Optional Practical Training Workshop

Created by the International Student Services Office (ISSO) at Texas A&M University-Commerce
Four types of OPT

When to apply for OPT

When your OPT must start

Employment requirements

Traveling outside the U.S.

How to apply

Employment resources

17-month OPT Ext

H1-B visa

Cap gap extension
What is Optional Practical Training?

All F-1 international students in valid F-1 status are eligible for 12 months of employment in the U.S. within their academic field of study (academic major) at each education level:

- Associates
- Bachelors
- Masters
- Doctorate
Four Types of OPT

- Pre-completion OPT
- 12-month Post-completion OPT
- 17-month OPT STEM Extension
- Cap Gap Extension (H1-B)
Pre-completion OPT

Students may be authorized for pre-completion OPT while still studying in their degree.

*Employment may be full-time (40 hrs) during summer/semester breaks and part-time (20 hrs) while classes are in session.*
Pre-completion OPT

An example of pre-completion OPT would be:

- Student working to complete their thesis/dissertation
- Summer break

Please note that pre-completion OPT is generally not the best option for students.
Pre-completion OPT

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Pre-completion OPT

- Cost $380 to apply for OPT

- May be eligible for CPT

- Any pre-completion OPT approved for is subtracted from 12-month total

- Takes an average of 2-3 months for application to be processed

- Limited to part-time while in classes

- Must be enrolled for an academic year (fall/spring)
For more information about pre-completion OPT contact the ISSO.
12-month Post-Completion OPT

All F-1 international students in valid F-1 status are eligible for 12 months of employment in the U.S. within their academic major at each education level after completion of their degree:

- Associates
- Bachelors
- Masters
- Doctorate
12-month Post-Completion OPT

Students are only allowed 12-months once at each education level regardless of the number of degrees at a level.
Some FAQ’s about OPT
A new I-20 is issued when you apply for OPT with the ISSO. There will be a couple of differences with the I-20.
New I-20 for OPT will be issued

I-20 will be shortened to last class day on line 5
OPT authorization and dates will be added to last page

Travel signature is valid for 6 months
Once approved you will receive an EAD (Employment Authorization Document)

The EAD is the official employment authorization document for students. Students may only work during the dates indicated on the EAD card.
OPT start date and end date
EAD will be mailed to ISSO and we will follow up with you once we receive it.
How long does it take USCIS to process the OPT application?

It takes USCIS an *average of 2-3 months* to process the OPT application.

The application cannot be expedited and the ISSO cannot contact the USCIS Service Center to inquire about an application until after 90 days.
Does CPT effect my OPT?

CPT has no impact on OPT unless:

- Student is approved for 12-months or more of full-time CPT (employment for more than 20 hours a week)

- Part-time CPT has no impact on OPT

- Full-time CPT total less than 12 months has no impact on CPT
Once you have applied for OPT the most driver’s license offices in the U.S. will require you to be approved for OPT and have your EAD card before being eligible to renew/apply for a drivers license.
Letters for family members to attend graduation

The ISSO will issue one letter for the immediate family of an international student to attend graduation. The letter is issued via email (no hard copies). Students must first be registered for graduation before a letter will be issued. The deadline for requesting is 4 weeks before the end of the semester.

Summer graduates will be issued a general invitation letter if requested before start of the semester.
Any questions?
When do students apply for OPT?

Students may apply for OPT up to 90 days prior to their last registered class day or up to 60 days after their last class day.
DON’T WAIT!
When do students apply for OPT?

Start of Semester

- February 16: Spring
- April 13: Summer I & II

90 days from end of semester

- May 15: Spring
- July 9: Summer I
- August 13: Summer II

Last class day of the semester
Applying *later* in the semester...

Students may wait until they confirm they have passed their comprehensive exam or pass their class(s) before applying.

We will discuss applying later in the semester when we discuss the OPT start date.
Applying after last class day

The application **must be received** by USCIS **no later than 60 days after last class day**.

*We will discuss how this will impact your OPT during the discussion about the OPT start date.*
When do students apply for OPT?

- **Start of Semester**
  - February 16 (Spring)
  - April 13 (Summer I & II)

- **90 days from end of semester**
  - May 15 (Spring)
  - July 9 (Summer I)
  - August 13 (Summer II)

- **Last class day of the semester**
Students working on thesis or dissertation
What happens if I do not graduate and have applied for OPT?

