Optional Practical Training for F-1 Students

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Important Terms

- **DSO**: Designated School Official – OU international student advisor
- **USCIS**: US Citizenship and Immigration Services
- **OPT**: Optional Practical Training
- **EAD**: Employment Authorization Document (card)
Optional Practical Training (OPT)

**Definition**

- Temporary employment authorization granted by USCIS for practical training that is directly related to the student’s major area of study.

- OPT can be taken during annual summer vacation, part-time during regular school session, after completion of course requirements or after completion of course of study.
## OPT Facts

<table>
<thead>
<tr>
<th>Precondition</th>
<th>Enrolled fulltime for one academic year (fall and spring semesters)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Approval</td>
<td>All OPT must be approved before work begins</td>
</tr>
<tr>
<td>Field</td>
<td>Must be directly related to a major indicated on the I-20. It is the student’s responsibility to verify.</td>
</tr>
<tr>
<td>Duration</td>
<td>The equivalent to 12 months of fulltime employment possible initially, additional 24-month extension possible for eligible STEM graduates</td>
</tr>
<tr>
<td>Employer</td>
<td>A student does not need to obtain employment before making application</td>
</tr>
</tbody>
</table>
## Types of OPT

<table>
<thead>
<tr>
<th></th>
<th>Pre-Completion OPT</th>
<th>Post-Completion OPT</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Enrollment</strong></td>
<td>Must maintain fulltime enrollment during employment (unless OPT is during the summer)</td>
<td>No enrollment requirement during OPT</td>
</tr>
<tr>
<td><strong>Hours per week</strong></td>
<td>Must be part time during the fall/spring semesters</td>
<td>After degree completion all OPT employment must be full time</td>
</tr>
<tr>
<td></td>
<td>Can be fulltime during the summer break</td>
<td></td>
</tr>
<tr>
<td><strong>Duration</strong></td>
<td>Time of pre-completion OPT used deducts from the amount of time that can be applied for in Post-Completion OPT (part time employment deducts from Post completion at 50%)</td>
<td>The equivalent of 12 months of fulltime employment initially, with the option to apply for a 24-month extension for STEM graduates</td>
</tr>
</tbody>
</table>
## OPT Eligibility

<table>
<thead>
<tr>
<th>Pre-Completion</th>
<th>Post-Completion</th>
</tr>
</thead>
<tbody>
<tr>
<td>As full-time, pre-completion OPT (20+ hours/week) during summer vacation</td>
<td>In final semester of degree program (undergraduates: last day of semester; graduate students: defense date, or last day of semester in which defense took place)</td>
</tr>
<tr>
<td>As part-time, pre-completion OPT in fall or spring semesters (20 hours or less per week). Minimum enrollment requirements apply!</td>
<td>In final semester that you complete all course requirements for the degree, excluding research hours (I-20 cannot be extended if degree is not completed by the end of the OPT)</td>
</tr>
</tbody>
</table>
Post-Completion OPT:

When to Apply

• We recommend that you apply for post-completion OPT before you graduate – beginning 90 days prior to degree completion

• You can apply for post-completion OPT up to 60 days after graduation
  • Applying for OPT after graduation may cause you to lose weeks of work authorization. USCIS processing takes approximately 90-100 days.

• Your completed OPT application packet must arrive at the USCIS adjudicating office within 30 days of the OPT I-20 creation date. Failing to submit your application within this timeframe may result in a denial of your request.
Post-Completion OPT:

Determine your start date!

• Post-completion OPT must begin after your degree completion date.

• Last possible date to start OPT: 60 days after degree completion

• Indicate your preferred OPT start date in the online OPT I-20 Request form on the ISS website.
Important information for graduate assistants

If you choose a completion date that is mid-semester or NOT the end of the regular semester:

• You **must not** continue any employment, paid or unpaid, on campus after your completion date
• You **may no longer be eligible** for tuition waiver as of your completion date.
• You **may be required** to pay back your tuition waiver.
• You will **not be eligible** for on-campus employment after that date
• You will **not be eligible** to continue graduate assistant appointments after that date
• The only way to avoid these complications is to **SELECT THE PROGRAM COMPLETION DATE THAT IS THE END OF THE SEMESTER.**
What are the OPT reporting requirements?

- Student must report US employer work address and personal address to OU ISS
- Student must report start and end dates of any period of unemployment to OU ISS
- Information is reported in SEVIS by OU ISS
- 90+ days of unemployment = F-1 status violation
  - If you are in a STEM degree, and you have exceeded the 90 day employment regulation, you will not be eligible for the 24-month STEM extension.
- US employer must report to OU ISS the departure of F-1 student within 48 hours
- Student must report employment and address changes by filling out the OPT Employment and Address Report form on the ISS website
FREQUENTLY ASKED QUESTIONS
FAQ 1
Do I need to obtain employment before applying for OPT?

No.

A student does not need to obtain employment before making application for OPT.
FAQ 2
Can I withdraw or change my OPT application?

This depends on many factors.

- It is difficult to change start date of the OPT application after submission.
- Cannot cancel OPT once EAD card is in production
- If you choose to withdraw your OPT application, your I-20 must be extended to a new program completion date.
- Can take months to resolve on-campus employment and status issues
- Must pay USCIS OPT application fee again if you reapply later

*Due to F-1 status issues and cost to student, we urge students to choose a firm degree completion date and OPT start date.*
FAQ 3
Can I study while on OPT?

