

F-1 Initial 12-month OPT Packet

What is Optional Practical Training (OPT)?

OPT is **practical** work experience in your **field** of study (typically after completion of a degree) and can last up to one year. Students on OPT are still considered to be F1 students at EMU even if working elsewhere in the U.S. The Employment Authorization Document (EAD) is not a working permit; it is an extension of your F1 status for the purposes of practical training.

Who is Eligible?

- F-1 students who are legally maintaining their status; **and**
- Who have been enrolled full-time for at least 8 months; **and**
- Who will be completing a course of study this term; **and**
- Whose proposed OPT employment will be directly related to their course of study.

When should you apply for OPT?

Students can apply for OPT up to **90 days before** and 60 days after the program completion date on the I-20. **Program completion is when you have registered for all the necessary credits for your program.** It does not mean graduation nor does it mean that you can delay your OPT application until fulfilling incomplete credit.

It is currently taking **2 -3 months** for USCIS to process applications and you must have your EAD card in-hand in order to start work. Your OPT may end no later than 14 months after your program completion date.

Periods of Unemployment

Post-completion OPT is dependent upon employment. Students may not accrue a total of more than **90 days** of unemployment during the initial 12-month OPT period.

Important OPT Information

- Detailed informational **OPT workshops** are held regularly. You **MUST attend** one of these workshops before submitting your application or making an OPT appointment to see an OIS advisor. **No exceptions!!**
- Once your application for OPT has been approved, your **Employment Authorization Document (EAD)** will be mailed to the address on the I-765 form. The post office WILL NOT FORWARD mail from USCIS if you change your address after you apply. USCIS will also not deliver your EAD to a PO Box.
- You **MUST** have your **EAD in-hand**, and the **start date** must be valid, in order to begin employment. Although you are allowed to remain in the U.S. while your application is pending, you may not begin working.
- You **MUST** submit a **photocopy** of your **EAD to OIS** upon receipt
- It is almost impossible to **cancel** your practical training once you have received your EAD; the time granted on your EAD card will be counted regardless of your actual employment. You will not receive the \$380 in return and you are unable to apply again based on that degree.
- Remember, while on OPT **you are still an EMU F1 student** ~ Please review the attached handout "*While you are on OPT*" to learn about your responsibilities during this practical training year.
- While on OPT you may be **exempt** from Social Security & Medicare Tax (**FICA**) ~ Please review the attached handout "*Excerpts from: Alien Liability for Social Security & Medicare Taxes*" for additional information
- You **MUST report all changes of name, address, or employer** to OIS within 10 days
- You **MUST report all periods of unemployment** to OIS

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OPT Application Procedure – 12 Month

- Step 1. Obtain and **read** through this **entire OPT packet**
- Step 2. **Register** for and **attend** a mandatory **OPT workshop** – available dates are on the OIS Event Calendar found on www.emich.edu/ois
 - a. Please arrive on time; students who arrive late will need to reschedule.
- Step 3. **Assemble the documents** required for your application
- Step 4. Make an **appointment** to see an OIS advisor to finalize your application
 - a. Do not make an appointment if you have not attended an OPT workshop!
 - b. **Bring** all the **required documents, forms, photos** and a **check for \$380**.
- Step 5. **Mail Application** – Get Receipt Notice – Track status
- Step 6. **EAD** – Submit **photocopy to OIS**
- Step 7. **Address** – **Report** any changes to OIS
- Step 8. **Employer** – **Report** name and address of employer to OIS
- Step 9. Periods of **Unemployment** – **Report** to OIS

OPT Application Required Documents

When you meet with an OIS advisor, you need to bring the following documents:

- Completed **OIS OPT request Form**
- Completed **G-1145 Form E-Notification of Application/Petition Acceptance**
- Academic **Advisor Letter** – on EMU departmental letterhead
- 2 full, frontal passport size photos** – gently print your name & SEVIS number on the back of each photo
- Initial, stamped I-20**
- Previous I-20s** from other U.S. schools (for **transfer** students only)
- Original **Passport** with I-94
- Photo Identification** (drivers license or student ID)
- Check for \$380** made payable to the **US Department of Homeland Security** (do not abbreviate) and include your **SEVIS N#** in the memo field.
- Photocopy of any **previous EAD cards** and I-20 with previous OPT authorization
- A copy of a **job offer letter**, if applicable

During the OIS OPT advising session we will:

- Prepare I-765 form,
- Prepare a new I-20,
- Assemble your application materials and
- Provide an envelope for mailing your application

While on the Initial 12-month OPT period... ...you are still considered an EMU F1 student!!!

