OPT Guide
Instructions, Legal Compliance, and Application

International Students & Scholars Office (ISSO)
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Students wishing to apply for Pre-Completion or Post-Completion Optional Practical Training (OPT) will need to read through this guide in its entirety and then follow the application instructions in the box below:

**DOCUMENTS TO SUBMIT TO ISSO**

What you will need to provide to the ISSO to apply for an OPT recommended I-20:

- **I-94**
- **Form I-765**
- **Verification of Anticipated Completion Date** (completed and signed by your academic advisor)
- Copy of unofficial transcript (can be accessed from **SiS**)
- Complete the **OPT e-form** and UPLOAD the above documents

*Students must submit their documents through the OPT e-form. Students attempting to drop off their documents in person or via email, will be referred back to upload their documents to the e-form.*

The ISSO needs 5-7 business days to process your OPT Recommended I-20. We process all applications as soon as possible and appreciate your patience.
WHAT IS OPT?

- Optional Practical Training (OPT) is defined as “temporary employment for practical training directly related to the student’s major area of study”. A student is permitted a total of 12 months of Optional Practical Training per Higher Educational Level. A student can use a chosen amount of the 12-month allotment of OPT time before graduation (Pre Completion Optional Practical Training – Pre OPT) and a chosen amount after graduation (Post Completion Optional Practical Training – Post OPT), as long as the aggregate does not exceed the 12 months per educational level. Any time authorized as PRE-completion Optional Practical Training is deducted from the 12-month allotment. If a student has used 12 months or more of full-time Curricular Practical Training (CPT) in same academic level, he/she will lose eligibility for Optional Practical Training. The information listed below refers to the OPT application process. Anyone interested in applying for work authorization, should speak with an ISSO advisor during an advising hour, prior to their intended start date.

ELIGIBILITY REQUIREMENTS

A student is eligible for Pre or Post OPT if:

- The student has been a full-time student for one academic year (academic year equates to fall/spring or spring/fall – summer is not counted)
- The student is not in a Non-Degree Pathway I-20
- The student is not in a Non-Degree Language I-20
- The student’s proposed employment relates to the student’s major area of study
- The student has not been authorized for 12 months or more of full-time Curricular Practical Training (CPT)

FILING TIMELINE

- The Post OPT application can be submitted to USCIS as early as 90 days before the student’s chosen OPT start date, and before the expiration of the students 60-day grace period following their completion date. Therefore, an approved Employment Authorization Document (EAD) for Post OPT is related to the completion date. For this reason, it is crucial to choose an accurate completion date. USCIS determines completion based on student’s actual completion of degree requirements, which is not necessarily the same as the school’s Commencement or Degree Conferral date(s). For dissertation/thesis students defending their final dissertation/thesis, your completion date is normally 2-4 weeks beyond the defense date to allow for necessary corrections. Only your Thesis/Dissertation advisor can estimate your completion date within the 2-4 week range.

- If you are unable to complete by the Completion Date entered on the Anticipated Completion Date form signed by your Academic Advisor, * IT IS YOUR RESPONSIBILITY to inform us PRIOR to the completion date. If you notify us prior to the completion date, it provides some flexibility to cancel your Post OPT Request/Extend I-20/protect your legal status. Failure to inform us that
you did not complete as expected below will create problems to your immigration record and in some cases jeopardize your Post OPT authorization.

- Within two weeks of the date that you submit the application to USCIS, you should receive a receipt notice. Four to eight weeks after you receive your receipt notice, you should receive your Employment Authorization Card. (Please note that these are estimated processing times and that on occasion it can take up to eight to twelve weeks.) **If you do not receive your EAD card by the 75th day of mailing, please contact our office for assistance. We are legally unable to follow up before the 75th day.**

**DO NOT WORK UNTIL YOU RECEIVE YOUR EAD!**

- **If you work using your Post OPT, EAD card before having completed your program, you will be considered to be working illegally.** Working without legal status is a very serious offense. Requests for Reinstatement of your student status based on illegal work are usually denied by USCIS. Denial of a Reinstatement application means that USCIS will revoke your OPT work authorization and request that you depart the country within a designated, limited period of time. Working on “Post” OPT without having completed your program may also jeopardize a future H-1B petition.

