

OPTIONAL PRACTICAL TRAINING (OPT): POST-COMPLETION

POST-COMPLETION ESSENTIALS

International Student & Scholar Services
Middlebury Institute for International
Studies/Middlebury College

Last updated: February 20, 2023

OPTIONS AFTER PROGRAM COMPLETION/GRADUATION

You must choose ONE of the following options:

1. **Apply for Standard Post-completion Optional Practical Training (OPT)**
2. **Depart from the U.S. within your 60-day grace period.** Whether you leave on day 6 or 60, once you leave, you cannot re-enter using your Middlebury Form I-20 regardless of the remaining validity on your visa stamp.
3. **Enroll in another U.S. institution as a full-time student.** ISSS would need to transfer your SEVIS record within your grace period. Once your SEVIS record has been transferred, you will lose any remaining OPT time.
4. **Change to a different visa status.** Can be done from within the U.S. but you should apply prior to OPT end date. Contact ISSS for further discussion and/or to receive an immigration attorney resource list.

SEVIS RECORD AND I-20 ACCURACY

- Pursuant to F-1 regulations, your SEVIS record/I-20 must **accurately** reflect your **correct program end date and your major/program(s)**:
 - Confirm the program end date notated on your current I-20 is for the term you are completing/graduating (see page 1).
 - Confirm that your major/program(s) are current on page 1 of the I-20.
 - *If either one or both of the above are not accurate, email ISSS immediately for guidance.*
- To amend a program end date, it will depend if the new end date is to be shortened or extended.
 - **Program extensions require specific qualifying reasons determined by USCIS**, so ISSS must be notified as soon as possible if you believe you may require an extension. This is not an automatic and/or quick process.
- Maintaining your F-1 status throughout the duration of your program is critical. This means finishing your academics strong and attending to required reporting requirements.

OPT ROAD MAP:

- Post-Completion OPT Basics
 - *What is it, When is it needed*
- Eligibility
- Application Submission Planning
- Application Process
- Maintaining Status While on OPT
- OPT Reporting Requirements
- OPT STEM Extension
- Questions

NOTE: Students interested in Pre-Completion OPT or Curricular Practical Training (CPT), please contact ISSS for more information; this slide deck only refers to **Post-Completion OPT**.

OPTIONAL PRACTICAL TRAINING:

- A form of work authorization that allows F-1 students to engage in temporary employment to gain practical experience in the *student's major field(S) of study* .
- Request must be adjudicated by U.S. Citizenship and Immigration Services (USCIS).
- Required even for 'on-campus' work if done after program completion.

OPT ELIGIBILITY REQUIREMENTS

- **Must be in valid F-1 status**
- **Must have been enrolled for a full academic year**
 - Full academic year must be at least a Fall and Spring or a Spring and Fall consecutively
 - Students can be completing the 2nd semester of your first full academic year as long as it is completed before the OPT period begins.
 - Students can be in their final term and enrolled less than full-time if they have less than full-time credits left to complete and be able to apply for OPT to begin after completing.
- **Must submit from within the United States in F-1 status**
 - *cannot submit application if outside of the U.S.*

OPTIONAL PRACTICAL TRAINING:

Reporting to ISSS is required while participating in any form of OPT

POST-Completion OPT

- Available **AFTER** student's program end date
 - *This is a good time to double check that your program end date is correct. To check it, look on page 1 of your current I-20. Contact ISSS with any questions.*
- May submit application **no sooner than 90 days before** their program end date and **no later than 60 days after** program end date

SUBMIT APPLICATION = received by USCIS!

(This is also referred to as "filed.")

- Must work **at least** 20 hours per week or more during the OPT period
- **Unemployment** is limited to an **aggregate of 90 days** which does not begin to accrue until the OPT start date issued on the EAC

OPT FACTS

- OPT is available for up to **12 months per successive educational level**. (NOTE: *Pre-completion* OPT is deducted from this bank of time, leaving what remains for use during post-completion OPT.)
- OPT must be directly related to a student's major field of study.
- OPT is **not employer specific**.
 - You do **NOT** need a job to apply for OPT, but you need to know that you plan on pursuing employment/training.
 - It is not recommended to wait for job offer to apply for OPT.
- USCIS application processing times vary and **can exceed 90 days** for approval. **Submit your application as early as you can.** ISSS cannot guarantee processing times.

OPT FACTS

- You must submit a new application and pay a new filing fee each time you apply for OPT.
 - While on post-completion OPT, an extension of 24 months may be available to students who have earned a STEM-eligible degree provided they meet certain requirements.
 - *This requires a separate application; more on this later.*

Note:

OPT is a benefit of your F-1 Status; it is not a separate status. You remain in F-1 status while pursuing OPT, which means you must maintain communication with the ISSS office throughout this benefit.

