



CENTER FOR
INTERNATIONAL
EDUCATION

OPTIONAL PRACTICAL TRAINING - SEVIS REGULATIONS

- ✓ **What is optional practical training?**
Practical training is work or training in your field of study. It must be directly related to your major field of study and appropriate for your level of education. It may be full time or part time, paid or unpaid and may occur anywhere in the United States. Up to 12 months of practical training can be authorized **for each degree program**. You are eligible for another 12 months of practical training when you change to a higher educational level.

- ✓ **When can I do OPT?**
 1. During your annual vacation and at other times when school is not in session as long as you are currently enrolled, are eligible and intend to register for the next semester.
 2. While school is in session, provided that practical training does not exceed 20 hours per week.
 3. After completion of your course of study or after completion of all course requirements for the degree excluding thesis or equivalent.

- ✓ **Who can apply?**
In order for you to be eligible to apply for practical training, you must have been in lawful F-1 student status for at least one full academic year.

- ✓ **When can I apply?**
You can apply up to 120 days before you graduate and up to 60 days after you graduate. We recommend that you apply earlier than later as it can take 3 months for Immigration to process your application. However, if you are not certain that you will finish all of your degree requirements by the date of graduation, you should wait to apply until after you graduate. You do not need to have a job offer in order to apply for OPT. If you want to use part of your OPT during the summer or while school is in session, you must apply at least 3 months before your job will begin (to allow for processing by Immigration).

- ✓ **How do I apply?**
You must submit the following documents to the Center for International Education:
 - 1) the application for OPT
 - 2) your passport, I-94 and all I-20s that have been issued to you. A new SEVIS I-20 will be issued by CIE and you will need to sign it prior to submission of your application
 - 3) I-765 - EAD applicationWe recommend that you use the office address, but if you want you can use your home address. Please be aware that if you move while your application is pending, USDHS will not forward your card to your new address.
 - 4) \$380 check made payable to United States Department of Homeland Security
 - 5) A letter from your academic adviser (**See attached letter**)
 - 6) Two color full frontal/passport photos that are not more than 30 days old when the application is submitted to USDHS
 - 7) Copies of all EADs (if you have been granted OPT before)

- ✓ **When can I begin practical training?**
It takes approximately three months to receive the "EAD" from the Texas Service Center. Once you have received your EAD and the date for employment is current, you may begin practical training. You may not begin your practical training until you receive your EAD.

- ✓ **Can I change employers?**
You may change employers after practical training has been authorized provided the new job is (1) directly related to your major field of study and (2) appropriate for someone having your level of education.

✓ **What is my status while on OPT?**

While on OPT you are still considered to be in F-1 student status under Loyola's I-20. You must inform CIE of any changes in address within 10 days of moving and CIE will update your record in SEVIS.

✓ **Can I travel outside the United States before I receive my EAD (Employment Authorization Document)?**

We do not recommend it, but if you choose to travel outside of the U.S., after you graduate but before you receive your EAD, you must carry with you the I-765 receipt notice, your I-20 endorsed for OPT, and a valid F-1 visa and passport.

✓ **Can I travel outside the United States after I receive my EAD?**

Once you receive your EAD you should travel with your EAD, a valid F-1 visa and passport, your signed I-20, and a letter from your employer (if you already have a job) explaining the type of training and the dates of training/employment. Students who do not meet these requirements may not be allowed to reenter the U.S. Check with the Center for International Education before contemplating travel outside the U.S.

✓ **What happens if I don't get a job while on OPT?**

During post-completion OPT, F-1 status is dependent upon employment. Students may not accrue an aggregate of more than 90 days of unemployment. NOTE: For regular post-completion OPT, 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 the cumulative total of your unemployment reaches more than 90 days, you will be considered to be "out of status." For example, if you requested an OPT start date of June 20, 2008 and you do not find a job by September 18, you would be considered out of status. Another example is if you requested an OPT start date of June 20, 2008 and you find a job beginning July 30, you would be unemployed for 40 days, so you would be considered to be in status. However, if you were to stop working at that job October 10 and you could not find another job until December 5, you would then be unemployed for another 54 days. So, your cumulative total unemployment would equal 94 days and you would be considered out of status.

