Regular & STEM OPT Workshop
Optional Practical Training

• Regular OPT is temporary employment authorized by USCIS for 12 months and must be directly related to a student’s major.

• It gives students a chance to apply their education to the real world.

• Some majors (Science, Technology, Engineering and Mathematics) can extend their Regular OPT for an additional 24 months.

• If your prior degree was in a STEM major you might be eligible for the 24 month extension.

• STEM OPT will be discussed later.
Pre-Completion OPT

Pre-Completion OPT allows students to do a paid training while they are pursuing their degree.

• Employment must be directly related to student’s major.
• Students are not subject to 90 days unemployment provision.

Pre-completion OPT’s impact on post-completion OPT

• Full-time OPT is deducted from the 12 month cumulative limit at the full-time rate
• Part-time pre-completion OPT is deducted from the 12 month cumulative limit at a 50% rate.

Pre-Completion OPT VS. Post-Completion OPT

-Pre-Completion OPT: Available BEFORE student’s program End Date
-Post-Completion OPT: Available AFTER student’s program End Date
Eligibility Requirements

• Sufficient GPA
  • 2.0 for undergrads and 3.0 for grads
• Maintained F-1 status
• Valid passport
• Two previous semesters were full-time OR approved RCL on file if you had fewer than required credits
• OPT workshop within six months of your application submission to VISA
• When your application is submitted to VISA, you must have applied for graduation with the Registrar’s office.
  • There is an exception to this for Ph.D. students (see later slide).
Eligibility for PhD Students

• You can apply for post-completion OPT before graduation once you have successfully completed all of your coursework.

• It is recommended that you meet with your VISA advisor if you apply for OPT without having applied for graduation because your dissertation is pending.
OPT Application Timeline

• Submission timeframe to VISA:
  • Up to 100 days before your program end date
  • No more than 30 days after your program end date

• Submission Timeframe to USCIS:
  • Up to 90 days prior to your program end date
    • If they get your application 91 days before the end date=DENIED
  • No more than 60 days after your program end date

In addition, USCIS must receive your application within 30 days of the date your OPT I-20 is issued

If they get your application 31 days after your I-20 was issued=DENIED
Your EAD Card

- You cannot work until your EAD—sometimes called an OPT card—is in your hand, even if your requested start date has passed and/or if the USCIS site says it’s been approved.
  - It may take up to two weeks to get your card after the approval is noted on the USCIS site.
  - USCIS encourages students to create a myUSCIS account on their website to view your case status.

- If you still don’t have your EAD and 75 days have passed since your receipt notice (I-797) was issued, you can contact USCIS’s Customer Service number at 800-375-5283.
  - Be sure to get the name or employee number of the person you speak with, as well as the date and time.
**OPT Timeline**

100 days before program end date: Earliest date to submit your application to VISA office

10 business days: VISA processing time

2-4 months: USCIS processing time

60 days from program end date: last possible start date for your EAD

90 days before program end date: Earliest date to submit application to USCIS

Program End Date

USCIS must receive your application within 30 days of the issue date of your I-20. Send your application immediately!

You may not start employment until you receive your EAD card and the start date on the card has passed.
Requested Start Date

- VISA Processing Time: 10 business days
- USCIS processing time: 2-4 months
- Your start date can be as early as the day after your program end date and must be no later than 60 days after your program end date.
OPT Employment

• Regular OPT requires at least 20 hours per week of employment; there is no maximum for the hours.

• You can change jobs without obtaining prior authorization and can have more than one employer.

• You may have up to 90 days of unemployment in Regular OPT.
  • Options before Day 90—PLAN AHEAD!!!!:
    • Leave U.S. and continue job search from home (and return in another status (e.g. H-1B)).
    • Return to school for a new degree program (but lose OPT)
    • Change to another visa status
Volunteering on OPT

• You may work as a volunteer or unpaid intern on Regular OPT in a field related to your major to stop the “90-day unemployment clock.”
  • Note that USCIS states this is possible “…where this practice does not violate any labor laws.”

• The work must be at least 20 hours per week. You must have evidence—acquired from your employer in the form of a letter—to verify your volunteer hours.

• All OPT-related volunteer work must be submitted to VISA via the OPT Employment Update Form.
Application Checklist

**PLEASE do NOT staple or clip your application!!!**

- Request for OPT *(filled out online from the VISA site)*
- I-765 *(filled out online from the VISA site)*
- Form G-1145 *(OPTIONAL)*- Request an electronic notification when USCIS receives your application.
- Regular OPT Responsibilities Form
- Copies of **ALL** I-20s you have used that have been issued to you by ODU and any other school *(not immigration regulations page)*; no dependent I-20s
- 2 passport-style photos- see number 9 of the Regular OPT Application Checklist
Application Checklist

- Check for $410 to “U.S. Dept. of Homeland Security” (SEVIS ID # & “OPT” in bottom left corner, your signature in the bottom right)
  - Personal or cashier’s check; money orders can’t be accepted.

