



# PRE-COMPLETION OPTIONAL PRACTICAL TRAINING (PRE-OPT) FOR MIT INTERNATIONAL STUDENTS IN F-1 IMMIGRATION STATUS





PRE-COMPLETION OPTIONAL PRACTICAL TRAINING (PRE-OPT) OVERVIEW

## PRE-COMPLETION OPT OVERVIEW

- The International Students Office (ISO) at MIT supports international students by providing immigration guidance, aiding in legal status upkeep, assisting with transitioning to the U.S., fostering global interactions, and advocating on behalf of the international student community.
- The ISO Pre-Completion Optional Practical Training (Pre-OPT) slides are mandatory for F-1 students seeking to pursue off-campus work/employment authorization while completing their degree program at MIT.
- F-1 students with at least one full academic year of lawful/full-time student status (i.e., a combination of Fall and Spring terms) can apply for <a href="Pre-Completion Optional Practical Training">Pre-Completion Optional Practical Training</a> (Pre-OPT) during their degree program. Pre-OPT used while completing a degree program at MIT deducts from a student's 12-month Post-Completion total. Each degree level (e.g., Bachelor's, Master's, Ph.D.) grants 12 months of full-time OPT eligibility.

These slides are meant to inform F-1 students about Pre-Completion OPT (Pre-OPT); covering application, and mandatory immigration/ISO tasks REQUIRED before, during, and after a student's Pre-Completion OPT period.

To apply for Pre-Completion OPT, F-1 students *must* review the ISO *Pre-Completion OPT Slides* and information on the ISO *Pre-Completion OPT* webpage before they can request Pre-OPT (via iMIT) to the ISO and USCIS. *This is a prerequisite for obtaining the required new Form I-20, needed for the Pre-OPT application to USCIS.* 

- F-1 students seeking to apply for <u>Post-Completion OPT</u> (i.e., *after* degree completion) must complete the *Post-Completion OPT* eCourse.
- F-1 students seeking to apply for the <u>STEM OPT Extension</u>
   (i.e., *before* the end of the Post-Completion OPT period) must review the ISO *Post-STEM OPT Extension* slides and information on the ISO *STEM OPT Extension* <u>webpage</u>.

## When requesting a new Form I-20 via <u>iMIT</u> for Pre-OPT, a student will be asked:

- The date the student attended an information session = Date the student finished reviewing the ISO *Pre-Completion OPT Slides* and information on the ISO *Pre-Completion OPT* webpage.
- ISO Advisor Presenting Session = "ONLINE"
- Following a thorough review of the slides and website, if a student has any additional questions, they may visit the ISO Knowledge Base webpage, the ISO Employment webpage, or they can contact their ISO Advisor directly.







WHAT IS OPTIONAL PRACTICAL TRAINING – "OPT"?

### WHAT IS EMPLOYMENT?

<u>EMPLOYMENT</u>, as defined by immigration regulations, encompasses <u>ANY</u> activity where an individual provides a service (paid or unpaid).

It also includes cases where another person performing similar work/duties receives a benefit or would typically receive a benefit in return.

The student should ask themselves three (3) questions:

- 1. Where is the activity conducted?
- 2. Who is the employer/supervisor?
- 3. What is the funding source?

If ANY of these involve a U.S. source, then prior <u>U.S.</u> <u>employment authorization</u> is mandatory.

"On-Campus Work/Employment" refers to activities conducted within, by, or for MIT, resulting in benefits such as salary, stipend, housing, or honorarium paid by MIT.

NOTE: If the work/employment (paid or unpaid) is NOT within, by, or for MIT, then off-campus work/employment authorization from ISO and/or USCIS is required. Also, work/employment within MIT premises for external entities (e.g., professor's private company, consulting, freelance, or other universities) does not qualify as "oncampus work/employment" and requires off-campus work/employment authorization.

"Off-Campus Work/Employment" encompasses ANY activity not meeting "On-Campus Work/Employment" criteria.

As per U.S. Department of Homeland Security (DHS) and U.S.
Department of Labor (DOL) regulations, the term "employee" does
NOT determine work/employment authorization under a student
immigration status.



## WHAT IS EMPLOYMENT?



#### What Is Volunteering?

- "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.



#### What Is **NOT** Volunteering?

- Unpaid internship(s).
- Refusing payment for work done.
- Doing the work/employment related-activity and getting paid once authorization has been approved, etc.
- Doing work with a start-up "project" that is not incorporated.

\*If the work/employment is classified as 'volunteering', then students need a letter from the hosting organization outlining dates, location, and confirming absence of compensation or benefits.\*



## WHAT IS OPTIONAL PRACTICAL TRAINING - "OPT"?



#### What is OPT?

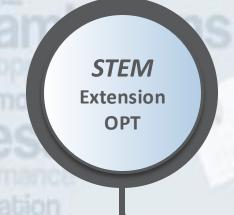
- OPT provides *temporary U.S. work/employment authorization* to F-1 students who have completed at least one (1) full academic year (i.e., Fall and Spring) of full-time enrollment in a degree program.
- This work authorization is a way for F-1 students to gain practical training in employment, **that is directly** related to the student's degree/major field of study, as listed on their Form I-20.

PRE
Completion
OPT

- Before graduation.
- Job Offer **NOT** Required.
- Part-Time or Full-Time.

POST Completion OPT

- After graduation.
- Job Offer **NOT** Required.
- Full-Time ONLY.



- After Post-Completion OPT.
- Full-Time ONLY.
- Job Offer Required.







WHO IS ELIGIBLE FOR PRE-COMPLETION OPT (PRE-OPT)?

