



University at Buffalo
The State University of New York

Office of International Education
International Student and Scholar Services

OPTIONAL PRACTICAL TRAINING FOR F-1 STUDENTS

What is Optional Practical Training?

Optional Practical Training is an F-1 student benefit granted by the U.S. Citizenship and Immigration Services (USCIS). It allows you to work off-campus in a job related to your major. It is meant to supplement your academic experience with practical experience.

Who is eligible for OPT?

To be eligible for Optional Practical Training, you must document that:

- you are currently in valid F-1 status AND
- you have been a full-time student for at least one full academic year (two semesters)

When can I use OPT?

Optional Practical Training may be used during any of the following situations (or combination of the following situations):

Pre-Completion OPT

- a. during the semester (up to 20 hours per week)**
- b. during annual vacation periods (summer and winter breaks)**
- c. after completion of all course requirements for the degree, while working on the thesis or dissertation (full-time) ***

Post-Completion OPT

- a. after completion of all course requirements for the degree, while working on the thesis or dissertation (full-time) ***
- b. after completion of study (full-time only)**

* Please note the differences below between Pre-Completion and Post-Completion OPT for students who have finished all degree requirements and who are working on their thesis or dissertation.

Pre-Completion OPT

- Unemployment is not counted
- Cannot apply for the 17-month STEM extension
- Not eligible for the H-1B Cap-Gap extension
- May extend I-20 if extra time is needed to complete degree requirements

- Must apply for Post-Completion OPT if employment will continue after the degree conferral date

Post-Completion OPT

- Unemployment is counted (You must have a job within 90 calendar days of start date on EAD card.)
- Must work full-time
- May not extend I-20 if extra time is needed to complete degree requirements
- May apply for the 17-month STEM extension
- Eligible for the H-1B Cap-Gap extension

How long is OPT authorized for?

Optional Practical Training may be authorized for a total of 12 months of full-time OPT, which must be completed within 14 months following the completion of your course of study. However, F-1 students with STEM (Science, Technology, Engineering, Mathematics) degrees in certain fields may be eligible for a 17-month OPT extension. (Please see our “Optional Practical Training for F-1 Students Applying for the 17-Month Extension” handout for further information.)

- Any Optional Practical Training authorization you receive is subtracted from your total 12-month period.
Example: A student who is authorized for 3 months of full-time Pre-Completion OPT during the summer will have only 9 months of OPT remaining.
- Any part-time OPT (20 hours per week or less) is deducted at the rate of one day of practical training for every two part-time days of OPT authorized.
Example: A student who is authorized for 4 months of part-time Pre-Completion OPT during the semester will have 10 months of full-time OPT remaining.

Note: You become eligible to apply for another 12 months of Optional Practical Training if you change to a higher degree level and meet the above requirements again. You may also be eligible for the “Cap Gap” Extension and 17-Month OPT Extension for STEM majors. (Please see our other OPT handouts to find out if you qualify.)

When should I apply for OPT ?

- We recommend that you apply for OPT 90 days prior to your desired employment start date to allow sufficient time for USCIS processing and background checks. **Note:** You cannot apply for Post-Completion OPT more than 90 days before your “**course of study completion date**” or **desired employment start date** (whichever one comes first). **Note:** If you are working full-time on your thesis or dissertation, you can apply for OPT before your completion of course of study date. The latest date that you can apply for OPT is 60 days after your course of study completion date. At UB, we define this date as your **degree conferral date**. Please note that we do not recommend that you wait until the end of your 60-day grace period to apply for Post-Completion OPT. **Note:** You can apply for Pre-Completion OPT up to 120 days before your desired employment start date.

What is my "course of study completion date"? At UB, your "course of study completion date" is the degree conferral date **immediately following** the last fall or spring semester or summer session during which you fulfilled requirements for your degree. Degree conferral dates at UB are February 1, June 1 and September 1.

What if I will finish my thesis, project or dissertation in the summer? If you complete your thesis, project or dissertation in the summer but do not register for classes during the summer, you must submit to ISSS a letter from your advisor or Director of Graduate Studies verifying that you are still working towards your degree and detailing the nature of the work that you are completing. In such cases, the September 1 degree conferral date will be your course of study completion date.

What if I finish during the spring (or fall) semester but miss the deadline to apply for the next degree conferral date? If you actually complete your studies during the spring semester but miss the deadline to apply for the June 1 degree conferral date, your course of study completion date for purposes of the OPT application will be June 1 and not your actual degree conferral date. If you actually complete your studies during the fall semester but miss the deadline to apply for February 1 degree conferral date, your course of study completion date for purposes of your OPT application will be February 1, not your actual degree conferral date.

