F-1 PRACTICAL TRAINING EMPLOYMENT INFORMATION SESSION FOR MIT INTERNATIONAL STUDENTS IN F-1 VISA STATUS

NOTE: please make sure that you logged in to this Zoom session using your MIT Zoom account. Also, please make sure that the name listed in Zoom is the name that appears on your passport.
SESSIONS NOW OFFERED ONLINE

• The ISO Employment Information Sessions will not be offered in-person due to COVID-19 response for social distancing.
• F-1 Students planning on applying for F-1 Curricular Practical Training (CPT) or F-1 Optional Practical Training (OPT), **MUST** review these F-1 Employment Information Session slides **before** requesting a new Form I-20 needed for CPT authorization or OPT authorization.
• When requesting the new Form I-20 via iMIT, students will be asked the following:
  • Date attended Information Session = Date you finished reviewing all of these Employment Information Session presentation slides.
  • ISO Advisor Presenting Session = “ONLINE”
  • Following review of the Information Session slides, you may contact your ISO Advisor with any questions.
WHAT IS EMPLOYMENT?

• Any activity for which an individual provides a service for which someone doing similar or same work receives a benefit in return (or would normally receive some benefit in return)
  • Based on U.S. Department of Homeland Security and U.S. Department of Labor regulations/guidance
  • Individual does not have to be designated as an “employee” to require employment authorization under student visa status

• Three Questions:
  1. Where are you doing the activity?
  2. Who is the employer/supervisor?
  3. Who is the source of funding?

• *If any of above are US-source, then U.S. employment authorization required.
WHAT IS EMPLOYMENT?

PAID OR NON-PAID

ON OR OFF-CAMPUS

NO SPECIFIC REFERENCE TO PUBLICATIONS/PRESENTATIONS, SO DEFAULT IS TO UTILIZE BROAD DEFINITION OF “EMPLOYMENT”

EMPLOYMENT REQUIRES AUTHORIZATION BEFORE THE ACTIVITY BEGINS
**WHAT IS EMPLOYMENT?**

**CAN I VOLUNTEER?**

- “Volunteering” is defined as [DOL 553.103; Fair Labor Standards Act]
- Any service for a public agency for civic, charitable, or humanitarian reasons, such as:
  - Church, Synagogue, Mosque, Temple or similar religious entity
  - Soup kitchen, homeless shelter, registered in an established volunteer program at a hospital, etc.
  - Community service activity through an MIT student club/organization

**VOLUNTEERING IS NOT:**

- Unpaid internship
- Refusing payment for work done
- Doing the work and getting paid once authorization has been approved, etc.

*If activity qualifies as “volunteering”, get a letter from host organization (dates, location, confirm no compensation/benefit)*
F-1 EMPLOYMENT OPTIONS

ON-CAMPUS EMPLOYMENT

- For MIT, At MIT, Paid by MIT
- MIT is employer (or contractually affiliated service provider to students, e.g. MIT Dining Services/Aramark)
- MITtemps/nextSource is NOT MIT and NOT considered an on-campus employer (requires F-1 CPT, F-1 OPT, or J-1 Academic Training)
- Fall/Spring Terms = Maximum 20 hours per week
- Institute Vacation Periods = More than 20 hours per week (IAP, Spring Break, Summer vacation - as long as student not required to be enrolled in courses during the period)

OFF-CAMPUS EMPLOYMENT

- Curricular Practical Training
  - [8 CFR 214.2(f)(10)(i)]
- Optional Practical Training
  - Pre, Post, and STEM
  - [8 CFR214.2(f)(10)(ii)]
- International Organizations Internships
  - [8 CFR 214.2(f)(9)(iii)]
- Economic Hardship Work Permission/Special Student Relief
  - [8 CFR 214.2(f)(9)(ii)]

EMPLOYMENT WITH MIT FACULTY’S PRIVATE/CONSULTING COMPANY

- On-Campus Employment is activity on the MIT campus, paid by MIT or by a contractually affiliated student service provider (e.g. dining services)
- Receiving an MIT paycheck
- If the activity/internship/employment is with an MIT Faculty Member’s consulting company, even if the activity/research is done on the MIT campus, if the consulting company is the “employer” and providing the benefits (pay, stipend, other) to the student, this employment is considered OFF-CAMPUS Employment and will require either F-1 CPT, F-1 OPT, or J-1 Academic Training employment authorization from USDHS

F-2 DEPENDENTS

- NOT eligible to work
  - [8 CFR 214.2(f)(15)(i)]
- ARE eligible to pursue study part-time
  - [8 CFR 214.2(f)(15)(ii)]
QUICK HISTORY OF PRACTICAL TRAINING

• Starting Initially, there was just one type of Practical Training (no division of CPT and OPT)
• Some academic programs started mandating off-campus placements as part of the degree program (e.g. Nursing)
• Colleges/Universities advocated for additional Practical Training to accommodate these mandatory requirements (CPT was born)
• Regulatory language enabled CPT to be used for mandatory or elective experiences that were part of the academic program and for credit
• U.S. Department of Homeland Security is looking to tighten CPT and OPT regulations due to cases of fraud
  • DHS guidance issued on F, J, M visa employment – August 2015
  • Current Homeland Security Investigation
Curricular Practical Training

CURRICULAR PRACTICAL TRAINING – “CPT”
WHAT IS CURRICULAR PRACTICAL TRAINING?