- From passport: copies of ID & expiration date pages (not the address page) and current U.S. visa

- I-94: Online printout or, if you still haven’t left U.S. or have had a change of status, copy of each side of card/I-94 from approval notice

- Photocopies of previous all EADs (employment cards)
  - Front only, USCIS does not need to see the back.
Application Tips

• Documents should be legible and copied at their normal size and on one side only.

• Paper should be “American-sized” (8.5 x 11 in (21.59 cm x 27.94 cm)).

• Use blue ink when signing your I-765.
Application Submission

• After your application is processed, you will get an e-mail at your ODU student account with instructions on the next steps in the process. **SAVE THIS E-MAIL!**

• Students mail their Regular OPT applications to USCIS, using instructions in e-mail sent when OPT is ready.
  • We recommend using United Parcel Service (UPS), FedEx, etc. We do **NOT** recommend using regular U.S. Postal Service.
  • Request the additional **delivery confirmation** for the best protection if your application is lost by USCIS.
Application Submission

• IMPORTANT: Mail from the government (SSA, USCIS, etc.) cannot be forwarded even if you submit the address-forwarding form.
  - The address on your I-765 needs to be one you know you’ll be at or where you have a friend who can accept the card for you.

• If USCIS contacts you for additional information and you have questions about it, please scan and send the correspondence to VISA.
  - If you have no questions, feel free to respond to the request and be sure to keep a copy of everything you send.
Required Updates

• Your OPT is on an ODU I-20.
• Therefore, you are still responsible for keeping the following information current with VISA.
  • SEVIS U.S. address
  • SEVIS Home country address
  • “Mailing” address in LeoOnline
  • Name
  • Country of citizenship
  • Change of status (e-mail scanned PDF to VISA)

It is **YOUR RESPONSIBILITY** to ensure we have your current information.
Required Employment Updates

• After you get your EAD, send a pdf scan of your EAD to VISA.

• On VISA’s Regular OPT page, use the OPT Employment Update Form to notify us of any job changes within 5 days.

• Be sure to make updates about your job any time there are changes in your employment. That includes when you first receive an employment.

• You must provide a short description about how your major relates to your current job in the OPT Employment Update form.

• A new I-20 is not necessary when you change employers. Your I-20, EAD and employer documentation are sufficient to verify that you are legally in the U.S.
General Information

• The expiration date on your I-20 will be the program end date for that semester. **However,** your OPT dates will be listed on the second page.

• Remember, your OPT employment must be directly related to your major.
  • If your job appears to be in a field different than your major, ask your employer to write a letter to justify the connection between your job and your degree. Keep this with your I-20s and other important documents.
General Information

• To renew your driver’s license…:
  • you will need your OPT I-20 and EAD OR
  • if you have not received your EAD or receipt notice(I-797), request a letter from VISA’ site.

• You can register for one or two classes per semester as a non-degrees student.
  • for recreational reasons OR
  • for professional development related to your current OPT job

SAVE YOUR I-20s…FOREVER!!! (Yes, forever!)
Travel & Re-Entry

• **VISA strongly** recommends you not leave the U.S. while USCIS is processing your Regular OPT request.
  
  • If USCIS needs additional information, you won’t be here to provide it.

• You must have a job related to your major to re-enter the U.S. on OPT; the moment your EAD is **issued**, you’ll need to show it and proof of employment at the airport.
  
  • Proof of employment should be a letter on company letterhead from your employer verifying your start date and OPT end date (even if you plan to change to another status and continue with the company).
Travel & Re-Entry

• You automatically get your first travel signature when your OPT I-20 is issued.

• Travel signatures take up to three business days.

• If you need a new visa stamp, it will be F-1.
  • Contrary to rumor, it is possible to get a visa while on OPT.
Regular OPT & Health Insurance

• You are not required to have health insurance after graduation. However, we STRONGLY recommend you continue coverage.

• As you are still on a student visa, you are eligible for ODU’s insurance.
  • If your employer offers insurance, it will likely be a more comprehensive policy and you may want to consider buying that one instead.

• Per the Affordable Care Act, you must purchase a health insurance plan that meets specified minimum essential coverage. Individuals not covered may have to pay a tax penalty.
Cap Gap & H1-B

- A cap-gap I-20 can be issued to an F-1 student who has made a timely H-1B application with an Oct. 1st start date.
  - “Timely” - before a student’s F-1 status expires and during the open H1-B filing period.