If had a Reduced Course Load then you must go out on OPT.
What happens if I do not graduate and have applied for OPT?

1. Comprehensive exam only then you will go out on OPT and must complete all requirements to graduate within OPT period
2. If did not graduate because of course(s):
   a. If had RCL then you must go out on OPT but only part-time employment allowed until course is complete
   b. If did not have RCL then may continue in next semester while enrolled in course within your program or degree plan
Any questions?
What is my visa status while on OPT?

Students remain under the F-1 visa status after their graduation and during their OPT period.
When can I begin my employment on OPT?

Students may begin their OPT employment on their **OPT start date** as long as:

- Approved for OPT by the OPT start date
- Recommended to wait until they have received the EAD card
What is the OPT start date?

- Date you are eligible to begin employment
- You must chose a start date within 60 days of last class day
When does your OPT have to start?

Start of Semester

<table>
<thead>
<tr>
<th>May 15</th>
<th>Spring</th>
</tr>
</thead>
<tbody>
<tr>
<td>July 9</td>
<td>Summer I</td>
</tr>
<tr>
<td>August 13</td>
<td>Summer II</td>
</tr>
</tbody>
</table>

Last class day of the semester

<table>
<thead>
<tr>
<th>July 14</th>
<th>Spring</th>
</tr>
</thead>
<tbody>
<tr>
<td>September 7</td>
<td>Summer I</td>
</tr>
<tr>
<td>October 12</td>
<td>Summer II</td>
</tr>
</tbody>
</table>

Estimated 60th day
Can I volunteer before my OPT start date?

What really is a volunteer position?
What if I am not approved by my OPT start date?

You will have to wait until you are approved and you have received your EAD card.
How does applying later in the semester impact my OPT start date?

Remember that it takes USCIS an average of 2-3 months to process the application.

If you apply later in the semester it is recommended you chose a start date further out to allow time for USCIS to process your application.
What if I don’t have a job by my OPT start date?

Keep looking until you find one. No penalty if begin employment after OPT start date.

Please note though that there is a cumulative 90 day unemployment limit during 12-month OPT. Discussed later in the presentation.
How do I chose an OPT start date?

You will chose the OPT start date and include the dates on your OPT Student Application form.

When the ISSO issues your OPT I-20 your OPT start dates will be included on the last page of the I-20.

The start date can only be changed by USCIS once your application is submitted.
Things to keep in mind when choosing an OPT start date

• When do you expect to find a job?

• Would you like to have some vacation time before you begin your employment?

• The later you apply in the semester the further out it is recommended to have your OPT start date.

• It takes USCIS an average of 2-3 months to process the OPT application.
Any questions?
When do students apply for OPT?

Start of Semester

90 days from last class day

February 16       Spring

April 13       Summer I & II

May 15       Spring

July 9       Summer I

August 13       Summer II

Last class day

Students may apply:

• Anytime up to 90 days prior to their last class day
• Up to 60 days after their last class day (application must be received no later than 60 days from last class day)
When does your OPT have to start?

Last class day of the semester

- May 15: Spring
- July 9: Summer I
- August 13: Summer II

Estimated 60th day

- July 14: Spring
- September 7: Summer I
- October 12: Summer II
When do I apply for OPT and when must my OPT start?

- Students may begin their OPT on their OPT start date.

- The start date is the date you are eligible to begin your employment.

- The OPT start date must be within 60 days of last class day.

- If you are not approved by your OPT start date you must wait until you are approved and have received your EAD card before you begin employment.
1. Sajib’s employer wanted to hire him immediately but he didn’t apply soon enough

2. Andrew applied early in the semester for OPT

3. Carlos applied for OPT but then found out he did not pass his comprehensive exam…Carlos applied for OPT but then made a “C” in his final course and was required to retake it.

4. Ming applied on time but did follow instructions and did not submit his application until very close to the 60th day after the semester
What are the employment requirements for 12-month OPT?

- Employment must be related to academic major on the OPT I-20
- Must work a minimum of 20 hours a week with no limit to the number of maximum hours allowed
- Students may work for multiple employers
What are the employment requirements for 12-month OPT?

