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Post-completion Optional Practical Training (OPT) is defined in the F-1 regulations as "temporary employment authorization for practical training directly related to a student's major field of study." Standard OPT is available for a cumulative maximum of 12 months of employment authorization per higher degree level completed in the U.S.

There are two types of OPT:

- <u>Pre-Completion OPT</u>: Off-campus work authorization during a student's degree program.
- <u>Post-Completion OPT</u>: Off-campus work authorization after completion of all degree requirements or after completion of all coursework (excluding thesis or dissertation credits).

An <u>extension of OPT</u> is available for students who have earned certain qualifying <u>STEM</u> <u>degrees</u> and whose employer is enrolled in the USCIS <u>E-Verify program</u>. This webpage reviews information related to post-completion OPT and does not address the STEM Extension of OPT.

Below is information that will guide you through each step of the OPT application and authorization process.

#### INTRODUCTION TO POST-COMPLETION OPT

This section will review eligibility requirements, the application timeline, and the post-completion OPT start date. Students will better understand the general post-completion OPT process after reading this section.

#### How do I know if I am eligible for post-completion OPT?

In order to be eligible to apply for post-completion OPT, you must:

- Currently be in the U.S. in valid F-1 status;
- Have a valid passport and I-94 record indicating F-1 and D/S (duration of status);
- Have been continuously enrolled full-time for at least one full academic year (fall and spring semester) before your requested OPT start date;
- Be enrolled full-time at CU Boulder (or an authorized equivalent) with an oncampus presence in the semester in which you apply for OPT;

- Have not completed more than 365 days of full-time CPT at the current degree level or a higher degree level;
- Have not previously completed a higher degree level in the U.S.;
- Have not previously been approved for 12 months of OPT at the current degree level or a higher degree level; AND
- Only pursue employment directly related to your major field of study.

*Please note*: You must be registered for credits that require on-campus presence in your final semester.

#### When can I apply for Post-Completion OPT?

You are eligible to apply for post-completion OPT after you have completed all degree requirements or after completion of all coursework (excluding thesis or dissertation credits). The first day that you can apply for post-completion OPT is 90 days before your last day of enrollment in your final semester. The last day you can apply is 60 days after your last day of enrollment. Do not delay and plan ahead! If you want to apply for post-completion OPT, we recommend applying early to increase your chances of getting approved for your requested start date.

- For students graduating in the Fall 2022 semester, your last day of enrollment is December 14, 2022. The first day you can apply for OPT is September 15, 2022. The last day that USCIS can receive your materials to apply for post-completion OPT is February 12, 2023.
- For students graduating in the Spring 2023 semester, your last day of enrollment is May 10, 2023. The first day you can apply for OPT is February 9, 2023. The last day that USCIS can receive your materials to apply for post-completion OPT is July 9, 2023.
- For students graduating in the Fall 2023 semester, your last day of enrollment is December 20, 2023. The first day you can apply for OPT is September 21, 2023. The last day that USCIS can receive your materials to apply for post-completion OPT is February 18, 2024.
- For students graduating in the Spring 2024 semester, your last day of enrollment is May 8, 2024. The first day you can apply for OPT is February 7, 2024. The last day that USCIS can receive your materials to apply for post-completion OPT is July 7, 2024.
- Summer graduates are encouraged to <u>contact ISSS</u>. Your last date of enrollment depends on which summer session you are enrolled in.

ISSS would like to make you aware that your F-1 status is based on continuing required enrollment or on a post-completion OPT authorization. Students who have satisfied all requirements for the completion of their program or who have successfully defended their master's thesis or Ph.D. dissertation cannot continue to be enrolled for administrative purposes. For example, students who have successfully defended their thesis or dissertation need not enroll in subsequent terms, therefore future enrollment would be considered enrollment for administrative purposes only. Students who have completed all the academic requirements for their degree (excluding submitting the thesis/dissertation for master's and Ph.D. students to the Graduate School) but continue to be enrolled to take classes in preparation for graduate school or for the completion of a certificate are considered enrolled for administrative purposes. As you are nearing the end of your degree program, please reach out to ISSS so that we can discuss your post-completion OPT application timeline with you. ISSS recommends that master's thesis students and Ph.D. students reach out to ISSS to discuss the timing of their post-completion OPT application prior to the semester in which they plan to defend their thesis/dissertation.



