

Optional Practical Training (OPT)

(Initial Segment – Not for use for STEM Extension OPT)

What is Optional Practical Training (OPT) Optional Practical Training (OPT) is an immigration benefit given to eligible F-1 students who wish to engage in employment during and/or after their academic program. The employment must be directly related to the student's field of study at the current education level, and temporary in nature. USCIS (U.S. Citizenship and Immigration Services, an agency of the U.S. Department of Homeland Security) must approve the OPT application based on the OIS recommendation before employment can begin. If approved, USCIS will issue the student an Employment Authorization Document (EAD card) with specific employment eligibility dates.

OPT Eligibility Requirements F-1 students must have maintained status and fulltime enrollment for at least one full academic year and be in good academic standing to apply for OPT. In addition, F-1 students must have maintained the terms and conditions of F-1 status and obtained the recommendation of their academic advisor (DGP) to be eligible for OPT. Also, if a student has engaged in more than 12 months of full-time Curricular Practical Training (CPT), the student is ineligible for any OPT.

Time Limits Most F-1 students are eligible for a maximum of **12 months** of OPT for each degree level. If a student does not apply for OPT or use the full period he/she has been authorized for, the student cannot carry this time over for use at a later period. Students MAY apply for less than 12 months for pre-completion OPT. An extension of OPT may be possible for students who have an approved H-1B petition or who have graduated in a STEM field and are currently engaged in full-time post-completion OPT (please see STEM and Cap-Gap Information and STEM Application on the OIS Forms website: <http://www.ncsu.edu/ois/forms/student.php>).

What if I plan to do another degree, will I be eligible for OPT again? Current regulations allow students the possibility to apply for 12 months of OPT at each consecutive degree level. (i.e. Bachelors, Masters and PhD). *Example:* A student who completes 12 months of OPT after a Master's degree would become eligible for another 12 months of practical training when he/she changes to and meets the eligibility requirements for a new higher educational level; in this case, a PhD degree.

What is my program end date? At the time that the OPT application is submitted, the program end date on the I-20 will be updated to reflect the student's date of completion. The program end date is determined by successful completion of required coursework and varies based on degree level and type of program:

- Undergraduate & Master's Non-thesis: program end date is the last day of the final semester of enrollment (Graduation Day).
- Master's thesis and PhD students: program end date is determined by successful defense. Student may choose to use date of defense OR the last day of enrollment as their program end date. If date of defense is after the last day of enrollment, students will use the last day of enrollment as the program end date.

****Please note: OIS defers to the Graduate School to determine enrollment requirements. Unnecessary enrollment after successful defense will not postpone the program end date or allow for delay in the OPT application process.

Can I begin working before I graduate or complete my program? Undergraduate and Master's Non-thesis students may be eligible for part-time or full-time pre-completion OPT during their annual vacation (summer) provided they have pre-registered for full-time enrollment for the following semester. When school is in session, students may be eligible for part-time pre-completion OPT provided that all employment does not exceed 20 hrs per week and the student maintains concurrent full-time enrollment. Master's thesis and PhD students are eligible for both pre- and post-completion OPT, and should consult with OIS regarding the benefits of each. (In addition to OPT, CPT might be an option for these circumstances. CPT information: <http://www.ncsu.edu/ois/current/cpt.php>)

Please note: Students are ineligible to engage in OPT employment and on-campus employment

(i.e., TA/RA or bi-weekly appointment) at the same time.

Any OPT used prior to completion will be deducted from the 12 month total. Part-time pre-completion OPT is calculated at ½ time rate (i.e., 3 months part-time= 1.5 months full-time OPT). There is no maximum number of hours for full-time, but it is generally considered to be anything more than 20 hours per week. Students should discuss pre-completion OPT with an OIS advisor before making any off-campus employment or program completion plans.

