

OPT ✦ Frequently Asked Questions

1) What happens to my application after I apply? How long will it take?

After you apply, send your application to the Nebraska Service Center. You will receive a Notice of Action in the mail, which confirms that your application was received and tells you how long it will take to process. Processing times vary. The Notice of Action has an LIN number on it that will allow you to track the status of your application online at <https://egov.uscis.gov/cris/Dashboard.do> (If you do not receive a Notice of Action, the LIN number can be found on the back of your check after it has been cashed.) You can also track the Nebraska Service Center processing times for I-765 applications at this same website. If you cannot check your application status online or if you have not received a Notice of Action after 30 days, contact International Services. Once your application is processed, the Employment Authorization Document (EAD) card will be sent to the address you indicated on the I-765 form.

2) Do I need to have a job to apply for OPT?

You do NOT need to have a job offer before applying for the first 12 months OPT. However, if your field qualifies you for the STEM extension, you MUST have a job to apply for the extension.

3) I found a job and my employer wants me to start working immediately. Can I work even if I do not have the EAD?

***NO! It is illegal to work on OPT without having an EAD!** Illegal employment immediately terminates all privileges of F-1 status, including employment authorization. **DO NOT work without an EAD.** Students are also reminded that they cannot work outside the dates of validity indicated on their EAD. If you receive your EAD early, you still cannot work until the start date on the EAD.

4) Does the job I have while on OPT have to be paid employment, or can it be unpaid?

The employment does NOT have to be paid employment. It can be a full-time, part-time or volunteering position as long as it related to your academic field study.

5) Can I travel before I receive my EAD?

While waiting for your EAD, it is recommended that you do **not** travel outside of the US if you have completed studies. If you are outside the U.S. when your EAD card is delivered to your U.S. address, you may be denied re-entry to the U.S. for failing to have your EAD card. If you travel outside the U.S. prior to your OPT being awarded, please have a back-up plan to have your EAD card shipped to you while you're outside the U.S. Once you've received the EAD card, you may travel outside of the US if you have the following:

- SEVIS I-20 signed for travel by International Services (signature MUST BE less than 6 months old)
- Valid passport and F1 entry visa
- EAD card
- RECOMMENDED: a letter from your employer acknowledging your travel; or a job offer letter; or documented proof of your job search.

6) Canceling OPT:

To withdraw an OPT application, the request needs to be received by USCIS before the OPT begins. Contact International Services immediately if you are considering cancellation.

7) Are there any special guidelines I must follow while I'm on OPT?

YES! You are **required by law** to report the following to International Services throughout the authorized period of OPT (please email International Services at InternationalServices@missouristate.edu):

- Change of address
- Change of name
- Employer name and address/location OR change of employer
- Interruption of employment (i.e., beginning a new degree program, change of visa status)

8) Can I be unemployed while on OPT?

Yes, but on a limited basis. In order to maintain your F1 status, you must not be unemployed for more than 90 days (total) while on OPT. Students who receive a 17-month extension are given an additional 30 days of unemployment for a total of 120 days over their entire OPT period.

9) What if I don't get a job within the allotted time?

After 90 days of unemployment, students can be considered in violation of maintaining their status unless he or she has:

- Transferred to continue education at the same or another educational institution;
- Departed the U.S.; or
- Changed visa status

10) My OPT will expire while I am waiting on my H1B work visa. What should I do?

New USCIS regulations permit you to continue working after your OPT work authorization expires ONLY IF your employer has already timely filed an H1B petition for you. The petition must be either pending or approved with USCIS. If so, you may continue working until your H1B visa begins (October 1). *If your pending H1B visa is denied, your employment authorization is terminated on that date. You have 60 days to make arrangements, change status, or leave the country.*

11) I have heard of a 17 month OPT extension. Do I qualify? You must hold a “STEM” degree (Science, Technology, Engineering, and Mathematics). Please visit the following web site for more information: <http://www.ice.gov/sevis/stemlist.htm>. You must email internationalservices@missouristate.edu for separate instructions regarding STEM application.

12) How does a transfer or change of education level impact the period of OPT?

Any OPT authorization ends on the transfer release date for a student who requests a transfer to another SEVP-certified school or a change of education level to continue at the same school.

13) How long can I stay in the U.S after my OPT expires?

60 days. This only applies to students who have completed OPT. Students on post-completion OPT who have accrued more than three months of unemployment are considered “out of status” and are not eligible for a grace period.

Things to consider:

- Your OPT requested start date must begin within 60 days following your completion of studies date. Check with IS if you do not know how your completion date is determined.
- How long is it taking the Nebraska Service Center to process the applications?
(See <https://egov.uscis.gov/cris/Dashboard.do> to check processing times.) You may lose time on your OPT if you apply late or if the Service Center cannot process the application by the start date you request. There are no guarantees on processing times, only estimates. The earlier you apply for OPT, the better your chances are for being granted OPT during the periods you requested and being granted OPT on or before your graduation date.
- Even if your OPT is approved and you have the card in advance of the start date you request, you cannot start work until the start date on the EAD is reached.
- Your on-campus employment authorization ends when you complete your program of studies. Do you want your OPT to begin immediately after completion? (If there is a gap between completing studies and starting OPT, you won't be authorized to work on-campus during that time.)
- Some students want to have OPT work authorization in-hand when applying for jobs; others prefer to allow some time after completion of studies to job search in order to use as much of their 12 months of OPT as possible.
- OPT applications are not easily cancelled: once OPT is granted, the process to cancel the OPT application process is very difficult and almost impossible to accomplish. If you are able to cancel your OPT application prior to it being granted, then you may not be refunded your application fee.
- You cannot “change” or “convert” a post- or pre- completion OPT application to the other variety. Every OPT application (either for post-or pre-completion) requires a separate application.
- If you are granted pre-completion OPT, and you are eligible for additional OPT time upon program completion, you must complete a new, separate OPT application to apply to pursue post-completion OPT

For additional questions, please visit the Official Website of the Department of Homeland Security at www.uscis.gov by searching Optional Practical Training (OPT)

Any additional questions should be emailed to internationalservices@missouristate.edu. An advisor will respond as quickly as possible.