Applying for Post Completion Optional Practical Training (OPT)

*Post Completion Optional Practical Training* (OPT) is the opportunity to apply knowledge gained in the classroom to a practical work experience off campus. OPT is authorized by the U.S. Citizenship and Immigration Services (USCIS). This authorization takes at least 90 days or more to obtain. The maximum amount of time granted to work in F-1 practical training status is 12 months per degree level or one 24-month extension for those with qualifying STEM majors. OPT must be completed within 14 months of graduation.

While on OPT, you are still connected to Occidental. This is not a work visa, but rather a benefit of the F1 student visa. It is an opportunity to gain work experience in your field of study. You may apply for and engage in OPT after each increased educational level – bachelor degree, master degree, Ph.D!

**Eligibility:**
- Completing your academic program or graduating from Occidental.
- Have completed the entire final year at Occidental.
- Maintained lawful F1 status.
- Seeking employment only in a field directly related to your major.

**Process:**
You may apply for OPT 90 days prior to the program end-date and no later than 60 days after the program end-date. You do not need to have a job offer before applying for OPT. Gather documents, meet with IPO and submit entire package to USCIS, along with the application fee. You must file the Form I-765 with USCIS within 30 days of the date the DSO enters the recommendation of OPT into his or her SEVIS record. Gather and complete all items on the checklist below and make an appointment with IPO to complete the application!

**During OPT:**
You will be sent an e-mail with a link to open a PORTAL allowing you to update certain information in the SEVIS system. It must be updated within 10 days of occurrence.
- Company, company address, your position, how it relates to your major.
- Your address, phone number, e-mail address.
Failure to report changes within that time-period means you will be out of status. If you don’t receive the link to set up the portal, contact IPO.
OPT Application Process Checklist

☐ Make an appointment with an advisor in IPO.

Bring with you to your appointment:
☐ Completed, unsigned, form I-765.
☐ E-mail grade report from myOxy.
☐ Photocopies of ALL previous I-20’s.
☐ Photocopy of ID page of your passport.
☐ Photocopy of the F1 visa stamp in your passport.
☐ Photocopy of any previous Employment Authorization Document (EAD) cards, if applicable.
☐ Two color, full frontal passport style photographs. Print your name lightly in pencil or felt tip pen on the back of photos, and put the photos in an envelope and attach it to the I-765 application. Photo specifications are listed under “Required Documentation” on the Instructions for filing the I-765.
☐ Complete Form G-1145 if you would like to get e-mail or text confirmation of receipt of application.

PLEASE READ THE INSTRUCTIONS TO THE I-765 before completing the form! During the appointment with IPO, a new I-20 with a recommendation for OPT will be printed and signed. A photocopy must be included in the application. We will scan the entire application for your and IPO records.

START & END DATES: The start date of the OPT period must be no later than 60 days from the end date of your program. If your I-20 end date is May 20, your start date must be no later than July 20. See attached timeline.

We recommend sending documents to the courier address by Federal Express so there is a tracking number. The application must be received by USCIS within 30 days of DSO recommendation for OPT (on the new I-20). After mailing in the documents, you will receive at the US address indicated on your application:
- A notice of Receipt (Form I-797) with a receipt number. Keep this with important papers.
- A notice of Approval
- The actual card.

USCIS may also send a request for further evidence (RFE) to the US address indicated on your I-765 application. You will have a certain number of days to provide that evidence or your application will be denied. Do not ignore! This is another good reason to use the address of a trusted friend or IPO if you don’t know where you will be living after leaving Oxy.

EAD application approvals take approximately 3 months. You may create an account to track the progress of your application (https://www.uscis.gov/).
Important Information while on Post-Completion
Optional Practical Training

IMPORTANT:
Read all information below. It is important to your immigration status while you are on OPT.

