F-1 Optional Practical Training Seminar

Syracuse University
Center for International Services

Optional Practical Training (OPT)

OPT is authorization for "training" before or after completion of your degree in a position directly related to your program of study.

How long can OPT Training be authorized for?

- All F-1 students are eligible for one year of authorization at each degree level

  - 12 months at the Bachelor's level +

  - 12 months at the Master's level +

  - 12 months at the Ph.D. level

- Some F-1 students may be eligible for additional OPT (STEM extension) if they meet all the requirements

What Makes OPT Optional?

- You are not required to do it, you do not have to apply for OPT

- You have some choice about when you can apply for it

- It is not something required for your degree or a course you can register for in your curriculum; you would use Curricular Practical Training (CPT) for that

Must the Training Be Related to my Major?

- The training must be in your major field of study as indicated on your I-20

- All majors/programs of study should be listed on your I-20

- It cannot be in a minor

- It cannot be in a previous major/degree not included on your current I-20

- Bachelor's degree in Computer Science, now doing a Master's degree in History-OPT would have to be in History

Do I Need a Job Offer to Apply for OPT?

- An offer for the training is not necessary to apply for OPT
- You do not need to wait for a job offer to apply for OPT

Who Authorizes OPT?

- The Center for International Services recommends the OPT by issuing a new I-20
  - not like CPT that we authorize
- OPT is approved and authorized by USCIS (US Citizenship & Immigration Services)
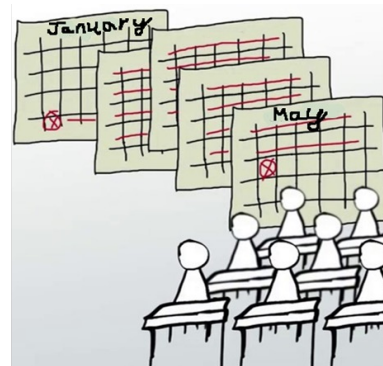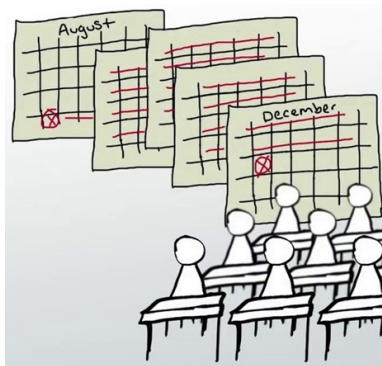
Who is Eligible for OPT?

OPT is a benefit of F-1 status

- You must currently be in lawful F-1 status-you must be physically present in the U.S.; you cannot apply for OPT from outside the U.S.

- J-1 students are not eligible for OPT but are eligible for Academic Training

- J-2s, H-4s, L-2s, etc. are not eligible for OPT but may have other employment authorization
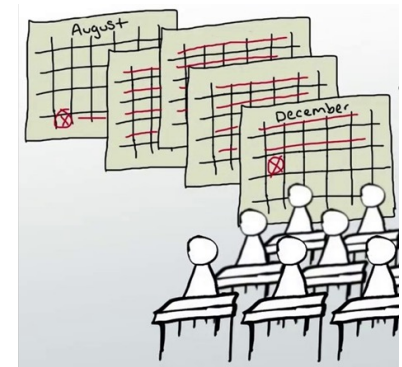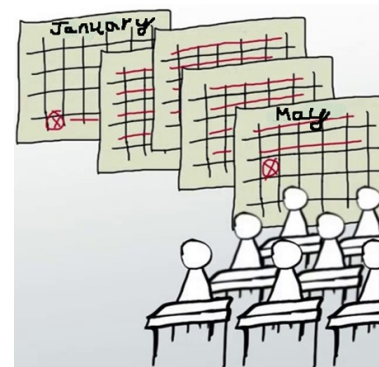
Who is Eligible for OPT?

You must have been a full-time student for at least one academic year (Fall and Spring or Spring and Fall)

- no time spent in an English language program counts toward this one-year full-time requirement

- time as a full-time student in another immigration status (H-4, L-2, J-2, etc.) does count toward the one-year full-time requirement
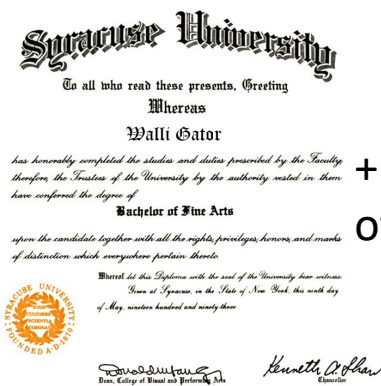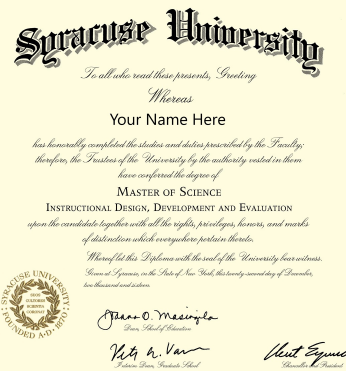
OR

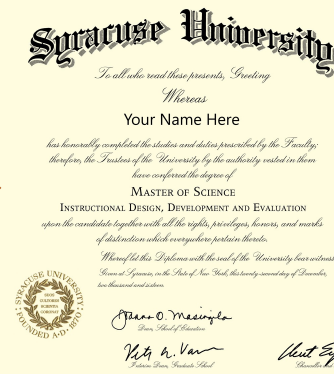# What Would Make Me Ineligible for OPT?

- You cannot have utilized an equivalent of 12 months of OPT at the same degree level or for a higher degree

  - Can do a Bachelor's degree and get 12 months of OPT then do a Masters degree and get 12 months of OPT and do a Ph.D. degree and get 12 months of OPT

  - Cannot do two Masters degrees and get two 12-month periods of OPT

- You cannot have done 365 days of full-time Curricular Practical Training (CPT) at the same degree level
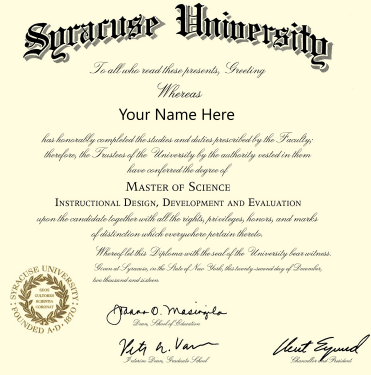

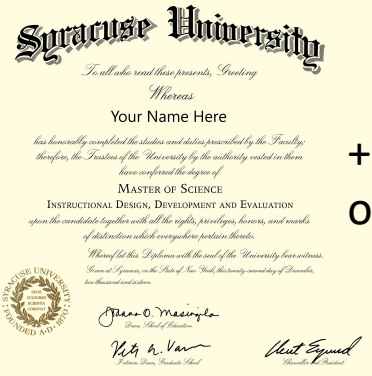+ 12 Months of OPT   + 12 Months of OPT   + 12 Months of OPT

+ 12 Months of OPT

+ 12 Months of OPT

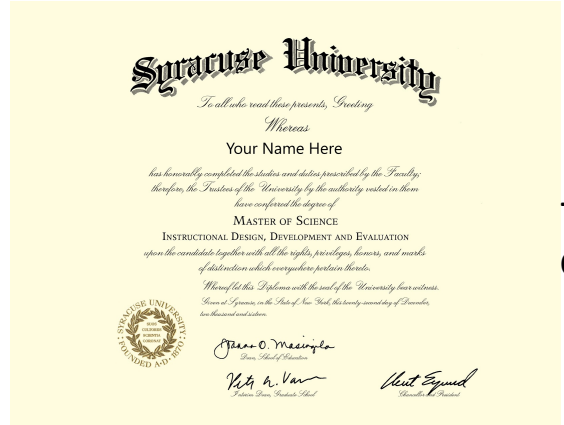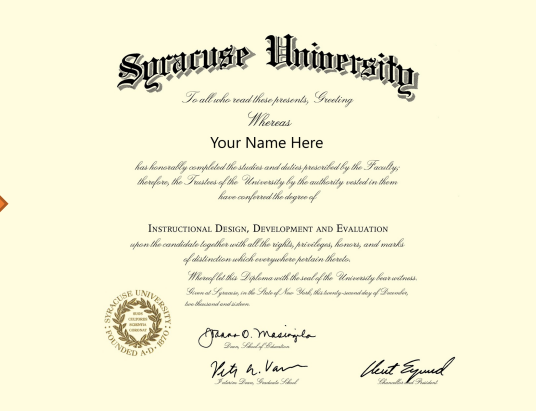**+ 12 Months of OPT**

+ 12 Months of OPT

+ 12 Months of OPT

Does Approval for CPT Affect How Much OPT I am Eligible for ?

