F-1 STATUS AND EMPLOYMENT
F-1 STATUS AND EMPLOYMENT

Can I work?
Should I work?
Where should I work?
When can I work?
What’s CPT?
What’s OPT?
Curricular Practical Training

What does the regulations say?

• **Curricular practical training programs**. An F-1 student may be authorized by the DSO to participate in a curricular practical training program that is an integral part of an established curriculum. Curricular practical training is defined to be alternative work/study, internship, cooperative education, or any other type of required internship or practicum that is offered by sponsoring employers through cooperative agreements with the school. **8 CFR 214.2(f)(10)(i)**
Curricular Practical Training

Types of CPT

CPT is available in the following cases:

• **required** part of program- the program requires employment in the field of study to graduate.

• **non-required** part of program- the practical experience is not for credit but directly related to your field of study.
Curricular Practical Training

- Work/Study
- Internship
- Co-operative education
- Practicum
- Externship
- Practical Experience
- Mentored Learning
Curricular Practical Training

How long can I have CPT?

**Part-time CPT**: Employment for 20 hours or less per week is considered “part-time” CPT

- During the Fall and Spring semester students can only work up to 20 hours
- Students that have on campus employment and doing CPT can only do a combined 20 hours
- There is no limit on how much part time CPT students can participate in during their degree
Curricular Practical Training

**Full-time CPT**: Employment for more than 20 hours per week is considered “full-time” CPT. Please be aware that 12 months or more of full-time CPT will cancel your eligibility for Optional Practical Training (OPT).

- Students are allowed to do more than 20 hours in the Summer and Winter sessions.
Curricular Practical Training

How can I qualify for CPT?

• Generally, students must be:
  – lawfully enrolled full time for at least one academic year
  – currently be maintaining a full-time program of study and valid F-1 status
  – have a job offer that is directly related to the student’s field of study
Curricular Practical Training

**Undergraduate Students**

- Complete a minimum of 30 credits
- Transfer students in their first semester are not eligible
- Must be currently enrolled for 12 credits unless it is your last semester
- Must maintain a 3.25 GPA or above
- Students on academic probation are not eligible to participate in CPT
Curricular Practical Training

Graduate Students

• Complete a minimum of 18 credits unless an internship is a requirement of your degree
• Students on academic probation are not eligible to participate in CPT
• Must maintain a 3.50 GPA or above
• Must be currently enrolled for 9 credits unless it is your last semester
Curricular Practical Training

Application Process

• Offer letter from employer on official letterhead
  a. The starting and end date of the placement
  b. The number of hours per week
  c. A brief description of duties to be performed
  d. Signature from supervisor

• Faculty Advisor Recommendation Form For CPT

• Proof that student has been maintaining their F-1 Status

• Proof that student has registered and paid for internship course if it is required for major
To Whom It May Concern:

Samuel Rodriguez will be employed as a full time entry level engineer at my office beginning June 25, 2007 until August 31, 2007. He will be preparing preliminary calculations and drawings for residential and commercial buildings under my supervision.

If you have any questions, please feel free to contact me at the phone number listed below.

Sincerely,

Barry H. Welliver
Structural Engineer

BHW ENGINEERS LLC

June 22, 2007

13065 SOUTH 132 STREET, SUITE 210 • DRAPER, UT • 84020
PHONE (801) 553-0162 • FAX (801) 553-0163
Curricular Practical Training

THESE STEPS MUST BE COMPLETED BEFORE YOU START CURRICULAR PRACTICAL TRAINING.

FAILURE TO GET APPROVAL PRIOR TO STARTING CPT CAN RESULT IN A DENIAL OR MAY BE A VIOLATION OF YOUR F-1 STATUS
Curricular Practical Training

• International Student Services will review the application with the supporting documents
• Authorize training in SEVIS
• Prepare new I-20 showing CPT authorization
IF YOU NEED MORE INFORMATION CONCERNING YOUR F-1 NONIMMIGRANT STUDENT STATUS AND THE RELATING IMMIGRATION PROCEDURES, PLEASE CONTACT EITHER YOUR FOREIGN STUDENT ADVISOR ON CAMPUS OR A NEARBY IMMIGRATION AND NATURALIZATION SERVICE OFFICE.

FAMILYNAME: Rodriguez  FIRST NAME: Samuel

Student Employment Authorization:
- Employment Status: FULL TIME
- Type: CPT

Duration of Employment - From (Date): 06/25/2007  To (Date): 09/03/2007

Employer Name: BHW Engineers LLC
Employer Location: 13065 South 132 East Suite 210
Draper, UT 84020

recommended by internship coordinator

Event History
Event Name: Registration
Event Date: 01/28/2004

Current Authorizations:
CPT Employment

Start Date: 06/25/2007  End Date: 09/03/2007

Full time
Firm's Contact Information
Beginning and Ending Dates
Curricular Practical Training
Curricular Practical Training

Keisha Simon
Manager of International Student Services/DSO
Room 234 West Quad Building
Telephone: (718) 951-5000 ext. 3833
Fax: (718) 951-4287
Email: KeishaSimon@brooklyn.cuny.edu
Optional Practical Training

What does the regulations say?

