

International Student Services Sierra Vista, 3<sup>rd</sup> Fl 1500 N Verdugo Rd Glendale, CA 91208-2894 818-240-1000 x6645 gcciso@glendale.edu

# Optional Practical Training: Quick Guide

<u>Disclaimer</u>: GCC ISO has prepared this guide to provide you with general guidance. However, any advice provided to you by our office, as well as the information in this document, should not be construed as legal advice. Due to the fluid nature of governmental interpretation, it must be understood that US Citizenship and Immigration Services (USCIS) and Department of State (DOS) may change their interpretations of established immigration laws/regulations and eligibility requirements for benefits at any time.

## Definition of Optional Practical Training (OPT)

Optional Practical Training (OPT) is designed to provide you with an opportunity to gain employment experience in your chosen profession. This is initially granted for a period of 12 months. OPT may be used before (pre-completion OPT) or after (post-completion OPT) your program ends. Most students will utilize only post-completion OPT.

OPT jobs must be in your field and at your level. This means that the job opportunity must be **directly related** to your major and must require applicants to have your level of education. Please consult with ISO if you are unsure if a position qualifies for OPT.

Pre-completion OPT is limited to part-time during school sessions (up to 20 hours a week) and may be full-time (21+ hours a week) during school breaks. Post-completion OPT may be full-time (21+ hours a week) or part-time (a minimum of 20 hours a week). Post-completion OPT may be paid or unpaid (i.e. internship or volunteer work). You may also be self-employed or volunteer during your post-completion OPT period. Please see the section below on "Self Employment and Volunteering" before pursuing this type of work.

#### Eligibility Requirements

In order to be eligible to apply for OPT, you must have been in lawful F-1 status for at least 9 months (one academic year). If you participated in a total of 12 months of *full-time* curricular practical training (CPT), you will not be able to apply for OPT. Part-time CPT work (of any length) does not affect OPT. OPT may only be granted once per higher academic level. For example, if you are completing an associate's degree and were already authorized for OPT at the associate's level (AA/AS), you do not qualify to apply again. If you were authorized for OPT for a bachelor's degree, and are now pursuing an associate's degree or certificate program, you will also not be eligible to apply for a new OPT period. The next level at which you would be eligible for OPT is a master's program.

#### Date You Complete Your Program of Study

Your F-1 status expires 60 days after the date you personally <u>complete degree requirements</u>, not the date listed on your I-20. USCIS ignores your graduation date because it realizes that many students, especially graduate students in thesis or dissertation programs, may complete requirements for a degree any day during the year. Therefore, it is important to plan ahead and know what your actual last day of your program will be.



International Student Services Sierra Vista, 3<sup>rd</sup> Fl 1500 N Verdugo Rd Glendale, CA 91208-2894 818-240-1000 x6645 gcciso@glendale.edu

# Optional Practical Training: Quick Guide

# **Application Deadline**

It is highly recommended that you apply for OPT 90 days before you complete your degree requirements. OPT can begin no later than 60 days after you complete your degree requirements. This is why it's very important to apply early - if the EAD card is issued after the 60th day, USCIS is still required to put the start date as 60 days after you complete your degree requirements. This means that delaying your application could result in a loss of OPT time.

In addition, your application must be *received* (not postmarked) by USCIS no later than 60 days after you complete your degree requirements. In general, applications can take anywhere from 75-110 days to be processed. You cannot expedite this process. Please see the Optional Practical Training Application Checklist on the <u>Forms</u> page for more information on submitting these applications.

## Authorization by the United States Citizenship and Immigration Services (USCIS) Office

After you apply, you will receive a receipt from USCIS - do not throw it away. It will have a case number and a website and telephone number which you can use to track the progress of your application. Please bring a copy of this receipt to our office. You may not begin work until all three of the following requirements are satisfied: (1) you have obtained an EAD card from the USCIS, (2) the date of authorized employment (as noted on your EAD card) is reached and (3) you have completed all requirements for your program of study.

Once authorization to engage in OPT is granted, it may not be cancelled. Unexpected delays in completing degree requirements, inability to find an appropriate job, or loss of a job may result in hitting your 90-day unemployment limit (please see section below).

## Actual Date Employment May Begin

You may not begin work until:

- 1. You have obtained an Employment Authorization Document (EAD) card from USCIS, and
- 2. The start date on your EAD card has been reached

#### **Updating Personal & Employer Information**

You must report any and all changes in your personal address, phone number, and e-mail address while on OPT within **10 days** of the change. You also must report any changes in your employment status, including any change in employment location or status (i.e. finished/left a job, start of new job, etc) within **10 days**. Please use the OPT Reporting Form to submit this information or report it directly in the SEVP OPT Portal. You only need to choose one reporting method, but must report within 10 days of the change.

### **Unemployment Limits**

You may accrue a maximum of 90 total days of unemployment in your 12 month period of initial OPT. For example, if you were unemployed for a total of 10 days while you were looking for a job, you have a total of 80 days of unemployment left for the rest of the year. If you accrue 90 days of unemployment, you must depart the US immediately (by the 91st day). There is no additional grace period.



International Student Services Sierra Vista, 3<sup>rd</sup> Fl 1500 N Verdugo Rd Glendale, CA 91208-2894 818-240-1000 x6645 gcciso@glendale.edu

# Optional Practical Training: Quick Guide

## Self-Employment and Volunteering

If you report self-employment, you must document all work-related activities carefully and make sure that you are working a minimum of 20 hours a week. You may need to show proof of your self-employed work to USCIS at a later time. We encourage you to keep your calendar up to date, use an app (like Toggl) to track your time, and use software to keep track of billable hours. Even creative avenues like producing time-lapsed videos or creating a "day in the life of" video series and posting it to social media can assist with showing proof of work.

Volunteering is also tricky. You can only report volunteer work if it meets the requirements of OPT (in your field and at your level of study). It is important to note that volunteering opportunities are typically **only** found in the public sector (non-profits, charitable organizations, etc). There is no such thing as "volunteering" for a private or for-profit organization. These institutions generally must offer an unpaid internship for unpaid work. It is very important not to accept a position with any company that is violating US Department of Labor laws. If you have any questions about an opportunity you are thinking of pursuing, please contact us.

## Travel While Applying for or Working Under OPT

Please consult our Travel Guidelines document on the <u>Travel</u> page for specific guidance depending on where you are in the OPT process.

#### H1-B Cap Gap

Students who have already earned a bachelors degree or higher in the US may qualify for H1-B sponsorship. Per <u>USCIS</u>, "An F-1 student who is the beneficiary of an H-1B petition and request for change of status that is filed on time may have his or her F-1 status and any current employment authorization extended until the first day of the new fiscal year."

This allows you to remain in the US and continue employment until your H1-B application is approved and takes effect on October 1st, provided that your H1-B application is received by USCIS *prior* to the end of your current OPT status. Keep in mind though that this automatic extension of work authorization will also *automatically terminate* upon the rejection, denial, or revocation of the H-1B petition. If this is the case, you will need to leave the US immediately.

You can learn more about H1-B Cap Gap on the Department of Homeland Security's <u>Study in the States</u> page on this topic.

#### STEM Extension: Unavailable at AA or Certificate Level

The 24-month STEM extension is unavailable to associates or certificate level OPT participants. STEM requires the earning of a bachelors degree or higher in the US. You can learn about the STEM Extension on the Department of Homeland Security's <u>Study in the States</u> page on this topic. However, if you *have* earned a bachelors or masters in the US, and have not previously applied for the STEM extension, you are eligible to apply. Please review the <u>STEM OPT Quick Guide</u> for more information.