## WHO IS ELIGIBLE FOR PRE-COMPLETION OPT?

The primary purpose of students in F-1 status is to complete an educational objective. Therefore, work/employment during OPT also has this specific requirement. Unauthorized off-campus work/employment (paid or unpaid) is strictly *prohibited*.

**NOTE**: Engaging in unauthorized off-campus work/employment would result in immediate termination of F-1 status and mandatory departure from the U.S.

#### **ATTENTION**

- USCIS processing times are subject to variation and can take up to 3-5 months for approval.
- To ensure timely receipt of an Employment Authorization Document (EAD card), students should initiate their OPT applications as early as possible.

#### **Eligibility Criteria**

F-1 students pursuing an MIT degree program can apply for *a total of 12 months of OPT authorization (i.e., a combination of Pre-OPT + Post-OPT) per degree level.* F-1 Non-Degree Students (e.g., Special, Exchange, and Visiting Students) are ineligible for OPT.

F-1 degree-seeking students can apply for the use of OPT authorization during or after degree completion if they meet the following requirements:

- Completed at least one full academic year in lawful full-time F-1 status (e.g., *consecutive* fall & spring terms) before work/employment starts.
- Enrolled in an MIT degree program on a full-time basis.
  - o Students in Non-Resident MIT Student Status are eligible to apply for Pre-OPT.
- The student HAS NOT already used 12 months of Post-Completion OPT at the same degree level.
- An employment/job offer is **NOT** required for a Pre or Pre-Completion OPT application.
- During official MIT academic terms (e.g., Fall and Spring) Pre-OPT work/employment authorization is limited to 20 hours per week or LESS.
- During official MIT vacation terms (e.g., summer vacation and winter vacation (IAP)) Pre-OPT work/employment can be <u>MORE</u> than 20.01+ hours per week, but <u>ONLY</u> if coursework/enrollment is <u>NOT</u> required by the program/department during those academic terms.
- Any Pre-Completion OPT used before degree completion is deducted from the total 12 months of Post-Completion OPT authorization. For example:
  - Full-Time Pre-Completion OPT deducts the full duration from the 12-month limit (e.g., 4 months of full-time Pre-Completion OPT deducts 4 months from Post-Completion OPT).
  - Part-Time Pre-Completion OPT deducts half the duration from the 12-month limit (e.g., 4 months of part-time Pre-Completion OPT deducts 2 months from Post-Completion OPT).

NOTE: Students cannot go from full-time Pre-Completion OPT to part-time Pre-Completion OPT. This requires a new Pre-Completion OPT application and fee to USCIS.



## WHO IS ELIGIBLE FOR PRE-COMPLETION OPT?

#### **Utilization & Calculation of OPT Time:**

- Starting a new educational level or degree program, whether at MIT or another institution, automatically ends approved OPT.
- Transferring to a different university or institution also terminates approved OPT.
- Authorization for 12 months of Full-Time Curricular Practical Training (CPT) eliminates eligibility for OPT.
  - NOTE: Part-Time CPT, less than 20 hours per week, does NOT impact OPT eligibility.

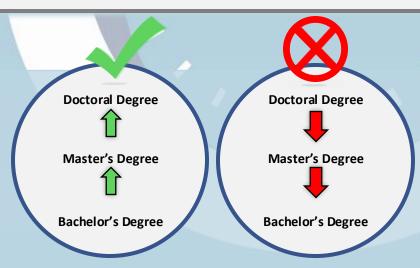
#### **Utilization & Calculation of OPT Time:**

A student can obtain up to a maximum of 12 months of OPT (i.e., Pre-OPT + Post-OPT) per higher degree level. The 12-month limit applies to each education degree level (e.g., Bachelor's, Master's, PhD). An extra 12 months of OPT is only possible upon progression to a higher degree level.

- Therefore, if a student was already approved for 12 months of OPT for their first Master's degree, they are ineligible to receive an additional 12 months of OPT after a second Master's degree. Unused OPT cannot be saved; once approved, the whole benefit is considered 'used/forfeited' for that degree level by USCIS.
  - This rule continues even if a student used only some or none of the approved 12 months of OPT, as all OPT time *MUST* be utilized after degree completion.

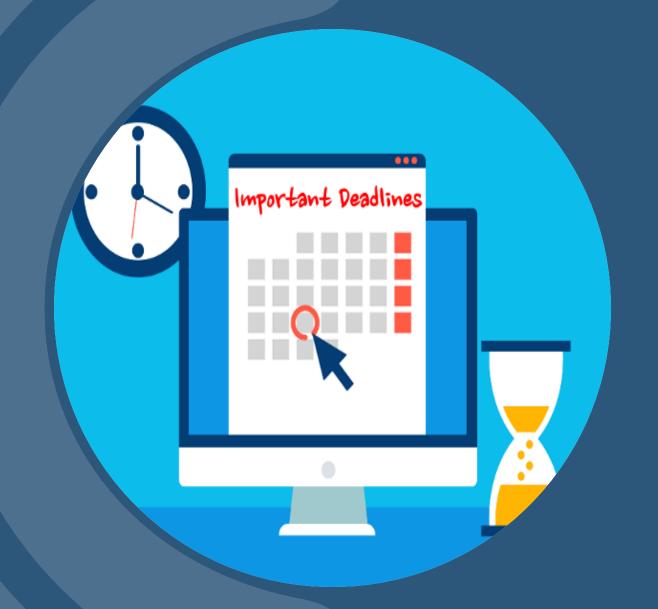
#### **ATTENTION**

\*Remember, once USCIS approves
OPT, the benefit is considered used,
even if a student does not utilize the
full OPT allotted time/benefit.\*









