

Global Education Office (GEO)

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Albuquerque, NM 87131-1056

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Email geo@unm.edu Web: www.geo.unm.edu/

F-1 OPTIONAL PRACTICAL TRAINING

I. EXPLANATION

As an F-1 student, you may work off-campus in the US only if you have received special written work authorization approved by the Global Education Office (GEO) and the Department of Homeland Security (DHS). This handout will explain one type of off-campus work authorization called post-completion “Optional Practical Training” (OPT).

II. SUMMARY OF CONDITIONS & LIMITATIONS

- A job offer is NOT required to apply for OPT.
- A student may apply for post-completion OPT within **90 days** before the student’s completion date.
- The last opportunity to apply for post-completion OPT is during the 60 day grace period following completion of study. Students should have a receipt notice before the grace period expires, showing they are in status pending the OPT approval.
- The employment must be in the student’s field of study, but it can take place anywhere in the US.
- The OPT work authorization allows for 12 months total of full-time employment.
- Students on “post-completion” OPT are expected to be engaged in employment, self-employment or volunteer work in their field of study for a minimum of 20 hours per week in order to be considered “employed.”
- The 12-month OPT authorization begins on your “start date” (appearing on your EAD card), even if you have not yet found employment.
- Periods of “unemployment” during “post-completion” OPT are limited to a total of **90 days**, and unemployment begins on the start date of your employment authorization, unless you have reported your employer through the SEVP Portal. Instructions for how to set up your SEVP portal can be found here: <https://studyinthestates.dhs.gov/sevp-portal-help>.
- During OPT, you are still in F-1 immigration status, so you are required to report through the SEVP Portal: home address, employer’s name and address, changes of employer, and any changes in your immigration status. You must also obtain a travel signature on your current I-20 from GEO for international travel.
- If you leave the US for any reason after completing your degree without an OPT Employment Authorization Document (EAD card) and written proof of a job in your field of study, you will **not** be able to reenter to engage in OPT.
- To reenter the US to start or resume OPT after a temporary absence from the US, you will need: a letter from the employer, a valid EAD card, valid I-20 with a current travel signature, a valid passport, and a valid visa (some visa exceptions exist for travel to countries bordering the US – check with an advisor).
- Changing employers while on OPT is authorized if the new employment is within your field. However, changes in employment must be reported to the SEVP Portal immediately and entered into the SEVIS system.
- Students who start a higher educational level after completing one 12-month period of OPT may request another 12 months of OPT upon completion of the higher degree level.
- Students whose academic degree is in a qualifying STEM (science, technology, engineering, or math) field may request a 24-month STEM OPT extension if the student meets the regulatory criteria described in the STEM OPT handout. To apply for a 24-month STEM OPT extension, students should make a STEM phone appointment with a GEO advisor and prepare their application **90 days** before their initial 12-month OPT expires.
- The OPT application is mailed to the United States Citizen and Immigration Service (USCIS) and it can take between 3-4 months to be approved. *There is no way to expedite it.* Once you receive a receipt notice, you will be given a receipt number and you can track your case status online at <https://egov.uscis.gov/casestatus/landing.do>.
- Previous authorization for Curricular Practical Training (CPT) affects OPT only if you were authorized for 12 months or more of full-time CPT.
- A student must have OPT authorization to work on-campus after the program end date on their I-20, even if they are still enrolled as a UNM student.

III. SPECIAL INFORMATION FOR POST-COMPLETION OPT

- **Application Deadline**

You should make an OPT appointment with an International Advisor at GEO approximately 95 days before you complete your program of study. Although USCIS will consider OPT applications received up to 60 days after your program end date, waiting until the end of the 60-day grace period will result in lost work time. In general, **we recommend applying for OPT 3 months before you want your OPT to begin**. Immigration regulations refer to the date you complete all requirements for a program of study, not to the date the degree is conferred or to the date you participate in graduation ceremonies, or receive a certificate or diploma. USCIS ignores your graduation date because it realizes that many students, especially graduate students in thesis or dissertation programs, may complete requirements for a degree any day during the year. Therefore, the day that you complete the last requirement for your degree is considered your "completion date". Your lawful F-1 status expires 60 days after the completion date, and you are expected to leave the country by that date, unless you have already filed an application for OPT or have made other arrangements to lawfully remain in the U.S.

