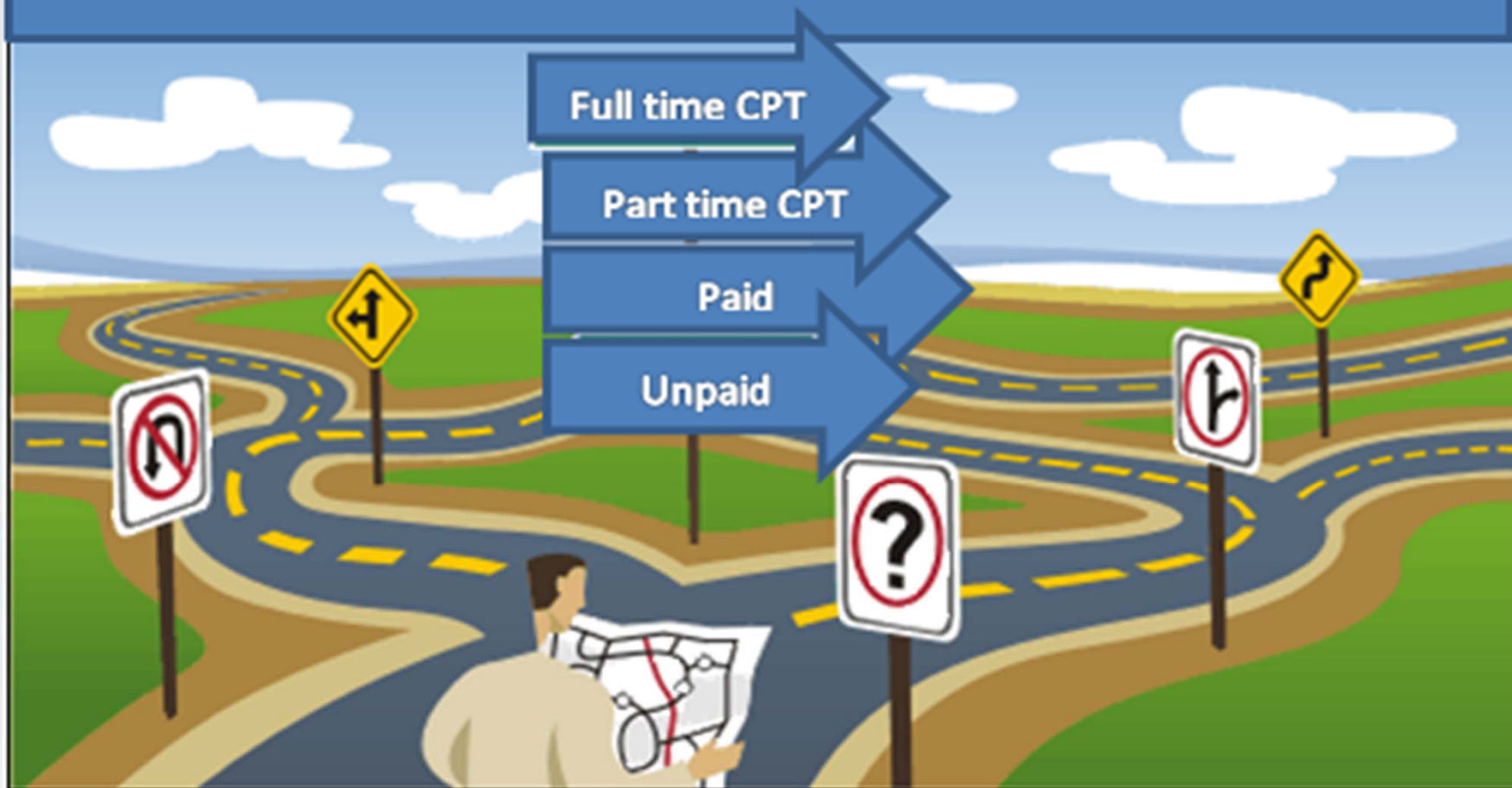


Navigating Through Complex Practical Terms of CPT



NAFSA, Region III Conference in Oklahoma City
October 27, 2011

Presenters

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Agenda

10:45am - 12 noon

- What is CPT? Code of Federal Regulations definition and further guidance reported in Interpreter Releases
- "Am I eligible?" CPT scenarios
- Determining school policy
- CPT Survey Results
- UT vs. TU: big school vs. small school experience
- More CPT scenarios



Code of Federal Regulations

8CFR 214.2(f)(10)(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.

