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Employment Options for F-1s



WICHITA STATE
UNIVERSITY

Employment during F-1 Status

- On-campus employment
- Off-campus employment
- Practical Training
 - Curricular Practical Training
 - Optional Practical Training
 - Post-completion
 - 24-month STEM Extension
 - Cap-gap

Curricular Practical Training (CPT)

The regulations state that a student may participate in a "curricular practical training program" that is "an integral part of an established curriculum" and "directly related to the student's major area of study."

They define curricular practical training as "alternate work/study, internship, cooperative education, or any other type of required internship or practicum which is offered by sponsoring employers through cooperative agreements with the school."

Curricular Practical Training (CPT)

Eligibility

- Enrolled full-time for one academic year
- Enrolled in an academic program and in good academic standing
- Employment must be integral to program of study
- Employment may be paid or unpaid
- No filing fee, but student must receive academic credit for the training unless the experience otherwise fulfills a graduation requirement
- Graduate students must obtain approval from Graduate School
- Part-time in Fall/Spring semesters, Full-time during Summer
- Not eligible after completing all degree requirements

Curricular Practical Training (CPT)

- Interested? Schedule an appointment with an International Student Advisor by calling 316-978-3232 or come in during walk-in hours
- No employment allowed until CPT has been authorized in SEVIS by a Designated School Official and the CPT I-20 has been issued
- Authorizations are given by semester – student may work only during authorization period indicated on I-20
- Student responsible for taking steps each semester to renew authorization
- 12 months of full-time CPT eliminates post-completion OPT eligibility. Part-time CPT does not accumulate.

Optional Practical Training (OPT)

Post-completion Optional Practical Training is defined in the regulations as “temporary employment for practical training directly related to the student's major area of study...after completion of all course requirements for the degree (excluding thesis or equivalent).”

Optional Practical Training (OPT)

Eligibility

- Student must have been enrolled full-time for one academic year
- Student must submit complete OPT application to USCIS during proper timeframe
 - Undergraduate students and coursework-only graduate students may apply for OPT up to 90 days before graduation and up to 60 days after graduation.
 - Graduate students with a thesis, project, or dissertation may apply for OPT up to 90 days before completing required coursework and as late as 60 days after completing all degree requirements.
- OPT may not extend more than 14 months after graduation. In order to receive a full 12 months of post-completion OPT, the OPT start date cannot be more than 60 days after graduation
- Cumulative 12 months allowed at each degree level

Optional Practical Training (OPT)

- Once approved, USCIS will issue you an Employment Eligibility Document (EAD), also called the OPT card.
- Employment must be full-time and related to major field of study
- Multiple jobs allowed, as long as all relate to major field of study
- Employment may be paid or unpaid but should not violate any Department of Labor laws
- During the 12-month post-completion OPT period, F-1 status is dependent on employment.
 - The student is allowed 90 days of unemployment during OPT.
 - Students who accumulate more than 90 days of unemployment may be out-of-status.

Optional Practical Training (OPT)

- Ready to apply?
 - Complete the OPT Tutorial on the International Education website under the “Current Students” tab.
 - Once you have read through the tutorial and have compiled your application materials, call International Education 316-978-3232 to schedule an appointment with an International Student Advisor
- Recommendation form must be completed by academic department
- Filing fee is \$410
- Apply early – adjudication averages 90 days, even with job offer
- Cannot begin working until EAD is received and start date has been reached

24-Month STEM OPT Extension

F-1 students approved for standard post-completion OPT based on a bachelor's, master's, or doctoral degree in a STEM (science, technology, engineering, mathematics) field that appears on the DHS STEM-Designated Degree Program List can apply to USCIS for a 24-month extension of post-completion OPT for a total eligibility of up to 36 months.

24-Month STEM OPT Extension

Eligibility

- Student must be currently be participating in standard post-completion OPT at the Bachelor's, Master's, or Doctoral level
- Student must have qualifying major - STEM Designated Degree Programs list available at <http://www.ice.gov/sites/default/files/documents/Document/2014/stem-list.pdf> (student's major CIP code is listed on page 1 of the I-20)
- STEM Extension is only allowed twice per lifetime
- Employer must be a registered user of E-Verify
- Employee and employer must complete Form I-983, Training Plan for STEM OPT Students
- Employer and student have multiple reporting requirements

H-1B

A "specialty occupation" for H-1B purposes is an occupation that requires "(A) theoretical and practical application of a body of highly specialized knowledge, and (B) attainment of a bachelor's or higher degree in the specific specialty (or its equivalent) as a minimum for entry into the occupation in the United States.

H-1B

- Can attend school, but primary requirement is employment. Loss of job may affect status
- Employer is petitioner, employee is beneficiary
- Position must require bachelor's degree to qualify as specialty occupation
- Salary must meet prevailing wage requirement
- Cap-subject petitions must can only be filed certain times of the year, most are subject to quota
- Maximum of 6 years in H-1B status in the United States, though some exceptions exist

H-1B

There is a limit on the number of H-1Bs available each year. Currently that limit is 65,000 H-1B visas for those with advanced degrees and an additional 20,000 for those with master's degree or higher.

- Start of federal fiscal year is October 1. Status can be requested up to 6 month in advance, i.e. April 1.
- Starting this year, employers must submit registrations March 1-20, paying a \$10 fee for each employee they will sponsor.
- USCIS will conduct a lottery of all registrations received. Employers will be notified which employees have been selected by March 31.
- The employer will have 90-days beginning April 1 to file an H-1B petition for selected employees. Employers may not file an H-1B petition for any employee who was not selected in the lottery.
- If approved, H-1B status will not start until October 1.

Cap-Exempt Employers

- Cap-exempt employers include institutions of higher education, nonprofit entities related to or affiliated with an institution of higher education, nonprofit research organizations, and governmental research organizations. These employers may file H-1B petitions at any time of the year without regard for quota.

Cap-Gap Extension

- F-1 status is automatically extended through September 30 to bridge the gap between end of F-1 status and start of H-1B status on October 1
- If the student has valid OPT authorization at the time the H-1B petition is receipted, OPT will be extended through September 30
- Extension is automatic – no application or filing fee necessary

Questions?

- Email iss@wichita.edu
- Schedule an appointment to meet with an international student advisor by calling 316-978-3232.
- Walk-in hours for quick questions – MWF 1 – 4 p.m.
- Take OPT and STEM OPT tutorials on “Current Students” tab on International Education website