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 of work)
b. during annual vacation periods (summer and winter breaks, full-time employment allowed)
c. after completion of all course requirements for the degree and while working on one’s thesis or dissertation (full-time employment allowed)

Please Note:
- Unemployment is not counted
- Cannot apply for the 24-Month STEM Extension
- Not eligible for the 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
a. while working on one’s thesis or dissertation (full-time employment allowed)
b. after completion of study (full-time employment allowed)

Please Note:
- Unemployment is counted. (You must not exceed 90 calendar days of unemployment during your 12 months of Post-Completion OPT.)
- Full-time employment authorized, must work a minimum of 20 hours per week
- May not extend I-20 if extra time is needed to complete degree requirements
• May apply for the 24-Month STEM Extension (if eligible)
• Eligible for the Cap Gap Extension

How long is OPT authorized for?
Optional Practical Training may be authorized for a total of 12 months of full-time Pre-Completion and Post-Completion OPT, which must be completed within 14 months following the completion of your course of study.

Note: Any full-time Optional Practical Training authorization you receive is subtracted from your total 12-month period. 
Ex. 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.

Note: 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. 
Ex. 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.

Can I extend my OPT?
You become eligible to apply for another 12 months of OPT if you change to a higher degree level and meet the requirements again.

If you have a STEM (Science, Technology, Engineering, Mathematics) degree in an eligible field, you may be eligible for the 24-Month OPT STEM Extension after your initial 12 months of Post-Completion OPT. (Please see ISSS handout for further information.)

If your employer has filed an H-1B petition on your behalf, you may be eligible for the Cap Gap Extension. (Please see ISSS handout for further information.)

When should I apply for OPT?
Be sure to carefully read the suggestions below before applying for OPT or choosing your OPT start date and end date.

STEP 1:

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

Note: You cannot apply for Post-Completion OPT more than 90 days before your completion of course of study date/degree conferral date. However, if you are working full-time on your thesis or dissertation, you can apply for OPT earlier.

Note: You can apply for Pre-Completion OPT up to 90 days before your desired employment start date. However, ISSS will not process your OPT I-20 more than 120 days before your employment start date.
STEP 2:

Choose your employment authorization start date and end date. You may choose any start date between your degree conferral date and the end of your 60-day grace period. For example:

- June 1 degree conferrals can choose any start date between June 1 and July 31.
- February 1 degree conferrals can choose any start date between February 1 and April 2 (depending on whether it is a leap year or not).
- September 1 degree conferrals can choose any start date between September 1 and October 31.

Your employment end date is one year from the start date you chose. For example: June 1, 2016 – May 31, 2017 or September 1, 2016 – August 31, 2017.

Note: You may choose an employment start date before your degree conferral date only if:

- You are working full-time on your thesis or dissertation OR
- Your academic advisor is willing to state in the “Academic Advisor’s Recommendation for Optional Practical Training” that you have completed all degree requirements before your degree conferral date. In this case, the earliest start date you may choose is the day after exams. Your completion of course of study date will then be your employment start date. As a result, your 60-day grace period will start counting the day after your employment start date.

STEP 3:

We recommend that you submit your OPT application to ISSS 90 days prior to your completion of course of study/degree conferral date to allow sufficient time for ISSS and USCIS processing. The earliest we will process your OPT I-20 is 90 days before your degree conferral date (or 90 days before the date you will complete all degree requirements) and 120 days before your employment start date.

The latest date that you can apply for OPT is 60 days after your degree conferral date. Please note that we do not recommend waiting until the end of your 60-day grace period to apply for Post-Completion OPT. If your OPT application is received by USCIS more than 60 days after your completion of course of study date, YOU WILL LOSE YOUR OPT BENEFIT.

Note: Your application must be received by the USCIS within 30 days of the issuance of your I-20 with OPT recommendation and the signature on your Form I-765. If your OPT application does not comply with this requirement, YOU WILL LOSE YOUR OPT BENEFIT. We recommend that you mail your OPT application to the USCIS as soon as you receive it from ISSS.

Which degree conferral date should I use if I will finish my thesis, project or dissertation in the summer?

If you are a graduate student still working on your thesis, project or dissertation, but are not registered for any classes, your advisor or Director of Graduate Studies must confirm in the “Academic Advisor’s Recommendation for Optional Practical Training” that you are still working
towards your degree and detail the nature of your work. In such cases, the September 1st degree conferral date will be your course of study completion date.

**What if I complete my degree requirements during the spring or fall semester, but miss the deadline to apply for the next degree conferral date? Which conferral date should I use when applying for OPT?**

If you complete your studies during a given semester but miss the deadline to apply for its corresponding degree conferral date, your course of study completion date for the purpose of your OPT application will be the actual degree conferral date for the semester during which you completed your studies.