## IMPORTANT DATES & DEADLINES FOR PRE-COMPLETION OPT

## WHEN TO APPLY FOR PRE-COMPLETION OPT?

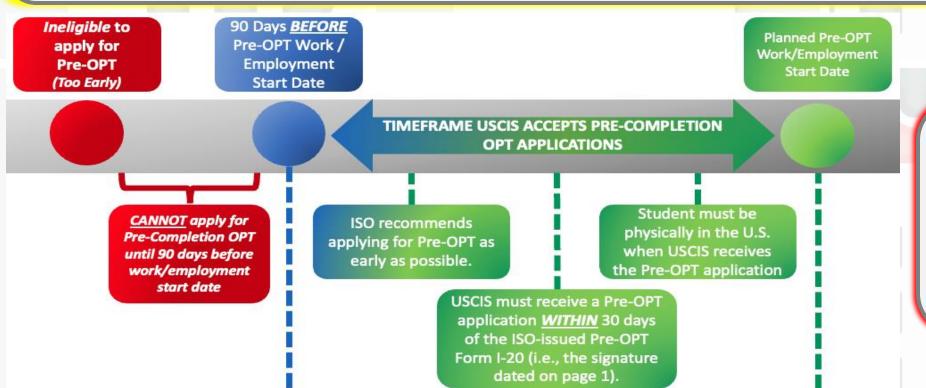
## IMPORTANT DATES, DEADLINES, & EXAMPLES

#### Submission Timeline for OPT Application to USCIS

USCIS MUST RECEIVE an OPT Application at these deadlines:

- Students can only submit a Pre-OPT application to USCIS 90 days before the pre-completion OPT benefit start date as selected by the student and listed on the subsequent Pre-OPT Form I-20 (Students can calculate the earliest date using timeanddate.com).
  - o For instance, if a student plans to begin employment/OPT benefit on June 15 [Current Year], the earliest a Pre-OPT application can be submitted to USCIS is March 17 [Current Year].
- A Pre-OPT application must be submitted to USCIS within 30 days of when the ISO issues the Pre-OPT Form I-20 (as indicated by the ISO signature on page 1 of the Form I-20). For instance, if an ISO Advisor issued an OPT Form I-20 on March 17 [Current Year], the Pre-OPT application must be submitted to USCIS before April 16 [Current Year].

IMPORTANT: Students MUST BE physically present within the U.S. when USCIS receives their Pre-OPT application.



#### **ATTENTION**

- Students CANNOT change their Pre-OPT dates after they have mailed/submitted their Pre-Completion OPT Application to USCIS.
- Pre-OPT Pending with USCIS?
   No Work/Employment (paid or unpaid) without an approved EAD Card!

## **IMPORTANT PRE-COMPLETION OPT REMINDERS!**

## Students are **limited** to specific timeframes when applying for Pre-OPT.

#### Why is this important?

- Students can only submit an OPT application 90 days before the planned Pre-OPT employment start date, as stated in the student's department OPT support letter and subsequent Pre-OPT Form I-20. For example, if a student's planned Pre-OPT employment start date is May 31 [Current Year], the earliest submission date is March 2 [Current Year].
- An OPT application must be received/submitted to USCIS within 30 days of issuance of the Pre-OPT Form I-20 (as indicated by the signature on page 1 of the Form I-20). For instance, if an ISO advisor issued an OPT Form I-20 on April 3 [Current Year], the OPT application must be submitted to USCIS by May 2 [Current Year].

#### **ATTENTION:**

- OPT applications submitted outside of the above-designated timeframes will be *rejected or denied* by USCIS.
- Job offer(s) **NOT** required to initiate the Pre-Completion OPT application process.
- Once a student has submitted their Pre-Completion OPT application to USCIS, then their requested OPT start and end dates are unalterable/final.

#### **Pre-Completion OPT Reminders**

#### **During Pre-Completion OPT:**

- You remain in F-1 Status (OPT is not a status, it is a benefit of your F-1 Status).
- MIT/ISO still holds your SEVIS record, so we remain your immigration advisors.
- You must still be an active full-time student in your MIT degree program.

#### What employment/activity can you do during Pre-Completion OPT?

- Employment/activity must be related to a student's degree field and level of study.
- Paid, unpaid, volunteer, and contract work is allowed.
- Job title doesn't matter... BUT the nature of the employment/activity does since all work must be directly related to the major/field of study.

#### Management of 'Unemployment Time' during Pre-Completion OPT

"Unemployment Time/Days" during Pre-Completion OPT are not counted/do not apply.

Once a Pre-Completion OPT EAD card has been issued, the dates are *unalterable/final*, even if the EAD card is partially and/or never utilized by the student.

## WHEN TO APPLY FOR PRE-COMPLETION OPT? IMPORTANT DATES, DEADLINES, & EXAMPLES

Pursuing Pre-OPT During	Earliest Pre-OPT Start Date:	Latest Pre-OPT End Date:	Part-Time or Full-Time?
Spring 2024	February 3, 2024	May 22, 2024	Part-Time <i>ONLY</i>
Summer 2024	May 23, 2024	August 23, 2024	Part-Time or Full-Time*
Fall 2024	August 24, 2024	December 20, 2024	Part-Time ONLY
IAP 2024/2025	December 21, 2024	January 31, 2025	Part-Time or Full-Time*
Spring 2025	February 1, 2025	May 21, 2025	Part-Time <i>ONLY</i>
Summer 2025	May 22, 2024	August 22, 2024	Part-Time or Full-Time*

