

FREQUENTLY ASKED QUESTIONS—OPTIONAL PRACTICAL TRAINING

Office of International Students and Scholars
Eastern Illinois University

1. What is F-1 Optional Practical Training?

Practical training is the opportunity to apply knowledge gained in your degree program to off-campus work in your major field (not your minor). OPT is authorized by the U.S. Citizenship and Immigration Services (U.S.C.I.S.). This authorization can take 2 to 3 months to receive the Employment Authorization (EAD) card. The maximum amount of time granted to work on F-1 OPT status is 12 months per degree level plus a possible H1B cap gap extension OR a 17 month extension for those who qualify (see info on page 4). You may use some or all of the available 12 months of practical training during your course of study or save the full twelve months to use after you graduate. You may apply for POST-graduation OPT up to 90 days before your graduation date and **the immigration service MUST RECEIVE your application NO LATER THAN 60 days beyond your graduation date or 60 days beyond the end date of your I-20 (WHICHEVER IS EARLIER)**. You **MUST** send your application within 30 days of getting the new I-20 from OISS.

2. What are the Eligibility Requirements for F-1 Optional Practical Training?

To be eligible to apply for optional practical training, you must: (1) have been a full time enrolled student in the U.S. for at least one academic year by the requested start date of your OPT, and (2) be in F-1 status when you apply.

3. If I complete one degree program, take 12 months of practical training, and then begin a second course of study, am I eligible for an additional 12 months of practical training?

Yes, you are eligible to apply for another 12 month period of Optional Practical Training after changing to a **higher degree level**. This does not apply to a second master's degree.

4. How can I use optional practical training while I am still in my program?

You may use OPT while you are still in your degree program as follows: (1) part-time while school is in session, (2) full-time during annual vacation periods, and/or (3) full-time after you completed all course requirements for the degree and have a thesis requirement remaining. These periods of OPT used before you graduate will be deducted from the total allowable period of 12 months. Part-time OPT will be deducted at one-half the full-time rate.

5. How long does it take to get authorization for OPT and when should I apply?

Authorization for OPT is granted by U.S.C.I.S. and can take 2 - 3 months to obtain. Therefore it is important that you apply long before the date you wish to start working. For post-completion OPT, you may apply up to 90 days before your graduation date and **NO LATER THAN 60 days beyond your graduation date, end date of your I-20 or last day that you are registered** if you are an advanced graduate student. You also can NOT apply MORE than 120 days before the start date that you choose. You **MUST** send your application within 30 days of getting to new I-20 from OISS.

6. Do I need to have a job to apply for optional practical training?

You do **NOT need to have a job offer** before applying for the first 12 months of optional practical training. If your field qualifies you for the STEM extension, you **DO** have to have a job to apply.

7. Do I need to have a job while I am on optional practical training?

Yes. The new regulation requires that you do have employment while on your POST-graduation OPT period. You are only allowed to have a total of 90 days of unemployment in your 12 month period of OPT or 120 days if you apply for and receive the 17 month extension. While on POST-graduation OPT, you **MUST** update your employment information by submitting the OPT Report Form: <http://www.eiu.edu/interntl/machform/view.php?id=7>

8. Does the job I have while on OPT have to be paid employment, or can it be unpaid?

For the first 12 month period of post-completion OPT, the employment does **NOT** have to be paid employment. Therefore, a student who is self-employed (including performance majors with regular “gigs”), interning or volunteering in a position directly related to the academic field would be considered “employed” for the purposes of OPT employment. **For the 17-month STEM extension, employment must be traditional paid employment.**

9. Can I begin working before I receive the Employment Authorization Document?

You may **NOT** begin employment before you receive your EAD from U.S.C.I.S.; working before practical training has been authorized by the U.S.C.I.S. constitutes illegal employment that will jeopardize your legal status in the U.S.

10. Do I have to do anything with OISS while I am on OPT?

Yes! Immigration regulations **REQUIRE** that while you are on POST-graduation OPT, you **MUST** report your employment and address information by submitting the OPT Report Form: <http://www.eiu.edu/interntl/machform/view.php?id=7>

11. Can I extend my OPT after the 12 months?

There are two types of extensions available: 1) a 17 month extension for those in certain fields (discussed below) and 2) an “H1B Cap Gap Extension” which extends your work authorization through to the start of your cap subject H1B visa if your OPT ends after your cap subject company has applied for a H1B for you but before the H1B starts on the following October 1st. This cap gap extension is available to all F-1 students using OPT in any field, as long as you have a pending or approved “cap subject” H1B application and the employer applied for in with a request for change of status as part of the application. The extension is automatic, you do not have to do anything at all to get the extension. “Cap Subject” refers to any H1B application that must be counted against the quota on H1B applications.

