

Eligibility and Application Checklist for Pre-completion OPT

Pre-Completion OPT (c)(3)(A) Eligibility:

- Student must have maintained lawful status including being enrolled on a full-time basis at a Department of Homeland Security (DHS) approved school for one full academic year;
- Students may engage in OPT for any employer in the US as long as the employment meets OPT regulations;
- Employment must be directly related to the student's major field of study and be appropriate with the student's level of study;
- No offer of employment is required, but once issued, the OPT time cannot be shortened or changed regardless of whether the student is employed or not.

Pre-Completion OPT Highlights:

- Authorized to be used before the student's program end date and must be applied for through UW ISS and approved by USCIS before training may begin;
- May allow the student to have a training opportunity when CPT is not a valid option;
- Period of OPT is determined by the student and may be up to 12 months full-time or the equivalent for part-time training;
- Full-time OPT is allowed during official school breaks, but limited to part-time (20 hrs per week) during academic terms;
- Application and fee (\$380) must be mailed to USCIS by ISS and may take up to 90 days for approval;
- Switching from pre-completion OPT to post-completion OPT requires a new complete OPT application with fee to USCIS;
- May not apply for OPT Extension (STEM) or cap gap extension directly;
- Student must report employment information to ISS for entry into the SEVIS system;
- Unemployment during pre-completion OPT is allowed, though time unemployed is still counted as time on OPT

Other Considerations:

While pre-completion OPT may be a good option, student should consider using CPT when possible to avoid losing time on post-completion OPT. Please consider the following tables for comparison of pre-completion OPT and CPT, and pre-completion OPT and post-completion OPT. Note: I-20 program end date cannot be extended for the purpose of approving pre-completion OPT. If a student is eligible to graduate/completion coursework, they should apply for post-completion OPT.

Curricular Practical Training (CPT) vs. Pre-Completion OPT

<u>Curricular Practical Training (CPT)</u>	<u>Pre-completion OPT</u>
Approved by ISS office	Application sent to USCIS with \$380 fee
Pre-Determined employer and dates	No job offer required to apply
Integral part of an established curriculum	Directly related to course of study
Must be registered for Internship credit	No class registration requirement
Can be part-time or full-time	Limited to 20 hours per week while school is in session
365 days of full-time CPT eliminates post-completion OPT	Total 12 months of OPT (Pre & Post) at each degree level
Part-time CPT has no effect on OPT	May not apply for OPT extension from pre-completion OPT
Usually limited to part time during academic semester	Part-time counts at 50% of 12 months

Pre-Completion OPT vs. Post-Completion OPT

<u>Pre-completion OPT</u>	<u>Post-completion OPT</u>
Unemployment days not limited	Unemployment limited to 90 days for full year of OPT
Full-time during official vacation periods only	Full-time required to meet employment requirements
Cannot apply for OPT extension directly	Can apply for OPT Extension if meet qualifications
No Cap-Gap Extension allowed	Eligible for Cap-Gap Extension
May extend academic program if extra time is needed	Extension of academic program limits OPT to 20 hours per week until degree requirements are complete.

If you are interested in applying for pre-completion OPT, please contact ISS staff before completing the application to ensure that pre-completion OPT is the best option for you.

APPLYING FOR PRE-COMPLETION OPT – TIMING AND APPLICATION CHECKLIST

Pre-completion OPT application may be filed up to 90 days before the student has completed one full academic year of a study, and up to 90 days before the requested start date of the OPT. Student may not be employed until the OPT is approved, the EAD card is received, and the start date on the EAD card has been reached. Approval of the pre-completion OPT application can take up to 90 days. Student should apply as early as possible to allow enough time for approval before their desired employment start date.

Checklist

You must bring ALL documents to your appointment with ISS before your OPT request can be made in SEVIS.

1. Complete USCIS Form I-765 - included in packet or on the ISS OPT Information webpage. If you download the form from the USCIS.gov, please use (c)(3)(A) for Question #16. You do not need to complete Questions #17 and #18.
2. Complete the OPT Request Information Form - included in packet or on the ISS OPT Information webpage
3. Provide a letter of recommendation from your Academic Advisor.
4. Signed copy of the Tips and SEVIS Requirements While on OPT page verifying that you have READ and UNDERSTAND what your reporting requirements are (included in packet). You will receive a copy of this to keep.
5. All passports, visas, I-20s, current I-94 and travel history printouts from www.cbp.gov/i94 or I-94 card if stapled in passport, and any other relevant immigration documents you have such as an I-797 for a change of status. If you have a doubt if it is needed, please bring it.
6. Two (2) passport style photos according to USCIS requirements, taken within the last 30 days. You can get these from FedEx Kinkos, Walmart, The UPS Store, UW WyoOne office in Knight Hall Room 28 or any other establishment that takes passport style pictures. Make sure these are good quality photos that meet the requirements before you accept them!
7. Filing fee of \$410. A check or money order made payable to “US Department of Homeland Security”. Cash or cards cannot be accepted as this must be mailed with the application to USCIS.
8. Make an appointment with ISS to apply for the OPT. If you are not in Laramie, your application may be mailed to ISS but it is recommended that you call ISS to go over the packet before you mail it so that you do not forget anything. Please do not send original passport/visa, I-20s or I-94 cards if you mail your application to ISS.

Social Security Number

If you do not have a Social Security Number (SSN), please check with your employer to see if you may start working without it. If not, you will need to apply for a SSN prior to your employment. Contact your local Social Security Administration office for application process (or ISS if you will apply in Wyoming). If you are allowed to begin work without an SSN you will need to apply for one as soon as possible.

Note of Caution

While USCIS Regulations provide a variety of opportunities for you to be employed during your time in F-1 status, working improperly or without authorization is a serious violation of your status. It is your responsibility to comply with all Immigration and SEVIS reporting requirements that apply to F-1 students. The ISS staff is responsible for advising and counseling you regarding your responsibilities. If you fail to meet your responsibilities, you may not be eligible for benefits normally granted to F-1 students and could potentially lose your immigration status and have to leave the United States. While on OPT, you are still under the sponsorship of the University of Wyoming. The reporting requirements while on OPT are very comprehensive. Failure to report properly can result in your status being automatically terminated in SEVIS. It is also up to you to provide copies to ISS of any change of status approvals, especially with regard to the H-1B and the cap-gap extension.

Any questions, please contact ISS staff at 307-766-5193 or uwglobal@uwyo.edu