Optional Practical Training

Ph: 512-245-7966, Email: international@txstate.edu
www.international.txstate.edu

STOP: Before you apply for Optional Practical Training, you must read this form in its entirety and sign in the box at the bottom of OPT Statement of Responsibility and Legal Advice and ISSS Advising Statement of Understanding.

F-1 students may apply to Department of Homeland Security (DHS) for authorization for 12 months of temporary employment for Optional Practical Training (OPT). The employment should be directly related to your major area of study. To be eligible for OPT, you must be in active F-1 status at the time of application and have completed one academic year as a full-time student (not necessarily in F-1 status). OPT can be authorized for the following:

- **Pre-Completion:** Before completion of studies in one of the following:
  1. Part-time (20 hours a week or less) during the fall/ spring semesters;
  2. Full/ part-time during summer vacation if currently enrolled and intend to register for the following semester.

- **Post-Completion:** After completion of studies
  IMPORTANT! If choosing this option, your OPT application must be received by USCIS **no later than** 60 days after your program completion date. However, it is strongly recommended to apply before you complete your studies. Also, your 12 months of OPT must be completed within 14 months of the date of completion of your studies.

Preconditions	Student must have been lawfully enrolled on a full-time basis at a DHS-approved school for one full academic year before being eligible for OPT. Students in English language training programs are not eligible for OPT.
Location	Students may engage in OPT for any employer for the duration of OPT authorization, as long as the employment qualifies under OPT standards.
Duration	Standard OPT is available for a cumulative maximum of 12 months per educational level. A one-time extension of 24 months (for a total of 36 months) is available to certain STEM degree recipients who are employed by an employer registered with E-Verify.
Hours per week	20 hours/week limit for pre-completion OPT done while school is in session and student still has coursework to complete. Full-time employment can be requested for pre-completion OPT done during official school breaks, and for students who have completed all requirements for their degree except for thesis or dissertation. For post-completion OPT, according to SEVP guidance a student must be adequately employed to avoid limits on unemployment
Field of work	Must be directly related to the student's course of study.
Offer of employment	No offer of employment is required to apply for standard OPT, but the student is expected to work during the OPT EAD validity period. **Students on post-completion OPT are limited to a maximum of 90 days of unemployment.** To apply for a 24-month STEM extension, student must have an offer of employment from an employer registered with E-Verify.
Effect on other work	Prior use of full-time Curricular Practical Training for one year or more eliminates eligibility for OPT.
Approval process	DSO recommends OPT in SEVIS. Student files I-765 application with required documents to USCIS for EAD. Work can begin only after receiving EAD issued by USCIS, and on or after the start date on the EAD.
Miscellaneous	If doing pre-completion OPT, must maintain a full course of study during the period of employment (unless done during school breaks). Degree candidates that have completed all coursework must continue to make normal progress towards completing the thesis or dissertation required for their degree.

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Application Procedure

How to Apply:
You apply for OPT to USCIS by first meeting with a Designated School Official (DSO) at International Student and Scholar Services (ISSS). The DSO will make a new OPT requested I-20 which must be signed and dated by you. You may apply as early as 90 days before and no later than 60 days after the completion of your studies. Due to USCIS processing time, you should apply early.

Application Checklist:
- ✓ Signed **Statement of Responsibility Form**
- ✓ Signed **Legal Advice and ISSS Advising Statement of Understanding**
- ✓ Signed **Completion of Degree Form**
- ✓ **Completed and Typed Form I-765**, Application for Employment Authorization https://www.uscis.gov/i-765
  - ▪ Use the correct **Form Edition**. Refer to the USCIS website for latest form edition and effective dates of new forms.
  - ▪ Review the Form I-765 instructions page and ISSS template
  - ▪ Item #27 Use code: Pre-completion: **(c)(3)(A)**; Post-completion: **(c)(3)(B)**
- ✓ **Passport**, valid for at least the next six months (color copy)
- ✓ Most recent **I-94** and **travel history**
- ✓ **Pay by credit card**: https://www.uscis.gov/forms/filing-fees/pay-with-a-credit-card
  - ▪ Check the USCIS website for the most up to date filing fee: https://www.uscis.gov/i-765
- ✓ **Recent Passport photo –** For photo requirements, see here:
  https://travel.state.gov/content/travel/en/passports/requirements/photos.html
- ✓ Any **Form I-797A** Notice of Action (if applicable)
- ✓ Any previously issued OPT EAD card and approval letter (if applicable)
- ✓ **Copies of ALL I-20s including CPT or OPT authorization.**

All required documents must be received by USCIS no later than 30 days after the DSO updates SEVIS with the OPT recommendation.

OPT Application Submission Instructions
Apply online:
    a. Create a USCIS Online Account: https://myaccount.uscis.gov/
    b. Complete Form I-765 with digital signature, submit all supporting documents, and pay filing fee online.
    c. Update information, check case status, and correspond with USCIS online.

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OPT Statement of Responsibility

Acknowledge the following statements by placing a mark (x) in the box provided.

☐ **VERY IMPORTANT:** While on OPT, **you are required to report ALL changes to your passport name, local address, phone number, and status of employment including changes to employer name or address** information to the **SEVP Portal**. The use of this portal is mandatory and routinely reviewed by SEVIS. Once your OPT is approved you will receive an activation link from SEVP and you must activate your SEVP Portal account within 14 days.

☐ **During OPT, F-1 status is dependent upon employment and you cannot exceed an aggregate of more than 90 days of unemployment.** OPT employment must be at least 20 hours a week and can be paid employment, volunteer work, self-employment, and un/paid internship. Multiple employment is allowed.

☐ **Employment can begin** after receiving the Employment Authorization Document (EAD) card **and only** on or after the start date on the EAD.