- CPT is never deducted from OPT; you can use CPT and OPT

- But if you use 12 months of full-time CPT, then you will not be eligible for any OPT

- You can use as much part-time CPT and "up to 364 days" of full-time CPT and still be eligible for OPT

  - USCIS is closely examining extended periods of full-time CPT authorization

When Can I Use OPT?

Pre-Completion of program (before program end date on your I-20)
- During annual/summer vacation- Part-time or Full-time
- While school is in session- Part-time
- After you have completed all course work and are working on your thesis or dissertation- Part-time or Full-time

Most students use CPT for these experiences because opportunities for Internships, Practicum, Field Experience are plentiful at SU

Post-completion of program (start date of OPT is after the program end date on your I-20)-when most students use OPT

How Much OPT am I eligible for?

Maximum authorization = 12 months

If you use any pre-completion OPT (prior to completion of your program) :

- Full-time authorization is subtracted from the twelve months
  - three months of full-time summer OPT would leave you with 9 months of OPT
- Part time authorization is subtracted from the 12 months at ½ the rate
  - four months of part-time authorization would leave you with 10 months of OPT

# When Can/Should I Apply for OPT?

If Applying for **Pre-Completion OPT**

- If applying during your 1st year of study
  - You can apply no more than 90 days before completing your first academic year
    - because you are not eligible for OPT until you have been a full-time student for two semesters
- If applying after your 1st year of study
  - You can apply no more than 90 days prior to the work authorization start date you request

When Can/Should I Apply for OPT?

If applying for **Post-completion OPT**: there is a 5 month window for application
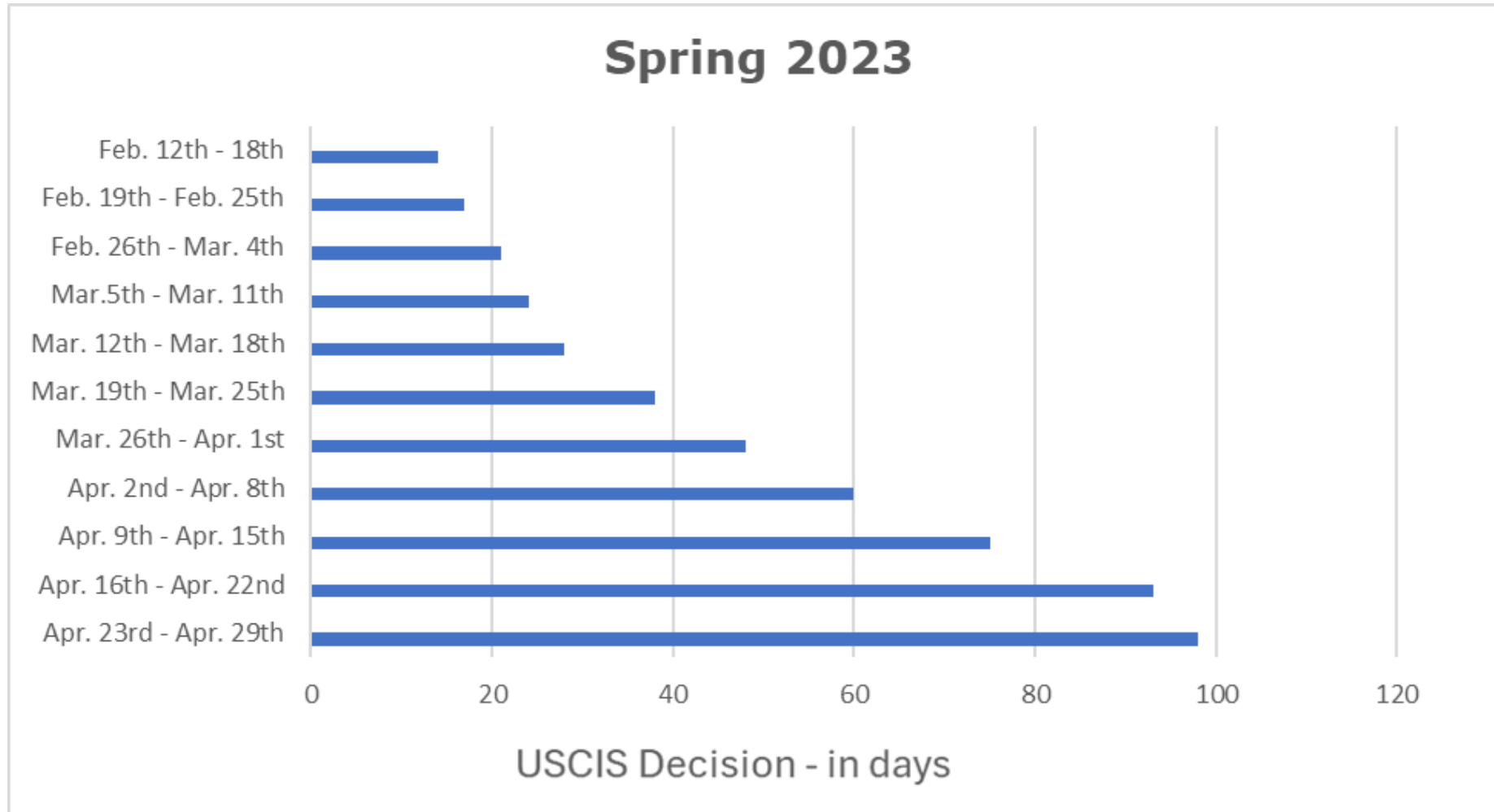
- No more than 90 days/3 months prior to your program end date and up to 60 days/2 months after your program end date

- Your application must be *received* by USCIS no later than 60 days/2 months after your program end date

