



The International Center of Winthrop University

Optional Practical Training

Optional Practical Training, or OPT is an employment benefit awarded to F-1 students by the United States Citizenship and Immigration Services, or USCIS. Optional Practical Training, or OPT, is used for extending your legal F-1 status to enable authorization of work that is directly related to your field of study. USCIS determines eligibility for OPT and reserves the right **not** to award OPT if a student has violated and failed to maintain their legal status while studying in the United States.

Students are eligible for two periods of OPT. There is a 12-month benefit allowed after receiving an undergraduate degree and another 12-month benefit allowed after receiving a graduate degree. OPT must be completed within 14 months of completion of your studies.

As of April 2008, an OPT extension of 17 months beyond the typical 12 months exists for students who graduate with a STEM degree (29 months of OPT). STEM degrees are defined as science, technology, engineering and mathematics. To be eligible for the extension, the student's must have a job with an employer that is registered in E-Verify. E-Verify is an Internet based system that provides an automated link to Federal databases to help employers determine employment eligibility. Applications for the 17-month STEM extension must be filed before the original 12 months of OPT expires.

Types of OPT-

- Pre-Completion Optional Practical Training
 - You can work full-time or part-time during your annual vacation (summer) if you intend to register for the next term;
 - You can work while school is in session provided that the OPT does not exceed 20 hours per week.
- Post-Completion Optional Practical Training
 - You can apply for OPT after the completion of your course of study.
 - You are eligible for 12 months of OPT after your undergraduate degree and another 12 months after your graduate degree. You cannot receive two periods of consecutive OPT meaning 24 months after completion of a graduate degree.

Who can apply?

Students who have been lawfully enrolled on a full-time basis at an approved school for one academic year (9 months) are eligible to apply for OPT.

What type of job can I apply for?

You must apply for a job that is directly related to and commensurate with your level of education.

When to apply for OPT?

- Pre-Completion Optional Practical Training
 - You can apply any time provided that you have been a student for 9 consecutive months.
- Post-Completion Optional Practical Training
 - You can apply during the semester of your graduation, not more than 90 days before your program end date.

Remember, it can take USCIS time to process and approve your application depending on the number of applications that they receive. It *typically* takes about 3 months to approve OPT.

If I use pre-completion OPT will I still have post-completion OPT available?

There is only 12-months of full-time OPT available with an undergraduate degree and 12-months of full-time OPT available with a graduate degree.

If you use 12-months of full-time OPT before you complete your course of study you will not be eligible for post-completion OPT. For example, if you work 3-months of full-time OPT over 3 summers, you will have used 9-months of full-time OPT and only have 3 months of full-time OPT left after you complete your course of study.

USCIS counts part-time OPT at ½ the rate of full-time OPT. For example, if you work 12-months of part-time OPT, it will count as 6-months of full-time OPT and you will have six months of full-time OPT left when you complete your course of study.

When can I begin working after I apply for my OPT benefit?

USCIS regulations state that you are not allowed to begin working before the start date listed on your OPT (EAD) card. Working before or after the dates listed on your card is a serious violation to your lawful status and your OPT will be terminated.

What if I cannot find a job while using my OPT?

If you are granted post-completion OPT, remember your F-1 status is dependent upon employment. During any initial 12-month period of post-completion OPT no student may be unemployed for an aggregate of more than 90 days.

If a STEM student receives a 17-month extension, the limit on unemployment is raised to an aggregate of no more than 120 days, applied to the entire 29-month period on which the student is on post-completion OPT.

Can I take classes while approved for OPT?

USCIS regulations state that if you transfer to a different school or if you change your level of study while using your OPT benefit, your OPT will no longer be valid. For example, if you are a student at Winthrop using your OPT and you transfer to UNCC, your OPT is no longer valid.

Also, another example, if you finish your undergraduate degree and are using your OPT and you change your program level to pursue a graduate degree, your OPT is no longer valid.

