International Technological University

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Presentation Overview

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What is OPT?

OPT is an acronym for "Optional Practical Training"

The purpose of OPT is to give non-immigrants who are studying or have completed studies on F-1 status the chance to gain valuable experience to take back with them to their home countries.

OPT is work experience that is related to a student's program of study.

OPT differs from CPT (Curricular Practical Training) in several ways:

- OPT is a training opportunity that is not tied to a class
- OPT is approved by USCIS, not ITU
- OPT can take place after a student graduates
- OPT is awarded in 12 month increments per degree level
- Students do not need to be studying while on post-completion OPT

ITU Kinds of OPT

Pre-completion OPT	Post-completion OPT
Takes place during studies	Takes place after the completion of a degree
Limited to part-time while coursework is taking place	Part-time or full-time. At least 20 hours per week.
Counts against post-completion OPT authorization time	Issued for 12 months. Usually paid, but may be unpaid if in compliance with labor laws: http://www.dol.gov/whd/fact-sheets-index.htm
Not restricted by unemployment reporting requirements	90 days of unemployment. Work must be reported to ITU every 6 months
Eligibility code (C) (3) (A) on I-765 question #16	Eligibility code (C) (3) (B) on I-765 question #16
Not eligible for self-employment	Eligible for self-employment

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OPT Eligibility

Be in valid F-1 status (you will maintain F-1 status while on OPT)

Be in good academic standing, **defined as a minimum G.P.A. 3.0 for graduate students at ITU**

Have been enrolled full-time (9 credits per term) for at least one full academic year (3 terms) prior to submitting an OPT application (YOU DO NOT HAVE TO BE ON F-1 FOR THE WHOLE YEAR, ONLY WHEN APPLYING)

Have not completed more than 364 days of full-time Curricular Practical Training (CPT) (current ITU internship policy prevents this)

Have not already utilized an equivalent of 12 months of OPT work authorization at current degree level

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Application Procedure

Step 1: Read through this Workshop Material to understand the OPT process.

Step 2: Submit an OPT Request Form:
https://form.jotform.com/61335781033148

Step 3: Review the OPT checklist and gather the necessary documents:
https://itu.edu/sites/default/files/2018-03/OPT%20Checklist%20and%20Check%202018.pdf

Step 4: Sign your OPT Request I-20 on the first page. Use blue ink for all signatures.

Step 5: Schedule an advising appointment with the ISO to review your application materials or come into ISO walk-in hours.

Step 6: Mail your OPT application to the appropriate USCIS service center.

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Selecting a Start Date

Students are required to select a start date for their OPT. This date can be any day in the 60 days following the final day of their final term.

It is better to use "early" start dates if you:
- have an employment offer
- would like to be available for employment right after program completion

It is better to use "later" start dates if you:
- do not have any employment offers at the time of OPT application
- do not expect that you will be able to secure employment soon after program completion
- submitted your application during the 60-day grace period after program completion

Note: If you receive your EAD before your selected start date, you may not start until the start date on your EAD. If you receive your EAD after your 60 day grace period, each day after the 60 day grace period will count against your 12 months of OPT.

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Finalizing OPT Application

- Sign and date the new I-20! (Student Attestation) This sounds obvious, but there have been OPT applicants who have had their applications returned for an unsigned I-20 and/or an unsigned check and/or an unsigned I-765 form.
- Signature on I-765 form (sign it on the line)
- Photocopy the entire application before you send it so that you have a complete copy for your records.
- Send your application to the USCIS by certified mail. Use a service that allows you to track your package to provide you with proof that your application was submitted on time.
- Do not send original I-20's! These cannot be replaced by ITU!

The application must be received by the USCIS Service Center within <u>30 days</u> of the date of the OPT recommendation!

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OPT Timeline

APPLICATION WINDOW

90 Days Before Graduation | Graduation Date | 60 Days After Graduation

OPT Start Date

12 MONTHS OF OPT

60 Days Grace Period

OPT Start Date: any day within a 60 days window AFTER graduation.

OPT: Cannot accrue more than 90 days aggregate total of unemployment during the 12 months.
If eligible, can file for STEM 17 months extension. Must file BEFORE expiration of EAD card.

OPT End Date: the end date on EAD card is 12 months after start date. This is the last day to work (unless granted extension).

Grace Period: 60 days period to either leave the U.S., transfer to another school, or change to another visa category.
There is no leave and re-enter privileges during this period.

