MSU Billings – Optional Practical Training (OPT)

OPT Required Document Checklist

☐ 1. Registered for Graduation (not for packet Office of International Affairs Only) Signature required
☐ 2. Form I-765 (download from www.uscis.gov/i-765) (follow instructions on page 6)
☐ 3. A copy of the new I-20 that the DSO advisor gives you with the recommendation for Optional Practical Training
☐ 4. A copy of I-94 Card (Print online at https://i94.cbp.dhs.gov/)
☐ 5. A copy of photo page (identification page) and expiration date page of your passport
☐ 6. A copy of the F-1 visa page of your passport (even if expired) (Canadians won’t have this)
☐ 7. A copy of ALL previous I-20s that have been issued to you with your current SEVIS ID# (if you do not have these, check with the DSO to get copies.)
☐ 8. A copy of your previous OPT card or other work card (EAD), if applicable
☐ 9. If you are applying for the 24-month extension (see page 3 below), you must also include a copy of your transcripts or diploma as long as it states the degree field.
☐ 10. Two passport style photographs. Print your name and I-94 card number lightly in pencil on the back of each photo. Put the photos in an envelope and attach it to front of I-765. DO NOT CUT THE PHOTOS!
☐ 11. Fee of $410. Checks may be made payable to the Department of Homeland Security. Make sure your full name and SEVIS ID number are visible on the check. You may send a money order or a personal check drawn on a U.S. bank, NO CASH. Attach the check to the front of the I-765.
☐ 12. Form G-1145: e-Notification of Application/Petition Acceptance (optional-see handout)
☐ 13. Cover Letter indicating documents included in the OPT application packet (optional-see handout)

Paper clip all above documents together and send by certified mail with a return receipt OR federal express (so that you have a tracking number). You will receive a receipt notice (Form I-797) from the USCIS.

STEP ONE:
☐ Read this OPT packet including the “frequently asked questions.”
☐ Gather and compile all the necessary documents from OPT Required Document Checklist listed below.
☐ Download “Form I-765” from www.uscis.gov and follow our directions on page 6 to fill it in.
☐ Consult with the Office of International Studies for additional assistance

STEP TWO:
☐ Meet with the DSO on campus to discuss your recommendation. The DSO will print out a new I-20 for you which will include a recommendation for your OPT. You will send a copy of this new I-20 with your application.

STEP THREE:
☐ Mail the documents listed below to the USCIS at one of the addresses listed below. The agency must receive your application no more than 90 prior to your program end date, or no more than 60 days beyond the end date on your I-20. You MUST send your application within 30 days of getting the new I-20 from the DSO.
☐ Be sure to keep copies of everything you mail for your own records!

Mail your application to USCIS Phoenix Lockbox:

For U.S. Postal Service deliveries: UScis
PO Box 21281
Phoenix, AZ 85036

For Express Mail: (recommended)
UScis, Attn: AOS
1820 E. Skyharbor Circle S, Suite 100
Phoenix, AZ 85034
F-1 OPT – FREQUENTLY ASKED QUESTIONS

1. What is F-1 Optional Practical Training?
Practical training is the opportunity to apply knowledge gained in your degree program to off-campus work in your major field (not your minor). OPT is authorized by the U.S. Citizenship and Immigration Services (U.S.C.I.S.). This authorization can take 2 to 3 months to obtain. The maximum amount of time granted to work on F-1 OPT status is 12 months per degree level plus a possible H1B cap gap extension OR a 24-month extension for those who qualify (see FAQ below). You may use some or all of the available 12 months of practical training during your course of study or save the full twelve months to use after you graduate.

2. What are the Eligibility Requirements for F-1 Optional Practical Training?
To be eligible to apply for optional practical training, you must: (1) have been a full-time enrolled student in the U.S. for at least one academic year by the requested start date of your OPT, and (2) be in F-1 status when you apply.

3. If I complete one degree program, take 12 months of practical training, and then begin a second course of study, am I eligible for an additional 12 months of practical training?
Yes, you are eligible to apply for another 12 month period of Optional Practical Training after changing to a higher degree level. This does not apply to a second degree at the same level.

