Applying for Optional <u>P</u>ractical <u>T</u>raining (OPT)

CRANWELL INTERNATIONAL CENTER SPRING 2022



WHAT IS OPTIONAL PRACTICAL TRANING?

VIRGINIA TECH.

What is <u>Optional Practical</u> <u>Training</u>?

<u>About</u>

• Up to12 months of full-time work authorization following completion of each degree program of study.

• Must be granted by USCIS after a DSO recommendation (issuance of I-20)

•Allows a student to extend F-1 status and gain practical experience in his/her academic field. If granted, an Employment Authorization Document (EAD) is issued by USCIS.

What is <u>O</u>ptional <u>P</u>ractical <u>T</u>raining?

Conditions

• Two conditions:

- work must be <u>related to the major area of study</u>
- be more than <u>20 hours/week</u>

• May be <u>used anywhere</u> in the U.S.

•OPT is not tied to a particular employer and does not require a job offer for application

ELIGIBILITY

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Eligibility

- Full time student for two academic semesters
- Enrolled full time every semester, or approved for reduced enrollment
- Be in F-1 status at the time of application
- Be in the final semester of study or dissertation
- Be in good academic standing
- Have no holds on student account

Eligibility Continued

- Students on assistantships may not begin OPT before the end of semester, or end of contract, whichever is later.
- On campus employment must end by the Program End Date on the I-20
- You will lose eligibility if you work 365 days on <u>full-time</u> CPT

WHEN TO

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When to Apply

- OPT application cannot be submitted to USCIS earlier than 90 days before projected program end date on I-20.
- It cannot be received by USCIS later than 60 days after actual program end date.
- Allow at least 90 days for USCIS processing of the OPT application.
- Requested OPT start date must be within the 60 days following the Program End Date on the I-20. This start date cannot be changed later on.

When to Apply Cont.

Determine when your program will end:

Spring

- Undergraduate:
 - Spring 05/14
- Graduates without assistantships:
 - Spring 05/14
- Graduates with assistantships:
 - Spring 05/15
- Graduates with SSDE:
 - Spring 03/04;
 - 7 weeks after the beginning of the
 - semester.

When to Apply Cont.

Determine your OPT start date

- You must request your OPT to start between:
 - Spring SSDE program end date: March 05, 2022 May 03, 2022
 - Standard Spring program end date: May 15, 2022 July 13, 2022
 - Graduate Assistantship Fall program end date: May 16, 2022 July 14, 2022
- End date example if:
 - Your start date is May 20, 2022
 - Your end date is May 19, 2023

Start & End Date Example



COMPILING THE OPT APPLICATION

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How to Prepare OPT Application Packet

See the <u>Cranwell OPT website</u> for:

- A complete checklist of all the materials needed for the application packet
- A sample I-765

Submitting the OPT Request

Submit the OPT e-form request to Cranwell on the Intl Hokies Portal no later than 2 weeks before the end of the 60 day grace period to allow sufficient time for processing.
Allow two weeks for processing.

Submitting the OPT Request

A new I-20 will be issued. You will be emailed a link to your new I-20.
The email will refer you back to the OPT website for instructions on preparing the application materials and mailing the application.

 If you would like an international student advisor to review your whole packet, you may upload your supporting documents to your OPT e-form.
 Check the USCIS I-765 website for updates and changes -

https://www.uscis.gov/i-765.

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OPT I-20

• Program End date may change !

• Be aware of any **gap** in your employment eligibility !

✓ You may <u>NOT</u> work between your program end date and the start of your OPT authorization.
✓ You may continue with academic work, but not employment.

• DSO signature and date. The OPT application must be received by USCIS within 30 days of this date.

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Mailing the OPT Packet

•You will mail the OPT packet to a USCIS lockbox.

•If you completed the Form G-1145, you will receive an email and/or text from USCIS when the application is received. This is not an official receipt notice.

•The official receipt notice is mailed by USCIS to the mailing address on I-765.

Be certain your name (or the "in Care Of" name) is on the mailbox of the mailing address on the I-765.

Immigration documents will <u>NOT</u> be forwarded by the post office.

Check receipt notice: verify name and address, note receipt number. Keep the receipt notice for your records.

Notify <u>USCIS</u> if your address changes while your application is pending.
 You must also update HokieSpa.

Mailing the OPT Packet

- •A tracked shipping method is highly recommended, you may need proof of your shipping date and delivery.
- •The OPT application cannot be mailed to USCIS earlier than 90 days before the program end date on the I-20. It cannot be received by USCIS later than 60 days after the program end date on the I-20.
- •It must be received by USCIS within 30 days of the date the International Student Advisor signs the OPT I-20.
- •OPT applications must be mailed from within the U.S.
- •Make sure your payment method is linked to a U.S. bank account or U.S. based credit card.

