



**POST-GRADUATION OPTIONAL
PRACTICAL TRAINING APPLICATION
PACKET
FOR INTERNATIONAL STUDENTS IN
THE F-1 VISA CATEGORY**

PRINCETON THEOLOGICAL SEMINARY



Princeton Theological Seminary
Office of Global Services
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Post-Graduation OPT Application Packet for International Students in the F-1 Visa Category
POST-GRADUATION OPTIONAL PRACTICAL TRAINING

This packet describes the post-graduation Optional Practical Training (OPT) opportunity. *Please read carefully all the information provided here before you meet with Princeton Seminary's Principal Designated School Official (PDSO).* Post-graduation OPT is available to students for up to 12 months after graduation from a degree program offered by Princeton Theological Seminary. After careful review of this packet, the international student must submit the *Student Intent Form* to the Office of Global Services **no later than 100 days prior to graduation day** for consideration. An OPT Committee will make the appropriate determinations **before** a commitment is to be made between the student and the OPT site. Students will receive the Committee's decision for OPT on or about **90 days prior to the last day of the semester**.

The OPT information including forms is located on the Global Services website under the "Resources" tab located at the top of the webpage. To gain access to the application package, please go to this web link: <http://ptsem.edu/student-life/multicultural-relations/resources>.

INCLUDED IN THIS PACKET ARE:

- **Student Checklist**
- **Information for while you are on OPT**
- **Frequently Asked Questions about OPT**
- **Student Intent Form/Post-Graduate OPT Consideration Form:** includes **Student Academic Advisor** Certification to be submitted by **January 31**.
- **SEVIS Reporting Agreement:** to be submitted during the process of obtaining all necessary information for your Post-Graduate OPT filing during the spring semester **if** prior consent has been provided by the Seminary's OPT Committee.
- **OPT Employment Letter:** Sample letter from employer, typed on employer's letterhead and signed by employer describing the offer of employment to student, as well as details of the OPT position. [**Note:** *this sample letter is located on the Global Services webpage and is an Adobe fillable form.*]
- **Cover Letter from Student to USCIS:** Sample cover letter for student to type to submit with completed **Form I-765: Application for Employment Authorization**, along with the required filing fees and documentation. Student will need to insert OPT employer's information, as well as student's requested OPT **start and end** dates. [**Note:** *This sample letter is located on the Global Services Resources webpage and is an Adobe fillable form.*]

CONDITIONS:

- Student must be maintaining legal F-1 status.
- Student must be enrolled as a full-time student in an accredited institution for at least one academic year (time spent on academic leaves abroad also counts).
- Proposed employment must be (1) directly related to the student's major field of study, and (2) appropriate for the student's level of education.
- No offer of employment is required at the time student submits the completed **Student Intent Form/Post-Graduate OPT Consideration** document to the PDSO. However, it is **preferred** that the student does have an OPT employer prior to graduation. **NOTE: During the approved authorized OPT period, the student may not be unemployed for a total of more than 90 days or student will be out of visa status.**
- Student _____ must apply to the US Citizenship and Immigration Services (USCIS) and receive an Employment Authorization Document (EAD) **after** consent has been authorized by the OPT Committee.

- Students who engage in 12 months or more of full-time Curricular Practical Training (CPT) become **ineligible** for Optional Practical Training. However, part-time CPT does not affect eligibility for OPT.

EMPLOYMENT DURATION:

- A maximum limit of 12 months is allowed for post-graduation OPT. Any prior authorized periods of pre-graduation OPT will be deducted from the 12-month limit. **PLEASE NOTE:** *The 12-month clock starts ticking down from the first day listed on your EAD, regardless of whether you are actually employed or not.*
- Students cannot begin OPT employment **until** the start date indicated on the EAD card issued by the USCIS.

TIMEFRAME:

- Students may apply as early as 90 days before their program end date or as late as 60 days after their program end date. **PLEASE NOTE:** *It can take 3-4 months or more for your EAD card to arrive; early planning is essential to take advantage of this benefit!*
- Students may not request a start date that is more than 60 days after their program end date; postgraduation OPT must be completed within the 14-month period immediately following the program end date.

