



F-1 POST- COMPLETION OPTIONAL PRACTICAL TRAINING (OPT)

What is OPT?

Optional Practical Training (OPT) is designed to provide you with an opportunity to gain temporary employment experience in your chosen profession for one year after you have completed your coursework. Its purpose is to “round out” or complement your academic work. Permission for this temporary employment is obtained through USCIS. The employment must be directly related to your major field of study and it must be appropriate for someone having your level of education. You may work anywhere in the United States.

Please note that this is not an entitled benefit. USCIS has the right to deny any OPT application at their discretion.

Who is eligible to apply?

- You must have been in lawful student status for an academic year (two consecutive full time semesters) and you must currently be in lawful status.
- You must not have had more than total of 12 months of full time CPT during your current degree level.
- You must have an anticipated program end date.
- You must be graduating with a Bachelor’s, Masters or PhD degree. Non-degree students, student attending certificate programs and those doing post-doctoral research are not qualified for OPT.
- The employment has to be directly related to your major.
- **PLEASE NOTE:** Students who have decided to depart the country and re-enter with a new I-20 in order to reinstate their visa will lose any time they have accrued toward qualification for OPT or employment. Students who travel to reinstate are subject to full academic year (2 full time semesters) waiting periods for eligibility for OPT or CPT.
- Students transitioning from the U Asia Campus (UAC) must have completed two consecutive semesters at the University of Utah main campus and must be attending the main campus in their final semester to be eligible to apply for OPT.

How to apply for OPT:

Applying for OPT is a 2- step process. Please note you must complete both steps otherwise you have not completed the process. For video instructions on how to apply for OPT, please visit: <https://www.youtube.com/watch?v=26SSDxjJEpo>

Step 1: Apply for an OPT I-20

1. Log into iStart.ic.utah.edu and submit an online request by completing “*OPT Request*” e-form.
2. Once you complete your portion, your academic advisor will receive an automated email informing them to approve your application.
3. Once your OPT request is approved by your academic advisor, an ISSS advisor will issue you a new OPT I-20 for you within 2 weeks which will include our recommendation for OPT on page 3.

Step 2: Send your documents to USCIS

4. Mail all the required documents (see below) to USCIS **within 30 days** of when your OPT I-20 was issued.
5. Keep copies of everything you mail for your own records.

Following are the documents you will need to send to USCIS:

- Form I-765** (downloadable from www.uscis.gov, see page 4 for instructions)
- A copy of:
 - The **new I-20** issued from ISSS with your OPT dates (USCIS must receive it within 30 days of the issue date)
 - The photo page (identification page) and expiration date page of your **valid passport**.
 - The **visa** page of your passport- even if expired.
 - The **I-94 card** (obtainable at <https://i94.cbp.dhs.gov/i94/request.html>)
 - **ALL previous I-20** issued to you in your current education level (if you do not have these, contact ISSS. We may have copies of your old I-20s. Please give ISSS one week to look for your documents. However, it is your responsibility to keep previous immigration documents.)
 - **Previous EAD card**, include a copy of the front and back- if you have been approved for OPT in the past
- Two passport type **photographs** (taken within 30 days of submitting application). Print your name and I-94 card number lightly in pencil on the back of each photo. Put the photos in an envelope and attach it to front of I-765.
- Fee of \$410**- In the form of check or money order, made to the **U.S. Department of Homeland Security**. **WRITE YOUR SEVIS # ON THE MEMO** (starts with N on top right corner of your I-20). Cash or debit cards are not accepted. See page 4 for instruction.
- G-1145** (recommended) to receive an E-verification of application acceptance. Attach it to the first page of your application (<http://www.uscis.gov/sites/default/files/files/form/g-1145.pdf>).
- Meet with an ISSS advisor to **review your packet** (recommended).

Reminder:

- Are you sending your application within 30 days of ISSS issuing your OPT I-20?
- Did you include all of the documents listed above?
- Did you make copies of your OPT documents for your records?
- Did you meet with an ISSS advisor to review your packet?

