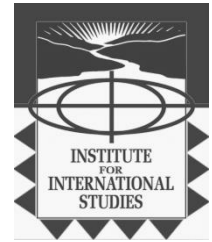


F-1 Optional Practical Training (OPT) Packet



How to Apply: Read this packet, collect documents listed on page 2, and make an appointment to meet with John Gradel to review OPT application and obtain OPT I-20. If outside of Lock Haven, PA – scan and e-mail (in word document) or mail all documents to John Gradel jrg5874@lhup.edu.

WHAT IS OPTIONAL PRACTICAL TRAINING (OPT)?

Immigration regulations (8 CFR214.2(f) (10)(ii)) for F-1 visa holders permit students to apply for a work card (employment authorization document-EAD) for off-campus work permission called Optional Practical Training (OPT) for a total of 12 months of full-time work. This work card allows students to work in the U.S. in their field of study, but does not restrict the number of jobs or number of hours they work. Most students use this after they graduate to gain work experience, but some students also use this for summer work permission. However, if you want to work during summers or classes, you can also opt to apply for smaller time periods of OPT. USCIS issues a work card (EAD) to be eligible to work anywhere in the U.S., at any pay scale, for any number of hours. You do not need a job offer to apply. Work permission can be split into more than 1 time period – see below. Each application for OPT must be filed separately and include fees and appropriate documentation. USCIS takes 60-90 days to process OPT applications. Please plan ahead.

OPT START AND END DATES:

The start and end dates are chosen by the student. For those completing their program, the OPT start date must be within 60 days of completing your program and end exactly 12 months later. For example, if you graduate on May 6, 2013 you must start OPT on or before July 6, 2013, and the end date is 12 months later. OPT is usually used after graduation as one 12-month work period.

Example of Post-Completion OPT- Most students use OPT after graduation

All Students	Complete Coursework Apply for OPT last semester of studies	12 months OPT
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If you want to use OPT during your studies, you choose the exact start and end time (Example of summer work dates: May 9, 2013 to August 9, 2013). Sometimes, students need work permission during summers or during their studies. This is possible but each time OPT is applied for, an entire application must be filed with USCIS (\$380, documents, see page 2).

Example of Pre-Completion OPT – Working during Thesis or Summertime

Summer OPT (can be full-time or part-time)	Complete 2 semesters of coursework <i>Apply for Summer OPT 3-4 months before OPT start date</i>	Full-time or part-time summer OPT (must be part-time if taking other courses)	Complete coursework <i>Apply for OPT in last semester</i>	Use remaining 8 months OPT at end of degree
ALL STUDENTS OPT use during classes (part-time OPT during classes) *Masters students exception to this rule.	Complete 2 semesters of coursework to qualify for OPT	Students wanting to use OPT while taking classes can only use Part-Time OPT (20 hours/week). Example: If you use OPT during an academic year, apply for 8 months of part-time OPT (= 4 months full-time OPT) and have remaining 8 months of full-time OPT left after graduation or for another semester. At any time after classes are completed (during thesis credits), Master students can apply for part-time or full-time OPT. For temporary positions OPT is needed. If OPT overlaps with graduation, students must file 2 separate OPT applications (see IIS for more details).		

File OPT with USCIS as early as 90 days before your completion date or no later than 60 days after you complete your program.

Lock Haven University Optional Practical Training Application

Name: _____	Date: _____
NON - LHU E-Mail : _____	Student ID #: _____
Telephone Number: _____	

OPT Request:

_____ I am requesting OPT for use AFTER GRADUATION (Post-Completion OPT)
 _____ I am requesting OPT for use DURING MY STUDIES, I have NOT graduated yet. (Full-time: _____ Part-time: _____)

OPT Dates: Start Date: _____ End Date: _____

I understand how to maintain my F-1 visa status during CPT. _____

Sign and Date

Bring all documents listed below to your appointment with in IIS. If not in Lock Haven, PA – scan and email documents to jrg5874@lhup.edu or mail to the IIS. All documents are required to issue a new OPT I-20.