Filing the OPT Packet Online

- •You will file the OPT packet online through myaccount.uscis.gov.
- •This will require you to fill out the I-765 online and upload the supporting documents.
- •The benefit of filing online is that you receive your e-receipt notice faster than if you mailed your application.
- •The official receipt notice is still mailed by USCIS to the mailing address on I-765.
 - Be certain your name (or the "in Care Of" name) is on the mailbox of the mailing address on the I-765.
 - Immigration documents will <u>NOT</u> be forwarded by the post office.
 - Check receipt notice: verify name and address, note receipt number. Keep the receipt notice for your records.
 - Notify <u>USCIS</u> if your address changes while your application is pending. You must also update HokieSpa.

CANCELLING OPT APPLICATION

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Cancelling OPT Application

If you wish to cancel your OPT application consult with Cranwell before taking action. ELIGIBLE EMPLOYMENT

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Eligible Employment

- •<u>All employment must be in your field of study and appropriate to your degree</u> <u>level</u>
- •Multiple employers are allowed, all need to be reported
- •Contract work keep detailed documentation of work
- Self-Employment must work more than 20 hours per week, have proper business licensing, and evidence that business is in student's degree program
 Employment through an agency – keep detailed documentation of employment
- •Unpaid employment volunteers or unpaid interns; the position cannot violate U.S. labor laws. Contact an international student advisor to assist in determining if the position meets OPT requirements. If the employment is at Virginia Tech your department must contact Human Resources for approval.

DOCUMENTING EMPLOYMENT

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Document Each Position Held During OPT

Keep for Personal Records

- •Job title
- Location of employment
- •Description of the work as related to your degree
- •Proof of duration of each position
- •Pay stubs and tax records
- •Contact information for supervisor or manager
- •Hours worked per week

REPORTING REQUIREMENTS

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Reporting Requirements

•All F-1 students on OPT are required by the Department of Homeland Security to report all periods of <u>employment</u> and <u>unemployment</u>.

•Failure to find or report employment may result in the termination of your F-1 status by SEVP.

•90 days of unemployment begins accruing on the OPT start date stated on the EAD card.

- •All changes must be reported within <u>10 calendar days.</u>
- •Update the following information in the SEVP Portal:
 - Current employment
 - Current U.S. address (also update on Hokie SPA)
 - Change of your employer's name or address
 - Any periods of unemployment

Reporting Requirements

•Update Cranwell with the following information and include supporting documentation:

•Copy of EAD card-use IntlHokies portal to report approved OPT

•Any changes in your official name (due to marriage or other reasons)

Change of immigration status

•Departing the U.S. and abandoning OPT

*There are additional reporting requirements once on the STEM OPT extension

UNEMPLOYMENT LIMITATIONS

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Unemployment

 Unemployment during post-completion OPT may not exceed 90 days (accumulated).

- •There is no grace period after the 90-day limit has been exceeded
- You may be considered "out of status"

•90 days of unemployment begin accruing on the OPT start dates stated on the EAD card.

- •Travel outside U.S. while unemployed counts in 90 day limit.
- •Paid or unpaid employment of 20 hours or less per week (part-time) will not stop unemployment days from accumulating.

 Reporting eligible employment of more than 20 hours per week (full-time) stops the accumulation of unemployment. TRAVEL OUTSIDE THE U.S.

Travel Before Approval

•Domestic travel is allowed:

Passport

•**I**-20

•I-94 printout

International travel is discouraged:

•There are risks! It is <u>not</u> guaranteed that you will be able to reenter the US; students who have graduated and have a pending OPT application are discouraged from traveling.

•You will need to have your EAD card, proof of job offer and updated I-20 (in addition to visa and passport) in hand to return

Travel After Approval

- •Domestic travel is allowed:
 - Passport
 - •l-20
 - •EAD card
 - •I-94 printout
- International travel is allowed:
 - Passport
 - •Valid F-1 visa
 - •OPT I-20 endorsed for travel within previous 6 months
 - •EAD
 - Proof of current employment
 - •If you need to renew your F-1 visa you will need to show proof of employment

REMINDERS

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Reminders

•You cannot start working until you receive the EAD card – **OPT begins on start date printed on the card.**

•You may not enroll in an academic program during OPT.

•You may NOT work during a gap between the program end date on your I-20 and the start date on your EAD card.

•You must comply with all reporting requirements during your OPT.

Reminders

•OPT **ends** if you **transfer** to another school, if you begin another degree program at Virginia Tech, or if you change your visa status. OPT ends on the date the I-20 is transferred or on the Change of Status approval date.

•If you have not exceeded the 90 limit on unemployment, you will have a 60 day **grace period** at the end of OPT. During the grace period you may start a new degree, change your status, or prepare to exit the U.S. by the end of the 60 days.

•If you are eligible for the 24 month **STEM OPT Extension**, you must apply to USCIS **before** the end date of the current OPT.

- You can apply up to 90 days before your OPT expires.
- Your STEM OPT e-form request must be submitted to Cranwell at least 2 weeks before your OPT end date.