- You must submit a **copy of your EAD** card to OIS upon its receipt.
- You **cannot begin work** until you have your EAD card in-hand and the start date is valid.
- During your **job search** you need to keep an accurate record of your efforts to find employment (company contacted, date, phone number, name of contact person etc.)
- **Name or Address Changes** - You must **report all Name, US and home country address changes** to OIS within 10 days of moving to your new residence. Your address must describe where you live; it cannot be a PO Box or an office address. Failure to keep your US address current can jeopardize your immigration status!
- **Employer Name & Address** – You must **report to OIS** the name, address and telephone number of your employer within 10 days of finding employment. Failure to report can jeopardize your immigration status.
- **Periods of Unemployment** – You must **report to OIS** all periods of unemployment. Failure to report can jeopardize your immigration status.
- **Taxes** – Generally, if you've been in the United States less than 5 years, while on OPT you should be exempt from Social Security Tax & Medicare Tax (FICA) (See Internal Revenue Service Publication 519, "US Tax Guide for Aliens"). However, your earnings are subject to applicable federal, state & local taxes unless your country has a tax treaty with the USA exempting you from payment. Tax returns must be filed on or before April 15th each year, for the previous calendar year.
- **Health Insurance** – It is very important that you have health insurance while in the USA. If it is not provided by your employer, you may be eligible to continue your student policy, provided it is within 30 days of your last term of class registration; contact the Snow Health Center for more information. For your own financial wellbeing – **BE INSURED** at all times!!!
- **Travel while on OPT** – Before you travel, remember to:
 - Make sure your **passport** is valid at least 6 months into the future
 - Make sure your **I-20** has been signed for travel within the past 6 months. If you need a new travel signature, bring or send your I-20 to OIS with a copy of your EAD card
 - Make sure your **visa stamp** is valid. If your visa is expired, you may need to renew it while overseas. If this is the case, please speak to an OIS advisor **before** traveling.
 - If you have an **expired visa stamp** & plan a short trip to Canada, Mexico, or adjacent islands, you may be qualified for Automatic Revalidation. Please contact an OIS advisor before traveling!
 - **Carry your EAD card and proof of employment** for the EAD time period with you. Proof of employment can include a letter from your employer and recent pay stubs.
 - **Dependent Travel** – Since OPT is not noted on dependent I-20's, an F2 dependent must carry copies of the F1 student's I-20 with OPT recommendation, EAD card & job offer letter in addition to their own F2 I-20 when traveling.
- **Change of Status** – If you change your immigration status during OPT, you are required to send us a copy of the approval document (ie. H-1B). We recommend you begin this process before your OPT is expired.
- Your **OPT will automatically terminate** if you transfer to another school or begin to study at another educational level. Please **contact OIS** if you plan to apply for another degree program or transfer to another school.
- Remember to **apply for the 17 month STEM extension** (if you qualify) or **depart the USA** within the 60 day grace period that follows your last day of OPT.

