

## POST-COMPLETION OPTIONAL PRACTICAL TRAINING (OPT) REMINDERS

International Student and Scholar Services • Middlebury College

Congratulations on your OPT approval! ISSS recommends that you make copies of both sides of your Employment Authorization Document (EAD) because it takes time to replace a lost or misplaced card (and costs money). Please contact ISSS if you have any questions at [iss@middlebury.edu](mailto:iss@middlebury.edu).

**\*\*Employment Authorization Card (EAC) – you will hear this term interchangeable with EAD**

**Carefully check the spelling of your name on your EAD, your birthdate, and the approved dates.** If there is an error, contact ISSS immediately so that we can provide you with instructions on how to correct the issue with U.S. Citizenship & Immigration Services (USCIS).

**In reviewing the end date, check that USCIS did not grant more time than you are eligible for.**

Errors happen. If you were granted more time than authorized, whether by your error or USCIS, you must get it corrected. If you work past your true authorization date, the government could determine you are in violation of your status. Contact ISSS for assistance to correct this.

**Also, USCIS may not grant the full amount of time that you requested.** This can happen due to extensive processing delays. USCIS will not grant a full period of requested OPT if the end date extends beyond 14 months from the program end date. The F-1 regulations explicitly dictate this, and so they should grant the allowable maximum time.

**Keep all your OPT-related documents (EAD, Approval Notice) for your records.** To confirm that you are eligible to begin work, your employer will need to see the EAD to verify that you have employment authorization for the approved dates.

### **ACCEPTABLE EMPLOYMENT DURING OPT**

Students engaging in the following activities during post-completion OPT are considered employed:

- Regular paid employment in a position.
- Paid internship.
- Payment by multiple short-term employers.
- Hired through employment agency.
- Work for hire – an individual performs a service based on a contractual relationship.
- Self-employment. Students may start a business but must obtain the appropriate business licenses and actively engage in a business that is directly related to the student's major field of study.
- Volunteer opportunities or unpaid internships, where the activity does not violate [labor laws](#).

In all cases listed above, the activity (or combination of activities) must be at least 20 hours per week and directly related to the student's major. Students may work or volunteer for multiple employers.

### **IMPORTANT OPT REQUIRED REPORTING**

During your approved period of OPT, you remain in F-1 student status under the sponsorship of Middlebury College. This means you must continue to maintain your F-1 status to remain eligible for OPT.

**To maintain your F-1 status, the U.S. Department of Homeland Security requires you to:**

- **Submit** all required reporting details indicated below **within 10 calendar days** of the change occurring.
- **Report** any changes in your [U.S. address](#) or legal name to ISSS.
- **Report** all [new employment](#) and changes to employment. This includes providing a statement on how your employment is directly related to your Middlebury major field of study. **If you do not report, then it will appear in SEVIS that you are unemployed** – and you will begin accruing unemployment time (even if really working).
  - After more than 90 days of consecutive unemployment in SEVIS, the system may automatically terminate your record.
  - A record termination means you no longer have authorization to work in the U.S. and are no longer maintaining F-1 status, which results in needing to exit the U.S. immediately.
  - More information is available below in the UNEMPLOYMENT section.
- **Report** [ending employment](#) (i.e., ending a job, leaving the U.S., and ending OPT).

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- **Maintain a valid signature on page 2** of your Form I-20. This signature must be kept updated within this 6-month period *regardless of whether you intend to travel or not*. The 6 months is based upon the last signature on page 2. Use the [Updated I-20 Request](#) form.
- **Inform ISSS of any of the following via email ([iss@middlebury.edu](mailto:iss@middlebury.edu)):**
  - if you change to another visa status
  - plan to transfer to another U.S. academic institution

### There are two ways for you to report your Address, New Employment, and Change of Employment Updates:

- 1) Via the **ISSS online forms**. Visit the [ISSS Student Employment Authorization](#) website and scroll to the bottom of the page where you can find OPT and STEM OPT reporting forms.