- **Authorization based on the completion of a specific degree**

Your OPT is on the basis of the completion of a specific degree. Once OPT has been granted, it is no longer possible to receive a new period of OPT for completion of a program at the same or lower degree level. Students can request OPT when they have completed all coursework, even if they have not completed the final project, thesis or dissertation.

IV. Employment Eligibility Verification

When you begin to work, you and your employer must complete an "Employment Eligibility Verification" form (I-9 form), which the employer retains. The I-9 must be updated each time you receive a renewal of your work permission. You will also need a Social Security number. If you do not have a Social Security number, or if you have a Social Security card which is marked "not valid for employment," take your passport, I-94 Departure Record, I-20, employer letter, and your EAD card to the office of Social Security Administration and apply for a new Social Security card. Note that your number will remain the same if you already had one, but the notation on the card should change to indicate that employment is valid **with** authorization.

V. Social Security and Other Taxes

In general, F-1 students who have been in the US less than five years are "non-residents for tax purposes" and are exempt from Social Security (FICA) and Medicare taxes (see Internal Revenue Service Publication 519, "US Tax Guide for Aliens"). However, your earnings are subject to applicable federal, state, and local taxes. Tax returns must be filed on or before April 15 each year for the previous calendar year. If your employer is taking Social Security and Medicare taxes from your paycheck and you are a non-resident for tax purposes, contact GEO to get information to present to your employer demonstrating that this tax should not be withheld.

VI. APPLICATION PROCESS

STEP 1: **Be Informed.**

Read this entire handout thoroughly and carefully. If you have additional questions, stop by GEO during walk-in hours (M-F, 1:00 to 3:00 pm) to consult with an International Advisor.

STEP 2: **Receive your Department's Recommendation.**

Your academic advisor or other authorized department personnel must complete the *Academic Advisor Recommendation Form for Optional Practical Training* that is included in this handout. They must confirm the completion date of all degree requirements, either with thesis/dissertation or without thesis/dissertation. This form must be filled out by your advisor before your OPT appointment with an International Advisor.

STEP 3: **Determine your OPT start date.**

Complete the *Student Participation Start Date Form for Optional Practical Training* included in this handout. If you are unsure about your start date, leave the "start date" blank and speak to an International Advisor at your appointment. The advisor will discuss the consequences of these dates in further detail.

STEP 4: Make an Appointment with an International Advisor at GEO.

After you complete the required forms and gathered your OPT application materials, call the GEO front office at 277-4032, or come in person, to make an appointment to see an International Advisor as soon as possible. (OPT appointments take approximately two hours.)

You will need to bring the following items with you to the OPT appointment:

- a) Your passport and visa
- b) Your most recent I-94 document – should be available at www.cbp.gov/i94
- c) A completed Student Participation Start Date Form, included in this handout
- d) A completed Academic Advisor Recommendation Form, included in this handout
- e) A completed OPT Student Responsibilities Contract, included in this handout (read carefully before signing it)
- f) A completed I-765 Form, Application for Employment Authorization, which can be found at: <https://www.uscis.gov/sites/default/files/document/forms/i-765.pdf> (see SAMPLE I-765 included in this handout)
 - *If you have ever worked on CPT during your program, a SEVIS screen shot (from GEO) with all previous CPT work authorization listed. (On the I-765, on page 7 in item 3.d. enter “See attached SEVIS CPT employment screen shot for proof of prior work authorization(s).” (You will receive this screen shot with your I-20 from GEO after your OPT appointment if you did CPT.)
- g) A completed G-1145 Form, E Notification of Application/Petition Acceptance, which can be found at: <https://www.uscis.gov/sites/default/files/files/form/g-1145.pdf>

If you do not have these documents ready at your appointment, you will need to reschedule it. At your appointment, the International Advisor will review form I-765 and all other paperwork and, if everything is in order, recommend OPT in SEVIS and issue you a new I-20 with the OPT recommendation. (You cannot apply for OPT without a copy of this new I-20 with the OPT recommendation.)

