



POST-COMPLETION OPT & MAINTAINING YOUR F-1 STATUS

INTERNATIONAL STUDENT FEE

Students applying for Post Completion OPT will be assessed a \$100 International Student Fee, payable through SOLAR. This is a SUNY approved fee that is assessed based on the issuance your I-20 recommending OPT regardless of whether you use the OPT authorization or not. Failure to submit timely payment of this fee could result in the Bursar reporting your information to a collection agency.

APPROVAL PERIOD

USCIS may take up to 6 months to process your I-765 Request for OPT. Upon receiving your request, USCIS will mail you an I-797 Receipt Notice within two-to-four weeks; the Receipt Notice will include a receipt number that can be used to track the status of your application online at www.uscis.gov. **(Keep all original documents issued by USCIS).**

REQUEST FOR EVIDENCE (RFE)

Contact Visa & Immigration Services **immediately** if you receive a request for additional documentation from USCIS in support of your I-765, Request for Employment Authorization, as an updated Form I-20 may be necessary.

ACCEPTABLE EMPLOYMENT

You are not eligible for any type of employment (on or off campus) until you receive your EAD and the authorized start date listed on your card has been reached. *(This includes any type of training, observation, volunteering, internship, etc.).* Employment during OPT must be full-time (at least 21 hours per week) and **directly** related to your academic degree program/major. Your approved dates of employment may be different from the dates that you originally requested. When reporting your employer to VIS, you will be required to state how the employment is related to your major - this information will be reported in SEVIS by VIS.

UNEMPLOYMENT LIMIT

You may not be unemployed for more than 90 days for the duration of your 12 months of OPT. The unemployment clock starts ticking as of the start date printed on your EAD card and does not stop until you have reported your employer's information through accessVIS by submitting the **Pre & Post Completion OPT Reporting** form. Please allow 7-10 business days processing time for all requests.

We recommend keeping proper documentation for each job you hold; including start and end dates of position, job title, supervisor name and contact information, and job description. (Example: Pay stubs, W-2, tax return, etc.)

Your SEVIS record may be automatically terminated by SEVP if you accrue 90 days of unemployment.

REPORTING REQUIREMENTS

Copies of your I-797 Notice of Receipt, I-797 Notice of Action (if applicable), and EAD card (front and back) must be uploaded in accessVIS as soon as you receive them from USCIS. In addition, you are required to report all changes in employment, email address and phone number to VIS within 10 days of each change by submitting the **Pre & Post OPT Reporting** form. Please allow 7-10 business days for requests to be processed. You may request a new/updated I-20 when reporting your employment information in accessVIS – I-20's may be collected from VIS or shipped at your expense.

Any changes to your U.S. local (off campus) address **must** be reported in SOLAR within 10 days. Please follow the steps below to report your local address in SOLAR.

1. Login to SOLAR with your Stony Brook University ID number and password.
2. Go to **Security and Personal Data** then click **Addresses**.
3. Select **Add a New Address** to add your local (off campus) address. *Even if your address is listed as "Home" or "Mailing", you must still add it as your "Local" address.*
4. Verify your address information, and select "Local" under **Address Type**.
5. Click **Save**, then OK. Your local address should now appear.

SEVP PORTAL

While we strongly recommend reporting your employment in accessVIS, SEVP has created a portal as a tool for F-1 students on OPT and STEM OPT to report changes to their home address, telephone number and employer information. SEVP will grant you access and email a link to the SEVP Portal registration page from *do-not-reply.SEVP@ice.dhs.gov* once your OPT has been approved and is active. The link will be valid for 14 days, beginning with the day the email is sent.

INTERNATIONAL TRAVEL

Travel outside of the U.S. while your OPT is pending is not recommend, and travel once your OPT has been approved can be risky. If you decide to travel, upon reentry to the U.S. be prepared to show the following documents:

- Valid passport with an expiration date that is at least six months into the future
- Valid, unexpired F-1 visa
- Valid Travel signature on OPT I-20 (OPT travel signatures are only valid for 6 months)
- Employment Authorization Document (EAD card)
- Proof of employment (e.g. initial offer letter, pay stubs, employment verification letter)

If you need to renew your F-1 visa while traveling outside of the U.S., in addition to your immigration documents, we recommend having your EAD and proof of employment readily available. It is at the discretion of the U.S. Consulate to grant you a student visa and CBP to allow re-entry to the U.S.

It is important that you are prepared to present proper documentation to U.S. Customs and Border Protection (CBP) officers at U.S. ports of entry (POEs) to demonstrate that you can resume employment upon returning to the U.S. Additionally, you should be prepared to answer questions regarding the specific nature of your OPT work and how it relates to your degree programs.

ACADEMIC STUDY WHILE ON POST-COMPLETION OPT

Beginning a new course of study, transferring to a new institution, or changing your educational level will automatically invalidate your OPT authorization. VIS does not recommend taking a class or classes (even part-time) that may later be used to satisfy new program degree requirements.

See your International Student Advisor immediately if USCIS approves your post-completion OPT but you failed to complete your degree.

HEALTH INSURANCE

While under Stony Brook's program for OPT you are required to have health insurance after graduation. You may enroll in SUNY's Health Insurance plan or your employer's insurance plan. It is strongly recommended that you also enroll in MEDEX for the duration of your OPT. For questions please call (631) 632-6517 or visit studentaffairs.stonybrook.edu/shs.

