OPT Workshop

RIT International Student Services
www.rit.edu/iss

Fall Semester 2015
What is OPT?

“temporary employment for practical training directly related to the student's major area of study.”

8 C.F.R. § 214.2(f)(10)(ii)

Full time, paid work experience in your field of study!
CPT vs. OPT

Curricular Practical Training
◆ No charge
◆ Quick processing
◆ Must be registered for co-op
◆ Must have a job offer letter
◆ Authorized by semester
◆ Authorized by ISS

Optional Practical Training
◆ $380
◆ Average 8 – 12 week processing
◆ Coursework must be complete
◆ No job offer required
◆ Students are eligible for an initial 12 months of OPT per level of study
◆ Authorized by USCIS
Three Types of OPT:

1. *Pre-completion* OPT
2. *Post-completion* OPT
3. *17-month STEM* extensions of post-completion OPT for some degree holders

*STEM fields: Science, Technology, Engineering & Math*
Eligibility for OPT

- **Valid F-1 status** for at least one academic year (two consecutive academic semesters) before start date.

- **Completed all required coursework** for degree by OPT start date (except for thesis, dissertation, or equivalent requirement, such as a capstone project)

- **First time applying** for OPT at this degree level.

- **Completed no more than 12 months of full-time CPT (Curricular Practical Training)** for the same degree level.
Application Timeline

#1 Determine your program completion date

- **Undergraduate Students:**
  When will you have completed all of the requirements for your degree?

- **Graduate Students:**
  When will you have completed all of the coursework for your degree excluding a thesis, dissertation, or equivalent?

This date will be listed in the *Program End Date* section of your I-20. If the date is incorrect, an ISS advisor will update your I-20.
Application Timeline

#2 Decide when to apply for OPT

- OPT applications may be submitted to USCIS as early as *but no earlier than* 90 days before a student’s program completion date.

- USCIS may accept applications up to 60 days after a student’s program completion date. However, students applying for OPT after their program completion date may not receive the full 12 months of OPT authorization.
Application Timeline

#3 Choose an OPT start date

Applicants must choose a start date when applying for OPT. This date may be:

- As early as one day after your course completion date
- As late as 60 days after your course completion date.
Application Timeline

- **Requested OPT start date** must fall within the 60-day grace period.
- **OPT start date** to **OPT end date** is 12 months.
- **Grace period**: Students may remain in the U.S. but may not continue to work.
- **Early date to apply for OPT**.
- **Program completion date**.
- **Students must depart the U.S., transfer to another school, or change visa status by this date**.
Calculate Your OPT Dates – 4 Steps

#1 When are you going to graduate, or when will your coursework be complete?
____________ (x)

#2 What is the date 60 days after this date?
____________ (x + 60 days)

#3 When can you start OPT?
____________ (choose date between questions answered in #1 and #2)

#4 When should you start applying for OPT?
____________ (90 days prior to answer in question #1)
Calculate *Your* OPT Dates - 4 Steps

#1 When are you going to graduate, or when will your coursework be complete?
   December 22, 2015 (x)

#2 What is the date 60 days after this date?
   February 20, 2016 (x + 60 days)

#3 When can you start OPT?
   December 23, 2015 – February 20, 2016

#4 When should you start applying for OPT?
   September 23, 2015 (90 days prior to answer in question #1)
Application Process

Submit completed application and all documents to International Student Services:

- **In person** by scheduling an OPT appointment
  Call 475-6943 or email iss@rit.edu

- **By mail** by sending all application materials to ISS with the *ISS Out of Area OPT Checklist* available on the ISS website

When your application is complete it will be mailed to USCIS by ISS.
Application Process

- Approximately two weeks after your application is received by USCIS, a receipt will arrive through the mail in the ISS office.

- Applicants will receive their EAD (Employment Authorization Document) in approximately 90 days. An email will be sent notifying students that the card has arrived.
Application Materials

- I-765 form (please use ISS mailing address)
- G-1145 form
- Application fee of $380 (Check or Money Order)
- Copy of new I-20 with recommendation for OPT (this will be given to you at your OPT appointment or emailed to you if you are applying by mail).
- Copies of all previous I-20s
- Copy of electronic Form I-94 print-out. You can access and print your electronic Form I-94 at https://i94.cbp.dhs.gov/I94/request.html
- Copy of passport picture page
- Copy of passport visa page
- Two passport photos taken within the last six months
When can I start working?