“INTEGRAL PART OF AN ESTABLISHED CURRICULUM IN THE STUDENT’S MAJOR FIELD OF STUDY”

OPTION 1 – REQUIRED

• A required component of the curriculum, which all students (including domestic students) in the program must complete in order to graduate in the major

OPTION 2 – ACADEMIC CREDIT TOWARDS DEGREE

• An internship that is evaluated by an MIT Professor, which is being granted academic credit under a specific course number in the student’s major degree requirement, and

• The course counts toward requirements to complete the degree, and

• Be enrolled in the specific internship/experiential learning course during the academic term in which the experience is conducted and CPT is authorized
WHAT IS CURRICULAR PRACTICAL TRAINING?

“INTEGRAL PART OF AN ESTABLISHED CURRICULUM IN THE STUDENT’S MAJOR FIELD OF STUDY”

F-1 CPT ELIGIBILITY

Authorized and used **ONLY BEFORE** completion of degree

- **Students must be:**
  - Pursuing an MIT degree
  - In full-time student registration status
  - In F-1 status at least 1 full academic year

- **Students are NOT eligible if:**
  - In Ph.D. Non-Resident Status (exceptions apply, see later slide)

CPT DATE & TIME RESTRICTIONS

CPT is granted by term and restricted by MIT’s [Academic Calendar](https://iso.mit.edu/sites/default/files/academic_calendar_2022.pdf) term date (e.g. Summer 2022 = May 19 to August 19, see ISO website)

**NOTE:**

- Fall & Spring Term – Part-time authorization
- Summer & IAP Term
  - Part-time or Full-time during official vacation
  - Part-time only if Summer or IAP is required or the first or last term of your program

**Reminder!**

- Part Time = maximum of 20 hours / week
- Full Time = 20+ hours / week, no limit
ELIGIBLE DATES FOR CURRICULAR PRACTICAL TRAINING (CPT)

<table>
<thead>
<tr>
<th>Pursuing CPT During...</th>
<th>Earliest CPT Start Date:</th>
<th>Latest CPT End Date:</th>
<th>Part-Time or Full-Time?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fall 2021</td>
<td>August 20, 2022</td>
<td>December 19, 2022</td>
<td>Part-Time ONLY</td>
</tr>
<tr>
<td>IAP 2021/2022</td>
<td>December 20, 2021</td>
<td>January 20, 2022</td>
<td>Part-Time or Full-Time</td>
</tr>
<tr>
<td>Spring 2022</td>
<td>January 21, 2022</td>
<td>May 19, 2022</td>
<td>Part-Time ONLY</td>
</tr>
<tr>
<td>Summer 2022</td>
<td>May 20, 2022</td>
<td>August 19, 2022</td>
<td>Part-Time or Full-Time</td>
</tr>
<tr>
<td>Fall 2021</td>
<td>August 21, 2022</td>
<td>December 17, 2021</td>
<td>Part-Time ONLY</td>
</tr>
<tr>
<td>IAP 2021/2022</td>
<td>December 18, 2021</td>
<td>January 28, 2022</td>
<td>Part-Time or Full-Time</td>
</tr>
<tr>
<td>Spring 2022</td>
<td>January 29, 2022</td>
<td>May 18, 2022</td>
<td>Part-Time ONLY</td>
</tr>
<tr>
<td>Summer 2022</td>
<td>May 19, 2022</td>
<td>August 19, 2022</td>
<td>Part-Time or Full-Time</td>
</tr>
<tr>
<td>Fall 2021</td>
<td>August 20, 2022</td>
<td>December 19, 2022</td>
<td>Part-Time ONLY</td>
</tr>
<tr>
<td>IAP 2021/2022</td>
<td>December 20, 2021</td>
<td>January 20, 2022</td>
<td>Part-Time or Full-Time</td>
</tr>
<tr>
<td>Spring 2022</td>
<td>February 4, 2023</td>
<td>May 24, 2023</td>
<td>Part-Time ONLY</td>
</tr>
</tbody>
</table>

*NOTE: If your program requires full-time courses over summer – then ONLY Part-Time CPT is allowed*
CPT FOR THESIS/DISSERTATION CREDIT

1. Student has an approved Master's/Ph.D. thesis proposal by the academic department; and
2. Location of activity is the only company/organization where the piece of machinery, or access to unique secured data, that is a vital component for the student’s approved thesis is available; and
3. The company/organization requires the student to be considered an employee, or other category, that requires employment authorization to be on premises to have access to the essential piece of machinery or secured data; and
4. The student’s thesis advisor must confirm that if the student is unable to pursue this experience at this specified location, the student will not be able to complete the planned approved thesis topic.
CPT APPLICATION STEPS

STEP 1
• Read ISO Website

STEP 2
• Obtain position offer letter from host company / organization
  • (See sample letter on website)

STEP 3
• Request CPT support letter from YOUR Department.
  Review the ISO website (How to Apply #5)

STEP 4
• Complete ISO iMIT CPT Application
  • Upload verification of course enrollment, job offer letter, department recommendation letter, etc.

STEP 5 – Receive your Form I-20 from the ISO via email.
OPTIONAL PRACTICAL TRAINING – “OPT”
WHAT IS OPTIONAL PRACTICAL TRAINING (OPT)?

- OPT is a form of temporary US work authorization for F-1 students who have been enrolled (full-time) in a degree program and have completed at least one full academic year (two full semesters).
- This work authorization is a way for F-1 students to gain practical training in employment directly related to the student's major field of study, as listed on their Form I-20.