Code of Federal Regulations (continued)



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 P/DSO.

A student may begin curricular practical training only after receiving his or her Form I-20 with the P/DSO endorsement.

Additional CPT guidance

- INS Memo CO 214.2F-C from 5/4/1992 reported in Interpreter Releases, Vol. 69, No. 6, p. 587: "When offered through course work, curricular training must be either for credit (in the case of an elective course) or required.
- INS Memo CO 243.69-C from 1/22/1992 reported in Interpreter Releases, Vol. 69, No. 6, pp. 187-188: "The Training program must be listed in the school's course catalog with the assigned number of credits and the name of the faculty member teaching the course clearly indicated."

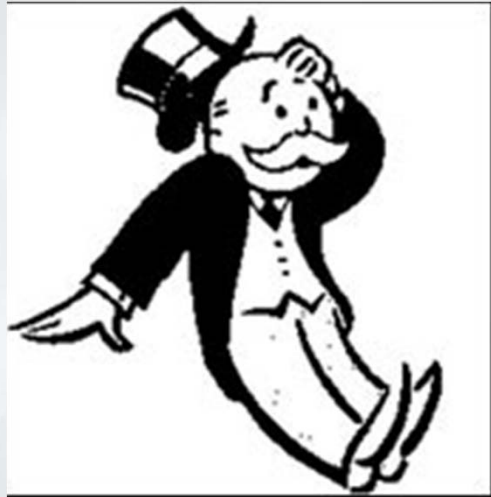
What does CPT really mean?

- A. Complex Procedural Terms
- B. Cup of Perfect Tea
- C. Complex Practical Theories
- D. Curricular Practical Training



Simply said, CPT is

a type of employment authorization that allows F-1 students to gain practical experience in the field of their studies while making regular progress towards the completion of their academic program.



So... Am I eligible for CPT?

In small groups read the scenarios and decide should this student be eligible for CPT.

- 1) Undergraduate Business student in his Junior year wants to do a summer internship with a marketing firm. She will not receive academic credit for this internship.
- 2) Graduate music student (Vocal major) found a really great employment opportunity. He will work as a singing server at a local Italian Restaurant. The Music department has signed a document stating that this will be a great voice training experience.
- 3) Undergraduate nursing student will work on a voluntary basis for the local hospital over the summer. She will receive credit for a practicum in nursing course for her work.

What is left up to school policy?

- Defining "integral part of an established curriculum" in practical terms.
- Establishing a policy for CPT eligibility
- Formulating procedures for authorizing CPT



The Gray Areas

- How do you decide if its Curricular?
- How do you decide if immediate participation is required for graduate students?
- What about transfer students?
- What about students changing program levels?
- The duration of CPT authorization?
- Is full time CPT allowed during the semester?
- Who recommends CPT?
 - Academic advisor?
 - Department chair?



Crucial Factors to Consider in Determining School Policy

- How big is your school?
- How closely do you work with the students?
- Are you involved in academic advising?
- What are faculty demands?
- Institutional structure, is it centralized or decentralized?
- What is the policy for on and off campus employment?
- What about professional enrichment component? Are external experiences promoted?
- Do internship courses even exist?

Determining School Policy

- Set your priorities and allocate resources
- Go to the experts!
 - What do similar schools do?
 - Consult with university legal counsel
- Review regulations regularly
- Establish a CPT policy and document it
- Train your staff
- Apply CPT policy consistently
- Avoid "but my friend at was approved for CPT without any paperwork" syndrome
- Make application materials easy and accessible
- Maintain application materials to document a good faith effort: recommendation letter, job offer letter and proof of course enrollment

CPT Survey Results

Private vs. Public

Advisor to F-1 student ratio

"Hats" we wear

Who approves CPTs?