4. How can I use optional practical training while I am still in my program?
You may use OPT while you are still in your degree program as follows: (1) part-time while school is in session, (2) fulltime during annual vacation periods, and/or (3) full-time after you completed all course requirements for the degree and have a thesis requirement remaining. These periods of OPT used before you graduate will be deducted from the total allowable period of 12 months. Part-time OPT will be deducted at one-half the full-time rate.

5. How long does it take to get authorization for OPT and when should I apply?
Authorization for OPT is granted by USCIS and can take 2 - 3 months to obtain. Therefore, it is important that you apply 3 months before the date you wish to start working. You may apply for POST-graduation OPT up to 90 days before your completion date and the immigration service MUST RECEIVE your application NO LATER THAN 60 days beyond your completion date or 60 days beyond the end date of your I-20 (WHICHEVER IS EARLIER) or, if you are an advanced graduate student, NO LATER THAN 60 days beyond the last day that you are registered as a student or the end date of your I-20 (WHICHEVER IS EARLIER). You cannot apply MORE than 120 days before the start date you choose. You MUST send your application within 30 days of getting the new I-20 from the DSO.

6. Do I need to have a job to apply for optional practical training?
You do NOT need to have a job offer before applying for the first 12 months of optional practical training. If your field qualifies you for the STEM extension, you DO have to have a job to apply.

7. Do I need to have a job while I am on optional practical training?
Yes. The regulations require that you do have employment while on your POST-graduation OPT period. You are only allowed to have a total of 90 days of unemployment in your 12-month period of OPT or 150 days if you apply for and receive the 24-month extension. While on POST-graduation OPT, you MUST update your employment information with the DSO at OIS@msubillings.edu

8. Does the job I have while on OPT have to be paid employment, or can it be unpaid?
The employment does NOT have to be paid employment, unless it’s a 24-month STEM OPT extension. Therefore, a student who is self-employed (including performance majors with regular “gigs”), interning or volunteering in a position directly related to the academic field would be considered “employed” for the purposes of OPT employment. If you are “self-employed,” keep careful records of all the work you do—it is supposed to be at least 20 hours per week.
9. Can I begin working before I receive the Employment Authorization Document?
You may NOT begin employment before you receive your EAD from USCIS; working before practical training has been authorized by the USCIS constitutes illegal employment that will jeopardize your legal status in the U.S.

10. Do I have to do anything with the DSO while I am on OPT?
Yes! Immigration regulations REQUIRE that while you are on POST-graduation OPT, you MUST report your employment and address information to the MSU Billings by emailing the DSO at: OIS@msubillings.edu.

11. Can I extend my OPT after the 12 months?
There are two types of extensions available: 1) a 24-month extension for those in certain fields (discussed below) and 2) an “H1B Cap Gap Extension” which extends your work authorization through to the start of your cap subject H1B visa if your OPT ends after your cap subject company has applied for a H1B for you but before the H1B starts on the following October 1st. This cap gap extension is available to all F-1 students using OPT in any field, as long as you have a pending or approved “cap subject” H1B application and the employer applied for in with a request for change of status as part of the application. The extension is automatic, you do not have to do anything at all to get the extension. “Cap Subject” refers to any H1B application that must be counted against the quota on H1B applications.

INFORMATION ON THE 24-MONTH “STEM” EXTENSION:
12. What is the 17 month STEM extension of OPT?
The “STEM Extension” allows F-1 students on OPT who have received a degree in the fields listed below, referred to as “STEM” fields (science, technology, engineering, or mathematics), to apply for a one time 24-month extension of their regular 12-month OPT period. You will NOT apply for 36 months up front. The 24-month extension will allow students to have extended work authorization in case they do not get an H1B visa in their first year after graduating. Students who timely file an application for the 24-month OPT extension will be able to continue employment while the extension application is pending, until a final decision on the I-765 or for 180 days, whichever comes first.

