EMPLOYMENT FOR INTERNATIONAL STUDENTS

OPTIONAL PRACTICAL TRAINING

F-1 STUDENTS

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What is OPT?

F-1 students who plan to work in the U.S. can apply for Optional Practical Training (OPT), a temporary employment authorization that provides an opportunity to apply knowledge gained in the classroom to a practical work experience off-campus.

- OPT is a benefit of your F-1 visa status and not a separate work visa or visa category.

- You continue to be in F-1 student visa status while you are on OPT and must abide by all F-1 regulations during your period of OPT.

- HIU remains your visa sponsor. This is the last work authorization that will not need employer sponsorship until you have a Green Card.

Timing Considerations

- Most students are eligible to apply for a total of 12 months of OPT at each higher degree level.

- OPT can only be used once per higher degree level even if you have multiple degrees per level (e.g., OPT based on a Bachelor's degree and then OPT based on a Master's degree or PhD).

- The 12 months of OPT must be used all at once, it cannot be broken up.

- OPT must be used directly after graduation; it cannot be saved for later.

- You cannot start work until you have received your EAD card and reached the start date on the card.

Eligibility

To be eligible for OPT, you must:

- Maintain valid F-1 student status at the time of application

- Be enrolled full-time for at least one full academic year in the U.S.

- Be physically present in the U.S. when you mail your application

- Intend to work or volunteer in a professional development opportunity directly related to the major field of study

Additional Considerations

- **You do not need to have a job in order to apply for OPT.**

- All work must directly relate to your field of study.

- You do not need paid employment (volunteering is ok).

- You can work on multiple opportunities at one time.

Whether you apply for pre-completion or post-completion OPT, you need to apply as early as possible because you need to have your Employment Authorization Card (EAD) to start working and to travel. We advise you to plan accordingly and submit your OPT application as early as possible as it can take 90 days or longer for United States Citizenship and Immigration Services (USCIS) to process it.

When To Apply for Post-Completion OPT?

Post-Completion OPT is for any type of work after graduation. Please note that if you do not apply for OPT and depart from the U.S. during the 60 day "grace period", your eligibility for OPT ends when you leave the U.S.

Apply as Early as Possible

If you are graduating, you can apply as early as 90 days before your program end date.

- For most students at HIU, the program end date is the Commencement date, but please check your I-20 to find out your actual program end date.

- If your program end date is the Graduation date in May, the earliest you can apply for post-completion OPT is the end of February (90 days before your program end date).

- The latest you can apply for OPT is 60 days after your program end date.

- Your application must be **received** by USCIS by this date.

OPT Start Date

- Your OPT start date begins within 60 days of your program end and ends 12 months after this date.

- Your OPT start date is generally based on your employment start date (as long as it is within 60 days after your program end).

- If your employment start date is longer than 60 days after your program end, your OPT start date will still be 60 days after your program end, as this is the latest date possible to select.

- If you are not sure when your employment will start, you should make your best estimate based on desired time off. Your OPT start date must be within 60 days after your program end, as this is the latest date possible to select.

- If you do not start work on your OPT start date, you have up to 90 days within the 12-months of the card that you can be "unemployed" and still keep your status.

- You cannot change your start date after submitting your OPT application, so be sure to discuss the timing of this date with your adviser if you are unsure.

To begin your OPT application follow these steps in sequential order.

Please note that regardless of the method you will use to apply for OPT, you must **first submit an OPT request by email and receive a new I-20 recommending OPT** before you submit your application to USCIS for processing. If you submit your OPT application without this new I-20, USCIS will likely deny your case.

1. **Do Your Research**
   - Review our guidance on choosing your OPT start date.
   - Understand your work permission options and restrictions while on OPT.
   - Make sure you know how to maintain your OPT status by following these reporting requirements.
   - Take note of travel guidance while on OPT to be sure you have what you need when you travel.

2. **Email OPT Request**

   To apply for OPT, you first need to request a recommendation for OPT. You can do so by sending an email with your answers to the following questions:

   - Why are you interested in applying for OPT? Make sure to explain how this will compliment/nuance what you have studied here at HIU.
   - Are you aware that you will need to apply for OPT, and if approved, find a job within 90 days of recommended OPT dates? Please be aware also that you will be responsible for all your bills: housing, utilities, transportation, food, etc.

