

OPT Information and Application Instructions

Post-completion Optional Practical Training (OPT) is a type of work authorization for F-1 students. It permits F-1 students to gain work experience in their major field of study upon completion of their program. An F-1 student is eligible for a maximum of 12 months of OPT per educational level. OPT is a benefit of the F-1 student visa; it is NOT a type of visa, itself.

NOTE: Students with certain science, technology, engineering, and mathematics (STEM) degrees may be eligible for “OPT STEM Extension” - a 17 month extension of their OPT. Currently, lawmakers in the US are evaluating whether the 17 month STEM Extension should be discontinued, remain at 17 months, or be extended to up to 24 months. Once a final ruling has been made, the Buckman Center will post the results.

Applying for OPT is a two-part process that requires assistance from the PDSO at Rhodes, Ms. Erin Hillis. When you are ready to discuss applying for OPT, or when you need to report any OPT related updates, changes, or issues, please email Ms. Hillis hillise@rhodes.edu.

To be eligible to apply for OPT you must:

- Be in F-1 status and have been in lawful full-time student status for at least one full academic year prior to application for OPT
- Apply for OPT up to 90 days before and up to 60 days after completion of studies
- Show that the proposed employment would be directly related to your field of study
- Still have OPT time available
- **NOTE:** You do not need a job or a job offer to apply for OPT.

If you are eligible (see above), you may use OPT before completion of studies during any of the following periods:

- Full-time during annual summer vacation periods, or
- Part-time while school is in session, or
- Full-time after completion of all course work, but prior to thesis, dissertation or equivalent (but be aware that STEM extension is only possible after post-completion OPT – after your program end date)

OPT Definitions

Program Completion Date: The official last date of the semester of your graduation from Rhodes. You may find this on your I-20, page 1. The Buckman Center will adjust this date when appropriate.

OPT Recommendation Date: The date that the Buckman Center entered the OPT recommendation in SEVIS.

Application Deadline: The application deadline is determined by a student's Program Completion Date. Students can apply for OPT as early as 90 days prior to their program completion date, but no later than 60 days after their program completion date. In addition, USCIS must receive the OPT application within 30 days of the date on which the Buckman Center entered the OPT recommendation in SEVIS. Usually, the date that is printed on ITEM #10 of the OPT I-20 is the date that OPT is recommended. (Please verify the OPT Recommendation Date with the Buckman Center at OPT STEP 2.) Students who wish to start working immediately after their program completion date should mail out their application 90 days before their program completion date.

EAD Card: “Employment Authorization Document.” Once your OPT application has been approved by USCIS, they will issue you an EAD. This is a small card, the size of a driver’s license, and is VERY IMPORTANT. It is an immigration document and it should be kept in a secure location with the rest of your immigration documents. Loss of an EAD is costly: students with a lost EAD are required by USCIS to re-apply for OPT, with all required documents, as well as the application fee, and may be required to cease employment until the new EAD arrives.

Types of Employment allowed during the OPT period:

Paid employment (multiple employers, short term employers, work for hire (1099 contract based employment), self-employed business owner, employment through an agency or consulting firm).

Unpaid employment is allowed, but it must not violate any labor laws (volunteer work, unpaid internship).

When Can I Apply for OPT?

- You may apply up to 90 days prior to the commencement of OPT or your Program Completion Date, through no more than 60 past your Program Completion Date.
- USCIS processing time for OPT can take anywhere from 2 to 4 months.
- It is best to file during your final semester, once you are certain you will graduate as planned.
- **NOTE:** Once your OPT application to USCIS has been authorized, that authorization may not be rescinded or canceled. This means that after OPT is authorized, the inability to obtain an appropriate job, or the loss of a job, will result in the forfeiture of OPT time.

Duration (Start and End Dates) of OPT

An F-1 student is eligible for a maximum of 12 months of OPT per educational level. Employment authorization will begin on the start date that was requested or on the date the OPT application is approved, whichever is later. The start and end dates for the student's authorized employment will be printed on the EAD. These dates are the authorized period for OPT. Students may not work before or after the authorized OPT dates.

During the OPT Period

F-1 students must maintain all of the following requirements while on OPT (see below):

- The student must work in a job that is directly related to his/her major field of study.
- The student must work either full-time, or part time during OPT, whichever one has been authorized.
- The student must adhere to USCIS' OPT Reporting Requirements.
- The student must not accrue more than 90 days (aggregate) of unemployment once the OPT is approved.
- An unemployed student should be able to prove, on demand, that they are actively seeking employment.
- The student must maintain legal employment for the duration of the OPT period.