FAQs

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FAQs

Can I apply for OPT outside of the U.S.?
 The I-765 form and instructions state that you must be inside of the U.S. to apply for this benefit.

 Does the start date that I request impact the processing time for my application?
 USCIS will not change their processing time based on your requested start date.

•Is there a way to expedite my case?

 It is extremely unlikely that USCIS will expedite an OPT application. You will need to contact USCIS directly. Cranwell cannot assist with this.

If my card comes before the start date listed on my card, can I work?
No, you cannot work before the start date on your EAD.

• What happens if I file my OPT during my grace period but it is still pending after my grace period ends?

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- As long as you have the receipt from USCIS that shows you filed before the end of the grace period, you are still in-status and can wait inside the U.S. for USCIS to adjudicate your application. You cannot start working until you receive the approval notice and EAD card.
- What happens if I am an undergraduate student or graduate non-thesis student and I am enrolled in coursework but do not complete it by the end of the semester, and I have already applied for/received OPT?
 - Until you complete your degree, you are only permitted to work less than 20 hours per week.
- What happens if I am a thesis/dissertation student and do not defend by my graduation date, but I have already applied for/received OPT?
 - You need to finish your thesis/dissertation before the end of the OPT period. You
 must meet the requirements of OPT including fulltime employment in your field of
 study. The 90 day unemployment limit still applies. Please consult with your
 faculty advisor about the Graduate School requirements for
 continuous enrollment.

•What do I do if my OPT application is outside the processing time listed on the USCIS website?
•You will need to contact USCIS directly and open a case with them to determine the status of your application.

•What do I do if my OPT case status is "Approved" online but I do not receive the card within 15 business days?

•You will need to contact USCIS directly and inquire about the mailing status of your card. This usually happens because the card was not deliverable to the address written on the I-765, you moved after submitting the application and you did not update your address with USCIS, or your name was not on the mailbox.

•What happens if I receive my EAD card and there is an error?

•You will need to contact USCIS directly and find out what their procedure is. In some cases, you will have to send the card back to them and they will issue a replacement.

•When will I receive my SEVP Portal access?

FAOs

•You will receive an email from SEVP on or shortly after the start date on your EAD card. You need to report the start of your employment within 10 days of starting a new position.

FAQs

•Can I work for two employers?

•Yes, you can work for 2 employers, but all employment must be in your field of study and meet OPT requirements. You MUST report both jobs in the SEVP portal.

•Can I start my own company?

•Yes, but you should also consult with a lawyer to determine what documentation you will need to prove that you are self-employed and abiding by all business-related laws.

•Can I have an unpaid internship or volunteer position?

•Yes, but you should keep documentation from the company that shows they are not violating any labor laws. If with Virginia Tech you will need permission from VT's HR dept.

•Can I work virtually for a company based in another state?

•Yes, keep detailed documentation of employment.

•Can I work in the US for a company based overseas?

•Yes, keep detailed documentation of employment.

•Can I work from outside the U.S. for a U.S. based company?

•It depends. Check with the HR and/or immigration office of your company.

**Please note that these types of employment are NOT considered eligible for the 24 month STEM OPT extension.

FAQs

•Does CPT (Co-op) affect OPT?

If you are on full-time CPT for 365 days or more, you will lose all of your OPT.
If I used OPT after my Bachelor's degree, can I get OPT again after a Master's?

•Yes, you receive another year of OPT when you move to a higher level degree. •If I graduate with a Master's and a PhD at the same time, can I add together the OPT time for both and get two years of OPT?

•No. You will only receive one OPT authorization, and it will be for the higher degree.

•If I get a PhD and use my OPT for that, and later get a Master's degree, can I go back and use OPT for the Master's?

•No. You can only receive a new OPT authorization if you move to a higher level. You cannot receive a second year if you move down a level.

If I don't use all of my eligible days of OPT can I roll them over to my next degree's OPT?
No, your one year eligibility starts over for your higher degree.

Upcoming Events

- International Café Hour Feb. 25, 4-6 p.m. Nepalese Student Association
- International Café Hour Mar. 25, 4-6 p.m. Turkish Student Association
- Cross-cultural Discussion Group Mar. 30
- International Street Fair Apr. 24, 12-6 p.m.
- Cross-cultural Discussion Group Apr. 29
- Register at international.vt.edu/events-and-workshops.html

Special Upcoming Event!

- International Student Career Day Apr. 04, 8 a.m.-5 p.m.
 - Sign up information to come soon.



STUDENT AFFAIRS CRANWELL INTERNATIONAL CENTER VIRGINIA TECH..

QUESTIONS

Please contact us if you have any questions about your immigration status while you are on OPT:

- Max Crumley-Effinger
- Mark Dennis
- Jessica Littreal
- Stephanie Montana
- Keyana Pugh
- Vivian Yamoah

Cranwell International Center Harper Hall, Suite 1025 540-231-6527 or international@vt.edu

Jessica Mullins DC International Student Services <u>intlncr@vt.edu</u>