



# Optional Practical Training

## F-1 Status

### I . BEFORE YOU APPLY

#### ***What is Optional Practical Training?***

OPT is a type of employment opportunity which allows F-1 students to obtain work experience in areas related to their academic major. Total of 12 months of OPT available per education level (e.g. Bachelor's, Master's, Doctorate) This is full time and may occur anywhere in the United States. In order to be on OPT you need to obtain an Employment Authorization Document (EAD card).

- While on Optional Practical Training, individuals are still considered F-1 students at Lewis University, even though they may be working elsewhere in the United States.

#### ***Am I Eligible for Optional Practical Training?***

- The employment must be directly related to your major field of study and it must be appropriate for someone having your level of education.
- You must have been in lawful status for at least 9 months (1 academic year).
- You do not need a job offer to apply for OPT
- You may not pursue a new course of study (degree program) while on OPT.
- You must still have OPT time available. If you have used more than 12 months of full time CPT you are not eligible.
- ESL students are not eligible for OPT.
- **12 months must be used within 14 months of completion of course of study.**

#### ***Types of Employment***

- **Multiple employers:** You may work for more than one employer, but all jobs must be related to your field.
- **Work for hire:** Commonly referred to as 1099 or Independent Contractor Employment; keep evidence of the duration of contract periods and the name and address of the contracting company.
- **Self-employed business owner:** You can start a business or be self-employed while on OPT. You should be able to

prove that you have the proper business licenses and that it is related to your degree program.

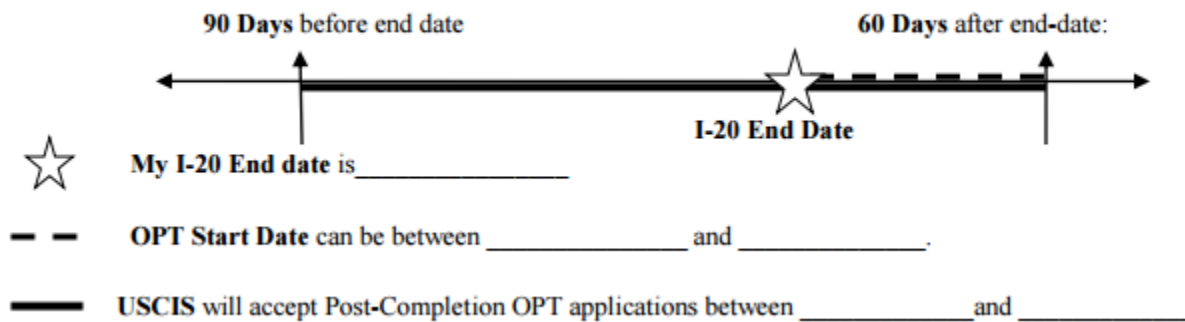
- Employment through an agency or consulting firm is also allowed.
- **Unpaid Employment:** You may work as a volunteer or unpaid intern, where this practice does not violate any labor laws.

## II . APPLICATION

### **Application Timeline: When should you apply?**

**Pre-Completion OPT:** Apply 90 days before your requested job start date

#### **Post-Completion OPT Timing Chart**



### **How Do I Apply for Optional Practical Training?**

**Step 1:** Make an appointment with the international student advisor

Please bring the following to your appointment:

1. Completed Academic Advisors Recommendation Form - it is very important that you have met with your advisor and discussed your final requirements for graduation and they know of your intention to do post completion of OPT
2. A copy of both sides of your I-94 card
3. A copy of the ID pages of your passport (picture and information pages, visa page -must be readable)
4. A copy of any I-20 that you have ever had
5. A cashier's check or money order made out to Department of Homeland Security: United States Citizenship and Immigration Services for the form filling fee:

The filing fee for Form I-765 is \$410, effective 12 a.m. Eastern U.S. time, December 23, 2016. You must also pay an \$85 biometric services fee, for a total of \$495, if you are:

- Requesting consideration of Deferred Action for Childhood Arrivals (DACA);
- A beneficiary of an approved employment-based immigrant petition and you are facing compelling circumstances; or
- A spouse or unmarried dependent child of a beneficiary of an employment-based immigrant petition who is facing compelling circumstances.

There is no biometric services fee for any other eligibility category.

6. Two passport style photos (frontal/ face forward) -no older than 30 days

At the appointment we will:

1. **Complete form I-765.** Please download and fill out the form via:  
<https://www.uscis.gov/sites/default/files/files/form/i-765.pdf> (**Note:** For number 16, please fill with (C) (3) (B) )
2. Choose employment dates and issue new OPT I-20 3. Issue a new I-20
3. Issue a new I-20

**Suggested items:**

- Previous Employment Authorization Document (EAD), if applicable
- Offer letter from your proposed OPT employer
- Evidence of approval of change of status if you entered the USA in another non-immigrant visa category. Do not submit if you subsequently left the USA, obtained an US F-1 visa stamp, and re-entered the USA in F-1 status.

