

OPTIONAL PRACTICAL TRAINING (OPT)

International Student Services
New Mexico State University

575-646-2017 (phone) 575-646-7721 (fax)

Optional Practical Training (OPT) is defined by US Citizenship & Immigration Services (USCIS) as “temporary employment for practical training directly related to the F-1 student’s major area of study.” OPT can be authorized at the following times:

- *During the student’s annual vacation and at other times when school is not in session if the student is currently enrolled and eligible, and intends to register for the next semester;*
- *While school is in session, provided that OPT does not exceed 20 hours per week;*
- *After completion of all course requirements for the degree, excluding thesis or equivalent, if the student is in a bachelor’s, master’s, or doctoral degree program; or*
- *After completion of the course of study.*

Conditions

- *Employment must be appropriate to the degree earned in college and in the area of study.*
- *The student has been in valid F-1 status for a minimum of one academic year by the start of the requested practical training period.*
- *OPT can be requested for a maximum of 12 months for each academic level completed.*
- *Students must not have engaged in full-time Curricular Practical Training off-campus (20 hours or more per week) for more than 12 month.*

Eligibility

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.

Applications for pre-completion OPT can be submitted up to 120 days before the employment start date.

Post-Completion OPT

Post-completion OPT is OPT authorized to be worked after the student’s program end date. This is full-time employment.

Applications for post-completion OPT can be submitted up to 90 days before your program end date or up to 60 days after your program end date.

- * **A separate application packet is required for pre- and post-completion OPT**
- * **Your application must be mailed within 30 days of the OPT I-20 issue date**

Required Application Documents (will be included in OPT application packet mailed to USCIS)

- SEVIS I-20** (with OPT endorsement on page 3). This will be issued after the other required documents are submitted to International Student and Scholar Services. A photocopy of the new I-20 is included in your OPT application packet when mailed to the USCIS Service Center.
- OPT Request Form** (including advisor’s approval)

CONTINUED ON NEXT PAGE

- Form I-765 Application for Employment Authorization**

**** Item #16:** Pre-completion OPT = (C) (3) (A) Post-completion OPT = (C) (3) (B) STEM extension = (C) (3) (C)

This is a “fillable” form on the USCIS website, (<http://uscis.gov/graphics/formsfee/forms/files/i-765.pdf>). Download and print a copy to mail with your OPT packet. Do not submit electronically.

- Photocopy of **passport identification page**, including expiration date of your passport and passport photo
- Photocopy of **Form I-94 Departure Record (front & back)**
- Two **color passport-style photographs**
Passport-style photograph guidelines can be found at the Department of State website:
<http://travel.state.gov/passport/pptphotos/index.html> Print your name and I-94 number on the back of each photo with a pencil.
- \$340 application fee**
Check or money order payable to “Department of Homeland Security”. Do **not** send cash.
- If applicable, photocopies of previous Employment Authorization Documents (**EADs**)

Additional OPT benefits available to specific F-1s on OPT

H-1B Cap Gap OPT

Under the new rule, the cap gap extension is a period in which an eligible F-1 student’s status is automatically extended to bridge the gap between the end of F-1 status and the start of H-1B status. If the student in post-completion OPT is approved for an H-1B, F-1 status will be extended to the beginning of the H-1B starting date.

F-1 students with a STEM degree

A 17-month STEM extension may be available to F-1 students on post-completion OPT. The list of STEM degrees includes specified majors in science, technology, engineering or math. The major field of study (CIP code) on the I-20 must be included on the ICE list (see posting on the ICE web site). The F-1 student must have earned a bachelor’s, master’s, or doctoral degree, be employed by an E-Verify employer (USCIS E-Verify program), and have less than the allowable days of unemployment.

Unemployment during OPT

The limit is 90 days for students on post-completion OPT including those with a cap gap extension. An exception is that students with a STEM OPT extension are given an additional 30 days of unemployment time for a maximum of 120 days. An allowance of 10 days of unemployment is allowed if there is a change in employers.

When to mail

You may send the application as early as 90-120 days prior to the completion of studies or graduation date. The deadline for submission of your OPT application to the Texas Service Center (TSC) is 60 days following program completion/graduation. Two to four weeks after mailing your application, you will receive a “Notice of Action” (Form I-797) from USCIS stating that your documents have been received, and an estimated processing time. You are encouraged to send your application as early as possible to avoid delays. **Employment can start only after the EAD has been received from USCIS.**

There are two methods of checking the status of your application, using the Notice of Action receipt number assigned to your application:

- The USCIS online case status service, <https://egov.immigration.gov/graphics/cris/jsps/index.jsp> for current processing dates and status of your case; or
- The USCIS National Customer Service Center at 1-800-375-5283.

The starting date your optional practical training will be: (1) the OPT date indicated on your I-20, or (2) the date the application is processed by USCIS – whichever is **later**.

OPT must be completed by the 14th month following your graduation. You cannot extend or renew OPT beyond the 12 month limit unless you qualify for a STEM or H-1B cap gap extension. You **do not** need an offer of employment in order to apply for optional practical training but if available you can submit with your USCIS application packet. Eligibility for an

additional OPT authorization in the future is limited to F-1 students completing another academic program at a higher level. For example, you may be eligible for OPT following a bachelor's degree and again following the completion of a master's program.

Where to Mail

OPT applications (if item #3 on I-765 is a New Mexico or Texas address) are mailed to the USCIS Texas Service Center:

USCIS Service Center
P.O. Box 851041
Mesquite, TX 75185-1041

If item #3 is not New Mexico or Texas, see the USCIS Service Centers mailing instructions, <http://www.uscis.gov/files/form/I-765instr.pdf> (page 10)

Traveling Outside the U.S.

An F-1 student approved for Optional Practical Training following completion of studies continues in F-1 status. If you are traveling outside the U.S. with an unexpired EAD issued for post-completion OPT you may return to the U.S. to resume employment following a temporary absence. Carry a letter from your employer explaining your employment and reason for travel. Contact our office for current information regarding travel during OPT. Re-entry into the U.S. while on OPT requires an I-20 which has been endorsed for travel within the preceding 6 months, an unexpired EAD, and a valid visa.

Your responsibilities during OPT

Contact International Student Services to report any of the following:

- Changes in current physical address (within 10 days of move)
- Current employer(s) name and address
- Changes in status including H-1B approval or departure from U.S.
- Changes in preferred email

This is a USCIS requirement and is mandatory to maintain your F-1 status during OPT. International Student Services is responsible for updating the above information in SEVIS at the time of a change upon receipt of your notification. Send updates to Mary Jaspers at marjaspe@nmsu.edu

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OPT FAQs

How long does it take to receive my EAD employment authorization card?

The USCIS service centers process OPT applications by date received. Depending on the number of pending applications received, the processing time can be from 2-4 months.

Can I work before my EAD arrives?

In order to start working, you must have the card and it is not earlier than the starting date on the EAD.

Can I request expedited processing based on a pending job offer?

Currently this is not possible at the USCIS Texas Service Center.

What is my I-94 Number (item #10 on Form I-765)?

This is the 11-digit number on your most recent I-94 Arrival/Departure card that is usually stapled in your passport.

I don't know where I will be living in 3-4 months. What address can I use on Form I-765, item #3?

If you want to have your EAD sent to International Student Services, use the following address.

- 1st line: NMSU Int'l Student Svcs.
- 2nd line: P.O. Box 30001, MSC 3G, Las Cruces, NM 88003