

OPT Reporting Requirements

You must report changes in employment, residential address, phone number, email, or legal name within 10 business days to ISSS. Failure to report these changes could lead to termination of your OPT and F-1 status by SEVIS.

Employment	Report to ISSS (iss@du.edu)
Report New Employment To report Contract Work for Hire, Self-Employment, or Multiple short-term performing gigs with less than 10 days between gigs, please visit the ISSS OPT webpage under <i>Reporting Requirements</i> for more details.	1. Name and mailing address of company/employer 2. Start date of employment 3. Short explanation of <u>less than</u> 1000 characters including spaces (approximately 150-175 words) describing how your employment is related to your coursework and degree at the University of Denver 4. Indicate if this position is part-time (20 or less hours/week) or full-time (more than 20 hours/week)
Report a change of employment	1. Name of previous company/employer 2. Ending date of employment with previous employer 3. Name and mailing address of new company/employer 4. Start date of new employment 5. Short explanation of <u>less than</u> 1000 characters including spaces (approximately 150-175 words) describing how your employment is related to your coursework and degree at the University of Denver 6. Indicate if this position is part-time (20 or less hours/week) or full-time (more than 20 hours/week)
Report loss of job and more than 10 days of unemployment	1. Indicate "Unemployed" 2. Ending date of last job
Student decides to exit United States and complete F-1 status prior to end date of OPT work authorization	1. Indicate "Completing OPT and exiting the United States" 2. Date of departure from U.S.
Other Changes	
Legal name	Email iss@du.edu with scan of passport page showing new name
U.S. Residential address, email, and/or phone number	Go to PioneerWeb under Students > Update Addresses. Select <i>Mailing</i> . To update email forwarding of your du.edu email address, log into Office 365 at http://office365.du.edu . For more details, please visit https://support.du.edu and search for Email Forwarding.

Limits on Periods of Unemployment

8 C.F.R. § 214.2(f)(10)(ii)(E) (effective April 8, 2008) states that " During post-completion OPT, F-1 status is dependent upon employment. Students may not accrue an aggregate of more than 90 days of unemployment during any post-completion OPT carried out under the initial post-completion OPT authorization." This limit also applies to students with an automatic extension of an OPT authorization due to the H-1B Cap Gap provisions.

SEVP's [OPT Policy Guidance](#) [7.1.6] establishes a 90-day unemployment limit during a student's OPT authorization period. "Each day (including weekends) during the period when OPT authorization begins and ends that the student does not have qualifying employment counts as a day of unemployment".

Students with more than 90 days of unemployment may be considered out-of-status by the US Department of Homeland Security (DHS) and ineligible for future F-1 benefits such as transfer of SEVIS record or 24-month STEM extension of OPT.

Activity that Constitutes Employment while on Post-Completion OPT

An F-1 nonimmigrant on post-completion OPT avoids "unemployment" when his or her activity constitutes "employment."

SEVP's [OPT Policy Guidance](#) [7.2.1] states that the following activities are considered allowable employment on both pre-completion and standard post-completion OPT, provided that the job is directly related to the student's program of study. While a student engages in such activity during a period of post-completion OPT, he or she is not considered "unemployed":

Regular paid employment in a position directly related to the student's program of study.

- For post-completion OPT, the work must be for at least 20 hours per week
- Students may work for multiple employers, as long as it is directly related to the student's program of study.

Payment by multiple short-term multiple employers. SEVP says that "Students, such as musicians and other performing artists, may work for multiple short term employers (gigs). The student should maintain a list of all gigs, the dates and duration. The student should maintain a list of all gigs, the dates and duration."

Work for hire. SEVP says, "This is also commonly referred to as 1099 employment where an individual performs a service based on a contractual relationship rather than an employment relationship. If requested by DHS, students should be prepared to provide evidence showing the duration of the contract periods and the name and address of the contracting company."

Self-employed business owner. SEVP says, "Students on OPT may start a business and be self-employed. The student should be able to prove that he or she has the proper business licenses and is actively engaged in a business related to his or her degree program."

Employment through an agency. SEVP says, "Students on post-completion OPT must be able to provide evidence showing they worked an average of at least 20 hours per week while employed by the agency."

Volunteers or unpaid interns. SEVP says, "Students may work as volunteers or unpaid interns, where this practice does not violate any labor laws. The work should be at least 20 hours per week for students on post-completion OPT. A student should be able to provide evidence, acquired from the student's employer, to verify that he or she worked at least 20 hours per week during the period of employment."

Travel and Re-Entry while on Post-Completion OPT

Once your EAD Card for post-completion OPT has been approved by USCIS, it is possible to travel outside the U.S. and reenter to resume employment. When seeking to reenter, you should be prepared to present the following documents:

- Form I-20 issued by DU with OPT remark on page 2 AND a valid travel signature *less than six months old*
- Unexpired passport which is valid for at least the six months beyond the date of re-entry
- Unexpired F-1 visa stamp in passport*
- Unexpired EAD card
- Evidence that you have a job or a job offer in the United States

* Students may be able to travel to Mexico, Canada and the adjacent islands even with an expired F-1 entry visa. Visit the *Automatic Revalidation of Visa* section of our Travel webpage (<http://www.du.edu/issv/visa-immigration/travel.html>).

If you choose to travel while on OPT without a job or job offer, there is a risk that you will be denied re-entry to the U.S.

If your OPT EAD is still pending with USCIS, please visit the *Travel and F-1 Post-Completion OPT* section of our Travel page for more information on reentering the U.S. (<http://www.du.edu/issv/visa-immigration/travel.html>).

Tax Resources

Information regarding filing/paying income taxes as an international student is available online at:

- www.du.edu/issv/employment/taxes.html
- www.nafsa.org/resourcelibrary/default.aspx?id=18787
- www.irs.gov/Individuals/International-Taxpayers/Foreign-Students-and-Scholars

ISSS does not provide tax information or advice. Please use the resources above or contact a tax attorney or specialist for questions or concerns.