



Optional Practical Training (OPT) is a benefit available to F-1 students offering them temporary employment in a position that is directly related to the student's major area of study. Standard OPT may be authorized for a maximum aggregate period of 12 months per educational level. A student becomes eligible for another 12 months of practical training when he/she changes to a higher educational level (e.g. master's following bachelor's degree or Ph.D. following master's degree).

Types of OPT

An F-1 student may be eligible for the following types of OPT:

- 1) During the student's annual vacation and at other times when school is not in session, if the student is currently enrolled, and is eligible for registration and intends to register for the next term or session
- 2) While school is in session, provided that practical training does not exceed 20 hours a week while school is in session
 - o *OPT during options 1) and 2) is considered pre-completion OPT*
 - o *Please discuss pre-completion OPT guidelines with your International Visitor Advisor (IVA)*
- 3) After completion of all course requirements for the degree (excluding thesis or equivalent), if the student is in a bachelor, master, or doctoral program
 - o *OPT during option 3) may be considered pre-completion or post-completion OPT*
 - o *Academic policy may prohibit students from engaging in full-time employment while completing your thesis or equivalent. Please discuss this issue with your appropriate Dean and Academic Advisor.*
 - o *Please discuss the consequences of applying for pre-completion versus post-completion OPT with your IVA.*
- 4) After completion of the course of study
 - o *OPT during option 4) is considered post-completion OPT*

Eligibility

- Student must have been in lawful status and enrolled on a full-time basis for one full academic year.
- A job offer is not required to apply for OPT; however, if granted, work done during the authorized period of OPT must be directly related to the student's major area of study.

OPT Start/End Dates

For standard post-completion OPT, a student may not request a start date that is more than 60 days after the student's program end date. The requested end date for post-completion OPT cannot be more than 12 months after the requested start date. All standard post-completion OPT must be completed within the 14-month period following the completion of study.

Program End Date: Prior to applying for OPT, a student's program end date will be shortened in the Student and Exchange Visitor Information System (SEVIS) to reflect a new expected completion of studies or graduation date (whichever comes earlier) as determined by the student and the Assistant Dean of Academic Affairs/Director of Student Affairs. The program end date will not be shortened if it corresponds with the date of completion/graduation determined by the student and Assistant Dean of Academic Affairs/Director of Student Affairs.

Academic Program Completion: A student must be approved for an extension if he/she is not able to complete all coursework or have a formal graduation by the revised expected completion date on the Form I-20. If a student is not granted an extension of stay prior to the expected completion date on the Form I-20, the student will be considered out of status and thus ineligible for OPT. Applying for or being granted OPT does not extend the period of time that a student has been authorized to complete his/her academic program. If a student does not

complete all coursework or graduate by the program end date on his/her Form I-20, he/she will be out of status and will lose the OPT benefit.

Application Process

Step 1:

The following documents must be submitted to the Office of International Affairs (OIA) in order to determine eligibility for OPT. If you are at a Regional Campus, these documents must be submitted to the Regional Coordinator who will forward them to OIA:

- 1) Completed and signed **OPT Request Form**
- 2) Completed and signed Form I-765 Application for Employment Authorization marked with the proper code of (c)(3)(A) for pre-completion OPT or (c)(3)(B) for post-completion OPT at Question 16.
 - o Form I-765 can be downloaded at the U.S. Citizenship and Immigration Services website (USCIS) website www.uscis.gov
- 3) Copy of all previously issued Form I-20(s)
- 4) Two copies of valid passport I.D. page(s) to include expiration date and renewal page, if applicable
- 5) Two copies of visa stamp (unless exempt from visa requirements)
- 6) Two copies of Form I-94 (front and back)
- 7) Copy of all previously issued Employment Authorization Document(s) (EAD), if applicable
- 8) 2 passport style photos meeting specifications detailed on U.S. Department of State website (http://travel.state.gov/passport/guide/composition/composition_874.html) with name, date of birth, and A# (if applicable) lightly printed in pencil on the back of each photo
- 9) Filing fee of \$340.00 in the form of a check, money order, or cashier's check made payable in U.S. dollars to USCIS

Step 2:

After reviewing all documents provided and the student's records and immigration history, if your IVA has determined that you are eligible for the OPT endorsement, a new I-20 will be processed for you. Your IVA will then contact you to return to OIA to sign the Form I-20. If you are at a Regional Campus, the Form I-20 with OPT endorsement will be sent to the Regional Coordinator who will then contact you to sign the Form I-20.

Step 3:

A copy of the Form I-20 will be once you have signed it. The original Form I-20 will be returned to the student and the copy will be included with the OPT application that is mailed by your IVA to USCIS.

Note:

- An I-765 for standard post-completion OPT can be filed up to 90 days before the program end-date and up to 60 days after the program end-date, provided that it is filed within 30 days of the date your IVA enters the OPT recommendation into SEVIS.
- It will take a minimum of 90-120 days to process the I-765 application once USCIS receives all required documents. After your OPT application has been approved, your EAD will be sent directly to the address listed on the I-765 application. If your address changes while your application is pending with USCIS, you will need to call USCIS customer service at 1-800-375-5283 in order to report the change of address and update the address on the pending application. Although calling customer service updates the address on your pending case, it does not meet the legal requirement of completing an AR-11 Change of Address form. The AR-11 must be completed and submitted to the Department of Homeland Security (DHS), and you must notify your IVA of any changes to your address within 10 days of your move by completing and signing the **Change of Address** form and then submitting it to your IVA.

Step 4:

If granted OPT, it is mandatory that you present your original EAD to OIA. If your current location at the time of your OPT approval is outside of the Houston area, a certified copy of your original EAD must be faxed, scanned, or mailed to OIA.