CPT policy, CPT practice or both?

Average CPT processing time

CPT verification

Are starting and ending dates fall within the semester?

Unpaid or paid internships?

Corresponding course?

Academic Advisor recommendation?

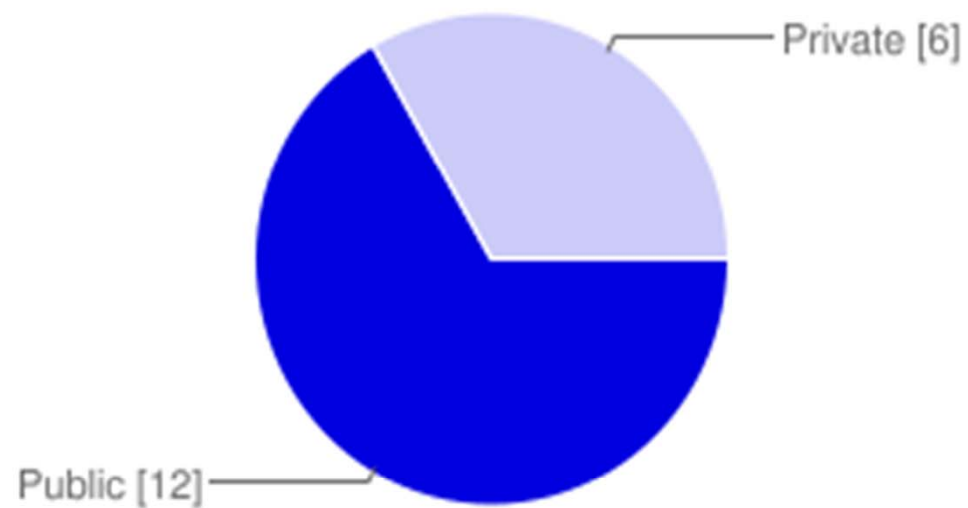
Most common academic credit number

CPT duration

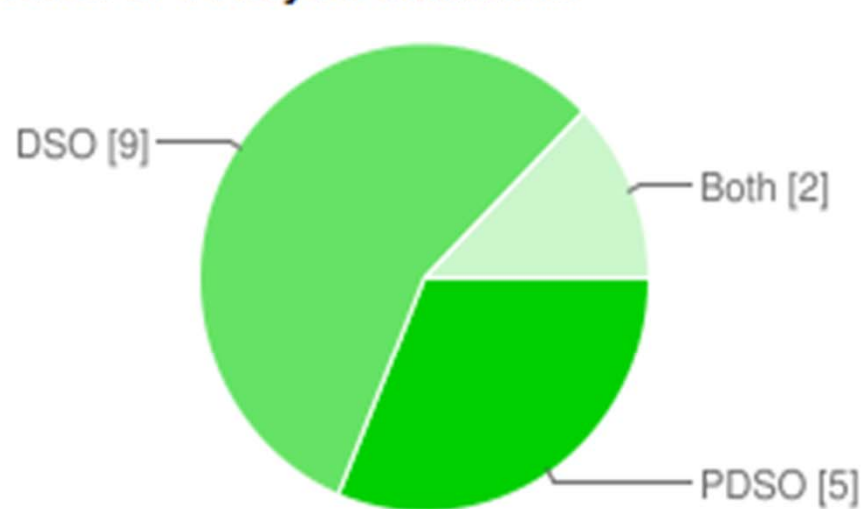
Summer CPT work vs. Fall/Spring semester academic credit



Do you work at a public or a private institution?



Who approves CPTs at your insitution?