INFORMATION ON THE 17-MONTH “STEM” EXTENSION:

12. What is the 17 month STEM extension of OPT?

The “STEM Extension” allows F-1 students on OPT who have received a degree in the fields listed below, referred to as “STEM” fields (science, technology, engineering, or mathematics), to apply for a one time 17-month extension of their regular 12 month OPT period. **You will NOT apply for 29 months up front.** The 17 month extension will allow students to have extended

work authorization in case they do not get an H1B visa in their first year after graduating. Students who timely file an application for the 17-month OPT extension will be able to continue employment while the extension application is pending, until a final decision on the I-765 or for 180 days, whichever comes first.

13. I think I qualify, how do I apply for the 17 month extension?

FIRST: Students graduating now with degrees in these fields will first apply for the regular 12 month period of OPT as usual.

THEN, WITHIN 3 months of the end of your first 12 months of OPT: If you meet the following criteria, you can apply through OISS office for your 17 month extension of your OPT during your first 12 months of OPT.

CRITERIA FOR THE 17 MONTH EXTENSION:

- Your employer must be enrolled in the “E-Verify” program
- You must have graduated and be working in one of the fields listed below referred to as “STEM” fields
- You must have maintained F-1 status while on OPT

14. What are the “STEM” fields?

Actuarial Science, Computer Science Applications, Engineering, Engineering Technologies, Biological and Biomedical Sciences, Mathematics and Statistics, Military Technologies, Physical Sciences, Science Technologies, Medical Scientist (MS, PhD) For more info, Please visit this link: <http://www.ice.gov/sevis/stemlist.htm>

15. What is “E-Verify”?

E-Verify is an Internet-based system operated by U.S. Citizenship and Immigration Services (USCIS) in partnership with the Social Security Administration (SSA). E-Verify is currently free to employers and is available in all 50 states. E-Verify provides an automated link to federal databases to help employers determine employment eligibility of new hires and the validity of their Social Security numbers. More information is available at: www.uscis.gov.

16. Are there any other requirements while I am on the 17-month extension?

In addition to filling out the OPT report form for changes in address or employment, students on the 17 month extension of OPT will have to complete a report to the school every six months while on the 17 month extension.

TRAVEL and OPTIONAL PRACTICAL TRAINING

17. Now that I’ve turned in my application, can I travel outside the U.S. while I wait for the card to come?

After you graduate, in order to re-enter the U.S. you must have the following: OPT card, your valid passport, a **current F-1 visa stamp**, I-20 signed within the last six months, **AND your job offer letter or proof of employment.**

Before you graduate, you should be able to get back in to the U.S. without the OPT card as long as it is still long enough in advance of your graduation (at least one month). If you have to travel, talk to an advisor at OISS before you leave.

18. I want to leave the U.S. for a short time while my OPT application is in process, but I need to return before the card will arrive. I have a tourist visa (B2) that is valid for 10 years. Can't I just enter the U.S. on my tourist visa while I'm waiting to get the EAD card, then start work with the card once I get it?

NO!! If you intend to continue working on your OPT, **NEVER** enter in any other immigration status except F-1. If you leave the U.S. and re-enter with a B status, and you will have lost your F-1 status and your OPT will be **invalid!**

19. What documents do I need to re-enter the U.S. while on OPT?

You will need your I-20 that has been endorsed on the travel line by OISS within the last 6 months; the OPT card from the U.S.C.I.S., your valid passport, a **current F-1 visa stamp, AND your job offer letter or proof of employment.**

20. What if I have applied for the 17 month extension but I have not yet received the card, can I travel out of the U.S.?

No, the immigration service advises that while you are waiting for the approval of the 17 month extension, you should NOT try to re-enter the country until you RECEIVE the new OPT card.

21. The visa stamp in my passport has expired, but I need to travel outside the U.S. while on OPT. Do I need to get a new visa stamp at an embassy?

If you are going to Canada or Mexico, and staying for less than 30 days, you could re-enter the U.S. on your expired F-1 visa stamp, with your I-94 card, a valid passport, your EAD card (or receipt notice), an I-20 that has been signed by OISS within the last 6 months, **AND your job offer letter or proof of employment** as long as: 1) you do not apply for a visa while in Canada and 2) you are NOT a national of Iran, Syria, Sudan, Cuba or North Korea. **If you are traveling elsewhere**, you will need to go to a U.S. embassy or consulate and seek a new visa stamp to reenter the U.S. in F-1 status.

22. In what ways is my application to the embassy for a new visa stamp affected by being on Optional Practical Training?

The risk of denial of an application for a renewed visa stamp for Optional Practical Training is somewhat higher than while you are in your active student program. 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, the visa application will be denied. It is possible and many students on OPT get their F-1 visa stamps renewed. You do have to be careful to demonstrate non-immigrant intent.

23. What documents do I need to show at the embassy for a new visa stamp under OPT?

You need to take a valid passport, the EAD card, an I-20 created by OISS for your OPT application, **AND your job offer letter or proof of employment.** The official job offer letter should sound temporary and not permanent. 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.

24. Do I still need to get the travel line on my I-20 signed by OISS during the year of OPT?

Yes, during the OPT year, if you travel outside the U.S., you need to have the travel line signed every six months.