Final Checklist for Mailing

Once you have attended the OPT workshop and met with an OIS advisor, you will need to submit the following list of items to USCIS:

- G-1145** E-Notification of Application/Petition Acceptance
- 2 passport size, color **photographs**
- Personal check for \$380**, made payable to the **US Department of Homeland Security** (do not abbreviate) and include your **SEVIS N#** in the memo field.
- I-765** Application for Employment Authorization, OIS will prepare during appointment
- Academic Advisor Recommendation Letter**
- Screen print of **SEVIS OPT screen**
- Photocopy of **new I-20 requesting OPT** (not the original)
- Screen print of **SEVIS CPT screen** showing previous CPT authorizations, if applicable
- Photocopy of **previous EAD** cards and requesting I-20's, if applicable
- Photocopy of **original, initial I-20** used to enter the USA the first time as an F-1 student, with original US entry stamp
- Photocopy of all **transfer-pending I-20's**, if applicable
- Photocopy of both sides of your **current I-94**
- Photocopy of your **US Visa**
- Photocopy of the **picture page & expiration date** of your **Passport**
- 1 additional **photo identification** (driver's license, student ID, etc.)

Mailing Address:

USCIS

PO Box 21281

Phoenix, AZ 85036-1281

- The **US Postal Service** is the only expedited delivery service that delivers to a PO Box address. You may need to send your application via express (next day) mail to meet the USCIS deadline.
- If you are using a **non-Michigan return address** on your I-765, you will need to refer to page 10 of the USCIS I-765 instructions for the correct USCS Lock box mailing address.
- If you later decide **NOT to mail your OPT application** to USCIS, you must notify your OIS advisor immediately so that we can cancel your OPT recommendation in SEVIS. Failure to inform OIS that you are not applying for OPT can cause future problems.

Tracking your Application Status

Once your application has been accepted by the Lockbox facility, you should receive a **text message** and/or **email** indicating receipt and containing your **receipt number**. Within 2 – 3 weeks of sending your application you will receive a "**Notice of Action**;" this is proof that you have an application pending with USCIS. This document will also contain your **receipt number**. This receipt number can be used to check your **case status** on-line at <https://egov.uscis.gov>.

Color Photograph Specifications

You **must** submit **two identical color photographs** of yourself taken **within 30 days** of the filing your OPT application.

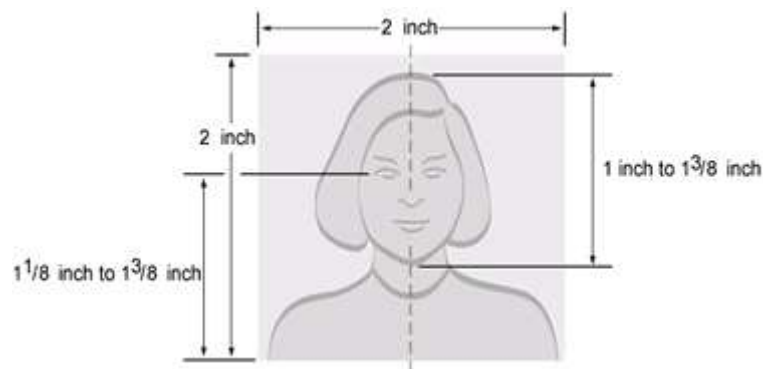
The **passport-style** photos must be:

- **2" x 2"**
- **full face**, frontal view
- have a **white to off-white background**
- printed on **thin paper** with a **glossy finish**
- be **un-mounted** and **un-retouched**
- Your **head must be bare** unless you are wearing a headdress as required by a religious order of which you are a member

Using pencil or felt pen, lightly print your name and SEVIS Number on the back of the photo.

7 Steps to Successful Photos

- ☑ Frame subject with [full face, front view, eyes open](#)
- ☑ Make sure photo presents [full head](#) from top of hair to bottom of chin; height of head should measure 1 inch to 1-3/8 inches (25 mm to 35 mm)
- ☑ [Center head](#) within frame (see Figure 2 below)
- ☑ Make sure [eye height](#) is between 1-1/8 inches to 1-3/8 inches (28 mm and 35 mm) from bottom of photo
- ☑ Photograph subject against a plain white or off-white [background](#)
- ☑ [Position subject](#) and [lighting](#) so that there are no distracting shadows on the face or background
- ☑ Encourage subject to have a [natural expression](#)





Excerpts from:

Alien Liability for Social Security and Medicare Taxes

The full text can be found at: <http://www.irs.gov/businesses/small/international/article/0..id=129427.00.html>

In general aliens performing services in the United States as employees are liable for U.S. social security and Medicare taxes. However, certain classes of alien employees are exempt from U.S. social security and Medicare taxes as follows.