• Consistent with the application and approval process in paragraph (f)(11) of this section, a student may apply to USCIS for authorization for temporary employment for optional practical training directly related to the student's major area of study. 8 CFR 214.2(f)(10)(ii)
Optional Practical Training

In layman terms: **Optional Practical Training (OPT)** is off-campus employment authorization that lets F-1 students get work experience in their major field of study. The amount of work you are permitted is a maximum of 12 months of *full-time* employment for each *higher* educational level you pursue in the U.S. You can use it during or after your studies. You can work for any employer, anywhere in the country.
Optional Practical Training

- Associates: OPT (12 months)
- Bachelors: OPT (12 months)
- Masters: OPT (12 months)
- PhD: OPT (12 months)

Possible 48 months of OPT
Optional Practical Training

There are two types of OPT:

- Pre-Completion OPT- employment while pursuing degree
- Post-Completion OPT- employment after you have completed your degree
Optional Practical Training

How can I qualify for OPT?

• You must have been enrolled full-time for at least one academic year.
• You do not have to have a job offer to apply for OPT.
• If you are seeking Post-Completion OPT, your department must certify the date that you are expected to complete your program of study.
Optional Practical Training

• You may apply for Post-Completion of Studies OPT up to 90 days before your completing your program of study, but not later than 60 days after. If you apply within the 60 day period after completion, you are likely not to receive your full 12 month OPT benefit due to USCIS processing times.

• You cannot already have used 12 months of full-time Curricular Practical Training.
Optional Practical Training

Application Window: Apply up to 3 months before graduation.

Graduation Date: Optimal time to apply for OPT.

OPT Timeline:
- OPT application must be received by ISS no later than 3 weeks before graduation.
- OPT employment of 12 months:
  - Cannot accrue more than 90 days aggregate total of unemployment during 12 months.
  - If eligible, can file for STEM 17-month extension. Must file before expiration of EAD card.
- Can choose any day within 60 day window after graduation for OPT start date.
  - Cannot have start date MORE THAN 60 days after graduation date.
- OPT employment of 12 months:
  - End date on 12 month EAD card. Last day to work unless granted extension by USCIS.
- Depart U.S.: 60 Days after OPT end date.

Grace Period of 60 Days:
- Either leave U.S., transfer to another school, or change to another visa category.
Optional Practical Training

What’s in the application for OPT

• A completed Form I-765 Application
• A completed Form G-1145
• A check or money order (for the I-765 application fee) for $380 (a check is preferable because, if necessary, you can determine if and when it is cashed), payable to the US Department of Homeland Security
• A copy of your new OPT I-20 with OPT recommendation
Optional Practical Training

• Photocopy of all your previous and current I-20s
• Photocopy of Form I-94 (front and back)
• Photocopy of passport (biographical data, photo, and expiration date)
• Two US passport-style photos (lightly print your name on the back of each photo with a pencil)
• Front and back copy of any previously approved employment authorization (EAD) cards.
Optional Practical Training

What qualifies as OPT employment for the 12-month EAD card?

OPT employment must be in a job that is:

- Related to the student’s degree major.
- Appropriate to the student's degree level.
- On average at least 20 hours per week.
- Either paid or unpaid.
Optional Practical Training

Eligible Employment

• **Paid employment.**
  - **Multiple employers** – Students may work for more than one employer, but all employment must be related to the student’s degree program.
  - **Short-term multiple employers (performing artists)** – 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.
  - **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 an employment relationship.
Optional Practical Training

– **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 to DHS that he or she has the proper business licenses and is actively engaged in a business related to the student’s degree program. ISS cannot advise you on how to start a business.

– **Employment through an employment agency**

– **Unpaid employment** – Students may work as volunteers or unpaid internships, where this does not violate any U.S. labor laws.
Optional Practical Training

Traveling on OPT

Before the student's graduation date

- Students will travel as they always have, as a student, even if they have filed for OPT. The documents to travel with are:
  - Valid passport
  - Valid (unexpired) F-1 visa stamp in passport
  - I-20 (endorsed for travel by ISS) on page 3 of the I-20 (Signature must be less than 6 months old.)
  - Filing for OPT has NO effect on your ability to travel before your graduation date.
Optional Practical Training

After the student's graduation date

- Students will transition from an F-1 student status to a status of an F-1 doing OPT. This means they must present to the border officials all the documents listed ABOVE that they carried as a student as well as:
  - EAD Card (says “Not Valid for Re-entry” since card must be presented with ABOVE documents. Alone, it does not suffice.) [8 CFR 214.2 (f) (13) (ii)].
Optional Practical Training

STEM Extension Overview:
Recipients of bachelor’s, master’s, and doctoral degrees in certain STEM (Science, Technology, Engineering, Mathematics) fields may be eligible for a one-time 17-month extension of post-completion OPT (for a total eligibility of up to 29 months). The 17-month Stem Extension OPT is adjudicated (approved) by the United States Citizenship and Immigration Services (USCIS).
Optional Practical Training

STEM Extension Overview:

• Only one 17-month STEM extension is granted PER LIFETIME regardless of additional degrees awarded or level of degrees.