Are you ready to send in your application?

Gather all documents together and send by **certified mail** with a return receipt OR **express mail** so that you may have a tracking number. You will receive a receipt notice (Form I-797) from the USCIS once they receive your OPT packet. If you attached G-1145 form to the first page of your application, they will also send you an E-verification of application acceptance once they receive your packet.

Where to mail:

Find your return address on your I-765 form. For example, if your return address is in Utah, you must send it to one of the two Phoenix lockboxes depending on the carrier.

<u>If you live in (return address on I-765):</u> Alaska, Arizona, California, Colorado, Guam, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, North Dakota, Ohio, Oregon, South Dakota, Utah , Washington (state), Wisconsin, Wyoming, or Commonwealth of the Northern Mariana Islands	<u>Mail your application to USCIS Phoenix Lockbox:</u> For U.S. Postal Service deliveries including U.S.P.S. express mail: USCIS PO Box 21281 Phoenix, AZ 85036 or For (non-USPS) courier service: USCIS, Attn: AOS 1820 E. Skyharbor Circle S, Suite 100 Phoenix, AZ 85034
<u>If you live in (return address on I-765):</u> Alabama, Arkansas, Connecticut, Delaware, District of Columbia, Florida, Georgia, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Mississippi, New Hampshire, New Jersey, New Mexico, New York, North Carolina, Pennsylvania Puerto Rico, Rhode Island, South Carolina, Oklahoma, Tennessee, Texas, Vermont, Virginia, U.S. Virgin Islands, or West Virginia	<u>Mail your application to USCIS Dallas Lockbox:</u> For U.S. Postal Service deliveries: USCIS PO Box 660867 Dallas, TX 75266 or For (non-USPS) courier service: USCIS, Attn: AOS 2501 S. State Hwy, 121, Business Suite 400 Lewisville, TX 75067

Instructions for filling out Form I-765:

- Check first box “**permission to accept employment**”;
- Fill out lines 1 through 19; **sign and date** to certify.
- **#3 Return Address:** This must be an address at which you can receive mail for at least 3½ months. You cannot put in a forwarding order on this address- USCIS’s envelopes state “Do Not Forward”. If the card is sent to an address with a forwarding order, or if you cannot receive mail at the address you use, your card will be returned to USCIS and destroyed. If you want to use a friend’s address, you need to make sure your name is on the mailbox. If you want your department to receive mail for you, check with your department first. Contact ISSS if there are any issues finding a mailing address.
- **#3 Return Address:** NOTE: If the return address you indicate on the I-765 is not located in Utah, please check the chart on page 3 for the proper mailing address for your application.
- **#10 Alien Registration Number:** In most cases you will use your I-94 number. If you obtained a most recent copy of your I-94 from the web (<https://i94.cbp.dhs.gov/I94/request.html>), it’s the Admission (I-94) Record number on top of the page. If you have a small white card in your passport, the I-94 number is found on the upper left side of the I-94 card that you received when you entered the U.S. It is usually an 11 digit number- sometimes the last two digits are separated by a space.
- **#11 Previous Employment Authorization:** If you have previously applied for an OPT card at University of Utah or at any other institution, the answer is “yes”. If you have been approved for CPT or an H1B visa and no OPT, the answer is “no”.
- **#16 Eligibility Categories:** For F-1 OPT, put **(C) (3) (B)**

Sample Check/ Money Order:

NAME
ADDRESS
CITY, STATE ZIP

0123
01-23456789

DATE **1**

PAY TO THE ORDER OF **2** \$ **4**

3 DOLLARS

BANK NAME
ADDRESS
CITY, STATE ZIP

FOR **5** **6**

ⓂⓂ 2345678 ⓂⓂ 234567890 ⓂⓂ 234

Bank Routing Number Bank Account Number Check Number

- 1: Date: MM/DD/YYYY
- 2: U.S. Department of Homeland Security
3. Four hundred and ten even (dollars)
4. \$410.00
5. SEVIS ID (starts with N, found on your I-20), OPT
6. Signature

* If you have a money order please check with the issuer on where to put the information listed above as they can differ depending on the issuer.