#### Do I need to have a job before I apply for post-completion OPT?

No. When you apply for post-completion OPT, you are requesting authorization to work in a job directly related to your major field of study during a 12-month period. You will choose your requested start and end dates when you apply for post-completion OPT. You are not required to have a job offer before applying for post-completion OPT. If USCIS approves your request for post-completion OPT authorization, they will tell you exactly what dates your post-completion OPT starts and ends. You can accrue 90 days of unemployment while in your authorized period of post-completion OPT. This means that you must begin working (and report that work in the SEVP Portal) within 90 days of your approved post-completion OPT start date.

#### How do I choose my requested start date for post-completion OPT?

Your post-completion OPT requested start date must be within 60 days of your F-1 program end date. Please note that when you apply for post-completion OPT, ISSS will shorten your I-20 program end date to your last date of enrollment (if necessary). For the fall and spring semesters, the last day of enrollment is the last date of exams listed on the CU Boulder academic calendar.

- Students graduating in Fall 2022 can choose a start date that is anywhere between: December 15, 2022 and February 12, 2023.
- Students graduating in Spring 2023 can choose a start date that is anywhere between: May 11, 2023 and July 9, 2023.
- Students graduating in Fall 2023 can choose a start date that is anywhere between: December 21, 2023 and February 18, 2024.
- Students graduating in Spring 2024 can choose a start date that is anywhere between: May 9, 2024 and July 8, 2024.

#### APPLYING FOR POST-COMPLETION OPT

This section provides a material guide to applying for post-completion OPT. Included in this section are detailed instructions, a list of documents and materials that you need to compile, and information about what happens after you fill out the <a href="ISSS Post-Completion OPT I-20 Request Form">ISSS has a list of post-completion OPT resources on the right-hand side of the post-completion OPT website</a>. Please check out these resources and allow us to highlight the <a href="Preparing Your Post-Completion OPT Application Presentation">Presentation</a> as a valuable resource.

#### How do I file my Post-Completion OPT application with USCIS?

Before electronically filing the Form I-765 with USCIS online, students must first submit the <u>Post-Completion OPT I-20 Request Form</u> to ISSS and ISSS must make the post-completion OPT recommendation in SEVIS. This is very important. If a student first submits the USCIS online application and then requests the post-completion OPT recommendation I-20 from ISSS, the post-completion OPT application will be denied, as the regulations require the recommendation be entered into SEVIS prior to the post-completion OPT filing.

It is possible to mail your application materials to USCIS instead of filing your application electronically with USCIS. The instructions below are for online filing. If you wish to mail your application materials to USCIS, please reach out to ISSS for instructions.

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- USCIS has confirmed that an electronically filed post-completion OPT application is less likely to be rejected. This is because the USCIS online filing system uses logic that limits the questions you will need to answer based on prior answers, diminishing the opportunity for errors.
- Once the application is submitted online with final payment, students will immediately
  receive a receipt number and receipt notice. This means that you will not face
  a receipt notice delay. A paper copy receipt notice will also be mailed to you.
- Payment will be made on a secure website using a credit or debit card. This means
  that you'll be able to confirm receipt of payment at the time of application. Once you
  submit payment, your whole application will be submitted to USCIS. Please make
  sure that you are ready to submit your entire post-completion OPT application
  (including the required post-completion OPT recommendation I-20 from ISSS,
  passport photos, and any other supporting documents) when you get to the payment
  screen
- Additional evidence can be uploaded to the application after submitting. However, ISSS urges students to ensure that they submit a complete application at the time of submission to USCIS. ISSS wants to reiterate that you must first receive the I-20 recommending post-completion OPT from ISSS before submitting your complete application to USCIS online.