### Types Of OPT

- **Pre-Completion OPT**
  - Before graduation
  - Job Offer NOT Required

- **Post-Completion OPT**
  - After graduation
  - Job Offer NOT Required

- **STEM OPT (only if STEM eligible)**
  - After Post-Completion OPT

### OPT Can Be

- **Part-time**
  - (20 hours a week or less)
  - *OR*

- **Full-time**
  - (20 hours a week or more)
  - During Institute vacation periods
  - After completion of all coursework except thesis
  - After completion of degree

### OPT Must Be

- Always full-time *after* completion of degree requirements
- Directly related to YOUR MIT degree declared major of study
PRE-COMPLETION OPT & POST-COMPLETION OPT

**PRE-COMPLETION OPT**
- Before Degree Completion
- Job Offer NOT Required to apply
- May take 3-5 months to be approved by government (plan ahead!)
- Part-time = 20 hrs or less / week; Pre-completion OPT only /
- Full-time = over 20 hrs / week; Only during Annual Vacation Period (Summer or IAP)
- ALL course requirements with the exception of approved thesis
- Pre-OPT deducts from the 12 months OPT total; if you request part-time pre-OPT, deducted at half the rate
  - Example: 2 months of part-time pre-OPT will deduct 1 month from 12 months total

**POST-COMPLETION OPT**
- After Degree Completion
- Job Offer NOT Required to apply
- May take 3-5 months to be approved by government (plan ahead!)
- Full-time = over 20 hrs / week; Pre- or Post-completion OPT
- Pre-OPT deducts from the 12 months OPT total; if you request part-time pre-OPT, deducted at half the rate
  - Example: 2 months of part-time pre-OPT will deduct 1 month from 12 months total
OPT ELIGIBILITY

• Must be enrolled full-time in a degree program

• Must complete at least one full academic year (two full semesters)

• Moving to another educational level/new degree program (at MIT or another institution) automatically terminates any approved OPT

• Transferring to another school to begin a new degree program automatically terminates any approved OPT

• Authorization for 12 months of full-time Curricular Practical Training (CPT) eliminates eligibility for OPT

• Part-time CPT, defined as 20 hours per week or less, does not affect OPT eligibility)
### Curricular Practical Training (CPT) vs. Optional Practical Training (OPT)

<table>
<thead>
<tr>
<th>Time to Authorize</th>
<th>Curricular Practical Training (CPT)</th>
<th>Optional Practical Training (OPT)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2 weeks</td>
<td>3 – 5 months</td>
</tr>
<tr>
<td>Authorizers</td>
<td>ISO Advisors</td>
<td>US Citizenship and Immigration Services (USCIS) Officers</td>
</tr>
<tr>
<td>Time limit</td>
<td>Unlimited up to 12 months, but lose OPT privilege if 12 months of CPT full-time per academic degree program**</td>
<td>Total of 12 months per academic level to be used either during or after academic degree program.</td>
</tr>
<tr>
<td>Employment Offer Required?</td>
<td>YES</td>
<td>NO</td>
</tr>
<tr>
<td>Requirements with regards to academic program</td>
<td>Internship must be an “integral part of an established curriculum” and “directly related to the student’s major area (field of study)” (Internships must be either required for all students in a program, or students will be given academic credit that counts towards fulfilling their degree requirements.)</td>
<td>Employment must be “directly related to student’s major area (field of study)”</td>
</tr>
</tbody>
</table>

- Students who need to enroll in subjects for academic credit will need to pay the associated cost for registration of that course.
- Students who engage in an aggregate of more than 12 months of full-time Curricular Practical Training become ineligible for Optional Practical Training at that degree level.
WHEN TO APPLY FOR PRE-COMPLETION OPT? IMPORTANT DATES & DEADLINES

NOTE: Students are **ONLY** eligible to apply for Pre-Completion OPT within **90 Days** of completing **2 Full Semesters** in their Program at MIT. (Employment cannot start prior to completion of 1 full academic year (combination of Fall-Spring terms))

**Pre-Completion OPT Applications**
- can **ONLY** be Mailed within 90 Days of the Pre-Completion OPT work start date

**USCIS Accepts OPT Applications**
- All required documents must be received by USCIS
  - Within 30 days of the date printed on page 1 of the new I-20 (when ISO Advisor recommended and signed the OPT I-20)
  - Student must be physically inside the U.S. when USCIS receives application
HOW IS POST-COMPLETION OPT TIME USED/COUNTED?

• OPT is allowed for a period of 12 months, per higher degree level
• i.e. Students cannot have 12 months of Post-Completion OPT after 2nd Master’s degree, if they were already approved for OPT for their previous Master’s degree
• Moving to another educational level/new degree program (at MIT or another institution) automatically terminates any approved OPT
• Transferring to another school to begin a new degree program automatically terminates any approved OPT
• Authorization for 12 months of full-time Curricular Practical Training (CPT) eliminates eligibility for OPT
• Part-time CPT, defined as 20 hours per week or less, does not affect OPT eligibility
• Any unused portion of OPT from a previous degree level cannot roll over to another OPT period
• **Once USCIS approves OPT, then the OPT benefit is considered used! Even if you do not use it!**
WHEN TO APPLY FOR POST-COMPLETION OPT?
IMPORTANT DATES & DEADLINES

1. Application must be received by USCIS no earlier than 90 days before your program end date listed in your letter and subsequent Form I-20;
   • You can calculate the earliest date on timeanddate.com
2. Application MUST be received at USCIS Office by day 59 after end date/graduation day listed in your letter and subsequent Form I-20
3. Must ensure arrival of OPT application to USCIS within 30 days of ISO Advisor signature on Page 1 of Form I-20

NOTE: Student must be physically inside the U.S. when USCIS receives application
REMEMBER!
OPT Application and the 60-Day Grace Period

The ISO recommends applying for OPT before the grace period is reached.

