Optional Practical Training Extensions – Instructions and Information

What is Optional Practical Training (OPT) and How Can It Be Used?
Optional Practical Training is defined by U.S. Citizenship and Immigration Services (USCIS) as practical work experience that is directly related to your field of study and commensurate with your level of study. It can be authorized in any combination of the following ways:

- **Pre-completion OPT**: (OPT that has a start date prior to degree completion)
  - part time only: while school is in session
  - full time or part-time:
    - during school vacation periods (as long as student will be registered in the school in the following semester)
    - if start date requested is after completion of all required course work

- **Post-completion OPT**: (OPT that has a start date after degree completion)
  - Full time only

How Much Time Am I Allowed on OPT?
F-1 students are eligible for a maximum of 12 months of full-time Optional Practical Training during or following each advancing degree level. Part-time Pre-completion OPT accrues at a rate of 50%, e.g., 6 months of part-time OPT count as 3 months of the total of 12 months you are allowed.

What are the Different Types of OPT & Status Extensions?
- **The Cap-Gap Extension**:
  - F-1 students who are the beneficiaries of a timely-filed H-1B petition are eligible for **either**
    - an extension of their F-1 status (if they are in legal F-1 status at the time of filing). Students are NOT eligible to work during this time.
    - This extension is applicable until the effective date of their H-1B (October 1 of the year in which the petition was filed), an OPT extension, that is a work authorization extension (if they are on post-completion OPT at the time of filing)
  - **The 17-Month Extension**: F-1 students in the STEM fields (Science, Technology, Engineering, Mathematics) are eligible for a one-time extension of 17 additional months, thus making their OPT total a maximum of 29 months.

What Additional Information Should I Know About the OPT Extensions?
- **The Cap-Gap Extension**: “Cap-gap” occurs when an F-1 student’s status and work authorization expire during the current fiscal year before the student can start approved H-1B employment during the next fiscal year beginning on October 1

The cap-gap extension is a period in which an eligible F-1 student’s status is extended to bridge the gap between the end of F-1 status and start of H-1B status. It starts when the student’s current period of F-1 status ends, regardless of whether the student is on OPT (a day after the grace period ends). If a student is pursuing post-completion OPT, the OPT is also automatically extended. This is the cap-gap OPT.

In order to have the OPT extended during the cap-gap extension, the student must be in an approved period of OPT on the eligibility date. The eligibility date is the date a USCIS Service Center receives a properly filed H-1B petition. The cap-gap extension does not involve a filing fee.

Important Timelines
- If the authorized post-completion OPT is valid till June 1, the student does not need to contact the Center to request an extension until after selected for receipting.
- **Properly filed petition** – OPT extended to June 1 – F-1 status extended to Aug 2. Students must send a request for extension to ISA (international student adviser) with proof of proper filing
- **If petition is not selected** – NO EXTENSION
- **If petition is wait-listed** – There will not be a waitlist utilized as a part of the FY 2011 H1B Cap filing process
- **If petition is selected for receipting** – OPT extended to September 30, F-1 record completes on September 30 ending the F-1 status. Request ISA to print new I-20 reflecting the extension
- **If petition is withdrawn or denied** – OPT ends 10 days after the date of withdrawal or denial, grace period ends 60 days after the date of withdrawal or denial
The 17-Month Extension: An additional 17 months of OPT may be granted to a student on post-completion OPT. Eligibility criteria

- F-1 students who completed a bachelor’s, master’s, or doctoral degree in a STEM (science, technology, engineering, or math) field and are currently engaged in post-completion OPT may apply for the 17-Month Extension if they have a job or job offer from an E-Verify employer
- The STEM Designated Degree Program List is on the SEVP Web site: http://www.ice.gov/sevis/stemlist.htm

Important Timelines

- Application for the 17-Month Extension must reach the USCIS before the post-completion OPT end date
- The application for extension can be filed up to 120 days prior to the end date of the OPT
- The start date will be the day after the end date of the current OPT
- This is a ONE-TIME extension
- USCIS can take up to 90 days to issue the EAD card

Student Responsibilities While on 17-Month Extension

- If F-1 students file timely (prior to the expiration of their current EAD card) for a 17-Month Extension they may continue employment while the application is pending until a final decision from USCIS, or 180 days, whichever comes first
- Approved extensions allow for students to remain working for the E-Verify employer on the new EAD. If denied, the student must make preparations to depart or transfer to another school to continue studying
- Students must work at least 20 hours a week for an E-Verify employer
- Employment may be paid or unpaid
- Can work in multiple jobs but all employers must be enrolled in E-Verify
- Report to their International Student Adviser (ISO) within 10 days of: Legal name changes, a change in residential or mailing address, Changes in employer, giving the employer name and employer address, Loss of employment (refer to the Center’s OPT Update Form)
- Send the ISO a validation report every six months (using the OPT Update Form) The validation report must include the student’s:
  - Full legal name
  - SEVIS identification number
  - Current mailing and residential address
  - Name and address of the current employer
  - Date the student began working for the current employer

What is the Process of Applying for OPT Extensions?