3. **Wait for HIU to Review Your Request**

HIU will review your OPT request. We may suggest that you make an appointment if there are things to discuss prior to issuing your I-20. Once your I-20 has been issued, you will receive an email notification along with instructions on how to submit your application to USCIS for processing. You cannot proceed any further with your OPT application until you have the new OPT I-20 from HIU.

4. **Prepare and Submit Your OPT Application to USCIS**

If you have your new I-20 recommending OPT, then you are ready to submit your OPT application to USCIS for processing. There are two ways to submit your OPT application: online or by mail. HIU recommends applying online by creating a USCIS account which will allow you to get a receipt immediately and check for updates while the application is pending. Please note that the application instructions are different based on the method of filing you choose.

Please do not proceed with filing your OPT application until after you have received, printed, and signed your new I-20 recommending OPT. **Once you have your OPT I-20, you are ready to take the final step of submitting your application to USCIS!**

1. Prepare Your Documents

To make the process of submitting your online application easy, please have the electronic files for these documents ready before you begin:

- Most recent i-94 arrival record (not your travel history)
  Get Most Recent 1-94
- 2 x 2 Photo (photo must not include eyeglasses)
- New OPT 1-20 (print, sign & date, & scan)
- Copy of Passport ID page
- Copy of F-1 Visa
- Copy of Previous EAD(s) (if you used OPT before at your current or previous educational level, have copy(ies) of your EAD(s) ready.)

2. Create of Log into Your USCIS Account

- Follow instructions for creating a USCIS Online Account or log in to your USCIS account if you already have one.
- Click on 'MyUSICS'
- Select 'File a Form Online' and choose 'Application for Employment Authorization (I-765)'.
- Follow the instructions and complete each step in the order they are presented to you.

3. Completing Your Application

If you need help, we can schedule a Zoom meeting and complete the application together. If this of interests to you, please reach out to the Student Services and Residential Life Coordinator.

4. Review and Submit
- Check that you are within the 30-day window after the date your new I-20 recommending OPT was issued. Do not submit your application if it is outside this timeframe.
- Verify that all information is correct, then digitally sign and submit your application.

5. Pay the Application Fee
- Pay the required application fee of $410 (debit or credit card payment recommended)
- Remember that once you pay the fee, there can be no changes to your application as it will be considered submitted.

If you prefer not to apply online, you still have an option to print and mail your OPT application to USCIS after you receive your new OPT I-20. Please note that a paper application cannot be amended after filing, so make sure that you follow these directions to complete the application correctly.

Important Information

- Deadlines to note:
    - USCIS needs to receive (being postmarked is not sufficient) your OPT application within 30 days of the issuance date of your I-20 recommending OPT
    - If you file outside this regulatory limit **your OPT application can be denied**
- The Student Services and Residential Life Coordinator will give you a specific deadline in your email notification when the OPT I-20 is ready
- Sign the **copy** of the new I-20 before you submit it to USCIS.
- Review the OPT Application Checklist below for Mailing and make sure you have all the required documents ready for mailing.

OPT Application Checklist for Mailing

- Check or Money Order for $410
- Two Photographs
- Form G-1145
- Form I-765 (**be sure to fill this out by carefully following the web guide. Print single-sided, and sign in blue ink**)
- Photocopy of new I-20 recommending OPT (**signed and dated**)
- Photocopies of all previous I-20s
- Photocopy of your previous EAD cards (if you used OPT before)
- Printed most recent I-94 record
- Photocopy of your passport ID page(s)
- Photocopy of your F-1 visa stamp (unless you are Canadian)

Important Notes:

- **Compile these items in the order listed above**
- **Do not staple any of these items. Instead, attach all the items above together with a paper clip on the top left corner.**

<u>Mailing Your OPT Application</u>

We recommend that you mail your OPT application **via certified mail with a return receipt or tracking number, e.g., Fed Ex, UPS, USPS.**

- Again, Your OPT package must be received by USCIS within 30 days of the issuance of your new OPT I-20.

- **You may only begin employment once you have the EAD** in your possession and you have reached the start date on the card. Email confirmation from USCIS will not suffice as evidence of eligibility for employment. You may only work within the dates printed on the card.