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Application Checklist

Please include the following items in your OPT application packet and mail in this order:

- Completed and Signed Form I-765 (original) in blue ink marked with code "(c) (3) (b)" at item 16.
- $410 Check or Money Order payable to "United States Department of Homeland Security" (Please write your I-94 number on the memo line and your name and SEVIS ID# on the top of the check).
- 2 U.S. Passport Photographs. Photos must be placed in a small envelope. Please print your name and I-94 card number lightly in pencil on the back of each photo and put the photos in an envelope and attach it in front of I-765.
- Copy of OPT endorsed I-20
- Copy of all previously issued Form I-20s. Include I-20s from ITU as well as I-20s issued from all schools previously attended in the United States.
- Copy of Form I-94 (I-94s can be printed here: https://i94.cbp.dhs.gov/I94/#/home)
- Copy of F-1 Visa (or I-797 if you changed your status to F-1 while in the U.S.)
- Copy of your Passport Photo Page showing your Name, Photograph, Date of Birth, Passport Expiration and/or Renewal dates. (Even if expired)
- Copy of any previously issued EAD (if applicable)

Expediting OPT Application

If you have a job offer, you may be eligible to expedite your OPT application.

- ITU cannot assist in expediting your OPT application.

- There is no time guarantee.

- The start date must be within 90 days of the application receipt notice.

- Letter from the OPT employer must be provided.

- You must meet USCIS expedite criteria and contact the National USCIS Customer Service Center at 1-800-375-5283 with your WAC #.

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OPT Reporting Requirements

Government mandates dictate that students must report to ITU while on OPT. The following are required reporting items and must be reported within 10 days of the change:

- When you receive a job
- When you change employers
- Every 6 months, you should submit the OPT Reporting Form to ISO.
- When you change addresses
- When you travel (must get I-20 endorsed by ITU)
- When you are approved for H-1B
- If you change your name

When reporting, you must fill out the OPT Reporting Form here:
https://form.jotform.com/61326906939162

- Job offer letter (when changing employers or reporting a new job)
- OPT Reporting Form (all reporting besides travel)
- EAD card (upon receiving EAD)

Travel

F-1 visa holders are able to travel while engaged in approved OPT. In order to do so, students should submit a travel request to ISO here:
https://form.jotform.com/61786691414161

There are some important things to remember while traveling on OPT. In order to travel, F-1 visa holders should:

- Speak with an ISO advisor.

- Check to see if their I-20 travel authorization is valid (second page). All travel abroad requires DSO authorization from the International Student Office.

- Contact the ISO if planning on visiting a consulate abroad for visa stamping.

Travel

| | Stop | Caution | Go |

CASE SCENARIO	WHAT IS MY STATUS?	CAN I TRAVEL?	WHAT KIND OF DOCUMENTS DO I NEED TO TAKE?	WHAT LEVEL OF RISK IS INVOLVED FOR RE–ENTRY TO THE US?
OPT application has been mailed to the USCIS office. The program end date of my I-20 is in the future. If an EAD card has been received prior to a program end date you will travel with your I-20 as an enrolled student. Keep your EAD card in a safe place.	As an enrolled student you are in an F-1 student status until the program end date of your I-20.	Yes, you are still an F-1 student (who is enrolled) because your I-20 ends in the future.	Valid I-20 form properly endorsed for travel, valid F-1 student visa, valid passport and proof of enrollment. NOTE: If your visa is nearing its expiration date, you might want to consider renewing it. Renewing a visa while on OPT is risky.	Visa issuance and re-entry to the U.S. is at the discretion of the USCBP immigration officer. The IC cannot guarantee re-entry. However, you can minimize potential issues by entering the U.S. a few weeks prior to the end date of your I-20.
OPT application has been mailed to the USCIS office. The program end date of the I-20 has passed. EAD card not yet approved and has not been received in the mail.	OPT pending status. You are still in F-1 status with OPT pending.	You are in an extension of your F-1 student status	Travel is not recommended.	Your departure from the U.S. prior to the approval of your EAD card will cancel your OPT application. Returning to the U.S. in F-1 student visa status is not an option.
EAD card is approved.* I-20 program end date has passed. No job offer in hand.	You are in an extension of your F-1 student status.	Maybe	Your EAD card, valid I-20 form properly endorsed for travel, valid F-1 student visa, and valid passport. Technically you need a job offer in order to return to the U.S.	You need to be cautious. You technically don't have a job to return to. Entrance to the U.S. will be up to the USCBP immigration officer's discretion.
EAD card is approved.* Job offer letter in hand with specific dates.	You are in an extension of your F-1 student status.	Yes	Your EAD card, valid I-20 form properly endorsed for travel and your employment offer letter on original employer letter head.	You have all the necessary conditions to travel. Re-entry to the U.S. is determined by the USCBP immigration officer.

