



## OPTIONAL PRACTICAL TRAINING: STATUS MAINTENANCE

**While participating in OPT, a student is required to maintain legal F-1 status. The regulations for this period differ slightly from the normal regulations while a student is in school. Please read through this document carefully and sign the statement of understanding at the bottom.**

**When you apply for post-completion OPT, your program will be shortened to the last date of the semester. All on-campus student employment must end by this date.**

**You should NOT begin working until the start date printed on your approved OPT card.**

### Pre-Completion OPT:

Normal full-time enrollment requirements apply during the fall and spring semesters, including on-campus enrollment requirements. You may **not** be enrolled in online courses only during pre-completion OPT.

- OPT is available in limited circumstances before the completion of your degree:
  - o If you still have coursework remaining, you may be eligible for work authorization part-time while school is in session or full-time during non-required summer sessions or other official university breaks.
  - o If you have completed all coursework, and are working on thesis or dissertation only, you are eligible to apply for full-time OPT.
- You may choose whether to apply for Pre or Post-completion OPT. Please come to The Office of International Education (OIE) and speak with an advisor to discuss this option.
- Note: If you have been authorized for Pre-Completion OPT, any changes in your program completion date must be reported to OIE immediately.
- Pre-Completion OPT authorization **does** take time away from your 12 months of Post-Completion OPT.
- Speak with an OIE advisor if you would like more information regarding Pre-Completion OPT.

### Reporting Requirements:

- While on OPT, students must report the following to OIE:
  - o Physical Presence Address:
    - This should be done through the MyMav system. Please keep your account current so that you can update any change in address. If you forget your password, please contact the Help desk at 817-272-2208 or [helpdesk@uta.edu](mailto:helpdesk@uta.edu)
  - o Employment:
    - Complete the "OPT Data form" found at: <http://www.uta.edu/oie/?page=forms&form=OPTprocess> to report the following:
      - Employer name.
      - Employer address.
      - Loss of employment.
      - Any interruption of employment.

### Unemployment periods:

- 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.

### Type of acceptable work: (Found at: [http://www.ice.gov/sevis/updates\\_postcompletion\\_opt.htm# Toc174419564](http://www.ice.gov/sevis/updates_postcompletion_opt.htm# Toc174419564))

- o All OPT employment must be in a job that is related to the student's degree program.
  - SEVP recommends that students maintain evidence -- for each job -- of the position held, proof of the duration of that position, the job title, contact information for the student's supervisor or manager, and a description of the work.
- o For students who are not on a STEM extension, this employment may include:
  - Paid employment. Students must work at least 20 hours per week when on Post-Completion OPT) or full time.
  - \* Multiple employers. Students may work for more than one employer, but all employment must be related to the student's degree program and for Pre-Completion OPT cannot exceed 20 hours per week.



- \* Short-term multiple employers (performing artists). 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. If requested by DHS, students must be prepared to provide evidence showing a list of all gigs.
- \* Work for hire. This is also commonly referred to as 1099 employment where an individual performs a service based on a contractual relationship rather than an employment relationship. If requested by DHS, students must 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. Students on OPT may start a business and be self-employed. In this situation, the student must work full time. The student must be able to prove that he or she has the proper business licenses and is actively engaged in a business related to the student's degree program.
- \* Employment through an agency. Students on post-completion OPT must be able to provide evidence showing they worked an average of at least 20 hours per week while employed by the agency.
- Unpaid employment. Students may work as volunteers or unpaid interns, where this does not violate any labor laws. The work must be at least 20 hours per week for students on post-completion OPT. These students must be able to provide evidence from the employer that the student worked at least 20 hours per week during the period of employment.

**H1B Cap-Gap Provision:**

- Duration of status and work authorization will be extended for a student on OPT, who is the beneficiary of a timely filed H-1B petition requesting an employment start date of October 1 of the following fiscal year. This applies to all students on OPT, not just STEM students.
- The extension of duration of status and work authorization automatically terminates upon the rejection, denial, or revocation of the H-1B petition filed on the student's behalf.
- Refer to the H1B Cap-Gap application form for detailed information about extension validity dates and how to request a new I-20 to reflect your status during this period.

**Travel while on OPT:**

- It is possible to travel while on OPT. Plan to speak with an OIE advisor before you travel. You must take the following documents with you while you travel:
  - o Current EAD card.
  - o OPT I-20 with travel signature on Page 3.
    - Signatures are only valid for 6 months while on OPT. Apply for a new signature at OIE.
  - o Valid Passport.
  - o Valid Visa.
    - If your visa is expired, it is risky to travel. Speak with an OIE advisor before planning any travel.
  - o Employment letter.
    - Letter should state that you will be returning to "resume employment."
- No travel while STEM is pending and 12-month OPT has expired.

**After your authorized employment period ends:**

- For Post-Completion OPT, students receive a 60 day grace period at the end of their employment. During this time, the student must either:
  - o Prepare to leave the US before the 60 days is up.
  - o Receive a new I-20 from their current school for a new degree program.
  - o Transfer to another university and receive a new I-20 from that school.

*Note that OPT is automatically cancelled when you transfer schools or change education levels.*

**Statement of understanding:**

I have received a copy of this form and understand that I must follow the regulations listed to maintain my F-1 status while participating in OPT. I will contact OIE if I have any questions.

Signed by \_\_\_\_\_

UT ID #

Date