Program
End Date

Must be received by USCIS no later than 60 days after program end date

No more than 90 Days before your program end date
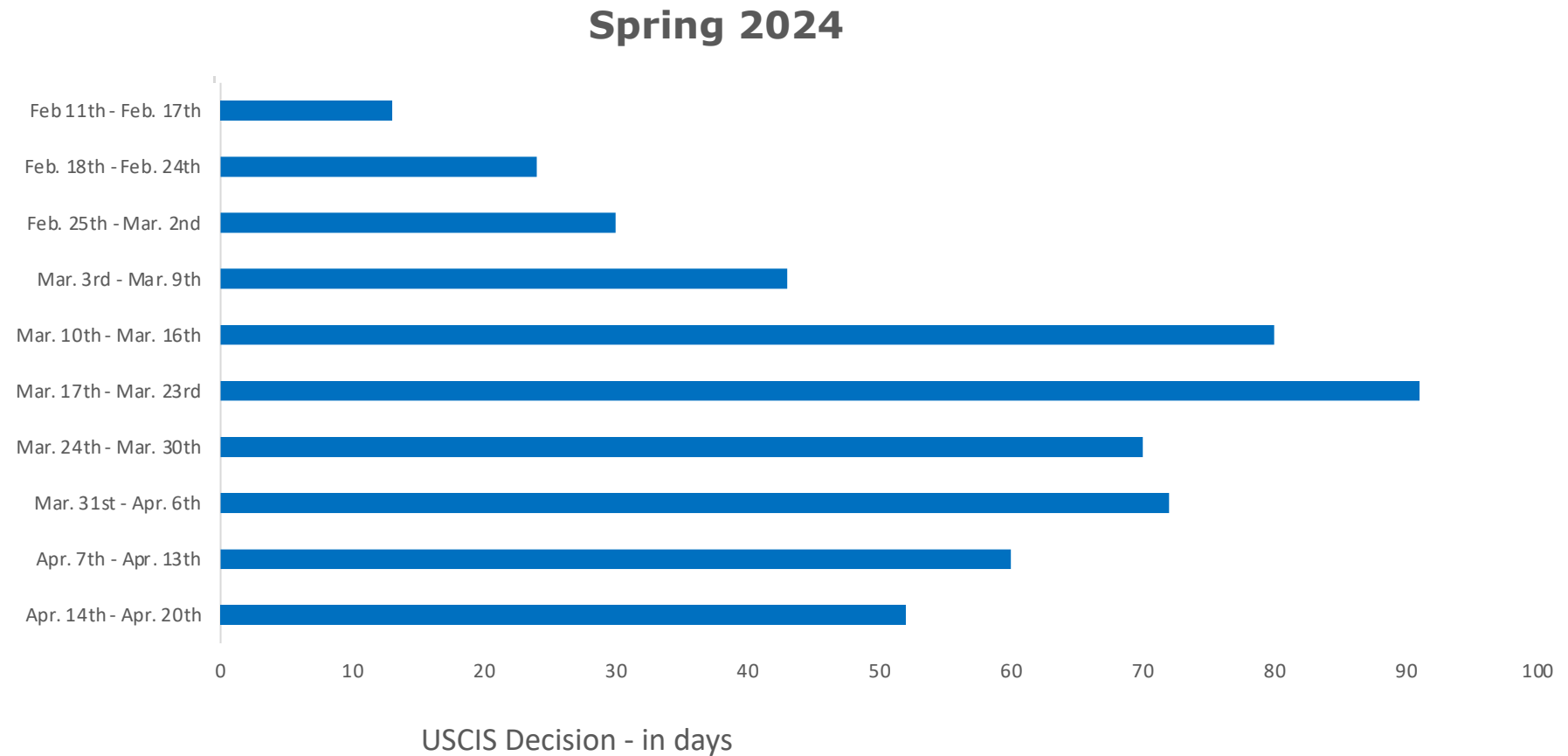
5 Month Window To apply for OPT
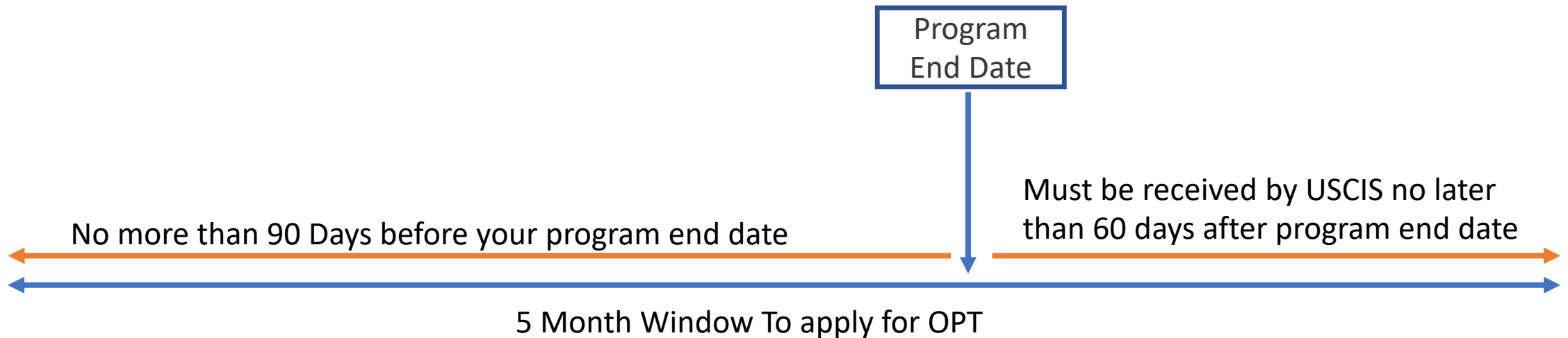
How long does it take for USCIS to approve OPT?

- USCIS reports that 80% of OPT applications are processed within 45 days

- Again, the earlier you apply, the quicker your processing time

  - May graduates who apply in February experience faster processing times (weeks) than those that wait until April/May to apply (months)

  - December graduates who apply in September experience faster processing times (weeks) than those that wait until December to apply (months)

Why Apply Early?

Spring 2023

USCIS Decision - in days

Week	Days
Feb. 12th - 18th	~14
Feb. 19th - Feb. 25th	~17
Feb. 26th - Mar. 4th	~21
Mar.5th - Mar. 11th	~24
Mar. 12th - Mar. 18th	~28
Mar. 19th - Mar. 25th	~38
Mar. 26th - Apr. 1st	~48
Apr. 2nd - Apr. 8th	~60
Apr. 9th - Apr. 15th	~75
Apr. 16th - Apr. 22nd	~93
Apr. 23rd - Apr. 29th	~98

Why Apply Early?

Spring 2024

Horizontal bar chart titled "Spring 2024" showing USCIS Decision – in days by week range:

Week	USCIS Decision - in days
Feb. 11th - Feb. 17th	13
Feb. 18th - Feb. 24th	24
Feb. 25th - Mar. 2nd	30
Mar. 3rd - Mar. 9th	43
Mar. 10th - Mar. 16th	80
Mar. 17th - Mar. 23rd	91
Mar. 24th - Mar. 30th	70
Mar. 31st - Apr. 6th	72
Apr. 7th - Apr. 13th	60
Apr. 14th - Apr. 20th	52

USCIS Decision - in days

Does having a job allow my application to processed faster?

- Including a job offer letter does NOT make your application get processed any faster

- Remember you do not need a job offer to apply

Can my OPT application be expedited?

- An application will only be expedited if you can document specific criteria set by the USCIS:

  - Severe financial loss to company or person
  - Emergency situation
  - Humanitarian reasons
  - Nonprofit organization whose request is in furtherance of the cultural and social interests of the United States
  - Department of Defense or national interest situation
  - USCIS error
  - Compelling interest of USCIS

- It is extremely difficult to get an application expedited

Premium Processing

- Guarantees 30 days processing time

  - not an approval

  - a guarantee they will look at your application within 30 days

  - our experience is 3-5 days

- No expedite of the production of your EAD card nor mailing of it to you

  - Usually takes an additional 7-10 days for EAD card to be produced

  - Usually takes an additional 7-10 days for EAD card to be mailed to you

How much does it cost to apply for OPT?

USCIS Filing fee for OPT is **$470**

- Friends who applied before April 1, 2024 paid less

How much does Premium Processing cost?

$ Filing Fee for Form I-765 = $470

$$ Premium Processing Fee = $1685

$$$ Total = $2155

You can:
- file a Request for Premium Processing when you file your Form I-765 Application for Employment Authorization OR
- you can request it after filing, while Form I-765 is pending

We advise you apply early enough to avoid having to use Premium Processing in order to begin a job in a timely fashion!

OPT Application Process Overview

To get here from our website > Immigration Status > Employment > Optional Practical Training (OPT) – F-1 > OPT Application Process

OPT Application Process

The OPT application process first requires you to obtain an OPT recommendation I-20 from the Center for International Services and then submit an application to U.S. Citizenship and Immigration Services (USCIS) online. **DO NOT** submit an online application to USCIS without first obtaining your OPT recommendation I-20.

+ Step 1: Obtain an OPT Recommendation Letter from your Academic Department

+ Step 2: Determine your Requested OPT Start and End Date

+ Step 3: Request an OPT Recommendation I-20

+ Step 4: Prepare Documents for OPT Application (I-765)

+ Step 5: Create USCIS Account & Complete I-765

+ Step 6: Optional I-765 Review

+ Step 7: Submit and Pay

STEP 1: Obtain an OPT Recommendation Letter from your Academic Department

- Obtain a Recommendation Letter from your department printed on departmental letterhead

- You will need to Upload this letter to your request for an OPT Recommendation I-20

- Do NOT ask your department to send it to the Center for International Services

Sample Advisor's Letter for Optional Practical Training

DEPARTMENTAL LETTERHEAD

MEMORANDUM

TO: Slutzker Center for International Services

FROM: Name
Title

RE: Recommendation for Practical Training for (*name of student*)

DATE: Current Date

SIGNATURE:

Sample 1: Practical Training after the completion of the program of study
This letter is written to confirm that the above named student completed/will complete all requirements for the Bachelor's/Master's/Doctoral degree in student's major/program of study on Month Day, Year. In order for him/her to receive the full benefit of his/her education, it would be beneficial for him/her to receive practical experience in the field of _____ (field of study) in this country. Therefore, I recommend that s/he be granted practical training.

Sample 2: Practical Training after the completion of all course requirements
The above named student is a full-time undergraduate/graduate student in the Department of _____. S/he has completed all course requirements for the Bachelor's/Master's/Doctoral degree in _____ and is working on his/her thesis/dissertation/equivalent (please specify Master's project, comprehensive exam, etc.). S/he expects to complete the degree by Month Day, Year.

In order for student's name to receive the full benefit of his/her education, it would be beneficial for him/her to receive practical training in the field of _____ in this country.