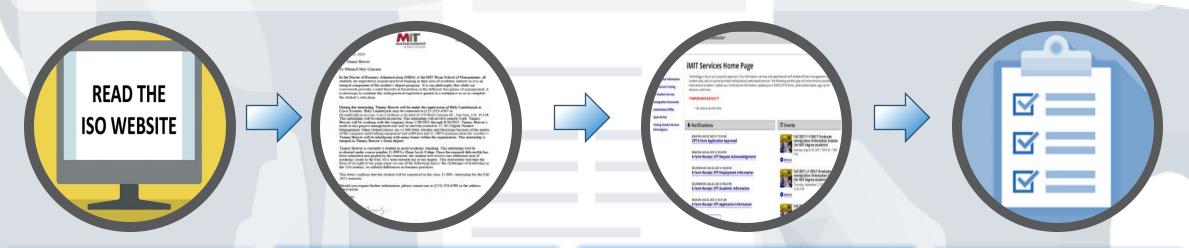
\*ATTENTION: Full-Time Pre-Completion OPT is *ONLY* allowed during summer/official school breaks (i.e., IAP/Summer academic terms). If a student is required to be full-time over the IAP/Summer academic terms, then they are *ONLY* eligible to apply for part-time Pre-Completion OPT.





WHAT ARE THE STEPS TO OBTAIN PRE-COMPLETION OPT AUTHORIZATION?

## WHAT ARE THE STEPS TO OBTAIN PRE-OPT AUTHORIZATION?



#### STEP 1

 Students MUST read the ISO website and these slides.

THOROUGHLY!

#### STEP 2

- A student MUST request an "Department/Program OPT Support Letter" from their academic department or academic advisor.
- The letter MUST confirm all the requirements listed on the ISO website [under the 'how to apply' section].

#### STEP 3

- Initiate an OPT Form I-20 request (via iMIT) at least two (2) weeks before an intended OPT mailing/submission date to USCIS.
- Students will log in to iMIT (through Full Client Services) and click on F-1 Practical Training > Optional Practical Training > Start New Request > and complete all five (5) mandatory e-Forms.

#### STEP 4

 Follow the ISO 'Steps To Obtain Pre-Completion OPT Authorization' requirements listed on the ISO 'Pre-Completion OPT' website [under the 'how to apply' section].



## WHAT ARE THE STEPS TO OBTAIN PRE-OPT AUTHORIZATION?









#### STEP 5

 After approval of the student's Pre-OPT e-Form request, they will electronically receive their Pre-Completion OPT Form I-20 to their @mit.edu email address (Refer to slide #18).

#### STEP 6

## Thoroughly Review OPT Application!

- Ensure a complete copy of the ENTIRE Pre-OPT Application, including any payments.
- This documentation may prove valuable for future reference.
- Consider scanning, copying, etc., to safeguard it.

#### STEP 7

- Submit your Pre-OPT application [online or by mail] by following the instructions on the ISO website.
- Ensure that USCIS receives a Pre-OPT application within the designated timeframes.
  - NO Earlier than 90 days before the employment/OPT benefit start date.
  - **NO Later** than 30 days after, the Form I-20 issue date.
- NOTE: Students must be physically present within the U.S. when USCIS receives their Pre-OPT application.

#### STEP 8

 ONLY begin work / employment after receiving the EAD card and after the card start date is valid.

\*Questions about filing a Pre-OPT application online? See slide #23.\*



## WHAT ARE THE STEPS TO OBTAIN PRE-OPT AUTHORIZATION?

Department of Homeland Security		I-20, Certificate of I	Eligibility for Noni	mmigrant Student Status
U.S. Immigration and Customs Enforcement		OMB NO. 1653-0038		
N0001234567				
SEVIS ID:				
SURNAME/PRIMARY NAME		GIVEN NAME		Class of Admission
Beaver PREFERRED NAME		Timmy PASSPORT NAME		l II
PREFERRED NAME		PASSPURI NAME		1
COUNTRY OF BIRTH		COUNTRY OF CITIZE	ENSHIP	I - I
CITY OF BIRTH		DATE OF BIRTH		ACADEMIC AND
FORM ISSUE REASON CONTINUED ATTENDANCE		ADMISSION NUMBER	ı	LANGUAGE
SCHOOL INFORMATION				
SCHOOL NAME Massachusetts Institute of Technolog Massachusetts Institute of Technolog		SCHOOL ADDRESS 77 MASSACHUSETTS 02139	AVE, Building E	18-219, CAMBRIDGE, MA
SCHOOL OFFICIAL TO CONTACT UPON ARRIVAL Maria Brennan International Student Advisor		SCHOOL CODE AND APPROVAL DATE B08214F00219000 24 JANUARY 2003		
PROGRAM OF STUDY		2444		
EDUCATION LEVEL MASTER'S	MAJOR 1 Management Science	52.1301	MAJOR 2 None 00.0000	
PROGRAM ENGLISH PROFICIENCY Required	ENGLISH PROFICIENCE Student is profice		EARLIEST ADMISS August 07, 2022	ION DATE
START OF CLASSES September 5, 2023	PROGRAM START/END September 5, 2023	DATE May 30, 2025		
FINANCIALS				
ESTIMATED AVERAGE COSTS FOR: 12 MON		STUDENT'S FUNDIN	G FOR: 12 MONTHS	
Tuition and Fees	\$ 82,852	Personal Funds		\$ 118,072
Living Expenses	\$ 35,220 8	Punds From This	School .	8
Expenses of Dependents (0) Other	8	On-Campus Employ	nent	
TOTAL	8 118,072	TOTAL		8 118,072
REMARKS	* ****	14110		* ****
Post-completion Optional Practical 1 degree in Management/MBA.	raining in major fie	eld of study is rec	commended upon co	empletion of Master's
SCHOOL ATTESTATION				
I certify under penalty of perjury that all information States after review and evaluation in the United State and put of inflammatid oppossibility, which was see qualifications meet all realized for admission to the designated school official of the above named school X  SIGNATURE OF; R. 1900 Coy. Appaidant.	is by me or other officials of the dived at the school prior to the school and the student will be I and am authorized to issue the	he school of the student's ap casceution of this form. The e required to pursue a full pu	plication, transcripts, or school has determined regram of study as defin PLA	other records of courses taken that the above named student's
Operations and Advising STUDENT ATTESTATION				
There read and agreed to comply with the terms and telesc specifically to me and it is true and context to the purpose of practing a full program of study at the set pursuant to 8 CER 214-3(6) to determine any normal at the complete of the set of the se	e best of my knowledge. I eer hool named above. I also auth niggant status. Parent or guar	ify that I seek to enter or rer orize the named school to re dian, and student, must si	nain in the United States lease any information fr yn if student is under 1	temporarily, and solely for the om my records needed by DHS
<u>x</u>				
NAME OF PARENT OR GUARDIAN SI	IGNATURE	ADDRE	SS (city/state or provin	ce/country) DATE