**STUDENT CHECKLIST UPON APPROVAL
BY THE SEMINARY FOR POST-GRADUATE OPT**

- Student is required to make **two appointments** with the PDSO **before** submitting their Form I-765 OPT Employment Application to USCIS. **NOTE:** At the first appointment, the PDSO will go over all the OPT required information, forms to be filed, required documentation, and required fees. At the second appointment, student is to have all documents completed, required documentation, filing fees, photographs, etc. so PDSO can review the entire application to be mailed to USCIS for their approval.
- Complete **Form I-765, Application for Employment Authorization**. While signing this form, make sure you sign **CLEARLY and WITHIN THE LINES** because your signature will be scanned for your EAD card.
- **Form I-765 Item No. 20:** Insert the following eligibility category as **“(c) (3) (B)”**
- Write a check or money order payable to the **U.S. Department of Homeland Security (do NOT abbreviate!)** with the amount of the fee required for Form I-765. The fee amount for this form may change at any time; the current fee amount is **\$410.00**. Please note that you may also be asked to pay a separate biometric services fee if you have not been fingerprinted for another immigration benefit. **Do not mail cash!** **IMPORTANT NOTE:** *Please do not prepare your check or money order until you are ready to mail your Form I-765 application.*
- **Obtain two photographs:** The photo requirements are the same as for passport photos, see: <https://travel.state.gov/content/visas/en/general/photos.html>. The two photographs must be identical and no more than 30 days old when the application is filed. Head and face coverings are not acceptable except for limited religious or medical reasons. Do not try to use photographs that are questionable for any reason. This is the most frequent request for additional evidence we receive.
- Lightly print your first and last name and your Admission Number on the back of each photograph with a pencil. Your Admission Number on your most recent I-94 document printed from the U.S. Customs and Board Protection (CBP) website located online at <https://i94.cbp.dhs.gov/I94/#/home>. **IMPORTANT NOTE:** *Your photographs cannot be more than 30 days old at the time you submit your Form I-765 application to USCIS.*
- Complete the **USCIS Form G-1145, E-Notification of Application/Petition Acceptance**, to include with your *Application for Employment Authorization* filing.
- Make copies of the I-94 document, the Identification (ID) page and US visa page of your passport.
- Make copies of any previously issued Forms I-20 documents (if applicable).
- Make copies of any previous EAD cards (if applicable).
- Complete the **SEVIS Reporting Agreement** and bring it with you to your **second meeting** with the PDSO.

WHAT HAPPENS NEXT

- If your F-1 status is valid and the proposed employment qualifies for OPT, the PDSO will update your record in the SEVIS database to include an official recommendation for OPT.
- You must mail the completed Form I-765, the filing fee check, the two photographs, and copies of all your original documents as listed above to the USCIS Lockbox facility with jurisdiction over your place of residence. If you apply while you are residing on campus, the relevant Lockbox facility will be the one in Dallas, Texas. The U.S. Postal Service mailing address is:

Regular U.S. Mail through the U.S. Postal Office (USPS)

U.S. Citizenship and Immigration Services
Dallas Lockbox Facility
PO Box 660867
Dallas, TX 75266

For Federal Express Mail and other courier services, send to:

USCIS, Attn: AOS, 2501 S. State Hwy. 121 Business, Suite 400, Lewisville, TX 75067 **INFORMATION FOR WHILE YOU ARE ON OPT**

While engaged in OPT after your graduation from Princeton Theological Seminary, you are still required to report to the PDSO at Princeton Seminary any legal changes in your name, address and/or visa status.