***What will the International Student Advisor Do?***

First, the advisor **will shorten your program end date** on your current I-20 to match your upcoming graduation date. Next, OPT will be requested and a new SEVIS I-20 will be issued. Both page 1 and the bottom of page 3 will be signed as required by USCIS at the printing of this information (June 2008). We will go over all your paperwork to make sure the OPT application packet is complete (Your new I-20, OPT request will be included in that packet).

**Step 2:** Mail by Express Mail and Courier Service with return receipt requested to:

**US Citizenship and Immigration Services (USCIS)**

Attn: AOS

1 820 E. Skyharbor Circle S.

Suite 100

Phoenix, AZ 85034

**Step 3:** In about 2-3 weeks you should receive a receipt notice (I-797) in the mail. (See attached example)

**Step 4: IMPORTANT** - Once you have received your EAD card in the mail (about 90 days later), make sure to bring it into International Student Services so a copy can be kept in your file.

### III. POST-COMPLETION OPT TRAVEL

#### **While OPT is PENDING**

**Before** Program End Date:

You can travel normally as an F-1 student. **NOTE:** Contact employer if applying for H-1B.

**After** Program End Date:

- It is not advisable to travel outside the U.S. prior to receiving your EAD card and securing employment.
- EAD cards will **NOT** be sent overseas, and an EAD card is required for re-entry.
- You can remain in the U.S. if your F-1 visa has expired. If you will travel in and out of the US while on OPT, you must have a valid F-1 visa.
- If your F-1 visa will expire before you re-enter, you **must** apply for a new visa at a U.S. Consulate or Embassy abroad PRIOR to your return.
- After your program end date, you will need proof of employment to show you are returning to the U.S. to resume employment appropriate for OPT.

#### **Once OPT is APPROVED (You Have the EAD)**

In addition to your regular travel documents (valid passport, valid F-1 visa, I-20 with OPT recommendation and travel signature less than **6 month** old), you will also need:

- Valid EAD Card (Your card will say “**no valid for travel**”, meaning it cannot replace a valid visa)
- Job offer letter or letter of employment verification from your current employer.

**NOTE:**

- Without your EAD **and** proof of employment/job offer, you assume a risk in re-entering the U.S. while on OPT.

- Please consult with an ISS advisor prior to traveling outside the U.S.

### ***F-2 Dependents - Travel Outside the U.S.***

In addition to their own Form I-20 ---with updated travel signature, passport and valid F-2 visa, F-2 dependents should keep **copies** of the F-1 documents listed above.

## **IV. STEM EXTENSION**

- The STEM Extension is a **one-time**, 24-month extension that students in Science, Technology, Engineering, and Mathematics are eligible to apply for.
- STEM must occur **after** regular post-completion OPT; application must be filed **before** OPT expires
- Employers must be E-Verify

*Notes: For more information of STEM extension, please find out the document on ISS website.*

## Frequently Asked Questions

- How do I fill out the I-765 Form?
- Check first box "permission to accept employment;" fill out lines I through 15; sign and date under "certification."
- #10 in most cases you will use your I-94 number found on the I-94 card that you received when you entered the US (small white card in your passport).
- #11 you must check yes if you have previously applied for work authorization at this or any other institution.
- # 16 this section is already filled out for your: (C) (3) (B)
- #17 can be ignored if you entered (C) (3) (B).
- Remember to sign and date the I-765.

### **Can I travel abroad while on Optional Practical Training?**

Yes, but there are some risks involved. You must have a valid BAD and an I-20 authorized for practical training in order to re-enter the US while you are engaged in practical training (or while you are looking for a job, in F-1 practical training status). The I-20 must have been signed within the last 6 months in order to re-enter in Practical Training status. If your F-1 visa stamp in your passport has expired, please be sure to speak to an adviser at the ISS before you finalize your travel plans. It is extremely difficult for students from certain countries to obtain another F-1 visa once they are on practical training.

The risk of denial of an application for a renewed visa stamp for Optional Practical Training is higher if you are in OPT than while you are an active F-1 student pursuing a full course of study, as it may be seen as an intent to apply for permanent residence. The F-1 student visa requires that the applicant must intend to return to the home country at the end of the program, and if the embassy official is not convinced of your intention to return home, your visa application will be denied and you may not be able to return to the United States.

If you decide to take the risk, you will need a valid passport, the SEVIS I-20 endorsed by the ISS within the last 6 months, the BAD card, and if you are employed under OPT, and an official letter of offer of employment showing salary, location, job duties, and beginning date as well. You should only take a letter if the job is truly temporary and will end before or by the end of your practical training time. You should also be prepared to discuss how this job experience will apply to the job market in your home country, and how you intend to apply it there.

Please note: Officially, if you have an Optional Practical Training application pending with the INS, you are not supposed to leave the country or the INS may consider this departure as an abandonment of the application. Therefore, the ISS's official recommendation is that you DO NOT travel outside of the US while your OPT application is pending.