OPT IS NOT NEEDED FOR:

- **Work outside of the United States when you have physically departed the U.S.**
- **On-campus employment before you graduate.**
- **True volunteer activities** traditionally done by unpaid persons for their own pleasure/fulfillment; acts performed out of good will as a service to the community. No form of compensation for services rendered.

Example: Community kitchen helper vs Coordinator

Resource:

U.S. Department of Labor Test for **Unpaid Interns**: Fact Sheet #71 Internship Programs Under the Fair Labor Standards Act

<http://www.dol.gov/whd/regs/compliance/whdfs71.htm>

This link outlines criteria that must apply in determining if an organization must pay interns or not.

OPT IS NEEDED FOR:

- **On-campus employment** in any position at Middlebury AFTER you graduate.
- **Off-campus employment in the U.S.** (i.e. receive a form of remuneration in exchange for your services);
- **Unique opportunities that may require authorization** (starting a business, etc.). ISSS may recommend that you consult with an immigration attorney.
- **Situations where others doing the same work are being paid.** You should not be treated differently by an employer just because you have an F-1 visa – or not be paid for a position that is usually paid.

IMPORTANT REMINDERS

1. *Employment generally refers to a relationship where an individual provides services or labor and is remunerated for these services. Remuneration can include pay, housing, clothing, food or other benefits. Employment requires authorization.*
2. *Work authorization is not required for true volunteer work. However, state labor and worker's compensation laws generally do not allow someone to "volunteer" in a position that is generally paid.*
3. *Running (versus planning) a business usually requires work authorization. Consultation with an attorney is advised.*
4. *Any work done while in the U.S., even for a foreign company and even if paid to a foreign bank account, still counts as employment in the U.S. and requires work authorization in the U.S.*

Source: <https://cbkimmigration.com/employment-based-immigration/e-visas-for-entrepreneurs/faq-unauthorized-employment/#What%20is%20unauthorized%20employment>

APPLICATION SUBMISSION PLANNING

SUBMIT APPLICATION on time → application physically received by USCIS!

Institute Graduate Students:

May 2023 Graduation – subject to change

Program End Date: May 19, 2023

- First Date You Can Submit: February 20, 2023
- Last Date You Can Submit: July 18, 2023 (60th day)

College Undergraduates:

May 2023 Graduates – subject to change

Program End Date: May 28, 2023

- First Date You Can Submit: February 27, 2023
- Last Date You Can Submit: July 27, 2023 (60th day)

ISSS TIP: To ensure that an OPT application is submitted to USCIS within the eligible application time period, do **not** submit your application on the very first or very last eligible date.

APPLICATION SUBMISSION PLANNING

Know the specific start & end dates you want to request.

- You do NOT need to have a job offer to submit OPT application.
- You can select a post-completion OPT start date from the day after your completion date and up to 60-calendar days after your program completion date.

Institute Graduates Students:

- Earliest OPT Start Date You Can Request: May 20, 2023
- Latest OPT Start Date You Can Request: July 17, 2023

College Undergraduate Students :

- Earliest OPT Start Date You Can Request: May 29, 2023
- Latest OPT Start Date You Can Request: July 26, 2023

Remember most new hires begin at the beginning of a week (Monday or Tuesday) and most employment won't start on a holiday.

***2024 is a Leap Year which means there are 29 days in February.**

OPT APPLICATION PROCESS

- Read the **OPT Guidance for I-765 Application, Filing, and Mailing** document found on the ISSS website (Forms & Resources page). This document outlines everything that you need to do related to completing your OPT Request and application.
- **Submit your complete OPT Request to ISSS** by completing the **OPT Intake Form**, including all supportive documents. Within the online Intake Form, be prepared to submit all required supportive documents. Link to form on next slide.
- ISSS reviews your complete application. If meets the requirements, ISSS will recommend OPT in SEVIS and issue an updated I-20 with the recommendation to you electronically.
- ***Plan on 5-10 business days for processing the complete OPT Intake request, depending on the completeness of your submission; you must also account for any holidays or college closures.***
- There are two ways to submit the OPT application to USCIS – online and by postal mail. ISSS will provide guidance for either option you decide to use.
- **COPY your entire OPT application** for your records BEFORE submitting.
- **Submit your completed OPT application** only after receiving the I-20 recommending OPT from ISSS.

