most students take post-completion OPT and, if they are Science, Technology, Engineering and Mathematics (STEM) graduates, the 17-month extension. You can find a summary of all OPT types on page 9 of this guide.

POST-COMPLETION OPT

Eligibility

- Currently in valid F-1 status
- At least one academic year of full-time enrollment immediately prior to the OPT application
- Degree completion
- Apply during designated period (up to 90 days before the program completion date and up to 60 days after)

Process Overview

The process is the same for all OPT benefits:

- Submit documents to the Registrar's Office
- Obtain a Form I-20
- Mail a copy of that I-20 plus supplemental documents to U.S. Citizenship and Immigration Services (USCIS)
- If approved, receive an Employment Authorization Document (EAD)

When to Apply

- The earliest date you can apply for post-completion OPT is 90 days before your program completion date.
- The latest date you can apply is 60 days past your program completion date. USCIS must <u>receive</u> the application by this date.
- USCIS legally has 90 days to process your application. Processing times vary each semester but the most common duration is three months.

Choice of Start Date

- You will request a specific authorization start date on your OPT I-20 Request Form.
- The choice of dates is any time between the program completion date and 60 days past that date.
- The **program completion date** is the last day grades are posted online.

Last Semester of Enrollment

120 days   90 days   Program Completion   60 days

Apply for post-completion OPT

Choice of start date
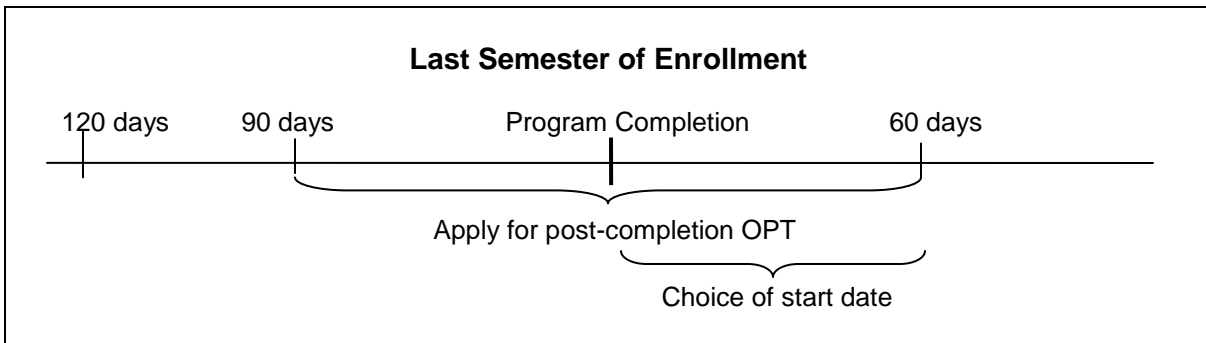
Application Process

Process

1. **Prepare and submit an OPT Request Form to the Registrar's Office.**
   a. Review OPT information in the Austin College OPT Guide
   b. Pick up an OPT I-20 Request Form from the Registrar's Office
   c. Submit to the Registrar's Office:
      i. OPT I-20 Request Form
      ii. Copy of completed USCIS Form I-765
      iii. Copy of any previous OPT EADs and corresponding OPT I-20s
2. **Pick up your I-20**
   The Registrar will review your submission and issue an OPT I-20 within 3 business days. An email is sent to your Austin College address when items are ready for pickup. You will be given:
   a. OPT I-20
   b. SEVIS page listing CPTs
   c. G-1145 Request form for USCIS electronic notification (optional)
   d. Mailing instructions
   e. Reporting Obligations for Post OPT information
3. **Mail the application to USCIS**
   a. Assemble according to provided information.
   b. Make a copy of the application for your personal file.
   c. Mail to USCIS via a postal service that allows for tracking to verify arrival of application.
4. **USCIS processes your request**
   a. A receipt will be mailed in 2-4 weeks to the address given on the I-765.
   b. If approved, USCIS will mail an Employment Authorization Document (EAD) to that address. By law USCIS has 90 days to process your request.