- As soon as you receive your *Employment Authorization Document* (EAD), remember to make a copy for your records as well as sending a copy to your PDSO for your visa file.
- Regulations do not require either the PDSO or USCIS to review a job offer to determine if it is appropriate for OPT. This responsibility falls with the student, who is required to adhere to the terms and conditions of his/her F-1 visa status, and with the employer, who is required to complete a Form I-9.
- You may begin work under OPT **only after** you have obtained your EAD from the USCIS and **only as of the start date** noted on the EAD. Please keep this in mind when negotiating with prospective employers. The USCIS has stated that it is illegal for a non-immigrant to perform a period of so-called unpaid "volunteer" employment if the employer intends to employ the non-immigrant later as a paid employee. The rules and regulations state that a position cannot be classified as being "volunteer" if an eligible US worker would be paid to do the same type of work.
- Keep all documentation related to your job search efforts (interviews, rejection letters, letters of inquiry, etc.) because you may be asked in the future by the USCIS to prove that you were actively seeking employment while on OPT. DHS recommends that students on OPT maintain evidence for each job of the position held, the duration of the position, the job title, contact information for the student's supervisor or manager, and a description of the work. This evidence can be used to prove that their employment was directly related to their degree program and to establish that they have not exceeded the limit on unemployment.
- Some employers may not be familiar with the OPT work authorization. If your employer(s) ask for additional information proving that this is a legal employment opportunity, our office can provide documentation. Remember (and remind your employer) that you have to pay local, state, and federal taxes, but you are not subject to Social Security and Medicare (aka FICA) taxation **IF** you have been in the US for less than five years, and if you are on practical training. Your employer does not have to contribute his/her portion of FICA either if this is your situation. Your employer will most likely request that you fill in additional paperwork and/or you present additional documentation before you start working. If you change employers, make sure your EAD is valid at all times.
- Your EAD will not specify an employer but will state that it is for practical training employment. If you work at a job that is not directly related to your studies, this might cause problems later on if you apply for any change of status or adjustment to permanent resident status.
- Changing employers while on Optional Practical Training does not require submission of a new application to the USCIS provided _____ that each new position is directly related to your field of study and appropriate for your level of education.

- If while working under OPT you decide to enroll at a college or university for full-time studies, your OPT work authorization will be automatically terminated as of the date of your enrollment.

FREQUENTLY ASKED QUESTIONS

What kind of employment am I eligible for?

Work done during the authorized OPT period must be (1) directly related to the student's major area of study and (2) appropriate for the student's level of education. A student may work for more than one employer and/or change employers during the period of authorized OPT if each position is directly related to the student's major field of study. The student must report changes in employment to the Principal Designated School Official (PDSO). The following activities are considered allowable employment while on OPT, if the job is related to the student's major program of study:

- **Regular paid employment** for at least 20 hours per week.
- **Work for hire.** This is called "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.
- **Volunteers or unpaid interns.** 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. Note that a volunteer position or unpaid internship would be a valid option for someone who otherwise might not meet the minimum employment requirement.

Do I have to work while I am on OPT?

Yes. During OPT your legal F-1 status is dependent upon employment. *During the authorized OPT period, students may not be unemployed for a total of more than 90 days.* Time spent outside the United States while unemployed also counts towards the total unemployment period, i.e., a student cannot stop the "unemployment clock" by exiting the country. Students may be denied future immigration benefits if DHS determines that the student exceeded the limitations on unemployment

What is my status while I am on OPT?

Students approved for post-completion OPT continue to be in F-1 status. Therefore, they are subject not only to the requirements that they have a Form I-20 endorsed for travel and a valid EAD, but also to the requirement that they have a valid F-1 visa stamp to reenter the United States, unless they are exempt from the visa requirement (e.g., Canadian students).

How many post completion OPT periods am I eligible for?

An F-1 student is eligible to apply for 12 months of OPT for each educational level completed. The student becomes eligible for an additional 12 months of OPT upon completion of a degree level.

When can I start work?

A student may begin OPT employment upon receipt of the EAD card and arrival of the effective start date indicated on the card. The effective start date of the EAD issued by USCIS for OPT should be the start date requested by the PDSO when the recommendation was entered in SEVIS, or the date USCIS approves the application for work authorization, whichever occurs later. However, in practice EAD cards have been issued with the requested effective start date even if that date was already passed by the time the card was issued. The USCIS has stated that it is illegal for a nonimmigrant to perform a period of so-called unpaid "volunteer" employment if the employer has the intention of employing the non-immigrant at a later date as a paid employee. The rules and regulations state that a position cannot be classified as being "volunteer" if an eligible US worker would be paid to do the same type of work.

What reporting requirements do I have while on OPT?

An F-1 student authorized to do OPT is required to report any change of name or address, or interruption of employment to the PDSO for the duration of the authorized OPT. A PDSO who recommends a student for OPT is responsible for updating the student's record to reflect these reported changes for the duration of the authorized OPT. Students should report changes **within 10 business days** to avoid situations where a DHS official may determine the student is out of status. The PDSO must update SEVIS with changes received from students or employers within 21 days of receiving the notification.

