

TRAVEL ISSUES WHILE IN F-1 STATUS

Before all travel, F-1 students must contact their designated school official (DSO) at their international students' office to verify that they are in active status in the Student & Exchange Visitor Information System (SEVIS) database, and to verify the documents to present at the US Consulates/Embassies and/or US ports of entry when traveling internationally. These documents include a current Form I-20-, F-1 visa stamp (unless a visa exempt Canadian), and possibly also valid EAD card, and/or an employment offer or verification letter or other employment verification such as paystubs.

Travel when post-completion OPT EAD application is pending

An F-1 student should avoid traveling until s/he receives the EAD card. If USCIS approves the OPT application, the student will be expected to have the EAD in hand to re-enter the United States.

Travel after post-completion OPT EAD is received

Travel documentation must include an employment verification letter and valid EAD, as well as a current Form I-20, valid passport and visa stamp (unless exempt). Time spent outside the United States during an approved period of post-completion OPT counts as unemployment against the 90-day limit, unless the student is employed during a period of leave authorized by an employer, or the student is traveling as part of the employment.

Travel when STEM OPT is pending

If the pre-existing OPT employment authorization document has expired and the 24-month STEM OPT extension request is pending, the student may have difficulty returning to the US after travel abroad.

While the STEM OPT extension application is pending, in order to return to the US after international travel, a student should have: 1) an updated Form I-20, endorsed for the STEM OPT period and issued within the last six months; and 2) a valid F-1 visa stamp in your passport (except for Canadian nationals, who may reenter without a visa stamp). We recommend avoiding travel altogether while the STEM OPT extension is pending.

Time spent outside the United States during an approved period of STEM OPT counts as unemployment against the total 150-day limit. This 150-day limit includes the 90 days allotted for the initial OPT with an additional 60 days for the STEM OPT period. Time spent outside the U.S. will not be counted towards unemployment if the student is employed during a period of leave authorized by an employee, or the student is traveling as part of the employment.

Travel after STEM OPT is approved

Travel documentation must include an employment verification letter and valid EAD, as well as a current Form I-20 with valid travel signature, valid passport and visa stamp (unless exempt). Time spent outside the United States during an approved period of STEM OPT counts as unemployment against the total 150-day limit. This 150-day limit includes the 90 days allotted for the initial OPT with an additional 60 days for the STEM OPT period. Time spent outside the U.S. will not be counted towards unemployment if the student is employed during a period of leave authorized by an employee, or the student is traveling as part of the employment.

Travel Issues when changing status from F-1 to another nonimmigrant category

If a student files an application with USCIS **requesting a "change of status", and then departs the United States while the application is pending**, that student's change of status request may either be (1) denied, or (2) deemed invalid, even if approved by accident. If the student's visa petition is approved, it should be considered valid only after he or she leaves the U.S. and returns with a valid visa in the new status. The student should be aware that it is advisable not to travel while a visa petition requesting change of status is pending.

If a student **leaves the United States after the approval of a change of status application with a future effective date, and returns before the effective date**, that student may be able to travel in his or her current status. However, there are potential risks. For example, if that student is in F-1 status, the student should be aware that they must be able to demonstrate nonimmigrant intent to Customs & Border Protection (CBP) officers on entry.

TRAVEL ISSUES WHILE IN F-1 STATUS

If the student leaves the United States ***after the approval and after the effective/start date of the application requesting a change of status***, he or she must apply for a visa stamp in the new visa classification at a U.S. Consulate/Embassy (unless a visa exempt Canadian citizen), before being readmitted in the new visa status.

Alternatively, if a petition is filed requesting "***consular notification***" and there is no application for change of status there are no timing issues relating to travel. The student should be aware that he/she must be able to prove having the required nonimmigrant intent if seeking readmission in F-1 status. Under the consular notification option, once approved for the new nonimmigrant classification, the student would need to travel around or after the effective date and apply for a visa stamp and seek admission in the new status in order to activate the approval.

Travel during cap-gap extension period (i.e., change of status from F-1 to H-1B approved but not effective)

An F-1 student may generally travel abroad and seek readmission to the United States in F-1 status during a cap-gap period if s/he holds a valid EAD card and is returning before the H-1B employment begins (e.g. October 1, the start of the fiscal year), and the H-1B petition and request for change of status has been approved. The student must also be otherwise admissible.

As previously advised, all travel must be coordinated with the DSO at the school. You must contact your DSO before any travel plans are finalized and carried out.