Note:

Under no circumstances may the F-1 student participate in OPT (paid or unpaid) until:

- 1) IVA has recommended OPT using SEVIS
- 2) USCIS adjudicates the OPT request
- 3) EAD is received by the student
- 4) Student presents original EAD to IVA
- 5) Dates of authorized OPT are current
- 6) Employment is in student's major area of study

Changes to OPT

A change in the OPT start and end dates could occur if the student was not able to complete his/her academic program by the program end date on his/her Form I-20. *Students must meet with his/her IVA if their anticipated OPT start and end dates will change.* A student who has been issued an EAD by USCIS for optional practical training following the completion of a course of study or graduation but fails to complete the degree, continues in lawful status provided an extension of stay is authorized in SEVIS prior to the program end date and the student does not begin full-time employment until he/she completes his/her course of study or graduates. It is important to note that even if a student's program end date is extended, because the OPT was granted as post-completion OPT; the student is still subject to the 90 day limitation on unemployment.

STEM Extension

Effective April 8, 2008, F-1 students that have received a bachelor's, master's, and/or doctoral degree in certain STEM (science, technology, engineering, mathematics) fields can apply to U.S. Citizenship and Immigration Services (USCIS) for a one-time 17 month extension of an initial post-completion OPT employment authorization thereby extending OPT to a total of 29 months. For more information regarding the 17-month STEM OPT extension and to determine eligibility, please discuss the **OPT STEM Extension Information** handout with your IVA.

H-1B Cap Gap Extension

The term cap gap refers to the period of time between the date that an F-1 student's period of authorized stay (including authorized periods of post-completion OPT and grace period) has expired and October 1. A cap gap occurred when an F-1 student was the beneficiary of a successful H-1B petition, but his/her F-1 status ended before his/her H-1B status began. The *cap gap extension* refers to the period of time which an eligible F-1 student's status is automatically extended to bridge the gap between the end of the student's F-1 status and the start of his/her H-1B status. If the student is in a period of authorized post-completion OPT on or after the date the student becomes eligible for the extension, the student's post-completion OPT is automatically extended. Your IVA is not responsible for initiating any actions in connection with a cap gap extension; however, students may request that their IVA issues them a new Form I-20 which shows the dates of the cap gap extension.

Student Reporting Requirements

OIA is responsible for maintaining the SEVIS record of all students recommended for OPT for the duration of the time that practical training is authorized. The Student and Exchange Visitor Program (SEVP), within DHS, has requested that schools ensure the accuracy of certain information in SEVIS for all students currently completing OPT. In order to comply with U.S. immigration regulations, it is the responsibility of the student to inform his/her IVA of any:

- Legal changes to his/her name within 10 days of the change;
- Change of address within 10 days of the change;
- New employment to include the employer's name, address, and begin date of employment;
- Changes in the name and/or address of employment;
- Duration of time not employed; and,
- Changes in immigration status

If any of the changes above occur during the time that you have been approved for OPT, you are obligated to report these changes by completing and signing the **OPT Student Reporting Requirement** form and returning it to your IVA to ensure timely and accurate reporting and maintenance of SEVIS data integrity.

Note:

- Students on cap-gap extensions must continue to report all changes to the above information.
- Immigration regulations mandate that students approved for the 17-month STEM OPT extension complete the **OPT Student Reporting Requirement** form and return it to his/her IVA every six months starting from the date the STEM extension starts and ending when the student's F-1 status ends or STEM extension ends, whichever comes first. Student are required to complete this form every six months regardless if there are any changes to the information provided from previous reporting.

Unemployment

During post-completion OPT, F-1 status is dependent upon employment. Students may not accrue an aggregate of more than 90 days of unemployment during any post-completion OPT carried out under the initial post-completion OPT authorization 8 C.F.R. § 214.2(f)(10)(ii)(E). Although a job offer is not a required element for recommendation for OPT by OIA or for approval of an EAD by USICS, if unemployed at the time of OPT starts, a student must be able to show evidence to DHS that he/she has been actively seeking employment for the duration of the time that training is authorized. Such documentation could include a list of employers contacted, résumés sent, time spent researching companies, and/or interviews conducted. It is recommended that students maintain this evidence as it is part of his/her immigration history.

Travel

F-1 Students With Pending Post-Completion Optional Practical Training (OPT) Application: F-1 students whose post-completion OPT application is pending may travel abroad and re-enter to search for employment. In addition to complying with OIA requirements and federal immigration regulations regarding travel, F-1 students with a pending application must present to the immigration inspector at the port of entry the original I-765 receipt notice (Form I-797) sent from. Prior to departing the U.S., students must follow the procedure detailed in the **Travel Instructions** form.

F-1 Students Granted Post-Completion Optional Practical Training (OPT): An F-1 student approved for post-completion OPT who travels outside the U.S. temporarily (i.e., less than 5 months) can be admitted to resume employment for the remainder of the period authorized on his or her EAD card. In addition to complying with OIA requirements and federal immigration regulations regarding travel, F-1 students approved for post-completion OPT must present the following documents to the immigration inspector at the port of entry:

- 1) Original Form I-20 endorsed by IVA prior to travel
 - o Travel endorsement must be dated within the preceding 6 months.
- 2) Original F-1 OPT Employment Authorization Document (EAD)
- 3) Evidence of having employment related to the F-1 OPT benefit and student's degree program
 - o If F-1 student was not employed at the time of departure from the U.S., the student must have a written job offer from his or her future employer to present to the immigration inspector.

Prior to departing the U.S., students must follow the procedure detailed in the **Travel Instructions** form.

I have read the above information; have been advised of the benefits and restrictions of OPT; and, I understand my obligations regarding the completion of my studies and student reporting requirements.

Name (Print)

Signature

Date