Procedures for Applying for OPT

1. Complete items 1-16 of USCIS Form I-765. Make sure to sign and date the form.
2. Submit a check for \$340.00 made payable to The Department of Homeland Security. This payment can be made by personal check or money order. USCIS does not accept cash, counter checks or credit cards.
3. You must complete the top portion of the *Verification of Completion Date of Program* form.
 - Have your Academic Advisor complete the bottom portion of the *Verification of Completion Date of Program* form.
 - Make sure the advisor states the date you will complete your program of study.
 - If you are a graduate student, you must have the Graduate Studies office sign the very bottom of the *Verification of Completion Date of Program* form.
4. Provide two passport photos with a white background taken no earlier than 30-days before submission to USCIS. Most passport photos are acceptable as long as they meet the requirements below.
 - They must be un-mounted, printed on thin paper, glossy, and un-retouched.
 - The photo should show a clear, front view, full face of the customer. The customer should be in normal street attire, without hat or dark glasses against a plain white or off-white background. The customer should have a natural expression, mouth closed, and eyes open and looking directly ahead. Photos in which the face of the person being photographed is not in focus will not be accepted.
 - Your head should be bare unless you are wearing a headdress as required by a religious order to which you belong.
 - The pictures should be no larger than 1 ½ x 1 ½ inches, with the distance from the top of the head to just below the chin about 1 ¼ inches. .
5. Once you have completed steps 1-5, make an appointment to meet with the International Center. Bring all of the forms listed above along with the following items to your appointment –
 - Any previously issued work authorization card;
 - Your passport;
 - Your visa;
 - Your I-94 card;
 - Your current and valid I-20.

The International Center cannot assist you in completing your application if you do not provide all of the documents requested above.

Application processing time and mailing information

- USCIS awards OPT as a benefit to students maintaining their F-1 visa status.
- It is solely the students responsibility to complete the OPT application.
- Once the International Center receives the completed application, we reserve the right to take 5-business days to process and mail the application to USCIS. Make sure to consider this timetable when submitting your application.
- The International Center requires that the return address listed on the I-765 be that of the International Center. We will receive your OPT card and notify you that it can be picked up in our office. This is done for two reasons (1) We need to notify SEVIS that we have received your card and verify the dates of employment, (2) USCIS does not forward mail. If you change your mailing address after you submit your OPT application you run a risk of not receiving your authorization

card. Remember to give the International Center your most recent contact information so we can notify you once we receive your OPT authorization.

Once approved for Optional Practical Training there are several items to remember –

1. You must “maintain your valid F-1 visa status” while using your OPT.
2. You are required to work only in the field of study for which you received your degree.
3. You are required by USCIS to notify the International Center within 10 days of establishing employment or gaining a new US address so that your SEVIS record can be updated.
4. You are only allowed to work the dates that are specified on your OPT authorization card. You cannot begin working before the start date or after the expiration date listed on your card.
5. While on OPT, remember your F-1 status is dependent upon employment. If unemployed for an aggregate of more than 90 days the OPT benefit is terminated.

If you do not obey the rules and regulations that pertain to your OPT benefit, the benefit will be terminated by the International Center and/or USCIS.

Options available after OPT

Once your OPT is complete you have 60 days to depart the US and return home. Another option is that an employer can decide to sponsor an employee for the H1B visa. This is an employment based visa that allows you to remain in the US and work for the sponsoring employer. The employer will be able to offer counsel on the H1B visa.

As of April, 2008, if an employee is the beneficiary of a timely-filed H1B petition, there is an “cap-gap” extension that allows an employee to continue working for that employer until October 1, the annual start date of the H1B visa. For example, a person’s OPT expires on May 15 but the H1B visa does not begin until October 1, this “cap-gap” extension allows for continued employment between May 15 and October 1.

Please send all your updated information to us at hilll@winthrop.edu.

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