Sample 3: Practical Training During Vacation Periods
The above named student is a full-time undergraduate/graduate student in the Department of _____ expecting to complete a Bachelor's/Master's/Doctoral degree by Month Day, Year. The Department of _____ recommends that s/he be authorized practical training to engage in employment related to his/her program of study during his/her vacation period. We consider such an experience beneficial to a student's program of study.

Sample 4: Part-Time Practical Training during the school year
The above named student is a full-time student in the Department of _____ expecting to complete a Bachelor's/Master's/Doctoral degree by Month Day, Year. The _____ department recommends that s/he be authorized practical training to engage in employment related to his/her field of study part-time (20 hours/week or less) during the academic year. We consider such an experience beneficial to a student's program of study.

STEP 2: Determine your Requested OPT Start and End Date

Pre-Completion OPT

- may begin any day after you complete two semesters as a full-time student and end any day within 12 months of your requested start date

STEP 2: Determine your Requested OPT Start and End Date

Post completion OPT

- There is a 60 day "window" for your OPT start date

- OPT may begin any day after your program end date up to no later than 60 days after your program end date

- If you have a job and know when you will start and that start date is within 60 days after you complete your program, choose that start date

Program End Date	Requested OPT Start Date

12 Months OPT Authorization

OPT Start Date – 60 Day Window
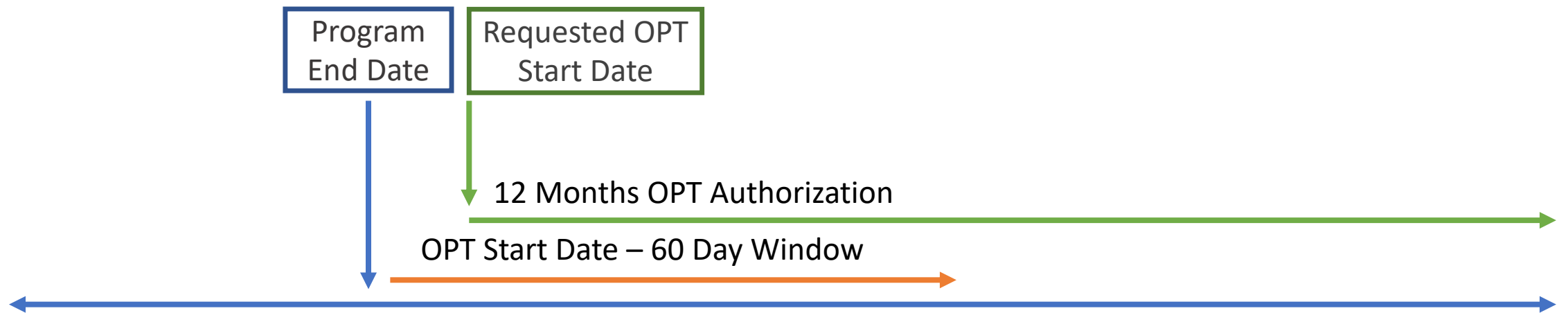
STEP 2: Determine your Requested OPT Start and End Date

If you do not have a job offer, you still have to choose a start date

- You may have to make an educated guess

  - If you have not yet applied for jobs or have not even written your resume yet, you may want to choose the last possible date to begin OPT

  - If you have begun your job search, you may want to choose a start date in between

Program End Date

Requested OPT Start Date

Requested OPT Start Date

12 Months OPT Authorization

12 Months OPT Authorization

OPT Start Date – 60 Day Window
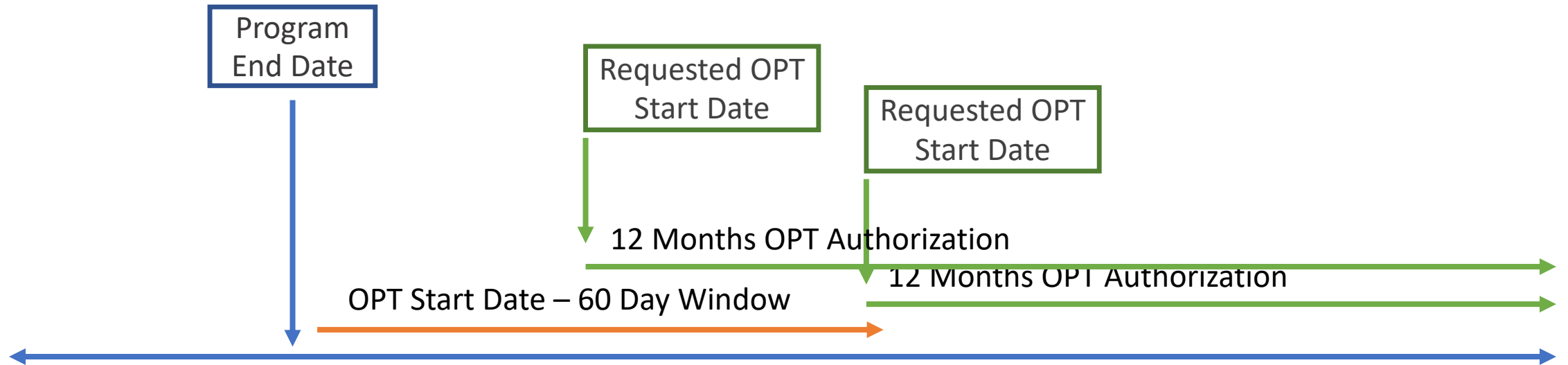
STEP 2: Determine your Requested OPT Start and End Date

Post-Completion OPT end date must be no later than 14 months after your program end date regardless of the OPT employment start date

- If you apply early, your OPT will likely begin on the start date you request

- If USCIS has not approved your application by your requested start date, it will begin on the date USCIS approves it

- If on the date USCIS approves your OPT they can still approve 12 months of OPT, you will be approved for 12 months.

  - If not, you will be approved until no later than 14 months after your program end date