- What if I don't finish my degree and I have already applied for OPT?* Participation in post-completion OPT is contingent on completion of an academic program (for thesis students, this means completed defense of thesis). **Students should consult with OIS prior to submitting the OPT application if concerned about completing degree requirements. Students who have applied for OPT and fail to complete degree requirements may be at risk for complications to their immigration status and/or ineligibility for OPT.**
- When should I apply for OPT?* Students must apply for post-completion OPT not earlier than 90 days before the program end date and the complete OPT application packet must arrive at the correct USCIS Lockbox Facility no later than 60 days after the program completion date. Students may apply for pre-completion OPT up to 120 days in advance of the requested work authorization start date. (Note: The USCIS Lockbox Facility must also receive the OPT application no later than 30 days after the OPT was recommended by OIS in SEVIS as reflected in the Issue date on the Form I-20). It takes USCIS between 60-90 days to process the EAD - please prepare a timely application.
- How long does it take for USCIS to process my OPT application?* OIS strongly recommends that students apply for OPT three months before their program completion date or anticipated employment start date. USCIS has 90 days to process the OPT application. If a student has not received the EAD or other notification from USCIS and 90 days has passed, the student should notify OIS. OIS is unable to inquire about the status of an application unless 90 days has already passed.
- What is my OPT start date?* Post-completion OPT students must choose an OPT start date on a day that comes AFTER their program completion date, but before the end of the 60 day grace period. When choosing an OPT start date, please be aware that it may take 2-3 months for USCIS to process the OPT application. Students should choose an OPT start date several weeks into the future in order to allow time for the OPT application to be processed. There is no guarantee that students will be approved for the OPT start date they have requested. ***Post-completion OPT students are not eligible to work between the program end date and the OPT start date as indicated on an approved OPT EAD.
- Do I need a job offer before I apply for OPT?* It is not necessary to have a job offer before applying for an initial period of OPT. However, students must be working full-time in a temporary job commensurate with their degree level and field of study in order to maintain valid F-1 status during the OPT period. USCIS limits students to 90 days of unemployment during the OPT period. Students should carefully document all attempts to seek full-time employment (copies of resumes, applications, correspondences) and/or all periods of full-time employment. Students should also notify OIS of periods of unemployment using the OPT Validation Form (<http://www.ncsu.edu/oisss/optvalid/validate.htm>).
- When can I start working?* Students are eligible to begin work once they have received the EAD, the begin date on the EAD has passed and they have completed their academic program. Examples:
- Can I start working before I receive my EAD card?*
No. Even if the requested OPT start date has passed, a student is not eligible to begin working until the EAD has been received. (This includes work at NC State. Once a student has received the EAD card, he/she may be eligible for on-campus employment in non-student position that is commensurate to his/her degree level and field of study.)
- If I've received the EAD, can I begin working before the begin date on the card?*
No. Student cannot begin working before the OPT start date on the EAD.
- What is my status once I have applied for OPT?* During the OPT period, students are considered to be in lawful F-1 status provided that they are employed full-time in a job related to their current degree level and field of study, and do not accrue more than 90 days of unemployment.

<i>Can I travel while I'm on OPT?</i>	<p>Students are eligible to travel during the OPT period if they are re-entering the country to <u>resume or commence</u> employment. Students should present the following documents at the port of entry.</p> <ul style="list-style-type: none"> • Passport (valid 6 months into the future) • Valid F-1 visa • I-20 (recently signed by OIS) • EAD • Letter from employer on company letterhead which provides the job title and description, hours per week, and effective dates of employment. <p>OIS <u>does not</u> recommend that students travel while the OPT application is pending. OIS does not recommend travel for students that are unemployed during the OPT period. Traveling outside the U.S. does not stop the accrual of unemployment.</p> <p>***Please note: A student's ability to re-enter the U.S. during OPT is determined by the port of entry official – OIS can make no guarantees regarding travel during OPT.</p>
<i>How long can I remain in the U.S. after OPT?</i>	<p>As long as a student has maintained valid F-1 status throughout the OPT period, he or she is allowed a 60 day grace period. The grace period begins on the first day after the OPT end date. During this time, students are considered to be in F-1 status, but are no longer eligible to work.</p>
<i>Can I take classes while I'm on OPT?</i>	<p>While engaged in post-completion OPT, students are eligible to engage in coursework as long as it is incidental to their OPT employment (limited to part-time enrollment.) OPT is effectively cancelled by official SEVIS transfer to another school or change in academic level. Students interested in changing schools or academic levels should consult with OIS about their OPT employment.</p>
<i>What if I decide to transfer to another school?</i>	<p>Students must contact OIS regarding any transfer to another school or change in academic level (e.g., Master's to PhD) and complete the Transfer-Out Form (http://www.ncsu.edu/oisss/forms/documents/TransferOutForm.pdf). Students changing degree level at NC State must request a change in level from OIS. Students on OPT cannot continue working once the transfer or change in degree level is complete and should consult with OIS regarding the program start date at the new school or degree level.</p>
<i>During OPT can I work in an unpaid or volunteer position?</i>	<p>While searching for full-time employment, students may engage in volunteer work or unpaid internships that directly relate to their field of student and that do not violate any labor laws. These students must be able to provide evidence from the employer that the student worked at least 20 hours per week during the period of employment.</p>
<i>Am I required to report OPT employment to OIS?</i>	<p>Throughout the OPT period, students are required to notify OIS of any changes in to their name, address, and/or immigration status. Students are encouraged, but not legally required, to report changes in employment. Students should use the <u>OPT Validation Form</u> (http://www.ncsu.edu/ois/forms/validate.php) to update OIS with this information.</p> <p>Additionally, students are personally responsible for documenting all periods of employment and unemployment during OPT. This documentation should include job title and description for all employment, start date of employment, change in employer, termination of employment, change in job locations, and change from full-time to part-time employment. Students are also encouraged to document their job search by keeping a list of the companies applied to and printing any correspondence with companies.</p>
<i>What if decide to leave the U.S. for the remainder of my OPT period?</i>	<p>If a student decides to depart from the U.S. for the remainder of the OPT period, the student must notify OIS using the Departure Form (located in the "Forms" section of the OIS website). Departure from the U.S. does not automatically "cancel" OPT or interrupt the accrual of unemployment. Students must notify OIS to ensure that OPT is effectively canceled.</p>
<i>Does OIS require proof of health insurance during OPT?</i>	<p>During the OPT period, OIS will no longer require proof of insurance. However, it is strongly recommended that students have health insurance throughout the entire OPT period.</p>