What kind of records should I keep?

As soon as you receive your EAD card, please remember to email a copy of it to your PDSO, as well as make a copy for yourself. The PDSO must keep a copy of your EAD in your current PTS visa file. Keep all documentation related to your job search efforts (interviews, rejection letters, letters of inquiry, etc.) because you may be asked in the future by the USCIS to prove that you were actively seeking employment while on OPT. DHS recommends that students on OPT maintain evidence for each job of the position held, the duration of the position, the job title, contact information for the student's supervisor or manager, and a description of the work. This evidence can be used to prove that their employment was directly related to their degree program and to establish that they have not exceeded the limit on unemployment.

Can I travel while on OPT?

An F-1 student engaged in post-completion OPT who travels outside the United States temporarily (i.e., less than 5 months) can be re-admitted to resume employment for the remainder of the period authorized on his or her EAD card, provided:

- The student presents an I-20 Form endorsed by the PDSO within the preceding **SIX** (6) months
- The student presents an unexpired F-1 visa stamp in valid passport
- The student presents an unexpired EAD, and
- The student is returning to resume employment (always have a letter from the employer to show if need be.)

The best general guidance is that a student who has both a valid EAD for post-completion OPT and a letter from an employer detailing the job offer should not experience difficulty reentering the United States. If either one of these two conditions are missing, then the student is assuming risk. The risk is higher if the student has to apply for a new F-1 visa stamp while outside the U.S. If a student travels while employed either, during a period of leave authorized either by an employer or as part of their employment, the time spent outside the United States will not count as unemployment.

What are my tax obligations while on OPT?

Social Security and Medicare (FICA) taxes **should not** be withheld from a student's OPT wages unless he/she is considered a resident alien for tax purposes (i.e., unless he/she has resided in the US for more than 5 years.). For complete details, please refer your employer to the IRS Publication 519, <http://www.irs.gov/publications/p519/index.html>.

I applied for OPT a long time ago and still haven 't received my EAD. How can I check the status of my request?

You can check the status of your OPT application at <https://egov.uscis.gov/cris/jsps/index.jsp>. If your EAD card does not arrive within 90 days of the date listed on the receipt notice, you are eligible to apply for an interim EAD card. This can be done through a USCIS District Office. An interim EAD card is valid for an initial period of six months. If the USCIS requires additional evidence or your application is returned for another reason, the processing time will be increased significantly.

Can I cancel my application for OPT?

Options for canceling or withdrawing an OPT recommendation or application differ depending on a variety of factors mostly related to the stage of the OPT adjudication. Please contact the PDSO if you find yourself in this situation.

What do I do if my EAD card has an error?

In the past, the USCIS has made mistakes in the spelling of names, birth dates, gender, etc. If you find one of these so-called "trivial" mistakes on your card, you have the option of returning the card to the USCIS and hoping that the mistake is corrected and the card is returned in a timely manner, or you can simply ignore the mistake. The Office of Global Services suggests that you _____ ignore the mistake as the process to have the card corrected may take months and/or not have the desired outcome in the end.

If it is a mistake of larger proportions, for example a mistake in the start and/or end dates of the OPT, please contact the PDSO immediately.

How do I replace a lost EAD Card?

A lost EAD card will result in your having to submit a brand-new Form I-765 application with the filing fee in order to receive a replacement card from the USCIS Service Center.

What are my options at the end of OPT?

You will have **60 days** after your EAD card expires to make departure plans or other arrangements within the United States. You may elect to do one of the following:

- Return to your home country.
- Transfer to another Institution within the United States.
- Apply for a non-immigrant/immigrant status change. For most non-immigrants, the next step would be to apply for and obtain an H-1B visa for a "temporary worker in a specialty occupation" or an R-1 visa for a "temporary religious worker," i.e., a minister. If you plan to take this course of action, you will need to find an employer who is willing and able to sponsor you for either of these visa categories. In most cases, employers or employees will need the assistance of an immigration lawyer to complete the visa application process.

PLEASE NOTE: *This information is not exhaustive and is meant only as a guide. Please remember that each student's situation is different and therefore may require a different response. All information is subject to change pending changes in immigration regulations and/or interpretations. If you have questions or if you want to discuss the specifics of your situation, please contact your PDSO.*