RESOURCES

- ISSS Announcements webpage, for list of upcoming OPT Virtual Info Sessions - <https://www.middlebury.edu/office/international-student-and-scholar-services/announcements>
- ISSS Forms webpage, scroll down to “Student Employment Authorization” - <https://www.middlebury.edu/office/international-student-and-scholar-services/forms> (see “OPT application form and resources”)
 - You will find the direct links to the following important documents:
 - this presentation slide deck
 - Guidance for I-765 Application, Filing, and Mailing document
 - ISSS OPT Intake Form
- OPT information page - [Go/opt/](#) from the www.middlebury.edu website search box or go directly to <https://www.middlebury.edu/office/international-student-and-scholar-services/students/student-employment-information/optional>

YOU SUBMITTED YOUR APPLICATION. NOW WHAT?

- A few weeks after submitting your application, ISSS will receive a receipt notice with an assigned case number for you. We will notify you when it arrives. You may use the case number to track the status of your application on www.uscis.gov.
- If you call USCIS to inquire about your case, make sure to state that you do not wish to change your address of record to avoid mailing complications.

The screenshot shows the official website of the U.S. Citizenship and Immigration Services (USCIS). The header includes the Department of Homeland Security logo, navigation links for 'Español', 'Blog', 'About USCIS', and 'Contact Us', and a search bar. The main content area features a large banner with the text 'THE WRONG HELP CAN HURT' and 'BEWARE OF IMMIGRATION SCAMS', accompanied by a large red exclamation mark icon. Below the banner, there are three service tiles: 'Check your Case Status' (with a folder icon), 'Find a USCIS Office' (with a globe icon), and 'Make an Appointment' (with a calendar icon). A 'SERVICES' menu on the left lists 'CITIZENSHIP', 'GREEN CARD', 'WORKING IN THE U.S.', 'FAMILY', and 'E-VERIFY'. The footer contains links for 'News', 'Events', and 'Other Services', along with a 'Share This Page' button.

If you have questions, ask ISSS. Avoid unreliable sources.

WITHDRAWING AN OPT APPLICATION

- It is possible to withdraw an application after it has been filed but before it has been adjudicated (processed).
- The adjudicating Service Center must be contacted directly. A withdrawal may not be retracted once the request has been made.
- If the withdrawal is approved, the filing fee is **not returned**.
- You may file an application in the future.

It is very difficult and rare for USCIS to revoke a period of previously authorized work authorization, so exercise care when applying. Please consult with ISSS before withdrawing for best guidance.

YOUR OPT IS APPROVED!!

- **When your application is approved, an Approval Notice will be sent to ISSS if you use our mailing address (recommended).** Your employment authorization card/document will be triggered for production at a separate facility and should arrive within 5-10 business days afterwards.
- **ISSS will inform you via email when your documents have arrived.** Because it is not recommended to depart the U.S. while your application is pending, we typically will not mail documents outside of the U.S. without first advising you on the potential risks associated with this. Please contact ISSS to discuss your circumstances if it may become necessary for you to be outside of the U.S.
- **You can begin working as of the start date listed on your EAC and when you have the EAC in hand, not before both are achieved.**
- ***Please note: if you lose your EAC, you will need to file for a replacement card and pay another filing fee.***

MAINTAINING STATUS WHILE ON OPT, CONTINUED

- While on post-completion OPT, F-1 status is dependent upon employment and students **may not be unemployed for an aggregate (total) of 90 calendar days or more.**
 - Unemployment does not begin accruing until the first day of approved post-completion OPT (as indicated on your EAC).
- **To be considered employed, students must work at least 20 hours/week in a qualifying position.** For those with variable schedules within a month, it should average to 20+ hrs/wk. A qualifying position includes paid, unpaid, internships, and/or volunteer opportunities which are directly related to your major.
- **ALL** employment must meet these requirements during the OPT benefit.

MAINTAINING STATUS WHILE ON OPT

- **Unemployment days** are any day (including weekends) during authorized OPT (i.e. between the EAC start and end dates) when the person is not actively employed in qualifying employment.
 - *If you have a job that's recorded in SEVIS, weekends and vacation do not count as unemployment!*
- **Time spent outside of the U.S. during an approved period of post-completion OPT counts as unemployment** against the 90/150-day limit, unless the student is either:
 - a) employed during a period of leave authorized by the employer (such as vacation or an approved leave)
or
 - b) traveling as part of employment (i.e., a business trip).

WHAT COUNTS AS EMPLOYMENT?