**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?**

**STEP 1:** Prepare your application and submit it online to ISSS following the directions below:

1. **Pay the UB OPT fee.** The fee is $55 and must be paid online. The fee cannot be added to your student account. After paying the fee, **remember to print the receipt.** The fee cannot be added to your student account. After paying the fee, **remember to print the receipt.**
   - **Note:** Applicants for Pre-Completion OPT are not required to pay this fee.
2. **Login to the myISSS Student Portal** by clicking on the blue “LOGIN” button on the left side of the screen and using your UBIT Name and Password to access the portal. **Note:** Do NOT click on “Administrative Services for University Departments”.
3. **Click on “F-1 Practical Training Applications” and then “Application for Pre- and Post-Completion Optional Practical Training”**.
4. You must complete the entire E-form and upload all required documents before you can submit your application. **You must upload the following documents:**
   - **Academic Advisor’s Letter**
   - **Form I-765** (fillable on ISSS website at: [www.buffalo.edu/intlservices/f1.html#opt](http://www.buffalo.edu/intlservices/f1.html#opt))
     - **Before completing Form I-765, be sure to select the correct form on the ISSS website.** It must contain the appropriate code for your OPT application.
       - Post-Completion OPT = (C)(3)(B)
       - Pre-Completion OPT = (C)(3)(A)
     - **Before uploading your Form I-765 to the myISSS Student Portal, remember to print the form, sign it and then scan it. Save the completed form as a PDF or JPEG.**
     - **Be sure that the address you use on your Form I-765 is an address where you will receive mail in 3-4 months.** We do not recommend changing your address with the USCIS while your OPT application is pending.
   - **Form G-1145** (E-Notification of Application/Petition Acceptance)(fillable on ISSS website)
UB OPT Fee receipt.

5. After providing all required information and uploading all of the required documents, **remember to click the “Submit” button.** When your application is complete, ISSS will enter your OPT application into the SEVIS system, which will produce a new I-20. **Note:** The OPT recommendation will appear on page 2 of your new I-20. **ISSS processing time is 5-7 business days.**

6. After receiving an email confirming that your OPT I-20 is ready, pick up your new I-20 from ISSS.

**STEP 2: Submit your complete OPT application and supporting documents for an Employment Authorization Document (“EAD Card”) to the USCIS Service Center.**

The USCIS must receive the following documents within 30 days of: 1) the issuance of your I-20 with OPT recommendation, and 2) the signature on your Form I-765.

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

1. **Original Form I-765. Note:** Be sure to submit the original document with your signature in BLUE ink.
2. **Form G-1145 (E-Notification of Application/Petition Acceptance)**
3. **Application fee of $380**
   - This should be a check (from a U.S. bank) or a U.S. money order payable to the “U.S. Department of Homeland Security”.
   - Write the 11-digit number from your I-94 on your check or money order.
   - Don’t forget to sign and date the check. *(See attached example of a properly written check.)*
4. **Photocopy of your new I-20** – page 1 and page 2 with OPT recommendation
   - Don’t forget to sign and date the Student Attestation section of your I-20. **Note:** If you forget, USCIS will return your OPT application to you.
5. **Photocopies of all previous I-20’s. Note:** Do not send originals!
6. **Photocopy of your current, valid passport** (biographic and photo pages) and U.S. visa stamp in your passport. **Notes:** If your passport has expired, please go to ISSS, Talbert Hall 210 for advice. Canadian citizens do not have visa stamps.
7. **Photocopy of the front and back of your newest I-94 Card OR print-out of electronic I-94** (available at [www.cbp.gov/i94](http://www.cbp.gov/i94)).
8. If you were **previously issued an EAD Card**, you must include a photocopy of it.
9. Two (2) identical natural **color photographs** of yourself, taken within 30 days of your application and not previously used for another purpose.
   - Please see attached specifications for the photos. **Note:** If your photos do not meet USCIS requirements exactly, your EAD card will not be issued.
   - In pencil, 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).
**Where do I send my OPT application?**

Send your application to:

**Via express courier (e.g. FedEx, UPS):**

USCIS  
Attn: AOS  
2501 S. State Hwy. 121 Business  
Suite 400  
Lewisville, TX 75067

**Via U.S. Postal Service (regular mail):**

USCIS  
PO Box 660867  
Dallas, TX 75266

**Note:** If your mailing address in Item #3 on Form I-765 is not in New York State, please review the USCIS Lock Box Address page at the end of this handout.