OPT Reporting Requirements

While on OPT, you are responsible for reporting the following to the Buckman Center, every time there is a change, and every 6 months. All reports should be made to Ms. Hillis. Failure to report the following items could be considered a violation of F-1 status and may result in termination of the OPT.

- Your US address while on OPT
- Any change in your legal name
- Your OPT employer's company name and address
- Any periods of unemployment
- Any change in your visa status (changing to an H-1B visa, for example)

90 Days Unemployment Rule

F-1 status is dependent on employment while the student is on OPT. Students may not accrue an aggregate of 90 days of unemployment during their OPT period. Students who accrue more than 90 days of unemployment will be considered out of F-1 status. You must notify the Buckman Center if you are nearing your 90th day of unemployment to discuss your future plans to remain in correct immigration status. Otherwise, you will need to depart the US.

Actively Seeking Employment

If you begin your OPT without having a job yet, keep a file of letters of interest or applications sent to employers and the employers' responses as proof that you are "actively seeking employment" as required by immigration regulations. You may be asked to submit this evidence when applying for a change of status to H-1B at a later date.

Maintaining Legal Employment

Any employment prior to receiving your EAD may be considered illegal employment and can seriously impact your future immigration status. When you begin work, you and your employer will complete an "Employment Eligibility Verification Form" (Form I-9), and you may need to show your employer a US social security card, your passport, and a valid EAD. You may change employers after you have been issued the EAD, provided the new job is in your field of study.

OPT APPLICATION PROCESS

STEP 1: THE STUDENT WILL DROP-OFF THE FOLLOWING DOCUMENTS TO THE BUCKMAN CENTER:

- OPT Registration Form (found at the end of this document).
- OPT Acknowledgement Form (found at the end of this document) .
- Completed Form I-765: <http://www.uscis.gov/forms>.
 - This is an online fillable form. Please type your information.
 - Handwrite "OPT" in BLACK ink to the right of the "Permission to accept employment" box.
 - For item #16, look at the "Help For Completing I-765" section in this document.
 - Please leave Item #17 blank.
 - Sign your name using BLACK ink, between the signature lines. Do not touch the lines above or below.
 - Need help completing this form? Turn to page 7 of this document for common answers.
- COPY of your Passport Identification Page(s).
 - Passport page(s) must show your name, photograph, date of birth, passport expiration and/or renewal date.
 - Passport must be valid at least 6 months into the future.
- COPY of your current visa.
- PRINTOUT of your I-94 Departure Record from <https://i94.cbp.dhs.gov>.
- ALL ORIGINAL previously issued I-20s (from Rhodes, previous schools, high school, etc.). If you have lost any original I-20s, you need to ask your school official(s) for copies of those I-20s.
- COPY (front and back) of any previously issued EAD(s).

PLEASE ALLOW 5 BUSINESS DAYS FOR THE BUCKMAN CENTER TO:

- ✓ REVIEW your complete STEP 1 Documents
- ✓ CREATE your new "OPT I-20"
- ✓ NOTIFY you when you are ready for STEP 2

STEP 2: THE STUDENT WILL RETURN TO THE BUCKMAN CENTER WITH THE FOLLOWING ITEMS:

- 2 US Passport-Style ID photographs.
 - Write your name and I-94 number on back edge of each photo lightly in pen.
 - See photo FAQs here: http://travel.state.gov/passport/guide/faq/faq_881.html.
 - Photos must meet US specifications (not taken in home country).
- Check for \$380.00 payable to "Department of Homeland Security."
 - Only use checks which are computer-printed at the top left corner with the name and address of the account holder.
 - Write "For OPT" on the memo line.
- Completed Form G-1145 - Please download the form at www.uscis.gov. This will allow you to receive an email/text message when your application has been received by USCIS.

At STEP 2, A Buckman Center staff member will assemble TWO PACKETS and give them both to you:

- ✓ **The complete OPT Application Packet:** you will mail this to the USCIS Lockbox.
- ✓ **Your copy of the OPT Application Packet and all original I-20s:** **students must keep all original I-20s.** (Do not mail any original I-20s to USCIS).

If you are graduating: **Be sure to use the address where you want your EAD sent**, after USCIS approves your OPT application. **DO NOT** use your Rhodes address in your OPT Application.