- **Regular paid employment:** may change jobs or hold multiple regular paid jobs at the same time.
- **Payment by multiple, short-term employers:** maintain a list of all gigs, the dates and duration
- **Work for hire:** perform a service based on a contractual relationship
- **Self-employed business owner:** must have proper business licenses
- **Employment through an agency:** maintain evidence of a minimum of 20 hours per week
- **Volunteers or unpaid interns:** where the practice does not violate labor laws. Maintain evidence of a minimum of 20 hours per week.

REPORTING REQUIREMENTS

NOTE: During your approved **post-completion OPT period**, you are in F-1 student status under the sponsorship of Middlebury College.

To maintain your F-1 status, you are required by the U.S. Department of Homeland Security to report certain changes to ISSS using the SEVIS Updates links found here:

<https://www.middlebury.edu/office/international-student-and-scholar-services/forms>

The image shows a screenshot of a web browser displaying the Middlebury College International Student and Scholar Services (ISSS) website. The browser's address bar shows the URL <https://www.middlebury.edu/office/international-student-and-scholar-services/forms>. The page title is "International Student and Scholar Services" and the main heading is "Forms and Resources". A yellow oval highlights the sub-heading "OPT and STEM OPT reporting forms". Below this heading is a list of links for various reporting forms: "Address Update", "New Employment Update Form", "Change of Employment Form", "STEM OPT Verification Form", and "Updated I-20/DS-2019 Request Form (typically used for travel signature requests)". On the left side of the page, there is a sidebar with the heading "ON THIS PAGE" and several links: "International Faculty and Staff", "New International Students", "Current International Students", and "Student Employment Authorization". At the bottom of the page, the contact information for ISSS is provided: "International Student and Scholar Services", "(802) 443-5858", and "iss@middlebury.edu". A "TOP" button is visible in the bottom right corner.

International Student and Scholar Services

Forms and Resources

ON THIS PAGE

- [International Faculty and Staff](#)
- [New International Students](#)
- [Current International Students](#)
- [Student Employment Authorization](#)

OPT and STEM OPT reporting forms

- [Address Update](#)
- [New Employment Update Form](#)
- [Change of Employment Form](#)
- [STEM OPT Verification Form](#)
- [Updated I-20/DS-2019 Request Form \(typically used for travel signature requests\)](#)

International Student and Scholar Services
(802) 443-5858
iss@middlebury.edu

TOP

REPORTING REQUIREMENTS

FOR THOSE ON POST-COMPLETION OPT :

Students in F-1 Status on Post-completion OPT are expected to report the required employment information and their residential living addresses, phone numbers and emails **to ISSS using the SEVIS Updates links at the ISSS Forms & Resources webpage**. You may also wish to submit updates to the SEVIS student portal. This system will populate into SEVIS.

On your first day of approved OPT, DHS will send you a set-up email to the email address reported to SEVIS. It is a best practice to report an email address that you know you will check regularly; this is the same address to which important updates will be sent from the government.

Middlebury email address becomes deactivated after 6 months after graduation.

Students will need to make updates by appropriate timelines.

REPORTING REQUIREMENTS: Continued

You need to report ALL employment, even if you provide the name of an employer on the ISSS OPT Intake form. ISSS is unable to put in any employer information when making the OPT recommendation for standard OPT.

If you do not report employment as required, then it will appear in SEVIS that you are unemployed, and you will begin accruing unemployment time (even if you are really working).

After more than 90 days of aggregate (total) unemployment in SEVIS, the system will automatically terminate your record, which also means your OPT will be ended and you must stop working.

ISSS cannot backdate employment after your record is automatically terminated so, please be responsible!

REPORTING REQUIREMENTS: It is Up to YOU

IT IS YOUR RESPONSIBILITY TO ENSURE REQUIRED INFORMATION IS SUBMITTED on time (10 calendar days from the time of the change):

- Report any U.S. address or legal name changes to ISSS. Use the ISSS Address Update Form.
- Report all **new employment** by using the New Employment Update Form. This includes providing a statement on how your employment is directly related to your Middlebury major field of study.
- Report all **ended employment** (i.e., ending a job, leaving the U.S. and ending OPT) by completing the End of Employment Form.
- **Maintain a valid signature** on page 2 of your Form I-20 – **6-month validity now!!!** Request updated I-20 using the Updated I-20/DS-2019 Request Form
- Forms referenced here are located: <https://www.middlebury.edu/office/international-student-and-scholar-services/forms-and-resources> (scroll down to “OPT and STEM reporting forms”)

TRAVEL WHILE ON OPT

ISSS recommends:

- **Do not travel outside the U.S.** while your application is pending.
- *If you must travel, discuss with ISSS BEFORE departing the U.S.*

Once OPT is approved, you will need these documents for reentry:

- Form I-20 with OPT endorsement & valid travel signature **no older than 6 months**
- Valid F-1 visa (if needed)
- Passport valid for at least 6 months
- Valid Employment Authorization Card (EAC)
- Employment Confirmation Letter from Employer - not required, but recommended
- Proof of financial ability – not required, but recommended

During your approved OPT period, you may enter/exit the U.S. as you did during your study period; above documents for reentry required.