- Employment during 12-month OPT may be paid or unpaid
  - Internship
  - Self-employment
  - Contract work
  - Volunteer work
How do I know my employment is related to my academic major?

Students are encouraged to keep a letter of employment from every employer documenting the following information:

• Employment start date and end date (if applicable)
• Job description for position held (include job title)
• Contact information for supervisor or manager
• Brief explanation stating how your employment is related to your field of study
Any questions?
What if I am unemployed during my OPT period?

Students may not exceed a cumulative of 90 days of unemployment during their 12-month OPT period.

This timeframe only applies to a student’s authorized dates of employment on their EAD card.
For example...

Students had an OPT start date of June 1 but did not begin their employment until July 1. Student accumulated 30 days of unemployment (June 1 to June 30).

Student worked with employer from July 1 until August 31 but was laid off from their employer. Student found a new job and began on October 15. Student accumulated an additional 44 days of unemployment (September 1 to October 14).

This student’s combined unemployment for their OPT is 74 days as of October 15.
What if I am unemployed during my OPT period?

USCIS has advised that…

The student will be considered out of status and may be denied future immigration benefits if USCIS determines that the student exceeded the limitations on unemployment.
Practical advising for unemployment

- If you exceed the unemployment limit you *may* be denied an H1-B, Permanent Resident application, or other change of status as well as 17-month OPT Extension

- Try to volunteer in your field of study if you are having difficulty finding a job (remember...20 hours a week paid or unpaid)
Practical advising for unemployment

• Apply to begin a new academic program to continue your studies

• Contact an international advisor at the ISSO if you are concerned about exceeding the unemployment limit
Any questions?
What are my reporting requirements during OPT?

Students are required by U.S. Citizenship and Immigration Services to report any change of address to the ISSO within 10 days.

Students report their change of address on our website through the OPT Employment Reporting Form at www.tamuc.edu/isko select OPT Students.

Failure to report any change of address to the ISSO may result in visa status issues.
What are my reporting requirements during OPT?

Students are required by U.S. Citizenship and Immigration Services to report any start of employment or change of employment to the ISSO immediately.

Students report their employment information on our website with our OPT Employment Reporting Forms at [www.tamuc.edu/isco](http://www.tamuc.edu/isco) select OPT Students.

Failure to report any start or change of employment to the ISSO may result in visa status issues.
Can I travel after the semester while my OPT is pending with USCIS or once I am approved?

Yes, but we do not recommend traveling outside the U.S. while on OPT unless absolutely necessary.
If the OPT application is *pending*...student may re-enter to look for a job.

If application is *approved*...must be employed or have a job offer letter and show a valid EAD card
Can I travel outside the U.S. if my OPT has been submitted but has not been approved?

However, there are risks:

• A student does not know when the OPT application will be approved.

• If there are issues with your application you may have to be in the U.S. to provide a response.
Can I travel outside the U.S. if my OPT has been submitted but has not been approved?

- If a student is approved while outside the U.S they will need to show a valid EAD card and verification of employment (job offer letter or letter of employment) to re-enter the U.S.

- If the visa has expired then the U.S. Consulate may not renew a visa for a student whose OPT application is *pending* but not *approved*.
Can I travel outside the U.S once my OPT is approved?

Yes, but we do not recommend traveling outside the U.S. while on OPT unless absolutely necessary.
Required documents to re-enter the U.S. while awaiting your OPT approval or on approved OPT

The following are the documents required to re-enter the U.S. while on OPT:

- Valid I-20 with travel signature within past 6 months
- Valid passport (at least 6 months beyond date of re-entry)
- Valid visa
- Valid EAD card (if approved for OPT)
- Job offer letter or letter of employment (if approved for OPT)
Any questions?
Will time spent outside the U.S while on approved OPT be considered unemployment?

Time spent outside the U.S. during approved OPT counts against the unemployment limit unless:

• You are still employed by your employer during the leave of absence 

OR

• Traveling as part of your employment
What happens after my OPT ends?

Students will have 60 days from the end date of their 12-month OPT period to:

• Depart the U.S

• Apply for a change of visa status (limited options)

• Be accepted into a new academic program at A&M-Commerce

• Apply for, be accepted to, and have their SEVIS record transferred to their new school to begin a new academic program
How do I apply for OPT?