Assembly

The application packet you mail to the USCIS Service Center will include the following:

- 2 passport photos
- Check for $380, made payable to "U.S. Department of Homeland Security"
- G-1145, E-Notification of Application/Petition Acceptance (Optional – provided by the Registrar)
- Original I-765 form
- Copy of OPT I-20, pages 1 and 3
- Copy of passport ID page, expiration should be more than six months away
- Copy of I-94, front and back
- Copy of F-1 visa
- SEVIS page listing CPTs (a.k.a., pre-completion OPT - provided by Registrar)

Unemployment Limit

To maintain F-1 status, students on post-completion OPT must limit unemployment to 90 days or less during the year of OPT. The U.S. Department of Homeland Security may terminate a student's status if that limit is exceeded. All the following may be reported as employment to meet this requirement:

- Standard employment
- Contract employment
- Self-employment
- Volunteer positions

Acceptable Employment

Employment during OPT must be at least 20 hours per week and applicable to the degree you just completed. You and your employer make this determination. See page 9 for more details.

Reporting Requirements

Federal regulations require students on post-completion OPT to report all changes in employment and address to the Austin College Registrar's Office. You should make these reports within 10 days of each change. The Registrar will forward the updates to Homeland Security. You may email, fax or mail the OPT Employment Report Form to the Austin College Registrar to meet this requirement. You will be sent an email when the report is complete, within three business days.

NOTE: Changes of address reported on the OPT Employment Report Form affect only the SEVIS immigration system.

Travel

During the last semester of enrollment and after graduation a student may re-enter the U.S. with the correct documents. The requirements vary according to the student's circumstances.

Prior to Graduation - Before or after OPT approval
- Valid passport with an expiration date that is at least six months into the future
- Valid, unexpired F-1 visa
- OPT I-20 signed on page three by an international student advisor within the last six months

After Graduation - Before OPT approval:
- Valid passport with an expiration date that is at least six months into the future
- Valid, unexpired F-1 visa
- OPT I-20 signed on page three by an international student advisor within the last six months
- OPT application receipt

After Graduation - After OPT approval:
- Valid passport with an expiration date that is at least six months into the future
- Valid, unexpired F-1 visa
- OPT I-20 signed on page three by an international student advisor within the last six months
- OPT EAD
- Proof of employment (e.g. initial offer letter, pay stubs, employment verification letter)

Visa renewal – It is not recommended to attempt to renew your F-1 visa while on OPT. As you have completed the educational objective of your student visa, the visa officer may deny your request. If you do attempt to renew, in addition to immigration documents take your OPT receipt (OPT not yet approved) or EAD (OPT approved).

Social Security Number (SSN)

If you do not already have a Social Security Card you may obtain one after you receive the EAD. (Unfortunately, the Social Security Administration will not process your request before your OPT start date.) After receiving the EAD, request a SSN letter from the Registrar. Take the letter and your immigration documents (passport, visa, I-94, OPT I-20 and EAD) to any Social Security Office. It is legal to begin work once you have the OPT EAD, you reach the EAD start date and you have a SSN application receipt. The SSN card is usually mailed within two weeks of the application.

17-MONTH OPT STEM EXTENSION

General

Students who meet certain criteria may obtain an additional 17 months of OPT at the end of the initial OPT, for a total of 29 months of OPT. It is referred to as an extension but is actually a separate period of OPT, requiring a separate application process.

Eligibility

- Graduated from a designated Science, Technology, Engineering, and Mathematics (STEM) program from Austin College
- Current OPT employment in position related to STEM degree
- Within 120 days prior to the expiration date of the initial OPT period
- OPT employer is registered with the federal E-Verify system

Process Overview

- Submit documents to the Registrar
- Obtain a Form I-20
- Mail a copy of that I-20 plus supplemental documents to USCIS
- If approved, receive an Employment Authorization Document (EAD)

When to Apply

- The earliest date you can apply is 120 days prior to your initial OPT end date.
- The latest date you can apply is your initial OPT end date. (USCIS must receive your application by this date.)
- Like initial OPT, USCIS processing is often around 90 days.
- You can continue to work legally up to 180 days beyond your initial OPT end date while your extension application is pending.

E-Verify

E-Verify is a federal, online employment verification system. To access the system employers register and commit to verify the authorization of all newly hired employees. It is possible to do an E-Verify self-check prior to employment to ensure that your information is correct. For more information about E-Verify, see the USCIS website.

Unemployment Limit

Students on the 17-month OPT extension have an additional 30 days of unemployment allowed, for an aggregate total of 120 days from the start of the initial OPT period.

Acceptable Employment

Employment must be at least 20 hours per week and appropriate to the STEM degree designated on the extension application. It is acceptable to have more than one employer as long as all jobs and employers meet the extension eligibility requirements (E-Verify, STEM, etc.). See page 9 for more details.