PDSO

DSO

Both

Immigration Advisors to International Students ratio



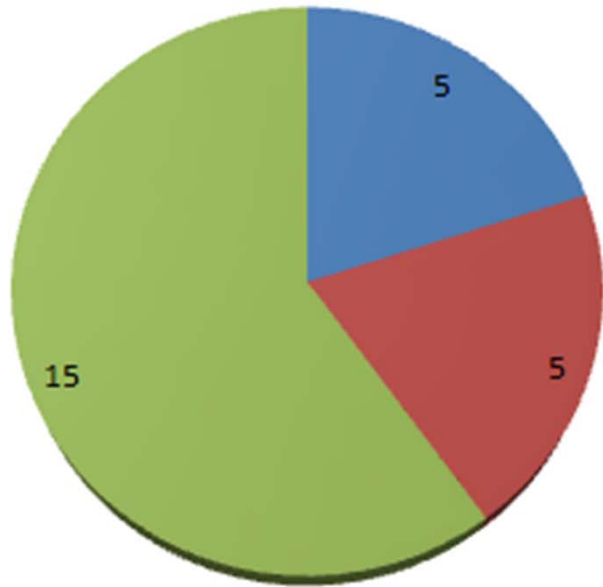
Based on sample survey results, collectively 60 Immigration Advisors in Region III advise 18,484 international students.

This is a ratio of 308 students per 1 advisor!

"Hats" international advisors wear



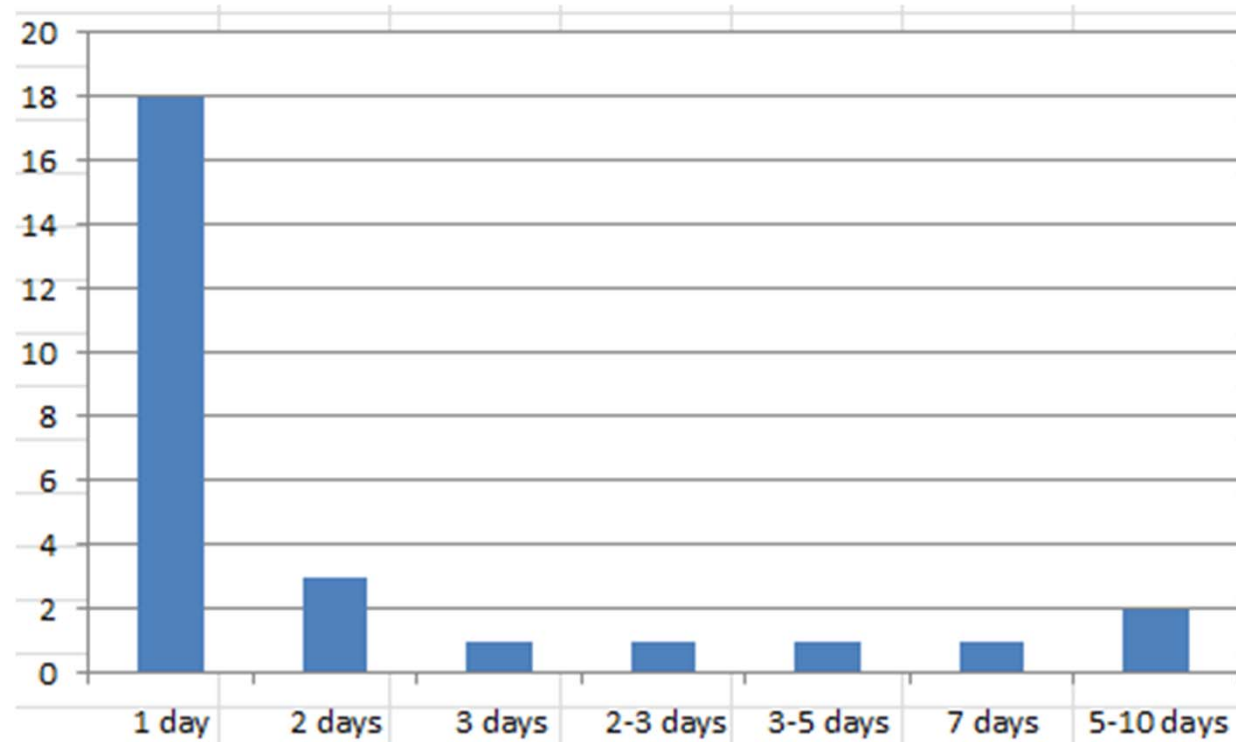
Immigration only
Immigration Advising and H-1Bs
Immigration Advising, Orientation, SEVIS
Immigration Advising, Orientation, Programming, SEVIS
Immigration Advising for students and scholars, Orientation, Programming, SEVIS
Immigration advising, Special retention and intercultural programs
Immigration, advising, orientation, SEVIS reporting, programming
Immigration Advising, Orientation, SEVIS, J Program, employment
Immigration advising, SEVIS compliance & Acculturation Issues
Immigration advising, SEVIS compliance, International Recruiting, International Student Retention, Integration and Acculturation Issues
Immigration advising, processing documents for new incoming graduate students
Immigration advising, SEVIS compliance, Orientation, International Recruiting, International Student Retention, Integration and Acculturation and Employment
SEVIS, Immigration Advising, Orientation, International Recruiting, Employment, International Admissions, I-20 processing
Process J-1, H-1B, E-3, TN's, SEVIS maintenance, Immigration advising
Admissions, SEVIS, Orientation, Advisement, I-20 processing, recruitment
Admissions, SEVIS, Orientation, Advisement, I-20 processing, recruitment, employment
Admissions, transcript evaluations, advising current students and alumni, health insurance waivers
F/J current/alumni advising, processing tasks for same, some SEVIS reporting