DOCUMENTS REQUIRED FOR OPT:

- Completed LHU OPT Application
- Request a letter from your academic department (see example on page 4)
- LHU Transcript - unofficial from MyHaven is acceptable
- Money order or personal check for \$380 (as of 7/2012) made payable to **Department of Homeland Security**. (If you use a personal check, it could take an extra 2 weeks to clear the check).
- Two color passport photographs (U.S. style passport photo – CVS, Nittany Travel) White background only. Write your name in CAPS and Alien Number (I-94 Number) on back of both photos.
- Complete I-765 (see example on page 3) use fillable on-line form at ww.uscis.gov – click “Forms & Employment,” then click “I-765” see instructions & fillable form. For #16 use (c)(3)(A) for Pre-completion OPT and (c)(3)(B) if using Post-completion OPT.
- Photocopies of ALL immigration documents: current passport, visa, I-94 (front and back), and all I-20s ever issued (every degree/program ever studied in US), including the one issued for OPT.
- Copy of EAD card if previously participated in OPT

MAILING INSTRUCTIONS: Make sure to have a copy of all documents before mailing. DO NOT MAIL YOUR ORIGINAL OPT I-20. See boxes below to see which USCIS center to mail to. OPT cards can take 60-90 days to be processed.

E-Notification: If you want to receive an e-mail and/or text message that your Form I-765 has been accepted at a USCIS Lockbox facility, complete Form G-1145, E-Notification of Application/Petition Acceptance and clip it to the first page of your application.

If you live in:	Mail your application to:	If you live in:	Mail your application to:
Alaska, Arizona, California, Colorado, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, North Dakota, Ohio, Oregon, South Dakota, Utah, Washington, Guam, or the Commonwealth of Northern Mariana Islands.	<u>USCIS Phoenix Lockbox</u> For U.S. Postal Service (USPS) Deliveries: USCIS PO Box 21281 Phoenix, AZ 85036 For Express Mail and courier deliveries: USCIS Attn: AOS 1820 E. Skyharbor Circle S Suite 100 Phoenix, AZ 85034	Alabama, Arkansas, Connecticut, Delaware, District of Columbia, Florida, Georgia, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Mississippi, New Hampshire, New Jersey, New Mexico, New York, North Carolina, Pennsylvania , Puerto Rico, Rhode Island, South Carolina, Oklahoma, Tennessee, Texas, Vermont, Virginia, U.S. Virgin Islands, or West Virginia	<u>USCIS Dallas Lockbox</u> For U.S. Postal Service (USPS) Deliveries: USCIS PO Box 660867 Dallas, TX 75266 For Express Mail and courier deliveries: USCIS Attn: AOS 2501 S. State Hwy. 121 Business Suite 400 Lewisville, TX 75067

I-765 Example (as of July 2012)

OMB No. 1615-0040; Expires 09/30/11

Department of Homeland Security
U.S. Citizenship and Immigration Services

I-765, Application For Employment Authorization

Do not write in this block.

Remarks	Action Block	Fee Stamp
A#		
Applicant is filing under §274a.12 _____		
<input type="checkbox"/> Application Approved. Employment Authorized / Extended (<i>Circle One</i>) until _____ (Date). Subject to the following conditions: _____ (Date). Application Denied.		
<input type="checkbox"/> Failed to establish eligibility under 8 CFR 274a.12 (a) or (c). <input type="checkbox"/> Failed to establish economic necessity as required in 8 CFR 274a.12(c)(14), (18) and 8 CFR 214.2(f)		

I am applying for: Permission to accept employment.
 Replacement (*of lost employment authorization document*)
 Renewal of my permission to accept employment (*attach previous employment authorization document*).