Choosing your OPT Start Date:

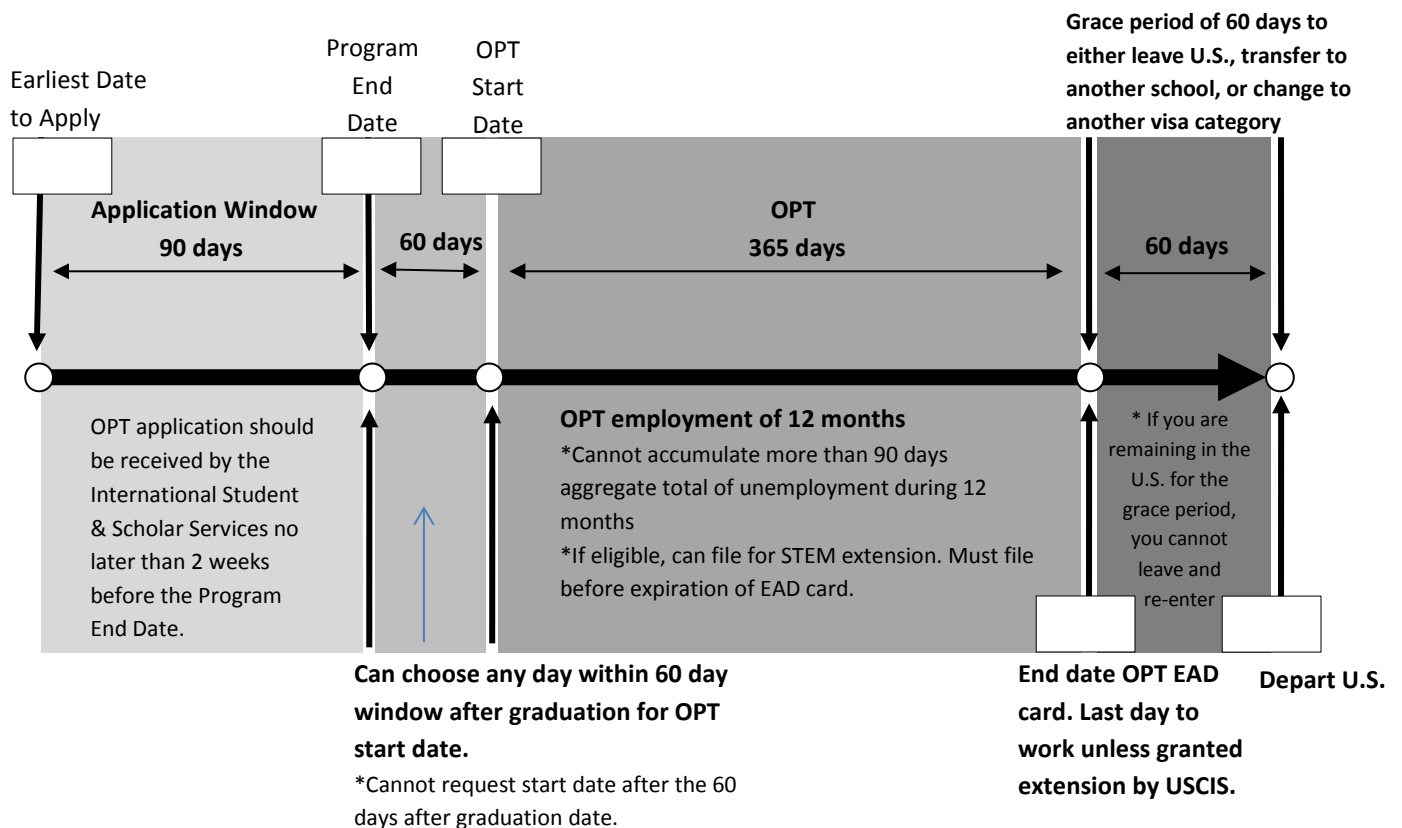
You are allowed to pick a start date that falls between the last day of your program and the end of your 60 day grace period. The program end date is considered the last day of the semester (last day of finals).