### **Can I wait to apply for OPT until after I graduate?**

No. The Immigration regulations changed in January 2003. F-1 students must now apply for OPT before the end of their last semester and prior to the last day of classes. If you do not apply on time, you will lose your eligibility for OPT.

### **Do I need to have a job to apply for optional practical training?**

Although you do not need to have a job offer before applying for optional practical training, you will need to secure a position no later than 90 days from beginning your OPT. Also, if you are applying for optional practical training during your course of study or vacation periods, you will want to either have a job offer or a firm job prospect because periods of optional practical training can not be rescinded once the period requested has been authorized. Secondly,

### **How will I know if the practical training application has been approved?**

You will receive from the USCIS a small photo identification card, called an Employment Authorization Document. This card will state the type and length of the period of employment authorized. When you receive this card, check to make certain all the information is correct. USCIS processing time is on average **three months**.

### **Can I begin working before I receive the Employment Authorization Document?**

You may **not** begin employment before you receive your BAD from INS; working before the INS has authorized practical

training constitutes illegal employment that will jeopardize your legal status in the USA.

**Will I have to pay U.S. taxes for income earned while on practical training?**

In general, F-1 students who have been in the U.S. for five or less calendar years are exempt from social security (FICA) and Medicare taxes. You should be sure to bring this to the attention of your employer, as many employers are not familiar with this provision of the tax law. You will be subject to all other taxes that may apply: federal, state and local. You should check to see if your country is one of the few that has a tax treaty with the U.S. allowing students to exclude a limited amount of earned income from federal taxation.

**How did the process for OPT change under the new SEVIS system?**

In making a recommendation for Optional Practical Training under SEVIS (The Student and Exchange Visitor Information System), the DSO (Designated School Official/ISS) will update your student record in SEVIS as having been recommended for optional practical training. The DSO will indicate in SEVIS whether the employment is to be full-time or part-time, and note in SEVIS the start and end date of employment. The DSO will then print the employment page of the student's SEVIS Form I-20, and sign and date the form to indicate that Optional Practical Training has been recommended on **both the first and third pages.** The student must file with the USCIS service center for an Employment Authorization Document on Form I-765, with fee and the SEVIS Form I-20 employment page indicating that Optional Practical Training has been recommended.

\*\*\*As of **April 9, 2008**, a new Form I-765 is now required and is available on the USCIS website at: <https://www.uscis.gov/i-765>. The prior version of the form is *no longer accepted* as of May 8, 2008. The new eligibility code for an F-1 student seeking optional practical training (OPT) is (C) (3) (B) for post completion OPT or (c) (3) (A) for pre-completion OPT. Also, you are **limited to the period of unemployment you may experience in order to maintain legal status. Students may not accrue an accumulated time of more than 90 days of unemployment. If more than 90 days is accrued, a student will be considered out-of-status and must apply for a change of status or leave the country. Any future benefits will be Affected**

Because you can have only one valid SEVIS I-20 at a time, it is important if you intend to change educational levels, or attend school, while working under your OPT, that you instruct your DSO not to issue you a new SEVIS I-20 for the level change or the school transfer while you are still working on OPT. Under the new Immigration regulations, your authorization to engage in OPT will be terminated automatically when you transfer your I-20 to another school or begin study at another educational level for which a SEVIS I-20 has been issued.



**ACADEMIC ADVISOR'S RECOMMENDATION FORM**

**FOR F-1 OPTIONAL PRACTICAL TRAINING**

This form provides the information required by the U.S. Bureau of Citizenship and Immigration Services (formerly the INS) for the granting of employment for practical training to an international student. The student's academic adviser must complete and sign this entire form. Questions can be directed to the ISS Assistant Director. Thank you for your assistance.

**Part I to be completed by the student**

Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ Middle Initial: \_\_\_\_\_  
ID Number: \_\_\_\_\_ DOB (mm/dd/yyyy): \_\_\_\_\_

**Part II to be completed by the Academic Advisor**

Advisor's Name: \_\_\_\_\_ Title: \_\_\_\_\_  
Department: \_\_\_\_\_ College/School: \_\_\_\_\_  
E-mail: \_\_\_\_\_ Phone: \_\_\_\_\_

1. When do you anticipate this student completing his or her studies at Lewis University?  
(Please fill in the date and check on of the following)

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_

- Graduation/Conferral of Degree Date
- Completion of semester/last day as registered student
- Other: \_\_\_\_\_

Please Note: An international student must be registered full time to maintain legal F-1 visa status.

2. It is required that the adviser describe the type of employment the student is seeking.  
3. To the best of your Knowledge, is this type of employment experience related to the student's field of study and appropriate to the student's educational level?

- Yes
- No

4. Advisor's signature, Date.

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_

Return to: Michael Fekete, Director of International Student Services Office, Lewis University Parkway, Unit #280, Romeoville, IL 60446-2200