



Applying for Optional Practical Training (OPT)

Please read these instructions carefully in order to avoid delays in your OPT

General Information

Optional Practical Training (OPT) for F-1 students is available to students who have been lawfully enrolled on a full-time basis in F-1 status for at least one academic year. This type of training is intended to provide hands-on practical work experience complementary to the academic program. An F-1 student is eligible for a **MAXIMUM OF 12 MONTHS** of this type of training at each degree level, e.g., Bachelor's, Master's, etc.

While on optional practical training, individuals are still considered to be F-1 students at the University of Wisconsin-Superior even though they may be working elsewhere in the United States. We remain responsible for maintaining your record in SEVIS, so it is important that you continue to report any changes in information to us.

You may not apply for OPT more than 90 days before the end of your program. You may apply during your grace period, but be aware that processing time for OPT applications is generally a minimum of three months so we recommend that you apply early!

Employment Types allowed for regular pre- and post-completion OPT

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

- * Paid employment. Students must work full-time, 20 hours or more per week, when on post-completion OPT.
- * 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). A student, such as a musician or other type of performing artist, may work for multiple short term employers (gigs). The student should maintain a list of all gigs, the dates and duration.
- * 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 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 does a student show that employment is directly related to his or her degree program?

SEVP recommends that the student maintain evidence for each job documenting the position held, proof of the duration of that position, the job title, contact information for the student's supervisor or manager, and a description of the work.

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

Source: Student Exchange and Visitor Program Policy Guidance 1004-03 – Update to Optional Practical Training: www.ice.gov/doclib/sevis/pdf/opt_policy_guidance_042010.pdf

Instructions

Step #1: Make an appointment with the International Student Advisor in the Office of International Programs in Main 337 to go over OPT policies and procedures. At this time, your eligibility for OPT will be verified. This appointment will take approximately 15-20 minutes.

Step #2: Schedule a second 1-hour appointment to complete the application packet. You will need to bring the following to this appointment:

1. Passport and Form I-94.
2. Completed OIP Form "Optional Practical Training Recommendation" (attached).
3. A copy of your degree audit **signed by you and your advisor** indicating that you will complete all degree requirements before you begin work.
4. All prior original Forms I-20.
5. Social Security Number.
6. Two passport-style photos with a white background **taken no earlier than 30 days before submission** to USCIS. Do not use additional copies of a photo you may have submitted for your visa application. Photos should be unmounted; printed on thin paper, glossy, and unretouched. Your head should be bare unless you are wearing a headdress as required by a religious order to which you belong. The photo should not be larger than 2 x 2 inches, with the distance from the top of the head to just below the chin between 1 and 1-3/8 inches. Lightly print your name and I-94 number on the back of each photo in pencil. (We have found that Walgreen's Drug Store on 21st and Tower Avenue is a very economical place to obtain these photos.) Photo requirements are listed at: www.travel.state.gov/pdf/Photo-Quality-Requirements.pdf.
7. Cashier's check or money order for \$380 payable to *U.S. Department of Homeland Security*. This is the most current fee, but for updates, see the USCIS website, www.uscis.gov. **NO PERSONAL CHECKS!**

E-Filing your OPT application: It is now possible to e-file your application, and pay via credit or debit card, or by direct debit from your bank account. If you wish to **e-file**, please see page 4.

During the second appointment:

After reviewing the materials you have submitted, an OIP staff member will recommend to the U.S. Citizenship and Immigration Services (USCIS) that practical training permission be granted by certifying on

your SEVIS I-20 **that the proposed employment is directly related to your major area of study and commensurate with your educational level**. We will create a new I-20 with the OPT request, assist you in completing Form I-765, and help you prepare your application packet.

SPECIAL NOTE: Students traveling outside of the United States while on practical training after graduation will need a signature from an OIP staff member on their I-20 within the last six months for re-entry into the United States. New regulations state that you may be refused re-entry if you travel after receiving your Employment Authorization Card and before accepting a position. You must have employment or an offer of employment letter if you plan to travel.

You may not legally begin working until an Employment Authorization Document (EAD) has been issued by the USCIS and according to the date you have requested in your application. If the date you requested to begin working has passed, and you have not received your card, **you must wait** until you receive your card before beginning work.