1. Name (Family Name in CAPS) (First) (Middle) LAST NAME IN CAPS First Name	Which USCIS Office? Leave Blank	Date(s)
2. Other Names Used (Include Maiden Name)	Results (Granted or Denied - attach all documentation) complete only if had OPT before	
3. Address in the United States (Number and Street) (Apt. Number) Address used for mailing OPT (Town or City) (State/Country) (ZIP Code) to update call 800# on receipt	12. Date of Last Entry into the U.S. (mm/dd/yyyy) Look on I-94	
4. Country of Citizenship/Nationality Citizenship	13. Place of Last Entry into the U.S. Look on I-94	
5. Place of Birth (Town or City) (State/Province) (Country) Place of birth (use what's on passport)	14. Manner of Last Entry (Visitor, Student, etc.) Look on I-94 (NYC, DEM, CHI)	
6. Date of Birth (mm/dd/yyyy) 7. Gender <input type="checkbox"/> Male <input checked="" type="checkbox"/> Female	15. Current Immigration Status (Visitor, Student, etc.) Student	
8. Marital Status <input checked="" type="checkbox"/> Married <input type="checkbox"/> Single <input type="checkbox"/> Widowed <input type="checkbox"/> Divorced	16. Go to Part 2 of the Instructions, Eligibility Categories. In the space below, place the letter and number of the category you selected from the instructions (For example, (a)(8), (c)(17)(iii), etc.). Eligibility under 8 CFR 274a.12 (C) (3) (A or B)	
9. Social Security Number (Include all numbers you have ever used) (if any) SSN (if have - if not leave blank)	17. If you entered the Eligibility Category, (c)(3)(C), in item 16 above, list your degree, your employer's name as listed in E-Verify, and your employer's E- Verify Company Identification Number or a valid E-Verify Client Company Identification Number in the space below. Degree: <u>Blank</u> Employer's Name as listed in E-Verify: <u>Blank</u> Employer's E-Verify Company Identification Number or a valid E-Verify Client Company Identification Number <u>Blank</u>	
10. Alien Registration Number (A-Number) or I-94 Number (if any) I-94 #		
11. Have you ever before applied for employment authorization from USCIS? <input type="checkbox"/> Yes (If yes, complete below) <input checked="" type="checkbox"/> No		

Certification

Your Certification: I certify, under penalty of perjury under the laws of the United States of America, that the foregoing is true and correct. Furthermore, I authorize the release of any information that U.S. Citizenship and Immigration Services needs to determine eligibility for the benefit I am seeking. I have read the Instructions in Part 2 and have identified the appropriate eligibility category in Block 16.

Signature SIGN	Telephone Number TELEPHONE #	Date DATE
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Signature of person preparing form, if other than above: I declare that this document was prepared by me at the request of the applicant and is based on all information of which I have any knowledge.

Print Name	Address	Signature	Date
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Remarks	Initial Receipt	Resubmitted	Relocated		Completed		
			Rec'd	Sent	Approved	Denied	Returned



Form I-765 (Rev. 10/16/08)Y

Sample Academic Department Letter

USE LHU LETTERHEAD

Date

To whom it may concern:

This is to verify that STUDENTS NAME, an undergraduate student in the Department of (DEPARTMENT NAME), will complete his/her degree in DATE.

As an international student, it would be beneficial for STUDENT NAME to acquire practical experience in his/her field as a complement to her theoretical knowledge. Participation in the one year Optional Practical Training (OPT) would serve him/her well.

If you require any additional information, please feel free to contact me.

Sincerely,

PROFESSOR NAME

TITLE

PLEASE PROVIDE CONTACT INFORMATION

HOW TO MAINTAIN YOUR F-1 STATUS ON OPT

You are still in F-1 status while waiting for your approval. You are legal while waiting and do not need to do anything extra to maintain your status after filing for your OPT card.

RESPONSIBILITIES TO MAINTAIN F-1 STATUS DURING OPT

(NEW) REPORT APPROVAL OF EAD (Employment Authorization Document) CARD TO IIS: Scan a copy of your EAD card or approval notice and e-mail it to jrg5874@lhup.edu. SEVIS is not always accurate, if your approval is noted in SEVIS by USCIS, your I-20 could be accidentally/ automatically cancelled.

(NEW) REPORT ALL CHANGES OF U.S. ADDRESS AND EMPLOYER'S ADDRESS TO IIS: E-Mail John at jrg5874@lhup.edu with changes.

(NEW) HAVE NO MORE THAN 90 DAYS WITHOUT WORK: After completion of your degree, your F-1 status during OPT is dependent upon employment. Students must be employed within 90 days of the OPT start date.