Application Process

Process

1. **Prepare and submit an OPT Extension Request Form to the Registrar's Office**
   a. Review OPT information in the Austin College OPT Guide
   b. Obtain a 17-Month OPT STEM Extension Request Form from the Austin College Registrar.
   c. Submit to the Registrar's Office:
      i. 17-Month OPT STEM Extension Request Form
      ii. Copy of completed USCIS Form I-765 including all fields on Items #17 (Note: "degree" = degree on current I-20)
      iii. Copy of current OPT EAD
      iv. OPT Employment Report Form
2. **Pick up your I-20**
   Registrar will review your submission and issue an OPT Extension I-20 within 3 business days and email you that items are ready for pickup. Mailing instructions will be provided with the I-20 as well as Reporting Obligations for Post OPT information
3. **Mail the application to USCIS**
   a. Assemble according to provided information.
   b. Make a copy of the application for your personal file
   c. Mail to USCIS with postal tracking to verify application receipt at USCIS
4. **USCIS processes your request**
   a. A receipt will be mailed to you within 2-4 weeks
   b. If approved, USCIS will mail a new EAD showing the 17-month extension starting the day after the end date of the initial OPT

Assembly

The application packet you mail to the USCIS Service Center must include the following:

- **2 passport photos**
- **Check for $380**, made payable to Department of Homeland Security (Print I-94 number at top. Staple your check in the middle; keep the photos at the left hand top corner.)
- **G-1145,** E-Notification of Application/Petition Acceptance (Optional – provided by the Registrar)
- **Original I-765** form including: employer name, employer E-verify identification number or a valid E-Verify Client Company Identification Number and your degree as it appears on your current I-20 on #17 of the I-765 form
- **Copy of OPT Extension I-20**, pages 1 and 3
- **Copy of passport ID page** showing picture and expiration date
- **Copy of I-94**, front and back
- **Copy of F-1 visa** showing expiry date
- **Copy of current EAD**
- **Copy of your diploma or transcript** related to this period of OPT
- **Copy of your job offer letter**

Reporting Requirements

- All name, address and employment changes within 10 days of each change PLUS

- Two additional reports
  - Validation of employment at 6 months after the start of the extension
  - Validation of employment at 12 months after the start of the extension

Homeland Security has indicated that OPT students who do not fulfill the validation report requirements may lose their F-1 status.
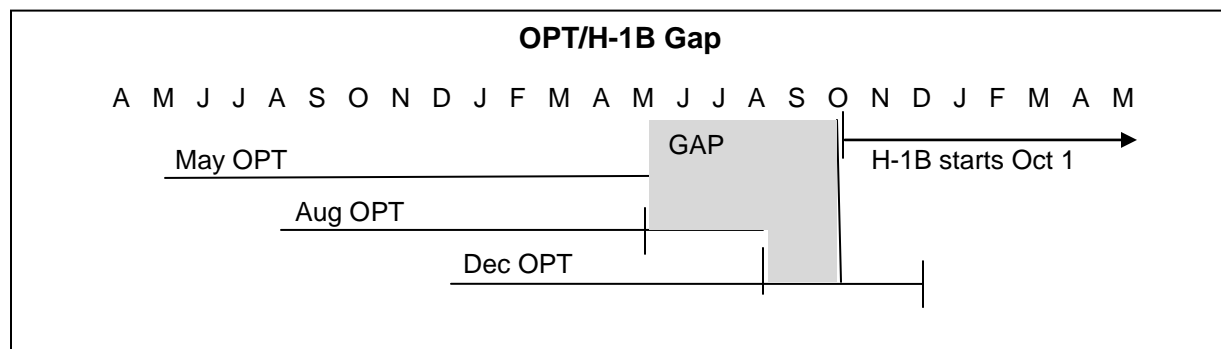
Report Process

- After any change of name, address, starting employment or ending employment, submit an OPT Employment Report Form to the Austin College Registrar.
- During the following reporting periods, submit a OPT Extension Validation Report to the Austin College Registrar.
  - Six months after the extension start date. You may submit the report up to 15 days before the 6-month date and as late as 31 days after the 6-month date.
  - 12 months after the extension start date. You may submit the report up to 15 days before the 12-month date and as late as 31 days after the 12-month date.
- It is vital that you submit the correct forms at the correct times to meet the reporting requirements. Submit all reports to the Austin College Registrar via scan/email (registrar@austincollege.edu), fax, mail or in person.
- You will be sent an email when the report has been processed, within three business days.

  NOTE: Changes of address reported on the OPT Employment Report Form affect only the SEVIS immigration system.