**Note:** It is not clear which address should be used for USPS Priority Mail. Therefore, we recommend that you use UPS or FedEx to mail your application to the USCIS.

**How should I send my OPT application to the USCIS?**

You should send your complete application by a **reliable, express delivery service** (e.g. UPS, FedEx) to the USCIS Service Center that has jurisdiction over the address you listed in Item #3 on Form I-765 (Please see USCIS Lock Box mailing addresses at the end of this handout). Utilizing an express delivery service will enable you to track your mailed application and its delivery. Please save your receipt. **Note:** You must send the application from inside the U.S.

**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 workload at the Service Center to which you send your application.

You cannot begin employment until you have received your Employment Authorization Document (EAD) from the USCIS **and** the “start date” printed on the EAD card is effective.

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

- Keep the “Help USCIS Serve You Better” EAD card cover sheet. (If you ever need to request another card, you should submit this sheet.)
- Upload a photocopy of your EAD card by logging on to myISSS using your UBIT Name and Password. Once you have logged on, enter your current residential address on the “Update OPT Student Contact Information” E-form. Then, update your employment information on the “Add or Update OPT Employment” E-Form.
- Notify ISSS about the following information:
  - Any change in your name
  - Any change in your residential address **(within ten days)**
  - Any change in employer or employer’s address
- Any interruption of employment lasting longer than 10 days
- Any change in your immigration status (e.g. change to H-1B)
- Every six months, mail your I-20 to ISSS for a new travel signature. To ensure that your I-20 is returned to you quickly, please include a pre-paid UPS or Fedex shipping label.

**Do I have to find a job?**

**YES.** The Interim Final OPT Rule published on April 8, 2008 requires that F-1 students not exceed 90 days of unemployment during their 12 months of Post-Completion OPT, and that they report their employer’s name and address to their school within that time frame. **If you exceed 90 days of unemployment, the Department of Homeland Security will automatically terminate your SEVIS record.** This means that your F-1 status and employment authorization will no longer be valid and you will have to leave the U.S. immediately.

Therefore, to maintain your F-1 status, you must report employment to ISSS as soon as you accept a job offer and before you exceed 90 days of unemployment. Be sure that your employment offer letter includes your official start date since ISSS must report your official start date to SEVIS. Possible consequences to remaining in the U.S. after the 90-day deadline without a job include denial of future immigration benefits, detention and deportation, 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. When you report employment to ISSS, you will be required to explain how your employment is directly related to your field of study.

- **Regular paid employment** – Employment can be part-time (at least 20 hours per week when on Post-Completion OPT) or full-time. There is no defined maximum number of hours one may work while on Post-Completion OPT. Limits for students on Pre-Completion OPT must be followed.
- **Multiple employers.** All work must be related to your field of study.
- **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”, which refers to an individual performing 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. You must have proper business licenses. **Note: Although self-employment is permitted during the 12-Month Post- / Pre-Completion OPT, it is not permitted on a 24-Month OPT STEM Extension.**
- **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.
o You must submit a letter from your employer about your volunteer work (See Sample Letter about Volunteering.)
o You must work at least 20 hours per week
o Note: Although volunteer employment is permitted during the 12-Month Post-/Pre-Completion OPT, it is not permitted on a 24-Month OPT STEM Extension.

IMPORTANT REMINDERS:

• While your OPT application is pending, we strongly advise against changing the address listed on Form I-765. The USCIS does not always process changes of address in a timely manner. Changing your address while your application is still pending may result in your being required to file a new OPT application with a new fee because you did not receive your EAD Card. **Note:** EAD Cards may not be forwarded to your new address by the U.S. Post Office. Therefore, you must be certain that the address you list in Item #3 of your Form I-765 is (and will be) your address when your application is approved, which could be 3-4 months after you submit it to the USCIS.

• Employment may not begin until the EAD Card is received. You may only work during the validity dates of your EAD card.

• The EAD Card for Optional Practical Training allows you only to work 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.

• ISSS will not authorize CPT after recommending Post-Completion OPT in SEVIS. Therefore, if there is a possibility of CPT in your final semester, you must submit your CPT application before applying for OPT.

• If you transfer to another school or begin study at another educational level, your OPT authorization will automatically be terminated.

• If you are accepted to begin another degree program at UB and your OPT has not yet expired, your OPT will terminate on the first day of classes for your new degree program.

• If you are issued an I-20 to start a new degree program at UB and you decide instead to continue on OPT, you must notify ISSS immediately. Failure to do so will result in the deactivation of your SEVIS record.

• If you later decide not to mail your OPT application to USCIS for any reason, you must notify ISSS immediately so that we can cancel your OPT recommendation in SEVIS.