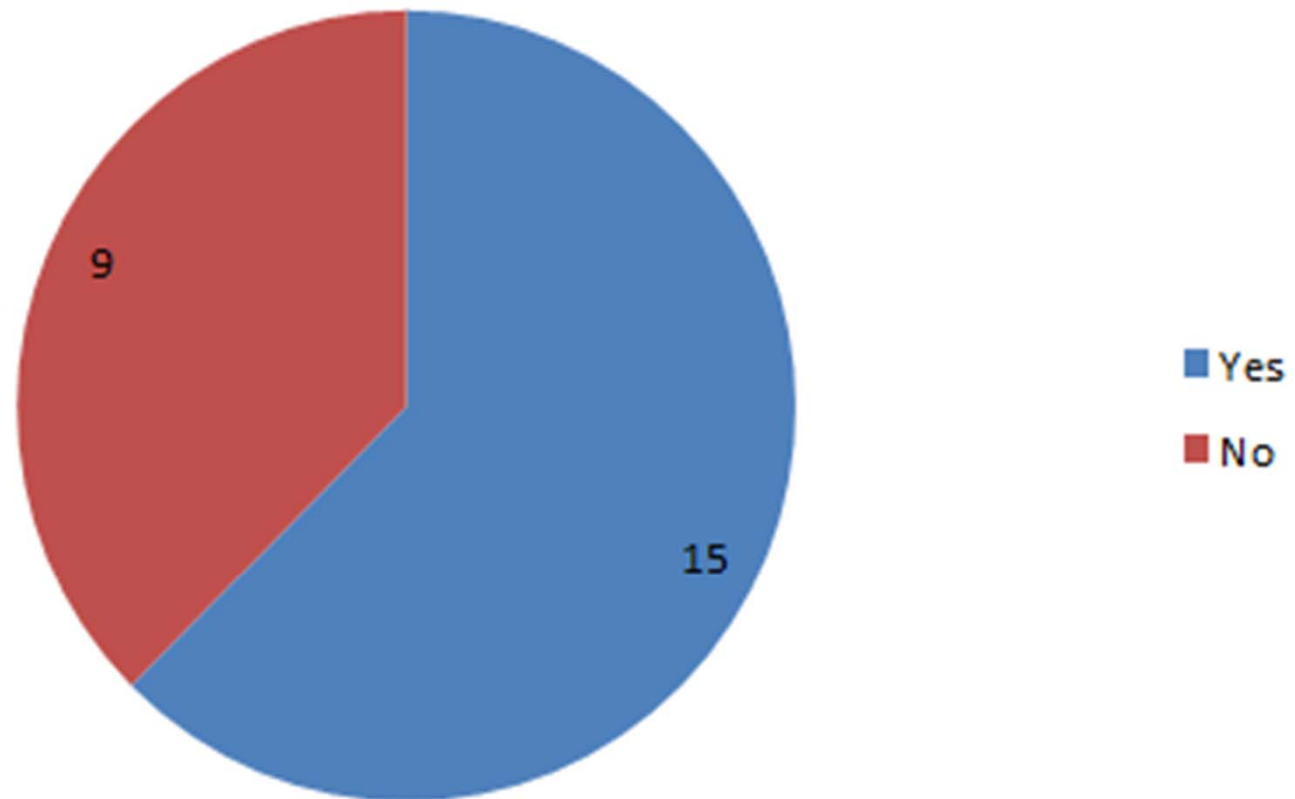
CPT policy, common practice or both?

