

F-1 Optional Practical Training (OPT) Guidance

Optional Practical Training Overview

Optional Practical Training (OPT) is 12-month work authorization available to F-1 students who are seeking employment opportunities. This training opportunity gives students the ability to gain practical training in their field of study. This work authorization gives students the ability to work off-campus and can be extended during or after completion of their program.

Types of OPT

There are two types of OPT recommended by United States University including Pre-Completion OPT and Post-Completion OPT. Pre-Completion OPT is OPT used *before* a student's program completion and includes part-time and full-time work. Meanwhile, Post-Completion OPT is any portion of OPT used *after* the student's program completion and must be full-time.

Eligibility Requirements for OPT

F-1 students at United States University must be in full-time F-1 status for at least one academic year to be eligible for OPT. Students must be seeking employment in the major field of study listed on their current I-20 form and be completing their program of study at United States University. F-1 students must be physically present in the United States at the time of application to USCIS and not have used more than 1 year of full-time CPT during their current *degree-level* [part-time does not count]. Because OPT is based on your completion date, you do not have to be employed at the time of application.

At United States University, one academic year means enrollment for consecutive:

- Summer I & Summer II – Fall I & Fall II
- Fall I & Fall II – Spring I & Spring II
- Spring I & Spring II – Summer I & Summer II

Applying for OPT

Applying for OPT is more complex because it involves both United States University (USU) and United States Citizenship and Immigration Services (USCIS) and the average timeframe from start to finish can take 3 to 5 months. In addition, the OPT application is to be submitted in a specific time-frame which adds to the complexities of applying for OPT. The following outlines the process to apply for OPT at United States University.

1. You must file an OPT application requesting a recommendation for OPT from your DSO at United States University before filing your USCIS application. You can apply for OPT up to **90 days before** and up to **60 days after** your expected program completion date.
2. You must file your USCIS full and completed OPT application within 30 days of when USU recommends your I-20 for OPT. Keep in mind that USCIS must receive your full and completed OPT application no later than **60 days after** your expected program completion date.

USU recommends that students considering OPT file as early as permitted. This prevents any delays in processing and doing so increases chances of being able to reapply if an application is rejected or denied.

Please note that any students applying for OPT after their expected program completion date, must submit their OPT application to USCIS before making any exit from the United States. If you exit the United States after your program completion without applying for OPT, you will be ineligible to return in F-1 status to apply for OPT.

Waiting for your OPT EAD Card

It can take anywhere between 2-4 months for USCIS to process your OPT application and it is not possible to expedite the process.

After mailing your OPT application to USCIS, you should receive confirmation of delivery via text or email if you completed and included the G-1145 form in your application (highly recommended). This should also include your receipt number, which you can use to check your status online.

Within 30-45 days, you will receive an I-797c receipt notice at your mailing address confirming the date of receipt and your receipt number. Keep this notice as it is your official proof that your OPT application was submitted. You may need it for travel or other purposes. If there are any errors in the receipt notice in your name, address, or application type, contact USU's DSO.

Approximately 2-4 months later you should receive an I-797 Notice of Approval letter and EAD card at your mailing address. These can come separately or at the same time. Check your EAD card to make sure all information is correct. Then, make a copy and send via email to DSO@usuniversity.edu. If you requested a social security card/ITIN, you should receive that about 2 weeks after receiving your EAD card. You cannot start working until you have received your EAD card.

Checking your OPT application status

When you receive your USCIS I-797 Notice of Action (receipt notice), go to the following website and type in your receipt number: <https://egov.uscis.gov/casestatus/landing.do>. Please take note that while your application is in process the status may stay in received status up to the approval of your application. USU strongly recommends that a student sign up for an account with uscis.gov to track their case status more closely. Remember that even if your USCIS application says approved you cannot begin work until after you have received your EAD card.

Employment Rules for OPT

During the 12 months OPT period, OPT employment must be a minimum of 21 hours per week in a job that is directly related to your degree program. Students working less than full time should keep in mind that these employment opportunities count against your 90-day unemployment period. The burden of proof is on the student to demonstrate the relationship. The types of employment allowed during the initial 12-month period of OPT include:

- Paid employment – Students may work in a job related to their field of study at least 21 hours per week.
- Self-employed business owner – Students may start a business and be self-employed. In this situation, the student must work full-time (at least 21 hours per week). The student must be able to prove that they have the proper business licenses and is actively engaged in a business related to the student's degree program.

- Multiple employers – Students may work for more than one employer, but all employment must be related to the student’s degree program.
- Employment through an agency- Students must be able to provide evidence showing they worked an average of at least 21 hours per week while employed by the agency.
- Work for hire (commonly referred to as 1099) – This is a type of employment where an individual performs a service based on a contractual relationship rather than an employment relationship. If requested by DHS, students must be prepared to provide evidence showing the duration of the contract periods and the name and address of the contracting company.
- Unpaid/Volunteer employment – Students on the initial 12-month OPT may work as volunteers or unpaid interns, where this does not violate any labor laws. The work must be at least 21 hours per week. These students must be able to provide evidence from the employer that the student worked at least 21 hours per week during the period of employment.

During the period of OPT authorization, a student should be working or actively seeking employment. If you decide to quit your job, or if you do not find a job, keep the unemployment rules in mind.

