

OPTIONAL PRACTICAL TRAINING

Initial 12 Month Application

FOR STUDENTS IN F-1 STATUS

ELIGIBILITY:

A student in F-1 non-immigrant status who has maintained full-time status for one academic year is eligible for a total of 12 months of Optional Practical Training (OPT - a work experience related to the student's field of study). Optional Practical Training may be authorized:

- 1.) During the student's annual vacation and at other times when school is not in session.
- 2.) While school is in session, provided OPT does not exceed 20 hours per week.
- 3.) After completion of all course requirements for a degree (excluding thesis or the equivalent).
- 4.) After completion of study - OPT must begin within 60 days of graduation.

APPLICATION:

You must plan in advance and attend an Employment Seminar prior to applying for OPT. A detailed schedule can be located on the OIP website at www.ndsu.edu/International. If you plan to use OPT when you graduate, we recommend applying 90 days before graduation as the processing time is about 3 months. For graduate students, "graduation" is considered to be when a student turns in the final copy of their thesis/paper to the Graduate School. The following documents are necessary for the application:

- 1.) Degree Program Verification Form (completed by academic adviser or chair of department)
- 2.) OPT Date Verification Form
- 3.) I-765 (completed by the student)
- 4.) Health Insurance Statement
- 5.) Copy of form I-94 Departure Record (front and back)
- 6.) Copy of the photo and biography page of passport
- 7.) Copy of last EAD card (front and back) if you were previously approved for employment based another level of study.
- 8.) Two passport-sized photos taken within the past 30 days (see attachment)
- 9.) \$340.00 check or money order payable to Department of Homeland Security.

Please submit all materials to the OIP and an advisor will then issue a new SEVIS I-20 with OPT requested. You will be required to sign the I-20 because it must be included with the OPT application that will be mailed to the USCIS Nebraska Service Center. The application may take up to 90 days to process. The USCIS should issue and mail your Employment Authorization Document (EAD) to you directly. The EAD card is your photo identification that lists the dates in which you are authorized to work.

You do not need to have a job offer to get your EAD card. However, you must have a firm starting date, since the USCIS officer will issue an EAD with specific dates that cannot be changed. You may not begin employment legally until your EAD is issued. Working without proper authorization is a serious violation of your F-1 status.

IMPORTANT – PLEASE READ:

A total of 12 months of Optional Practical Training is available during your stay in the U.S. for each level of study. For example, you may apply for 12 months of OPT following your Bachelor's degree and again apply for 12 months following your Master's degree. This does not apply for completion of two degrees at the same level of study. For example, only 12 months of OPT is available to you even if you complete two Master's degrees. In addition, you must always obtain a degree at a higher level of study to be eligible for the additional 12 month OPT period (for example: if you complete a Master's degree and do OPT for 12 months, you would only be eligible for an additional 12 months following completion of a Ph.D. degree, but not if you obtain a second Master's degree or a degree at a lower level of study).

Change of Employer:

You may change employers during your Optional Practical Training opportunity, provided the job is related to your field of study.

Travel Outside the United States:

If you plan to travel outside the United States and have already applied for OPT but have not yet received your EAD card, be sure to carry the I-797 receipt notice with you along with your I-20 (with OPT requested on page 3), passport, and I-94 card. Once you receive your EAD card if you wish to travel outside the U.S., it is strongly recommended that you already have secured a position of employment. Remember to carry with you all your immigration documents, passport, approved EAD card, and a letter from your employer confirming your employment.

Please be aware that you must have a valid F-1 visa in your passport if you travel outside the U.S. on OPT or with an OPT application pending.

Reapplying for a F-1 visa stamp renewal while on OPT is not recommended – in fact it is considered a risk. Holding the EAD card alone does NOT allow for re-entry to the U.S.

Reporting Information

While on OPT you are still legally required to report certain information to the Office of International Programs. Changes to any of the following must be reported **within 10 days** of the event.

- Changes in name or residential/ mailing address
- Report your employer name, address, and supervisor's email within 10 days of any changes or new employment
- Report changes to another immigration status
- If you will leave your OPT employment before your OPT end date
- Notify the OIP if your email address changes

What kind of work can I do while on OPT?