- CPT Common Practice
- Both
- CPT Policy

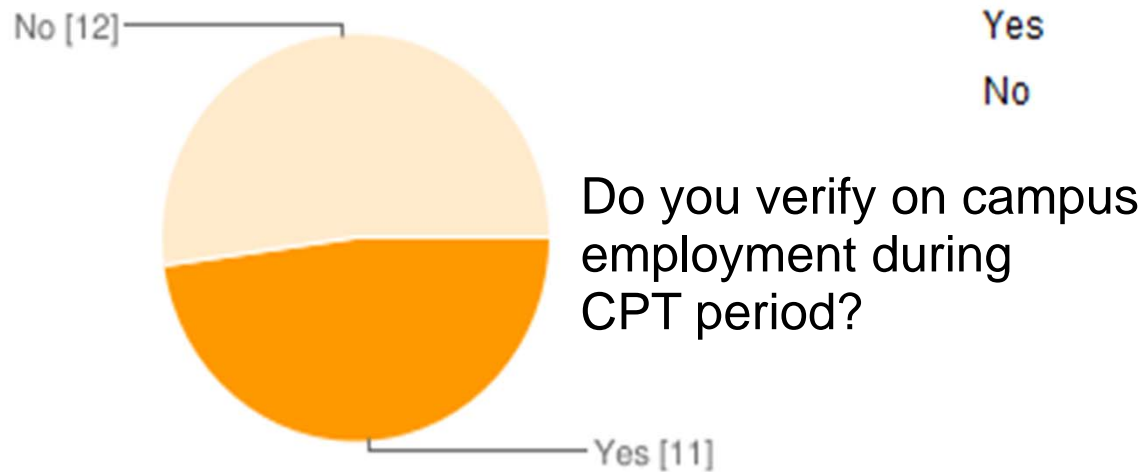
How long is
processing?



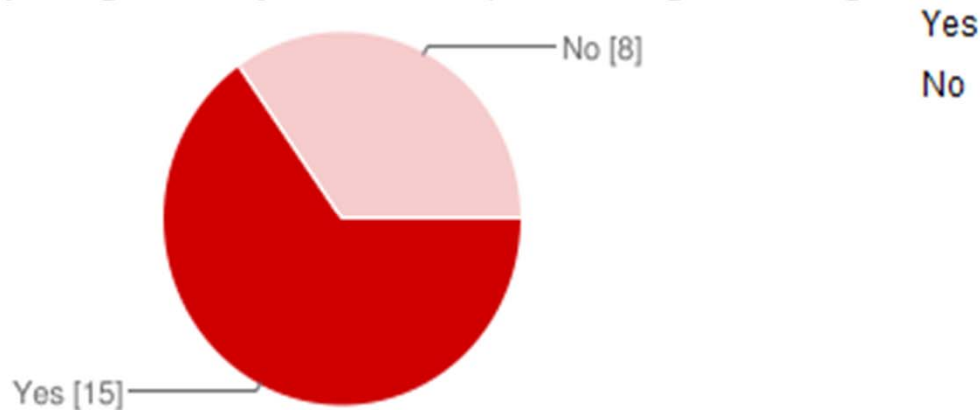
Do you require CPT authorization for unpaid internships?