#### How do I apply for Post-Completion OPT?

First, you'll need to complete the ISSS Post-Completion OPT Essentials Canvas Course. We have created this course to help students better understand the application process, regulations, and reporting requirements. The course is comprised of 5 short videos and 10 quiz questions. Students must earn a 7/10 or higher on the quiz. If you have answered at least 7 of the questions in the quiz correctly, then you have successfully completed the ISSS Post-Completion OPT Essentials Course.

To add yourself to the ISSS Post-Completion OPT Essentials Canvas Course:

- 1. Click: https://canvas.colorado.edu/enroll/PPEK38
- 2. Login with your identikey credentials
- 3. You will be put on a page that asks if they want to enroll in the course. Select yes.
- 4. You should then have access to the course

The next step in applying for post-completion OPT is to complete the <a href="Post-Completion OPT I-20">Post-Completion OPT I-20</a> Request Form and upload the required documentation including your score report from the ISSS Post-Completion OPT Essentials Canvas Course. When you begin the Post-Completion OPT I-20 Request Form, you will be required to enter your graduate program advisor or academic advisor's name and email address on the form. Once you complete your section of the form, it will automatically route to your advisor based on the information you have provided. After your academic advisor completes their section of the form, it will automatically be routed to ISSS for processing.

After ISSS receives your request form, please allow 2-5 business days for processing. Once ISSS has reviewed your materials, an I-20 recommending post-completion OPT will be issued to you.

You will then need to submit your complete application to USCIS by electronically filing the Form I-765 with USCIS online.

ISSS wants to reiterate that you must first receive the I-20 recommending post-completion OPT from ISSS before submitting your completed documents to USCIS.

## What happens while ISSS is reviewing my post-completion OPT I-20 Request Form and attached materials?

- ISSS will check that you successfully completed the ISSS Post-Completion OPT Essentials Canvas Course with a score of at least 7/10.
- ISSS will review your application materials and will email you if any questions arise.
- ISSS will shorten your I-20 program end date based on your last date of enrollment (if necessary). Sometimes a student's I-20 program end date already matches the last date of enrollment.
- ISSS will issue an I-20 recommending post-completion OPT to you. You must print, sign
  the I-20 by hand with an ink pen, and include a copy of the I-20 in your application that
  you submit to USCIS. ISSS wants to reiterate that you must first receive the I-20
  recommending post-completion OPT from ISSS before submitting your completed
  documents to USCIS.
- Please note that ISSS only recommends that your post-completion OPT application be approved; the final decision is made by USCIS.

#### What evidence do I need to provide with my OPT application?

Remember that you must first receive the I-20 recommending post-completion OPT from ISSS before submitting your completed documents to USCIS.

To receive your I-20 recommending post-completion OPT, please complete the <u>Post-Completion OPT I-20 Request Form</u>.

#### The following documents are required for the application to USCIS:

You will need to upload the following materials to the USCIS online application system. Documents can be uploaded in the following formats: JPG, JPEG, PDF, TIF, or TIFF. Photos can be uploaded as a JPG, JPEG, or PNG.

## in online filing

system) Example Notes

2 x 2 photo of you	Passport Photo	See "Photo Requirements": <u>U.S. Department</u> of State photo requirements.  DOS also has a photo check tool that you can use to check the photo ahead of time.
Form I-94	Entry I-94 Or Change of status I-797 Approval	Download your most recent I-94 here: https://i94.cbp.dhs.gov/
Employment Authorization Document	Valid passport biographical page	

# Evidence (as listed in online filing system)

#### **Example** Notes

Previously authorized CPT or OPT	I-20(s) (for CPT) and/or EAD (for OPT) and/or screenshot of SEVIS employment history screen (provided by ISSS advisor)	Leave empty if no prior OPT or CPT.
Form I-20	Newest I-20 with post-completion OPT recommendation	This is only referring to the recommending I- 20, not to prior I-20s

#### Additional Notes:

- If you have a prior SEVIS ID number, ISSS recommends including the prior SEVIS ID in the additional information section.
- If you have completed less than 1 full year in F-1 status (e.g. started program in H-4 status), ISSS recommends that you upload proof of prior immigration status as well as transcripts showing that you completed 1 academic year of full-time enrollment.