The Buckman Center will review the OPT application packet for accuracy. You will mail the OPT Application Packet to the appropriate USCIS Lockbox based on the address that is printed on your Form I-765. Please refer to the Form I-765 Application Instructions (www.uscis.gov) for the appropriate lockbox location. The address information below is subject to change, so be sure to confirm that you have the correct address before mailing.

STEP 3: THE STUDENT WILL MAIL THE OPT APPLICATION PACKET TO THE APPROPRIATE ADDRESS:

- ✓ Applications must be received by USCIS no later than 30 days after the DSO recommends the student for the OPT authorization.
- ✓ We recommend sending the application by an overnight or express courier service (Federal Express, DHL, or UPS) to provide tracking.
- ✓ After the Lockbox facility processes the check and mails a receipt notice to the student, the application will be forwarded to the appropriate USCIS Service Center for adjudication.
- ✓ **NOTE:** It is very important for you to keep official verification that your OPT application was mailed and received by USCIS, in case your OPT application is lost.

By Mail:

USCIS
PO Box 660867
Dallas, TX 75266

By Express Mail or Courier Service:

USCIS Attn: AOS
2501 S. State Highway 121
Business Suite 400
Lewisville, TX 75067

USCIS Processing of the OPT Application

- ✓ **Notice of Action:** You should receive an official Notice of Action (Receipt Notice) from USCIS approximately two to four weeks after mailing the application. This notice will confirm official receipt of the application and assign a case number to the pending application.
- ✓ **Request for Evidence (RFE):** Occasionally USCIS will issue an RFE, indicating that they need more information of some kind before continuing to process the OPT application. If you receive an RFE, notify Ms. Hillis immediately.
- ✓ **Checking the Status of the OPT Application:** You may check their case status on-line at <https://egov.uscis.gov/cris/Dashboard.do>. It may take up to 90 days to reach a decision on the case. If the application takes longer than 90 days from the date on the official receipt notice, you should contact the Buckman Center immediately to inquire about procedures to request a temporary EAD.
- ✓ **Cancellation of OPT Application:** USCIS does not allow a student to cancel OPT authorization after they have approved the OPT. Be sure that you are serious about OPT before applying.
- ✓ **Approval:** Once the application is approved, USCIS will mail your EAD **to the address you wrote down on the Form I-765**. Please send a scan of the EAD to the Buckman Center once you receive it. It is illegal to begin employment before receiving the EAD or before the start date on the card.

Help for Completing Form I-765

- 1.) Name: Enter your name as it appears on your I-20 form and passport
- 2.) Other names used: List any other names that you have used on official documents in the United States.
- 3.) Address: **Use the address where you want your EAD from USCIS to be sent.**
- 4-8.) Self-explanatory (for date of birth use MM/DD/YYYY format)
- 9.) Social Security Number: Number from your social security card. Leave it blank if you don't have a SSN. DON'T use your school ID.
- 10.) Alien Registration Number (A-Number) or I-94 Number: Use the eleven-digit identification number on your I-94 document.
- 11.) Previous employment authorization from USCIS: Check "yes" if an employment application was submitted directly to USCIS (for example: previous application for OPT). Check "no" if you only worked on-campus or CPT and did not have a work permit card.
- 12-15.) Last entry and current status: The date from your most recent I-94 when you last arrived in the US The "Place of Last Entry" is the place where you arrived in the US on your last entrance (usually NOT Memphis). Status should be F-1.
- 16.) Employment eligibility section: This is a reference to the regulations for types of OPT: (c) (3) (B) for Post-Completion OPT, (c) (3) (A) for Pre-Completion OPT, and (c) (3) (C) for 17-Month STEM extension OPT.
- 17.) For STEM extension only. Leave it blank for initial 12-month OPT application.