For graduate thesis students only, the program end date may be the last day of the semester OR the date of your thesis defense.

There are many time constraints which affect your OPT application (see OPT timeline illustrated on the next page). When choosing the start date for your OPT, consider the following:

- **Choose the earliest date you might want to start working (you cannot begin working BEFORE the start date on the EAD card).** Plan ahead for any possibilities.
- **14 Month Rule:** Your OPT must end within 14 months of your program end date. For example, if your program end date is January 15, 2015 and you apply for OPT on March 15, and you are approved to start OPT on June 15, your OPT will not go from June 15 this year to June 15 next year. Instead, it will be approved from June 15, 2015 to March 15, 2016. For more information, please see FAQ #7 on page 6.
- **REMEMBER: You may NOT change your start date once you have mailed your packet to USCIS.**

OPT Timeline at a glance:



Important things to remember:

- **Processing time:** your OPT I-20 will be processed by ISSS within two weeks from the time your academic advisor submits their approval. USCIS takes an average of 3 months to process.
- **Program completion date:** For undergraduate and MS non-thesis students, it is the last day of the final semester. For MS thesis and PhD students, the program completion date can be the last day of the final semester of required enrollment or the defense date.
- **OPT Start date:** You can choose any date within the 60 day window after the program end date for your OPT start date. Please remember you cannot request a start date that is after the last day of your 60 day grace period.
- **OPT End date:** It is the date on your EAD card. You must end your employment on this date unless you are granted an extension by USCIS (only for majors in the STEM field) or have changed to any other visa that allows you to work.
- **60 day grace period:** You have 60 days of grace period once you complete your program and once you complete OPT. If you are remaining in the U.S. for the grace period, you cannot leave and re-enter. You can either leave U.S., transfer to another school, or change to another visa category.
- **30 days from the issue date:** Your OPT application must be received by USCIS within 30 days of the OPT I-20 issue date by ISSS. Failure to send it in a timely manner will result in denial.
- **90 days of unemployment:** From the start date on your EAD card, you have cumulative 90 days of unemployment while on POST OPT. If you work 0-20 hours/week, it is considered as unemployed and will count towards your unemployment days. If you work 21 hours or more/week, it will not be counted towards your unemployment days.
- **Part time/ Full time:** If you work 0-20 hours per week, it is considered as part time. If you work 21 hours or more per week, it is considered as full time.
- **Address update:** Immigration regulations require that while you are on OPT, you MUST notify the University of Utah ISSS within 15 days of changing your address. Please submit an e-form.
- **Employment update:** You are responsible for notifying ISSS about any change of employment by submitting "POST OPT Employment Update". ISSS will create a new OPT I-20 with updated employer information and contact you when ready.
- **Travel:** It is best to check with ISSS before traveling. Please refer to page 9 for more information on traveling while on OPT.

Frequently Asked Questions for POST OPT:

GENERAL

1. How long will my OPT application take to process?

Applying for OPT is a two-step process. You must first obtain your OPT I-20 from International Student & Scholar Services (ISSS), which has a 2-week processing time, and then mail your application with all the required documents to USCIS to obtain an Employment Authorization Document (EAD) card, which takes average of 3 months to process.

2. When should I submit my OPT application?

You must apply for OPT no earlier than 90 days before your program end date and no later than 60 days after your program end date. If you send in your OPT application 90 days before your program ends or after your grace period is over, your OPT will be denied.

3. When is my program completion date?

For undergraduate and MS non-thesis students, the program completion date is the last day of the final semester. For MS thesis and PhD students, the program completion date can be the last day of the final semester of required enrollment, or the defense date. MS thesis and PhD students become eligible for post-completion OPT once all the course requirements for their degree have been met.

