

Frequently Asked Questions: Optional Practical Training (OPT)

What is “OPT”?

Optional Practical Training (OPT) is a work benefit allowed to international students in F-1 immigration status who are enrolled in, or completing a degree program in the U.S. This employment can be used pre-completion of studies, over the annual vacation or leave term, or post-completion of studies, after the student finishes the degree.

What is the duration of OPT employment authorization:

The initial post-completion period for which students can apply is 12 months; less any OPT time used pre-completion. The requested employment start date must be between the end of program date, and 60 days later. The employment authorization will begin on the date requested **or** the date the employment authorization is adjudicated, whichever is later.

Do I need a job to be eligible to apply for OPT?

No, you do not need a job offer prior to applying for OPT, and your job may be anywhere in the United States. You may also change jobs during the course of your OPT period, but you must notify our international office of any interruption or change to your employment.

Does the job I have while on OPT have to be paid employment, or can it be unpaid?

The employment does NOT have to be paid employment. Therefore, a student who is self-employed (including performance majors with regular “gigs”), interning or volunteering in a position directly related to the academic field would be considered “employed” for the purposes of OPT employment. If you are “self-employed,” keep careful records of all the work you do—it is supposed to be at least 20 hours per week.

Am I eligible for OPT?

F-1 students who have been enrolled in legal status for a minimum of nine months are eligible for up to twelve (12) months of Optional Practical Training (OPT) work authorization by the U.S. Citizenship & Immigration Services (USCIS). Employment under OPT must be directly related to a student's field of study and appropriate to the level of education.

How can I use optional practical training while I am still in my program?

You may use OPT while you are still in your degree program as follows:

- (1) Part-time while school is in session,
- (2) Full-time during annual vacation periods, and/or
- (3) Full-time after you completed all course requirements for the degree and have a thesis requirement remaining.

Frequently Asked Questions: Optional Practical Training (OPT)

These periods of OPT used before you graduate will be deducted from the total allowable period of 12 months. Part-time OPT will be deducted at one-half the full-time rate.

When can I apply for OPT?

The earliest you may apply for OPT is 90 days (3-months) prior to the completion of studies*, and the latest you may apply for OPT is 60 days following program completion. It can take several months to receive the OPT work card, so it is recommended that you apply at least 90 days prior to the beginning of your intended job opportunity.

May I save any of my unused OPT eligibility and use it at a later time?

No. Once you apply for OPT and complete your program of study, the OPT work eligibility is either used or not. There is no recapture of unused OPT time.

Do I have to use the entire 12-month OPT period at once, or may I use it in increments?

OPT may be used in "chunks" during an annual vacation term before completion of studies, but after completion of studies it may only be used as a single block of time (minus the difference of any previously used OPT time).

What does the immigration service consider "completion of studies?"

Completion of studies is the actual date that you complete all requirements for a program of study (i.e. the date of your final exams, or submission of your thesis or dissertation). **"Completion of studies" is NOT automatically considered to be the date of graduation ceremonies.**

Am I eligible for more OPT if I progress to another degree program?

Yes. If you begin a new degree program at a higher level (i.e. Bachelor to Masters or Masters to Ph.D.) program, you will become eligible for an additional block of 12-months of OPT as outlined above. You are, however, only eligible for one period of 17-month OPT-extension.

When can I start working under OPT?

Only once you possess the OPT employment document ("Employment Authorization Document") issued by the immigration service, and the effective beginning date listed on the employment document has been reached.

Can I be unemployed while approved for OPT, and still legally remain in the U.S.?

The new regulations published on April 8th, 2008, limit periods of unemployment during post-completion OPT. F-1 status is now dependent upon employment, within the following parameters:

Frequently Asked Questions: Optional Practical Training (OPT)

- Students may not accrue an aggregate of more than 90 days of unemployment during any post-completion OPT carried out under the initial 12-month post-completion OPT authorization.
- Students granted a 17-month OPT extension may not accrue an aggregate of more than 120 days of unemployment.

How long can I stay in the U.S. after my post-completion OPT ending date expires?

You have a 60 day grace period following the end of your OPT period, unless you have extended your F-1 status for another degree program, or you are under application to change your immigration status to another classification.

I just found a job, but I do not have my Employment Authorization Document. Can I start working?

No. It is against the law for a business or company to employ and/or pay you before you have your EAD card in hand. You can't work before the date on the card even if you have the card in hand.

References:

Cornell University: <http://www.isso.cornell.edu/immigration/fl/OPTfaq.pdf>

Dartmouth College: <http://www.dartmouth.edu/~ovis/updates/fl/optfaqs.html>

Michigan Tech: <http://www.mtu.edu/international/forms-info/faqs/opt/>