



## **Post-Completion OPTIONAL PRACTICAL TRAINING FOR F-1 STUDENTS**

### **What is post-completion Optional Practical Training (OPT)?**

It is employment directly related to your field of study, following the completion of your academic degree. IT IS NOT YOUR GRADUATION DATE, which is the date when PACE UNIVERSITY recognizes those who have recently completed their studies. **THE COMPLETION DATE WOULD BE THE STUDENT'S PROGRAM END DATE** as scheduled on the School's academic calendar.

### **Who is eligible for post-completion OPT?**

You are eligible to apply for post-completion OPT authorization if you:

- 1) have been a full-time student for at least one full academic year;
- 2) are currently in lawful F-1 status;
- 3) have completed all course requirements for your degree program;
- 4) have not been previously authorized for 12 months of optional practical training during continuous study in the U.S. at the same educational level; and
- 5) have not been authorized for 12 months or more of full-time curricular practical training

### **What is the maximum amount of time that can be authorized for Optional Practical Training?**

The maximum amount of time that can be granted is 12 months of full-time employment authorization per educational level to all qualified students on F-1 visa.

### **Can OPT be extended?**

The OPT Final Rule published by the Department of Homeland Security in Federal Register effective May 10, 2016 allows a 24-month extension of the Post Completion OPT. The final rule allows F-1 students who are currently on OPT after earning a bachelor's, master's, or doctoral degree in **Science, Technology, Engineering, or Mathematics** ([government approved STEM fields](#)) to now be able to apply for 24 months of additional OPT if they have a job or job offer from an E-Verify employer and meet all other required criteria.

### **Is there any special paperwork for filing for STEM OPT?**

Students approved for STEM OPT and their employers will have increased reporting requirements, along with a formal training plan documented on the US government form [Form I-983](#). More information on the [US government STEM OPT FAQs](#).

## How many times is it possible to get Optional Practical Training while studying in the United States?

If you complete 12 months of Optional Practical Training and go directly to a higher educational level, you will be eligible for another 12 months of OPT upon completion of your next higher degree. Final May 2016 OPT STEM rule allows F-1 students who obtained a degree in a government approved STEM field in the last 10 years, regardless of immigration status held at that time; and have since completed a degree in a non-STEM field; and are currently on post-completion OPT may be eligible to apply for a STEM OPT extension based on that prior degree if they meet all other required criteria. <https://studyinthestates.dhs.gov/stem-opt-frequently-asked-questions>

Under the 24-month rule, F-1 students who had already obtained one STEM OPT extension become eligible for a second STEM OPT extension (**total of two lifetime STEM OPT extensions**) after:

- Earning another qualifying STEM degree at a "higher degree level" and
- Obtaining a new initial grant of standard 12-month post-completion practical training based on that higher degree

Note - any subsequent application for an additional 24-month STEM OPT extension must be based on a degree at a higher degree level than the degree that was the basis for the student's first OPT extension, and follow another 12 months of standard post-completion OPT.

## When should I apply for Optional Practical Training?

F-1 students may apply for OPT no more than 90 days before the degree completion date, or as late as 60 days after the end date (**so long as you do not leave the U.S. during these 60-days, and are in F-1 status in the U.S. at the time of application**). As the Department of Homeland Security (DHS) can take between 2 to 3 months to approve your OPT request, it is important that you file your OPT application in advance so you have the authorization prior to your expected employment start date.

## When should I apply for STEM OPT extension?

You cannot apply for STEM OPT extensions during the 60-day grace period following an initial 12-month period of post-completion OPT. The current requirement to properly file the request for a STEM OPT extension prior to the end of the initial OPT period allows sufficient time to apply for the extension and ensures continuing employment authorization during the transition from the initial OPT period to the STEM OPT period. Student who filed a timely STEM OPT extension application may continue working while the STEM OPT application is pending, for up to 180 days beyond the expiration of the student's standard post-completion OPT.

## What happens if I apply for OPT prior to program end date and fail to complete the degree requirements and must retake one of the classes?

This depends on quite a few factors. If your OPT application has not been adjudicated by DHS you may withdraw the application from the Vermont Service Center. ISS staff will adjust your SEVIS record and cancel the OPT electronically. If the employment authorization has been approved already by the time you became aware of the failing grade, it will be too late to withdraw.

In this case you will need to retake the class in order to complete the degree requirements. At the same time you must keep your OPT but may use it for part-time employment only, while enrolled in the course. After completion of the degree requirements you may work full-time for the remainder of your OPT. It is strongly recommended to contact ISS immediately for guidance.

### **What type of work can I do while authorized for the post-completion Optional Practical Training?**

The work must be directly related to your major field of study. For students who are not on STEM the employment may include:

1. Paid employment (part-time or full-time)
2. Multiple employers (the student on OPT may work for more than one employer, but all employment must be related to the student's degree program.)
3. Work for hire (service performed on contractual relationship)
4. Self-employed business owner (students on OPT may start a business, proper business license is required, as well as business activities related to the student's degree program)
5. Employment through the Staffing Agency/Consulting Company (at least 20 hrs. per week)
6. Unpaid employment (students may work as unpaid interns for at least 20 hrs. per week.)