#### What if I am not sure if my U.S.-style passport photos are acceptable?

Please review the <u>Department of State website</u> concerning U.S.-style passport photos. The website includes examples of photos that are acceptable and not acceptable.

#### What is the Form I-765?

The Form I-765 is the form where you are formally requesting post-completion OPT authorization from USCIS. When electronically filing the Form I-765 with USCIS online, you will not fill out a paper copy of the Form I-765. The USCIS online filing system uses logic that limits the questions you will need to answer based on prior answers, diminishing the opportunity for errors. You will not be required to submit a copy of your I-765 to ISSS for review. The ISSS advisor who issues the I-20 recommending post-completion OPT welcomes the opportunity to review your draft I-765 before you make payment and submit your complete application to USCIS.

When filling out your online application, please be sure to select the proper eligibility category: (c) (3) (B) Post-Completion OPT.

#### SUBMITTING YOUR POST-COMPLETION OPT APPLICATION

This section provides instructions for submitting your complete post-completion OPT materials to USCIS.

#### ISSS has issued me an I-20 recommending post-completion OPT. Now what do I do?

- First, make any edits that ISSS has recommended to your post-completion OPT application materials and review all your materials for completion and accuracy.
- Compile all the USCIS application materials that were listed in section 3. Ensure they are complete and accurate.
- Now you will submit your materials to USCIS.

To electronically file the Form I-765 with USCIS online, individuals must first create a USCIS

online account at <u>myaccount.uscis.gov</u>. Once you have created an account, you'll be able to complete the filing process. Within your USCIS account, you will be able to:

- Upload your documents;
  - Documents can be uploaded in the following formats: JPG, JPEG, PDF, TIF, or TIFF. Photos can be uploaded as a JPG, JPEG, or PNG.
  - File names must contain only English characters (e.g. ABC). Special characters (e.g. @, #, \$, &) are not allowed. You will receive an error message if the file format or file name do not meet the standards above.
- Pay the \$410 fee;
  - Payment will be made on a secure website using a credit or debit card. This
    means that you'll be able to confirm receipt of payment at the time of application.
    Once you submit payment, your whole application will be submitted to USCIS.
    Please make sure that you are ready to submit your entire post-completion OPT
    application (including the required post-completion OPT recommendation I-20
    from ISSS, passport photos, and any other supporting documents) when you get
    to the payment screen.

Once you submit your application through the online system, you should:

- Receive your receipt notice and receipt number immediately within your USCIS account;
- Be able to track the status of your case;
- Communicate with USCIS through a secure inbox; and
- Respond to Requests for Evidence (RFE)

USCIS must receive your post-completion OPT application within 30 days of the date ISSS enters the recommendation for post-completion OPT into your SEVIS record.

## Is there anything I should be aware of while I work on submitting my materials to USCIS?

- You MUST submit your application to USCIS while you are inside of the United States.
  - You are not eligible to apply for post-completion OPT if you have already graduated and have left the United States.
- USCIS must receive your complete post-completion OPT application within 30 days of the date ISSS enters the recommendation for post-completion OPT into your SEVIS record. This means that you should not delay submitting your complete application to USCIS once you receive the I-20 recommending post-completion OPT.
- You must have your EAD card in your possession before beginning work.

#### When can I start working?

Take note of your new I-20 program end date (see "Program of Study" section on p. 1 of your I-20). It reflects the semester you complete all academic program requirements.

