

Eligibility and Description of Post-Completion OPT

Post-Completion OPT (c)(3)(B) Eligibility:

- Student must have maintained lawful status including being enrolled on a full-time basis at a U.S. Department of Homeland Security (DHS) approved school for one full academic year;
- Student must be graduating or completing required coursework in an accredited Bachelor's, Master's, or Doctoral program within 90 days of application date;
- No offer of employment is required for application, but the student should be actively seeking employment to begin as soon as the OPT is approved. Unemployment days begin on the approval date and are limited to 90 days during the OPT period.
- Employment must be directly related to the student's major field of study and be appropriate with the student's level of study.

Post-Completion OPT Highlights:

- Period of OPT is 12 months (must be completed in the 14 months following graduation/completion);
- Full-time OPT requires working more than 20 hours per week;
- No upper limit on the number of hours allowed per week;
- Allows student to gain work experience directly related to their major field of study;
- Student may be approved for one post-completion OPT period for each increasing level of degree achieved;
- No offer of employment is required for application, but the student should be actively seeking employment to begin as soon as the OPT is approved. Unemployment days begin on the approval date and are limited to 90 days during the OPT period;
- Allows student to work as a standard employee, as an entrepreneur in their own business, for an agency or consulting firm, or as an unpaid or volunteer employee;
- Students with approved post-completion OPT are eligible for the cap gap extension and to apply for the 24-month OPT extension if they, and their employer, meet the qualifications for the OPT Extension.

Post-Completion OPT Student Responsibilities:

- Report any change of name, address, phone number or email address to ISS within 10 days of change;
- Report start of first employment and any new employment (second jobs) to ISS within 10 days;
- Report termination of any employment to ISS within 10 days of termination;
- Report application for H-1B visa to ISS by submitting the Cap Gap Request Form and copy of H-1B petition receipt to ISS in order to receive an updated I-20 showing the cap gap extension;
- Report any change of status to ISS within 10 days of change;
- Report abandonment of OPT if student decides to leave the US without completing their OPT to ISS within 10 days.

H-1B Cap-Gap

There is an annual limit on the number of new H-1B visas available. This number is commonly referred to as the H-1B Cap. When the available H-1B visas have been issued for the federal fiscal year, which begins October 1 and ends September 30, the cap is considered to have been reached, and no new cap-subject applications can be approved until the next fiscal year.

Any student on post-completion OPT or OPT extension, who meets the below requirements, will have their OPT extended. The extension of status and OPT automatically terminates upon the rejection, denial, or revocation of the H-1B petition filed on the student's behalf. If an H-1B petition is filed, the student should complete the Cap Gap Request Form that can be found on the ISS OPT Information website.

To qualify for the H-1B Cap-Gap Extension, the student must be the beneficiary of an H-1B petition that

- has been timely filed;
- that requests an employment start date of October 1 of the current year; and
- requests a change of status

Further, the student must not have violated the regulations of their F-1 status

Other Considerations

For comparison of pre-completion vs. post-completion OPT, please see the pre-completion application information.

APPLYING FOR POST-COMPLETION OPT – TIMING AND APPLICATION CHECKLIST

Post-completion OPT application may be filed up to 90 days before the graduation/completion of coursework, and up to 60 days after the graduation/completion of coursework. Application MUST be received by USCIS on or before the 60th day and student must allow enough time for processing with ISS and mailing the application. Student may not attend for-credit classes or be employed between their graduation date and the start date on the EAD card. Approval of the OPT application can take up to 90 days. Student should apply as early as possible to allow enough time for approval before their desired employment start date.

Checklist

You must bring ALL documents to your appointment with ISS before your OPT request can be made in SEVIS.

1. Complete USCIS Form I-765 - included in packet or on the ISS OPT Information webpage. If you download the form from the USCIS.gov, please use (c)(3)(B) for Question #20. You do not need to complete Questions #21, 22, or 23. If you already have a social security number, please also skip Questions #10-13.
2. Complete the OPT Request Information Form - included in packet or on the ISS OPT Information webpage
3. Undergraduate (Bachelor's) students must provide a letter from their Degree Analyst in the Office of the Registrar verifying the anticipated completion of the coursework required for your degree.

Graduate (Master's and Doctoral) students must provide a letter from their Academic Advisor verifying the completion of their required coursework and the anticipated date of completion of all requirements. Sample form available on ISS website.
4. Signed copy of the Tips and SEVIS Requirements While on OPT page verifying that you have READ and UNDERSTAND what your reporting requirements are (included in packet). You will receive a copy of this to keep.
5. Current passport, visa, all I-20s, current I-94 printout from www.cbp.gov/i94 or I-94 card if stapled in passport, and any other relevant immigration documents you have such as an I-797 for a change of status. If you have a doubt if it is needed, please bring it.
6. Two (2) passport style photos according to USCIS requirements, taken within the last 30 days. You can get these from FedEx Kinkos, Walmart, The UPS Store, UW WyoOne office in Knight Hall Room 28 or any other establishment that takes passport style pictures. Make sure these are good quality photos that meet the requirements before you accept them!
7. Filing fee of \$410. A check or money order made payable to "US Department of Homeland Security". Cash or cards cannot be accepted as this must be mailed with the application to USCIS.
8. Make an appointment with ISS to apply for the OPT. If you are not in Laramie, your application may be mailed to ISS but it is recommended that you call ISS to go over the packet before you mail it so that you do not forget anything. Please do not send original passport/visa, I-20s or I-94 cards if you mail your application to ISS.

Social Security Number

If you do not have a Social Security Number (SSN), please complete Questions #9-13 on the Form I-765 and USCIS will forward your application to the US Social Security Administration. A social security card will be issued and mailed to you.

Note of Caution

While USCIS Regulations provide a variety of opportunities for you to be employed during your time in F-1 status, working improperly or without authorization is a serious violation of your status. It is your responsibility to comply with all Immigration and SEVIS reporting requirements that apply to F-1 students. The ISS staff is responsible for advising and counseling you regarding your responsibilities. If you fail to meet your responsibilities, you may not be eligible for benefits normally granted to F-1 students and could potentially lose your immigration status and have to leave the United States. While on OPT, you are still under the sponsorship of the University of Wyoming. The reporting requirements while on OPT are very comprehensive. Failure to report properly can result in your status being automatically terminated in SEVIS. It is also up to you to provide copies to ISS of any change of status approvals, especially with regard to the H-1B and the cap-gap extension.