STEP 5: Pick up the new I-20.

After meeting with an international advisor, you can pick up the new I-20 within 3 to 5 business days at the GEO front office. Check that the OPT recommendation is properly recorded on pg. 3 of the I-20 and sign it immediately. You will need to include a signed copy of this I-20 with your OPT application.

STEP 6: Complete the USCIS Application Materials.

Once you have received the new I-20 with the OPT recommendation, you will need to put the rest of the application together, make copies of all the paperwork for your files, and mail the entire application to USCIS within 20 days of the issuance date on the new I-20.

WHAT TO SEND TO USCIS (exactly in this order):

- A \$410 check payable to “U.S. Department of Homeland Security.” USCIS will reject applications with an incorrect application fee.
- Two passport photos secured in an envelope and attached to the application. Print your name (lightly in pen) and your admission number (I-94 number) on the back of each photo.
- A cover letter listing your name, the request for OPT you are making, and a list of the documents included in the application
- An original G-1145 form in order to be notified by USCIS of the status of your application via email or text message
- An original I-765 form (Note: the address listed on this form must be valid for 3-4 months in the future from the time you mail the application). The US postal service will not forward the EAD card, even if you leave a forwarding address.
- Copy of the new I-20 with OPT recommendation (**remember to sign the original I-20 before making a copy!**)
- Copy of I-94 (front and back if you have a note card version)
- Copy of the US visa page (located in a page of your passport)
- Copy of the most recent I.D. page(s) of your passport (the page(s) which contain the picture, number, and expiration date)
- Copies of both sides of any previously issued EAD cards
- If you have ever worked on CPT during your program, a SEVIS screen shot (from GEO) with all previous CPT work authorization listed. (On the I-765, on page 7 in item 3.d. enter “See attached SEVIS CPT employment screen shot for proof of prior work authorization(s).” (You will receive this screen shot with your I-20 from GEO after your OPT appointment if you did CPT.)

STEP 7: Copy the entire application packet and mail to USCIS.

After you have compiled the entire application, make a copy for your files. Organize the materials as neatly as possible and put them in a large mailing envelope. Send all of the above items to one of the addresses below within 10 days of receiving the advisor's recommendation. Students who are not living in New Mexico may have a different USCIS mailing address, so check with an advisor before mailing the application.

USCIS
PO Box 660867
Dallas, TX 75266
(For U.S. Postal Service deliveries (USPS)
Including "Certified Mail")

USCIS
Attn: AOS
2501 S. State Hwy. 121 Business Suite 400
Lewisville, TX 75067
(For express mail and courier delivery methods)

If sending your application via USPS, we recommend that you send the application via **US certified mail "return-receipt requested"** so that you have proof of delivery.

STEP 8: Wait for the EAD card.

Within 4–6 weeks of sending the application to USCIS, you should get a standard "notice of action" stating that USCIS has received the application. If you do not get this letter within 6 weeks of mailing your application, contact an advisor for more information. The international advisor at GEO can assess your situation and advise you thereafter. The case number in the top left corner of this receipt notice can be used to check your case status at the USCIS website at <https://egov.uscis.gov/casestatus/landing.do>. Your permission to begin OPT is not finalized until you have received an EAD card from USCIS. **DO NOT START WORKING UNTIL YOU RECEIVE THE EAD CARD.**

STEP 9: Provide GEO a copy of your EAD card and report your employment.