SEVIS ID: NOO( EMPLOYMENT AUTH	012345678 ORIZATIONS		NAME:	Beaver 1	Timmy
TYPE POST-COMPLETION OPT		FULL/PART-TIME FULL TIME	STATUS REQUESTED	START DATE 03 June 2025	END DATE 02 June 202
CHANGE OF STATUS	CAP-GAP EXTI	ENSION			
AUTHORIZED REDUC		DAD			
CURRENT SESSION DATES CURRENT SESSION START DATE 06 February 2023		CURRENT SESSION TO THE			
TRAVEL ENDORSEMI This page, when properly endor- endorsement is reliable to year		entry of the student to att	tend the same school	after a temporary absence	from the United States, Each
Alison Day	DSO	SIGNAT X	lub_	04/25/2	
		x			

ICE Form I-20 (04/30/2021) Page 2 of 3

#### The New OPT Form I-20 will include:

- The "Pre-OPT recommendation" will be on page 2.
- The Form I-20 'Program End Date' may have been shortened or extended (if applicable) to reflect the official expected completion date of the degree program.
- The Form I-20 will be signed for 'travel' (on page 2), which will be valid for travel for 12 months.

#### **ATTENTION**

- ISO processing times for an OPT Form I-20(s) is 10 business days.
- Students MUST wait for their new Pre-OPT Form I-20 before they can apply for Pre-OPT with USCIS, as the new Pre-OPT Form I-20 is required in the OPT application to USCIS. DO NOT mail/submit an OPT application to USCIS without the new Form I-20 from the ISO.
- AGAIN: Requested OPT start and end dates are FINAL after a Pre-OPT application is mailed/submitted to USCIS.



ICE Form I-20 (04/30/2021

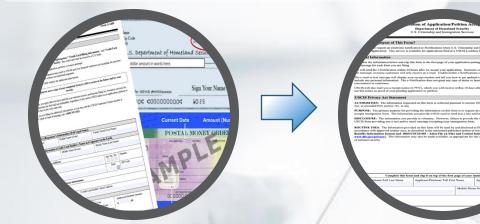




## WHAT DOES ONE SUBMIT TO USCIS FOR PRE-OPT AUTHORIZATION?

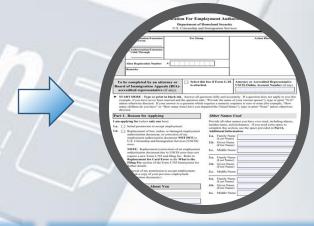
## "WHAT DO I INCLUDE WITH MY APPLICATION?" (PART 1)

CHECKLIST OF DOCUMENTS (ASSEMBLE IN ORDER)









#### 1: Check or Money Order

- Secure a 'Check' or 'Money Order' for the correct <u>USCIS OPT fee</u>.
- The check or money order MUST be made payable to the "U.S. Department of Homeland Security". --- OR ---
- Submit a G-1450 Form with correct U.S. debit or credit card information. ATTENTION:
   Inaccurate credit or debit card information (i.e., incorrect card number, expiration date, etc.), a student's OPT application will be subject to denial or rejection.

#### 2: G-1145 Form

- Complete the <u>G-1145 Form</u>.
- ONLY input a mobile/cell phone number and a personal email address (NOT an MIT email address).

## 3: Two U.S. Passport Sized Photos

- Obtain Two NEW passport-sized photos.
- Students' passport photos MUST be less than 30 days old.
- No glasses allowed.
- Students should write their name and SEVIS # number in pencil or felt pen, (pressing lightly), on the back of each photo.
- Finally, paperclip them to the OPT application.

## 4: Original, Completed, & Hand-Signed Form I-765

Complete, print, and hand-sign the Form I-765.

- A student should try to complete/fill in most of the Form I-765 by typing the answers within the PDF.
- A student is then required to print and sign the Form I-765 BY HAND, no digital signature allowed.