  - You may actually be approved for less than 12 months of OPT

STEP 2: Determine your Requested OPT Start and End Date

Program End Date

USCIS Receives Application

USCIS Approves Application and adjusts start date

14 months After Program End Date

USCIS 90 Days Processing

Actual Work Authorization – 9 months of OPT

Requested Authorization – 12 months of OPT

OPT Start Date – 60 Day Window
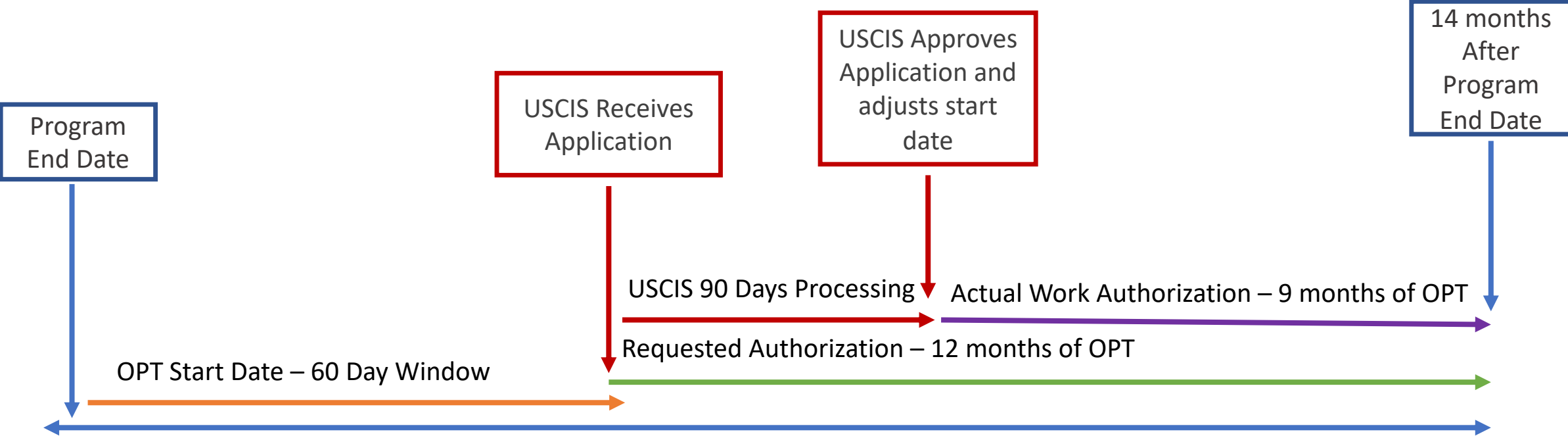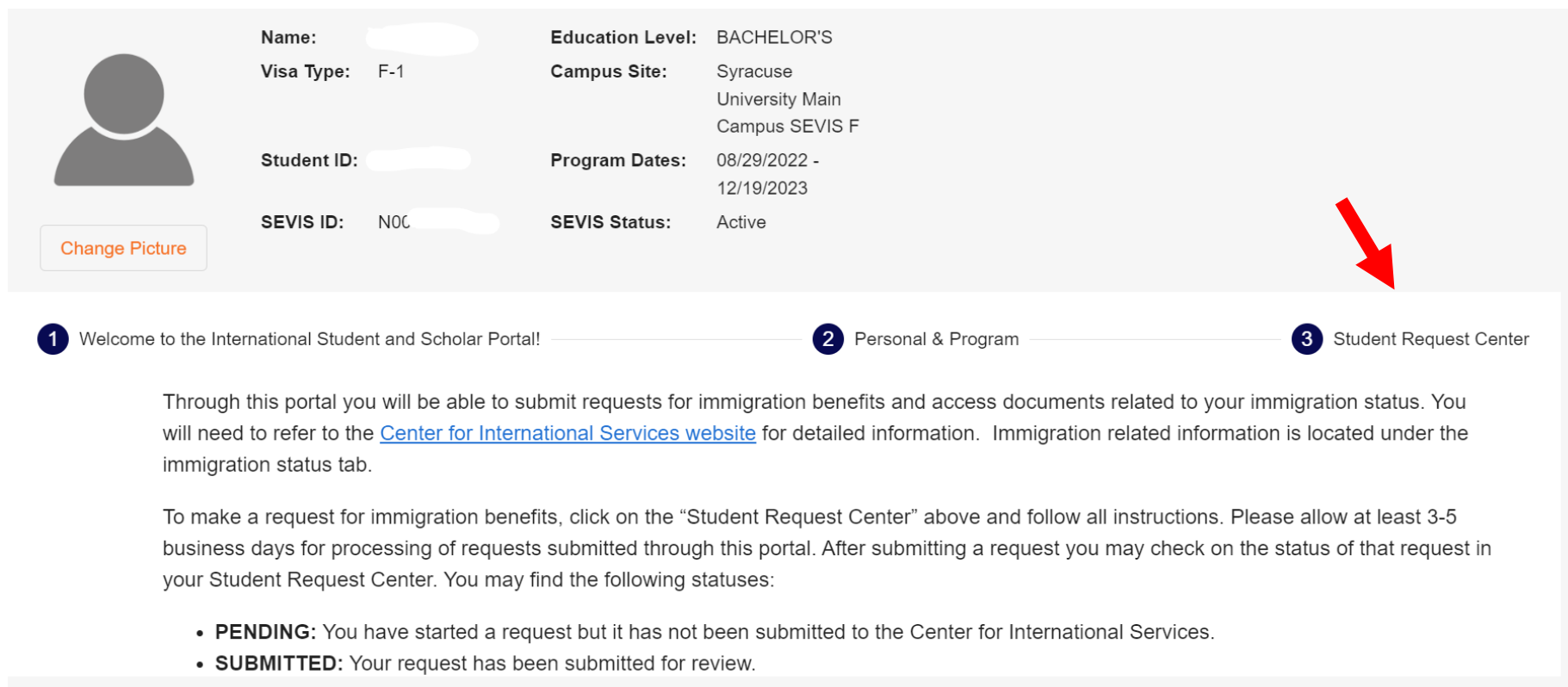
STEP 3: Request an OPT Recommendation I-20

1. Log in to the International Student and Scholar (ISSS) Portal through MySlice.

International Student/Scholar

2. Go to the Student Request Center.

Name:		**Education Level:**	BACHELOR'S
Visa Type:	F-1	**Campus Site:**	Syracuse University Main Campus SEVIS F
Student ID:		**Program Dates:**	08/29/2022 - 12/19/2023
SEVIS ID:	N00	**SEVIS Status:**	Active

Change Picture

① Welcome to the International Student and Scholar Portal! — ② Personal & Program — ③ Student Request Center

Through this portal you will be able to submit requests for immigration benefits and access documents related to your immigration status. You will need to refer to the Center for International Services website for detailed information. Immigration related information is located under the immigration status tab.

To make a request for immigration benefits, click on the "Student Request Center" above and follow all instructions. Please allow at least 3-5 business days for processing of requests submitted through this portal. After submitting a request you may check on the status of that request in your Student Request Center. You may find the following statuses:

- **PENDING:** You have started a request but it has not been submitted to the Center for International Services.
- **SUBMITTED:** Your request has been submitted for review.

STEP 3: Request an OPT Recommendation I-20 (continued)

3. Find the Optional Practical Training (OPT) Request.

Optional Practical Training (OPT) Request

4. Complete the Questionnaire.

OPT Employment Request (Questionnaire)
Required *

OPT Employment Type *
Please select one

Requested Start Date(MM/DD/YYYY) *
MM/DD/YYYY

Requested End Date(MM/DD/YYYY) *
MM/DD/YYYY

OPT Employment Full or Part Time *
Please select one

Next

Previous OPT Information (Questionnaire)
Required *

STEP 3: Request an OPT Recommendation I-20 (continued)

5. Upload the Required Documents:
   - Advisor's Letter
   - Most recent I-94 and Travel History

STEP 3: Request an OPT Recommendation I-20

6. Read the Next Steps and Confirm.
7. Submit Request.

STEP 4: Prepare Documents for OPT Application (I-765)

While you are waiting for your OPT I-20 you should prepare digital files of the following for your I-765:

- A passport style photograph. 2 X 2 inches, white or light background, no glasses.

- Your most recent I-94.

- Your passport biodata page (with photo and expiration date) and most recent F-1 visa.

- Any previous Employment Authorization Document (EAD) from USCIS if you have had employment authorization in the past (e.g., OPT for previous degree).

- Any I-20s authorizing CPT and/or OPT

➤ You will also need your OPT Recommendation I-20 from ISSS Portal once it is available

STEP 4: Prepare Documents for OPT Application (I-765)

- Obtain a 2" x 2" inch photo of yourself (no eyeglasses allowed)

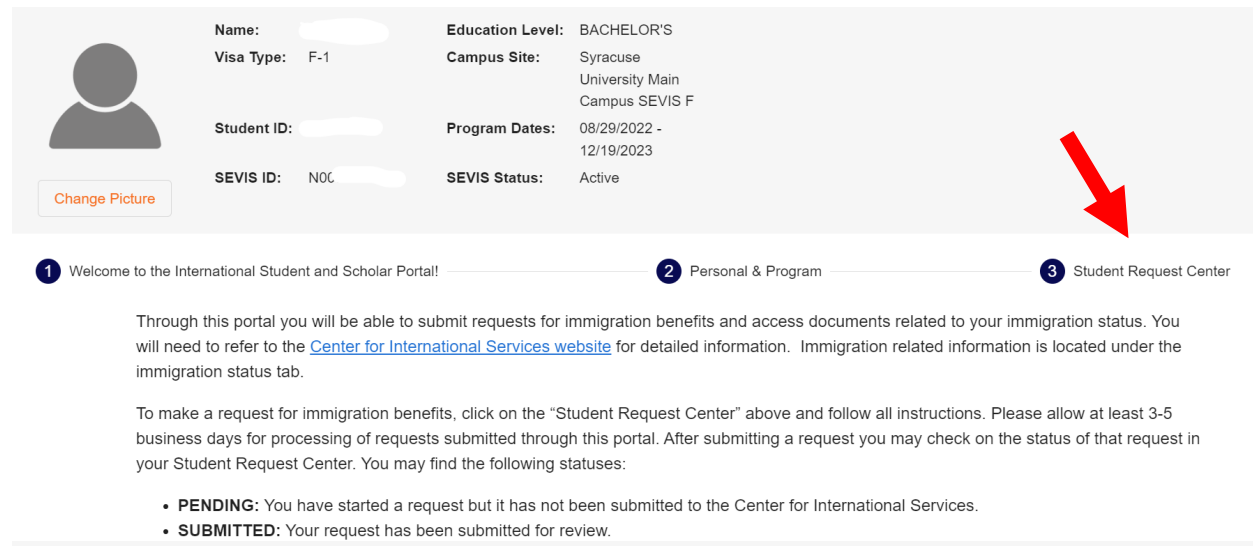- The photo must be from within the last 30 days, do NOT use passport or visa photos that you might have if they were not taken within the last 30 days

STEP 4: Prepare Documents for OPT Application (I-765)

Downloading your OPT Recommendation I-20 from the ISSS Portal:

- When your OPT Recommendation I-20 is available in your ISSS Portal, you will receive an email to the personal email you provided in the OPT Request (not your Syracuse University email)

Dear {Student Name},

Your OPT Recommendation I-20 has been processed and is now available for you to upload with your OPT application.