4. Is there a deadline for applying to USCIS with my new I-20?

You need to have your complete OPT application received at the appropriate USCIS Service Center within 30 days of the OPT I-20 issue date by ISSS. Applications that arrive after the 30 days will be rejected and you may have to reapply again if you are still within your 60 day grace period. If you are past your grace period and the application is rejected, you will be out of status.

5. Can I get a confirmation that my application has been received by USCIS?

If you would like an email confirmation that your application has been received by USCIS, you may fill out Form G-1145 (<http://www.uscis.gov/sites/default/files/files/form/g-1145.pdf>) and attach it to the top of your application to USCIS. The notice you receive will not be a guarantee that they will approve your application, but merely a confirmation that it arrived at their offices for processing.

6. I have a job offer but my EAD card has not arrived yet. Can I begin work?

No. You must have received your EAD card to show that you have legal work status. Any employment done before the EAD card has arrived is illegal and may harm OPT as well as your future chances of obtaining an H-1B visa, permanent residency or other types of benefits from immigration.

7. How would my past CPT participation affect my OPT?

You are not eligible for OPT if you have participated in 12 months or more of full-time CPT. Past participation in part-time CPT or full-time CPT for less than 12 months will not affect your OPT eligibility.

8. I am currently participating in CPT during my last semester. What's going to happen?

Students may not participate in full time CPT in their last semester. Graduate thesis students may not participate in CPT once they have defended. Students approved for CPT may not work on CPT past their program end date.

9. What is the 14 month rule for post-completion OPT?

Federal regulations state that post-completion OPT must be completed within 14 months of your program end date. If you decide to apply for OPT AFTER the completion date of your program, USCIS may still take 90 days to process the I-765 application. The time that USCIS takes to adjudicate your request will be taking time away from when you

would have been working on OPT. This means that if the processing time for your OPT goes beyond the 60 days past your program end date on the front of your I-20, this time will be deducted from your 12 months.

10. Does the job I have while on OPT have to be paid employment, or can it be unpaid?

For the first 12 month period of post-completion OPT, the employment does NOT have to be paid employment, although it is recommended. Interning or volunteering in a position directly related to the academic field would be considered “employment” for the purposes of OPT employment. For the 24-month STEM extension, employment must be paid employment with an E-Verify employer at least 21 hours per week.

11. If I complete one degree program, take 12 months of OPT then begin a second course of study, am I eligible for an additional 12 months of practical training?

After completing one OPT, you must complete a higher academic level (Bachelors, Masters, or PhD) before you are eligible for another OPT. If you complete a PhD degree, you may not apply for a Masters level OPT, even if you have never participated in the OPT on that level before.

12. Do I get a grace period after my OPT?

Yes, your lawful F-1 status expires 60 days (called a ‘60-day grace period’) after your last day of OPT. In your 60 day grace period, you may not engage in any employment or studies. You are expected to leave the country at the end of the 60 days or else be in pending status for a new degree program or a visa type. If you exit the country during your 60 day grace period, you may not re-enter on your F-1 OPT I-20.

13. What if I change my mind and I want to cancel my application for OPT? Or what happens if I wasn’t able to graduate?

Canceling the OPT depends on whether or not you have sent the OPT application to USCIS. Please contact ISSS for more information.

If you have not sent your I-765 form and the required documents to USCIS, International Student & Scholar Services can cancel your OPT request. Note however that your I-20 end date has been shortened to accommodate your OPT. To maintain your status, you will need to fill out an Extension Request E-form. Important: This needs to be done *before* your I-20 end date has expired. If you wish to cancel your OPT and continue school after this date has passed, you will be out of status and will need to apply for reinstatement, which is likely to affect your OPT eligibility. Please meet with an ISSS advisor as soon as you can.

If you have sent in your OPT application to USCIS and they haven’t approved the OPT, you can send a request in the mail to ask that the application be cancelled. Mark the envelope ‘URGENT’ and write the I-797 receipt number on it. Include a letter explaining why you need the OPT application cancelled. You can contact USCIS customer service at 1-800-375-5283 for further instructions.