H-1B GAP RELIEF

Description

Some international students change status from F-1 to H-1B. Although OPT is not a prerequisite for an H-1B it is a common path to finding an employer who will sponsor you. This can be challenging, however, as there is a mismatch between the academic year (Sept-Aug) and the federal fiscal year (Oct-Sep). As corporate H-1B visas begin on October 1 and most students graduate in May and then work for one year on OPT, there is often a gap between the end of OPT and the H-1B start date. To remedy this, USCIS now provides a temporary extension of F-1 status and work authorization while the H-1B petition is pending and through any gap between the OPT and an approved H-1B.

OPT/H-1B Gap

A M J J A S O N D J F M A M J J A S O N D J F M A M

GAP

May OPT

H-1B starts Oct 1

Aug OPT

Dec OPT

NOTE: H-1Bs for higher education institutions may be filed year-round. Because of this, applicants for these H-1Bs are not eligible for gap relief.

General

- The gap relief begins on the day after the OPT end date indicated on the OPT EAD.
- You remain F-1 until the H-1B start date.
- If the H-1B is filed while you are employed on OPT, F-1 status and the work authorization continues. If the H-1B is filed while you are in the OPT grace period, F-1 status continues but not the work authorization.
- The gap relief ends on the first day of H-1B status (October 1).
- You can obtain an I-20 that documents this extension.
- If your H-1B petition is denied or withdrawn and your OPT has ended, your status ends 60 days from the date posted on your denial/withdrawal. Please notify the Registrar.
- Leaving the U.S. while an H-1B petition is pending or during the OPT/H-1B gap could negatively impact the petitions and your eligibility to re-enter the U.S.

Gap Form I-20

The extension of status and work authorization is automatic with the filing of an H-1B application. To obtain an I-20 that documents this extension, do the following:

- Complete an H-1B Gap Extension I-20 Request Form.
- Submit the request with a copy of your H-1B receipt or approval to the Registrar by scan/email, fax or in person.
- Registrar will issue an I-20 that resembles your previous OPT I-20 except there will be a paragraph on page three indicating the extension.
- You will receive an email when the I-20 is ready, within three business days.

OPT BENEFITS CHART

	Pre-Completion	Coursework Completion	Post-Completion OPT	17-month STEM Extension
Mandatory Enrollment	Full-time fall/spring	Full-time fall/spring	None	None
Job Hours Allowed	• 1-20 hrs/wk in fall and spring • 21 hrs/wk or more in summer and when school is not in session	PT or FT but see unemployment limits below	At least 20 hrs/wk	At least 20 hrs/wk (
Acceptable Employment	• In field of study • Standard employment • Contract employment • Self-employment • Volunteer	• In field of study • Standard employment • Contract employment • Self-employment • Volunteer	• In field of study • Standard employment • Contract employment • Self-employment • Volunteer	• In field of study • E-Verify employer • Standard employment • Contract employment • Self-employment • Volunteer
Unemployment Limit	No limit	If pre- • No limit • No STEM ext If post- • 90 days • Must finish degree by end of OPT, no I-20 ext	90 days	30 days (aggregate 120 days from start of initial OPT)
Eligibility	• Current F-1 • FT enrolled in U.S. one year	• Current F-1 • FT enrolled in U.S. one year	• Current F-1 • FT enrolled in U.S. one year • Degree	• Currently on OPT • DHS STEM degree • STEM job • E-verify employer
When to apply	Any time after first year of FT enrollment	After completion of all face-to-face courses, only thesis or dissertation remaining	Last semester before graduation	Eligibility to apply ends on OPT end date
Application Process	• Submit request to AC Registrar • Registrar issues I-20 • Student mail I-20 and other docs to USCIS • USCIS mails receipt, then EAD	• Submit request to AC Registrar • Registrar issues I-20 • Student mails I-20 and other docs to USCIS • USCIS mails receipt, then EAD	• Submit request to AC Registrar • Registrar issues I-20 • Student mails I-20 and other docs to USCIS • USCIS mails receipt, then EAD	• Submit request to AC Registrar • Registrar issues I-20 • Student mails I-20 and other docs to USCIS • USCIS mails receipt, then EAD
Application Costs	• $380 application fee to USCIS • Cost of passport photos, copies and mailing	• $380 application fee to USCIS • Cost of passport photos, copies and mailing	• $380 application fee to USCIS • Cost of passport photos, copies and mailing	• $380 application fee to USCIS • Cost of passport photos, copies and mailing
DHS Reporting Requirements	• Within 10 days of each change in name, job or address	• Within 10 days of each change in name, job or address	• Within 10 days of each change in name, job or address	• Within 10 days of each change in name, job or address • Reports at 6- and 12-months into extension