- Complete all forms and gather all supporting documents for your application.
- Contact your international student adviser through email.
  - If you are applying for 17-Month Extension OPT please prepare the application following the “17-Month Extension OPT Application Checklist” on page 3. Once your application is complete send it to your ISA for review.
  - If you are requesting an H-1B CAP-GAP Extension I-20 send in:
    - A scan of your H-1B receipt/approval notice, or proof of proper filing (depending on the status of your application)
    - A scan of your valid EAD card (if on OPT)
What is the Practical Training Authorization Process?
After you have gathered all documents listed above, your adviser will review your application.

➢ In case of the 17-Month Extension OPT:
  • If all of your above-mentioned paperwork is in order, your adviser will recommend your 17-Month Extension OPT and submit it electronically to SEVIS.
  • It can take up to two weeks for SEVIS to return the data and for us to print out a new I-20 which notes the OPT recommendation on page 3.
  • You can then pick up this I-20 with the OPT recommendation on it to mail a copy of it with your OPT application. If you are unable to pick up your I-20, please request your adviser to mail it to you. The Center will only mail documents by standard USPS mail.
  • Before mailing your application, please review the "17-Month Extension OPT Application Checklist" on page 4 to make sure your application is not missing anything. Once your application is complete, you then mail the entire OPT application to the service center that has jurisdiction over the address you provide on the I-765. We suggest you mail your application by "certified mail, return receipt requested." This will cost a few dollars more than regular mail, but you may need proof that you have mailed the application in a timely manner.
  • Soon after the submission of your application, you will receive a receipt notice with your EAC file number which will enable you to check the status of your application online at: https://egov.uscis.gov/cris/caseStatusSearchDisplay.do;jsessionid=cabBwGf_W5uEZelGdRmOr or to contact a customer service representative of USCIS if necessary.
  • If approved, the OPT card, or Employment Authorization Document (EAD) will be sent directly to you at the address you provided on the Form I-765. (Remember, the EAD will not be forwarded to another address in the event you move.) Once you receive the EAD card you are authorized to work on OPT between the start and end dates listed on the card.

➢ In case of the H-1B Cap-Gap Extension:
  • If all of the above mentioned paperwork is in order, your adviser will process the H1B Cap-Gap application.
  • This process can take up to 2 weeks from the time that a complete application is submitted to the adviser. You will receive an email from your adviser stating that you have a new I-20 with H1B Cap-Gap Extension ready to be picked up from the Center.

Resources:
Form I-765 and instructions

STEM Designated Degree Program List
http://www.ice.gov/sevis/stemlist.htm

OPT New Rules and Updates
http://www.ice.gov/sevis/updates_postcompletion_opt.htm
17-MONTH EXTENSION OPT APPLICATION CHECKLIST

Gather the documents listed below and meet with your ISA or contact your ISA via email for directions on how to send in your application.

Documents to be submitted to your ISA:
- A copy of your degree reflecting the conferred degree
- A copy of your transcript
- Letter from the employer (containing the information mentioned below)

Documents to be mailed to the USCIS:

Originals of:
- Form I-765
  - Be sure you have signed the form & have given a U.S. address which will be valid in the future
  - Be sure to fill out the form in BLACK ink. If you complete the form online, sign it in BLACK ink
  - #16 on the form: (c) (3) (C)
- $380 check (or money order) made payable to "U.S. Department of Homeland Security." If your name and current address are not on the form of payment, write them on the upper left side of the check. Remember to also write "fee for I-765" on the memo line of check. Furthermore, for identification purposes, please write your SEVIS ID number and your phone # on the check.
- Two identical photographs of you taken within 30 days of filing this application which conform to the following specifications:
  - The photos should show a clear, front view, full face of the student
  - The student should be in normal street attire, without hat or dark glasses against a plain white or off-white background. The student should have a natural expression, mouth closed, and eyes open and looking directly ahead. Photos in which the face of the person being photographed is not in focus will not be accepted
  - The photos must measure exactly 2 inches by 2 inches
  - The student’s head, measured from the bottom of the chin to the top of the hair, should be between 1 inch and 1-3/8 inches. The head should be centered in the photo. The head of the person being photographed should not be tilted up, down or to the side. It should cover about 50% of the area of the photo
  - In case your photos get separated from your application, the Vermont Service Center requests you write your name & SEVIS ID number on the back of both photographs
- Letter from the employer
  - Stating how the employment is related to the STEM field
  - Stating that the employment is either a paid or unpaid position
  - Stating the following information:
    - Student's Job Title
    - Employer name and address
    - Supervisor's Name and Contact Information
  - Stating an understanding of the following regulation: “The employer agrees to report the termination or departure of an OPT employee to the DSO at the student's school or through any other means or process identified by DHS if the termination or departure is prior to end of the authorized period of OPT. Such reporting must be made within 48 hours of the event. An employer shall consider a worker to have departed when the employer knows the student has left the employment or if the student has not reported for work for a period of 5 consecutive business days without the consent of the employer, whichever occurs earlier.”
  - Stating that the employer is registered in the E-Verify program (directly or through a third party, as evidenced by a valid E-Verify company identification number or a valid E-Verify client company identification number)