- **Note:** Your application must be received by the USCIS Service Center within 30 days of the issuance of your I-20 with OPT recommendation and the signature on your Form I-765. It must also be received no more than 90 days before your employment start date / course of study completion date or no later than 60 days after your course of study completion date. If your OPT application does not comply with these requirements, **you will LOSE YOUR OPT BENEFIT.** To meet these deadlines, you must submit your documents to ISSS at least 2 weeks before you plan to mail your OPT application to the USCIS.

What if I want to apply for OPT before I've completed a full academic year as a full-time student?

You may submit your application up to 90 days prior to completing one academic year, provided that the period of employment will not begin until the completion of the full academic year.

How do I apply for OPT?

1. Submit an OPT application and supporting documents (see below) to ISSS.
2. When your application is complete, ISSS will enter your OPT application into the SEVIS system, which will produce a new I-20 with the OPT recommendation.
3. Pick up your -20 with the OPT recommendation and other documents from ISSS.
4. Submit an application and supporting documents for an **Employment Authorization Document ("EAD Card")** to the USCIS Service Center.
5. Receive your EAD card in the mail from the USCIS.

What do I bring to ISSS?

To apply for Optional Practical Training, submit the following to ISSS, 210 Talbert Hall:

- International Student Data Form (*fillable on website*)
- Form I-765 (*fillable on ISSS website*)
- Form I-538 with section A (only) completed:
 - (#3) The “Student Admission Number” is the 11-digit number on your I-94 card, **not** your 8-digit UB person number.
 - (#4) The “Date first granted F-1 status” is **the date you first entered** the U.S. as an F-1 student (or the date your Change of Status to F-1 was approved). This date should be stamped on your first I-20. It is **not** the date your F-1 visa was issued.
 - (#7) If you do not know yet where you will work, you should write “I plan to seek employment in the field of (your major).”
For “beginning date” and “ending date”, you should write the dates that you would like to work (e.g. 2/1/2009 – 1/31/2010). *Please keep in mind possible delays in USCIS processing when choosing a “beginning date.”*
- Academic Advisor's Letter (*samples attached*)
- For any semester during which you were registered for fewer than 12 credit hours (or 9 credits with an Assistantship), you must have “Certification of Full-Time Status”

ISSS will enter your OPT application into SEVIS and produce an I-20 with a recommendation on page 3 for Optional Practical Training. **Processing time at ISSS is 2-5 business days.**

What do I send to the USCIS?

Mail the following to the USCIS **within 30 days of the issuance of your I-20 with OPT recommendation and the signature on your Form I-765:**

- Original Form I-765
- **Application fee of \$340**
 - This should be a check (from a U.S. bank) or a U.S. money order payable to the “Department of Homeland Security”.
 - Write the 11-digit number from your newest I-94 card on your check or money order.
 - Don't forget to sign and date the check. (*Please see attached example of a properly written check.*)
- **Copy of your current I-20** – page 1 and page 3 (*with OPT recommendation on page 3*)
 - Don't forget to sign and date the Student Certification section (#11) of your I-20. (*If you do, USCIS will return your OPT application to you.*)
- **Copies of pages 1 and 3 of all previous I-20's (PHOTOCOPIES ONLY)**
- Copies of your current, valid passport (biographic and photo pages) and U.S. visa stamp page in your passport
- Copy of the front and back of your newest I-94 Card

- Two (2) identical natural color photographs of yourself, taken within 30 days of this application.
 - Please see attached specifications for the photos.
 - In pencil, please write your name and I-94 number lightly on the back of each photo.
- Note: We recommend that you have your photos taken at the:*
- *UB Law Library, 211 O'Brian Hall (Tel. 645-2204) (Specify that you need photos for an OPT application)*
 - *American Automobile Association (AAA), 100 International Drive, Williamsville, NY 14221 (Tel. 633-3480).*

Be sure to photocopy your entire OPT application for your personal records.

Where do I send my OPT application?

Send your application to: U.S. Department of Homeland Security
 U.S. Citizenship & Immigration Services
 Vermont Service Center
 Attn. I-765
 75 Lower Welden Street
 St. Albans, VT 05479-0001

Note: If your mailing address in item #3 on Form I-765 is not in New York State, please contact ISSS regarding where to send your OPT application.

How should I mail my OPT application?

You should mail your complete application by a **reliable, overnight mail delivery service** (e.g. UPS, Federal Express) to the USCIS Service Center that has jurisdiction over the address you listed in item #3 on Form I-765. Utilizing an overnight mail service will enable you to track your mailed application and its delivery. Please save your receipt.

How long is the OPT application process?

Processing time at the USCIS is estimated to be 6-12 weeks. However, processing times vary widely depending on the time of year and the workload at the Service Center to which you send your application. You can check the USCIS website for current processing times: <https://egov.uscis.gov/cris/caseStatusSearchDisplay.do>. **You cannot begin employment until you have received your Employment Authorization Document (EAD) from the USCIS and the “start date” becomes effective.**

After I receive my EAD card, what must I do?