- Drop off your documents at the ISSO to pick up later (or have them mailed to you)

- Mail your documents to the ISSO to be processed and returned to you by mail (you may pick them up)

- No appointments for OPT
General processing time will be within 5 business days.
What documents are required to apply?

www.tamuc.edu/opt
How do I find a job?

1) Utilize the Career Development Office and the services they provide on-campus (see next slide)

2) Talk to the instructors in your academic department

3) Network through friends, family, online sources...utilize Career Development services
Career Development Services

- Assistance with resume and interview skills
- Job fairs
- Learning to network

Review the Make the Connection Handbook

http://www.tamuc.edu/studentLife/campusServices/careerDevelopment/default.aspx
Commencement Ceremony

- Arrive at the University Fieldhouse at least 30 minutes prior to your ceremony start time- DO NOT BE LATE!

- Commencement is broadcast live on the internet

- Instruct friends and family to not come to front during ceremony to take pictures

- Limit cheering to avoid interrupting next graduate’s name being called
Any questions for 12-month OPT?
Brief break and will begin in a few moments

We will discuss 17-month OPT Extension, Cap Gap Extension, and H1-B visa
17-month OPT Extension

Students in certain STEM (Science, Technology, Engineering, and Math) majors are eligible for an additional 17-months of OPT after the completion of their 12-month OPT.

Students are only allowed the 17-month OPT Extension once in a lifetime regardless of the academic level.
How do I find out if my major is eligible for the 17-month OPT Extension?

Eligibility for the 17-month OPT Extension is based on the academic major’s CIP code. For information you may review our website by clicking here.
A general list of eligible majors for the OPT Extension

Please be sure to review the lists to verify eligible majors:

- Applied Physics
- Computer Science
- Industrial Engineering
- Construction Engineering
- Construction Science
- New Media (Visual Communication)

- Physics
- Animal Science
- CIS
- Math
- Educational Technology (Leadership)
- Ag Science (Plant and Soil)

- Biology/Biological Science
- Environmental Science
- Computational Science
- Technology Management
- Wildlife and Conservation Science
When do I apply for the 17-month OPT Extension?

Students apply for the 17-month OPT between 30-120 days prior to the end date for their 12-month OPT.

USCIS must receive the application for the OPT Extension prior to the end date of the 12-month OPT.

Please allow the ISSO up to 10 business days to process your application.
Does the 17-month OPT Extension have to be approved by the end of my 12-month OPT?

No. The application must be *received* by USCIS *prior* to the end date for the 12-month OPT but it does not have to be approved.

A student’s F-1 status and OPT authorization is extended up to 180 days after their 12-month OPT end date while they await a decision from USCIS.
USCIS regulations specify that the F-1 status and any OPT authorization will be automatically extended for an F-1 student:

- Who is the beneficiary of a timely-filed H-1B petition

- H1-B is requested as a change of status

- H1-B employment start date must be October 1 of the current year
What is an H1-B visa?

The H-1B is a non-immigrant visa in the United States. It allows US employers to temporarily employ foreign workers in specialty occupations.

H1-B’s duration is generally up to 6 years with limited extensions granted.
Two Basic Types of H1-B’s

**Academic H1-B** - filed by employer that is an educational institute (college, university, school)

**H1-B filed by private company** - filed by employer that is a private company operating in the U.S.
H1-B for Private Company

- Are filed during the fiscal year on or after April 1
- Limit to number of petitions (65000)
- Generally effective on October 1
What if I have an H1-B petition filed for me?

Submit a copy of the receipt notice or approval notice to the ISSO as soon as possible.
How does cap gap extension work?

Student is on approved OPT with a start date of June 1 and an end date of May 31.

Student’s company files an H1-B worker visa as a change of status on April 1 with an employment start date of October 1 and it is approved.
Under Cap Gap Extension...

Student’s F-1 status and OPT authorization is automatically extended until September 30 (because H1-B is approved).

Gap in employment/status is covered through cap gap extension.
Cap Gap Extension rules

OPT Starts
June 1

H1-B filed April 1 and approved to begin October 1

OPT ends
May 31

Gap has been filled!

H1-B effective October 1
Must communicate...

There are different extension dates depending upon where the student is in the H1-B process (receipted, wait-listed, etc.).

Communication with the ISSO is key!
Any questions?