1. Employment Authorization Card (EAD)
The EAD is proof that Immigration has approved your work permission under OPT. This card is very important. Do not keep this card in your wallet. Instead, keep it with your passport, I-20 and other important documents. You will need the EAD only when entering the U.S. after travel abroad and when beginning any new employment. Otherwise, you will not need to carry the EAD with you. Pay careful attention to the employment start and end dates as listed on the EAD! If the card is lost, you will need to pay the fee to have it replaced.

2. No Employment Without Permission
You may NOT work in the U.S. before the start date listed on the card itself. You must have the card in your possession.

3. Reporting Requirements: Once your OPT is approved, you will receive an e-mail with instructions on how to update certain information in your SEVIS record. Updates must be made within 10 days of a change. If you get locked out of the portal, contact IPO.

a. Address Reporting Requirement
Address updates needed! IMMIGRATION requires that, while you are on OPT, you report your home address and telephone number through the SEVIS Portal.

b. Employment Reporting Requirement
Employment updates needed! IMMIGRATION requires that, while you are on OPT, you report your employment through the SEVIS Portal.
   - Employer Name (this is the company name, not the supervisor)
   - Employer Address (the company address where you work)
   - Job position and how it relates to your major
   - Start date of new employment

5. Penalty for Unemployment
An F-1 student with OPT who is unemployed for a significant period similarly puts F-1 status in jeopardy. The rule permits an aggregate maximum allowed period of unemployment of 90 days for students on 12-month OPT. This period allows students time for job searches or a break when switching employers. Unpaid internships in your field of study count as employment.

6. Travel
YES - You may travel while on OPT! But, after graduation, you must be prepared to show an official employment letter or letter of request for an interview to an Immigration officer upon reentry, if asked to do so.
Documents for Travel While on OPT:
   - I-20 *
   - valid passport
   - valid F-1 visa (Canadian citizens are exempt from this requirement)
   - EAD **
• **employment letter***

* You must travel with the I-20 that shows the requested OPT dates; you do not require another travel signature from me while you are on OPT!

** The EAD includes a notation that says, "Not valid for reentry." This means that the EAD alone is not enough documentation for your reentry to the U.S. If and when you travel, you must have the following documentation with you:

*** **Letter of Employment / Letter of Request for Interview:**
There are no guidelines for this letter other than it should be on business letterhead paper (recommended). And, although Immigration officials have been instructed to request a letter of employment from F-1 visa holders entering the U.S. while on OPT, there is no guarantee that you will be asked to present a letter. As your International Advisor, I recommend that you have a letter ready, just in case. Keep the letter simple; include your name, the client (if freelance/contract work) or employer name, the start date of the employment (be sure the start date is AFTER the start date of your authorized OPT period), and a one- or two-sentence description of the work to be done.

7. **Visa Renewal While on OPT**
Remember that, while you are on OPT, you are in F-1 status. OPT is not a “status.” OPT is work authorization granted to you as a benefit of your F-1 status.

If you plan to travel outside of the U.S., be sure to check your F-1 visa stamp expiration date. If your F-1 visa stamp has expired, please plan to visit a U.S. consulate abroad to apply for a new F-1 visa. I can provide a visa support letter, upon request. You will also need your official school transcript and the other travel documents listed above as part of the “Travel” section.

**CAUTION:** If your F-1 visa has expired and you plan to travel outside of the U.S. AFTER being approved for H1b (employee visa status) but BEFORE H1B status actually begins, please talk to an immigration attorney before leaving the U.S! Travel during this time is generally not recommended. Why? Because if the U.S. Consulate gives you an F-1 visa stamp, you risk the possibility that they will cancel your H1B approval. Or, if the U.S. Consulate gives you an H1b visa stamp, you might need to wait outside of the U.S. until the appropriate time to return in H1b status.

8. **H-1B “Cap-Gap” Relief**
USCIS is authorized to extend the status of F-1 students caught in a “cap gap” between the end of the student’s OPT and the start date of an approved H-1B petition. The rule automatically extends the status and employment authorization of an F-1 student who is the beneficiary of a timely-filed H-1B petition that has been granted by, or remains pending with USCIS. This means that if the H-1B petition filed on behalf of the student is selected as a “cap case,” the F-1 student may remain in the United States and continue working until the October 1 start date indicated on the H-1B petition.