You may work anywhere in the United States, but the key criteria is the work must be related to the degree you just obtained and for which the OPT is being authorized. OPT employment cannot be done based on prior degrees earned in the U.S. or abroad; the employment must relate to your current degree program.

Must OPT employment be in only paid positions?

Volunteer work can count as "employment" as long as it is related to your area of study, you put in at least 20 hours/week, and only after your OPT has been approved. However, you need to be careful that the volunteer position is "truly" volunteer; in other words, people are never paid for doing that work. Examples would be a social work major volunteering on a crisis hotline, or a computer science major volunteering to set up a website for a nonprofit food bank, or an accounting major who volunteers with VITA during tax season – i.e. if anyone else did the same work, they would not be paid. You cannot "volunteer" in a position that would normally be paid, such as "volunteering" to work in a lab because they don't have funds to pay you. Doing so would violate both immigration and labor laws.

When can I start to work under OPT?

You may only begin employment when you have received the EAD (Employment Authorization Document) card and the beginning date of employment authorization (shown on the EAD) has arrived.

Does OPT employment need to be full time?

No, but you should be working at least 20 hours/week. You may also work for more than one employer while on OPT.

Is OPT a different visa?

No. A person with OPT authorization is still in F-1 status, holding an EAD for OPT. You still need an OIP adviser signature on your I-20 if you want to re-enter the United States during your time on OPT. The OIP advisor signature should be no more than six months old at the time you re-enter.

What If I Cannot Find a Job?

As of April 2008 this will be an issue. Under current OPT rules, students on OPT cannot accrue more than 90 cumulative days of unemployment during the 12-month period of OPT. If you accumulate 90 days of unemployment, your legal F-1 status ends immediately as of the 90th day. Before the 90th day, you will need to make arrangements to leave the U.S., start a new degree program, or change to a different status. If you remain in the U.S. after 90 days of unemployment, your legal status in the U.S ends and you must depart the country immediately.

I will have a gap of one week between one OPT job ending and the next starting. Will that count as unemployment?

If you have a break between OPT jobs of 10 days or less, it will NOT count as unemployment. Any breaks greater than 10 days will count.

What if I am out of the U.S.? Does this count as unemployment?

If your time away is authorized by your employer, such as on vacation/sick leave or traveling on company business, you are still considered employed. A note on days of unemployment: Unemployment is counted as calendar days. In other words, Saturdays and Sundays count when you are unemployed, not just Monday-Friday. Please ask an adviser if you have any questions about unemployment.

DEGREE PROGRAM VERIFICATION FORM

From: Academic Advisor/Chair of the Department

To: Office of International Programs

Date: _____

Re: _____
(Name of Student)

(Degree program)

The student is expected to complete his/her degree on _____.
For graduate students, this date reflects the anticipated completion of all the degree requirements.

Signature of Academic Advisor/Department Chair

Department

This information is needed to process the student's request for Optional Practical Training. Practical Training is temporary employment granted to the student to gain work experience related to his/her field of study. If you have questions about practical training, please contact an International Student Advisor in the Office of International Programs, Memorial Union 116, 701-231-7895.

OPTIONAL PRACTICAL TRAINING
INFORMATION FOR SEVIS I-20

Please complete this form and submit it with all other Optional Practical Training application materials to an International Student Advisor in the Office of International Programs.

1. Beginning date for OPT _____
2. Ending date for OPT _____
3. Number of hours per week (0-20=part-time/21+full-time) _____

Student's Name _____

Signature _____ Date _____

**PRACTICAL TRAINING
HEALTH INSURANCE STATEMENT**

I, _____, acknowledge that Practical Training is an opportunity not guaranteed by U.S. Citizenship and Immigration Services in order that international students can obtain work experience in their field of study.

1) Practical Training during Studies:

To apply for practical Training, I understand I must be continuously registered for classes at NDSU and therefore realize that I will be charged for health insurance. Even if my employer during Practical Training provides me with health insurance, I know that as long as I am studying at NDSU, I am required to be covered by the North Dakota state mandated health insurance policy and am not eligible for a waiver.

2) Practical Training after Completion of Studies:

I also understand that if I apply for practical training after completion of studies, charges for any health insurance coverage for the remaining year will not be refunded.

I will meet this requirement by purchasing the North Dakota state health insurance policy as required for international students on or before registration day.

Student Signature

Date

Last (Family) Name, First Name (Please Print)