Once you have received your EAD card, you must provide our office with a copy. You can do so via email at iadvisor@unm.edu, or by dropping off or mailing a copy to our office. As soon as you receive the card and your employment "start date" has been reached, you are authorized to start working. You will receive an email message from SEVP with instructions for setting up SEVP Portal Account. Once you have set up your Portal Account, you must report your employment information as well as any changes your personal information directly to the SEVP Portal. You must report your employer's name and address to the Portal as soon as your "start date" begins or you will start accumulating days of unemployment. *If you have not reported your employment information through the SEVP Portal, your 90 days of unemployment will start on this date automatically.*

REMEMBER:

- **OPT is still F-1 student status. You MUST follow all the rules to maintain legal F-1 status.**
- **Your I-20 may have a new completion date to reflect the completion of your degree requirements.**
- **The end date on the new I-20 is the date your "on-campus" work permission also ends.**
- **It is illegal to begin the OPT position until the EAD card is received and the start date is reached.**
- **You are authorized to work only for the dates on the EAD card.**
- **You must report change of address and/or phone number through the SEVP portal during your entire OPT period.**
- **You must report employer name and address (including changes in employment and unemployment) through the SEVP Portal for the entire duration of OPT.**
- **Students on post-completion OPT have 90 days of unemployment.**
- **OPT permission is automatically terminated if you transfer to another school or you start studying at another educational level.**
- **Students must inform GEO of a change of visa status or permanent departure from the US.**

WORKING IMPROPERLY OR WITHOUT AUTHORIZATION IS A SERIOUS VIOLATION OF YOUR STATUS AND COULD LEAD TO DEPORTATION OR EXCLUSION FROM THE US!



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STUDENT PARTICIPATION START DATE FORM FOR OPTIONAL PRACTICAL TRAINING

To: F-1 Student

In the process of applying for OPT, you must decide the date that your employment authorization will begin. It is important to remember that once applied for, the authorization may not be rescinded or changed except on special discretion of USCIS. **Once authorization to engage in OPT is granted and the date of the authorization has begun, it is not possible to have it canceled at all.** This means that after OPT is authorized by the USCIS, inability to find an appropriate job, loss of job, or failure to complete requirements for a degree may result in loss of otherwise eligible time to work. You need to be certain that you will want to engage in OPT BEFORE YOU APPLY. In addition, your OPT permission will be terminated if you transfer to another school or begin study at another educational level.

Please complete the form below and bring it to your appointment with an International Advisor so we can process your OPT request.

****MUST BE COMPLETED AND SIGNED BY THE F-1 STUDENT SEEKING OPT****

I expect that if I get a position for OPT it will be in: _____
 List all UNM major(s) here:

You **WILL** accrue days of unemployment toward the 90-day limit, so whether or not you have a job offer should be a consideration when selecting your OPT start date.

Beginning date: _____ Ending date: _____
 Full time (20 hrs or more/wk) / Part time (less than 20 hrs/wk) (circle one)

 Name of Student

 Name of International Advisor

 Signature of Student

 Date

 Signature of International Advisor

 Date

I hereby authorize GEO to receive, open and copy all mail related to OPT. I understand that GEO will forward information about all correspondence related to OPT to the most recent email address reported to GEO.

 Name of Student

 Date

 Signature Student

Personal Information:

Current Residential Address: _____

Permanent (non-UNM) email address: _____

Phone Number: _____



ACADEMIC ADVISOR RECOMMENDATION FORM FOR OPTIONAL PRACTICAL TRAINING

Global Education Office (GEO)
2120 Mesa Vista Hall
MSC06 3850 1 University of New Mexico
Albuquerque, NM 87131-1056
Phone (505) 277-4032 ♦ Fax (505) 277-1867
Email geo@unm.edu Web: www.geo.unm.edu/

To: Academic Advisor or Authorized Department Personnel

The below-named student is applying for permission to engage in employment for Optional Practical Training (OPT) as provided in regulations of the Department of Homeland Security for F-1 students. OPT is employment in a job related to the student’s field of study and is intended to enhance and supplement the formal, classroom education. U.S. Citizenship and Immigration Services (USCIS) must authorize OPT.

