

Pre-OPT Guide

Please utilize this guide to assist with determining F-1 student eligibility for Pre-Completion Optional Practical Training (Pre-OPT). Pre-OPT allows eligible F-1 students a training opportunity when CPT is not a valid option.

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

- Student must maintain lawful status including being enrolled on a full-time basis and have completed <u>one full academic year</u> of a study **(Fall and Spring term)**, prior to applying for Pre-OPT.
- Students may apply up to 90 days before the desired start date.
- Pre-OPT can be authorized to be used <u>before</u> the student's program end date (e.g., approved for the last term of study), but <u>cannot</u> occur after a student has completed all program requirements.
- The request must be submitted to a Designated School Official (DSO) in International Student Services (ISS), then the required USCIS application and fee (\$410) for final approval, must be mailed, before training may begin.
- Student may engage in OPT for any employer in the US as long as the employment meets OPT regulations, is directly related to the student's major field of study, and appropriate with the student's level of study.
- Pre-OPT can be approved for up to 12 months or the equivalent of part-time training; employment period is determined by the student on the OPT request submitted to the DSO; Pre-OPT <u>cannot</u> be extended.
- Student may <u>not</u> begin working until OPT is approved, the EAD card is received, and the approved start date has been reached (as identified on the EAD card).
- No offer of employment is required when applying, but once Pre-OPT is approved and the EAD is issued, student
 must report eligible employer to DSO and SEVIS; OPT time <u>cannot</u> be shortened or changed, regardless of whether
 the student is employed or not.
- Unemployment during pre-completion OPT is allowed, but time unemployed is still counted as time on OPT.
- Full-time OPT is allowed during school breaks but limited to part-time (20 hours per week) while school is in session.
- Students with approved Pre-OPT may <u>not</u> apply for an OPT Extension (STEM) or Cap Gap extension directly (only students near completion of Post-completion OPT are eligible).
- Switching from Pre- OPT to Post- OPT (Post-OPT) requires a new OPT application and fee to USCIS.

Social Security Number (SSN):

F-1 students must secure a SSN to be employed in the U.S., if you do not have a SSN, you may apply for one when completing the Form I-765 and USCIS will forward your application to the Social Security Administration (SSA).

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Pre-OPT vs. CPT:

Pre-OPT is a good option, but <u>students who are eligible for CPT</u>, should consider using CPT to avoid losing time on Post-OPT. Please view the following tables below for a comparison of Pre-OPT vs. CPT, and Pre-OPT vs. Post-OPT.

Note: I-20 program end date <u>cannot</u> be extended for the purpose of approving pre-completion OPT. If a student is eligible to graduate and has completed all program requirements, they should apply for Post-OPT.

Curricular Practical Training (CPT)	Pre-Completion OPT (Pre-OPT)
Approved by ISS office	Application sent to USCIS with \$410 fee No job offer required to apply
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 (IDS 4941)	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-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-OPT
Limited to part time during academic semester	Part-time counts at 50% of 12 months

Pre-Completion OPT (Pre-OPT)	Post-Completion OPT (Post-OPT)
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 (but not due to Pre-OPT; extension must be for eligible academic reason)	Extension of academic program limits OPT to 20 hours per week until degree requirements are complete.

IMPORTANT F-1 IMMIGRATION REGULATIONS

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 provides immigration compliance advising and counseling <u>regarding your responsibilities</u>, 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 Florida Polytechnic University. 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 students to provide copies to ISS of any change of status approvals, especially with regard to the H-1B and the cap-gap extension.