

*Disclaimer: These FAQ's are meant to serve merely as guidance. This information is subject to change in accordance to any changes with immigration law and/or regulations.*

### ***What is OPT, when do I Apply, and when can I Begin Working?***

#### **1. What is F-1 Optional Practical Training?**

Optional Practical Training [OPT] is the opportunity to apply knowledge gained in your degree program, to off-campus work in your field of study. OPT is authorized by the U.S. Citizenship and Immigration Services (USCIS). The maximum amount of time granted to work on F-1 OPT status is 12 months per degree level, plus a possible 24 month extension for those who qualify in STEM fields (see FAQ #31 below).

#### **2. When should I apply for OPT?**

You may apply up to 90 days before your graduation date and **NO LATER THAN** 60 days beyond your graduation date. Do NOT wait until the last minute, as mail and processing times can be slow. In addition, you may lose some of your 12 months of work authorization if you submit an application to USCIS towards the end of your 60 day grace period. **Remember: You can't work until your OPT is approved and you have received the EAD card.**

#### **3. When can I begin my fulltime OPT?**

Undergraduate students may begin fulltime OPT upon successful completion of their degree program.

Graduate students may begin fulltime OPT upon successful completion of all required coursework.

- Thesis/dissertation may still be in progress while on OPT, however the final defense must be completed within 6 months of beginning your OPT period; **No extension of the I-20 may be granted if you do not graduate within that time.**

#### **4. What is pre-completion Optional Practical Training?**

Pre-completion OPT is employment that is authorized before the completion of a student's program of study. 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. **If you use 12 months of pre-completion OPT, then you lost post-completion OPT.**

#### **5. What is the difference between Curricular Practical Training (CPT) and Optional Practical Training?**

CPT is employment that is an integral part of your major curriculum and allows you to participate in an internship or cooperative education program; CPT may only be done before you graduate. OPT is an optional work authorization for students who meets specific eligibility requirements (see FAQ #7). OPT may be performed before your program end date (pre-completion OPT) or after your program end date (post-completion OPT).

### ***Choosing a Start Date***

#### **4. How do I choose my start date for OPT?**

First, reference FAQ # 2. In addition to USCIS processing time, you should consider the job interview timeline and any vacation time, if desired, before your OPT begins. If you'd like to begin working immediately, then choose a date just after you program completion. If you'd like a later start date in order to find job, visit with family, etc., then choose a date within your 60-day beyond graduation window. **Understand you can't predict the future, and if you**

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receive an offer faster than anticipated, you **MUST** wait until the start date on your EAD card before you may begin work. Also, you cannot work until have EAD card in hand, even if you have a job offer to start sooner.

#### **5. Can I change my start date?**

Once you select an OPT start date and submit an application to the ISSO, you may **not** change your start date.

### ***Eligibility Requirements and Academic Information***

#### **6. What are the eligibility requirements for F-1 Optional Practical Training?**

To be eligible to apply for OPT you must: (1) have been in full time student status for at least one academic year (fall and spring), and (2) be maintaining valid F-1 status at the time of the application.

#### **7. Are graduate certificates eligible for Post-Completion OPT?**

Yes, if the graduate certificate is the highest level of study (meaning the student has not already obtained a master's level or Ph.D. level degree), they are eligible for 12 month post completion OPT. However, graduate certificates are not eligible for the 24 month Stem Extension.

#### **8. What if I do not graduate as anticipated, and I have already filed my OPT request with USCIS?**

If you think that this situation may apply to you, come speak to an advisor in the ISSO during walk-in advising hours; you can find the walk in hours [HERE](#).

#### **9. If I complete one degree program, take 12 months of OPT, and then begin a second course of study, am I eligible for an additional 12 months of OPT?**

You are eligible to apply for another 12 month period of OPT only after completing an academic program at a **higher degree level**.

### ***OPT Employment Clarifications***

#### **10. Do I need to have a job to apply for optional practical training?**

No, you do not need to have a job offer before applying for Optional Practical Training.

#### **11. Do I need to have a job while I am on optional practical training?**

Yes. Immigration regulation requires that you are employed while on your post-completion OPT period. Remember, you are only allowed a total of 90 days of unemployment during your 12 month period of OPT.