OPT Registration Form

To be Completed by Student:

Legal name as it appears on your passport:	<i>Last/Family</i>	<i>First/Given</i>	<i>Middle Name(s)</i>
SEVIS ID number:			
Permanent cell phone number:			
Permanent email address (NOT @rhodes.edu):			
US Address (NOT a Rhodes address):			
	<i>Street Number</i>	<i>Apt. #</i>	<i>Street Name</i>
	<i>City</i>	<i>State/Province</i>	<i>ZIP</i>
Degree at Rhodes and Graduation Date (circle one):	BA BS MA	Date of Graduation:	
Rhodes major(s) that you will graduate with:			
Rhodes minor(s) that you will graduate with:			
I have confirmed that my major(s) and/or minor(s) above are the same as what appears on my current I-20. (Circle one)	Yes No: Please update my I-20.		
My requested START DATE to begin work on OPT is:	(Month):	(Day):	(Year):
My requested END DATE to stop working on OPT is:	(Month):	(Day):	(Year):
I request for my OPT to be (circle one):	FULL TIME		PART TIME
I request for my OPT to be (circle one):	Pre-Completion (c) (3) (A)		Post-Completion (c) (3) (B)
Have you had an EAD (Employment Authorization Document) before? (Circle one)	No Yes (Attach a scan of the front and back of your EAD)		

Briefly (and neatly) state your proposed employment and how it relates to your major. DO NOT SAY: "Seeking an entry level position that is appropriate for my skills and experience":

Under the regulations of Department of Homeland Security effective April 8, 2008 (8 CFR Part 214.2 f(12)(i)), all F-1 students authorized by USCIS to engage in OPT are required to report to SEVIS the information listed below:

- Any legal change of name
- Change of address
- Employer's name and address for the duration of OPT
- Interruption of such employment for the duration of OPT

ACKNOWLEDGEMENT: I acknowledge that I understand the reporting requirements in the above-stated provision of law. In order to maintain timely compliance, I agree that, while I am on OPT, I will report the above information to Ms. Erin Hillis at Rhodes College via email (hillise@rhodes.edu). It is the Buckman Center's responsibility to update the reported information in my SEVIS record.

Printed Name of Student:

Signature of Student:

Today's Date:

OPT Acknowledgement Form

To be Read and Completed by Student:

There are several important rules and procedures that must be followed after applying for the Optional Practical Training employment authorization. Complying with these rules and procedures is necessary to maintain lawful F-1 immigration status. Please review carefully each item below, then sign this form to confirm that you understand and will abide by them. Your signature also confirms your requested OPT dates. The original, signed copy of this acknowledgement will be kept in your file and a copy will be given to you for your reference.

- Thirty-day filing deadline:** I understand that my OPT application must reach the USCIS Service Center no later than 30 days after the Buckman Center signs the OPT recommendation on my new Form I-20.
- Failure to complete program requirements:** I understand that if I fail to complete all the requirements of my program, I must request an extension of my Form I-20 prior to the program end date found on my latest I-20. I know that this may invalidate or otherwise effect the OPT authorization.
- Submission of EAD to the Buckman Center:** I understand that I must send a scan of the front and back of my OPT employment Authorization Document (EAD) to the Buckman Center as soon as it is issued by the USCIS so that the approval is recorded appropriately.
- Working in my major field of study:** I understand that any employment I accept or another OPT activity in which I participate must be directly related to my major field of study and must be commensurate with my current level of education. I know that I should keep records that will verify this.
- Reporting requirements:** I understand that in order to maintain my immigration status while on OPT, I must:
 - Notify the Buckman Center within ten days if I should change addresses.
 - Report OPT location/employer name and address
 - Report efforts to seek employment and interruptions in employment
 - Keep thorough and accurate records of my job, job search, employment, or other OPT activities, and periods of unemployment
- Periods of unemployment during post-completion OPT:** I understand that I may not accrue an aggregate of more than 90 days of unemployment during my post-completion OPT period.
- Traveling outside the US:** I understand that if I travel outside the US without the following items, I will experience difficulty when returning and could, in fact, be prohibited from re-entering the US:
 - Valid Passport
 - F-1 visa in my passport that will be valid on the day I plan to return to the US. If I do not have a visa that will be valid for my return, I will obtain one at a US consulate or embassy while outside the US
 - Travel signature on my form I-20 that is less than six (6) months old
 - OPT Employment Authorization Document (EAD, also known as "OPT Card")
 - Letter from my employer to prove that I have a job or OPT activity to resume when I return to the US, or an offer letter to show that I will begin a job/activity upon my return to the US
- Invalidating OPT:** I understand that my OPT will be cancelled or invalidated if I commence a new program of study, transfer my SEVIS record to a new school, engage in unauthorized employment, or otherwise violate my F-1 immigration status.
- Sixty-day "grace" period after OPT:** I understand that I am permitted a period of 60 days to remain in the US following the end date on my OPT EAD. I may not work during this period unless my immigration status changes to H-1B to begin on October 1st following my OPT end date that would enable me to take advantage of the extension of my OPT authorization under "cap-gap" regulations. I can also use this time to transfer my F-1 status to another school, apply for a change of status, process a level change to begin a new program of study, or to depart the US (which I must do no later than the sixtieth day).
- Limits of future periods of OPT:** I understand that I am eligible for only one 12-month period of OPT per education level (e.g., bachelor's, master's, Ph.D., etc.). I understand that in limited situations, I may be eligible to apply for a 17-month extension of my OPT authorization, and that I must apply for the extension prior to the end date of my initial OPT period.
- Cancelling my application:** If extraordinary circumstances warrant it, I can attempt to cancel my OPT application only if the application has not yet been adjudicated (approved) by the USCIS Service Center. I will work with the Buckman Center if cancellation becomes necessary.
- OPT start and end dates:** I am responsible for choosing the employment dates which will be recorded in the recommendation on my Form I-20. I know that I will not be able to change them should the dates become incompatible with a future offer of employment. I also understand that I cannot extend OPT beyond 12 months even if I have not worked for the entire OPT period, unless I qualify for the STEM OPT extension.
- Beginning employment:** I know that I may not begin work until I have the OPT EAD (card) in my possession and the start date of the EAD has been reached. To do so constitutes unauthorized employment and a violation of my F-1 status.