If OPT is denied before the end of the 60-day grace period, it MAY be possible to apply again.

If OPT is denied after 60-day grace period, your OPT benefit is forfeited.
I-20 PROGRAM COMPLETION / END DATE CONSIDERATIONS

1. Are you an RA or TA? Then your duties **MUST** be completed **BEFORE or ON** the program end date listed on your Form I-20
2. Thesis to complete? Ask your department what your thesis deadline is.
3. When will you receive your degree? February, September or June degree list?
4. What date is written on your department letter?
   • Department letter states all requirements completed on April 10, 2021, that is the program end date for I-20/OPT purposes.
5. Remember the Application Receive Date restrictions
   • No earlier than 90 days before I-20 program completion date
   • No later than day 59 after graduation/completion date (if received later, USCIS will REJECT the application)
## EXAMPLE DATES FOR POST-COMPLETION OPT

<table>
<thead>
<tr>
<th>If You Are Graduating In:</th>
<th>Program End Date:</th>
<th>The EARLIEST Your Application Can Reach USCIS Is:</th>
<th>The LATEST Your OPT Application MUST Reach USCIS Is:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fall 2021</td>
<td>December 30, 2021</td>
<td>October 1, 2021</td>
<td>February 28, 2022</td>
</tr>
<tr>
<td>Spring 2022</td>
<td>May 27, 2022</td>
<td>February 26, 2022</td>
<td>July 26, 2022</td>
</tr>
<tr>
<td>Summer 2022</td>
<td>August 31, 2022</td>
<td>June 2, 2022</td>
<td>October 30, 2022</td>
</tr>
</tbody>
</table>

*NOTE: PhD Students Program End Dates Can Vary*
# POST-COMPLETION OPT & EMPLOYMENT START DATES

<table>
<thead>
<tr>
<th>If You Are Graduating In:</th>
<th>Program End Date:</th>
<th>Select Any OPT Start Date Between The Following Dates:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fall 2021</td>
<td>December 30, 2021</td>
<td>December 31, 2021 – February 28, 2022</td>
</tr>
<tr>
<td>Spring 2022</td>
<td>May 27, 2022</td>
<td>May 28 2022 – July 26, 2022</td>
</tr>
<tr>
<td>Summer 2022</td>
<td>August 31, 2022</td>
<td>September 1, 2022 – October 30, 2022</td>
</tr>
</tbody>
</table>

*NOTE: PhD Students Program End Dates Can Vary*
LIMITED UNEMPLOYMENT TIME DURING POST-COMPLETION OPT

1. During Pre-Completion OPT, you do NOT accumulate any period of Unemployment.
2. Accumulating more than 90 days of unemployment is considered a violation of F-1 status by USDHS and you must leave the U.S.
3. Days of unemployment begin to accumulate:
   • If employment does not start on the OPT approved start date on EAD
   • If you receive the EAD after the OPT approved start date on EAD
   • Between periods of employment
   • Includes weekends
4. Your responsibility to keep track of unemployment days
5. May use prior to starting employment, or between positions during your OPT authorization period
OPT APPLICATION STEPS

STEP 1
• Read ISO website THOROUGHLY

STEP 2
• Request letter from your Academic Department confirming degree earned and expected completion date

STEP 3
• Request OPT I-20 on iMIT, 2 weeks prior to desired mailing date to USCIS
• Login to Full Client Services and click on F-1 Practical Training > then click on Optional Practical Training > then Start New Request > complete and submit all 5 E-forms
• Choose start and end dates of OPT
• Pay MIT administrative fee, if required

STEP 4
• Use Checklist on ISO OPT website to prepare application materials for mailing USCIS
OPT APPLICATION STEPS CONT.

STEP 5
• Receive your Post-Completion OPT I-20 electronically by email from the ISO

STEP 6
• Double Check Your OPT Application!
• Make a copy of your ENTIRE OPT Application!
  • Including Your Payment!
  • You may need this information in the future!
• Scan, copy, etc.

STEP 7
• Mail OPT application, per ISO website process
  • Mail well BEFORE the 30 days of the ISO Advisor signature on Form I-20
  • USCIS must receive the Post-Completion OPT application no later than 59 days after graduation
• Must be physically inside the U.S. when USCIS receives application

STEP 8
• Wait for EAD card before starting your employment
NEW “POST-COMPLETION OPT” I-20 FROM THE ISO

- I-20 will include “recommendation for OPT” on page 2
- I-20 Program End Date will be shortened or extended (if applicable) to reflect official expected completion date of degree program
- Signed for Travel on Page 2 of Form I-20 (Valid for 6 months while on post-OPT)

NOTE:
- ISO processing time for OPT I-20s is 10 business days; wait for I-20 to include in OPT application to USCIS
- Requested OPT start and end date is FINAL after application is mailed to USCIS
"WHAT DO I INCLUDE WITH MY APPLICATION?" (PART 1)

CHECKLIST OF DOCUMENTS (ASSEMBLE IN ORDER)

1: CHECK /MONEY ORDER
- Check /Money Order for $410 made payable to US Department of Homeland Security
OR
- Form G-1450 with credit card information
  - NOTE: If credit card is rejected, then your OPT application will be denied.

2: FORM G-1145
- Double Check Your OPT Application!
- Make a copy of your ENTIRE OPT Application!
  - Including Your Payment!
  - You may need this information in the future!
  - Scan, copy, etc.

