

F-1 OPT, Practical Training Visa

An F-1 visa is issued to students who come to the U.S. to pursue a course of education at a qualifying institution. OPT stands for “Optional Practical Training”, and accordingly, their student visa may be expanded to include a 12-month work authorization so that they can get practical experience in their field of study. A qualified F-1 student may also apply for a one-time extension of OPT for up to 17 months beyond the normal 12 months if:

- The degree that is the basis for the student's OPT is a bachelor or higher degree in a field of study listed on the Science, Technology, Engineering and Mathematics (“STEM”) Designated Program List: Actuarial Science, Computer Science, Engineering, Engineering Technologies, Biological and Biomedical Sciences, Mathematics and Statistics, Military Technologies, **Physical Sciences**, Science Technologies, Medical Scientist (MS, PhD).

This extension requires the student first to go to his/her school and request a new I-20 be issued with the OPT extension recommended and then to file an Application for Employment Authorization to extend the student's EAD. As long as the application is timely filed, the student's EAD will be considered automatically extended (for up to 180 days) until a decision is made on the application and the employee may continue to work while the application is pending.

Beware of Unemployment During OPT

Students with F-1 OPT may not accrue more than an aggregate of 90 days of unemployment during their initial period of post-completion OPT. Students granted an additional 17 months of OPT may not accrue more than an aggregate of 120 days of unemployment.

OPT Application and Approval Process

Deadline for filing: For Post Completion OPT, the student may file Form I-765 (Application for Employment Authorization) up to 90 days prior to completion of studies. The student must file Form I-765 before the earlier of: (1) 60 days after completion of studies, or (2) 30 days after the date the school makes a recommendation for OPT.

Start of employment: A student's work authorization begins on the start date of the Employment Authorization Document (EAD). A student may not request a start date that is more than 60 days after the student's program end date. The USCIS will set the start date on the EAD as the later of: (1) the date requested or (2) the date the application for employment authorization is approved.