You are NOT eligible to work on-campus (e.g., assistantship, hourly job) or off-campus (e.g., CPT, economic hardship) after the I-20 program end date on your I-20 unless you meet ALL of the following criteria:

- You have received your Employment Authorization Document (EAD/OPT card)—it is in your hands;
- It is within the OPT employment authorization period noted on the EAD card; and

 You are working in a job <u>directly</u> related to your major field of study as noted on your OPT request I-20.

**Please note:** If you do not complete your degree coursework by your I-20 end date as expected, please contact ISSS immediately to discuss your options.

#### What copies of my I-20s must I include with my application?

You must include a copy of your ISSS issued I-20 recommending OPT. If applicable, please also include the following:

- A copy of any previous CPT approval I-20(s)
- A copy of any previous OPT approval I-20(s)
- A copy of any previous I-20(s) where CPT or OPT was approved on a different SEVIS number than what you have now
- A copy of any previous I-20(s) authorizing pre-completion OPT at your current degree level

#### How long will it take USCIS to process my OPT application?

You can check USCIS's OPT processing time by going to their <u>processing times website</u>, selecting "I-765 Application for Employment Authorization" under "Form", selecting "Based on a request by a qualified F-1 academic student [(c)(3)]" under "Form Category", and selecting "Potomac Service Center" under "Field Office or Service Center." There you will be able to see their estimated time range for processing OPT applications.

#### WHILE YOUR POST-COMPLETION OPT APPLICATION IS PENDING

This section provides an overview of what to expect while your post-completion OPT application is pending. Included is a checklist of what to be watching for, reminders, and travel information.

I submitted my post-completion OPT application materials to USCIS. What should I do while I wait?

- Pay attention to receipt notices, mail, and notifications from USCIS
- ISSS shortened your I-20 program end date based on your assertion that you will complete your coursework by this date. If you do not complete your degree coursework or your plans otherwise change, please let ISSS know immediately.
- Contact ISSS if your post-completion OPT application is rejected, denied, or if you receive a Request for Evidence (RFE).
- If you move from the U.S. address you entered in item 3 of the I-765 or are no longer receiving mail there and have not yet received your Employment Authorization Document (EAD Card), you must update your address information in the <u>USCIS Online Change of</u> Address System.
- If you have questions about your case or status of your application, please use the <u>USCIS online tools</u> or call the National Customer Service Number (800-375-5283). To check your case status online, <u>click here</u>. On that webpage, you can create a free account which will allow you to view your case status, history, and easily save your receipt numbers. You will also receive electronic case updates.

 Wait for your EAD card to arrive by mail. You must have your EAD card in hand to begin working.

Can I leave the United States while my post-completion OPT application is pending?

You can depart the U.S. with a pending post-completion OPT application. Be sure you have your post-completion OPT I-20 with a valid travel signature, active visa, and your Receipt Notice from USCIS that shows you have applied for post-completion OPT.

There are a few things to be aware of if traveling with a pending post-completion OPT application:

- If your post-completion OPT application is denied while you are outside of the U.S., you cannot re-enter the US in F-1 status to re-apply for post-completion OPT. It may be possible to re-enter the US in another visa category (for example, ESTA or tourist visa), but you would no longer be eligible for post-completion OPT.
- If additional information is needed for your post-completion OPT application, USCIS would mail you a request for evidence (RFE). If you receive an RFE you would need to respond in a certain amount of time and you may have difficulty responding to any request(s) for evidence from USCIS while you are outside of the U.S. which could result in a post-completion OPT denial.
- Future travel restrictions could impede your ability to return to the U.S.; travel restrictions may change at a moment's notice. You will need to carefully consult both the airline and the travel restrictions for the country to which you will be returning to the U.S. from.

If your post-completion OPT is approved while you're abroad, you should have your EAD card with you on your return. Please review the <u>International Student Travel FAQ for students on OPT</u>.

#### POST-COMPLETION OPT REPORTING REQUIREMENTS

This section reviews your reporting requirements while on an approved period of post-completion OPT. Also included in this section is information about the SEVP Portal, information about unemployment, travel, extension options, and more.