WORK DURING OPT PERIOD ONLY: You cannot be paid until you have the Employment Authorization Document (EAD) in your possession and the start date is reached.

TRAVEL WITH PROPER DOCUMENTS: You can travel out of the U.S. after graduation and before the OPT date begins. You must take your OPT receipt, I-20, visa and passport to reenter the USA. However, during the OPT period students must be employed to reenter the USA – you will need a letter from your employer in addition to the OPT card, I-20, visa and passport. Renewing a visa while on OPT is not prohibited, but not guaranteed. For updated travel info see: www.ice.gov/sevis/travel/faq_f.htm

EAD CARD INFO: You should receive a receipt from USCIS – keep this document. It has a number on it "EAC--###-###" which can be used to check the status of your card online or by phone. Check the status of your case: <https://egov.uscis.gov/cris/Dashboard.do> or call 1-800-375-5283. If you hear nothing within 60 days, please contact John at jrg5874@lhup.edu and he can email the Service Center to double check your address.

Interim / Temporary EAD Card: After 90 days from your receipt date, you can apply for an Interim EAD card through the USCIS center where you applied. Contact the 800-number on your receipt for more information or to see if you qualify.

Errors on Your Card: If your name or date of birth is incorrect, send a copy of your application, card and a letter asking for the card to be changed.

SOCIAL SECURITY APPLICATIONS: If you do not have an SSN, take a letter from your employer to apply for a SSN. Have your employer contact the local SSN office if he/she doesn't understand why you don't have a SSN.

TAKING CLASSES –ENROLLING IN A NEW DEGREE PROGRAM: If you choose to begin a new degree program at another university while you have OPT time left, you will lose the rest of OPT. Once a new I-20 is issued for a new program of study—OPT ends. You can, however, take 1-2 classes during OPT to help you in your job or prerequisites for a different degree.

TAXES: Students who have been in the US for fewer than 5 calendar years are exempt from Social security and Medicare taxes. Let your employer know this. Be sure to file taxes the year after you work, even if you depart from the US.

H1B VISA: Please see this site for more information: http://travel.state.gov/visa/temp/types/types_1271.html. Your employer must file an H1B application for you. H1Bs can be renewed for up to 6 years.

WHAT DOES DHS CONSIDER "EMPLOYMENT" DURING OPT GUIDANCE FOR LHU STUDENTS ON OPT: EMPLOYMENT & UNEMPLOYMENT

TAKEN FROM DHS IMMIGRATION REGULATIONS FOR OPT – 8 CFR 214.2(f)(12)(E) & (i)

Periods of Unemployment during OPT

(E) *Periods of unemployment during post-completion 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 during any post-completion OPT carried out under the initial post-completion OPT authorization. Students granted a 17-month OPT extension may not accrue an aggregate of more than 120 days of unemployment during the total OPT period comprising any post-completion OPT carried out under the initial post-completion OPT authorization and the subsequent 17-month extension period.

Reporting requirements while on standard post-completion OPT

(i) *General.* An F-1 student authorized by USCIS to engage in optional practical training (OPT) is required to report any change of name or address, or interruption of such employment to the DSO for the duration of the authorized training. A DSO who recommends a student for OPT is responsible for updating the student's record to reflect these reported changes for the duration of the time that training is authorized.

Types of work that constitute employment while on OPT

Clearly under the new rule, periods of unemployment may put a student's F-1 status at risk. SEVP's OPT Policy Guidance [7.2.1] states that the following activities are considered allowable employment on both pre-completion and standard post-completion OPT, provided that the job is related to the student's program of study:

Regular paid employment for at least 20 hours per week in a position directly related to the student's program of study. Students may work for multiple employers, as long as it is directly related to the student's program of study.

Payment by multiple short-term employers. SEVP says that "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. SEVP says, "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. SEVP says, "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. SEVP says, "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."

Volunteers or unpaid interns. SEVP says, "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."

Note that a volunteer position or unpaid internship would be a valid option for someone who otherwise might not meet the minimum employment requirement. For the 17-month STEM extension, however, employment must be paid employment, and although volunteering or unpaid activity is permitted, it will not be counted towards the employment requirement as it is for standard post-completion OPT.