## "WHAT DO I INCLUDE WITH MY APPLICATION?" (PART 2)

CHECKLIST OF DOCUMENTS (ASSEMBLE IN ORDER)















#### 5-6: Copies ALL Form I-20's

- Make Photocopies/Scanned copies of all Form I-20s ever issued.
- A photocopy of the new Pre-OPT Form I-20 (pgs. 1 & 2) is required.
- Photocopies of any previously issued Form I-20(s), in reverse date order (pgs. 1 & 2) are required. This means all Form I-20(s) from MIT and any previous school Form I-20(s).
  - Save them as one (1) PDF document.
- P Remember to sign all Form I-20(s)
  BY HAND (e.g., DO NOT digitally sign any of the Form I-20s!).

#### 7: Most Recent I-94 Record

 A copy of the student's most recently issued electronic <u>I-94</u> <u>Record</u> (as a PDF).

## 8-9: Photocopies of Passport & Visa Sticker

- Photocopy of the student's VALID passport photo page.
  - ATTENTION: If the student has an older passport and a newer passport, they can include copies of both in their Pre-OPT application.
  - Ensure that they differentiate between the two passports (e.g., "Old Passport" / "New Passport").
- A photocopy of the student's most recently issued F-1 Visa Sticker (it is ok if the visa sticker is expired).

#### 10: Previous EAD Card(s)

- Photocopies of any previously issued F-1 EAD card(s).
- Include photocopies of any previous Employment Authorization Documents (EAD cards), if applicable.
- NOTE: All EAD cards indicate
   "NOT VALID FOR REENTRY". This is
   OK and means that the card
   cannot be used for reentry alone.
   Refer to the ISO website for the
   needed materials for reentry.

## **OPTIONAL COVER LETTER**

## "I am missing my previous Form I-20(s) and/or my previous EAD card(s)! What do I do now?!"

- If a student is missing any previous Form I-20(s) and/or EAD card(s) This is OK A student can provide a cover letter explaining the situation.
- NOTE: a cover letter is NOT needed, unless something is missing, or further explanation is required, etc.

**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 TO FILE A PRE-COMPLETION OPT APPLICATION?**

#### Filing OPT Application By Mail

- 1. Go to USCIS website.
- 2. Download, read, and complete the following:
  - The Form I-765.
  - The Instructions for Form I-765.
  - Read the USCIS webpages; "Where to File" and "Form Filing Tips".
  - (Optional but recommended) the <u>Form G-1145</u>.
- 3. Follow the ISO step-by-step I-765 instructions on the 'I-765 Additional Tips' handout.



#### Filing OPT Application Online

Although USCIS hasn't supplied a comprehensive guide for online filing of the Form I-765 for F-1 OPT and F-1 STEM OPT applications, related resources from webinars in May and November 2021 by the CIS Ombudsman's Office are available. Feel free to review these resources, which are listed on the ISO <a href="website">website</a>. The ISO will provide updates as they become available.

#### **IMPORTANT REMINDERS:**

For students opting to submit their OPT application online, the following steps are crucial:

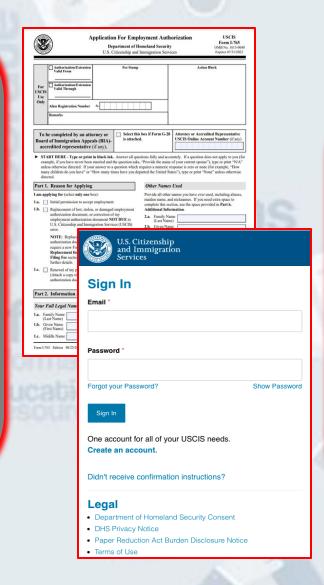
- Assemble ALL necessary documents as though filing the OPT application via mail to USCIS. This preparation should occur before the online submission.
- Students MUST acquire their new Pre-OPT Form I-20 from the ISO BEFORE initiating the online OPT application.
- During the online submission of the Form I-765, students must upload ALL essential supporting documents and make the <u>application fee</u> payment electronically.
- Review the ISO's 'USCIS Online Form I-765 Filing Resource Guide: Overview of online filing basics'.



## BEFORE MAILING / SUBMITTING A PRE-OPT APPLICATION... DOUBLE-CHECK EVERYTHING!

#### Filing OPT Application By Mail:

- 1. Used the most recent paper Form I-765?
- 2. Was the box at the top of the Form I-765 (page 1, question 1.a) indicating what one is applying for, checked?
- 3. Was the Form I-765 signed on page 5, BY HAND?
- 4. Were all 7 pages of the Form I-765 included?
- 5. Was the USCIS <u>website</u> reviewed to make sure that the <u>application fee</u> is correct?
- 6. Was the F-1 Form I-765 mailing instructions confirmed on the USCIS <u>website</u>?
- If mailing an OPT application, DO NOT use staples to attach the OPT application materials together; use paperclips instead.



#### Filing OPT Application Online:

- The USCIS's <u>tutorial</u> for step-by-step information on how to create a USCIS online account was reviewed?
- 2. Reviewed the 'ISO's USCIS Online Form I-765 Filing Resource Guide'?
- 3. Combined all Form I-20(s) every issued into one (1) PDF document?
- Selected "(c) (3) (A)" for Pre-Completion OPT?
- 5. Was the USCIS <u>website</u> reviewed to make sure that the application fee is correct?
- 6. Was the F-1 Form I-765 online instructions confirmed on the USCIS website?







#### **After Mailing/Submitting A Pre-OPT Application to USCIS?**

 3-5 months for USCIS to process an application, unless the student submits a "<u>Premium Processing</u>" request to USCIS and pays the required "Premium Processing" fee.

#### **After Documents Have Been Received By USCIS:**

- If a student submits the G-1145 Form, they will receive a text or email within 2-4 weeks. This will include their Pre-OPT receipt number.
- A hardcopy paper "Receipt Notice" should be received via USPS regular mail within 3-4 weeks from the date of application receipt by USCIS.
- If a student used a personal check or the G-1450 Form, they should see the withdrawal of the Pre-OPT fee from their account.