3: TWO U.S. PASSPORT-SIZED PHOTOS
- Two passport photos:
  - They must be less than 30 days old (No Glasses)
  - You must write your name and SEVIS # number in pencil or felt pen, (pressing lightly), on the back of each photo
  - Finally paperclip them to your I-765

4: ORIGINAL, COMPLETED, & HAND-SIGNED I-765 FORM
- Original completed, hand signed and dated I-765 form
WHAT DO I INCLUDE WITH MY APPLICATION? (PART 2)

CHECKLIST OF DOCUMENTS (ASSEMBLE IN ORDER)

5: PHOTOCOPIES OF ALL I-20’s
- Photocopy of new I-20 with OPT dates (pages 1 and 2; remember to sign your I-20 form)
- Photocopies of any previous I-20s in reverse date order (pages 1 and travel signature page of all MIT and previous school forms; sign your I-20 forms)

6: MOST RECENT I-94 RECORD
- Electronic I-94 Record as a PDF
  - Photocopy of I-94 Card (front and back)

7: PHOTOCOPIES OF PASSPORT & VISA STICKER
- Photocopy of your VALID passport photo page
  - Photocopy of your most recent F-1 Visa Sticker (it is ok if this is expired)

8: PREVIOUS EAD CARD(S)
- Photocopy of any previous Employment Authorization Documents (EAD cards), if applicable
  - *NOTE: All EAD Cards state “not valid for re-entry” – This is OK. It only means that your EAD Card is not valid for re-entry alone. You will need all the materials listed on slide 60 to re-enter the US.
OPTIONAL COVER LETTER

“I am missing my previous Form I-20(s) and/or my previous EAD Card(s)! What do I do now?!”

- NOTE: a cover letter is **NOT** required, unless something is missing, or further explanation is required, etc. like missing I-20’s and/or missing previously issued EAD Cards.

- **Sample Cover Letter**

```
Sample OPT Cover Letter

[DATE OF REQUEST]

[STUDENT NAME]:
[SEVIS ID NUMBER]:
[OPT REQUESTED: PRE or POST-COMPLETION or STEM]
[OPT DATES REQUESTED]:

Dear USCIS Officer:
Please accept this cover letter for my F-1 [PRE or POST-COMPLETION or STEM] Practical Training request. I am writing this letter because [REASON FOR LETTER].

Enclosed, please find my [PRE or POST-COMPLETION or STEM] application materials

Please contact me if you require additional information or documentation to process this request.

Sincerely,

[SIGNATURE OF STUDENT]
[NAME OF STUDENT]
```
“HOW DO I COMPLETE THE I-765 FORM?”

1. Go to USCIS Website https://www.uscis.gov/i-765

2. Download, read, and complete the following:
   • The Form I-765
   • The Instructions for Form I-765
   • Read the webpage including “Where to File” and also “Form Filing Tips”
   • (Optional, but recommended) the Form G-1145

See “Form I-765 example page 1-7” slides
**I-765 EXAMPLE**

**PAGE 2**

---

### Part 2: Information About You (continued)

**US Postal Address**

- **State:**
- **Zip Code:**

**Other Information**

- **Alien Registration Number (if any):**
- **USCIS Online Account Number (if any):**

**Gender**

- **Male**
- **Female**

**Marital Status**

- **Single**
- **Married**
- **Divorced**
- **Widowed**

**If you previously filed Form I-765**

- **Yes**
- **No**

**Has the Social Security Administration (SSA) ever issued you a Social Security card?**

- **Yes**
- **No**

**Country or Countries of Citizenship or Nationality**

- **Country:**
- **Country of Passport:**

---

**NOTE:** This should be an address that is valid 5 months after USCIS receives your application. If you will change addresses within the next 5 months, you are advised to list the address of a trusted friend or family member. As USCIS cannot forward USCIS mail to new addresses, you CANNOT use the USCIS’s Address.
Part 2. Information About You (continued)

3. a. Date you presented yourself to DHS:

3b. Location where you presented yourself to DHS:

3c. Country of claimed persecution:

3d. Provide an explanation for why you did not
United States institute through a U.S. port
you need extra time to complete this area,
provided in Part 6. Additional Information:

NOTE: Refer to the Special Filing Instructions for There
With Pending Actions Applications (G8) section of the Form
I-160 Instructions for more information.

3d. (c)(3) and (c)(4) Eligibility Category. If you entered
the eligibility category (c)(3) in Item Number 27, please
provide the exempt number of your Form I-197 Notice for
Form I-140, Immigrant Petition for Alien Worker. If you
entered the eligibility category (c)(4) in Item Number 27, please
provide the exempt number of your spouse or
parent’s Form I-197 Notice for Form I-140.

3d. (c)(5) and (c)(6) Eligibility Category. If you entered
the eligibility category (c)(5) or (c)(6) in Item Number 27, have you
ever been convicted for

NOTE: If you answered “Yes” to Item Number 31b, please refer to
Employment-Based Nonimmigrant Categories;
Items 6-9, in the Workbook File Form I-197 of the Form
I-160 Instructions for the information about
providing exact documentation.

Was check 3a since English is required for
all MIT programs.

Part 3. Applicant’s Statement, Contact Information, Declaration, Certification, and Signature

Applicant’s Statement

NOTE: Select the box for either Item Number 1a. or 1b. If
applicable, select the box for Item Number 2.

1a. I can read and understand English, and I have read
and understand every question and instruction on
this application and my answer to every question is:

1b. The information listed in Part 4, and to me every
question and instructions on this application and my
answer to every question is:

a language in which I am fluent and understood

b. At my request, the program named in Part 4,

prepared this application for me based solely on
information I provided as authorized.