13. I think I qualify; how do I apply for the 24-month extension?
FIRST: Students graduating now with degrees in these fields will first apply for the regular 12-month period of OPT as usual. THEN, WITHIN 3 months of the end of your first 12 months of OPT: If you meet the following criteria, you can apply through the DSO for your 24-month extension of your OPT during your first 12 months of OPT.

CRITERIA FOR THE 24-MONTH EXTENSION:
- Your employer must be enrolled in the “E-Verify” program (see information links below).
- You must have graduated in and be working in one of the fields listed below referred to as “STEM” fields
- Job must be paid, at least 20 hours per week
- You must have maintained status while on OPT

14. What are the “STEM” fields?
Actuarial Science, Computer Science Applications, Engineering, Engineering Technologies, Biological and Biomedical Sciences, Mathematics and Statistics, Military Technologies, Physical Sciences, Science Technologies, Medical Scientist (MS, PhD).

15. What is “E-Verify”?
E-Verify is an Internet-based system operated by U.S. Citizenship and Immigration Services (USCIS) in partnership with the Social Security Administration (SSA). E-Verify is currently free to employers and is available in all 50 states. E-Verify provides an automated link to federal databases to help employers determine employment eligibility of new hires and the validity of their Social Security numbers. More information is available at: www.uscis.gov.

16. Are there any other requirements while I am on the 24-month extension?
In addition to filling out the OPT report form for changes in address or employment, the student and employer must use a new Form I-983 to complete the Training Plan. Evaluations forms and exit surveys are required.
TRAVEL and OPTIONAL PRACTICAL TRAINING

17. Now that I’ve turned in my application, can I travel outside the U.S. while I wait for the card to come?

Travel while your application is pending is NOT recommended! After you graduate, in order to re-enter the U.S., you must have the following: OPT card (or receipt notice for the OPT application), your valid passport, a current F-1 visa stamp, I-20 signed within the last six months, AND your job offer letter or proof of employment. Before you graduate, you should be able to get back in to the U.S. without the OPT card as long as it is still long enough in advance of your graduation (at least one month). If you are within a month of the end date of your I-20, be prepared to show all the documents you would need for OPT (listed above and in number 19 below).

18. I want to leave the U.S. for a short time while my OPT application is in process, but I need to return before the card will arrive. I have a tourist visa (B2) that is valid for 10 years. Can’t I just enter the U.S. on my tourist visa while I’m waiting to get the EAD card, then start work with the card once I get it?

NO!! If you intend to continue working on your OPT, NEVER enter in any other immigration status except F-1. If you leave the U.S. and re-enter with a B status, and you will have lost your F-1 status and your OPT will be invalid!

19. What documents do I need to re-enter the U.S. while on OPT?

You will need your I-20 that has been endorsed on the travel line by the DSO within the last 12 months; the OPT card from the USCIS (or the receipt notice for your OPT application), your valid passport, a current F-1 visa stamp, AND your job offer letter or proof of employment.

20. What if I have applied for the 24-month extension, but I have not yet received the card; can I travel out of the U.S.?

No, the immigration service advises that while you are waiting for the approval of the 24-month extension, you should NOT try to re-enter the country until you RECEIVE the new OPT card.

21. The visa stamp in my passport has expired, but I need to travel outside the U.S. while on OPT. Do I need to get a new visa stamp at an embassy?

If you are going to Canada or Mexico, and staying for less than 30 days as a tourist, you may re-enter the U.S. on your expired F-1 visa stamp, with your I-94 card, a valid passport, your EAD card (or receipt notice), an I-20 that has been signed by the DSO within the last 12 months, AND your job offer letter or proof of employment as long as: 1) you do not apply for a visa while in Canada and 2) you are NOT a national of Iran, Syria and Sudan. If you are traveling elsewhere, you will need to go to a U.S. embassy or consulate and seek a new visa stamp. Please come in to the DSO to discuss your visa application with an advisor as the consulates often change the requirements for visa applications for students on OPT.