Syracuse University will allow you to access MySlice and your Syracuse University email address for one year after your last semester of enrollment but many of you will need to interact with the Center for International Services for one to three years after you graduate. **Because you will lose access to MySlice and your SYR email, we have changed the email address associated with your SEVIS record and ISSS Portal so that you may continue to access the ISSS Portal without needing to log into MySlice.**

To download your OPT Recommendation I-20 you must access the ISSS Portal by resetting your password and logging in with your personal email address:
1. **Click on the ISSS Portal link.**
2. **Click on Username.**
3. **Select Forgot Password.**
4. **Enter the non-SYR email address that this message came to.**
5. **You will receive an email with instructions for resetting your password, however it can take 30 minutes or so for the email to arrive.**
6. **Follow the instructions in the email and reset your password.**

You must do this NOW to retrieve your new I-20 and to have continued access to updates you must make, requests you can file, etc. while on OPT. Logging in to the ISSS Portal through MySlice will no longer work.

STEP 4: Prepare Documents for OPT Application (I-765)

Downloading your OPT Recommendation I-20 from the ISSS Portal (continued):

- Steps to retrieve your I-20:
  - Go to the ISSS Portal link in the email
  - Click on username
  - Enter the non syr.edu email address
  - Select Forgot Password and follow the directions provided to reset your password

STEP 4: Prepare Documents for OPT Application (I-765)

Downloading your OPT Recommendation I-20
from the ISSS Portal (continued):

- Follow the directions provided to reset
  your password

STEP 4: Prepare Documents for OPT Application (I-765)

Downloading your OPT Recommendation I-20 from the ISSS Portal (continued):

- Steps to retrieve your I-20:
    - Once you are logged in, navigate to the Student Request Center
    - Find the Documents section

    - Download, print and sign your I-20

STEP 4: Prepare Documents for OPT Application (I-765)

- You should print your I-20 from your ISSS Portal, sign and date it in ink, and then scan it.

- You will upload this I-20 to your I-765 application.

- You MUST submit your application to USCIS within 30 days of the date the OPT recommendation was made. This is the date your I-20 was signed by the CIS Advisor on page 1 and page 2 of the I-20

STEP 5: Creating your USCIS Account & Completing the I-765
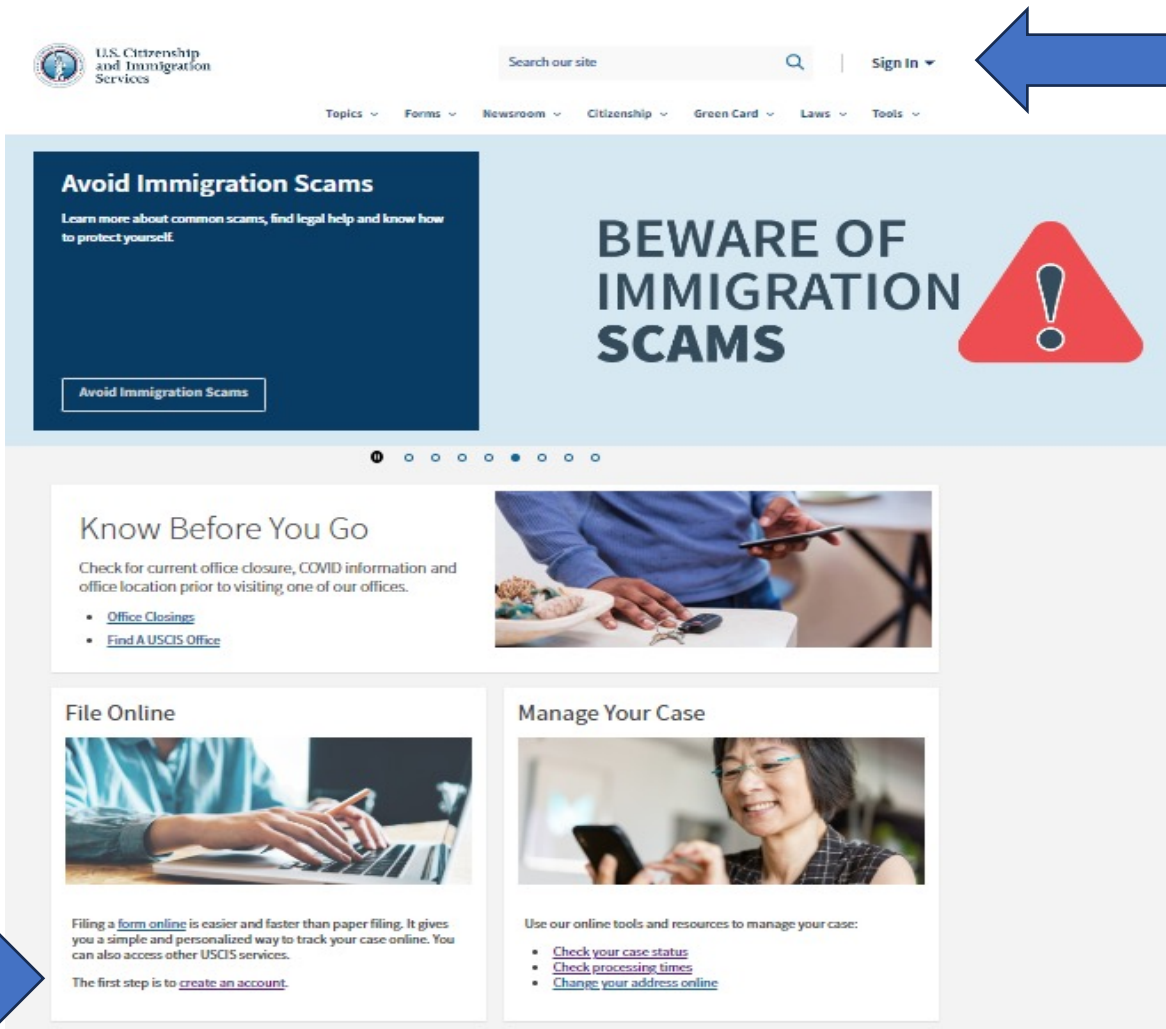
- Go to: Home | USCIS ; www.uscis.gov

- Create an account (or log in to an existing account once you have established an account)

  - You must use A PERSONAL EMAIL ADDRESS as you will not have access to your syr.edu email indefinitely

- After you have created your account the first time, you will log in each time after with your personal email and password; the system will send you a pin that you will enter

- You will do this each time you log in

STEP 5: Completing the I-765

Once you have logged in, click on:

- "File a form online" to begin your application process.

STEP 5: Completing the I-765

- Select "I-765 Application for Employment Authorization" from the drop down list.

STEP 5: Completing the I-765

I-765, Application for Employment Authorization

Use this form to request employment authorization and an Employment Authorization Document (EAD) if your immigration status allows you to work in the United States.

⚠️ **Note:** You may submit Form I-765 online only if your eligibility category is:

- (c)(3)(A) - F-1 student, pre-completion OPT;
- (c)(3)(B) - F-1 student, post-completion OPT;
- (c)(3)(C) - F-1 student, 24-month extension for STEM students (students

OPT applicants may file the I-765 Form online because you meet the eligibility category:

(c)(3)(B)

You do not apply under category
(c)(3)(c)
at this time because you are not applying for the STEM extension at this time.

STEP 5: Completing the I-765

I-765, Application for Employment Authorization

Getting Started

Basis of eligibility

Reason for applying

Preparer and interpreter information

About You

Evidence

Additional Information

Review and Submit

What is your reason for applying?

○ Initial permission to accept employment

○ Replacement of lost, stolen, or damaged employment authorization document or correction of my employment authorization document NOT DUE to US Citizenship and Immigration Services error

○ Renewal of permission to accept employment

Have you previously filed Form I-765?

○ Yes

○ No

Back   Next

- You should select "Initial permission to accept employment."

- If you have ever filed form I-765 before (even if it was denied), you should answer yes. You will give details about the previous application later in the form.