Send the completed application packet by certified mail with return receipt to the USCIS Phoenix Lockbox (if your address will be in Wisconsin when the card is delivered):

USCIS
PO BOX 21281
PHOENIX AZ 85036

Social Security and Medicare Tax Exemption:

Students in F-1 immigration status who have been physically present in the U.S. **for less than parts of five calendar years** are *generally* considered **non-resident aliens for tax purposes** and are not required to pay Social Security or Medicare taxes on the wages earned from practical training. Request a copy of the I.R.S. information from the Office of International Programs (or access it from: www.irs.gov/pub/irs-pdf/p519.pdf) and present this to the Human Resources Office at your new employer. While it is possible to have these taxes refunded, it is far easier to alert the employer at the beginning! The employer will also save the cost of matching your Social Security contribution.

Note, however, that if you change your status to H-1B at anytime during your OPT period, you will immediately lose this exemption as it is specific to F-1 status.

Federal and State taxes will be deducted from your wages unless your home country has a tax treaty with the United States and you have filed the appropriate documents with your employer.

Step #3: Submit a photocopy of your Employment Authorization Document (EAD) to the OIP in Old Main 337. The U.S. Department of Homeland Security requires that a copy of this document be kept in your file. **Please do not forget this step! We also ask that you notify us of any change of name, address and employer (including unemployment) during your OPT year as we are now required to track this information in SEVIS.** If you transfer to another school to begin a new degree program during your OPT period, the OPT will automatically terminate on the transfer release date.

E-filing your OPT application

- You are eligible to file Form I-765 electronically, but **you must send in your supporting documentation by mail** within 30 days. Processing of your application will not begin until you have submitted all supporting documentation.
- You must register a user ID and password to use the USCIS e-filing system.
- You must pay your application fee online. Click ‘Submit’ only once. USCIS will NOT refund any payments made in error.
- Write down the **Receipt Number** provided on the web Confirmation Page before clicking the "**Finish**" button to generate a PDF copy of your submitted application.
- Print a copy of your Confirmation Receipt notice and attach it as a cover page (or first page) to your supporting documentation package.

Do not include a copy of your e-Filed application with your supporting documentation.

Do not include any fees. These must be paid online.

Photographs: Using a pencil or felt-tipped pen, lightly print your Alien Registration Number (A#), if any, or I-94 Number, and E-Filing receipt number on the back of each photo sent with supporting documentation.

Assemble your supporting documentation in the following order:

- E-filing Confirmation Receipt notice.
- Photographs
- All Forms I-20, beginning with the most recent one showing the OPT request
- CPT employment letters, if any
- Passport photo page, showing expiration date
- Form I-94, both sides
- Most recent F-1 visa stamp

Mail your supporting documentation to the address shown on your Confirmation Page.

For full information and instructions on e-filing your OPT application, see the USCIS website:

<http://www.uscis.gov/portal/site/uscis/menuitem.5af9bb95919f35e66f614176543f6d1a/?vgnextoid=c646065d85cee010VgnVCM1000000ecd190aRCRD&vgnnextchannel=9059d9808bcbd010VgnVCM100000d1f1d6a1RCRD>



Optional Practical Training Recommendation

TO BE COMPLETED BY FACULTY ADVISOR OR DEPARTMENT CHAIR

TO: International Student Advisor, Old Main 337

FROM: _____, _____
(Print advisor or dept. chair's name) Title

DATE: ___/___/___

RE: F-1 Optional Practical Training Recommendation

This statement serves to confirm that _____ (print student's name) is currently a student in the department of _____ at the University of Wisconsin-Superior specializing or majoring in the field of _____. The practical training sought by this student is directly related to his or her field of study, is commensurate with his or her educational level, and is recommended by this department.

This student (please check only one):

___ has completed all course requirements excluding the thesis.

___ has completed, or is expected to complete the course of study on ___/___/___.

Optional comments:

Signature _____ Date ___/___/___

OIP USE ONLY: ___Part-time ___Full-time Optional Practical Training recommended from ___/___/___ to ___/___/___ by _____ on ___/___/___.