#### **12. What defines “employment” while on OPT, does it have to be paid?**

For regular post-completion OPT, the employment does NOT have to be paid employment. Therefore, a student who is self-employed, interning or volunteering **at least 20 hours per week** in a position directly related to the field of study and at the level of study, is considered “employed” for purpose of OPT employment. You may work more than one job while on OPT, however, all employment must be 20 or more hours per week to qualify for OPT.

#### **13. Can I begin working before I receive the Employment Authorization Document?**

No, you may NOT begin employment before you receive your EAD from USCIS; working before OPT has been authorized by the USCIS constitutes illegal employment, which will jeopardize your legal status in the U.S.

#### **14. Will I have to pay taxes?**

Employment is subject to all federal and state taxes, unless exempt under certain country tax treaties. Employment is not subject to Social Security Tax if residency in the U.S. has been for less than five (5) years. [You may find more information on IRS Publication 519 HERE.](#)

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## *USCIS Processing*

### **15. How long does it take to get authorization for OPT?**

Authorization for OPT is granted by USCIS and can take up to 90 days to obtain. Therefore it is important that you apply for the authorization in advance of the date you wish to start working, as most authorizations from USCIS take nearly three months.

### **16. How do I know that my application is processing?**

You will receive a form I-797 (receipt notice) indicating that your application is processing. Using the receipt # you can check the status at [www.uscis.gov](http://www.uscis.gov). It may take time to update on their website. Also, you can monitor the status of your check with your bank. Additionally, if you completed the optional form G-1145, you will receive an email or text message from USCIS stating that your application was received.

### **17. What if I do not receive the EAD within the 90 day processing time?**

If you have not received your EAD **after 75 days** of receipt date on your I-797 receipt notice and you have job offer then you may submit an inquiry. Contact the USCIS help desk for further instructions on how to submit an inquiry.

### **18. I received a Request for Evidence (RFE), what does this mean?**

An RFE is not an denial, it is USCIS' way of gathering more information, before making a final decision on your OPT application. If you have received an RFE and have additional questions, contact an ISSO advisor or come to the ISSO during walk-in hours.

## *Changing your Address and Employer while on OPT*

### **19. Can I change employers during OPT?**

Yes, you may change employers after you have begun authorized OPT employment provided that the new job is: 1) directly related to your major field of study; and 2) appropriate for someone having your level of education.

### **20. How do I update ISSO with my employer or address changes?**

Immigration regulations **REQUIRE** that while you are on OPT, you **MUST** notify the ISSO *within ten days* whenever you begin employment, change employment, or if your employer undergoes any address or name changes. In addition to employment updates, you will need to update ISSO if your phone number or personal address change; you may update this information by filling out the [Employment/Address Update Reporting Form](#).

### **21. I have updated/changed my employer will I receive a new I-20?**

No. The ISSO does not issue I-20s to reflect 1) an 'approved' OPT notation 2) updated address or 3) updated employer. Your EAD card will serve as your work authorization approval, therefore, all you need to do is fill out the [Employment/Address Update Reporting Form](#) and the ISSO will update your SEVIS record accordingly.

## *Traveling while on OPT*

### **22. Now that I've turned in my application, can I travel outside U.S. while I wait for OPT EAD card to come?**

**After you graduate**, once your OPT is approved you will **NOT** be able to re-enter the U.S. without your OPT EAD card in addition to your valid passport, current F-1 visa stamp, job offer letter / proof of employment, and your I-20 signed for travel within the last six months.

**Before you graduate**, you should be able to get back in to the U.S. without the EAD card as long as it is still long enough in advance of your graduation (at least one month). If you have to travel, talk to an advisor at the ISSO before leaving. Once graduated however, do not travel while OPT application is still pending. Wait for your EAD card!