22. In what ways is my application to the embassy for a new visa stamp affected by being on Optional Practical Training?

The risk of denial of an application for a renewed visa stamp for Optional Practical Training is somewhat higher than while you are in your active student program. The F-1 student visa requires that the applicant must intend to return to the home country at the end of the program, and if the embassy official is not convinced of your intention to return home, the visa application will be denied. It is possible and many students on OPT get their F-1 visa stamps renewed. You do have to be careful to demonstrate non-immigrant intent. Please see a DSO advisor to discuss in more detail.

23. What documents do I need to show at the embassy for a new visa stamp under OPT?

You need to take a valid passport, the EAD card or receipt notice for your application, an I-20 created by the DSO for your OPT application, AND your employment offer letter or proof of employment. The official job offer letter should sound temporary and not permanent. You should also be prepared to discuss how this job experience will apply to the job market in your home country, and how you intend to apply it there.

24. Do I still need to get the travel line on my I-20 signed by the DSO during the year of OPT?

Yes. During the OPT year, if you travel outside the U.S., you need to have the travel line signed every six months. If you are not located in Billings MT., mail the original I-20 to the DSO for endorsement, leaving plenty of time for mailing delays both ways.
FOR FILLING OUT FORM I-765
(See attached example sheet)

☐ Check first box “permission to accept employment” or “renewal.” If you are applying for a 24-month extension; fill out lines 1 through 16 (17 if applicable); sign and date:

☐ #3 Return Address: This must be an address at which you can receive mail for at least the next 3 months. You cannot put in a forwarding order on this address—the immigration service’s envelopes state “Do Not Forward.” If the card is sent to an address with a forwarding order, or if you cannot receive mail at the address you use, your card will be returned to the immigration service and destroyed. If you want to use a friend’s address, you need to make sure your name is on the mailbox.

If you want your department to receive mail for you, check with your department first.

☐ Please check the proper USCIS mailing address for your application.

☐ #10 Alien Registration Number: In most cases you will use your I-94 number found on the upper left side of the I-94 card that you received when you entered the US (small white card in your passport or printed from https://i94.cbp.dhs.gov/). It is usually an 11-digit number – sometimes the last two digits are separated by a space.

☐ #11 Previous employment authorization: The answer is “No” unless you have previously applied for an OPT card at this or any other institution. It is “No” even if you have had CPT or an H1B visa. If you are applying for a 17-month extension, please answer “Yes” and complete the related information.

☐ #16 Eligibility Categories: For F-1 OPT, fill out as follows:
  o Pre-Completion OPT (PRIOR to graduating): (c) (3) (A)
  o Post – Completion OPT (AFTER graduating): (c) (3) (B)
  o 24-month extension of OPT (see FAQ #10 below): (c) (3) (C)

☐ #17 If you are applying for the 24-month extension, you must also complete this section with your degree field and your employer’s “E-Verify” number.

☐ Certification: Remember to sign and date the I-765 (sign in blue ink)

REMINDEERS: REGULATIONS WHILE YOU ARE ON "OPT"

REQUIRED UPDATES (ADDRESS AND EMPLOYMENT):
- Immigration regulations REQUIRE that while you are on OPT, you MUST notify the MSU Billings DSO when you change your address AND/OR when you are NOT employed by emailing: OIS@msubillings.edu

TRAVELING ABROAD WHILE ON PRACTICAL TRAINING:
- In order to re-enter the U.S. while you are on Optional Practical Training, you must have a valid passport, current F-1 visa stamp, I-20 signed within the last six months, the EAD (OPT work card) or the receipt notice for you OPT application, AND your job offer letter.