STEP 5: Completing the I-765

- Mailing Address – the address your EAD card will be mailed to
  - If you will be moving - can be a friend or family member
  - Put friend or family member's name in the "In Care of" box
  - If this is not your address, you will be asked to enter your physical address

- Physical Address – the address you live at on the day you file your application

What is your current U.S. mailing address?

We will use your current mailing address to contact you throughout the application process. We may not be able to contact you if you do not provide a complete and valid address. Please provide a U.S. address only.

In care of name (if any)

Address line 1

Street number and name

Address line 2

Apartment, suite, unit, or floor

City or town   **State**   **ZIP code**

Provide a 5 or 9-digit ZIP code.

Is your current mailing address the same as your physical address?

○ Yes

○ No

STEP 5: Completing the I-765

- Physical Address – the address you live at on the day you file your application

Is your current mailing address the same as your physical address?

- ◯ Yes
- ⦿ No

Where in the United States do you live?

Address line 1

Street number and name

Address line 2

Apartment, suite, unit, or floor

City or town   **State**   **ZIP code**

Provide a 5 or 9-digit ZIP code.

STEP 5: Completing the I-765

Filling Out the Form—Your Immigration Information

Do you want the Social Security Administration to issue you a Social Security card?

- If yes, you need to give us authorization to submit your request to SSA
- Enter your father's first and last name, and your mother's first and last name

- If you do not already have a social security number (SSN), you can apply for it at the same time as you apply for your EAD card.

- Do NOT apply again if you already have an SSN.

- If you have lost your card, you apply for a replacement card through a local SSA office.

STEP 5: Completing the I-765

I-765, Application for Employment Authorization

Getting Started ⌄

About You ⌄

Evidence ⌃

   2" x 2" photo of you

   Form I-94 or passport

   Employment Authorization Document

   Previously authorized CPT or OPT

   Form I-20

Additional Information ⌄

Review and Submit ⌄

Employment Authorization Document Or Government ID

Upload a copy of your last Employment Authorization document (EAD) (front and back). If you were not previously issued an EAD, you must upload a copy of a government-issued identity document (such as a passport) showing your picture, name, and date of birth; a birth certificate with photo ID; a visa issued by a foreign consulate; or a national ID document with photo and/or fingerprint. The identity document photocopy must clearly show your facial features and contain your biographical information.

File requirements

- Clear and readable
- Accepted file formats: JPG, JPEG, PDF, TIF or TIFF
- No encrypted or password-protected files
- If your documents are in a foreign language, upload a full English translation and the translator's certification with each original document.
- Upload no more than five documents at a time
- Accepted file name characters: English letters, numbers, spaces, periods, hyphens, underscores, and parentheses
- Maximum size: 12MB per file

Choose or drop files here to upload

Upload the Required Documents:

- 2 x 2 Photo

- Form I-94-USCIS does not require the Travel History

- Employment Authorization Document or Government ID

  - Upload Passport and visa here

- Previously Authorized CPT or OPT

  - Only upload I-20s that include CPT or OPT

- Form I-20

  - Only upload signed OPT Recommendation I-20

Syracuse University   Center for International Services

STEP 5: Completing the I-765

- Before moving to payment, the application will check for errors and notify you if you need to edit your response.

- It will **NOT** check your answers for accuracy – you must make sure that the data you provided in your application is correct. An "error" simply means you may have missed something on the application or formatted something incorrectly.

- If an error is highlighted in red, it must be corrected before you can submit your application.

- A "yellow" error calls your attention to something that may need correction. Review it to make sure your information is correct.

  - Most likely it is that you need to upload CPT I-20s but if you have none, you have nothing to upload

STEP 6: Optional I-765 Review

If you would like your I-765 reviewed by a CIS Advisor – <u>DO NOT SUBMIT YOUR APPLICATION TO USCIS</u>

- **SAVE** a draft of your I-765
  - We will review your application for completeness, you need to review spelling, document numbers, etc.
- Come to the Center for International Services during Advisor on Call hours for your application to be reviewed:
  - Monday – Friday from 11:00 am – 3:00 pm.

STEP 7: Submit and Pay

- After review, log back in to your USCIS account and your saved I-765 application.

- Complete a final review of your application.

- Sign and submit the application.

- You will be redirected to pay the application fee. It can be paid by credit or debit card.

- You MUST submit your application to USICS within 30 days of the date the OPT recommendation was made!

Changing Requested Dates of OPT

- If you have not submitted your application to USCIS, you are not cancelling or withdrawing your application-you are changing your requested dates

  - the Center for International Services can cancel the OPT recommendation in your SEVIS record and reprocess an OPT Request

  - Submit a new request for OPT with the new requested dates in MySlice>ISSS Portal

  - Your application will go back in the queue and be processed in the order it was received-allow additional 3-5 days processing

- If you really don't know what OPT start date you want, you should wait to request your I-20 recommending OPT

Cancelling or Withdrawing an OPT Application

In what circumstances might I think about cancelling or withdrawing my application?

- You learn that you will not be graduating
- You decide to continue for another degree
- You decide to leave the U.S.

If any of these situations occur, please see an Advisor at the Center for International Services

Cancelling or Withdrawing an OPT Application

- If you have submitted your application to USCIS

  - it may or may not be possible to cancel or withdraw your application or changes your requested dates of OPT

  - you will not receive a refund of your filing fee

- If USCIS has approved your OPT application

  - you cannot withdraw your application

  - you may use your OPT to work up to 20 hours per week while completing your degree

Checking the Status of your Pending Application

Once you receive your USCIS receipt number either electronically or by Form I-797 paper receipt notice:

Access the **USCIS Case Status Search Page**
https://egov.uscis.gov/casestatus/landing.do

Enter your "IOE Application Receipt Number"
(ex: IOE2390012345)

It will inform you if:
- your application has been received
- USCIS has requested further information for your application
- Your application has been approved
- Your EAD card has been mailed

CASE STATUS
ONLINE

Use this tool to track the status of an immigration application, petition, or request.

Enter a Receipt Number ?

CHECK STATUS

PRIVACY ACT STATEMENT

Employment Authorization Document (EAD)

USCIS work authorization is issued in the form of an Employment Authorization Document (EAD).

When Can I begin working?

In order to begin "working":

You must have received your EAD card; <u>AND</u>

It must be the day of or after the EAD start date

Do I have to be Employed during OPT?

- "Employment" is required to maintain F-1 status while on OPT

- You cannot accumulate more than 90 days (aggregate) of "unemployment" during initial OPT authorization period, but you can accrue up to 90 days of unemployment.

- Days of unemployment exist; unusual for a student to not have days of unemployment unless they have a job with a fixed start date before they apply for OPT; could look suspicious to immigration for a student to have 0 days of unemployment-life is not like that

What is considered "Employment"?

To avoid accruing days of "unemployment" you must work at least 20 hours per week in your field.

It can be:

- Paid employment

- Unpaid employment: as a volunteer or unpaid intern as long as this practice does not violate labor laws (except STEM Extension)

- Employment through an agency or consulting firm

- Work for hire: individual performs services on a contractual basis instead of an employment basis-payment usually reported for tax purposes on a Form 1099

- For multiple employers at the same time

- For short-term multiple employers at different times

- As a Self-employed business owner

How Do I Report Employment While on OPT?

After your OPT start date is reached, you will receive an email from the Student Exchange Visitor Program (SEVP) instructing you to create an SEVP Portal Account.

You will use the SEVP Portal account to report any changes within 10 days of such changes to your:

- address
- Foreign address
- Telephone number

SEVP Portal | Student and Exchange Visitor Program Portal
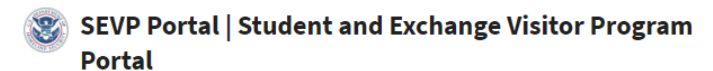
Sign In

Attention: Only students who have OPT approved may use the SEVP Portal. You must create an account and set a password before using this log in page. Go to Portal Help for more information.

Email

Password

Login   Reset Password

Other Reporting Requirements While on OPT?

You will also use the SEVP Portal to report your Employment Information:

- Name of Employer
- Address of Employer
- Start Date of Employment
  - This is the date you actually begin working for the employer-it is rarely/not always the start date of your OPT/EAD card
- End Date of Employment-if you end employment and begin employment with another employer

What if I Lose MY EAD Card?