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**23. I want to leave the U.S. for a little while during the time my OPT application is in process, but I need to return long before the card will have arrived. I have a tourist visa (B – 2) that is valid for 10 years. Can't I just enter the U.S. on my tourist visa while I'm waiting to get the EAD card, then start work with the card once I get it?**

If you leave U.S. and re-enter with a B visa, you will have an I-94 card that shows that you have been admitted under B status, and you will have LOST your F-1 status. Hence, your OPT application and card will be **invalid**. If you intend to continue working on your OPT, **NEVER** re-enter the U.S. with an pending OPT application, in any other immigration status except F-1.

**24. What documents do I need to re-enter the U.S. while on OPT?**

You will need:

- your I-20 that has been endorsed on the travel line by the ISSO P/DSO within the last 6 months;
- the Employment Authorization Document (EAD card) from the USCIS;
- your passport valid at least 6 months into the future;
- a current F-1 visa stamp;
- your job offer letter or proof of employment.

**25. It has been over six months since my last travel signature, how do I request a new signature?**

In order to request a new travel signature:

- **In the Charlotte Area:** Bring your **original I-20** (a travel signature cannot go on a copy of your I-20), to the ISSO. The I-20 will remain with the ISSO for 3-5 business days before the signature will be issued, so plan ahead!
- **Outside the Charlotte Area:** Mail your Original I-20 to the ISSO, indicate that you are requesting a travel signature. You will need to mail your **original I-20** to the ISSO, and sign up for a shipping label through E-Ship Global. [You may request an E-ship Global shipping label HERE.](#)

**26. The visa stamp in my passport has expired, but I need to travel outside the U.S. while on OPT. Do I need to get a new visa stamp at an embassy?**

If you are going to Canada or Mexico, and staying for less than 30 days, you could re-enter the U.S. on your expired F-1 visa stamp, with your I-94 card, a valid passport, your EAD card, an I-20 that has been signed by the ISSO within the last 6 months, and your job offer letter or proof of employment. [This process is known as 'auto revalidation' and only applies to Foreign National \(FN\) who are NOT a national of Iran, Syria, Sudan, Cuba or North Korea.](#)

**If you are traveling elsewhere or are a Foreign National of the countries listed, you will need to go to a U.S. embassy or consulate and seek a new visa stamp. [You may find information about that process HERE.](#)**

**27. Driving Under the Influence (D.U.I) and Visa Revocation.**

Alcohol-related arrests or conviction may trigger a finding of inadmissibility under INA 212(a)(1)(a)(iii). **In addition, nonimmigrants who already have a visa may be subject to revocation of that visa. The Foreign Affairs Manual allows consular officers to ["prudentially revoke"](#) a visa based on DUI arrests on convictions.**

*Applying for a New Visa while on OPT*

**28. In what ways is my application to the embassy for a new visa stamp affected by being on Optional Practical Training?**

[The risk of denial of an application](#) for a renewed visa stamp for Optional Practical Training is higher than while you are in your active student program, as it may be seen as an avenue for gaining permanent residence in the U.S. The

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F-1 student visa requires that the applicant must intend to return to the home country at the end of the program, and if the embassy official is not convinced of your intention to return home, the visa application will be denied.

**29. What documents do I need to show at the embassy for a new visa stamp under OPT?**

You need to take a valid passport, the EAD card or receipt notice for your application, an I-20 created by the ISSO for your OPT application, **AND your job offer letter or proof of employment.** The official job offer letter should state that the job is truly temporary and will end before or by the end of your practical training time. You should also be prepared to discuss how this job experience will apply to the job market in your home country, and how you intend to apply it there.

***Ending your OPT Authorization Period***

**30. What do I do after my OPT is over?**

After OPT, you have 60 days to go back to your home country unless your status has been changed or extended. You may NOT work during these 60 days nor should you travel outside U.S and re-enter during this time.

**31. How can I find out about the 24-month ‘STEM’ extension?**

To find out if you qualify and to learn how to apply for the 24 month extension of your OPT go to <http://isso.uncc.edu/current-students/employment/f-1-opt-stem-extension>

**32. What if I change my status to H-1B?**

If your OPT ends prior to the H-1B start date, you may request a new I-20 from ISSO for the ‘cap-gap’ extension. Please provide a copy of your H-1B approval or waitlist notice, and go to <https://isso.uncc.edu/webform/cap-gap-extension-request-form>