Applicant’s Contact Information

3. Applicant’s Daytime Telephone Number:

4. Applicant’s Mobile Telephone Number (if any):

5. Applicant’s Email Address (if any):

6. Select this box if you are a Salvadorian or Guatemalan

Applicant’s Declaration and Certification

Copy of all documents I have submitted are exact photographs of
original documents. Furthermore, I declare that USCIS
may review that I submit original documents to USCIS at a later
date. Furthermore, I understand that USCIS may use
determine my eligibility for the immigration benefit I seek.
Furthermore, I understand that USCIS may use
do not necessary for the administration and enforcement of U.S.
i cannot provide evidence that is not necessary for the
administration and enforcement of U.S. immigration law.
I-765 EXAMPLE
PAGE 5

Form I-765, Page 5

ALL 7 pages must be included in your application, even if some are blank!
<table>
<thead>
<tr>
<th>Preparer's Full Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.a. Preparer's Family Name (Last Name)</td>
</tr>
<tr>
<td>1.b. Preparer's Given Name (First Name)</td>
</tr>
<tr>
<td>2. Preparer's Business or Organization Name (if any)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Preparer's Mailing Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>3.a. Street Number and Name</td>
</tr>
<tr>
<td>3.c. City or Town</td>
</tr>
<tr>
<td>3.d. State</td>
</tr>
<tr>
<td>3.e. Province</td>
</tr>
<tr>
<td>3.f. Postal Code</td>
</tr>
<tr>
<td>3.g. Country</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Preparer's Contact Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>4. Preparer's Daytime Telephone Number</td>
</tr>
<tr>
<td>5. Preparer's Mobile Telephone Number (if any)</td>
</tr>
<tr>
<td>6. Preparer's Email Address (if any)</td>
</tr>
</tbody>
</table>

**Preparer’s Statement**

1.a. I am not an attorney or accredited representative but have prepared this application on behalf of the applicant and with the applicant’s consent.

1.b. I am an attorney or accredited representative and any representations of the applicant on this form extend that I am the preparer of this application.

NOTE: If you are an attorney or accredited representative, you must submit a completed Form G-28, Notice of Entry of Appearance as Attorney or Authorized Representative, with this application.

**Preparer’s Certification**

By my signature, I certify, under penalty of perjury, that I prepared this application at the request of the applicant. The applicant has reviewed this completed application and informed me that he or she understands all of the information contained in, and included with, his or her application, including the Applicant’s Declaration and Certification, and that all of this information is complete, true, and correct. I completed this application based only on information that the applicant provided to me or authorized me to obtain or use.

<table>
<thead>
<tr>
<th>Preparer’s Signature</th>
</tr>
</thead>
<tbody>
<tr>
<td>8.a. Preparer’s Signature</td>
</tr>
<tr>
<td>8.b. Date of Signature (mm/dd/yyyy)</td>
</tr>
</tbody>
</table>
### Part 6: Additional Information

- **Family Name**
  - Last Name
- **Given Name**
  - First Name
- **Middle Name**
- **A-Number (Social)**
- **Page Number**
- **Page Number**
- **Page Number**
- **Page Number**

#### CPT Authorization(s):
- **Masters, Full-Time, CPT with:**
  - Sparkbros: 5/25/2020 to 8/26/2020
- **Masters, Part-Time, CPT with:**
  - TechWorld: 5/25/2020 - 8/26/2020

#### OPT Authorization(s):
- **Bachelors Post-Completion OPT**
- **Masters, Part-Time, Pre-Completion OPT**
  - 8/27/2013 - 12/18/2013

---

**Sign and date this page here in BLACK ink.**

---

**NOTE:** Leave Page 7 BLANK for STEM CPT Applications ONLY.
BEFORE YOU MAIL YOUR APPLICATION...

**DOUBLE CHECK EVERYTHING!**

- Did you check that you are using the most recent/updated I-765 Form?
- Did you check the box at the top of the I-765 Form (page 1) indicating what you are applying for?
- Did you sign and date your I-765 Form on page 5?
- Did you include all 7 pages of the I-765 Form?
- Did you check the USCIS website to make sure that your application fee is correct?
- Did you check the F-1 I-765 mailing instructions on the USCIS website?
WHAT HAPPENS AFTER YOU MAIL IN YOUR OPT APPLICATION TO USCIS?

Adjudication at USCIS Center
• 3-5 months for USCIS to process application
• Documents to be received from USCIS:
  1. G-1145 text or email received within 2-4 weeks? (includes receipt #, and your check should be cashed)
  2. Paper “Receipt Notice” by mail with a Receipt Number to track status of application received approximately 3-4 weeks from date of application receipt by USCIS
  3. If approved, receive paper “Approval Notice” via USPS regular mail
  4. Employment Authorization Document (EAD) Card will be mailed to you separately from the Approval Notice via USPS Priority Mail within 3-5 months
• If you do not receive these documents or responses from USCIS in a timely manner, contact your ISO advisor.
• Check application “Case Status” on the USCIS website, see Receipt Notice information
AFTER YOU MAIL/SUBMIT YOUR APPLICATION...

“I made a mistake on my OPT Application... Now What!?”

• Remain calm and contact your ISO advisor.

• DO NOT mail/submit duplicate applications!
IMPORTANT REMINDERS ABOUT OPT

You **MAY NOT** begin **ANY** employment activity until:
1. OPT (I-765) application **APPROVED**,  
2. your EAD card is **RECEIVED**, and  
3. your EAD start date is **EFFECTIVE**.