If USCIS denies a pending H-1B petition, the F-1 student has the standard 60-day grace period (from notification of the denial or rejection of the petition) before they have to leave the United States. Unlike the extension of post-completion OPT which is limited to F-1 students who have obtained STEM degrees, the extension of status for F-1 students in a cap-gap applies to all F-1 students with pending H-1B petitions.

9. **U.S. Graduate School after OPT**
If you apply to and are accepted by a graduate school after completing OPT, please let IPO know.
Your SEVIS record will need to be transferred to the new institution. You must begin the new program within 5 months of completing OPT.

With thanks to the ISSS at California Institute of Technology in Pasadena, CA.

OPTIONAL PRACTICAL TRAINING (OPT) FOR STUDENTS IN F-1 STATUS ~ FREQUENTLY ASKED QUESTIONS

What are the Eligibility Requirements for the F-1 Optional Practical Training?
To be eligible to apply for OPT, you must: (1) have been in lawful full time student status for the full academic year prior to application, (2) be maintaining valid F-1 status at the time of the application, and (3) intend to work in a position directly related to your major field of study, (4) be graduating from Occidental.

If I complete one degree program, take 12 months of practical training, and then begin a second course of study at a higher level, am I eligible for an additional 12 months of practical training?
Yes. F-1 students may take 12 months of OPT (less any OPT used during the program) after completion of each higher degree level. You may take 12 months of OPT after your BA and another 12 months after a Master’s degree. You may not use an additional 12 months if you get a second BA. Remember, 12 months of full-time CPT make you ineligible for OPT. The 24 month STEM extension can be used only once through all degree levels.

How long does it take to get authorization for OPT and when should I apply?
Authorization for optional practical training is granted by USCIS and can take up to three months to process. Therefore, it is important that you apply for the authorization well in advance of the date you wish to commence employment (but not more than 90 days prior to end date on your I-20). The application must be received by USCIS and start date of employment must be no later than 60 days after the program end date listed on your I-20.

Do I need to have a job to apply for optional practical training?
No. You do not need to have a job offer before applying for OPT. However, if you are applying for OPT during your course of study or vacation periods, you will want to either have a job offer or a firm job prospect because periods of OPT cannot be rescinded once the period requested has been authorized.

Does the job I have on OPT have to be paid employment, or can it be unpaid?
A student who is self-employed, interning or volunteering (paid or unpaid) in a position directly related to the academic field is considered “employed.” Remember, only 90 days of unemployment are allowed. For the 24 month STEM extension, employment must be traditional paid employment. You are allowed an aggregate of 90 days of unemployment while on OPT or 120 days if you receive the 24 month extension.

How will I know if the practical training application has been approved?
You will receive from the USCIS a small photo identification card, called an Employment Authorization Document (EAD). This card will state the type and length of the period of employment authorized. When you receive this card, check to make certain all the information is correct. This is your permission to work in the US and should be kept with your important documents.
Can I begin working before I receive the Employment Authorization Document?
No. You may not begin employment before you receive your EAD from USCIS; working before practical training has been authorized by the USCIS constitutes illegal employment that will jeopardize your legal status in the U.S. Nor can you begin work before the start date on the card.

Will I have to pay U.S. taxes for income earned while on practical training?
In general, F-1 students who have been in the U.S. for fewer than six calendar years are exempt from social security (FICA) and Medicare taxes. You should be sure to bring this to the attention of your employer, as employers may not be familiar with this provision of the tax law. You will be subject to all other taxes that may apply; federal, state, and local. You should check to see if your country is one of the few that has a tax treaty with the U.S. allowing students to exclude a limited amount of earned income from federal taxation.

Do I need to report to the IPO while I am on OPT?
Yes. While on OPT, you are still under the auspices of Occidental College. You must report your contact information (address where you are living and mailing address, if different), telephone number and your e-mail. You must also report to IPO the name and address of your employer, the job position and how it relates to our major, and the start date of employment. E-mail ipo@oxy.edu within 10 days of a change in this information.