We are required to report the fact that you are out of status to the Department of Homeland Security, which means that if you are unemployed for more than 90 days, you would no longer be in legal F-1 status in the U.S. Also, your eligibility for future benefits could be affected. For example, if you applied for a work visa or permanent residency at a future date, you might have to pay additional fees, apply for a visa from outside of the US or even be denied based on the fact that you were out of status as an F-1 student.

You should keep all documentation of your job search efforts (e.g. interviews, letters of inquiry, rejection letters, etc.) because you may be asked by Immigration at some point in the future to prove that you were actively seeking employment while you were on OPT.

Can I extend my OPT?

As an F-1 student you are eligible for a total of 12 months of OPT at each advancing degree level (e.g. if you request 12 months after a Bachelor's degree, you would be eligible for another 12 months of OPT after a Master's degree, etc.) However, there are a couple of instances in which you may be able to extend your OPT: The H-1B Cap Gap and the STEM extension. [H-1B Cap Gap](#)

OPT students who have applied for an H-1B work visa and are on the wait-list or have pending or approved petitions are eligible to have their OPT work authorization "automatically extended" until the start date of the H-1B. For example, if your OPT work authorization ends June 1st and you have an H-1B approved to start October 1st, your OPT work authorization would be extended through to October 1st. If your employer files an H-1B petition on your behalf, you should be informed about the cap-gap extension by your company's immigration lawyer, but if you have any questions, you can contact Kristy Magner at kmagner@loyno.edu

STEM Extension

The 12-month limit on F-1 Optional Practical Training (OPT) will be extended by 17 months, for a total of 29 months, for bachelors, masters, or doctoral degree students studying in a STEM (Science, Technology, Engineering, Mathematics) field that is on the DHS STEM Designated Degree Program List. At Loyola, the following degrees are on the STEM list: Biological Sciences, Chemistry, Mathematics and Physics. As well, your employer is required to be enrolled in the E-Verify program in order for you to qualify for an extension. If you are not sure whether your degree fits into one of the STEM categories, you can email Kristy Magner at kmagner@loyno.edu

PLEASE NOTE: This information is not exhaustive and is meant as a guide. Please remember that each student's situation is different and therefore may require a different response. All information is subject to change pending changes in immigration regulations and interpretations. If you have questions about any of this information or if you would like to discuss the specifics of your situation contact CIE at (504) 864-7550 or cie@loyno.edu.

SAMPLE LETTER (Must be on Departmental Letterhead)

(date)

To Whom it May Concern:

(student name) is majoring in (field of study). (S)he is expected to complete all degree requirements for (his/her degree level) on (date of completion of studies; or has completed all course work.) In order to gain greater experience in his/her field of study, I recommend practical training in a position commensurate with his/her major and degree.

Sincerely,

(Signature of Dean, academic advisor or professor)

Application for Optional Practical Training

NAME: _____

MAJOR: _____

CURRENT ADDRESS: _____

CURRENT PHONE NUMBER: _____

E-MAIL: _____

PLEASE PROVIDE A GENERAL DESCRIPTION OF THE TYPE OF EMPLOYMENT YOU INTEND TO OBTAIN:

DATES OF EMPLOYMENT: Beginning _____ Ending: _____

The dates you choose for OPT authorization depend on whether you are doing a summer internship (before you graduate) or OPT after you complete your degree requirements. If you are applying for post-completion OPT (to begin after you graduate) you can set the employment dates anytime from the date you complete your degree requirements to 60 days after.

If completing degree requirements in—

Spring I (April 29th)—employment start date may be anytime from April 29 – June 29

Spring II 1st session (June 9th)—employment start date may be anytime from June 9 – August 9

Spring II 2nd session (July 19th)—employment start date may be anytime from July 19 – September 19

Remember, these dates will be used for employment permission.

IS THE EMPLOYMENT FULL TIME OR PART TIME?

DO YOU KNOW WHERE YOU WILL BE WORKING?

YES (Please provide information on your employer.) NO

NAME OF EMPLOYER: _____

ADDRESS OF EMPLOYER: _____

PHONE OF EMPLOYER: _____