If your EAD card is approved and the start date has begun, you cannot cancel your OPT. Even if you only use a few months and then go back to school, you CANNOT recover the remaining months of OPT and use them at a later date.

Your best option is to make sure of your graduation date before you prepare to apply for the OPT. This way, you do not risk losing time, money or falling out of status because you haven’t graduated.

If you have your OPT approved and you were not able to graduate, please make an appointment to meet with an ISSS advisor. You are able to only work part time until all your coursework is completed.

14. What if I have lost or thrown away my old I-20s?

International Student & Scholar Services *might* have copies of your old I-20s in your file. You can request that ISSS make you copies of your old I-20s, but keep in mind that it could take up to a week to process your request. It is always your responsibility to keep your I-20s. Your file may or may not contain copies of the documents you are looking for. It is best if you maintain a well-kept file of your documents in a safe place.

15. Since I need to move and don't know my new address, can I put a foreign address on I-765 form?

No, USCIS requires you indicate an address in the United States and the address must be appropriate to the Service Center address to which you send your application due to jurisdiction issues. You may not put a foreign address on form I-765. The address you use may be a P. O. Box. Contact ISSS if you have further issues with your mailing address.

16. Why should I keep a copy of my application?

Always keep copies of all official documents that you send through the mail. We also strongly recommend that you make copies of any checks or money orders that you mail in to USCIS as proof of payment in the case your application is lost in the mail.

17. How can I check on the status of my application?

When USCIS sends you your receipt notice in a month to six weeks, you will receive a receipt number. Please check their website at <http://www.uscis.gov/portal/site/uscis>. You can use this number to access information about your application.

18. What happens to my dependents, who are on F-2 visas, during the application and OPT process?

If you are granted the OPT work authorization and you are still in legal F-1 immigration status, then your dependents are still in legal F-2 immigration visa status. You will receive new I-20s for yourself and all dependents if you are eligible for the OPT work authorization. If you do not follow F-1 regulations while on OPT and fall out of status, your F-2 dependents automatically fall out of status with you.

OPT AND TRAVELING

19. Can I travel home (or anywhere outside of the U.S.) after I graduate?

No OPT: If you have not applied for OPT, you may leave the U.S. during your grace period but you will not be allowed to return on your previous F-1 student visa and also will lose the opportunity to apply for OPT. If you wish to return to the U.S. on your student visa and participate in OPT, you must send in your OPT application in U.S., and leave with the I-797 receipt.

Pending OPT: If you have pending for OPT after your program end date, you may travel outside of the U.S. without having received your EAD card. You must have your OPT I-20 signed for travel, a valid visa in your passport and your passport should be valid for at least six months. You must also carry your I-797 receipt. You may also remain inside the U.S. while your application is being processed. Since USCIS has only recently allowed F-1 students to travel on a pending OPT, we require that you also have your receipt from them that you have filed for OPT.

Approved OPT: After you have received your EAD card, your travel documents should include your signed OPT I-20, valid visa, your passport valid for at least six months, EAD card, *and a letter from your employer (if applicable)*. The letter should state that they have employed you or plan on employing you, and you are coming back to the U.S. to work for them. When you receive your EAD card it will say, "not valid for travel". This means besides your EAD card you will need your I-20, valid passport, visa, and I-20 in order to travel.

These same rules apply for both the initial OPT and the 24 month STEM extension. Please understand that entry into the U.S. is granted at the discretion of the U.S. Customs and Border Protection officer, and you travel at your own risk.

Dependent travel: Since OPT is not noted on dependent I-20s, an F2 dependent must carry copies of the F-1 student's I-20 with OPT recommendation, EAD card, and proof of employment, in addition to their own F-2 I-20 when traveling.

20. What documents should I travel with?

You should always travel with valid passport, visa, most recent I-20 with a travel signature, EAD card or I-797 receipt, and if applicable, your job offer letter.

