Responsibilities and Restrictions of F-1 Visa Holders
During Post-Completion OPT

• After graduating, you must inform the Student Affairs Office every time you change your address or employer during your OPT period. You may notify Lauren Clarke by e-mail at lclarke@amherst.edu. Failure to provide a timely notification of your change of address is considered a “violation of status.”

• During the period of approved OPT indicated on your EAD card, you may engage in any employment that satisfies the OPT requirements, i.e., employment that is directly related to your major field of study and commensurate with your attained education level. It is your responsibility to ensure that any employment you undertake satisfies the OPT requirements. Engaging in employment that does not satisfy the OPT requirements may result in loss of eligibility for benefits normally available to F-1 students, such as an eventual “change of status” to an H-1B employment or permanent residency.

• Be aware that the actual dates of employment authorization on your EAD card may differ from the dates you requested on your application, due to processing delays. In particular, the OPT “start date” on the EAD card will either be the start date requested on the application OR the actual application approval date, whichever comes later. In other words, should VSC approve your application on a date after the start date you requested on your application, OPT employment authorization is not granted retroactively to the earlier date.

• You may not undertake any paid employment until you have received the EAD card. Simply submitting an application or even receiving notification of approval of your application through the USCIS website is not sufficient. Working before you have received your EAD card is a serious violation of your F-1 status and may result in your loss of eligibility for benefits otherwise available to you. Even if your employer tells you it’s “okay” to start working before you receive your EAD card, it is not okay!!!

• If you do not have a job by the end of the semester, but you have applied for or been approved for OPT, you may remain legally in the U.S. as long as you are actively pursuing appropriate OPT employment in the U.S. You cannot be unemployed for more than a total of 3 months. You may take an unpaid job for at least 20 hours a week, as long as it is in your field and does not violate labor laws.

• Once you have a confirmed job, you must notify Lauren Clarke via e-mail [lclarke@amherst.edu] of your employer’s name and address, your job title and basic job description. This is required for each new position you take.

• During the approved OPT period, F-1 students in possession of a valid passport, an EAD card, a current I-20 form and proof of employment may apply for F-1 visa renewals while abroad in the usual way. Students on OPT who need a renewal visa to reenter the U.S. should be aware of visa processing delays and plan travel accordingly.
- There is currently a lack of clarity in the regulations about the possibility of travel and reentry to the U.S. after graduation for an F-1 student who has submitted an OPT application, but whose application has not yet been approved. Specifically, it is unclear whether an F-1 student who has submitted an OPT application may travel outside the U.S. after graduation and reenter without the EAD card and/or without a confirmed job offer. Given this ambiguity, it is best to take the most conservative approach, i.e., that an F-1 student who is in possession of both an EAD card and proof of an actual job or job offer (along with a valid passport, valid F-1 visa and current I-20 form), should not experience difficulty reentering the U.S. after graduation. If either the EAD card or the proof of employment is missing, then traveling outside the U.S. after graduation is risky. Check with Lauren Clarke if you are considering travelling.

- Students who have completed their academic programs are considered to be in F-1 student status during the period of approved OPT. Starting with the last day of your OPT period, you will have a sixty-day period of “voluntary departure”. During that sixty-day period you must do one of the following: depart the United States; transfer to another school (and obtain a new I-20 form that school) to begin a new full-time academic program as an F-1 student; or file for a “change of status” to another visa status for which you might be eligible. During the sixty-day period following the expiration of your OPT, no employment is permitted (unless you have applied for and been granted by USCIS a change of status from F-1 to another immigration status that permits employment, such as an H1-B visa). Once you leave the U.S. during the sixty-day “voluntary departure” period following the last day of your OPT period, you may not reenter the U.S. in F-1 status (unless you have been issued an I-20 by another academic institution and you are reentering to begin your new degree program).

- **STEM extension:** Students who have majored in the fields of science, technology, engineering, or mathematics may be eligible for the 17-month STEM extension to their OPT with an e-verify employer.

- Please contact Lauren Clarke at least four months prior to the end of your standard OPT if you plan to apply for a STEM extension. Once the application is filed you may continue working for up to 6 months, without an approval, as long as you have a receipt from USCIS. Under the STEM regulations you must report any changes in address or employer as described above. In addition, you and/or your employer should inform us of any termination of employment. Every six months you should e-mail the Student Affairs Office to confirm that the information is up to date. The requirement to report continues if the student’s 17-month STEM extension is extended further by the automatic cap-gap extension.

As you can see, these regulations are very confusing. If in doubt, contact Lauren Clarke to clarify any concerns, especially regarding travel. When in doubt, ALWAYS ASK.