#### What is the SEVP Portal?

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

A student in F-1 status who has been approved for post-completion OPT and is in the employment authorization period will receive an email from do-not-reply.SEVP@ice.dhs.gov with information about creating a SEVP Portal account. Please add do-not-reply.SEVP@ice.dhs.gov to your trusted sender list. Monitor all 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, please contact ISSS. Please review the SEVP Help Hub for additional resources (e.g., user guide, instructional videos). Please note - as stated above, you will not receive the email from SEVP inviting you to set up your SEVP Portal account until your approved OPT start date has arrived.



#### What am I required to report while I'm on an authorized period of post-completion OPT?

While authorized for post-completion OPT, you are still in F-1 status. Immigration regulations require you to report certain changes including changes in employment status, employer, address, name, citizenship, contact information, within 10 days of the change.

- When you start your first job on post-completion OPT, you need to enter that employment into the SEVP Portal to stop your unemployment days from accruing.
- You also need to complete the <u>OPT Employment Relevance Statement</u> Form that will be reviewed by ISSS. You should indicate on this form that you would like a re-print of your I-20.
- During your post-completion OPT authorization period, you should report changes of address, employment, and telephone information in the <u>SEVP Portal</u>. For alumni purposes, you can update your address in <u>Buff Portal</u> and with <u>Alumni Association</u>. If you change employers while on post-completion OPT, do not delete the previous employers you listed unless a duplicate was entered in error.
- If your employer changes while on post-completion OPT, you must complete the OPT Employment Relevance Statement for the new employer.
- If your name or citizenship changes: Submit the <u>Form for Updating your Information</u> <u>During OPT (name, address, and employment)</u> (DocuSign)
- If your Email Address changes: Please email ISSS

#### What information will I have to enter in the SEVP Portal when I add a new employer?

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

- Explanation of how employment is directly related to your major field of study (OPT Employment Relevance Statement)
- Whether employment is self-employment
- Employer/Company Name
- Employer Identification Number (EIN)—highly recommended
- Job Title
- Employment Start Date
- Whether employment is full-time or part-time (full-time 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)

#### How many unemployment days can I use?

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.

In other words, you can accrue no more than 90 days of unemployment. The unemployment days start on your post-completion OPT authorization start date (the start date listed in SEVIS and on your EAD card). To stop the unemployment days from accruing, you need to enter your

employment information into the SEVP Portal.

#### What documentation should I keep for my records while on post-completion OPT?

The list below is a suggestion of records you <u>may</u> be asked to present to prove post-completion OPT employment (during or after your post-completion 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 postcompletion 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 post-completion 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.

#### What types of employment are allowed while on an approved period of postcompletion OPT?

- Regular paid employment in a position directly related to the student's major program of study.
- For post-completion OPT, the work must be for at least 20 hours per week.
- Students may work for multiple employers, as long as the employment is directly related to the student's major field of study
- Payment by multiple short-term employers. SEVP guidance states "Students, such as musicians and other performing artists, may work for multiple short-term employers (gigs). The student should maintain a list of all gigs, the dates and duration."
- Work for hire. SEVP explains, "This is also commonly referred to as 1099 employment
  where an individual performs a service based on a contractual relationship rather than
  an employment individual relationship. If requested by DHS, students should be
  prepared to provide evidence showing the duration of the contract periods and the name
  and address of the contracting company."
- Self-employed business owner. SEVP indicates, "Students on OPT may start a business and be self-employed. The student should be able to prove that he or she has the proper



business licenses and is actively engaged in a business related to his or her degree program."