#### **After Approval By USCIS:**

- If approved, a student should receive a paper "Approval Notice" via USPS regular mail.
- Their Employment Authorization Document (EAD) card will be mailed to them separately from the Approval Notice. It will also be sent via USPS Priority Mail.
- If a student *does not receive* the above documents or responses from USCIS in a timely manner, they should contact their <u>ISO Advisor</u>.
  - Student can check their Pre-OPT application status online through USCIS's "Case Status" website (i.e., see receipt notice information).



## What Happens If ...?

"I made a mistake on my Pre-OPT Application...
Now What!?"

- Remain calm and contact an **ISO Advisor**.
- **DO NOT** mail/submit duplicate applications!

### **Important Reminders About Pre-OPT**

## Students **CANNOT** begin **ANY** work/employment activity until:

- 1. Pre-Completion OPT (I-765) Application is **APPROVED** by USCIS.
- 2. The student has **RECEIVED** the EAD card.
- 3. The student's EAD card start date is **EFFECTIVE**.

#### An EAD card Is Required To:

- Begin ANY work/employment (Paid or Unpaid).
  - Beginning work/employment before a student has their EAD card is a serious violation of a student's F-1 status. It could also mean a violation by their employer with the U.S. Department of Labor (DOL).
- Complete an <u>I-9 Employment Eligibility Verification Form</u> required by an employer when one begins work/employment.
- Work/Employment at any location (including MIT).







## TRAVEL BEFORE AND AFTER PRE-COMPLETION OPT

## TRAVEL <u>BEFORE & AFTER</u> PRE-COMPLETION OPT Pre-Completion OPT PENDING or APPROVED

If a student travels outside the U.S. and returns *BEFORE* and/or AFTER their Pre-Completion OPT application has been submitted, is pending, or is approved, the student will still travel normally and will need the listed documents to re-enter the U.S.

\*IMPORTANT: NEVER enter the U.S. as a tourist or another U.S. immigration status; this will terminate a student's F-1/J-1 status!\*

- 1. Valid Passport: Passport must be valid for 6 months into the future.
- 2. Valid F-1 Visa Sticker/Stamp: F-1 entry visa sticker/stamp must be valid (not expired) to enter the U.S. Except for citizens of Canada and Bermuda.
- **3. Form I-20:** Most recently issued Form I-20 that has been signed for travel (page 2) within the past 12 months.
  - Example: If your document was signed for travel on September 15, 2023, it remains valid for multiple trips until September 14, 2024 – OR – until the end date listed on page 1, whichever date comes first.
- **4. Evidence of Enrollment:** Can be obtained <u>online</u>, from the Registrar's Office.
- **5. Evidence of Financial Support:** Financial support documentation (as listed on the Form I-20). See the ISO website for financial support documentation requirements.

\*NOTE: If traveling to country(s) other than your home country or the U.S., please verify entry visa requirements for the country(s) you are visiting or transiting through and if they have any current travel restrictions.

**ATTENTION**: A student's I-94 Record will change after they reenter the U.S. This is expected and *DOES NOT* impact an OPT application.







IMPORTANT: During a student's Pre-Completion OPT duration, they must be a full-time student at MIT and only use Pre-OPT to work in "Qualified Employment" to maintain their F-1 student status in the U.S.

#### What is considered "Qualified Employment"?

- Work/Employment *must be* directly related to the student's degree/major and provide practical experience in their field of study.
- Work/Employment must be in the U.S. and the student must be maintaining a U.S. address.
- Students can **ONLY** be working/employed as listed on the approved EAD card (i.e., full-time or part-time).
- Student *must have* <u>reported</u> all work/employment and/or changes within 10 days of starting work/employment and/or when any changes occur. This *must* <u>be</u> reported to the student's iMIT account.
- **NOTE**: Students can **ONLY** begin work/employment (paid or unpaid) if they have the physical EAD card and are within the dates listed on the card.





IMPORTANT: During a student's Pre-Completion OPT duration, they must be a full-time student at MIT and only use Pre-OPT to work in "Qualified Employment" to maintain their F-1 student status in the U.S.

#### What else can be considered "Qualified Employment"?

- Paid work/employment.
- Work/Employment with multiple employers.
- Short-term work/employment and/or contract work.
  - Evidence of duration of the contract, name of the company and address needed.
- Self-employment (e.g., one's own start-up/business owner).
  - Proper business documentation and licensing are needed. Also, evidence of active engagement in business is needed.
- Work/Employment through a staffing agency or consulting firm.

<u>ATTENTION</u>: A student should always be able to provide evidence of their work/employment activities (job offer letter, pay stubs, W2 forms, etc.) acquired from the student's employer to verify dates and hours of work/employment, as well as a brief job description.





IMPORTANT: During a student's Pre-Completion OPT duration, they must be a full-time student at MIT and only use Pre-OPT to work in "Qualified Employment" to maintain their F-1 student status in the U.S.

#### **Volunteer or Unpaid Employment?**

- A student may have work/employment as a <u>volunteer</u> or <u>unpaid intern</u> on Pre-Completion OPT, where this practice <u>does not violate</u> any labor laws.
- The work/employment *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 work/employment, as well as a brief job description.





#### Social Security Number (SSN) Card

The ISO provides detailed instructions on our Social Security Number webpage so that students will be successful with their Social Security Number (SSN) applications.

