

## WORKING IN THE U.S.

### **F-1 Employment**

- Employment means the rendering of services on either a part-time or full-time basis for any type of compensation (financial or other). Employment is only available to students who are in lawful immigration status, and only after proper authorization is granted. There are restrictions attached to the employment and you should consult the Office of International Programs about the rules and restrictions. Working illegally in the U.S. is a serious violation of your immigration status and may result in deportation.

#### On-Campus Employment

- On-Campus employment is defined as employment which provides a paycheck from Valparaiso University. During fall or spring semester, F-1 student may work a maximum of 20 hours per week. If you have several jobs, the total hours work may not exceed 20 hours per week. During official school/summer breaks, on-campus employment may be full-time for students who register for the following semester.
- Once you complete your program requirement (usually it is the last day of class), you may not work on campus any more. However, if you have been issued a new I-20 from VU for a new degree program and intend to register the following semester, you may continue on-campus employment. If you have a new I-20 from another school, and have questions regarding on-campus employment, please schedule an appointment with an OIP advisor so we can explain the details to you.
- If you are on a dual-admission I-20 and are taking INTERLINK classes, you are not eligible to work on-campus until you complete your language requirement at INTERLINK.

#### Off-Campus Employment

Employment is a "benefit" for F-1 students, which means students must be in legal status to be eligible to apply. A. Curricular Practical Training (CPT) for internships, practicums, and co-op programs

- F-1 students who wish to participate in an off-campus training program that is "an integral part of an established curriculum" must first obtain work authorization for CPT. The training must be directly related to the student's major field of study, is defined 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" (federal regulation 8CFR214,2(f)(10)). This cooperative agreement is formalized through an Internship/Practicum/Co-Op course in which the student enrolls.
- Curricular Practical Training may be full-time or part-time. Employment for more than 20 hours per week is considered full-time. Students participating in full-time CPT are not required to enroll a full course of study. You must

Office of International Programs - Valparaiso University  
register for and complete an internship, practicum, or Co-op course during the semester you are on CPT. Contact your academic advisor for course details.

- Employment for more than 20 hours per week is considered full-time. Students registered for part-time CPT during fall or spring semester must also be registered for a full course of study to maintain their F-1 status. Students in part-time CPT during summer vacation do not need to register full time. You must register for and complete an internship, practicum, or Co-op course during the semester you are on CPT. Contact your academic advisor for course details.

Eligibility Requirements: To be eligible to apply for CPT, you must:

- Be in full-time student status for one full semester year (Fall and Spring semester). Time spent at INTERLINK does not count towards the one academic year requirement;
- Be in F-1 visa status when applying;
- Be registered full time every semester (except for summer vacation);
- Possess a valid, unexpired passport;
- Possess an I-20 that is unexpired and reflect current information such as major and educational level. Please note that if your I-20 is not current, you will need to provide document to reflect the changes so we can update your I-20 before processing the work authorization. This will delay the processing time of your CPT application.

Application and Authorization Process: Pick up the CPT application packet, which consists of:

- [CPT Instructions](#)—please read carefully;
- [Academic Advisor Recommendation Form](#)—to be completed by your academic advisor

Make an appointment to see an advisor at OIP, bring the following documents:

- I-20 (with current information on your major, level of education, name etc);
- [Academic Advisor's Recommendation Form for CPT](#) completed by Academic Advisor;
- [Course description](#) for CPT course in which you will be enrolled;
- Employer job offer letter stating the following:
  1. Job description;
  2. Position is full-time or part-time (number of hours per week);
  3. Specific beginning and ending dates of employment;
  4. Mailing address of employment

Important information regarding CPT:

- Student who completes 12 months of FULL-TIME CPT will NOT be eligible for Optional Practical Training (OPT); student who completes 12 months or more part-time CPT will still be eligible for OPT;
- You will need your new CPT I-20 before starting employment;
- You may not begin employment prior to obtaining CPT authorization from OIP;

- You may not work prior to the date authorized, or beyond the dates authorized, as indicated on your new I-20.
- You may only work for the employer indicated on your new I-20.
- Remember to register for and complete the course related to your CPT. Failure to do so will make you fall out-of-status.

If there is a change in the dates and employer, please contact OIP immediately. New paperwork will be needed before you may start working for the new employer.