Travel

Stop	Caution	Go

EAD card is approved and work on OPT has begun. F-1 student visa will be renewed at a US consulate abroad.	You are in an extension of your F-1 student status.	Maybe	Your EAD card, valid I-20 form properly endorsed for travel, valid passport and letter confirming employment. Documents required for renewing your F-1 visa.	You need to be cautious. You technically are no longer a student. You are in an extension of your F-1 student visa status. It is up to the discretion of the U.S. Consulate where you apply to grant you a student visa.
EAD is approved and work has begun on OPT. OPT STEM extension application in process.	You are in an extension of your F-1 student status.	Maybe	Your EAD card, valid I-20 form properly endorsed for travel and your current OPT employment offer letter on original employer letter head	You need to be cautious because you have a pending application with USCIS and are traveling. This may cancel your OPT STEM application.
Initial OPT status has ended and OPT STEM extension application is in process	You are in an extension of your F-1 student status	You are in an extension of your F-1 student status	Travel is not recommended	Your departure from the U.S. prior to the approval of your EAD card will cancel your OPT STEM application. Returning to the U.S. in F-1 student visa status is not an option

*If your EAD card is approved and it's being mailed to you, you must wait to receive it and have it physically in your possession. Traveling with the idea that a friend or relative can mail the card to you outside the U.S. is not an option. Only travel once you have your EAD card in your possession.

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OPT S.T.E.M. Extension

OPT S.T.E.M. extensions are a 24-month extension of post-completion OPT, for a total of 36 months of OPT. S.T.E.M. extensions are different from OPT in several ways.

Eligibility criteria:

- Earned a Bachelor's, Master's or Ph.D. in a major that is S.T.E.M. (science, technology, engineering, mathematics) eligible. S.T.E.M. extensions can relate to previous S.T.E.M. degrees earned in the U.S.A.
- Currently working on approved OPT.
- Employer is E-Verify registered.
- Applied during the final 90 days of OPT.
- Direct Employment (Consultancies will likely be denied)

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OPT S.T.E.M. Extension

Application Procedure

- Submit the STEM Extension Request Form: https://form.jotform.com/61295512022143
- Students will need to submit a completed and signed Form I-983 Training Plan for S.T.E.M. OPT before an OPT Recommendation or employer update can be processed. Directions can be found here: https://studyinthestates.dhs.gov/stem-opt-hub
- Once issued an OPT I-20, students applying for OPT S.T.E.M. have 60 days to submit their application.
- USCIS 90 day processing time for OPT S.T.E.M. requests.
- Eligibility code (C) (3) (C) on I-765 question #16.
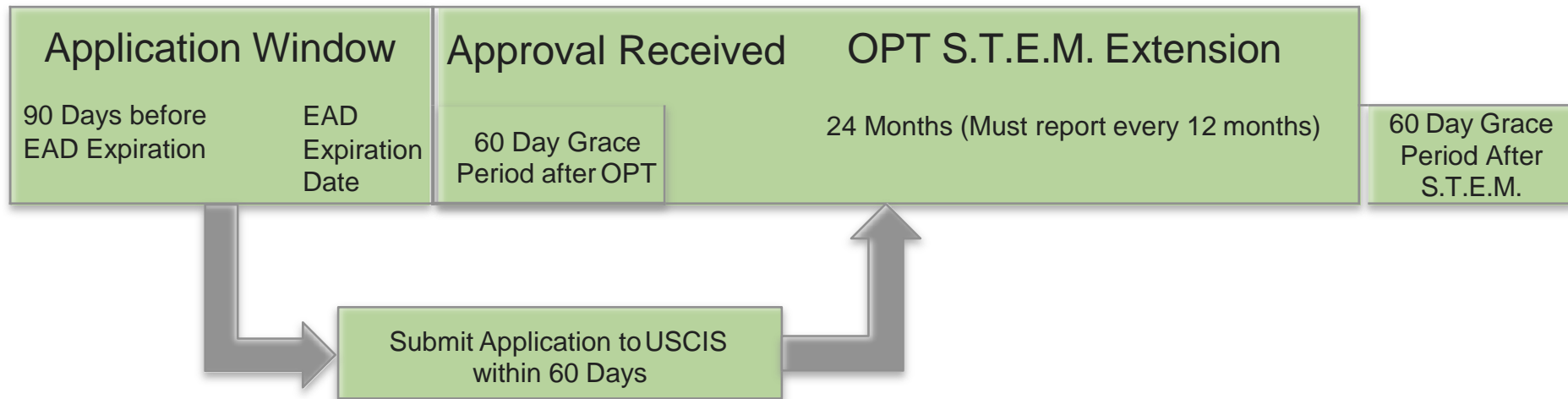
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OPT S.T.E.M. Extension