- **You must give a photocopy of your EAD card to ISSS**
- **You must give a copy of your official employment offer letter to ISSS**
- **You should keep the “Help USCIS Serve You Better” EAD card cover sheet.** (If you ever need to request another card, you **should** submit this sheet.)

- **You must update ISSS about the following within ten days:**
 - Any change in your name
 - Any change in your residential address
 - Any change of employer or employer's address
 - Any interruption of employment lasting longer than 10 days
 - **You must have your I-20 signed every six months**
 - **Please also send an e-mail report to ISSS every six months to verify:**
 - **Your name**
 - **Your residential address**
 - **The name and address of your employer**
 - **The date when you began working for your employer**
- Note: The six-month report can be sent via e-mail to intlservices@buffalo.edu.***

Do I have to find a job?

The Interim Final OPT Rule published on April 8, 2008 requires F-1 students to find a job within 90 days of the start of their OPT, and to report their employer's name and address to their school within that time frame. Possible consequences to remaining in the U.S. after the 90-day deadline without a job include loss of visa status, denial of future immigration benefits, etc.

What types of employment are acceptable while on OPT?

There are various types of employment you may accept while on OPT. Any employment you choose must be directly related to your program of study.

- Regular paid employment - for at least 20 hours per week
- Multiple employer. Total hours worked may not exceed 40 hours per week
- Payment by multiple short-term employers. Ex. Musicians and other performing artists may work for multiple short-term employers (gigs). You should maintain a list of all gigs, including dates and duration.
- Work for hire. This is commonly referred to as "1099 employment", where an individual performs a service based on a contract. You should keep a record of the length of each contract as well as the name and contact information for each contracting company.
- Self-employed business owner. You may start a business and be self-employed; however, you must work full-time (40 hours per week). You must also have proper business licenses.
- Employment by an agency. You must keep proof that you worked at least an average of 20 hours per week while employed by an agency.
- Volunteers or unpaid interns. You may work as a volunteer or unpaid intern provided that you are not violating any labor laws. Please speak with ISSS before deciding to accept volunteer or unpaid employment, as sometimes it is difficult to determine if the work you will be doing is legal.
 - You must submit a letter from your employer about your volunteer work (See Sample Letter about Volunteering at: www.buffalo.edu/intlservices/pdf_files/VolunteerLetter.pdf)
 - You must work at least 20 hours per week

- To qualify for the 17 month STEM extension you must have paid employment; volunteer positions do not qualify you for the STEM extension.

If my application for OPT is pending at the USCIS Service Center, can I travel outside the U.S. and then re-enter the U.S.?

YES. While your OPT application is pending at the USCIS, you may re-enter the U.S. to search for employment. Remember, you must have a valid F-1 visa, valid passport and recent signature on page 3 of your I-20. To avoid problems at the border, we recommend that you return to the U.S. before the expiration date on your I-20.

If I travel outside the U.S. after my OPT application was approved by the USCIS, can I re-enter the U.S.?

After your OPT has been approved, we recommend that you only travel outside the U.S. if you have a written job offer. You should bring a copy of your job offer and EAD card when you re-enter the U.S. (For more information about traveling while on OPT, please see our “FAQs about Travel While on OPT” handout.)

What documents should I bring when I re-enter the U.S. while on OPT?

If you travel while you are on OPT after your completion of studies, you must bring the following documents in order to re-enter the U.S.:

- Valid EAD card
- **Job offer letter on employer’s letterhead verifying your OPT employment**
- I-20 with the OPT recommendation on page 3
- Signature from ISSS on page 3 of your I-20. Must have been signed within the last 6 months
- Originals of all previous I-20’s
- Valid F-1 visa
- Valid passport

Note: Your dependents must also bring a copy of your EAD card and employment letter when they re-enter the U.S.

PLEASE REMEMBER:

- **EADs may not be forwarded to new addresses by the U.S. Post Office.** Therefore, you must be certain that the address you list in item #3 of Form I-765 is (and will be) your address when your application is processed.
- **Employment may not begin until the EAD is received.** You may only work during the validity dates of your EAD card.
- The EAD for Optional Practical Training will allow you to work **only in a job related to your major area of study.**
- Once authorized for OPT, you may accept employment **anywhere in the U.S.**

- When you are on OPT, you will still be in **F-1 status**.
- If you transfer to another school or begin study at another educational level, then your OPT authorization will automatically be terminated.
- While you are on OPT, you must **notify ISSS of any change of home or employer's address within 10 days and send us a report every six months**. Please e-mail this information to intlservices@buffalo.edu.
- While you are on OPT, you must have your **I-20 signed every six months**.