#### B. Optional Practical Training:

- Optional Practical Training (OPT) is designed to provide student in F-1 status with an opportunity to gain actual employment experience in the student's field of study, as listed on the I-20. OPT is different from CPT in the following ways:
  - A job offer is not needed before applying for OPT
  - USCIS, not OIP, authorizes the training
  - It takes 3-4 months to receive authorization
  - Student may work for one or more employers, change jobs, or look for work (up to 90 days) during OPT
  - OPT is limited to 12 months per degree level (exception for some STEM majors); it does NOT mean 12 months after each undergraduate degree or each masters degree, if you do multiple undergraduate degrees or multiple masters degree. (See an OIP advisor for details)

Eligibility Requirements To be eligible to apply for OPT, you must:

- Be in full-time student status for one full semester year (Fall and Spring semester). Time spent at INTERLINK does not count towards the one academic year requirement;
- Be in F-1 visa status when applying;
- Be registered full time every semester (except for summer vacation or be authorized to be part-time by OIP for your final semester);
- Possess a valid, unexpired passport;
- Possess an I-20 that is unexpired and reflect current information such as major and educational level. Please note that if your I-20 is not current, you will need to provide document to reflect the changes so we can update your I-20 before processing the work authorization. This will delay the processing time of your OPT application;
- Be willing to make periodic reports to OIP regarding your employment.
- Students enrolled in English language training programs (INTERLINK) are not eligible for OPT after completion of their English studies.

#### When to Apply for OPT

- You may apply for OPT up to 90 days before your expected program completion date.
- You may apply for OPT no later than 60 days after the completion of the program requirements.

- Filing later will NOT give you additional OPT time. Students are eligible for 12 months of OPT, and those 12 months must be taken within the 14 months following the completion of degree requirements.
- The date you complete your program requirement is NOT the graduation date or the date you receive a certificate of diploma. In most cases, it is the last day of the term in which you finish all degree requirements, BUT for students who participate in internship or engage in thesis or dissertation programs, their program completion date may be any day during the year. In this case, the last day of an academic term may not be the date you complete program requirements.
- Processing time for OPT applications can be found on the USCIS website. USCIS can take up to 3-4 months to process your work authorization. Please apply 3 months before your desired employment start date. The OPT start date must be within your 60 day grace period.

### How to Apply

- Attend OPT workshop, pick up an [OPT application packet](#)
- Have your academic advisor complete the attached [Academic Advisor Recommendation Form](#) and return it to you
- Student should complete the attached [I-765 Form](#). Use the Office of International Programs address as your U.S. address. We will forward any mail from USCIS to you. The office address is:

Office of International Programs      Valparaiso University      1509 Chapel  
Drive, Harre Union 209      Valparaiso, IN 46383

Eligibility category: Put (c)(3)(B) for post-completion OPT

- Prepare two passport photographs; put your name and I-94 number on the back of your pictures. (ADD INFO HERE: Where to take pictures)
- Call OIP at 464-5333 and make an appointment with an advisor. Allow one hour for this appointment.

### Bring with you:

- 1). Completed forms from the packet
- 2). 2 passport style photographs
  - o Available at the One Card office in the Christopher Center Room 250
  - o 2 photos for \$10 dollars
- 3). A certified check or money order (No personal checks are accepted) for the application fee (\$340), payable to Department of Homeland Security; on the memo line put your name, I-94 number, and "I-765 application."
- 4). Your passport, I-94, all I-20's, and EAD cards.
- 5) Please bring originals and copies of all documents Including a copy of the informational page of your passport, F1 Visa, front and back of I-94, page 1 and 3 of I-20's, and EAD cards.
- 6) If you have a job offer, bring the formal job offer letter with you, it will help expedite the application process.

An international student advisor will review all the forms, answer any remaining questions you may have, make copies, and enter data into the SEVIS system recommending the training. A new I-20 will be issued to you with the recommended dates for OPT. This is NOT authorization for you to work.

While on OPT Students are still considered to be in F-1 status while on OPT, OIP will continue to assist you if you have concerns or questions You may begin working:

- Only upon receiving the Employment Authorization Document (EAD) from USCIS.
- Only during the dates listed on the card (with the exception of the CAP-GAP PREVENTION, which will be discussed separately); and only upon completion of all degree requirement.
- Students must work in their major field of study, as noted on their I-20.
- Students may work for one or more employers, change jobs, or look for work (up to 90 days) during OPT.
- There are no maximum limits on the number of hours per week students can work while on OPT, but students must work at least 20 hours per week to be considered employed.
- You must continue to verify your information in SEVIS every 6 months.
- Report any change in name, address, employment, immigration status, any interruption of employment (including a return to studies) to OIP within 10 days of your change. OIP needs to update this information in SEVIS.

#### Unemployment Issues:

- You may not accumulate a total of more than 90 days of unemployment (120 days for students with STEM extension).
- Unemployment of 10 days or less when changing jobs does NOT need to be reported to OIP, and does NOT count towards the 90 day total days of unemployment.
- This 10 day exception also applies to the first 10 days from the start date on the EAD.
- Days spent outside the U.S. while unemployed count towards the 90 days of unemployment permitted.
- Students who are unemployed for more than 90 days will be considered out of status
- Failure to report interruptions of employment or accruing more than 90 days of unemployment may result in DHS not approving future benefits or request.