- Students on post-completion OPT may have up to 90 days of unemployment. The 90 days start counting from your *approved OPT/EAD start date* (not the recommended start date nor the program end date on your I-20) and are cumulative.
- If you accumulate 90 days or more of unemployment, you are in violation of your F-1 status. You are expected to leave the U.S., transfer to another school, or change your visa status before the 90th day.
- Approved vacation from a job does not count as “unemployment” if you are still considered an employee there.
- Jobs that are less than 21 hours per week will count towards the 90-day unemployment limit.

Federal regulations require that all employment that you engage in while on OPT be *directly related* to your United States University major field of study. As part of your OPT reporting requirements (see below), you must provide a description demonstrating a logical connection between your regular job duties and your major area of study. If USCIS calls into question the relationship between your major and job the burden of proof is on the student to provide the documentation needed to establish this relationship and ease the concerns presented by USCIS.

United States University recommends that you keep a record of all jobs worked during OPT. Information for record-keeping should be, at a minimum including, job title, duration (time frame) you were in the job, contact information for your supervisor, and description of your work. Students may have multiple jobs and change jobs as frequently as they wish during their OPT period, provided that the employment is directly related to your major and that the work requires you at least 21 hours a week or more. Although there is no special permission an F-1 student must obtain prior to making this change, students must report all changes in employer information in the SEVIS Student Portal. Should you have issues with the SEVIS Portal you may contact United States University DSO within 10 days of the change.

OPT Reporting Requirements

All students on OPT are required to report their current address and employment information within 10 days

of accepting a role or changing roles to another institution. They are also required to report if they end their OPT early and are currently seeking new job opportunities. The following information must be reported to United States University during post-completion OPT of authorization within 10 days of any changes:

- Your residential address
- Your phone and email address
- Employer's name
- Employer's address
- Job and role changes
- Start and/or end dates of employment
- Any periods of unemployment
- Date of exiting the United States (This must be provided if you decide to exit the U.S. and complete your OPT status prior to the end date of your OPT).
- If your visa status changes while on OPT.

Contact the DSO for more assistance when a change happens. DSO's can be reached at DSO@usuniversity.edu.

Traveling while on OPT

You may travel during the OPT application process, but it is not recommended as it poses certain risks.

You will need the appropriate documents to re-enter the United States. F-1 students on post-completion OPT at USU may travel outside the United States temporarily and be readmitted to resume F-1 status and employment for the remainder of the period authorized on their EAD card.

However, the student must not exceed the maximum OPT unemployment time.

During the OPT application process you will need to make sure you have the following:

- Someone that you trust must monitor your mail and let you know if you receive any communications from USCIS.
- If you receive a Request for Evidence, you will need to respond by a specific deadline, which could be difficult if you are outside the country.
- For post-completion OPT: If you are denied for OPT while outside the United States after your program completion date, you will not be able to re-enter or reapply. Your F-1 status will end immediately.
- If you are approved for OPT and you receive your EAD card, you will need to plan to have your EAD card be sent to you in order to re-enter the United States.
- If your F-1 visa expired, you will need to reapply for an F-1 visa with your EAD card and proof of employment.

F-1 Student Optional Practical Training Application

F-1 Student Information	
Choose one:	<input type="checkbox"/> Post-Completion OPT <input type="checkbox"/> Pre-Completion OPT
First Name	
Last Name	
USU Student ID:	
SEVIS ID Number:	
I-20 Program End Date:	
Current U.S. Residential Address	
City	
State	
Zip code	
Email you'll use after graduation	
U.S Phone Number	
<p>To participate in OPT you must be engaging in training opportunities that directly align with your major field of study. In the space provided, a description of the type of work that you are seeking and provide at least <u>two</u> sample job descriptions of positions that align with your search.</p> <div style="border: 1px solid black; height: 150px; width: 100%; margin-top: 10px;"></div>	

F-1 Student Responsibilities

I declare and affirm under penalty that the statements and information made herein are true and correct to the best of my knowledge, information, and belief. By signing this application, I confirm the following is true:

- That you have reviewed the *F1 Optional Practical Training (OPT) Guidance* and understand the rules, regulations, and requirements of the OPT program at United States University
- That you have received a copy of the opt-tutorial and understand that you must file a completed OPT application with USCIS no later than thirty days after the new I-20 authorization is issued.
- That you understand upon obtaining a full-time position in your field that you will send an official job description and offer letter on company letterhead in part of maintaining your SEVIS record at USU.
- That you understand that you must report any changes outlined in *F1 Optional Practical Training (OPT) Guidance* within 10 days of the change using the Student SEVIS Update Form OPT.
- That you understand that you are solely responsible for submitting a proper and timely OPT application to USCIS and for maintaining your F-1 student status during OPT.

I have reviewed, understood, and will adhere to this agreement. I agree to assume the responsibilities outlined in this *Optional Practical Training application* for the duration of my OPT authorization.

 F-1 Student's Printed Name

 F-1 Student Signature

 Date

Academic Program Information (Office Use Only)

Academic Program of Study

When is the student expected to complete all degree requirements?

Semester: _____ Year: _____

Will the student have completed all coursework requirements prior to starting OPT?

-
- Yes
-
-
- No

(P)DSO Attestation Statement

I confirm that the information provided in this section is true and accurate to the best of my knowledge. I would like to recommend that this student be allowed to obtain Optional Practice Training to secure a position in their field of study.

(P)DSO Printed Name

(P)DSO Signature

Date