Photocopies of:
- All I-20s you have ever had–including the new one with the requested 17-Month Extension OPT recommendation on page 3 (copy pages 1and 3 of all SEVIS I-20s and pages 3 and 4 of all non-SEVIS I-20s)
- From your passport, very clear copies of: (1) all pages that contain biographical information; (2) the page that has your picture; (3) the page showing passport expiration date (these 3 items may or may not be on the same page)
- A copy of your most recent visa
- Your Form I-94, front and back (and any previous I-94s given to you since your last arrival in the U.S., this would only apply to people who have changed their status since their last arrival)
- Copies of any/all previous EAD cards (front and back) that have been issued to you
- A copy of your degree reflecting the conferred degree
Mailing your application:
If your state of residence is one of the following please submit your OPT application to the address listed below: Alabama, Arkansas, Connecticut, Delaware, District of Columbia, Florida, Georgia, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Mississippi, New Hampshire, New Jersey, New Mexico, New York, North Carolina, Pennsylvania, Puerto Rico, Rhode Island, South Carolina, Oklahoma, Tennessee, Texas, Vermont, Virginia, U.S. Virgin Islands, or West Virginia.

If you live in a State other than the ones listed above please refer to the instructions for the form I-765 to find out which USCIS Service Center has jurisdiction over your address and mail your application to there.

For US Postal Service Mail Deliveries
(e.g. 1st class, Priority, Express):
U.S. Citizenship and Immigration Services
PO Box 660867
Dallas, TX 75266

For Express Mail and Courier Service Deliveries
(e.g. FedEx, DHL):
U.S. Citizenship and Immigration Services
ATTN: AOS
2501 S. State Hwy. 121 Business, Suite 400
Lewisville, TX 75067

You may request an E-Notification that your application has been accepted by attaching USCIS Form G-1145, “E-Notification of Application/Petition Acceptance” to the I-765 form: http://www.uscis.gov/files/form/g-1145.pdf. The E-Notification of application acceptance is NOT the official USCIS receipt notice.

17-Month Extension OPT Application Deadlines:
STEM based 17-Month Extension applications must reach the USCIS before the post-completion OPT end date. The application for extension can be filed up to 120 days prior to the end date of the OPT.

H-1B Cap-Gap extensions must be requested before the program end date or the end date of the OPT (whichever is the case) if the student is the beneficiary of a timely filed H-1B petition.

Effect of periods of unemployment while on Post-Completion OPT: During any initial 12-month period of post-completion OPT, no student (including 17-Month Extension students) may be unemployed for an aggregate of more than 90 days. If a STEM student receives a 17-Month Extension, the limit on unemployment is raised to an aggregate of 120 days, applied to the entire 29-month period on which the student is on post-completion OPT.

FOUR Travel Warnings: (1) traveling abroad between the time you submit your OPT application and the time you receive the USCIS receipt notice, or if your OPT has expired and you are waiting for a 17-Month Extension EAD could result in the loss of OPT and denial of readmission to the U.S., (2) while on post-completion OPT or an extension, regulations allow you to re-enter the U.S. to resume employment on an unexpired OPT, (3) if you will need to apply for an F-1 visa to return to the U.S. while on OPT, please note that this may be a high risk visa application and the chances of denial could be greater than normal, (4) if you choose to travel while on the H-1B CAP GAP extension and your OPT has expired, you will need to apply for an H-1B visa at a consular post abroad prior to returning.

OPT Termination: Your OPT authorization ends when you commence another degree program, change to another status, your EAD expires, if a 17-Month Extension request is denied, or if on H-1B cap-gap extension – if the H-1B petition is rejected, revoked or denied.

Grace Period: Students on H-1B CAP-GAP Extension or the 17-Month Extension still have a 60 day grace period at the end of the extension or if the extension is rejected, revoked, or denied (unless the student has been found to be in violation of status).