**YOU MUST BE AWARE**

- **The Completion Date on page one of your Form I-20 will be shortened to the completion date written on the Anticipated Completion Date form signed by your Academic Advisor. You will NOT be able to continue working at UMass Lowell past that date as a student. Any current CPT or on-campus employment also ends on the above mentioned date.**

- Students cannot complete their program with registration in online courses exclusively; you MUST complete your program with at least one on-campus course. **OPT requests will be terminated within SEVIS if ISSO comes to learn that student is completing their program through online courses exclusively. This is a legal requirement that must be adhered to.**

- **Be sure to continue to maintain health insurance coverage** throughout your Practical Training period. If you have questions about your UMass Lowell health insurance coverage as it pertains to your UMass Lowell completion, please contact Health Services at [http://www.uml.edu/student-services/health/](http://www.uml.edu/student-services/health/) (or call 978 934-4992).
POST OPT REGULATORY REQUIREMENTS

- **You are only permitted to work in your field of study** and the job should be commensurate with the level of your degree. Employment needs to be for a minimum of 20 hours per week. You can have concurrent employment while on Post OPT, but each position needs to comply with above-referenced minimum requirements. Also you must report your Post-OPT employment within 10 days of receiving a job. Failure to reporting jeopardizes your F-1 OPT Status.

- **Post OPT, F-1 status is dependent upon employment.** Students may not accrue an aggregate of more than 90 days of unemployment during any POST-Completion OPT carried out under the initial Post OPT authorization. Students granted a 24-month OPT STEM Extension may not accrue an aggregate of more than 150 days of unemployment during the total 36-month OPT period. The Student & Exchange Visitor Information System (SEVIS) requires that the student’s school report employer information for students who are on Post OPT. Be sure to inform our office when you find employment and also report any subsequent employment changes within 10 days. SEVIS will only be aware of your employment if you have notified our office, permitting us to record it on SEVIS. A student must work at least 20 hours per week in a qualifying position in their field of study to be considered employed. If a student has a variable schedule, within a month, it should average out to at least 20 hours per week. **USCIS currently acknowledges volunteer or unpaid internships in the student's field of study, to comply with the Post OPT employment requirement.** The law is intended for positions that are recognized by the sponsoring employer as “volunteer” or “unpaid internship” positions. In order to comply with USCIS and Department of Labor laws these must be “true” volunteer or unpaid internships and not those that would otherwise be paid. The position would need to fulfill the following requirements: 1) be in your field and level of study; 2) minimum of 20 hours per week; 3) be a true volunteer or unpaid internship as mentioned above. **Please note that volunteering is not permitted at UMass Lowell.**

- **You may not continue in your CPT employment beyond your completion date unless you have received an approved EAD and until the effective date of the card has been reached.** Your SEVIS employer information begins blank from the date of your EAD card. If you are to continue with your CPT employer as your Post OPT employer, you must inform us of this at the time you receive your EAD card. This will permit us to change your employment status with your employer from CPT to Post OPT employment. (Again, do not continue CPT employment beyond completion date until you have received EAD card and until the EAD card’s effective date has been reached.)

- **IF YOU DO NOT APPLY FOR OPT, You have a 60-day grace period beyond the completion date of your EAD.** You may not work during this 60-day grace period. Also, if you depart the U.S. during this period, you will not be able to re-enter in F-1 status. You may, however, use this time to transfer your F-1 program to another school or to apply to USCIS for a change of status to another non-immigrant classification.

- **You are not permitted to be a full-time student or be enrolled in a degree program.** In order to be enrolled in a degree program, either part-time or full-time, you will need to return to a student visa and your Post OPT will terminate. **If you are accepted as a student during your Post OPT period, you will need to inform our office.** You will also need to inform your new school of your Post OPT Status. They will need to issue you a new Form I-20. Your Post OPT status will terminate on the effective date of your new Student Visa Document (i.e. start date as listed on Page 1 of the Form I-20), or on the Release Date from our school to your new institution, whichever comes first. **Your new school will request that we release/transfer your SEVIS record from UMass Lowell to their institution’s SEVIS program.**
WORKING AT UMASS LOWELL POST-GRADUATION

You will not be permitted to work at UMass Lowell after your completion date as listed on your post-OPT I-20, unless ALL of the following conditions apply:

- You have received the EAD
- The start date on the EAD is current
- The work at UMass Lowell is in your field
- The work is commensurate with your degree level
- The work should be paid unless the position is vetted by Human Resources as a legitimate unpaid internship. We will need to have a copy of your contract before we can update SEVIS with this information
- You must update the I-9, Employment Eligibility Verification Form, at the Human Resources office. (They will need to see your EAD when updating this form.

