F-1 OPTIONAL PRACTICAL TRAINING OVERVIEW

Please read information thoroughly!

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. **Any 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 in order 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 UMMS 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 UMMS, GSBS students are eligible for OPT following completion of their Ph.D. program.

PROCESSING TIMES
USCIS processing times for OPT applications can vary but may take as long as 90 days after receipt of the OPT application. Students should plan ahead and apply for OPT as early as possible. OPT applications **cannot** be expedited. Current average processing times for applications are listed on the USCIS website under the Vermont Service Center (I-765).

SECURITY CLEARANCE
OPT applications may undergo security clearances (administrative processing) which may delay the processing of the application. Students who have done research in certain “sensitive” fields or those who have family connections or who frequently travel to places that are considered high risk to the U.S. Government may undergo security clearances. The stated processing time is about thirty days, but it can be longer. Security clearances cannot be expedited.

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 P.I. and GSBS to determine an anticipated completion date. The P.I. and GSBS will verify a student’s anticipated completion date on the P.I. & GSBS Recommendation Form for OPT. Students must maintain full-time enrollment at UMMS 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 ISO immediately as this impacts visa status and OPT eligibility.

Please note: Once students/alumni have completed their degree, they are no longer eligible for on-campus employment (i.e. the GSBS stipend). 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.

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 actively seeking one while waiting for their EAD card.

RESPONSIBILITIES WHILE ON OPT
Post-Completion OPT is an extension of F-1 student status and alumni remain on the F-1 “student” visa during their OPT even though they have completed the formal degree program. UMMS alumni in F-1 student status on post-completion OPT are responsible for reporting the following information to the ISO during their authorized period of OPT. Information must be reported within 10 days following:
a. A change in U.S. or international addresses. (see below)
b. New employment, a change in employer or termination of employment. (see below)
c. A change in visa status or adjustment of status (The ISO must be provided a copy of the approval notice or I-94 record and visa stamp showing the change of status approval or re-entry to the U.S. in the new visa status. For adjustment of status, provide the permanent resident card copy.) The ISO will then COMPLETE the student’s F-1 SEVIS record.
d. Departure from the U.S. (If the student does not intend to return to the U.S. to use the remainder of available OPT, the student must notify the ISO within 10 days following departure from the U.S.)

REPORTING CHANGES IN LOCAL AND INTERNATIONAL ADDRESSES
ALL changes of local and international addresses must be reported to the ISO within 10 days following the change of address. Alumni should email immigrationservices@umassmed.edu with change of address information using “Change of Address on OPT” as the heading to the email. ISO will then report the address change in SEVIS. Failure to update address information in a timely manner is a violation of F-1 status and may be considered a deportable offense.

Please note: the U.S. Postal Service will not forward any government mail, even if a forwarding address has been submitted to the U.S. Postal Service.
NOTIFYING ISO OF EMPLOYER INFORMATION

The ISO is required to update SEVIS with employer information. Alumni must download and complete the OPT Report Form found at the “Report OPT Employment” link on the ISO website within 10 days of starting, ending or changing employment and email the completed form to ImmigrationServices@umassmed.edu. If an alumnus is working at more than one employer simultaneously, the primary employer (the employer where the alumnus works the most hours) should be reported. Additional (secondary, etc.) employment should be indicated in the “Additional Notes or Special Instructions” section of the OPT Report Form. ISO will update the alumnus’ SEVIS record and print an updated I-20 to reflect the current employer on page 2.

SOCIAL SECURITY TAXES AND INCOME TAXES

Most F-1 students who earn income from OPT will pay federal and state income taxes. Alumni should consult the Internal Revenue Service (IRS) Publication 515: Withholding of Tax on Non-Resident Aliens & Foreign Corporations and Publication 519: U.S. Tax Guide for Aliens for clarification of tax status. These can be found online at www.irs.gov. Your tax status will be reviewed by ISO if you work at UMMS during your period of OPT.

IMMIGRATION STATUS AFTER OPT

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.

PROVISION FOR SHORT-TERM OPT EXTENSION FOR ALL ALUMNI ON OPT WHO HAVE AN TIMELY FILED H-1B PETITION (OPT CAP-GAP)

Since April 2008, F-1 student alumni on OPT who have been the beneficiary of a timely-filed cap-subject H-1B petition, whose employer has requested a change of status for the student to H-1B within the U.S., and whose H-1B petition was selected for processing and receipted prior to the expiration date of their approved period of OPT, are granted an automatic extension of their F-1 status and authorized period of OPT that enables them to remain in the U.S. and work until September 30th of the fiscal year immediately preceding the October 1st start date of the H1B petition in which they are listed as beneficiary. The Extension of status and authorized period of OPT ends immediately if the H1B petition is denied, revoked or withdrawn. More information can be found on USCIS’ website.

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. All GSBS students are considered to be in a STEM field. Only two lifetime STEM OPT extensions are allowed in successively higher degrees. (i.e. If you were granted a 17-month STEM OPT extension after completing an M.S. degree in a STEM field, you may qualify for a second STEM OPT extension (now 24-months as of May 10, 2016) upon completing a Ph.D. in a STEM field.) 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 our website:

TRAVEL WHILE ON OPT:

After program completion, alumni will need the following items to re-enter the U.S. on OPT:

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 in that will be valid on the day of planned to 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 US 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 UMMS.
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., UMMS 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, alumni MUST have an official job offer and the 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.