OPTIONS AFTER POST-COMPLETION OPT:

You must choose ONE of the following options:

1. **Apply for the STEM OPT Extension Optional Practical Training (OPT)** **NO LATER THAN the end date** of your post-completion OPT period (See Slides 29-30).
2. **Depart from the U.S. within your 60-day grace period.** Whether you leave on day 6 or 60, once you leave, you cannot re-enter using your Middlebury Form I-20 regardless of the remaining validity on your visa stamp.
3. **Enroll in another U.S. institution as a full-time student.** ISSS would need to transfer your SEVIS record within your grace period. Once your SEVIS record has been transferred, you will lose any remaining OPT time.
4. **Change to a different visa status.** Can be done from within the U.S. but you should apply prior to OPT end date. Contact ISSS for further discussion and/or to receive an immigration attorney resource list.

STEM OPT EXTENSION

Students in F-1 status who are on standard post-completion OPT and have earned a **STEM degree** may submit an application for a **24-month extension** of employment authorization.

To be eligible for the extension, the student **must meet each requirement listed here:**

- **Completed a degree in a STEM eligible field from a U.S. accredited institution with SEVP certification within the last 10 years** and has not yet utilized this STEM degree to apply for STEM OPT.
- **Must be currently participating in post-completion OPT and working for a U.S. employer in a job directly related to the student's major field of study.** *The earliest one can apply is no more than 90 calendar days before the current post-completion OPT period ends per USCIS; however, ISSS requires 10 business days from date of receipt of completed request for processing purposes so plan accordingly.*
- **All employers must participate in E-Verify** and all positions must be directly related to the STEM degree to apply for and throughout the STEM OPT period. Each job must be no less than 20 hours per week during the STEM OPT period.
- Student and employer must complete, sign and **adhere to a training plan (Form I-983) and comply with all reporting requirements.**
- Student **may be eligible for two STEM OPT authorizations of 24 months each**, provided that the second period of 24-month extension is after a higher-level STEM degree than the first STEM authorization.

FOR MORE INFORMATION and HOW TO APPLY FOR STEM OPT, GO TO:

<https://www.middlebury.edu/office/international-student-and-scholar-services/students/student-employment-information/stem-opt>

STEM-DESIGNATED DEGREES AT MIDDLEBURY

College Undergraduate Degrees:

Middlebury Major	Middlebury Code	CIP Code	SEVIS Specific Major/Minor
Biochemistry	BIOC	26.0202	Biochemistry
Biology	BIOL	26.0101	Biology/Biological Sciences, General
Chemistry	CHEM	40.0501	Chemistry, General
Computer Science	CSCI	11.0701	Computer Science
Economics	ECON	45.0603	Econometrics and Quantitative Economics
Environmental Studies--all areas	ESXX	03.0103	Environmental Studies
Geology	GEOL	40.0601	Geology/Earth Science, General
Mathematics	MATH	27.0101	Mathematics, General
Molecular Biology & Biochemistry	MBBC	26.0210	Molecular Biology
Neuroscience Program	NSCI	26.1501	Neuroscience
Physics	PHYS	40.0801	Physics, General
Psychology	PSYC	42.2799	Research and Experimental Psychology, Other

**** All ES Tracks qualify for STEM**

As of 1/21/2022

(to include, Environmental Society/Human Ecology, IGS-Global Environmental Change)

Institute Graduate Degrees:

MIIS Major	MIIS Code	SEV #	SEVIS Specific Major/Minor
International Environmental Policy (MA)	IPMG	03.0103	Environmental Studies
Translation & Localization Management (MA)	TRLM	11.1005	Information Technology Project Management
Non-proliferation and Terrorism Studies	NPTS	29.0202	Strategic Intelligence

QUESTIONS??

Via email at iss@middlebury.edu

Via phone at (802) 443-5858 – the phone line operates from 8 :15 am to 5:00 pm Eastern time zone only. Email first and we will determine if an appointment is needed.

ISSS strives to present accurate information regarding USCIS processes and fees. It is always recommended that you consult the USCIS website directly to verify the filing details before submitting your application.

<https://www.uscis.gov/i-765>

Upcoming OPT Workshops:

Visit the ISSS Announcements page

<https://www.middlebury.edu/office/international-student-and-scholar-services/announcements>