AND

- 2) Via the **Student Exchange Visitor Program (SEVP) Portal**. For information about the portal, visit: <https://studyinthestates.dhs.gov/2018/02/sevp-announces-the-sevp-portal>.

### SEVP PORTAL

On the day your OPT becomes active, you will receive an email from SEVP from [do-not-reply.sevp@ice.dhs.gov](mailto:do-not-reply.sevp@ice.dhs.gov) to the email address that is currently listed in your SEVIS record with more information about how to create an account. If you do not receive the SEVIS portal introductory message at your email address listed in SEVIS, please contact ISSS.

- You may want to add the SEVP email address to your address book/contact list to ensure delivery. If you do not receive the email in your inbox, check your spam or junk mail folder.
- This is also a great time to ensure that your SEVIS record reflects your preferred email. If you are unsure which address is in SEVIS or have recently changed your email address, please notify ISSS at [iss@middlebury.edu](mailto:iss@middlebury.edu), and we will update your SEVIS record or verify it for you.

With the SEVP Portal, you will be eligible to update specific information, such as address, telephone number, and employer information, after you create a SEVP Portal account.

If you are interested in learning more about the SEVP Portal, we recommend that you visit the SEVP Portal Help section of the Study in the States website. This webpage features a SEVP Portal User Guide, videos and a one-page reference sheet. You can access this website by going to: <https://studyinthestates.dhs.gov/sevp-portal-help>.

### TRAVEL

Please continue to travel with your valid Form I-20 and most recent I-94 arrival record while in the United States so that you have proof of your status should you ever be stopped by a border official. The I-94 only shows the specific category when you are in the U.S., and the I-94 travel history only shows entry and exits (no reference to status), so it is important to access your I-94 every time you enter the U.S. to ensure you have been admitted in the correct visa category. See the [I-94 website](#) for details and the [ISSS Confirm Your Status](#) website for instructions to obtain the I-94. If you need to travel internationally for business or personal reasons while on OPT, please remember to carry the following required documents with you for re-entry to the U.S.:

- Valid Form I-20 document (with a valid travel signature, dated within 6 months of your re-entry date)
- Valid passport (that expires at least 6 months into the future)
- Valid F-1 visa (if required; citizens of Canada and Bermuda do not need a visa)
- Valid EAD Card
- Recommended documents:
  - Evidence of Employment (documentation showing that you are returning to the U.S. to begin or continue your employment) Note: It may be a brief letter on employer letterhead indicating dates of employment.
  - Proof of financial support in form of pay stub, bank account, etc.
  - Most recent I-94 arrival record.

The border official may inquire as to whether you are returning to the U.S. to resume employment, which is the language used in the F-1 regulations. Be prepared for this question with your re-entry documents in hand.

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**You MUST be in F-1 student status for your OPT employment authorization to be valid.** If you enter the United States through the Visa Waiver program, as a tourist, or in any other status other than F-1, your OPT will automatically end, even though you have an Employment Authorization Document.

**If your F-1 visa has expired and you depart the U.S. during your approved OPT period, you will need to apply for a new F-1 visa at a U.S. Embassy or Consulate to re-enter the U.S.** The officer may ask you to show documentation that you have a job to return to and sufficient income or funds to cover your living expenses while in the U.S. *As soon as you receive your passport with the visa stamp from the Consulate, please look at the visa type to ensure that the officer issued an F-1 visa (and not another visa category).* You should submit a copy of the new visa to ISSS using our secure Document Submission form found on the Student Employment Authorization website as instructed above.