- **Your job must be directly related to your academic field of study**. You are not permitted to work on campus after graduation unless the job directly relates to your field and falls within the dates on your EAD. You need to be able to make logical connection between your studies and employment.

- **Employment must be a minimum of 20 hours per week**, paid or unpaid, to maintain legal F-1 OPT status. You should be able to provide evidence, acquired from your employer, to verify that you worked at least 20 hours per week during the period of employment.

- **Limitation on Unemployment for Post-Completion OPT.** Once your post-completion OPT period starts, you may not accrue more than **90 days** of unemployment within the dates on your EAD. You need to inform report your employment to HIU in order to stop the unemployment counting in SEVIS. Time spent outside the United States, if not employed by a U.S. employer, is counted towards the 90-day period of unemployment. Unemployment days are cumulative, so if you are employed for less than the length of your OPT time and begin to look for another employer, you do *not* get an additional **90 days** of unemployment.

Unemployment Caution

SEVIS records will automatically terminate for students who have no employment reported for 90 days. Be sure that you have made alternate plans and communicated them to HIU before your record is terminated. If you have any concerns, you can always contact the Student Services and Residential Life Coordinator.

Types of Employment Allowed on Post-Completion OPT

Multiple Employers	You may work for more than one employer, but all employment must be related to your degree program.
Multiple Short-Term Employers	You may work for multiple short-term employers. For instance, if you are a musician or performing artist, you can have gigs. Keep a list of all gigs, the dates, and the duration.
Work For Hire	Commonly referred to as 1099 employment, where an individual performs a service based on a contractual relationship rather than an employment relationship. If you work for hire, keep documents showing the duration of the contract periods and the name and address of the contracting company.
Self-Employed Business Owner	You may start a business and be self-employed. You should be able to prove that you have the

	proper business licenses and are actively engaged in a business related to your degree program.
Employment Through an Agency or Staffing Firm	You may use an agency or staffing company to find employment. You must be able to provide evidence showing that you worked an average of at least 20 hours per week while employed by the agency.
Unpaid Employment	You may work as volunteers or unpaid interns, where this practice does not violate any labor laws.

Important: Keep Records of your Employment

Keep records of your employment history for your personal file, to present as evidence of maintaining lawful status should you apply for future immigration benefits.

Examples of records to keep:

- offer letters

- contracts

- payroll stubs

- letters describing volunteer activity and hours

- EAD cards, even when OPT has ended

When Do You Need to Submit an OPT Update?

Within 10 Days of Any of the Following:

- Start of employment (ideally you should report as soon as possible once your OPT is approved to prevent SEVIS counting days of unemployment)

- End of employment

- Change of employers

- Current employer changes name and/or address

- Change of Visa Status (e.g., to H-1B)

- Change in residential address

- Update to biographical information (e.g., name, surname, etc.)

- Leaving the U.S. and not intending to use OPT anymore

Travel Signatures

Please note that travel signatures are **valid for 6 months** when you are on OPT. If you will travel internationally and need a new travel signature, please submit an OPT update and indicate that you need a new travel signature by email to the Student Services and Residential Life Coordinator.

Immigration Changes and Travel Warnings

It is important to follow and understand immigration changes the current administration is implementing, including travel bans for people from certain countries. You can track these changes here.

Traveling on Post-Completion OPT

Required documents to re-enter the U.S. while on post-completion OPT

Once you have graduated, you are required to show these documents in order to re-enter the U.S. in F-1 status:

1. **Valid I-20** - Page two should list your employer's information and be signed by P/DSO within the last six months.

2. **Valid F-1 Visa** - If your F-1 visa is expired, you must apply for a new one at a U.S. embassy or consulate prior to your return. (Note: Canadian citizens do not need a visa.)

3. **Valid Passport** - The expiration date should be at least six months into the future at any given time.

4. **Valid Employment Authorization Document (EAD)**

5. **Evidence of a job offer** or resumption of employment. If you are returning to the U.S without evidence of a job offer, you may be questioned at the port of entry.

If you need to leave the U.S. **before you receive your EAD, please speak with The Student Services and Residential Life Coordinator**.