

OPT Frequently Asked Questions (and Answers)

What is optional practical training?

OPT is training that is directly related to an F-1 academic student's major area of study. It is intended to provide students with practical experience in their field of study during or upon completion of a degree program.

Who is eligible for OPT?

An F-1 academic student who has attended an SEVP-certified college, university, conservatory, or seminary on a full-time basis for at least one academic year may be authorized up to 12 months of OPT per program level. However, F-1 students who have one year or more of full-time curricular practical training are not eligible for OPT for that degree.

Pre-completion OPT

Pre-completion OPT is OPT authorized to be worked before the student's program end date. Students with approved pre-completion OPT may work up to 20 hours per week while school is in session. Students who are eligible to register for the next term, and who plan to do so, may have approval to work full time when school is not in session.

Post-completion OPT

Post-completion OPT is OPT authorized to be worked after the student's program end date.

What is the deadline for applying for post-completion OPT?

F-1 students may apply for post-completion OPT up to 90 days before their program end date and up to 60 days after their program end date. The application must be properly filed with the correct USCIS Service Center. In addition, the application must be properly filed within 30 days of the date the student's DSO recommends OPT in SEVIS.

Do I need to have a job to apply?

No, students do not need to have a job to apply for regular OPT.

Do I need to have a job while on OPT?

Yes. Students on post-completion OPT may have up to 90 days of unemployment. Students who have OPT extended due to the cap gap provisions continue to accrue unemployment time and are subject to the 90-day limitation on unemployment.

Do the limits on unemployment apply to any periods of unemployment prior to April 8, 2008?

No, the limits on unemployment do not apply retroactively.

What counts as time unemployed?

Each day during the period when OPT authorization begins and ends that the student does not have qualifying employment counts as a day of unemployment. The only exception is that periods of up to 10 days between the end of one job and the beginning of the next job will not be included in the calculation for time spent unemployed.

How does travel outside the United States impact the period of unemployment?

If the student whose approved period of OPT has started travels outside of the United States while unemployed, the time spent outside the United States will count as unemployment against the 90-day limits.

If a student travels while employed either during a period of leave authorized by an employer or as part of their employment, the time spent outside the United States will not count as unemployment.

What types of employment are allowed for regular pre- and post-completion OPT?

All OPT employment, including post-completion OPT, must be in a job that is related to the student's degree program. This employment may include:

Paid employment. Students may work part time (at least 20 hours per week when on post-completion OPT) or full time.

- **Multiple employers**. Students may work for more than one employer, but all employment must be related to the student's degree program and for pre-completion OPT cannot exceed the allowed per week cumulative hours.
- **Short-term multiple employers (performing artists)**. Students, such as musicians and other performing artists may work for multiple short term employers (gigs). The student should maintain a list of all gigs, the dates and duration. If requested by DHS, students must be prepared to provide evidence showing a list of all gigs.
- **Work for hire**. This is also commonly referred to as 1099 employment where an individual performs a service based on a contractual relationship rather than an employment relationship. If requested by DHS, students must be prepared to provide evidence showing the duration of the contract periods and the name and address of the contracting company.
- **Self-employed business owner**. Students on OPT may start a business and be self-employed. In this situation, the student must work full time. The student must be able to prove that he or she has the proper business licenses and is actively engaged in a business related to the student's degree program.
- **Employment through an agency**. Students on post-completion OPT must be able to provide evidence showing they worked an average of at least 20 hours per week while employed by the agency.

Unpaid employment. Students may work as volunteers or unpaid interns, where this does not violate any labor laws. The work must be at least 20 hours per week for students on post-completion OPT. These students must be able to provide evidence from the employer that the student worked at least 20 hours per week during the period of employment.

How can students show that the OPT employment is directly related to their degree program?

SEVP recommends that students maintain evidence — for each job — of the position held, proof of the duration of that position, the job title, contact the work.

If it is not clear from the job description that the work is related to the student's degree, SEVP highly recommends that the student obtain a signed letter from the employer's hiring official, supervisor, or manager stating how the student's degree is related to the work performed.

Do I have to report to the OIP while on OPT? What do I have to report?

Yes. Students are encouraged to report changes in employment to their DSO as soon as possible. SEVP recommends that students report changes within 10 business days of the change to avoid situations where a DHS official may determine the student is out of status.

The following table suggests the best way to report employment or a change in employment.

Situation	Report
New job	<ul style="list-style-type: none"> • Name of the employer • Start date of employment • Mailing address for the employer
Change to a new job	<ul style="list-style-type: none"> • Name of the previous employer • Ending date of the employment with the previous employer • Name of the employer • Start date of employment • Mailing address for the employer
Multiple short-term gigs in one period with less than 10 days between gigs	<ul style="list-style-type: none"> • Report at the beginning of the first gig and indicate “Multiple short term gigs”
Work for hire (start)	<ul style="list-style-type: none"> • Indicate “Self-employed work for hire” • Indicate the start date of the contract
Work for hire (ending more than 10 days between the end of one contract and the beginning of another contract or a new job)	<ul style="list-style-type: none"> • Indicate “Self-employed work for hire” • Indicate you have no current contract • Ending date of the last contract worked
More than 10 days of unemployment	<ul style="list-style-type: none"> • Indicate “unemployed” • Ending date of last job
Self-employed business owner (start)	<ul style="list-style-type: none"> • Indicate “Self-employed business owner” • Indicated date went into business
Self-employed business owner (end)	<ul style="list-style-type: none"> • Indicate “Self-employed business owner” • Indicate date business closed or student no longer worked for the business full time

Student decides to exit the United States and complete his or her F-1 status prior to the end date of OPT	<ul style="list-style-type: none"> • Indicate “Completing OPT and exiting the United States” • Date of exit
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How should students report employment/unemployment information to their DSO?

SEVP recommends using e-mail as it provides both evidence of reporting and the date reported.

Students should keep a record of all reports made to the DSO and the method by which the report is made.

What is the effect on a student’s status if the student exceeds the period of unemployment?

A student who has exceeded the period of unemployment while on post-completion OPT has violated his or her status unless he or she has taken one of the following actions:

- Applied to continue his or her education by a change of level or transferring to another SEVP-certified school
- Departed the United States
- Taken action to otherwise maintain legal status

How will DHS enforce this provision?

Students may be denied future immigration benefits that rely on the student’s valid F-1 status if DHS determines that the student exceeded the limitations on unemployment. Additionally, ICE/SEVP may examine SEVIS data for an individual, a selected group, or all students on post-completion OPT and terminate a student’s record if it fails to show the student maintained the proper period of employment. In such cases, the student will be given an opportunity to show that he or she complied with all OPT requirements, including maintaining employment.

Can I extend my OPT?

No – regular OPT cannot be extended. Students with US degrees in certain STEM (science, technology, engineering, and mathematics) fields may be eligible to apply for a one-time, 17-month extension of their post-completion OPT, for a total of 29 months of OPT. To be eligible for the extension, the student’s employer must be registered in the federal E-Verify system, and agree to report to the DSO when the student is terminated or leaves the job. The student must agree to make periodic reports of his/her address and employer information to the DSO. Please contact OIP for further guidance on how eligible students can apply for this new benefit.

Extracted from SEVP Policy Guidance 0801-01, issued on April 25, 2008