**Travel to Canada, Mexico, or the adjacent islands with an expired F-1 visa:** Certain individuals may be able to enter the U.S. using an expired F-1 visa after travel to Canada, Mexico or the adjacent islands in the Caribbean (other than Cuba) that was for 30 days or less. Traveling to a third country during that time or attempting to renew your F-1 visa will void your ability to reenter through this process, known as Automatic Visa Revalidation. (*Please note: [State Sponsors of Terrorism](#) are not eligible for automatic visa revalidation. For up to date information, see the US Department of State webpage regarding [automatic revalidation](#).*)

### **TAXES**

While on OPT, you are required to file Federal and State income tax forms. The amount of income tax you are liable for depends upon your tax status and upon the tax treaty (if any) that exists between your country of citizenship and the United States. Be aware that your tax status may change depending on the amount of time you have been present in the U.S., and this would affect the tax filing software you are eligible to use. Visit <https://www.irs.gov/> or <http://www.middlebury.edu/offices/business/tax/filing> and consult with a tax specialist for more information.

### **UNEMPLOYMENT**

During post-completion OPT, F-1 status is dependent upon employment. Students on OPT may not accrue an aggregate of more than 90 days of unemployment. Each day (including weekends) during an authorized OPT period when the student *does not have qualifying employment* counts as a day of unemployment. Time spent outside of the U.S. during the approved OPT period counts as unemployment, unless the student on OPT is either on an employer-approved vacation or period of leave, or is traveling as part of their employment (i.e. business travel). Unemployment will only begin on the first day of approved OPT (see EAD to confirm).

Students engaging in acceptable activities during post-completion OPT are considered employed and therefore not accruing unemployment if the activity is reported to ISSS properly. See above section for ACCEPTABLE EMPLOYMENT DURING OPT.

### **OPTIONS AFTER OPT**

Once you reach the end date on your EAD, your approved OPT time will end, and you will have the following options:

1. **Apply for STEM OPT Extension.** If you have earned a degree in a STEM-designated field of study, you may be eligible for an additional OPT extension through the STEM extension program.
  - a. **You may apply for a STEM extension no sooner than 90 days before your post-completion OPT end date and no later than the end date of your original post-completion OPT.** Notify ISSS of your interest in applying well in advance.
  - b. We encourage students interested in seeking a STEM extension to familiarize themselves with all of the eligibility requirements as soon as possible by visiting: <https://www.middlebury.edu/office/international-student-and-scholar-services/students/student-employment-information/stem-opt> and <https://studyinthestates.dhs.gov/stem-opt-hub>.
2. **Depart from the United States within your 60-day grace period.**

Following the end of your OPT, you will have a 60-day grace period during which time you may prepare for departure. Once you leave the U.S., whether on day 6 or 60 of your grace period, you will no longer be able to

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reenter the U.S. using your Form I-20. You may NOT engage in employment during your grace period. The grace period begins the day after your OPT end date stated on your EAD.

### 3. **Enroll in another U.S. institution as a full-time student.**

If you enroll in a full-time academic program at another U.S. institution, ISSS can transfer your SEVIS record to this new school prior to the end of your 60-day grace period and within 5 months of your OPT end date. Please contact your new school to obtain the necessary SEVIS Transfer Form, if they use one. ISSS will need a copy of your acceptance letter to enact the SEVIS transfer action. You may remain in the U.S. while a transfer of your SEVIS record is pending, as long as you begin your studies in the next available academic term, or within 5 months of your OPT end date (whichever is earlier). For more information, visit our [After Middlebury](#) website.

### 4. **Change to a different visa status.**

You may change status from within the United States by applying for a change of status to USCIS, or by departing from the U.S. and re-entering using another type of visa. Please note that if you will remain in the U.S. and apply for a change of status through USCIS, you must apply for a change of status before your OPT end date. USCIS is reporting extensive delays in processing Change of Status requests so you will need to consider that as you make your decision.

**NOTE:** *If you apply for a change of visa status from within the U.S., you should not travel outside the U.S. without consulting with the person handling your status change. USCIS considers departing from the U.S. while a change of status pending as abandoning your application.*

### **Questions?**

**Contact ISSS at [iss@middlebury.edu](mailto:iss@middlebury.edu), (802) 443-5858, or book a [virtual appointment](#).**