Before this authorization can be granted, GEO must have a statement from the student’s academic advisor confirming the date the student is expected to complete all degree requirements. (A graduate student may apply for OPT before completion of the thesis or dissertation, provided that they have completed all other requirements for the degree such as coursework, comprehensive exams, and thesis/dissertation proposals). The academic advisor should be reasonably convinced that the student will be able to complete by the date specified on the form. **The date of completion is not necessarily the end of the term or the graduation date, but the date all requirements for the degree are fulfilled (including defense and thesis/dissertation correction for graduate students).** Both dates are requested below.

Please complete the form below and return it to the student so that we may process this student’s request. Should you have any questions, please feel free to call GEO at 277-4032.

****MUST BE COMPLETED AND SIGNED BY THE ACADEMIC ADVISOR OR AUTHORIZED DEPARTMENT PERSONNEL ONLY****

To: Global Education Office (GEO), 2120 Mesa Vista Hall, MSC06 3850

This is to certify that _____ has completed or is expected to complete all requirements for the degree on _____
(Student’s name)

_____ and will receive the degree of _____ in the field or major of _____
(Date) (Field of Study)

ADDITIONAL INFORMATION NEEDED FOR GRADUATE STUDENTS:

All requirements for the degree EXCLUDING the thesis were/will be completed by _____
(Date)

(Name of Academic Advisor or Authorized Department Personnel—Please Print)

(Signature of Academic Advisor or Authorized Department Personnel)

(Telephone Number and/or email address)

(Date)



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OPT STUDENT RESPONSIBILITIES CONTRACT

RULES F-1 STUDENTS MUST FOLLOW WHILE ON OPT TO REMAIN LEGALLY IN THE US

International students are required to abide by US immigration laws and regulations throughout their stay in the US including the time that they are on authorized in Optional Practical Training (OPT). Current Department of Homeland Security (DHS) regulations require F1 students on OPT to report any changes to their personal information or employment information through the SEVP Portal. Once reported, this information is transferred into the Student and Exchange Visitor Information System (SEVIS). Students who fail to comply with these requirements and do not report through the Portal are considered to be “out of status” by DHS.

Because failure to comply with these requirements will mean loss of legal status in the US, it is essential that you understand these reporting responsibilities. This form lists the specific information you must report through the SEVP Portal while on OPT in order to maintain legal student status. To report this information, please follow the directions to set up your Portal profile here: <https://studyinthestates.dhs.gov/sevp-portal-help>.

It is YOUR responsibility to abide by all immigration rules for maintaining legal student status. Any new information must be reported within 21 days of the change so it is vital that you understand and comply with the following rules:

INFORMATION THAT ALL STUDENTS ON OPT MUST REPORT TO THE PORTAL TO MAINTAIN LEGAL STATUS:

1. Current, physical US address. This must be the place where you currently live and it must be updated within 10 days of making any change. A current email and phone number will be required also.
Current, Mailing US address. This must be the address you use to receive mail.
2. Current US employer and address and supervisor’s name. *IF YOU DO NOT REPORT AN EMPLOYER BY THE BEGINNING OF YOUR OPT START DATE YOU WILL BE LISTED AS “UNEMPLOYED” AND YOUR 90 DAY UNEMPLOYMENT CLOCK WILL BEGIN.* If you accrue more than 90 days of unemployment your SEVIS record will automatically terminate.
3. Employment Start Date and End Date. If you do not have an End Date write “Current” as your End Date.
4. Any changes or interrupted employment such as “unemployment” (other than vacation while employed).
5. Any change of non-immigrant status or permanent departure from the US.

Updated I-20s will be automatically mailed from GEO to your mailing address within 5 business days, unless you indicate other instructions to receive your updated I-20.