☐ **If you do not complete all coursework by the I-20 end date,** you may not work more than 20 hours a week (part-time), until all coursework has been completed. This does not apply to thesis or dissertation only students.

☐ **If you transfer to another school or begin a new program of study**, your authorization to engage in OPT employment is automatically terminated upon the transfer date even if there is time remaining on your OPT.

☐ **Travel outside the US is permitted while your OPT application is pending and approved.** When pending, you must have a valid **passport**, **valid F-1 visa**, **I-20 with a travel signature**. Once approved you must also bring your **EAD card**. *There is always a risk when traveling outside the US so to better your chances of being allowed to reenter you should have a letter from your employer indicating that you are returning for employment.

☐ **You are allowed 12 months of OPT per degree level.** You may be eligible for another OPT at a higher educational level.

☐ **STEM (Science, Technology, Engineering, and Math) degree students are eligible for a 24-month extension**: Review the DHS STEM Designated Degree Program List. You may apply for STEM OPT 90 days before your current OPT expires.

☐ **At the completion of your OPT you are granted a 60-day grace period**. During this time, you are permitted to legally remain in the US but must complete one of the following: (1) depart the US; (2) be admitted to a new program at Texas State; (3) change visa status; or (4) transfer to a new institution before the grace period expires.

☐ **Please do not contact ISSS with inquiries about the status of your OPT application.** USCIS is responsible for adjudicating and processing your application. If using the ISSS address, you will be contacted when your EAD card arrives.

☐ If using the ISSS mailing address, I agree to allow ISSS to open USCIS mail on my behalf. (Student will receive all original documents and ISSS will make copies of documents for student's folder. ISSS uses USCIS documents to update student's SEVIS record and assist with notifications for *request for evidence* and *rejection*).

☐ **Please write your requested OPT start and end dates.** The EAD card is issued for a maximum of 12 months. If you are unsure, schedule an appointment with a DSO to discuss start and end dates. Call 512-245-7966.

Start Date:_____ **End Date:**_____ _____

I have read the content of this handout and understand the regulations associated with OPT.

Name:_____ **Student ID#:**_____

Phone:_____ **Non-Texas State Email:**_____

Local Address:_____
    Street   *Apt number #* *City*   *State* *Zip*

Student Signature:_____ **Date:**_____

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Legal Advice and ISSS Advising
Statement of Understanding

Acknowledge the following statements by placing a mark (x) in the box provided.

I understand that:

☐ **International Student and Scholar Services (ISSS) offers best practices information on temporary employment authorization such as Optional Practical Training (OPT) as a courtesy to international students under a Texas State University issued Form I-20. Please note that all information provided is not considered legal advice.**

☐ Applying for Optional Practical Training (OPT) is my application and my responsibility. I may choose to compile and submit my application for temporary employment authorization on my own. If I choose to compile and submit my OPT application on my own, I will inform ISSS accordingly through email.

☐ I have reviewed the OPT website, OPT packet, Overview PowerPoint, and have gathered ALL required documents.

☐ I must receive my OPT I-20 and SEVIS recommendation from the DSO prior to submitting my OPT application to USCIS.

☐ I cannot begin employment before receiving EAD card from USCIS.

In signing this **Statement of Understanding**, I hereby acknowledge that I have read and understand this document, and I have been given the opportunity to ask questions and receive answers to my satisfaction. **I shall not hold Texas State University liable for any loss or damage to my application for temporary employment authorization, including any costs involved, as a result of any information given to me.**

_____
Signature

_____
Name (as per your passport)

_____
Date (mm/dd/yy)

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OPT Completion of Degree Form

To Be Completed by the Student

Please fill out this section and take this form to your department to complete the next section. This form must be signed by your academic or faculty advisor.

Name:_____ **Student ID#:** _____
      Family/Last   *Given/First*

Student Signature:_____ **Date:** _____

To Be Completed by an Academic or Faculty Advisor (NOT a DSO at ISSS)

F-1 international students may qualify for Optional Practical Training (OPT), which is temporary work authorization for up to one year allowing the student to gain practical experience in their field of study. The above-mentioned student is applying for OPT. In order for ISSS to be able to recommend this student for this training, we need to know his/her expected date of completion. If you have any questions, please call 512-245-7966 and ask to speak with an international student advisor.

Please choose the category below that reflects this student's situation regarding the completion of their degree requirements. Then please sign below and return the form to the student.

☐ **Category 1**: This student is currently enrolled in classes and expected to complete all degree requirements in the following semester: ☐ **Spring** ☐ **Summer** ☐ **Fall**   **Year:** _____

☐ **Category 2**: A graduate student with only thesis / dissertation / comprehensive exams remaining may apply for OPT if the student has completed, or will complete, all other degree requirements excluding the thesis / dissertation / comprehensive exams. The student's required coursework was completed, or will be completed, in the following semester: ☐ **Spring** ☐ **Summer** ☐ **Fall**   **Year:** _____

☐ **Category 3:** This student has graduated from Texas State University in the following semester:
☐ **Spring** ☐ **Summer** ☐ **Fall**   **Year:** _____

☐ **Special Situation**: If you have completed your thesis of dissertation but missed the initial deadline for submission of your thesis to Alkek Library and your graduation has been postponed to the following semester, you may still be able to begin your OPT prior to your graduation. To do so, **you must obtain a "Letter of Completion" from the Graduate College to certify that all requirements for your degree have been completed. (E-mail gradcollege@txstate.edu).**

Comments: _____

_____

Advisor's Signature:_____ **Phone Number:**_____ **Date:**_____
Printed Name:_____ **Title:**_____ **Email:** _____

This form must be completed in its entirety otherwise the OPT request will not be processed.