An EAD card is required to:
- Begin employment
  - Beginning employment before you have the EAD card is a **serious** violation of your visa status, and a violation by your employer of U.S. Department of Labor regulations
- Complete the Form I-9 Employment Eligibility Verification Form required by your employer when you begin work
- Work at any location (including MIT) after the Form I-20 program completion date
  - All MIT employment (e.g. RA, TA, or post-doc) is considered “off-campus” work after program completion
PROGRAM NOT COMPLETED AS PLANNED?

• **STOP** any on-campus work (e.g. RA or TA) past the program completion date listed on your Form I-20

• Contact your **ISO Advisor immediately**

• **Wait for EAD card** before resuming your RA, TA, or any other on-campus work
  
  • No “volunteering” while you wait!

• If your program is **not completed**, you may only **resume work (up to 20 hours per week)** when you receive EAD card and start date is effective
VOLUNTEER OR UNPAID EMPLOYMENT

• A student may work as a volunteer or unpaid intern on Post-Completion OPT, where this practice does not violate any labor laws.
  • The work must be at least 20 hours per week or more for a student on Post-Completion OPT.
  • The work must be related to the student’s degree/major and provide practical experience in their field.
  • A student must be able to provide evidence (job offer letter, etc.) acquired from the student’s employer to verify dates and hours of employment, as well as a brief job description.
TRAVEL BEFORE VS. AFTER PROGRAM END DATE

BEFORE

If you travel outside the US and return BEFORE your I-20 program end date (with your OPT application pending with USCIS), you will need the below documents to re-enter the US:

1. Valid passport (valid for 6 months into the future)
2. Valid F-1 visa sticker (not expired – except Canadians)
3. I-20 (most recently issued)
4. Proof of funding
5. Proof of enrollment (Registrar’s Office)
   * NOTE: Your I-94 Record will change after your reenter the US – This is expected and DOES NOT impact your OPT application.

*Must re-enter the U.S. BEFORE the program end date, otherwise will need to remain outside the U.S. until OPT approved and EAD card received in-hand.

AFTER

If you travel outside the US and return AFTER your I-20 program end date, you will need the below documents to re-enter the US:

1. Valid passport (valid for 6 months into the future)
2. Valid F-1 visa sticker (not expired – except Canadians)
3. I-20 (most recently issued)
   * Employer information Reported to iMIT and listed on page 2 of your I-20 if your EAD Card has been approved.
   * I-20 Signed for travel within the past 6 months
4. EAD Card
5. Job offer letter and proof of funding

You can check the ISO’s website and also I.C.E’s website for updated guidance on travel.

NOTE: Never enter in tourist or in another status; this will cancel out your F-1 status and OPT!
MAINTAINING YOUR F-1 STATUS DURING OPT (REQUIRED!)

VALID PASSPORT

• You MUST maintain a valid passport

• If you need to renew your passport, this can be done from inside the US. You will need contact your Embassy/Consulate for additional information.

KNOW THE RULES!

• Follow ALL the OPT rules and regulations

• The type of ‘qualifying employment’ you can participate in on Post-Completion OPT is extensive.

• Employment during OPT only requires that your work be 20 hours a week or more and directly related to your degree/major field of study.

REQUIRED REPORTING TO THE ISO WITHIN 10 DAYS

• Report ANY changes to ISO
  • Issuance of EAD card (upload a copy)
  • change of U.S. address
  • employer’s name and address
  • start and end dates of employment(s)
  • change of employers
  • change of name or citizenship
  • decision to end OPT and leave the U.S.A.
  • transfer to another school or begin new program
  • change of visa status

UNEMPLOYMENT

• Remember, you CANNOT exceed more than 90 days of unemployment time

• Your ‘unemployment time’ during Post-Completion OPT begins from the start date listed on your EAD Card and is defined as each calendar day that the student is not employed in qualifying employment.

• In order for your ‘unemployment time’ to stop being counted, you must find qualifying employment and work 20 hours or more a week in a field directly related to your level and field of study.

REMEMBER!

Students May Not:

• Begin work on OPT until s/he receives EAD card

• Begin work on OPT until the date indicated on the approved EAD card

VALID PASSPORT

• You MUST maintain a valid passport

• If you need to renew your passport, this can be done from inside the US. You will need contact your Embassy/Consulate for additional information.

KNOW THE RULES!

• Follow ALL the OPT rules and regulations

• The type of ‘qualifying employment’ you can participate in on Post-Completion OPT is extensive.

• Employment during OPT only requires that your work be 20 hours a week or more and directly related to your degree/major field of study.

REQUIRED REPORTING TO THE ISO WITHIN 10 DAYS

• Report ANY changes to ISO
  • Issuance of EAD card (upload a copy)
  • change of U.S. address
  • employer’s name and address
  • start and end dates of employment(s)
  • change of employers
  • change of name or citizenship
  • decision to end OPT and leave the U.S.A.
  • transfer to another school or begin new program
  • change of visa status

UNEMPLOYMENT

• Remember, you CANNOT exceed more than 90 days of unemployment time

• Your ‘unemployment time’ during Post-Completion OPT begins from the start date listed on your EAD Card and is defined as each calendar day that the student is not employed in qualifying employment.

• In order for your ‘unemployment time’ to stop being counted, you must find qualifying employment and work 20 hours or more a week in a field directly related to your level and field of study.

REMEMBER!