YES, if...

• Remaining requirements, such as a thesis or dissertation, for a current degree program

• A required course that you were unable to take (or failed) in your final semester of your degree program

• If not related to degree on OPT I-20, the study must be part time.
FAQ 4
Can I change employers during OPT?

Yes.

• ALL employment must be directly related to the field of study on the I-20.

• Report change of employment to OU ISS within 10 business days.
FAQ 5
Can I travel out of the US while on OPT?

Yes.

• OPT = F-1 Status

• Take the following with you:
  ✓ I-20 signed for travel by OU DSO
  ✓ EAD card
  ✓ Valid passport
  ✓ Valid F-1 visa
  ✓ Employment confirmation letter (optional but recommended)
FAQ 6
Do I get a grace period after I complete OPT?

Yes.

• 60-day grace period following the completion date of OPT.

• During your grace period you need to either: change immigration status, obtain an I-20 for a new degree program, or depart the US.

• You are NOT work-authorized during the grace period.
FAQ 7
Can I apply for OPT at a later date/extend my work authorization?

You MAY be eligible for additional work authorization.

- 12 full months of full-time OPT per degree; subsequent degrees must be at higher degree level.

- STEM graduates may qualify for an additional 24 months of authorization.

- F-1 students with H-1B receipt notice or approval notice may apply for an extension to October 1.
FAQ 8
Do I have to hold a job during the entire length of my OPT?

No.

• The Federal Regulations allow for up to 90 days of unemployment.

• This is a cumulative amount and can be accrued throughout the period of OPT.

• Please make sure that you update the OU ISS office anytime you start or finish a period of unemployment.
OPT APPLICATION
PROCEDURE
STEP 1

Pay the $100 OPT fee online

Payments can be made through the ISS website.
STEP 2

Fill out the OPT I-20 Request form on the ISS website

Once you receive your I-20 from the ISS office.....
STEP 3

Mail your application to USCIS

In your application, include the following.....
In order to apply for OPT, you must mail your application to USCIS for processing within 30 days of the creation of your I-20. ISS does not mail this application on your behalf.

When you mail your application to USCIS you must include:

- Completed I-765 form
- I-20 (copy)
- Passport (copy)
- Visa (copy)
- I-94 record
- 2 passport photos
- Personal check or cashier’s check for 380.00 payable to Department of Homeland Security
- If applicable, prior EAD (copy)
Notes on OPT application procedure

• US mail will NOT forward immigration documents or USCIS receipt notice.

• With your receipt number you can track your application status on [www.uscis.gov](http://www.uscis.gov).

• DO NOT begin employment until you have the EAD and the start date is current (pre-completion and post-completion OPT).
  • OPT employment authorization is strictly regulated under US federal immigration law. Working before the OPT start date on your EAD is a serious visa violation and can result in a loss of status.
ADDITIONAL INFORMATION
F-1 to H-1B status

Key Concepts:

F-1
- OPT 5/18/2016-5/17/2017
- OPT = F-1 status

H-1B
- For-profit US employers can submit H-1B petitions starting April 1
- Approved H-1Bs with for-profit employers have a start date of October 1

“Cap gap”
- Request cap gap extension of OPT from OU ISS as soon as you have H-1B receipt notice!
- Cap gap extension extends work authorization to Sept. 30

There is an OU fee of $100 for OPT “cap gap” extensions and $200 for OPT STEM extensions. This fee is for the maintenance of your SEVIS record while on the OPT STEM extension.
What is the “cap gap”?

- H-1B visa = most common employment-based visa in the US

- 65,000 new H-1Bs available each year (the “cap”) – limited by US Congress

- For-profit companies can submit H-1B visa applications starting April 1 each year.

- Non-profit companies are not subject to the H-1B cap (hospitals, universities, etc.). Can submit H-1B petitions at any time.

- H-1B visas begin on October 1 (for-profit companies; start of federal fiscal year).

- OPT frequently ends before October 1, creating a “gap” in the work authorization and visa status.

- The H-1B “cap gap” is now eliminated by extending OPT employment and status for those who are beneficiaries of an H-1B petition with an October 1 start date.
Transition from [F-1 student] to [H-1B employee] – example timeline

- F-1 student graduates! 9 May 2015
- OPT starts 10 Jul 2015
- H-1B petition submitted 1 Apr 2016
- H-1B receipt notice issued 3 Jun 2016
- 10 Jun 2016 – student contacts OU ISS for cap gap extension
- Cap gap extension of OPT: 9 July 2016 to 30 Sep 2016
- Initial OPT ends 8 July 2016
- H-1B starts 1 Oct 2016
STEM degrees

12-month limit on OPT extended by 24 months, for a total of 36 months for certain students who have completed STEM degrees in the US ONLY.

**STEM fields include but are not limited to:**

- Actuarial Science
- Computer Science Applications
- Engineering, including Chemical Engineering
- Engineering Technologies
- Biological and Biomedical Sciences
- Mathematics and Statistics
- Military Technologies
- Physical Sciences
- Science Technologies
- Medical Scientist (MS, PhD)

Please refer to SEVP STEM major list for a complete list [here](#).
YOU HAVE COMPLETED THE OPT WORKSHOP!

Please proceed to the OPT quiz.

Please contact the OU ISS office if you have any further questions.