

OPT Reporting Requirements

While authorized for OPT, you are still in F-1 status and responsible for updating ISSS, SEVP, and USCIS of certain changes. Review the important information below regarding your OPT reporting requirements.

Limits on Periods of Unemployment

8 C.F.R. § 214.2(f)(10)(ii)(E) states—"During post-completion 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-completion OPT authorization." This limit also applies to students with an automatic extension of an OPT authorization due to the cap-gap provisions.

SEVP Portal

An F-1 student who has been approved for OPT and is in the employment authorization period will receive an email from <u>do-not-reply.SEVP@ice.dhs.gov</u> with information about creating a <u>SEVP Portal account</u>.

- Add <u>do-not-reply.SEVP@ice.dhs.gov</u> to your trusted sender list.
- Monitor your active email accounts including your junk/spam folder for the SEVP email.
 - The SEVP email will most likely be sent to your colorado.edu email account but may be sent to an alternate account if you provided the email address to ISSS as your primary email account.
- If you do not receive the SEVP email and are in an approved period of OPT, submit the SEVP Portal Account Help: Email Address Update/Account Reset e-form (<u>MyISSS portal</u> Training/Employment-Related Forms).

The SEVP Portal allows F-1 students to monitor their employment authorization and update their address, telephone number, and employer information to meet regulatory reporting requirements.

Review the <u>SEVP Help Hub</u> for additional resources (e.g., user guide, instructional videos).

Reporting Requirements While Authorized for OPT

While on OPT, you are still in F-1 status and required to report certain changes within 10 days of the change. If you have questions, <u>contact ISSS</u>.

- Reporting Changes of Address, Employment, and Telephone Information
 - Access the <u>SEVP Portal</u> and update your information.
 - If you are unable to access your SEVP Portal, submit the SEVP Portal Account Help: Email Address Update/Account Reset e-form (MyISSS portal Training/Employment-Related Forms).
 - Do not delete previous employers you listed unless a duplicate was entered in error.
 - <u>Address Updates</u>:
 - You must <u>also</u> report your address change to USCIS within 10 days of the change using the <u>Online Change of Address System.</u>
 - For alumni purposes, you can update your address in **Buff Portal** and with Alumni Association
 - <u>Employment Updates including your first job on post-completion OPT and future employment</u> <u>changes</u>:
 - You must <u>also</u> complete the *Post-Completion OPT Info Update & Relevance Statement* eform (<u>MyISSS portal</u> Training/Employment-Related Forms) to obtain an I-20 with updated employer information from ISSS.
- Reporting Changes of Name, Email, and Citizenship:
 - <u>Name and Citizenship Updates</u>: Submit the Post-Completion OPT Info Update & Relevance Statement e-form (<u>MyISSS portal</u> Training/Employment-Related Forms)
 - <u>Email Address Updates</u>: Email <u>ISSS</u>.

The following employment information must be reported for each job you have while authorized for OPT:

- Explanation of how employment is *directly* related to your major field of study
- Whether employment is self-employment
- Employer/Company Name
- Employer Identification Number (EIN) highly recommended
- Job Title
- Employment Start Date

Documenting Employment While on OPT

- Whether employment is full-time or part-time (fulltime employment is defined as 20 hours or more per week)
- The employer's address and, if applicable, any alternative work addresses
- Your supervisor's name, telephone, and email address
- Previous employment end date (if applicable)

The list below is a suggestion of records you <u>may</u> be asked to present to prove OPT employment (during or after your OPT authorization); it is not exhaustive. Be sure to maintain documentation that the work/internship is in your major field of study.

- Copies of offer letters and agreements/contracts with all OPT employers including: start/ end dates, pay rate, and number of weekly work hours
- Copies of job descriptions including job title, duties, location, and supervisor's contact information
- If you worked for an agency or consultancy, keep evidence of the projects you worked on
- Keep copies of your pay vouchers/pay stubs for all periods of employment, copies of your bank statements that show direct or corresponding deposits from your employer(s), and associated W-2 tax forms

If you engage in employment that is not paid while on OPT, it is recommended that you keep the following:

- Copies of employment agreement or contracts with the employer including: start/end dates, trainings (on location, online, etc.), responsibilities and training objectives, location of the internship/unpaid training, and supervisor's contact information
- Copies of all diplomas, completion certificates and/or certifications that you received related to the training program;
- If you worked/trained as an unpaid employee for a third party, keep evidence of the projects you worked on
- Copies of company time and attendance records that document your daily tasks in detail for all employers during the unpaid internship or training

Students Working for a Third-Party Agency

For future visas to the U.S. as well as for USCIS petitions/applications you may be asked to present proof of employment for *all* positions you have had while on OPT. If you have been employed by a recruiting agency and have worked at a client's site, ISSS recommends you document proof of employment from both your employer and site location entity.