It has been over 90 days since I applied for OPT, and I have not received my card. I did receive a receipt. How do I find out my case status?
There is a Case Status Update function on the USCIS website, under Tools. Check the status of your case. You may also call to get a temporary card.

24 Month STEM Extension
Eligible STEM Fields:
- Computer Science Applications. CIP Codes 11.xxxx
- Biological and Biomedical Sciences. CIP Codes 26.xxxx.
- Mathematics and Statistics. CIP Codes 27.xxxx.
- Physical Sciences. CIP Codes 40.xxxx.
- Science Technologies. CIP Codes 41.xxxx.

I think I qualify for the extension, how do I apply?
Students graduating with degrees in these fields will first apply for the regular 12 month OPT. Once you have begun your 12 month OPT, if you meet the following criteria, you can apply through the IPO for the extension. The STEM extension is actually a training program. You will need to complete the I-983 with your employer and provide this to IPO.

Criteria for 24 month extension:
- Your employer is enrolled in the “E-Verify” program
- You have graduated with a major in one of the STEM fields and be working in that field.
- You have maintained lawful status while on OPT.
- You and your employer complete form I-983 (Training Plan for STEM OPT).
- You and your employer complete the periodic updates to DSO.
I am currently on OPT and my employer has applied for an H1B visa for me. My OPT ends in May and the H visa would be valid in October. Do I need to leave the US between May and October?

Duration of status and any OPT work authorization will be automatically extended for an F-1 student who is the beneficiary of a timely-filed H-1B petition requesting change of status and an employment start date of October 1 of the following fiscal year. If USCIS denies a pending H1B petition, the F1 student has the standard 60 day grace period (from notification of the denial or rejection of the petition before they have to leave the US.

TRAVEL WHILE ON OPTIONAL PRACTICAL TRAINING
FREQUENTLY ASKED QUESTIONS

Now that I’ve sent in my application, can I travel outside the U.S. while I wait for the card to come?
Yes. However, your EAD card can only be sent to a US address. You need to show the EAD card to reenter the US. You must arrange to have your EAD card sent to a friend or trusted other who will send the card to you abroad.

What documents do I need to re-enter the U.S. while on OPT?
You will need your I-20 recommending you for OPT that was endorsed on the travel line by the IPO within the last 6 months; the EAD from the USCIS, your valid passport, a current visa stamp and a letter from your employer or proof of employment stating you will be resuming work. This letter should be on company letterhead.

What if I still have some time left on my student program? Can I travel during that time, even though my I-20 shows that I have been authorized for OPT?
Yes. You must be returning as a student to complete academic requirements. For example, a student who has applied for OPT in March, but who doesn’t graduate until June, may still travel as a student until the graduation date, re-entering the U.S. with a valid passport, current visa stamp, and the I-20 endorsed by the IPO.

The visa stamp in my passport has expired, but I need to travel outside the U.S. while on OPT. Do I need to get a new visa stamp at an embassy?
Yes. You must have a valid F visa stamp in your passport. You must also carry a valid passport, your EAD card , a valid I-20 and employer letter stating that you are expected back to resume work.

What documents do I need to show at the embassy for a new visa stamp under OPT?
You need to take a valid passport, the I-20 endorsed by the IPO within the last 6 months, the EAD card, and if you have employment already, an official letter of offer of employment showing salary, location, job duties, and beginning date as well. You should also be prepared to discuss how this job experience will apply to the job market in your home country, and how you intend to apply it there.

I want to leave the U.S. for a little while during the time my OPT application is in process, but I need to return long before the card will have arrived. I have a tourist visa that is valid for 10 years. Can I enter the U.S. on my tourist visa while I’m waiting to get the EAD card, then start work with the card once I get it?
No. If you leave the U.S. and re-enter with a B visa, you will have an entry records that shows that you have been admitted under B status, and you will have lost your F-1 status. Hence, your OPT application and card will be invalid.