INFORMATION ON H-1B STATUS

For those students planning to apply for H-1B status, please be aware that USCIS has a cap on the number of H-1B visas issued per year. The USCIS fiscal year starts on October 1st of every year. The deadline to apply for an H-1B petition to start on October 1st is six months prior (i.e, April 1st). The cap is usually reached every year in early April/May, so plan accordingly.

Cap Gap Extension of “D/S” (i.e. Duration of Status)/work authorization until October 1st.

- Effective April 8, 2008, the Department of Homeland Security authorized an H-1B cap-gap extension of D/S (i.e. Duration of Status) and in some cases it also includes extension of work authorization until October 1st.
- Cap Gap Extension applies only to H-1B Change of Status Petitions (not Consular Processing). You must be in valid F-1 status at the time that you apply for the Cap Gap. You must also remain in the U.S. during your Cap Gap period and cannot travel until you are in H-1B status. The Student & Exchange Visitor Program (SEVP) strongly recommends that students do not travel outside the United States during the Cap-Gap Extension, as USCIS will consider a change-of-status application to be abandoned if the applicant leaves the country while the application remains pending a change-of-status petition from F-1 to H-1B filed on behalf of a student with a Cap-Gap Extension who departs the U.S. before the application is adjudicated could be denied.
- In order for a student to have employment authorization during the Cap-Gap Extension, the student must be in an approved period of Post Completion Optional Practical Training (i.e., your card must be valid at the time your H-1B is filed.) If your Post OPT Employment Authorization Card is still valid at the time the H-1B Petition is filed, your Cap Gap Extension will not only extend your F-1/Duration of Status, but it will ALSO extend your work authorization once until September 30th.

If, however, you are in the 60-day grace period beyond the expiration date of your Post OPT Employment Authorization Card, you are legally permitted to remain in the U.S. until September 30th, but are not authorized to work until the effective date of your H-1B Petition Approval.

- The application for the Cap-Gap Extension is processed through our office and SEVIS.
- A student can apply for the 24-month STEM Extension during the Cap-Gap Extension of OPT. The student will need to have his or her employer request withdrawal of the approved or pending H-1B petition in time for USCIS to effectively accept the withdrawal prior to October 1st.
- The 90-day limitation on unemployment continues during the Cap-Gap Extension.
OPT TRAVEL

TRAVEL outside of the U.S while on Post OPT Status:
If you plan on traveling after submitting your Post OPT petition and before your EAD is received, please contact our office for advice, as travel is NOT recommended during this time period. It is risky and may jeopardize your application. Post OPT is considered to be the final phase of your F-1 student status. For this reason, you will need to have the following documentation in order to re-enter in proper Post OPT status:

- A passport (valid 6 months beyond your EAD expiration date);
- A valid F-1 visa stamp in your passport;
- Your Post OPT, Form I-20, with a travel signature on page 2 that is not older than 6 months;
- A letter from your Post OPT Employer.

Do not Re-Enter with a Tourist Visa while on Post OPT, as it will cancel your OPT authorization. Time spent outside the U.S. during an approved period of post-completion OPT counts as unemployment against the 150 if on 24 month Extension limits, unless the student is either 1) Employed during a period of leave authorized by an employer; 2) Traveling as part of his or her employment.

REPORTING REQUIREMENTS ON OPT

You are required to report the following to our office within a 10-day period:

Changes will be recorded by our office on your SEVIS record to maintain your legal F-1/OPT status)

- ALL employment changes: new employment, interruption of employment, concurrent employment, unpaid internship volunteer work, change in employer name, change in employer address and/or loss of employment, etc.
- Change of Name
- Change of address (U.S. or Home Country)
- Change in Citizenship
- Change in non-immigrant visa status

DISCLOSURES

NOTE: **If you are applying for Post OPT based on a “Graduate Certificate” program, you will NOT be eligible for the STEM Extension even if your graduate certificate is from a STEM acceptable field. Currently the STEM work authorization extension is only permitted for students who were issued the 12 months of Post OPT work based on Bachelor’s Master’s or Doctoral level work Post OPT.**


When you pick up your completed OPT I-20 form, the front office will assist you with any corrections that need to be made or missing paperwork. It will be your responsibility to complete any missing requirements before submitting your OPT Petition to USCIS. Failure to do so will result in your petition being returned to you by USCIS for additional information and will cause a delay to your processing.