F-1 Optional Practical Training Overview

INTRODUCTION
Optional Practical Training (OPT) is an extension of F-1 student status that allows students (alumni) to work/train in the U.S. in order to gain practical experience in their major field of study. *All OPT training must be directly related to the student's major field of study*. OPT must be recommended by the Immigration Services Office and approved by the U.S. Citizenship and Immigration Services (USCIS) – an agency of the Department of Homeland Security (DHS).

ELIGIBILITY TO APPLY FOR INITIAL 12-MONTHS OF OPTIONAL PRACTICAL TRAINING (OPT)
It is not required to have a job offer to apply for OPT. In order to apply for OPT, students must have been in lawful, full-time student status for at least one full academic year. OPT at UMass Chan is recommended for "Post-Completion" (after completion of studies) only. Students/alumni are eligible for one year (12 months) of OPT per successively higher degree level (i.e., B.A, M.A., Ph.D.). At UMass Chan, GSBS students are eligible for OPT following completion of their Ph.D. program.

DETERMINING PROGRAM COMPLETION DATE FOR IMMIGRATION PURPOSES
The program completion date is the date that GSBS certifies that all requirements for the degree have been met. This includes defense, corrections, submission of dissertation and submission of GSBS graduation checklist. Students should consult with their PI and GSBS to determine an anticipated completion date. The PI and GSBS will verify a student's anticipated completion date. Students must maintain full-time enrollment at UMass Chan until the completion date to be eligible for OPT. If there are any changes to the student's academic plan and/or ability to meet university graduation requirements once he or she has applied for OPT, the student must contact the Immigration Services Office (ISO) immediately as this impacts visa status and OPT eligibility.

PLEASE NOTE: Once students/alumni have completed their degree, <u>they are no longer eligible for on-campus employment (i.e., the GSBS stipend)</u>. If the department wishes to offer a GSBS alumnus a postdoc position to continue his or her research/work, the student/alumnus will need a valid Employment Authorization Document (EAD) issued for OPT. Any OPT training opportunity must be related to the major field of study.

WHEN TO FILE FOR OPT
Students can schedule an OPT appointment with ISO to submit their application as early as 90 days prior to their completion date and up until 50 days following their completion date. OPT applications must be received by USCIS no more than 90 days before their completion date and no later than 60 days following their completion date. Applications received 61+ days following completion date will be denied.

SELECTING A START DATE FOR OPT
Post-completion OPT always counts as full-time and it must be completed within 14 months of program completion. For example, if a student completes his/her program on May 20th, the start date for OPT must be between May 21st and July 19th, the 60th day following program completion. **Although alumni can apply for OPT after program completion, it is to their advantage to file early, as they may forfeit some of their twelve months of OPT while waiting for the card if they file after program completion.** *Important: The OPT start date cannot be changed once the application has been mailed to USCIS. Students may not begin training (paid or unpaid) until after they have received the approved EAD card and the start date on the card has been reached.*

QUESTIONS FOR STUDENTS TO THINK ABOUT WHEN SELECTING A START DATE
a. *Are you planning to move after graduation?* If so, you may need a week or two to get settled.

b. ***Do you need additional time to search for a job after you graduate?*** According to the regulations, students should not accumulate 90 days of total unemployment during their 12 months of post-completion OPT. Unemployment time is accrued during the validity dates of the approved EAD, not while the OPT application is pending. Unpaid internships and volunteer opportunities in the major field of study that are at least 20 hours a week or more will not count as "unemployment time" for the purpose of the 90 day unemployment rule.

c. ***Are you financially able to choose a later start date and support yourself in the U.S. with no U.S. source income while waiting for your EAD card?*** Since the regulations now state that students should not accumulate 90 days of unemployment during their OPT, you may want to choose a later start date to allow more time to find a job. However, you need to consider how long you can support yourself in the U.S. without being able to work. Also, if you receive a job offer with an earlier start date than you have chosen for your OPT, you will have to advise your employer that you may not begin working until the start date of your EAD.

d. ***Do you have travel plans outside of the U.S.?*** See section on travel guidance.

PROCESSING TIMES
USCIS processing times for OPT applications can vary but may take as long as 90 or more days after receipt of the OPT application. Students should plan ahead and apply for OPT as early as possible. OPT applications **cannot** be expedited.

VISA STATUS DURING PENDING OPT APPLICATION
As long as the OPT application has been filed in a timely manner, students are authorized to remain in the U.S. while the application is pending with USCIS (even if the application is pending beyond the OPT start date requested in the application). Students who do not already have a job/training position offer should be <u>actively seeking</u> one while waiting for their EAD card.