- You must have received your Employment Authorization Document (EAD) and the start date indicated on the card must be reached.

- Students with a timely-filed, pending 17-month OPT STEM Extension application or a valid Cap-Gap I-20 may continue working beyond their OPT end date without receiving a new EAD card.
Types of OPT Employment

- **Paid employment:** A student may work full time or part time (at least 20 hours per week).

- **Multiple employers:** A student may work for more than one employer, but all employment must be related to the degree program.

- **Short-term multiple employers:** Often photographers and other types of artists work for multiple short term employers. These students should maintain a list of all employers and the dates of their employment.

- **Work for hire:** Students must be prepared to provide evidence showing the length of the contract and the name and address of the contracting company.
Types of Employment

- **Self-employed business owner:** Students on OPT may start a business, but the work must be full time. The student must have the proper business licenses and the business must be directly related to the student’s degree program.

- **Unpaid employment:** Students may work as interns or volunteers as long as they work at least 20 hours per week.
Unemployment During OPT

- Students on OPT have a total of **90 days** (including weekends and holidays) of allowed unemployment during the **12-months** of OPT.

- Students with an OPT STEM extension have an **additional 30 days** of allowed unemployment during the **29-month total OPT period**.
Traveling Abroad During OPT

- **ISS does not recommend leaving the U.S. while your OPT application is pending.** The only exception is before your graduation and you will return before the program end date on your I-20. It is important to carry an Enrollment Verification Form from the Registrar’s Office in this situation.

- **Carry the following when traveling on OPT:**
  - OPT card (EAD)
  - Approval notice, Receipt notice
  - Employment letter (in order to return!)
  - Valid F-1 visa
  - Valid passport
  - All I-20s, and the OPT I-20 must have been signed within the past 6 months
OPT Reporting Requirements

Students on OPT are required to report the following information within 10 days of any change during their OPT period:

1. Employment Information
   - Name of Employer
   - Employer’s address and telephone number

2. Your current address

This information is reported using links on the ISS homepage www.rit.edu/iss

3. Legal name change
OPT REPORTING

As a student on initial or extended OPT, you are required by US immigration regulations to report the following events to RIT within ten days:

1. A change in your residential or mailing address
2. A change in your employer or loss of employment
3. Legal name change

Please use the links below to report this information to our office. The data will come directly to RIT International Student Services and passed on to US Immigration to maintain your legal status.

- Address Information
- Employment Information (for students on either their first 12 months of OPT, or an OPT extension)
- Legal Name Change
OPT – STEM Extension

Students with a Bachelor’s, Master’s, and Doctoral degrees in certain STEM (Science, Technology, Engineering, Mathematics) fields may be eligible for a one-time 17-month extension of post-completion OPT, for a total of 29 months of OPT authorization.

- Each major at RIT has a CIP Code. It is listed on the I-20
Eligibility for OPT STEM Extension

- Maintaining valid F-1 status and pursuing authorized OPT employment in field of study
- Completed a Bachelor’s degree or completed required course-work in a Master’s or Doctoral degree in a USCIS-designated STEM field
- Employed by an eligible employer enrolled in the DHS E-Verify database
- Not previously authorized for a 17-month STEM Extension, at any degree level
E-Verify

- An Internet-based system operated by U.S. Citizenship and Immigration Services (USCIS) in partnership with the Social Security Administration (SSA).

- Free to employers and available in all 50 states. [http://www.uscis.gov/e-verify/about-program/e-verify-employers-search-tool](http://www.uscis.gov/e-verify/about-program/e-verify-employers-search-tool)

- Provides a link to federal databases to help employers determine employment eligibility of new hires and the validity of their Social Security numbers.
STEM OPT and Travel

- Show an unexpired EAD card when traveling.
  - Travel using the current EAD card while STEM application is pending
  - Once that card expires, do not travel until the new STEM Extension EAD card is received
- Travel with the same documents required for students traveling while on their first year of OPT
What is an H-1B?

- H-1Bs are work permits requiring Labor Certification. (On OPT, you are still in F-1 student status).
- H-1Bs become available at the earliest on October 1 and can be applied for as early as April 1.
- Higher Education Institutions are cap-exempt.
- A company must file on your behalf. There are USCIS and attorney fees.
- H-1Bs are geographic and employer specific.
- Cap-Gap extensions: If you had an H-1B receipt or approval notice, ISS could request an extension of your OPT until October 1.
More OPT information is available at www.rit.edu/iss