Nonresident aliens, in general, are also liable for Social Security/Medicare Taxes on wages paid to them for services performed by them in the United States, with **certain exceptions based on their nonimmigrant status**. The following classes of nonimmigrant's and nonresident aliens are exempt from U.S. Social Security and Medicare taxes:

F-visas, J-visas, M-visas, Q-visas. Nonresident Alien students, scholars, professors, teachers, trainees, researchers, physicians, au pairs, summer camp workers, and other aliens temporarily present in the United States in **F-1, J-1, M-1, or Q-1/Q-2** nonimmigrant status are exempt on wages paid to them for services performed within the United States as long as such services are allowed by USCIS for these nonimmigrant statuses, and such services are performed to carry out the purposes for which such visas were issued to them.

Exempt Employment includes:

- **On-campus student employment** up to 20 hours a week (40 hrs during summer vacations)
- **Off-campus student employment allowed by USCIS.**
- **Practical Training student employment on or off campus.**
- Employment as professor, teacher or researcher.
- Employment as a physician, au pair, or summer camp worker

Limitations on exemption:

- The exemption does not apply to spouses and children in F-2, J-2, M-2, or Q-3 nonimmigrant status.
- The exemption does not apply to employment not allowed by USCIS or to employment not closely connected to the purpose for which the visa was issued.
- The exemption does not apply to F-1, J-1, M-1, or Q-1/Q-2 nonimmigrant's who change to an immigration status which is not exempt or to a special protected status.
- The exemption does not apply to F-1, J-1, M-1, or Q-1/Q-2 nonimmigrant's who become resident aliens.

The IRS has published regulations which stipulate that aliens who arrive in the United States on F, J, M, or Q visas will be assumed to be "NONRESIDENT ALIENS" but only to the extent that the assumption is consistent with the residency rules of section 7701(b) of the Code. Since the social security/Medicare tax exemption for foreign students, scholars, teachers, researchers, and trainees under the Code requires that the payee be a "NONRESIDENT ALIEN", then the social security/Medicare tax exemption ceases to exist at the point the payee becomes a "RESIDENT ALIEN" under the residency rules of section 7701(b) of the Code.

Thus, to summarize, both the Internal Revenue Code and the Social Security Act allow an exemption from social security/Medicare taxes to alien students, scholars, teachers, researchers, trainees, physicians, au pairs, summer camp workers, and other nonimmigrants who have entered the United States on F-1, J-1, M-1, Q-1, or Q-2 visas and who are still classified as NONRESIDENT ALIENS under the residency rules of the Internal Revenue Code. As discussed above, **this means that foreign students in F-1, J-1, M-1, Q-1 or Q-2 nonimmigrant status who have been in the United States less than 5 calendar years are still NONRESIDENT ALIENS and are still exempt from social security/medicare taxes.** This exemption also applies to any period in which the foreign student is in "practical training" allowed by USCIS, as long as the foreign student is still a NONRESIDENT ALIEN under the Code. **Foreign students in F-1, J-1, M-1, Q-1 or Q-2 nonimmigrant status who have been in the United States more than 5 calendar years are RESIDENT ALIENS and are liable for social security/Medicare taxes** (unless they are exempt from FICA under the "student FICA exemption").

For more info see: <http://www.irs.gov/businesses/small/international/article/0..id=129427.00.html>

Sample Academic Advisor's Letter



EASTERN MICHIGAN UNIVERSITY

TO: EMU Office of International Students
244 Student Center, Ypsilanti MI

From: Dr. Jane Doe

Date: January 24, 2008

Re: Estimated Program Completion Date

This is to certify that Student Sohn is a full-time student in the Department of Educational Leadership, pursuing a Master's degree, and is in the final stage of their program. Completion is expected by April 29, 2008.

Dr. Jane Doe

Dr. Jane Doe

Academic Advisor, Department of Educational Leadership