STEM OPT EXTENSIONS FOR F-1 STUDENTS WHO HAVE OBTAINED A STEM DEGREE
F-1 students who have received a bachelor's, master's or doctoral level degree in the U.S. in a STEM field (sciences, technology, engineering and mathematics) may apply for a 24-month extension of their existing post-completion OPT making for a total of 36 months of post-completion OPT. The extension is available only to alumni who are employed or will be employed by an E-Verify employer in good standing with the USCIS and who have obtained a degree in a "STEM" field. Your employer's HR office can tell you if they are an <u>E-Verify employer</u>. All GSBS students are considered to be in a STEM field. Only two lifetime STEM OPT extensions are allowed in successively higher degrees. Students receiving the 24-month STEM OPT extension may not accumulate an aggregate of 150 days of unemployment during any period of post-completion OPT (including the initial 12-month period, and the 24-month extension period). Students may find additional information about STEM OPT, application process and reporting requirements on <u>our website.</u>

TRAVEL WHILE ON OPT:
After program completion, alumni will need the <u>following items to re-enter the U.S. on OPT</u>:
a. **Travel Signature on page 2 of I-20** that is less than six (6) months old.
b. **Employment verification letter** to verify that the alumnus has a job to resume when he or she returns to the U.S. or an offer letter to show that he or she will begin a job upon return to the U.S. Employment verification letters and offer letters should contain salary information.
c. **Financial documentation:** If the employment is part-time, low-paying or unpaid, it is highly recommended to carry financial documentation to show financial resources to live in the U.S.
d. **Valid F-1 visa** that will be valid on the day of planned return to the U.S. If the visa stamp will be expired on the planned date of return, the alumnus will need to renew the F-1 student visa at a U.S. consulate or embassy while outside the U.S.
e. **Valid Employment Authorization Document** issued for post-completion OPT.
f. **Passport** valid for 6 months beyond date of re-entry to U.S.
g. It is also highly recommended that you carry your **diploma or letter of completion** from UMass Chan.

WHEN TO RENEW THE F-1 VISA STAMP WHILE ON OPT:
There is no need to renew the F-1 visa stamp on OPT if the alumnus does not intend to travel outside of the U.S. during the period of authorized OPT. However, if international travel is planned or anticipated and the F-1 visa had expired, it will be necessary for the alumnus to plan time during the trip abroad to visit a U.S. embassy outside of the U.S. to renew the F-1 visa stamp. Documentation listed above should be used to renew the F-1 visa. It is also suggested that the alumnus check on the website for the U.S. Consulate or Embassy that he or

she will visit for additional guidance on applying for a new F-1 visa. NOTE that a new SEVIS fee does NOT need to be paid as the SEVIS ID number remains the same during the period of approved OPT. Alumnus should be aware that administrative processing (security clearances) can sometimes take 4-6 weeks and can delay a return to the U.S.

TRAVEL ALERT!
Upon re-entry to the U.S., UMass Chan alumni should verify that their new electronic I-94 record indicates a visa status of F-1 with an "admit until" date of "D/S". Re-entering the U.S. in tourist or visa waiver status or any other status will terminate the F-1 Status and authorized period of OPT. Check I-94 record here.

TRAVEL BEFORE VS. AFTER PROGRAM COMPLETION (RISK LEVEL): Note that these scenarios are based on students having a valid F-1 visa.

Travel – before program completion date while the OPT application is either pending or approved:
Lower risk. Students do not need a job offer or EAD in order to travel, as long as they return to the U.S. before they have completed degree requirements. In order to be readmitted to the U.S. in F-1 visa status, students must have a "valid academic reason" to return. While collecting a diploma or attending a graduation ceremony is not considered a "valid academic reason," dissertation defense is a "valid academic reason". If the OPT application is pending, students should bring the Receipt Notice from USCIS when they travel. If the application is approved, ISO advises students to bring their EAD card and job offer letter, if available.

*Travel – **after program completion date and while the OPT application is pending**:
Highest risk. After students have completed their program, OPT regulations [8CFR 214.2(f)(13)(ii)] reference the need to show a valid EAD/approved OPT card in order to re-enter. However, recent interpretations from SEVP (Student and Exchange Visitor Program) and DOS (Department of State) indicate that re-entry with a pending application is possible. [DOS field cable 2004 State 008466 1/13/2004 AMDOC #200405007]. Because of conflicting guidance between regulations and the interpretation of regulations, we do not recommend travel and re-entry after your completion date and while the OPT application is pending unless you have a valid job offer. One never knows when USCIS will adjudicate the OPT application, and once the application is approved, it is clear that both a job offer and the EAD are needed (see below). We recommend reviewing and even printing out the information online from US Immigration and Customs Enforcement (ICE) regarding travel on OPT (section 2.N and 2.O) http://www.ice.gov/sevis/travel/faq_f2.htm

*Travel – **after your completion date and your OPT card has been approved**:
Higher risk. Once the OPT application is approved by USCIS, it is recommended that alumni have an official job offer and must have EAD to present at the Port of Entry upon return to the United States. Once the OPT is approved, alumni can only return to the U.S. to resume or begin employment; the employment verification letter or job offer letter can verify employment for this purpose. The Department of Homeland Security states, "If your OPT has been approved and you depart before you get a job, your OPT ends and you cannot reenter." They have clarified their position to state that the job offer is not needed in order to depart, but needed to reenter the U.S.

IMMIGRATION STATUS AFTER OPT/STEM
After the expiration date on the EAD card, there is a **60-day grace period** to do one of the following: depart the United States, transfer to another school to begin a new program of study, apply to USCIS for a change to another non-immigrant or immigrant status. Alumni should contact ISO with questions about their status following OPT/STEM.

PROVISION FOR SHORT-TERM OPT EXTENSION FOR ALUMNI WITH PENDING H1B PETITIONS
Some students on OPT or STEM OPT may be eligible for a short-term extension of their OPT period if their employer has filed an H1B petition on their behalf. For additional information, please review **USCIS' website.**

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