Procedures

- Step 1 Attend an OPT Information Session at OIS and obtain an OPT application packet.
- Step 2 Read the entire OPT handout (provided at Information Session) and complete required forms. In addition to attached forms, students must download and complete the I-765 application at <http://www.uscis.gov/>.
- Step 3 Bring completed application materials to a scheduled OPT Processing session. Please have all materials prepared and all documents properly completed before coming to the session. OIS will review the OPT application, print a new I-20 showing the OPT recommendation, and notify students by email when the new I-20 is available (within 3-5 business days). Mailing instructions will be provided to the student.
- Step 4 Within 10-14 business days after mailing the application, the student should receive a receipt notice (I-797C). Sometime within the 90 day processing period, the Approval Notice (I-797D) and EAD should arrive to the same address. Students that have not received the EAD within 90 days of the I-797C should contact OIS.
- Step 5 Students should review the EAD for accuracy when it arrives. All students are required to provide OIS with a copy of the EAD - copies can be dropped off, mailed as hard copies, or scanned and sent as an e-mail attachment (please do not fax).

Application Checklist

Students must bring ALL documents below to the OPT Processing Session:

- Academic Advisor's Recommendation Form (completed and signed by the DGP and Advisor)
- Copy of the completed OPT Mailing Instructions Form
<http://www.ncsu.edu/ois/current/documents/OPTMail.pdf> (read the form, check all boxes, print, sign and date the second page). This form includes the complete application checklist, instructions for mailing the OPT application to USCIS and student responsibilities during OPT.
- Copy of completed Form I-765 (Available at <http://www.uscis.gov/> under "Immigration Forms.")
- Form G-1145: <http://www.uscis.gov/files/form/g-1145.pdf> (for students who wish to receive electronic notification that their application has been accepted.)
- Check or Money Order for \$340 no cash or credit card; personal checks are accepted; checks should be made payable to "Department of Homeland Security." (**Note: The I-765 Fee will increase to \$380 effective 11/23/2010**)
- 1 Photocopy of all Form I-20s (students are responsible for keeping all previously issued I-20s)
- Two passport photos (2" x 2"); for details visit
http://www.travel.state.gov/visa/temp/info/info_1287.html
- 1 Photocopy of I-94 Admission-Departure Card, front and back (or I-797)
- 1 Photocopy of visa stamp page
- 1 Photocopy of passport ID page and/or passport expiration page (valid at least 6 months in to the future)
- Photocopy of any/all previous EADs issued by USCIS (if applicable)

Instructions for Completing the OPT Application

Advisor's Recommendation Form Students must complete the top portion of the form and have their **Director of Graduate Programs or Academic Advisor (or Undergraduate Advisor)** to complete the bottom half. Students that are completing a thesis or dissertation are required to have the form signed by both their DGP and their dissertation chair. **Defense date must be scheduled prior to submitting the OPT application.

Form I-765 Application for Employment This form can be filled out online. Go to: www.uscis.gov. Select "Immigration Forms" and scroll down to "I-765 Application for Employment Authorization." Form must be printed and signed.

Please make sure the student signature is in ink.

- Please mark the box "Permission to accept employment" and complete items 1-16
- For item #3, use personal mailing address. **Item 3 must be an address within the U.S. and must be permanent throughout the entire OPT application process.**
- For item #10, I-94 number (eleven digits). This number is known as the "Admission Number" and is printed on the front of the I-94 card
- For item #11, Mark "No" unless previously authorized by USCIS for an EAD
- For item #16, enter (c) (3) (A) for pre-completion OPT; or (c) (3) (B) for 12 months post-completion OPT

Guidance on Photographs

Instructions available online: http://www.travel.state.gov/visa/temp/info/info_1287.html.