

What is Optional Practical Training (OPT)?

U.S. Citizenship & Immigration Services (USCIS) has created this opportunity to allow individuals on an F-1 student visa to work in a position *directly* related to their degree. These positions are not part of their academic curriculum and most often take place after the completion of their coursework; which, in some cases, means they can start OPT before graduation.



Can a student extend his/her OPT authorization?

OPT authorizations are only granted for 12 months at a time. Students may complete a second OPT, but only after obtaining a second degree that is at a higher level than the previous program for which he/she had OPT. For example, a student has one year of OPT after a Masters, and is then eligible for an additional year after his/her Ph.D coursework is completed. The student would not be eligible, however, if he/she completed a second Masters.



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Old Dominion UNIVERSITY
Changing Lives FOR 75 YEARS

Employer Information for Optional Practical Training (OPT)



**A guide about
the F-1 student
visa status and
tax information**

How do students apply for OPT?

Students must attend a workshop at ODU that explains their rights and responsibilities with regard to OPT. Once they have attended, they may submit paperwork to International Student & Scholar Services (ISSS) and, if all requirements are met, a new F-1 visa document (I-20) is issued to show the proper endorsement of the application. Next, the paperwork is sent to an Immigration processing center in Vermont and, upon approval, an Employment Authorization Document (EAD), also known as Form I-766, is issued. In general, the application process takes approximately three months. In order to avoid Immigration and Department of Labor violations, students may not work--even as a volunteer--before their EAD is issued.

I-20 FORM



EAD CARD (I-766)

Are students eligible to work if the visa in their passport has expired?

Yes. An expired visa does not indicate a violation of visa status as a visa is issued for entry purposes only. A valid EAD, a properly endorsed I-20 and a valid passport are the only documents required to maintain status while on OPT.

Are students on OPT tax exempt?

For more information on taxation, please go to the ISSS website at www.odu.edu/iss. From there, click on *F-1 Students* and then *Optional Practical Training*, you will find a link to a publication on the IRS website which provides complete information on the taxation of non-immigrants.

How can I document a student's I-9?

Documentation used for I-9s includes the student's passport, EAD and I-94 departure card.

How many hours per week can a student work?

There is no limit on how many hours the student may work, or on the number of employers he/she may have.

What if our company would like to hire this student for permanent employment?

Your company can seek legal counsel on making an application for an H-1B visa, which allows a nonimmigrant to work in the United States for up to six years. It is suggested that any lawyer hired be a member of American Immigration Lawyers Association (AILA) and practice immigration law only.

Whom can I contact if I have questions about a student's Immigration status?

ISSS would be happy to answer any questions and be a resource to you on OPT, as well as any cultural issues. You can reach an advisor by phone at 757-683-4756 or via e-mail at intlstu@odu.edu.