21. I want to leave the U.S. for a short time while my OPT application is in process, but I need to return before the card will arrive. I have a tourist visa (B2) that is valid for 10 years. Can't I just enter the U.S. on my tourist visa while I'm waiting to get the EAD card, and then start work with the card once I get it?

NO!! If you intend to continue working on your OPT, **NEVER** enter in any other immigration status except F-1. If you leave the U.S. and re-enter with any other status than F-1, you will immediately forfeit your F-1 status. This means your OPT will be invalid.

22. Can I renew my F-1 visa while on the OPT?

It is possible and many students on OPT get their F-1 visa stamps renewed. You do have to be careful to demonstrate non-immigrant intent. The risk of denial of an application for a renewed visa stamp for Optional Practical Training is somewhat higher than while you are in your active student program. The F-1 student visa requires that the applicant must intend to return to the home country at the end of the program, and if the embassy official is not convinced of your intention to return home, the visa application could be denied.

23. 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 EAD card or receipt notice for your application, an OPT I-20 issued by ISSS, and your job offer letter or proof of employment (if applicable). The official job offer letter should sound temporary and not permanent. 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.

24. Do I still need a travel signature to travel if I am on OPT?

Yes. During OPT, if you travel outside the U.S., your I-20 must be signed for travel. The current travel signature on page 3 of your I-20 is valid for 6 months. If you return after this date, you may be denied re-entry. If you are not located in the Salt Lake area, mail the original I-20 to ISSS for endorsement, leaving plenty of time for possible mailing delays both ways.

OPT AND EMPLOYMENT

25. How do I report my employment?

You can report your employment by submitting the "POST OPT Employment Update Request" through iStart on www.ic.utah.edu. Please make sure you report your employment in a timely manner.

26. What type of employment can I accept? Does it have to be paid?

Your job must be related to your major. Your employment may or may not be paid while on Post OPT.

27. Do I need to have job offer to apply for OPT?

You don't need a job offer to apply for OPT. It is however, required for the application of the 24 month STEM extension, if you are eligible. For more information on STEM, please refer to our STEM OPT policy guide on www.ic.utah.edu.

28. Do I need to have a job while I am on OPT?

Yes, you do need to be employed while on POST-completion OPT. You are only allowed to have a total of 90 days of unemployment in your 12 month period of OPT. This total number of unemployment days applies through the entire period of OPT. If you had 30 days of unemployment on the OPT and you lost your job 6 months into the OPT, you still have 60 days of unemployment to find a job. Please remember that you MUST update your employment information with ISSS while on OPT.

29. What if I can't find a full time job?

USCIS requires that students on OPT not have more than 90 days of unemployment throughout the duration of you're the OPT. ISSS strongly recommends students that are nearing the 90 days of unemployment apply for internship or volunteer work at least 21 hours per week. Interning or volunteering in a position directly related to the academic field would be considered "employment" for the purpose of OPT employment.

OPT AND ATTENDING SCHOOL

30. I'm finished with my OPT and I want to return to school. What do I need to know?

If you wish to return to school after you finish OPT or before finishing OPT, you must obtain a new I-20 from the International Admissions Office and register at the University for your classes, and attend orientation.

If you are changing schools, you must request the school that issued your OPT I-20 to transfer your SEVIS record to your new school. Be aware that your OPT is cancelled.

31. Can I take extra classes while on OPT?

Students are allowed to take classes while on the OPT, but these classes must be avocational in nature (for example, a cooking or exercise class) and may not be part of a new degree and will not count towards maintaining your F-1 status. If you are admitted into a new degree program, you will get a new I-20 and your OPT will be cancelled.

32. Can I transfer to a new school while on OPT?

Students can transfer their SEVIS record to a new school while on OPT. But once you transfer your record to a new school, your OPT automatically terminates and you are not able to engage in employment until authorized to do so from a new school. Please speak with ISSS advisor if you have any concerns or questions.