- Students on STEM OPT must report to ITU through the OPT reporting form every 6 months.

- Maximum unemployment during a STEM extension is 60 calendar days. However, any of the 90 days not used during regular OPT carry over to the S.T.E.M. period.

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OPT S.T.E.M. Timeline

Application Window	Approval Received	OPT S.T.E.M. Extension	
90 Days before EAD Expiration EAD Expiration Date	60 Day Grace Period after OPT	24 Months (Must report every 12 months)	60 Day Grace Period After S.T.E.M.

Submit Application to USCIS within 60 Days

*Any unused unemployment days will carry over from original OPT.
*Employment can be continued for up to180 days while the extension application is pending until a final decision is made by USCIS.

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OPT Cap-gap Extension

What is the OPT Cap-gap?

- A benefit given to those on OPT who have applied for and are waiting on a decision or have received approval for an H-1B application.
- Work authorization that spans the gap between an OPT expiration date and the negative adjudication of an H-1B application or October 1st of that year if the H-1B is approved. This is the date at which all approved H-1B visas go into effect.

Eligibility

- On approved OPT with a pending H-1B application
- On approved OPT with an approved H-1B application

Cap-gaps are automatic for those on OPT who have applied for H-1B and have not been rejected for H-1B. However, ITU asks students to report when they are approved for an H-1B application by completing an H-1B Cap-gap Request Form so that the ISO can issue an updated I-20.

Cap-gap only applies to OPT and OPT S.T.E.M. extensions.

OPT Cap-gap Timeline

OPT End Date

Cap-Gap Extension until September 30th

April 1
USCIS starts accepting applications

October 1
H-1B work start date

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Application Issues

What happens if you do not meet your graduation requirements after applying for OPT?

- Contact DSO immediately for guidance. You are obligated to make up the class in the next trimester.

- If the OPT application has not been adjudicated by USCIS, the student has to withdraw the application by notifying the Service Center.

- DSO will also withdraw the recommendation for OPT in SEVIS

- If OPT was already approved, the ISO will extend your program end date to the appropriate date (next trimester's end date). It will not affect your S.T.E.M. extension. The student may work part time while enrolled in courses to complete the requirement (need an e-mail confirmation from the employer you have arranged)

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Application Issues

- If your GPA **drops below 3.0 after grades are audited, your OPT will be revoked** (The student must request a program extension before the program end date on the I-20).

- After successful completion of all the program requirements, the student may work full time.

Request For Evidence

A Request for Evidence, or R.F.E. is a request by USCIS for more information for an application with the government. These can be issued for:

- OPT Applications
- H-1B Applications
- Change of Status Requests
- Reinstatement of Visa Status

Requests for Evidence are issued when USCIS feels that more information is needed to establish that the application was completed properly or in good faith. These requests can ask for something as simple as a signature, or something as in depth as documentation proving that the student maintained status. A recent memorandum provides USCIS more discretion in denying applications without first issuing RFEs.

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Request For Evidence

When you get an R.F.E. you should:

- Scan the entire R.F.E.
- Open a ticket with the ISO that includes a pdf copy of the R.F.E.
- Begin gathering documents listed on the R.F.E.
- Schedule an appointment with the ISO if you have any questions that were not answered in the response to your ticket.

The ISO and Registrar's Office will provide any documents required by the R.F.E. by ITU. This process may be as short as a few days, but can take up to three weeks. Once you have collected all of the documents, you may meet with the ISO to review your packet before mailing it to USCIS.

Students can expect responses from USCIS within three weeks.

Important

Do not work off-campus without work authorization (E.A.D.)

Do not work beyond the end date of your OPT

authorization

Always ask ISO first for information on work

authorization

Questions? Check here:

https://itu.edu/international-student-office/optional-practical-training-opt/faq