An Overview of
Curricular Practical Training (CPT)
Optional Practical Training (OPT)
& H-1B
CURRICULAR PRACTICAL TRAINING
Curricular Practical Training (CPT) Definition

(i) Curricular practical training. 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. Students who have received one year or more of full time curricular practical training are ineligible for post-completion academic training. Exceptions to the one academic year requirement are provided for students enrolled in graduate studies that require immediate participation in curricular practical training. A request for authorization for curricular practical training must be made to the DSO. A student may begin curricular practical training only after receiving his or her Form I-20 with the DSO endorsement.
Curricular Practical Training (CPT) Purpose

- CPT can only be used if it is required or optional employment that is an ‘INTEGRAL part of an established curriculum’ as listed in the immigration regulations.

- Employment that has a strong and measurable connection to the student’s academic program such as a for-credit internship.

- Must be approved by your International Student Advisor after they review your request to determine if it is part of the curriculum or just employment in the major field of study.

- Employment which is just in your field of study does not qualify for CPT! It must be an established part of your academic curriculum.
General Criteria for F-1 CPT

- Maintaining F-1 status
- Enrolled full-time for at least nine months prior to beginning CPT.
- Graduate students may qualify earlier for CPT only if required by their academic program
Full-Time vs. Part-Time CPT

Part-Time CPT (20 hours or less)
- Students must maintain full-time academic enrollment
- Will not affect eligibility for OPT

Full-Time CPT (20 hours or more)
- Students are only required to register for the internship course
- Students who use 12 months of full-time of CPT will lose eligibility for OPT
CPT Application Packet

- Completed request for CPT Authorization
- Completed and signed CPT Advisor Form (must be signed by both your academic advisor and department head)
- Letter from Employer listing necessary information (see packet)
- Turned in a minimum of 2 weeks prior to desired start date
Request for CPT Authorization

- Choose your start and end dates (may be granted in increments of no more than 1 year)
- Choose full-time or part-time
- Include copies of all I-20’s with previous CPT authorization
Letter from Employer

- Listing Job duties
- Number of Hours per week
- Dates of employment
- Location of employment
- On company letterhead
CPT Academic Advisor Form

- Employment is required for student’s degree
- Student will register for a course directly related to the employment (course number, number of credits required)
- Employment will provide research that is necessary for the student’s thesis or dissertation
CPT Advisor Form (cont.)

- Employment will yield a completed project for which the student will receive credit (course number and number of credits required)
- Employment will yield a project that is required for a particular course (course number and number of credits required)
CPT Advisor Form (cont.)

- Academic advisor description explaining how employment is an ‘integral part of the student’s established curriculum’

- Signatures required by academic advisor and Department Head
CPT Packet Review

• Online
http://isson.colostate.edu/forms/F1CurriculumPracticalTrainingPacket.pdf
Additional Considerations

- You may not begin CPT until you have an I-20 authorizing CPT

- You may not work before the start date or past the end date listed for your CPT authorization

- Any questions?
OPTIONAL PRACTICAL TRAINING
Optional Practical Training (OPT)  
Definition

8 C.F.R. § 214.2(f)(10)(ii)(A)

(ii) Optional practical training –  
(A) General. 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. The student may not begin optional practical training until the date indicated on his or her employment authorization document, Form I-765. A student may be granted authorization to engage in temporary employment for optional practical training
Optional Practical Training (OPT) Purpose

- Temporary employment for practical training available at each degree level
- Employment directly related to the major area of study
- Requires adjudication (approval) from USCIS
Allowable Types of Work

- Regular paid employment
- Payment by multiple short-term multiple employers
- Work for hire—a service based on a contractual relationship
- Self-employed business owner
- Employment through an agency
- Volunteers or unpaid interns
Eligibility for OPT

- Maintaining status
- Must be in F-1 status for at least one academic year (May apply before one year, but must start the OPT after one year is completed)
- Have not been authorized for 12 months of full-time CPT
- Have not already used 12 months of full-time OPT at the same degree level
## Options for Thesis & Dissertation Students

<table>
<thead>
<tr>
<th>Pre-Completion OPT</th>
<th>Post-Completion OPT</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Unemployment is not counted</td>
<td>- Unemployment counts</td>
</tr>
<tr>
<td>- Allowed to work full-time</td>
<td>- Can work full-time</td>
</tr>
<tr>
<td>- Cannot apply for STEM extension</td>
<td>- Can apply for STEM extension</td>
</tr>
<tr>
<td>- No cap gap extension</td>
<td>- Eligible for cap gap extension</td>
</tr>
<tr>
<td>- May extend program if extra time is needed</td>
<td>- Cannot extend program</td>
</tr>
</tbody>
</table>
When to Apply

- May apply as early as 90 days before and as late as 60 days after your completion date.
- Completion date = “graduation” or date of defense.
- Takes about 3 months / 90 days to process; it may be faster if a job offer is included with the application.
- All post-completion OPT must be completed within 14 months from the completion date.
- Cancellation of OPT application very tricky!
How to Apply

