Optional Practical Training Information for Students in F-1 Status

Purpose
Optional practical training (OPT) offers students an opportunity to gain employment experience in their field of study for a maximum of twelve (12) months immediately after completing a program of study. OPT can also be used while you are still a student for work related to your major. The following information explains who is eligible for OPT, how to use OPT and how to apply for OPT. Please read the explanations carefully before you complete any of the application forms.

Eligibility Requirements
You are eligible for OPT if you hold F-1 student status AND you have:

- pursued a full course of study every semester
- followed the immigration transfer procedures when changing schools
- complied with all immigration regulations regarding employment in the United States –and-
- been in F-1 status for the previous academic year

You do not need a job offer to apply for OPT. In fact, you should apply 3 months before you graduate to allow the time necessary for the USCIS to issue the work permission to you.

You are not eligible for practical training if you have violated your F-1 status and have not been re-instated to lawful F-1 Status.

If you are enrolled in the English As A Second Language (ESL) training program, you are not eligible for practical training after completion of the ESL program; however, you are eligible for OPT if you go on to complete a degree program.

Making a Decision Regarding Participation in Optional Practical Training
OPT is a benefit of your F-1 immigration status. After an academic year in valid F-1 status, you earn 12 months of optional practical training that is designated for work in your major field of study. You can use the OPT for part-time work off campus during the school year or for full-time work in the summer terms. Because most Suffolk students qualify for participation in the Co-Operative Education Program (Co-op), few SU students use OPT before graduating. You should know that the 12-month maximum allocation of Optional Practical Training includes time spent in Pre-Completion and Post-Completion Practical Training combined.

Do not confuse the 12-month allocation of OPT with the immigration benefit of Curricular Practical Training, also known as Co-Op or CPT. Time spent in authorized CPT is not counted as part of the 12 month Optional Practical Training limitation unless you complete 12 months of full-time Curricular Practical Training. If you need information about CPT, please refer to the separate handout for that benefit.
**Students are eligible for only 12 months of OPT after completion of a degree at one academic level.** For example, if you obtained permission for 12 months of practical training after a Bachelor’s degree, 12 months is the maximum allocation of work authorization. There is no way to extend the work authorization beyond 12 months.

**An additional 12 months of OPT is available after completing a degree at a higher academic level.** If you go on to study for a Master’s degree, you will be eligible for more practical training after completion of the Master’s program since the Master’s program represents a move to a higher academic level. After completing a Master’s degree and 12 months of OPT, a student can have an additional year of OPT after completing a PhD program. If you use OPT after a degree, no additional OPT is granted after completing a second degree at the same level (a second Bachelor’s degree or a second Master’s degree) or after completion of a graduate certificate program. This rule applies even if you are attending a different school and/or you have a different major. Students who have never held OPT at one academic level may apply for OPT after completing a second degree at that level.

**Important Application Deadline and Change in Procedure**
You can bring your OPT application to the CIE as early as 100 days before your completion of studies and you can mail off your OPT application to the Service Center as early as 90 days before your completion of studies. The deadline to apply for OPT is the “completion of studies day” for your last term of study. The completion of studies date is not the day of the university graduation ceremony. It is the last day of final exams for your last term of study. For the spring semester, this date is Saturday, May 2nd. This means that you can apply for OPT anywhere from February 2nd and April 30th.*

*This deadline is one week prior to the day that the application needs to be received at the Service Center: May 2, 2009.

The following application periods apply for upcoming completion dates:

<table>
<thead>
<tr>
<th>Term</th>
<th>First Day to Mail Application to Service Center</th>
<th>Last Day to Bring Application to CIE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Spring 2009</td>
<td>February 2, 2009</td>
<td>April 30, 2009</td>
</tr>
<tr>
<td>Law Spring 2009</td>
<td>February 12, 2009</td>
<td>May 11, 2009</td>
</tr>
<tr>
<td>Summer 1 2009</td>
<td>March 24, 2009</td>
<td>June 18, 2009</td>
</tr>
<tr>
<td>Summer 2 2009</td>
<td>April 9, 2009</td>
<td>August 7, 2009</td>
</tr>
</tbody>
</table>

The OPT recommendation that must be granted by a Suffolk immigration advisor is no longer a stamped notation on page 4 of the I-20. OPT is now recommended using the SEVIS program. SEVIS is the electronic tracking system that is implemented by USCIS. Because SEVIS is a USCIS-controlled software program, the system will not allow the university to enter any information on a student after a deadline has passed. The CIE has no ability to change the parameters of SEVIS to accommodate students who miss the application deadline. **If you miss the deadline, you will lose the OPT benefit.**

**PLEASE NOTE:** Because the SEVIS system has had difficulties processing information quickly, it can take up to 5 business days for CIE advisors to be able to complete a process in SEVIS. To avoid processing delays, we recommend that you apply at least one week before the application deadline. In other words, if you come to CIE on the day of the deadline and expect to file your application for OPT “on the spot,” there is a risk that SEVIS might not be operating on that day, and you may lose your ability to apply for OPT.
Application Procedures

STEP ONE: Preparing Documents

After reviewing this packet, you need to assemble the following items:

1. **Form I-765 completed by you**—A blank copy of Form I-765 is attached. You must complete items 1-16 of the form before you meet with your advisor and you must bring the form with you to the meeting. An explanation of how to complete the I-765 is attached. Please read the explanation before completing any part of the form.