If you have not begun working yet or will change employers, you will need to apply to USCIS for a Replacement EAD

- Another I-765
- Another photo
- Copies of documents
- Another Filing Fee

If you will continue to work for the same employer, you may not need to apply for a Replacement EAD

Can I Travel Outside the U.S. While on OPT?

If Authorized for Pre-Completion OPT

- Requirements are the same as travel while in F-1 status
- Passport, valid F-1 visa, I-20 signed for Travel on Page 2 within last 12 months

If Authorized for Post-Completion OPT

- Passport
- Valid F-1 visa
- I-20 signed for Travel on Page 2 within last 6 months
- EAD card
- Documentation of employment-letter of recent date, recent pay stub

Can I Travel Outside the U.S. While my OPT is Pending?

- Yes, if you are still enrolled as a full-time student

  - May graduates apply for OPT in February and travel during Spring break

  - December graduates apply for OPT in September and travel during Thanksgiving break

- If you have already completed your program of study: Travel is **not** recommended.

  - No basis for readmission to the U.S.

    - No longer a student

    - OPT not yet approved

Regulatory language: Students approved for OPT may be readmitted to the U.S. to resume employment

I-9s, Social Security and Taxes

- **I-9:** All employees in the U.S. must complete an I-9 Employment Eligibility Verification Form with their employers within 3 days of starting employment.

- **E-verify:** Some employers participate in an electronic verification of identity and employment eligibility; this is not yet required by law

- **Social Security:** Employment in the U.S. requires a Social Security Number (SSN). If you do not have an SSN, you may apply for a SSN at the same time that you apply for OPT or once you receive your EAD

- **Taxes:** See IRS Publication 519, US Tax Guide for Aliens.
  - **Social Security and Medicare Taxes:** Typically, non-resident F-1 students with authorized OPT are exempt from Social Security (F.I.C.A) and Medicare taxes as long as you continue to declare non-resident status for tax purposes.
  - **Income Taxes:** Federal, state, and local taxes will be withheld from your paycheck by employers unless you qualify for a tax treaty exemption. (More information also available at the IRS website)

H-1B Status

The next usual employment status for F-1 students is H-1B status

- H-1B status
  - temporary (maximum time period is 6 years) worker
  - in a specialty occupation (position requires the minimum of a Bachelor's degree in a specific field)

- Annual limit (cap) on the number of H-1Bs that can be approved:
  - 65,000 for those with at least a Bachelor's degree
  - an additional 20,000 for those with a U.S. Masters or higher degree

- H-1Bs become available on October 1 of every year

H-1B Status

- The number of applications for H-1B status has exceeded the number of H-1Bs available every year for the last several years

- Employers file an electronic registration to compete for an H number for a set not, beginning in March

- Many people whose employers will register for an H will not get chosen in this "lottery" system-will not be eligible to file an H-1B petition

- If not, enough applications received, then more "lottery winners" are notified they can file. This year, many H-1B approvals were withdrawn because of layoffs/economic conditions and more H numbers became available during the year

OPT Cap Gap and H-1Bs

- If your registration is chosen and your employer files an H-1B petition for you, you may be eligible for a Cap Gap extension of your OPT

- If your OPT expires before your H-1B can take effect on October 1, your OPT will be automatically extended to cover the gap in employment authorization between the end date of your OPT and the start of the H-1B on October 1

Cap Gap and H-1Bs

- H-1B petition must request a Change of Status

- Cap Gap extension of OPT is not available to those whose:
  - H-1B is filed as Consular Notification-will apply for an H-1B visa abroad
  - OPT is valid until/past the date the H-1B change of status can take effect on October 1
  - H-1Bs are filed by exempt employers-universities and related research institutions

- Extension of F-1 status and OPT work authorization are automatically terminated upon rejection, denial, or revocation of H-1B petition.

Cap Gap and H-1Bs

- If you or your employer have not received a receipt notice for an H-1B from USCIS, then your SEVIS record is not likely to have the cap gap applied to it and we will not be able to produce an I-20 with the cap gap.

How Do I Request a Cap Gap I-20?

After your employer has received the I-797 H1B receipt notice or approval notice

1. Log in to the [International Student and Scholar (ISSS) Portal](#).

2. Go to the Student Request Center on the right side of the page.

International Student/Scholar

Name:		**Education Level:**	BACHELOR'S
Visa Type:	F-1	**Campus Site:**	Syracuse University Main Campus SEVIS F
Student ID:		**Program Dates:**	08/29/2022 - 12/19/2023
SEVIS ID:	N00	**SEVIS Status:**	Active

Change Picture

① Welcome to the International Student and Scholar Portal! ② Personal & Program ③ Student Request Center

Through this portal you will be able to submit requests for immigration benefits and access documents related to your immigration status. You will need to refer to the Center for International Services website for detailed information. Immigration related information is located under the immigration status tab.

To make a request for immigration benefits, click on the "Student Request Center" above and follow all instructions. Please allow at least 3-5 business days for processing of requests submitted through this portal. After submitting a request you may check on the status of that request in your Student Request Center. You may find the following statuses:

- **PENDING:** You have started a request but it has not been submitted to the Center for International Services.
- **SUBMITTED:** Your request has been submitted for review.

How Do I Request a Cap Gap I-20?

After your employer has received the I-797 H1B receipt notice or approval notice

3. Go to the Cap-Gap I-20 Request icon.
4. Complete the Questionnaire.
5. Upload your H-1B Application Receipt or Approval Notice.
6. Submit the Request.

Within 3-5 business days you should receive an email that your Cap-Gap I-20 has been processed and is available in the ISSS Portal.

Cap-Gap I-20 Request

- Cap-Gap I-20 Request

| Instruction: | There is no application process for the Cap-Gap Extension. If the H-1B petition filed by your employer has been received or approved, your SEVIS record should automatically reflect the Cap-Gap Extension and your work authorization or F-1 status will be extended to Sept. 30. Please note that your work authorization is automatically extended as long as a viable H-1B application is filed for you **BEFORE** the end date of your current F-1 OPT or STEM OPT. Your employer may require a Cap-Gap I-20 to extend the I-9 Employment Eligibility Verification Form.

To submit a request for a Cap-Gap I-20, please read and follow all the steps below. It is our experience that it may take 2-3 weeks after the H-1B petition filed by your employer is receipted for your SEVIS record to be updated with the Cap-Gap Extension, so **please do not submit this request until 2-3 weeks after you or your employer has received the H-1B receipt notice or approval notice**. |

1 U.S. Address Information (Questionnaire)
Required *

Enter your current U.S. Address below.

Street Address *

City *

✓ Submit   💾 Save as Draft

STEM Extension of OPT

Some F-1 students may be eligible to apply for an additional 24 months of STEM OPT.

The F-1 student must:
- Have earned a degree in a STEM field
- Be currently authorized for OPT
- Work for an employer that:
  - participates in E-verify
  - is willing to complete a [Form I-983](#): Training Plan that requires the employer to identify:
    - goals and objectives for work-based learning
    - oversight and supervision that will be provided to the student during the training
    - assessment and evaluation that will be undertaken
- And the STEM Extension requires the employer to agree to increased reporting requirements and government site visits.

STEM Extension of OPT

- Submit a timely STEM extension application
  USCIS must receive the STEM application prior to EAD expiration
  but no more than 90 days before OPT end date-NOT like OPT
  when you can apply after you complete your program

- Have maintained valid F-1 status
  - reported all changes of personal and employment info
  - have not accumulated more than 90 days of unemployment
    during OPT

Application Process for STEM Extension of OPT

- Similar to OPT
  - Request Recommendation from the Center for International Services on a new I-20 through the ISSS Portal in MySlice
  - Must submit copies of diploma, I-94, I-983 and EAD card
  - I-20 returned to you for you to submit with your application to USCIS

- Approval by USCIS in the form of an EAD

- Will need to look at the Center for International Services website to get up to date instructions

STEM Extension of OPT

- Cannot accrue a total of 150 days of unemployment over the 36 month OPT period

- Reporting Requirements:
  - Must report the following within 10 days of the change:
    - legal name, residential or mailing address, email address, employer name, employer address
  - Must report above info to the Center for International Services every 6 months even if there is no change

- Automatic extension of status and work authorization up to 180 days while a timely filed STEM extension OPT application is pending

- Can still benefit from the cap-gap provision

Immigration Status After F-1 Status

Wednesday, October 23, 2024

3:30 pm

Room 114, Peter Graham Room

Bird Library

Andrea Godfread Brown, Berardi Immigration Services

Watch the Center for International Services Newsletter for Updates!