ACKNOWLEDGEMENT: I have read and understand the above rules and procedures and will abide by them. I verify that I have not used any period of OPT at my current educational level or a higher educational level that would disqualify me from OPT authorization that I now seek.

Printed Name of Student:

Signature of Student:

Today's Date:

Additional Information

Traveling Outside the United States: You must now use your new OPT I-20 for all purposes, including international travel.

NOTE: There is some risk associated with international travel while on OPT. The EAD states "Not valid for re-entry to the United States." F-1 students must have a valid visa in order to re-enter the US; if your F-1 visa has expired AND you've graduated, applying for a new F-1 visa may prove slightly more difficult than you are used to. Always carry your OPT I-20 and your EAD, as well as the other documents routinely needed to apply for a new F-1 visa, to your visa interview. See below:

With a pending OPT application, the student will need:

- A travel signature on the OPT I-20. Each signature is valid for 6 months at a time.
- Valid F-1 visa. Students with an expired F-1 visa must contact the US Consulate or Embassy in their home country to renew their F-1 visa prior to their return to the US.
- The I-797 Notice of Action (payment receipt) from USCIS or E-Notification of Application Acceptance.

With an approved OPT application and work authorization, the student will need:

- A travel signature on the OPT I-20. Each signature is valid for 6 months at a time.
- Valid F-1 visa. Students with an expired F-1 visa must contact the US Consulate or Embassy in their home country to renew their F-1 visa prior to their return to the US.
- Employment Authorization Document (EAD).
- An offer of employment or verification of employment on company letterhead.

Students Who Have a Change in Graduation Plans: If you have already mailed off your application, and then fail to graduate as planned, you **MUST** contact the Buckman Center so we can assist you with your new Program Completion Date and the issues related to your pending OPT application.

Students Who Don't Receive the EAD Within 90 Days: Contact the Buckman Center if you have not received the EAD within 90 days from the date shown on the I-797 Notice of Action/Receipt from USCIS. We will attempt to help you with this problem.

Options After OPT: At the end of OPT, you will select ONE of the following options, which must be accomplished within 60 days of the EAD expiration date:

- Depart the US.
- Apply to the Masters of Accountancy program at Rhodes or transfer to another institution. When transferring to another school, the Buckman Center will transfer your SEVIS record to the new school upon your request. At that point, the new school will be able to issue the new I-20 for attendance at the new school. **NOTE:** Once the SEVIS record is transferred to another school/program, any remaining OPT time will be forfeited.
- Change Visa Status to a different visa category within the US (In this case, your best option is to consult with an immigration attorney).

H-1B Cap Gap Extension: Duration of F-1 status and work authorization will be extended for a student on OPT who is the beneficiary of a timely-filed H-1B petition requesting an employment start date of October 1 of the following federal fiscal year (October through September).

- This applies to all students on OPT, not just STEM students.
- You must submit proof of a filed or waitlisted petition and request that the work authorization period be extended accordingly.
- You must submit a verification of employment on company letterhead. The employment start date and employer address are required.
- The extension of duration of status and work authorization would automatically terminate upon the rejection, denial, or revocation of the H-1B petition filed on the student's behalf.