2. **I-20**—Please bring copies of ALL I-20’s from EVERY school you have attended, including Suffolk. The most common mistake that students make in applying for OPT is forgetting to include all past I-20’s. If you cannot locate an I-20, let the advisor know. CIE may have a copy in your file.

3. **Passport**—Photocopy the identity page of your passport, including your picture and the expiration date as well as the F-1 visa sticker page.

4. **I-94 Departure card**—Photocopy of the front and back of the I-94 card.

5. **Two Passport Photographs**

6. **Check for $340 payable to Department of Homeland Security**; *be sure to use a personal check, not a money order!*

STEP TWO: Meeting with an International Student Advisor

After you have assembled all of the above items, come to CIE to meet with an immigration advisor. You can see an advisor during the walk-in hours every **Monday from 10 am – 2 pm or Tuesday and Thursday from noon – 4 pm**, OR you can request an appointment on Friday. Call 617-573-8154 or write to oia@suffolk.edu to ask for an appointment if you prefer to come in on Friday. During the meeting, the advisor will review your application, answer any questions and provide additional counseling regarding OPT. **At the meeting, you will leave your application with the advisor for processing.** Due to the slow processing times for the SEVIS program, you should plan to leave your packet at CIE for 5 business days. When your packet has been entered into SEVIS, CIE will email you to pick it up so that you can mail it to USCIS for processing. ***Please be advised that you cannot mail your OPT application without first meeting with an immigration advisor in the CIE.***

STEP THREE: Mailing the Application

It is your responsibility to mail the application to USCIS. We recommend that you mail the application using overnight delivery, return receipt requested. We also recommend that you **make a photocopy of your OPT packet before mailing it.** The attached checklist contains the address for the Vermont Service Center. The Vermont Service Center processes OPT applications for students living in the
Northeastern United States. If you are moving to another region, tell the advisor, and they will give you the address of the service center for that region.

Waiting . . .
After you mail the application, you will enter a period of waiting. While you are waiting on the application, you are still in valid F-1 student status and can remain legally in the U.S. **You cannot travel outside of the U.S. and re-enter while you are waiting for the employment authorization card.** After 2-3 weeks, you will see that your check will clear your bank account. After 4-6 weeks, you will receive a receipt from USCIS. Check the receipt carefully to make sure that your name and date of birth are correct. If you see a mistake, come to the CIE. After 2-3 months, you will receive an **Employment Authorization Card**, or EAC. This is your actual work authorization. It will contain your photograph and the dates for which the card is valid. Once you have the card in your hand, you are ready to begin work on the day listed on the card.

*Under no circumstances can you begin work while you are waiting for the card.* Working before the card arrives is a clear violation of your immigration status and will cause great immigration difficulties. Similarly, “volunteering” to work without pay while you wait for the card is NOT legal. USCIS has ruled that employment includes any work for which you receive compensation. In their eyes, compensation can be money or it can be the promise of future employment. If you have questions about this ruling, ask an advisor.

**Special Considerations**

*Dates of OPT*
The start date for your OPT will be the last day of finals in your final term of study. USCIS often experiences “slow downs” in processing. If the service center makes your card on a date after this day, the officer will date the card from the day that it is made. If you wait too long to mail your application, it is possible that your card with be made past the 60th day after your completion of studies. If this happens, you may lose time on your EAD card. If you wish to have your OPT card start on a specific day, please tell the advisor during your meeting and they will do their best to accommodate your wishes.

*Travel During OPT*
To travel while you are participating in OPT, you need the following items:

1. Suffolk University I-20 with a valid travel signature on page 3. Please note that during OPT, signatures are valid for 6 months only.
2. Valid passport
3. Valid F-1 visa sticker in the passport
4. Valid EAC (card)
5. Letter from your employer confirming dates of employment that correspond to the dates of the OPT card and the type of work you are performing. The letter should not mention any plans for future employment using the H1-B visa.

If you move outside of the Boston area, you can mail your I-20 to CIE for a travel signature. Do not worry if the I-20 expires while you are on OPT. The dates on the EAC establish that you are still in valid F-1 status. If your visa sticker expires while you are on OPT, you can go back to the U.S. embassy in your country to obtain a new one when you travel. It can be difficult, however, to obtain a new visa sticker in the last 2 months of your OPT. For further travel advice during OPT, call or e-mail CIE.