#### Traveling Issues:

While employed, if you are traveling outside the U.S. for a vacation or for business, those dates outside the US. do not count as days of unemployment. Traveling outside the U.S. after your OPT has been approved AND after the completion date on your I-20, you must take with you:

1. Your most current I-20 endorsed for travel by OIP (each travel signature is valid for only 6 months during the period of OPT).
2. Your valid Employment Authorization Document (EAD).

3. A valid passport (at least 6 months into the future from the date of re-entry to the U.S.).
4. A valid F-1 visa stamp
5. Job offer letter or employment letter showing that you are hired or currently working in your major field of study and will be returning to the U.S. to resume employment

Traveling outside of the U.S. while waiting for your OPT to be approved and BEFORE you complete your degree, take these items with you:

1. A valid passport (at least 6 months into the future from the date of re-entry to the U.S.)
2. A valid F-1 visa stamp
3. Your most current I-20 with travel signature (valid for 6 months during OPT)
4. I-797 receipt notice for pending OPT

Traveling outside the U.S. while waiting for your OPT to be approved AND AFTER your degree completion:

1. OIP does not recommend students to travel outside the U.S. in this case as it is risky and you may not be allowed to reenter to the U.S.
2. Also, please note that it is very difficult to apply for an F-1 visa while on OPT
3. Please see an advisor to discuss your travel options.

After OPT You have a 60-day grace period after the last day listed on your EAD. You may not work during your grace period but you may stay in the U.S. legally to prepare for your departure, to begin a new program of study or to submit an application for a change of status. CAP-GAP Prevention:

- If an H-1 B application is pending or approved for your H-1B cap-subject employer, you may continue your employment until your employment start date (October 1 of the following fiscal year) or until your application is denied. The CAP-GAP work authorization continuation only applies in cases where the H-1 B petition is filed BEFORE the EAD expires. In this case, the permission to allow student to continue to work is automatic and no new EAD will be issued. The student should contact OIP to issue a new I-20 to prove your work authorization during this period.
- If the EAD expires before the H-1B petition is filed, but the student is still within the 60- day grace period, that student may stay in the U.S. until a decision on the H-1B petition is reached; however, that student may not work.

OPT STEM Extension Eligibility Requirements: To be eligible for the 17-month STEM OPT extension, you must:

- Be in valid F-1 status participating in OPT, working for a U.S. employer in a job directly related your major field of study
- Have earned your most recent degree in a STEM field specified by Immigration and Customs Enforcement (ICE). See [STEM list](http://www.ice.gov/sevis/stemlist.htm). (<http://www.ice.gov/sevis/stemlist.htm>)

- Have an job offer of paid employment from an employer registered in the E-Verify employment verification system program; such employer agrees to report your departure or termination of employment
- Not have accrued more than 90 days of unemployment during OPT
- Have not previously received a 17 month STEM OPT extension (only one extension per student regardless of degree level)
- Agree to make reports to OIP within 10 days of any change in employment status regarding your employment, or every 6 months if no change has occurred.

When to Apply: You must apply for the extension BEFORE your OPT expires., but no more than 120 days before it expires. To Apply:

- Send OIP the completed STEM OPT Extension Form ([hyperlink](#)),
- Copy of completed [I-765](#), copy of EAD card, OIP will issue you a new I-20 for the STSEM Extension to be included in your application to USCIS.
- Send USCIS: a certified check or money order payable to U.S. Department of Homeland Security for \$340, two passport photos, taken within 30 days, original form I-765
- Question #16 should be filled with (c) (3) (c) for STEM extension
- Question #17 should include your degree as listed on your I-20, employer's name and E-verify number
- New I-20 OIP issue showing your request for STEM OPT extension
- Copy of all previous I-20s
- Copy of passport information and expiration page
- Copy of visa stamp
- Copy of EAD card(s);
- Copy of your most recent diplomas in a STEM field
- Recommended, but not required: statement from the employer regarding how the employment relates to the STEM field

After OIP reviews the documents, you may send your completed packet to the appropriate service center according to your residence. See [I-765 Instruction](#) Page 11 for list of addresses.

Once you have applied for the STEM extension:

- You will be able to continue employment while the extension application is pending, for up to 180 days, or after you have received the EAD;
- The maximum days of unemployment during the 29 months of OPT (12 months of standard OPT+ 17 months of STEM extension) is 120 days, INCLUDING days accrued during standard OPT.
- Any employment during the 17 month STEM extension period must be with an employer registered with the E-Verify program.
- All employment during the STEM extension must be paid employment. Volunteer work is allowed but does not count as employment for the purpose of maintaining F-1 status.
- All the reporting, travel, and post-OPT issues remain the same as the standard OPT. Please refer to the [OPT handout](#).