



Optional Practical Training

Explanation

As an F-1 student, you may only work off campus in the U.S. if you have received written work authorization approved by the U.S. Citizenship and Immigration Services (USCIS). This handout will explain one type of USCIS-approved off-campus work authorization called, "Optional Practical Training," or "OPT."

Conditions and Limitations

1. Must be in good academic standing (2.0 GPA)
2. You must have been enrolled as a full-time student in legal immigration status for at least one academic year (two semesters) before your OPT begins.
3. YOU CAN APPLY FOR POST-COMPLETION OPT 90 DAYS BEFORE THE COMPLETION DATE OF YOUR DEGREE PROGRAM AND UP TO 60 DAYS AFTER YOUR DEGREE COMPLETION DATE. We highly recommend that you apply for OPT as early as possible.
4. OPT must begin no later than 60 days after completion date indicated in Item 5 on the I-20 and end no later than 14 months after the completion date. We will change the end date of your I-20 to the proposed completion date, and this date must be accurate.
5. The work you do must be directly related to your major field of study. You do not need to have a specific job offer at the time of application. OPT employment may include: Paid employment, Short-term multiple employers, Self-employed business owner, Work for hire (Freelancing), Volunteers or Unpaid interns.
6. Optional Practical Training authorization is limited to a total of 12 months per each higher degree level (12 months each for Bachelor's, Master's and Ph.D.). Part-time OPT authorization is deducted at one-half the full-time rate if it is taken pre-completion of studies.
7. There are restrictions on when students may utilize part or full-time Optional Practical Training. Students can take OPT:
 - Part-time or Full-time: during the annual vacation period
 - Part-time: during the course of study provided the training and other employment, on and off campus, does not exceed 20 hours per week total.
 - Full-time: after completion of all requirements for a degree, excluding thesis
 - Full-time: after completion of all requirements for a degree or course of study, including thesis.
8. YOU CANNOT WORK OFF-CAMPUS UNDER ANY CIRCUMSTANCES UNTIL YOU HAVE BEEN AUTHORIZED BY THE INTERNATIONAL STUDENT ADVISOR AND BY USCIS.

Application Process

Your application must be approved by USCIS before you can begin employment. The process is estimated to take anywhere from 60 - 90 days from date of receipt by USCIS (note that 90 days for processing is the norm during busy times of the year). Approval from USCIS comes in the form of a small photo ID card called an "Employment Authorization Document" or "EAD" card. To apply, follow these steps:

STEP 1: Be Informed by reading this handout thoroughly and carefully

STEP 2: Compile all of the necessary documents

- All I-20s you have obtained from AAU (Original)
- Valid passport, visa, and I-94 card (small white card in your passport)
- 2 Photographs (see photo information sheet) http://www.uscis.gov/files/article/04_08_02Photo_flyer.pdf
- Personal Check for \$340.00 (made payable to Department of Homeland Security)
- Completed I-765 Form (as much as you can) <http://www.uscis.gov/files/form/I-765.pdf>

STEP 3: Make an appointment at the International Services Office 415.274.2208

Within one month of sending the application to the USCIS, you should get a standard receipt notice (I-797 Form). If you do not get this letter within 6 weeks contact an advisor for more information. The "Receipt Number" in the top left corner of this receipt notice (WAC-XX-XXX-XXXXX) can be used to check the status of your case on the USCIS website at www.uscis.gov or by calling the phone number indicated on the receipt. Keep in mind that this information is updated infrequently.

Other Important Information

F-1 students are responsible for reporting their address, their employer's name and address, and any periods of unemployment while on OPT within 10 days to our office by email at intlservices@academyart.edu or fax 415.618.6347. This information will be reported to the Department of Homeland Security, as required in the immigration regulations.

F-1 students are subject to **the 90-day limitation on unemployment**. The time spent without a qualifying job during OPT including the time spent outside the United States will count towards the 90-day maximum on unemployment unless travels while employed either during period of leave authorized by an employer or as part of their employment. The only exception is that periods of up to 10 days between the end of one job and the beginning of the next job will not be included in the calculation for time-spent unemployed. A student who has exceeded the period of unemployment while on OPT has violated his/her status unless he/she has taken one of the following actions:

- Applied to continue his/her education by a change of education level or transferring to another SEVP-certified school.
- Departed the United States
- Take action to otherwise maintain legal status

You must report status changes to our office while you are on OPT. For instance, if you apply for and are granted a change of status from F-1 (OPT) to H-1B or any other immigration status you must notify us. Also, if you leave the U.S. permanently before the end date of your EAD or you plan to return to AAU as a student or continue studies elsewhere after OPT, you must notify us.

Once authorization to engage in Optional Practical Training is granted, it may not be canceled or restored at a later date. This means that after Optional Practical Training is authorized by the USCIS, inability to find an appropriate job, loss of job, or failure to complete requirements for a degree may result in loss of otherwise eligible time to work.

You may not begin work until the following requirements are satisfied: 1) you have obtained an EAD card and 2) the date is reached when the EAD authorizes employment to begin. **REMEMBER IT IS ILLEGAL TO WORK BEFORE YOU RECEIVE THE CARD.**

Any authorized practical training following completion of study will be allowed an additional **60-DAY GRACE PERIOD** to prepare for departure from the United States or transfer to another school to begin a new program or continue at the same school or to apply "change of status" to another nonimmigrant status.

Social Security Numbers (SSN)

Social Security Administration Office (SSA) generally issues SSN to people who are authorized to work in the United States. In your case, once your OPT application is approved and you have a written job offer, come to our office and request a verification letter to support your SSN application. For more information and to find copies of SSA publications, visit their website at www.socialsecurity.gov or call 1-800-772-1213.

Social Security and Other Taxes

In general, F-1 students who have been in the U.S. fewer than five years are "non-residents for tax purposes" and are exempt from Social Security (FICA) and Medicare taxes (see Internal Revenue Service Publication 519, "U.S. Tax Guide for Aliens"). However, your earnings are subject to applicable federal, state, and local taxes. Tax returns must be filed on or before April 15 each year for the previous calendar year, which will determine if any of the withheld taxes can be refunded. US tax laws are complex and changing. For more information and to find copies of IRS publications, visit their website at www.irs.gov (foreign student filing requirements for U.S. Federal Income Tax Form 1040NR or 1040NR-EZ).

Traveling Outside of the U.S. While on Optional Practical Training

Please see "Travel While On OPT" information sheet.

Dependent Travel: Since OPT is not noted on dependent I-20s, an F-2 dependent must carry copies of the F-1 student's I-20 with OPT recommendation, EAD card and job offer letter, in addition to the F-2 I-20 when traveling. Travel at any time while in F-1 status carries some risk. Be sure to consult with the International Student Advisor when contemplating travel outside the U.S. and reentry to continue Optional Practical Training.

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