OPT STEM EXTENSIONS:

If you have completed a STEM degree and you wish to apply for an OPT STEM extension, please send us an email **4 months prior** to the end of your current OPT authorization so that we can provide you with further instructions on how to apply for a 24-month OPT STEM extension.

TRAVEL DOCUMENTS REQUIRED FOR REENTRY WHILE ON AUTHORIZED OPT:

1. SEVIS Form I-20, endorsed for travel by an International Advisor at UNM within the last six months.
2. Employment Authorization Document (EAD card). Note that the EAD card says “not valid for travel” on the face of the card. This means that you cannot use the EAD alone to reenter the US, but must also have the signed I-20 and an employer letter.
3. Valid passport.
4. Valid F-1 visa page (if you are traveling to Canada or Mexico for less than 30 days and not applying for a visa while there, you may be able to travel with an expired visa - ask an advisor for details).
5. Documentation or letter from your OPT employer on official letterhead, confirming that you are working for them on OPT in a field related to your studies. Note that this **MUST** be the same employer that you have reported through the portal. This employer would be listed on pg. 3 of your I-20.

Below is a list of documents F-2 dependents must have to reenter the US if they are traveling without the student:

1. SEVIS Form I-20, endorsed for travel by the International Advisor at UNM within the last six months.
2. Copy of the F-1 student (spouse/parent) SEVIS Form I-20 showing authorized OPT.
3. Copy of the F-1 student’s Employment Authorization Document (EAD card).
4. Valid passport.
5. Valid F-2 visa page (if you are traveling to Canada or Mexico for less than 30 days and not applying for a visa while there, you may be able to travel with an expired visa -ask an advisor for details).
6. Documentation or letter from the F-1 student’s OPT employer, showing that the F-1 student is working on OPT. Note that this **MUST** be the same employer that the student reported through the portal. This employer will be listed on the I-20.

Remember: If you do not have all of these documents you should not travel internationally or you risk not being able to reenter to participate in OPT. Traveling outside the US is not recommended if your F-1 visa has expired and a new one is required to reenter the US. Consult with an International Advisor when contemplating travel outside the US and reentering to continue OPT.

I have read and understand my responsibilities as outlined above.

NAME (Print)

SIGNATURE

DATE

XX/XX/XXXX (date)

U.S. Citizenship and Immigration Services
P.O. Box 660867
Dallas TX 75266

RE: Application for Employment Authorization Document (Form I-765)

Applicant Name: XXXXXXXXX

SEVIS ID #: N00XXXXXXXXXX

I-94 Number: XXXXXXXXXXXXXXX

Dear CIS Officer:

I am applying for 12 month post-completion OPT beginning on XXXXXX and ending on XXXXXX. I am seeking your authorization to engage in employment related to my field.

I've included the following documents in support of this application:

- A \$410 check payable to "U.S. Department of Homeland Security."
- Two passport photos
- A cover letter
- An original G-1145 form
- An I-765 form
- (If you ever worked on CPT, include) SEVIS screen shot with all previous CPT work authorization listed
- Copy of the new I-20 with 12 month OPT recommendation
- Copy of I-94
- Copy of US visa stamp
- Copy of the most recent I.D. page(s) of passport
- (If you have ever previously had an EAD card, include) Copy of both sides of previously issued EAD card

I have completed the I-765 application form to the best of my ability. As you review my request, I humbly ask for your cooperation in making the following assumptions:

- Any field left blank on the I-765 form is a field that does not apply to me. I am certifying by my signature below and by my signature on the I-765 application that I have completed every field that is applicable to me and my history.
- If I have participated in practical training, or studied in the US in the past, that I have done my best to accurately recall all pertinent details and have completed part 6 to the best of this recollection. Any omission of information is therefore accidental, and I ask that USCIS consider issuing an RFE to clear up any questions you may have.

Thank you in advance for reviewing my application. I look forward to receiving approval for OPT in the near future.

Sincerely,

XXXXXX (name & contact info)