- Employment through an agency. SEVP guidance states, "Students on postcompletion OPT must be able to provide evidence showing they worked an average of at least 20 hours per week while employed by the agency."
- Volunteers or unpaid interns: Standard OPT. SEVP OPT Policy Guidance states that,
  "Students may work as volunteers or unpaid interns, where this practice does not violate
  any labor laws. The work should be at least 20 hours per week\*\* for students on postcompletion OPT. A student should be able to provide evidence, acquired from the
  student's employer, to verify that he or she worked at least 20 hours per week during the
  period of employment."
- Students should exercise caution when undertaking volunteer activity as a form
  of OPT employment. Should this volunteer activity be seen as a violation of U.S. labor
  law, then the activity will not stop the accrual of days of unemployment and the activity
  could result in loss of status.

#### What should I be aware of if I choose to volunteer while on post-completion OPT?

SEVP OPT Policy Guidance states that, "Students may work as volunteers or unpaid interns, where this practice does not violate any labor laws. The work should be at least 20 hours per week for students on post-completion OPT. A student should be able to provide evidence, acquired from the student's employer, to verify that he or she worked at least 20 hours per week during the period of employment."

Students should exercise caution when undertaking volunteer activity as a form of OPT employment. Should the volunteer activity be seen as a violation of <u>U.S. labor law</u>, then the activity will not stop the accrual of unemployment days and the activity could result in loss of status.

If you would like to participate in volunteer work at CU Boulder, then the opportunity needs to be a formally established volunteer activity. If a CU Boulder department wishes to create a formal volunteer position, then ISSS recommends the CU Boulder department consult <u>University Risk Management</u> website for guidance in establishing a volunteer program. The volunteer guidelines will help ensure the project is formally recognized by the university as a volunteer work opportunity. Questions can be directed to: <a href="mailto:urmucbdirs@cu.edu">urmucbdirs@cu.edu</a>

#### I work for a third-party agency, what should I do?

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 post-completion 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.

#### TRAVEL, EXTENSION, & CHANGES WHILE ON POST-COMPLETION OPT

Are there any options to extend my post-completion OPT employment period?

Yes, there are two ways to extend (if you are eligible):

#### 24-Month Extension of Post-Completion OPT



#### (with Qualifying STEM Degree and E-Verify Employer)

Students in F-1 status in a current period of post-completion OPT with qualifying STEM degrees (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 STEM extension of OPT. Students must meet all of the eligibility requirements including submitting the OPT STEM Extension I-20 Request Form with a complete I-983 Training Plan to ISSS.

#### **Cap-Gap Extension**

A student in F-1 status is eligible for a cap-gap extension of post-completion OPT if they:

- are the beneficiary of a H-1B petition
- have requested a change of status
- have an employment start date of October 1 of the current year

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 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.

#### Do I get a grace period when I finish post-completion OPT?

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. Students in F-1 status who are 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. Students in F-1 status can also apply for a change of status during the grace period.

What happens if I begin a new degree level or need a SEVIS transfer while I am on postcompletion OPT?

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 if you choose to enroll while participating in post-completion OPT, it may impact your post-completion OPT work authorization. Consult ISSS if you are considering beginning a new course of study or will seek to <a href="transfer your SEVIS record">transfer your SEVIS record</a> 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.

Can I travel while I am on an authorized period of post-completion OPT?

If you depart the U.S. while authorized for post-completion OPT for a temporary absence, you must <u>have proof of employment or a job offer</u> in your major field of study in order to re-enter the U.S. Please review your employment authorization in the <u>SEVP Portal</u> prior to traveling and update it if necessary.

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.



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

- I-20 ISSS issued with post-completion OPT employment information on page 2 <u>and</u> 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; \*automatic visa revalidation)
- 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 online.

If you are using automatic visa revalidation to re-enter the U.S., have your printed I-94.

#### Things to keep in mind if you choose to travel while on post-completion OPT:

- A temporary absence from the U.S. should be <u>less than 5 months</u>. 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 about this.
- Do <u>NOT</u> re-enter the U.S. in another status (e.g., B) if you intend to work on postcompletion OPT. You must be present in the U.S. in F-1 status to work on postcompletion OPT.

#### **Additional Travel Resources:**

- ICE Travel FAQ
- International Student Travel FAQ for Students on Post-Completion OPT
- 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.