#### **Additional SSN Information:**

- However, if a student already has an SSN, then they **DO NOT** need to apply again. An SSN is valid for an individual's lifetime.
- Students who do not have an SSN, can apply for the SSN through the OPT application (Form I-765) at the same time they file their OPT application.
  - **NOTE**: If a student decides to apply for their SSN by using the Form I-765, then the SSN card will *ONLY* arrive after the EAD card has been approved and mailed to the student.
- Alternatively, students who do not have an SSN, are not required to use the Form I-765 to apply for an SSN. Instead, they can choose to apply for the SSN once they have their approved EAD card.
  - Students can submit their SSN application online, and then go in person with their original immigration documents to a Social Security Administration (SSA) office, anywhere in the U.S.













#### **ADDITIONAL REMINDERS: IMPORTANT INFORMATION!**

- Once a student has an approved EAD card, and they are within the dates listed on the card, then they are REQUIRED to report to iMIT as soon as anything changes. Has the student secured work/employment with a definitive/confirmed start date? Has the student moved to a new U.S. address? All this information MUST be updated with the ISO!
  - During Pre-OPT, students MUST have a valid Form I-20 listing their current OPT employer (on page 2), a valid passport (for 12 months into the future), a valid I-94 record (students must check their I-94 record upon every entry into the U.S., and make sure the I-94 record has F-1 for the class of admission and "D/S" for the admit until date, and a valid Pre-OPT EAD card). NOTE: If a student's Pre-OPT EAD card has been approved, then they MUST double-check all the information on the EAD card and upload a copy of the EAD card to iMIT once they have received it.
- If a student leaves the U.S. and their F-1 entry visa sticker is expired, then the student must apply for a new F-1 entry visa sticker at the <u>U.S. Embassy/Consulate</u> abroad in order to return to the U.S. in F-1 status with OPT.
- Students who are **NOT** traveling outside the U.S. **DO NOT** need a valid F-1 visa sticker in their passport to remain in the U.S.
- Students should NEVER use or enter the U.S. as a Tourist (B-1/B-2) or on the Visa Waiver Program (WV/ESTA). If a student enters the U.S. as a tourist, while on OPT, it will automatically cancel their F-1 status and OPT authorization.
- If a student has any questions about an internship/training/work/employment being directly related to their degree/major field of study, they should first contact their academic department advisor and/or their career advisor. For additional questions, students should contact their <u>ISO Advisor</u> directly.









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#### **Know The Rules!**

- Follow ALL The OPT Rules And Regulations.
- The type of 'qualifying work/employment' one can participate in on Pre-Completion OPT is extensive.
- Work/Employment during Pre-OPT requires that a student's work/employment is directly related to their degree/major field of study and that they continue to maintain their current MIT student status, making correct progress towards their degree completion.

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#### Passport MUST Always Be Valid.

- If one needs to renew their passport, this can be done from inside the U.S.
- This would require the student to contact their <a href="massy/consulate">embassy/consulate</a> in the U.S. and inquire about the materials needed to process a new passport.

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#### Mandatory Reporting To The ISO Within 10 Days

- Students are required to <u>report ANY</u> changes to iMIT, encompassing, though not limited to:
  - Issuance of EAD card (upload a copy).
  - Change of U.S. address.
  - Change of name or citizenship.
  - Any MIT degree program changes or updates.
  - Employer's name and address.
  - Start and end dates of all OPT work/employment.
  - Change of employers.

**DON'T FORGET TO REPORT!** 

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#### **Unemployment Time**

 Remember, during Pre-Completion OPT, students DO NOT accumulate any period of unemployment days.

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#### **IMPORTANT!**

- Students MUST NOT commence Pre-OPT work /employment (PAID OR UNPAID) until they have obtained their EAD card.
- Students MUST NOT commence Pre-OPT work /employment (PAID OR UNPAID) before the approved start date on the EAD card.

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#### **USDHS Enforcement & Increased Scrutiny**

- Employer Site Visits & School Site Visits.
- USCIS Requests for Evidence on Benefit Applications: OPT, STEM OPT, H-1B, Green card, etc.
- Keep records of proof of Program curriculum, enrollment history/transcript, proof of internship/work/employment relationship.
- Interdisciplinary Programs how does MIT document curriculum (established curriculum, appears on transcript/diploma)?
- New DHS <u>Guidance</u> on OPT/STEM OPT Direct Relationship to Degree.
- Why is the degree-field experience needed for the position?
- How is one applying their degree field experience to this position?

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Important

Reminders



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#### **NO WORK!**

#### UNTIL...

• The student has received their Employment Authorization Document (EAD card) and has the physical card in their hands.

#### AND...

• The start date on the EAD card is effective.

Important

Important Reminders



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**NO EXCEPTIONS!** 

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MIT INTERNATIONAL STUDENTS OFFICE

Reminders

Important

Reminders





Reminders

Important





## **ADDITIONAL QUESTIONS?**

#### **ISO Contact Information:**

Tel: 617-253-3795

Email: <u>iso-help@mit.edu</u>
Website: <u>https://iso.mit.edu</u>

Office Location: 50 Ames Street, Second Floor, E18-219

#### **ISO In-Person Office Hours:**

- Monday-Friday, 10:00am-3:00pm; Wednesdays 1:00pm-3:00pm (for urgent situations only)
- All services continue to be available online (including requesting documents, travel signatures, and advisor appointments)
- Additional questions? Contact your <u>ISO Advisor</u>

#### **Additional Links:**

- ISO Immigration/Employment website
- ISO F-1 Optional Practical Training webpage
- ISO F-1 STEM Optional Practical Training webpage
- ISO Knowledge Base webpage