NEVER ENTER the U.S. in any VISA STATUS OTHER THAN F-1 while on your OPT (it will invalidate your OPT!)
<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Full Name</td>
<td>Doe</td>
</tr>
<tr>
<td>(Family Name)</td>
<td></td>
</tr>
<tr>
<td>(First Name)</td>
<td>John</td>
</tr>
<tr>
<td>(Middle Name)</td>
<td>Henry</td>
</tr>
<tr>
<td>2. Other Names Used (include Maiden Name)</td>
<td></td>
</tr>
<tr>
<td>3. U.S. Mailing Address</td>
<td>123 Main Street Unit A</td>
</tr>
<tr>
<td>(Street Number and Name)</td>
<td></td>
</tr>
<tr>
<td>(Apt. Number)</td>
<td></td>
</tr>
<tr>
<td>(Town or City)</td>
<td>Billings</td>
</tr>
<tr>
<td>(State)</td>
<td>MT</td>
</tr>
<tr>
<td>(ZIP Code)</td>
<td>59101</td>
</tr>
<tr>
<td>4. Country of Citizenship or Nationality</td>
<td>Canada</td>
</tr>
<tr>
<td>5. Place of Birth</td>
<td>Calgary</td>
</tr>
<tr>
<td>(Town or City)</td>
<td></td>
</tr>
<tr>
<td>(State-Province)</td>
<td>Alberta</td>
</tr>
<tr>
<td>(Country)</td>
<td>Canada</td>
</tr>
<tr>
<td>6. Date of Birth (mm/dd/yyyy)</td>
<td>01/01/1989</td>
</tr>
<tr>
<td>7. Gender</td>
<td>Male</td>
</tr>
<tr>
<td>8. Marital Status</td>
<td>Single</td>
</tr>
<tr>
<td>9. Social Security Number (Include all numbers you have ever used, if any)</td>
<td></td>
</tr>
<tr>
<td>10. Alien Registration Number (A-Number) or Form I-94 Number (if any)</td>
<td>12345678999</td>
</tr>
<tr>
<td>11. Have you ever before applied for employment authorization from USCIS?</td>
<td>No</td>
</tr>
<tr>
<td>(Proceed to Question 12.)</td>
<td></td>
</tr>
<tr>
<td>12. Date of Last Entry into the U.S., on or about (mm/dd/yyyy)</td>
<td>01/01/2016</td>
</tr>
<tr>
<td>13. Place of Last Entry into the U.S.</td>
<td>Chattle, WA USA</td>
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<tr>
<td>14. Status at Last Entry (B-2 Visitor, F-1 Student, No Lawful Status, etc.)</td>
<td>F-1 student</td>
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<tr>
<td>15. Current Immigration Status (Visitor, Student, etc.)</td>
<td>Student</td>
</tr>
<tr>
<td>16. Eligibility Category. Go to the “Who May File Form I-765?” section of the Instructions. In the space below, place the letter and number of the eligibility category you selected from the instructions. For example, (a)(8), (c)(17)(ii), etc.</td>
<td></td>
</tr>
<tr>
<td>17. (c)(3)(C) Eligibility Category. If you entered the eligibility category (c)(3)(C) in Question 16 above, list your degree, your employer’s name as listed in E-Verify, and your employer’s E-Verify Company Identification Number or a valid E-Verify Client Company Identification Number in the space below.</td>
<td></td>
</tr>
<tr>
<td>Degree</td>
<td></td>
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<tr>
<td>Employer’s Name as listed in E-Verify</td>
<td></td>
</tr>
<tr>
<td>Employer’s E-Verify Company Identification Number or a Valid E-Verify Client Company Identification Number</td>
<td></td>
</tr>
<tr>
<td>18. (c)(26) Eligibility Category. If you entered the eligibility category (c)(26) in Question 16 above, please provide the receipt number of your H-1B principal spouse’s most recent Form I-797 Notice of Approval for Form I-129.</td>
<td></td>
</tr>
<tr>
<td>Applicant’s Signature</td>
<td></td>
</tr>
<tr>
<td>Date of Signature (mm/dd/yyyy)</td>
<td>04/15/2016</td>
</tr>
<tr>
<td>Telephone Number</td>
<td>406-123-4567</td>
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<tr>
<td>Signature of Person Preparing Form, If Other Than Applicant</td>
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<tr>
<td>Date of Signature (mm/dd/yyyy)</td>
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<tr>
<td>Printed Name</td>
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