- Students CANNOT travel during the cap gap and return in F-1 status.

- Students can file for STEM while an H-1B application is pending. However, VISA cannot provide advice about this.
Regular OPT Termination

• If you are issued an I-20 to start a new degree program or if your SEVIS record is transferred to another school, your OPT will be terminated at the time the I-20 is transferred or created.
  • Be sure to work with the international student advisor at your school to make sure you are aware when your OPT will end.

• If you wish to cancel your OPT, please send an e-mail to VISA and an advisor can provide information on the next step(s).
This concludes the portion about Regular OPT.

Any questions?
STEM OPT Extensions

Eligibility:

• Students received their most recent degree in the following fields:
  • Science, Technology, Engineering, Mathematics
  
   This list includes those with a double major (but minors do not count).
  
   • Check your major to make sure it is eligible.

• Students received their prior degree in STEM within 10 years preceding the date of STEM application.

• Students received another STEM degree at a higher educational level. (Maximum: 2 periods of 24-months STEM OPT)
• Mail your STEM OPT request (if you are out-of-town) to VISA via the address in your Regular OPT notification email.

• Regardless of where you are residing we are unable, at this time, to accept electronic applications.

• Please take the time to follow the STEM OPT example *VERY carefully*.

• Once processing is complete, we will send an email to your ODU student email address.
STEM OPT Application

NOTE: When preparing your Regular OPT application, make two sets of copies for easier STEM OPT application prep.

- Request for STEM OPT (filled out online)
- I-765 (filled out online)
- I-983 (filled out online)
- STEM OPT Responsibilities Form
- Copy of your STEM degree diploma or an official transcript
- Copies of ALL I-20s you have used that have been issued to you by ODU and any other school (not the USCIS regulations page)
- Two passport photos—requirements on STEM example
STEM OPT Application

• Check for $410 (see STEM example for requirements)
• From passport: copies of ID & expiration date pages (not the address page) and current U.S. visa
• I-94: Online printout or, if you still haven’t left U.S. or have had a change of status, copy of each side of card/I-94 from approval notice
• Photocopies of the front sides of all previous all EADs (employment cards)
STEM Application

- USCIS can receive your application 90 days before the end of your current OPT (EAD card) and within 60 days of the date of your STEM OPT I-20 was created.

- **ALL STEM OPT applications should be processed by the VISA office before it is mailed to USCIS.** Reminder:
  - VISA’s processing time: 10 business day.
  - USCIS processing time: 2-4 months.

- If your application is submitted in time, your transition from Regular OPT to STEM OPT should be seamless.

  - You can continue to work up to 180 days while your application is pending.
  - You should keep your STEM application receipt (I-797) to document that you have submitted it to USCIS.
Employers

- Employers must be enrolled in USCIS e-Verify employment eligibility verification program.
- Employers must complete and sign I-983 form.
- USCIS may visit your employers’ worksite(s) to verify whether they are meeting the STEM OPT program requirements.
- Employers must report changes in any of the following via I-983 form to the VISA office within 5 business days:
  - Employer name and address
  - Decrease in student’s compensation
  - Reduction in hours worked to less than 20 hours per week
  - Employer’s EIN
  - Termination of employment
Employment

- You must be working in a paid position for at least 20 hours per week; otherwise, you will accrue unemployment days.

- You cannot be unemployed for more than 150 days total (including Regular OPT).

- Volunteering and unpaid internships are only allowed above and beyond your paid employment.

- All employment and address information must be current with VISA.
Required Updates

OPT Employment Update must be submitted:

1. **EVERY SIX MONTHS** regardless if there is a change or not. USCIS requires that you submit an employment update (via OPT Employment Update form on VISA web site).

   SEVP may terminate your record if you do not make this update.

2. Within 5 business days whenever there is a change in employment.
Required Updates

You are still responsible for keeping the following information current with VISA.

- SEVIS U.S. address
- SEVIS Home country address
- “Mailing” address in LeoOnline
- Legal Name
- Country of citizenship
- Change of status (e-mail scanned PDF to VISA)
Travel on STEM

• As with Regular OPT, you are strongly discouraged from traveling while STEM is pending.

• You must have a job with an e-Verify company to re-enter the U.S. on STEM OPT.

• Upon re-entry, you need proof of employment.
  • letter from employer verifying that you’ll start or resume a job
  and pay stubs

  See the “Travel Reminders” on the RESOURCES page of the VISA site.
The three STEM OPT application forms are found on our FORMS page and at the top of the STEM OPT page.
Questions?