Students May Not:

• Begin work on OPT until s/he receives EAD card

• Begin work on OPT until the date indicated on the approved EAD card
MAINTAINING YOUR F-1 STATUS DURING OPT

**USDHS ENFORCEMENT & INCREASED SCRUTINY**
- Employer Site Visits & School Site Visits
- USCIS Requests for Evidence on Benefit Applications
- OPT, STEM OPT, H-1B, Green Card
- Program curriculum, enrollment history/transcript, proof of internship/employment relationship
- Interdisciplinary Programs – how does MIT document curriculum (established curriculum, appears on transcript/diploma)?
- New USDHS Guidance on OPT/STEM OPT Direct Relationship to Degree
  - Why is your degree field experience needed for the position?
  - How are you applying your degree field experience to this position?

**SEVP OPT PORTAL**
- When OPT is approved, SEVP will send you an email
- SEVP Portal use and information submission is optional
- iMIT Reporting is REQUIRED
  - MUST submit all personal and employer updates to iMIT
- Request a new I-20 with updates and for travel a iMIT
- May use SEVIS Portal to check that information on iMIT
  (Note: Please allow at least 10 business days to reflect any changes submitted to iMIT.)
- Difficulties with SEVP Portal
  - If SEVP emails you with incorrect information, do not worry, contact your ISO advisor
  - Questions on the SEVP Portal? Visit the Study in the States website
VERY IMPORTANT REMINDERS!

NO WORK!

UNTIL...
• You receive the Employment Authorization Document (EAD Card)

AND
• The start date of your EAD Card is effective.

NO EXCEPTIONS

60-DAY GRACE PERIOD
• When 60 day grace period for all F-1 students at completion of program
• Applied for post-completion OPT? Grace period will occur at end of OPT (or STEM OPT Extension, if applicable)
• NO WORK or STUDY during grace period, but may remain in the US to travel or prepare for departure
• If you depart U.S. before the 60 days are over, remainder of grace period is forfeited, and you cannot use F-1 status to re-enter U.S. after that time
• Time between program completion and post-completion OPT to be approval notification is not grace period; rather, a waiting period
OPTIONS AFTER POST-COMPLETION OPT?

Students have a few options to remain inside the U.S. and continue working.

• **STEM OPT Extension**
  - For students who have a recent degree in a STEM designated field and are in an active period of Post-Completion OPT.
  - Eligible for up to two STEM OPT extensions based on two STEM degrees at different degree levels in a student’s lifetime
  - May apply for a STEM OPT Extension based on a previously earned STEM degree from an accredited U.S. institution within 10 years under which the student has not previously applied for STEM OPT Extension

• **H-1B Temporary Work Visa**
  - Private Sector: H-1B effective start date is Oct 1st. The H-1B “CAP” or quota is 65,000 annually, available to employers April 1st, plus 20,000 additional H-1B spaces for advanced degree holders.
  - Universities and some Non-Profits: Not subject to Cap and can apply at any time for any start date.
  - **Cap-Gap Extension**
    - Cap-Gap Extension extends an eligible F-1 student's status to bridge the gap between the end of their F-1 status and the start of H-1B status, allowing the student to remain in the U.S. during the "gap" and continue working (if on active OPT/STEM OPT). The cap-gap extension is available to students who were either on approved OPT or in their F-1 60-day grace period when their H-1B was filed and have a pending or approved Change-of-Status H-1B Petition with USCIS.
WHAT IS THE STEM OPT EXTENSION?

To be eligible for the 24-Month STEM OPT Extension, you MUST:

• Have a recent degree in a STEM designated field
• You can check the Major Code(s)/(CIP code) on your I-20 to confirm (“Program of Study” section) you are STEM eligible.
• Must be currently authorized for 12-month Post-Completion OPT period minimum of 1 month)
• If no initial Post-Completion OPT left after completing program, NOT eligible for STEM OPT Extension at that program level
• Have a job or job offer with a qualified e-verify employer, that is paid employment

To apply for the 24-Month STEM OPT Extension, you MUST:

• Application must be received by USCIS within 90 days of current OPT/EAD expiration date, not after
• Maintained F-1 Status? e.g. OPT Reporting, Unemployment
• Submit all documents to ISO on iMIT for I-20
• Mail USCIS Application (e.g. Form I-765, fee, supporting documents)
• Employment automatically extended for 180 days while pending
POST-COMPLETION OPT/STEM OPT VS. H-1B

**POST-COMPLETION OPT/STEM OPT**

- OPT/STEM OPT eligibility is based on your degree field (not on a specific job)
- You can change jobs/employers using your OPT/STEM. SEVIS must be updated before you begin the new job!
- You also have 90 days of available unemployment time while on Post-Completion OPT, and an additional 60 days during authorized STEM OPT

**H-1B TEMPORARY WORK VISA**

- H-1B is directly linked to your employer/job
- Not as easy to change jobs/employers, since US immigration status is based on the job
- Once H-1B is approved, your F-1 Status and your OPT/STEM OPT benefits end

**Need a Cap-Gap I-20?**

- Submit your request in iMIT with all the required materials
ADDITIONAL QUESTIONS?

ISO Contact Information
• Tel: 617-253-3795
• Email: iso-help@mit.edu
• Website: https://iso.mit.edu
• Office Location: 50 Ames Street, Second Floor, E18-219
• In-Person Office Hours: 10:00am-3:00pm, Monday-Friday; Wednesdays 1:00pm-3:00pm

(for emergency situations only)
• All services continue to be available online
  (including requesting documents, travel signatures, advisor appointments)
• Need to contact your ISO Advisor? Find their information on the ISO website

Additional Resources
• ISO Immigration/Employment website
• ISO F-1 Curricular Practical Training webpage
• ISO F-1 Optional Practical Training webpage
• ISO F-1 STEM Optional Practical Training webpage
• ISO Knowledge Base webpage