### **Do I need a job offer to apply for post-completion Optional Practical Training?**

No, you do not need a specific job offer to apply for OPT; it is a granted benefit and a legal extension of your F-1 status and lawful stay in the United States. However, the provision of the new OPT rule (see above) establishes a limit on the period of unemployment during the 12 months of authorized post-completion OPT. ***Students on OPT may have up to 90 days of unemployment in total accumulation during the 12 months of OPT.*** SEVIS countdown clock will trigger status termination for 90 ***consecutive*** days of unemployment. SEVP preserves the right to manually terminate a student record for exceeding 90 ***cumulative*** days of unemployment.

### **What counts as unemployment time?**

Each day during the period when the OPT authorization begins and ends that the student does not have qualifying employment (see above 6 categories for the qualifying employment, including unpaid internship or volunteering work) counts as a day of unemployment. 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 counted.

### **How does travel outside the U.S. impact the period of unemployment?**

If a student whose approved period of OPT has started travels outside of the United States while unemployed, the time spent outside the U.S. will count as unemployment. If the student travels while employed (vacation or business trip), the time spent outside the U.S. will not count as unemployment.

### **What are the consequences of exceeding the period of unemployment?**

A student who has exceeded the period of unemployment while on post-completion OPT has violated his or her visa status unless he or she has taken one of the following actions:

1. Applied to continue his or her education by a change of educational level or transferring to another School.
2. Departed the U.S. in a timely manner.

**May I start working as soon as I file my application for Optional Practical Training with USCIS?**  
**NO**, you may not begin legal employment until it has been authorized by the DHS and you have received your Employment Authorization Document (EAD).

**When can I begin working?**

You may begin working only on the start date printed on your EAD card. You must receive the card prior to commencing employment. We advise students to file early to avoid delays.

**How do I choose the effective OPT days?**

Optional Practical Training must be completed within 14 months of completion of your studies. This means you may request that your OPT start date will be within 60 days following your last day of classes. For example, if you completed your studies on May 15, you could request for employment to begin on May 16 or any other date within the next 60 days. Your employment end date will be exactly 12 months after the start date. On the Student's Acknowledgment form included in the OPT packet you are required to write down the start OPT date and the end OPT date (your choice). The International Student Advisor will submit these dates electronically to SEVIS and issue you a new I-20 bearing the OPT recommendation and the expected employment start and end dates of your choice. The EAD card you will receive from DHS will have the same effective dates of employment.

**When do I need to mail my OPT packet to the USCIS? Is there any deadline?**

You must mail the OPT packet to the USCIS within 30 days from the OPT I-20 issue date. In the event it was mailed later than that, your OPT request will be denied. The OPT I-20 is only valid for 30 days.

**What will be my non-immigrant status be while on post-completion Optional Practical Training?**

You will remain on F-1 status even though you have completed your studies and are working full-time. Optional Practical Training is viewed as an "extension" of your F-1 non-immigrant visa status.

**Can I travel on my grace period between graduation and OPT filing?**

If you do not apply for OPT, but travel outside of the U.S. after your official completion date (during the 60-day grace-period), you will have negated your eligibility to apply, as you won't be able to return under F-1 status.

**Can I travel while on Optional Practical Training or before the approval?**

If you have completed your studies and leave the U.S. before Optional Practical Training is approved, your application will be considered abandoned. You can travel as long as you have an unexpired EAD, a valid F-1 visa, a Form I-20 issued for OPT and signed for travel within the last 6 months by the DSO, and proof of employment. The proof of employment would be a job letter from your current employer, or a job offer. The time spent abroad during authorized Optional Practical Training while unemployed impacts the 90-days limit for unemployment.

**What happens after the end date of my Post-Completion Optional Practical Training?**

You have a 60-day grace period to:

- 1) depart the U.S.
- 2) apply to continue in another educational program at Pace or another school
- 3) change to another non-immigrant status

**What if my employer wishes to extend my employment beyond the end OPT date?**

It may happen if you are a beneficiary of an H1B petition filed by your current employer; you have the receipt notice or approval notice, but your OPT expires before October 1, the H1B start effective date.

**Cap gap extension** will allow your employment eligibility to be extended until September 30. Although the cap gap extension is automatically granted by the law, the student must request from the International Student and Scholar Office a new I-20 with an extended OPT end date (September 30), which will serve as the only proof of employment eligibility (EAD card will not be extended) until H1B comes into effect.

**What are the new reporting requirements under the OPT Final Rule?**

Students on all types of post-completion OPT – regular, cap gap OPT extension, or STEM extension have mandatory reporting requirements, as outlined on the acknowledgement form.

**How do I report my employment under OPT?**

Complete the online [OPT Employment Update Form](#) and we will process your new I-20 reflecting your current employer within 3-5 business days following the submission of the form.