- Complete an OPT packet available from ISSS website
- Complete the required forms, make copies, get photos, and write the check or obtain a cashiers check from your bank. Include offer of employment if applicable
- Submit completed application to ISSS two weeks in advance
- Pick up your new OPT endorsed I-20 and application packet when you receive an email stating it is ready
- Student must mail their own packet
I-765 Application

- The address given will be where your EAD card will be sent. THE POST OFFICE WILL NOT FORWARD MAIL FROM USCIS!
- If you don’t know where you will be living in 3 months, you can use the ISSS office address
- Q. #10 is your I-94 card number
- Q. #16 Post-Completion= (c) (3) (B)
How not to sign the I-765
How to correctly sign your I-765
How to Apply (cont.)

- Don’t forget to sign and date your new I-20
- Keep the original I-20 and mail a copy of your I-20, with signature, with the complete OPT application
- You must mail the application
- Your OPT application must be received no later than 60 days after your program completion date
How to Check the Status of Your OPT Application

- Go to the USCIS.GOV “case status online” website page and enter your receipt number
- See an advisor if your application has been pending for more than 90 days or you now have a job offer
Once You Receive Your EAD Card

- Send ISSS a copy
- Do not start work before receiving your EAD or before the start date on the EAD
- Do not work after the expiration date
- Report your employment to ISSS by email at the beginning of your employment and every six months
Maintain Records for Each Job

- Company name and address
- Job title
- Supervisor contact information
- Description of the work and how it is related to your field of study
- This is especially important for volunteer work!
When OPT Ends

- If you change your status prior to the end date on your EAD, please send ISSS copies of your new immigration documents
- After you complete your OPT, submit a departure form to ISSS
- You have a 60 day grace period from the employment end date to leave the U.S., apply for a change of status, or to receive admission to another academic program
- During the grace period no work is allowed
Travel on OPT

- Travel outside of the U.S. while your OPT application is pending is not advised.
- Travel once your OPT is approved is allowed, however a job or offer letter is recommended or you could be denied reentry into the United States.
- Travel signatures are still required on your I-20 every six months.
Reporting Requirement

Students are required to report their current address as well as their employer name and address every 6 months or within 10 days of any change to employment to ISSS.
OPT Packet Review

• Online
http://isson.colorado.edu/forms/OPT_Packet_SP10.pdf
17- MONTH STEM EXTENSION
Eligibility

• Current initial I-20 is based on a degree in one of the designated STEM fields (Science, Technology, Engineering, Mathematics)
• Student’s employer is registered in E-verify program
• Employer must report termination or departure to ISSS
• Contact your advisor 3-4 months in advance if you qualify for a STEM extension
Limitations

- Application for the 17 month extension must be filed before the current EAD expires
- Employment authorization is automatically extended when extension is timely filed and pending
- Limited to no more than 120 days of unemployment during entire 29 month period of OPT
H-1B OVERVIEW
What is H-1B status?

- A temporary worker status
- Purpose – to allow U.S. employers to hire foreign nationals in ‘specialty’ occupations
  - Positions requiring highly specialized knowledge and a bachelor’s degree or higher in that specific area of study
How is H-1B status different?

• Your employer must apply for you.
• It must be approved by USCIS.
• It may be initially approved for up to three years, but can be extended.
• Typically, a maximum of six years eligibility.
• It’s job specific! (employer/position/location specific).
• Must be continually employed.
Challenges to H-1B

• Finding a willing employer
• J-1s may not be eligible (waiver possible)
• H-1B cap
  • 65,000 per fiscal year
  • 6,800 set aside for U.S.-Chile/Singapore free trade agreements
• Advanced Degree Exemption - first 20,000 with a Master’s or higher degree from a U.S. institution don’t count against the cap
Avoiding the H-1B cap

• Cap-exempt employers:
  • Higher education employers
  • Non-profit organizations related to an institution of higher education
  • Non-profit research organizations
  • Governmental research organizations
H-1B Cap Gap

- The period in which an eligible F-1 student’s status is automatically extended to bridge the gap between the end of F-1 status and the start of H-1B
H-1B Cap Gap Example

- Student Graduates: 05/15/2009
- Student’s OPT begins: 06/01/2009
- Student’s OPT ends: 05/31/2010
- Employer files H-1B petition: 04/01/2010
- Student’s H-1B Start Date: 10/01/2010
- H-1B Start Date: 10/01/2010

Cap Gap
To Qualify for the H1-B Cap Gap

- The student must be the beneficiary of an H-1B petition that:
  - Has been timely filed
  - Requests an employment start date of October 1st
  - Requests a change of status
Additional Guidance for the H-1B Cap Gap Extension

- The extension is granted at no cost, however, students must request a new I-20 noting this extension.
- Cap gap extension is terminated if the H-1B petition is rejected, denied, or revoked.
- For those on OPT, the 90 day limitation on unemployment continues during the cap gap extension.
ANY QUESTIONS?