It is **NOT** possible to travel outside the U.S. while you are *waiting* for the EAC to arrive, since you need to show the EAC to be readmitted to the U.S. Sometimes students leave the country and plan to have a
friend or roommate mail the card to them overseas. In some cases, this plan has worked well. In other cases, students have been stranded outside of the U.S. for many months. At any given time, there are 2 or 3 Suffolk students who are stuck outside of the U.S. waiting for the EAC. Because CIE cannot predict how long USCIS will need to issue your card, we cannot recommend that you leave before the card is issued. If you decide to leave before you have the EAC, there is nothing CIE can do for you if you become stranded outside of the U.S. Your only option is to wait for the card to be issued by USCIS. You CANNOT use the B tourist status or the visa waiver program to re-enter the U.S. while you are waiting for OPT. If you enter as a tourist, you cannot claim a work permit based on your student status. Entering as a tourist will invalidate your EAC.

Unemployment while on OPT:

During any 12-month period of standard post-completion OPT, no student may be unemployed for an aggregate of more than 90 days. 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. Types of employment include: paid employment, payment by multiple short-term employers, work for hire, self employed business owner, employment through agency, and volunteer or unpaid internships.

Detailed Instructions for Completing the Application Form I-765:

Complete items #1-#16 before you meet with the advisor. Write very neatly, as this information will be entered into the USCIS database. If the officer cannot read your handwriting, your EAC will be delayed. Sign and date the form. In the section “I am applying for”(directly above the item number 1), enter an “X” in the box in front of “Permission to accept employment”.

Item 1-8: These items are self-explanatory. Please fill-in the correct information.

Item 9: Enter your number from your Social Security Card. If you don’t have a number, leave it blank and remember to discuss it when you meet with your advisor.

Item 10: Enter the eleven (11) digit number from your I-94 card. Do not enter your Suffolk University ID number.

Item 11: If you ever have applied for any type of employment through USCIS place an “X” in the box for “Yes”. You must mark “Yes” if the application to USCIS was approved or denied.

Do not mark “Yes” if your only employment has been curricular practical training (CPT) because (CPT) is not approved or denied by USCIS. It is approved or denied by your International Advisor.

If you marked “yes” you must indicate the USCIS Office to which you sent the application and the dates of approval or denial. You must also state whether the employment was granted or denied. Also, you must attach documentation showing approval (usually a copy of your EAC) or denial.

Item 12: This number refers to the most recent date on which you entered the U.S. in F-1 status. It is stamped on the last I-94 you received when you entered the U.S. Also, it is stamped inside your passport.

Item 13: This section refers to the city where you were inspected by the USCIS the last time you entered the U.S. The location is stamped on the last I-94 you received or in your passport.

Item 14: This item refers to the status you were given by USCIS the last time you entered the U.S. If you entered as F-1 you should enter “student” in this space. If you entered in some other status please discuss it with the advisor.
Item 15: This item refers to your current immigration status. In most cases this will be the same as the status that was entered in item number 14. However, in the case of students who changed to F-1 status after they entered the U.S., the information in numbers 14 and 15 will be different.

Item 16: Enter the following in this section, (C) (3) (B)

*Ignore Item 17*
Please sign and date the form. Give the telephone number where you can be reached easily if USCIS has questions about your application.

Practical Training Document Check List

You must submit the following documents to the Vermont/Eastern Service Center with your application for practical training:

☐ Application fee of $340.00 in the form of a personal check in U.S. currency payable to Department of Homeland Security. Your name, address, and I-94 number should be printed on it. Be sure to use a personal check. When the check clears your bank account, you will know that the USCIS is processing your application.

☐ Completed original form I-765.

☐ Two standard sized passport photos with a white or off-white background. Print your name and your I-94 in pencil on the back of each photo.

☐ Copy of your Suffolk University SEVIS I-20 recommending you for optional practical training. (You will receive this after meeting with an advisor)

☐ Copy of your I-94, front and back.

☐ Copy of visa page of your passport.

☐ Copy of identity page of your passport, showing the expiration date.

☐ Copies of all I-20s issued to you by EVERY school at which you enrolled in the U.S.

☐ Copy of any previous Employment Authorization Documents/Cards (EAD or EAC), front and back, that were issued to you.

If any information is unclear, you can ask the advisor when your application to the following address:

USCIS Vermont Service Center
75 Lower Welden Street
St. Albans, VT 05479

We recommend you mail the application materials by “Overnight Delivery” with “Return Receipt Requested”.

Congratulations! You’re ready to mail your application for OPT!

Good luck with your career plans!