SOCIAL SECURITY NUMBER

If you do not already have a Social Security Card, you may apply for your SSN and card (SSN card) on the same I-765 application form you will use to apply for Post Completion OPT. If USCIS approves your application to work in the U.S. and you completed the section on the I-765 to request an SSN card (Part 2 Items 13-17), USCIS will send SSA the data they need to issue your SSN card. If you already have an SSN and you requested an SSN card on the I-765 application, the SSA will issue you a replacement SSN card.

INCOME TAX FILING REQUIREMENT

You are required to file both federal and state taxes every year whether you have earned income in the U.S. or not. While VIS recommends using a certified tax accountant for assistance in filing taxes, basic information and useful links can be found at www.stonybrook.edu/visa.

ENCOUNTERING FRAUD

If you witnesses fraudulent activity by an OPT recruiter or company, contact ICE's Homeland Security Investigations (HSI) tip line at 1-866-DHS-2ICE or www.ICE.gov/tips. Victims and witnesses of criminal activity may be eligible for immigration relief.

CAREER RESOURCES & ETIQUETTE

If you receive an offer, you may continue interviewing with other employers before you accept an offer verbally or in writing. Once you accept an offer, you are making a formal commitment to uphold your hiring obligation to that employer. There are virtually no circumstances (with the exception of a personal or family tragedy) that would legitimize renegeing on an offer. Continuing to interview after the acceptance of an offer is ethically wrong, and thus you should discontinue your job search and interviewing once you have made the decision to accept an offer, so as to honor your obligation with the new employer. While renegeing on an offer will not jeopardize your immigration status, it is considered bad career etiquette and could have poor implications when it comes to future positions with that organization or their competitors.

For reliable sources for job postings visit:

- Handshake: SBU Career Center's online recruiting database (<https://stonybrook.joinhandshake.com/login>)
- GradConnection: Connects SBU international students to internship and jobs abroad. (stonybrook.campus.gradconnection.com)

60 DAY GRACE PERIOD & ENDING YOUR F-1 PROGRAM

You have a 60 day “grace period” after the last day printed on your EAD card. During this time you must depart the U.S., transfer to another U.S. institution, or change your immigration status.

- Report your departure from the U.S. or change of immigration status to VIS, by submitting the **Ending my F-1 Status** form in accessVIS.
- If you intend to transfer to another U.S. college or institution, submit the **Transfer Out** request in accessVIS so that we may begin the process of transferring your SEVIS record to the new institution. Once your SEVIS record has been released by SBU, your OPT authorization is cancelled and you are no longer authorized to work under OPT.

24-MONTH STEM EXTENSION

A 24 month extension of your Post-Completion OPT work authorization may be available to certain STEM degree recipients. F-1 students with degrees in the fields of Science, Technology, Engineering or Math (STEM) may be eligible for an extension if they are currently participating in post-completion OPT, working a minimum of 21 hours/week, for a U.S. employer who is e-verified, in a job directly related to your major area of study.

If eligible, you may begin to apply for the 24-Month STEM OPT 90 days **before** your OPT end date. Your I-765 Extension of Employment Request **must be receipted by USCIS before your Post Completion OPT end date.**

A “timely filed application” for 24-month OPT Extension means that the I-765 Extension of Employment Request was “receipted in” by USCIS before the end date on the current EAD card. Students who timely file are able to continue employment while their request is pending, until USCIS renders a final decision on the I-765 or for 180 days, whichever comes first.

Please visit our website <http://www.stonybrook.edu/visa> for more information on how to apply for the 24-Month OPT Extension.

H-1B CAP-GAP EXTENSION

If offered sponsorship by an employer, students may wish to change from F-1 to H-1B status after graduation. Although OPT is not a prerequisite for an H-1B, it is a common path to finding an employer who will sponsor you. Due to the fact that corporate H-1B visas begin on October 1 and most students graduate in May, there is often a gap between the end date on the EAD card and your H-1B start date. To remedy this, USCIS provides a temporary extension of F-1 status and work authorization while the H-1B petition is pending and through any gap between the OPT and an approved H-1B.

- The cap-gap extension begins on the day after the OPT end date indicated on the EAD card.
- You remain in F-1 status until the H-1B start date (typically October 1).
- If the H-1B is filed while you are employed on OPT, F-1 status AND work authorization will be extended. If the H-1B is filed while you are in the grace period following completion of your OPT, only your F-1 status will be extended, not the work authorization.
- You may request an I-20 from VIS that documents the cap-gap extension.
- Leaving the U.S. while an H-1B petition is pending or during the OPT/H-1B gap could negatively impact the petition and your eligibility to re-enter the U.S.
- The Cap Gap extension of your status/work authorization will automatically terminate upon the rejection, denial, withdrawal or revocation of your H-1B petition.
- Any questions pertaining to your H-1B should be directed to your employer, and/or the lawyer assisting in filing your petition.

CAP-GAP FORM I-20

The extension of status and/or work authorization is automatic when filing an H-1B petition. To obtain an I-20 documenting the extension:

- Login to accessVIS through Limited Services using your SBU ID#, date of birth, and limited access pin.
- Complete an **H-1B Cap-Gap Extension Request** form, uploading copies of your H-1B receipt or approval notices and EAD.
- VIS will issue a Form I-20 that includes a notation on page 2 indicating the extension.
- You will receive an email when the I-20 is issued, please allow up to 10 business days for processing.

DISCLAIMER: The information contained in this handout is provided by Visa and Immigration Services as a service solely to the international students of Stony Brook University. We make no claims, promises or guarantees about the accuracy, completeness, or adequacy of the information contained in this handout. As legal advice must be tailored to the specific circumstances of each case, and laws are constantly changing, nothing provided herein should be considered legal advice or used as a substitute for the advice of competent counsel.