OPT & Cap-Gap Extensions

An F-1 student who is the beneficiary of a H-1B petition requesting **change of status** and an **employment start date of October 1** of the current year that has not been withdrawn or denied is eligible for a cap-gap extension of OPT. If eligible, your duration of status (D/S) and any post-completion OPT work authorization is extended to September 30 or until the H-1B petition is withdrawn or denied. An automatic cap-gap extension of an F-1 student's record also applies to the duration of status of any dependents in F-2 status. To request an I-20 with a comment indicating the H-1B is pending or has been approved, complete the *Cap-Gap I-20 Request* (MyISSS portal Training/Employment-Related Forms).

24-Month Extension of OPT (with Qualifying STEM Degree and E-Verify Employer)

F-1 students in a current period of OPT with <u>qualifying STEM degrees</u> (previous U.S. degree or current U.S. degree) and an employment offer with an E-Verify employer in the STEM field may be eligible to apply for a <u>STEM extension of OPT</u>. Students must meet all of the eligibility requirements including submitting the *STEM OPT Extension I-20 Request* e-form (<u>MyISSS portal</u> Training/Employment-Related Forms) with a complete <u>I-983 Training Plan</u> to ISSS.

Beginning a New Degree Level and SEVIS Record Transfers

During post-completion OPT, employment in your major field of study is the basis for maintenance of F-1 status. Enrollment is not required and may impact your OPT work authorization. Consult ISSS if you are considering beginning a new course of study or will seek to <u>transfer your SEVIS record</u> to another institution.

• OPT work authorization is terminated when your SEVIS record is transferred to a new school and/or you begin a program at a new degree level.

Travel While Authorized for OPT

If you depart the U.S. while authorized for OPT for a temporary absence, you must <u>have proof of employment</u> <u>or a job offer</u> in your major field of study, be maintaining status and not have exceeded 90 days of unemployment in order to re-enter the U.S.

Review your employment authorization in the <u>SEVP Portal</u> prior to traveling and update it if necessary.

If you seek to re-enter the U.S. in F-1 status while authorized for OPT, carry the following documents:

- ☐ I-20 ISSS issued with OPT employment information on page 2 and travel signature dated less than six months from your date of re-entry to the U.S.
- Valid Passport (validity should extend at least 6 months beyond your date of re-entry to the U.S.)
- *Valid F-1 visa (exception- Canadians; *<u>automatic visa revalidation</u>)
- Unexpired Employment Authorization Document (EAD/OPT card)
- Evidence that you have a job or a job offer in you major field of study in the United States and have not
 exceeded 90 days of unemployment since the EAD card start date
- I-901 SEVIS fee receipt a copy can be printed from <u>online</u>.

During post-completion OPT, employment in your major field of study is the basis for maintaining F-1 status.

- If you do not have a job, travel outside of the U.S. is <u>not</u> recommended.
- If you exceed the 90-day limit on unemployment while outside the United States, you will not be eligible to re-enter the United States in F-1 status.

A temporary absence from the U.S. should be less than 5 months.

• Even with a job offer and valid EAD, an absence greater than 5 months may not be considered temporary and you may be denied re-entry.

Do <u>NOT</u> leave the U.S. if you have a pending change of status application as it will likely be considered abandoned.

• Please consult an immigration attorney if you have questions

Do <u>NOT</u> re-enter the U.S. in another status (e.g., B) if you intend to work on OPT.

• You must be present in the U.S. in F-1 status to work on OPT.

Additional Travel Resources:

- ICE Travel FAQ
- ISSS OPT Travel FAQ
- Visa Renewal
- Printing a Copy of Your I-94

I-94 Arrival Record

Review your <u>I-94 arrival record</u> every time your re-enter the U.S. to ensure that your entry was recorded properly. Check your biographical information as well as your Class of Admission (F-1) and Admit until Date (D/S).

Travel to Third-Country Destinations

Depending on the country you are traveling to and/or through, you may require a transit visa (to travel through an intermediary country on your way to your final destination) or a tourist visa to enter your final destination. Please consult the appropriate embassy or foreign consular office to determine if an additional visa is necessary. ISSS cannot give advice on visa procedures or application requirements for other countries.

End of Program Grace Period

There is a 60-day grace period following the completion of your post-completion OPT (starting from the EAD end date) for students who maintained status and did not accrue more than 90 days of unemployment. You are not eligible for employment or to re-enter the U.S. in F-1 status during the 60-day grace period. F-1 students in the 60-day grace period can request that their SEVIS record be transferred to another institution if they have been admitted and will begin the program within 5 months. F-1 students can also apply for a change of status during the grace period.