• New STEM extension EAD card begins the day after the expiration of the 12 month EAD card and ends 17 months later, no matter the date of adjudication.
Optional Practical Training

STEM Extension Overview:

• 17-month extension will be granted in one EAD card period and cannot be split into smaller periods.

• It is possible to change employers during the 17 months. The new employment must meet the STEM extension requirements.

• Students whose applications are received before the EAD card expires will be able to continue employment while the extension application is pending until they receive the final decision from USCIS on the application or for 180 days, whichever comes first. It is possible to change employment while application is pending, as long as the new employment meets STEM extension requirements.

• If extension application is denied, student will still have the 60-day grace period after expiration of the 12-month EAD card.
Optional Practical Training

To qualify for the STEM Extension:

- Student must be currently participating in a 12-month period of OPT, working for a U.S. employer in a job directly related to the student's STEM major area of study.
- The student's current or prospective employer must be registered with the DHS E-Verify employment verification system.
- The student has not previously received a 17-month OPT extension.
- The application for the 17-month OPT extension must be received by USCIS prior to the expiration date of the student's current OPT Employment Authorization Document (EAD), and no later than 30 days after the DSO signs the OPT extension recommendation on Form I-20.
Optional Practical Training

**STEM Graduate Majors**

- Computer Science
- Mathematics
- Experimental Psychology
- Computer Science & Health Sci
- Information Systems
- Health Informatics
- Biology
- Chemistry
- Physics
- Geology
- Applied Chem
Optional Practical Training

**STEM Undergraduate Majors**

- Actuarial Mathematics
- Urban Sustainability
- Computational Mathematics
- Earth & Environmental Sciences
- Archaeology
- Chemistry
- Computer Sci
- Geology
Optional Practical Training

**STEM Undergraduate Majors**

Financial Mathematics  Mathematics
Multimedia Computing  Physics
Information Systems  Biology
Business Information Systems
Optional Practical Training

Your responsibilities on OPT

1. Only work in your major field of study and within the dates that you have been authorized on your EAD.

2. DHS regulations state, “During post-completion OPT, F-1 status is dependent upon employment. Students may not accrue an aggregate of more than 90 days of unemployment...” [8 CFR 214.2(f)(10)(ii)(E)]. You are required to report interruptions of OPT employment to our office [8 CFR 214.2(f)(12)(i)].
Optional Practical Training

3. It is strongly recommended that you keep a record and supporting evidence of all your OPT-related activities such as:

• Details of job searches: correspondence with prospective employers, interviews, etc.
• Employment information: dates, name/location of employer, position, part/fulltime
• Volunteer work: dates, name/location/type of volunteer work, part/full-time. Please note that federal law requires that a volunteer may not assume a normally paid position or displace a U.S. worker.
Optional Practical Training

4. You are required to report the following information to our office:
   • Change of name (You must bring proof of your updated passport noting the change)
   • Change of address
   • Proof of employment

5. Beginning a new course of study or transferring U.S. schools automatically terminates OPT employment.

6. Obtain a DSO’s endorsement to travel every six months.
Optional Practical Training
Optional Practical Training

Shirma Cunningham
CUNY Office Assistant/DSO
Room 235 West Quad Building
Telephone: (718) 951-4477
Fax: (718) 951-4287
Email: ShirmaC@brooklyn.cuny.edu
On Campus Employment

Employment performed on the premises of Brooklyn College campus or any City University of New York campus.

You can work anywhere on-campus as long as the work provides a direct service to students. Examples are: school library, labs, bookstore, tutoring, and student service departments. Keep in mind that there is limited On-Campus Employment at Brooklyn College.
On Campus Employment

How can I be eligible for On Campus Employment?

• Valid F-1 Status
• Enrolled full time (12 credits undergrad, 9 credits grad)
• Students on Academic Probation are not allowed to participate in On Campus Employment
On Campus Employment

How many hours can I work?

• Students can work up to 20 hours per week when school is in session (fall and spring semester)

• Students can work more than 20 hours per week during official school breaks (summer, winter) once you plan on being registered full time next semester.
On Campus Employment

All employment must be authorized **BEFORE** you begin.
Optional Practical Training
Social Security Card

How can I get Social Security Number?
The Social Security Administration (SSA) has implemented a policy that social security numbers are issued to international students for the purpose of employment only. Therefore, the SSA is requesting schools to verify that students are in need of a social security number for employment by issuing a letter addressed to the SSA office. In order for F-1 students to receive a social security letter from a Designated School Official (DSO), a student must have a letter on company letterhead with an official signature from either an on- or off-campus prospective employer offering the student a job.
Social Security Card

What to bring to SSA

• Letter from the DSO to the Social Security Administration
• Employment offer letter
• Original Form I-20
• Unexpired Passport
• Visa
• I-94
• EAD Card