On campus employment verification and starting/ending dates

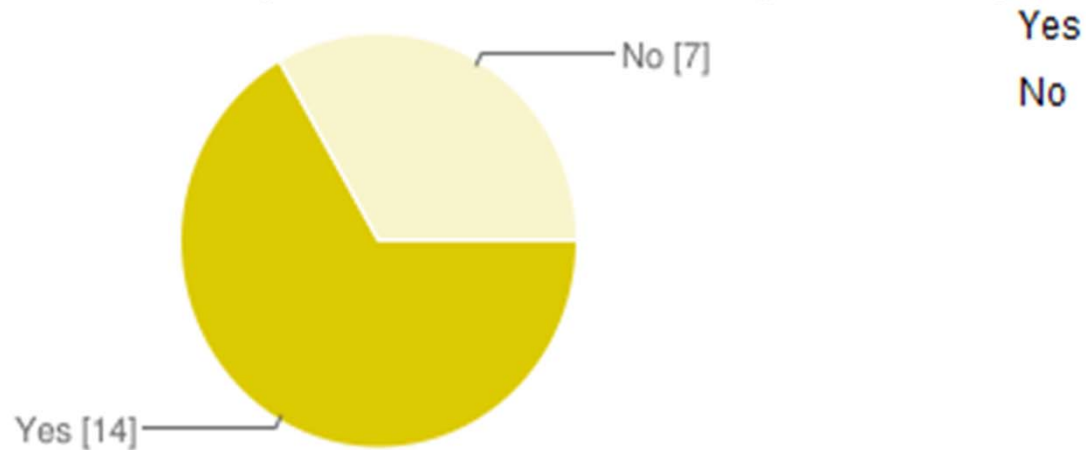


When approving CPTs at your institution, are starting and ending dates fall within dates of the semester?

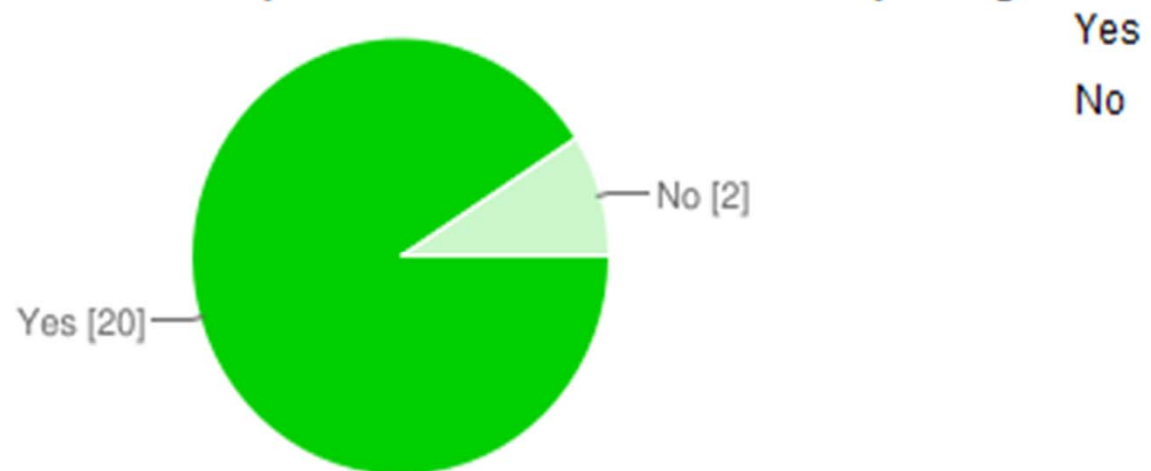


Unpaid internships, corresponding course

Does your institution require CPT authorization for unpaid internships?

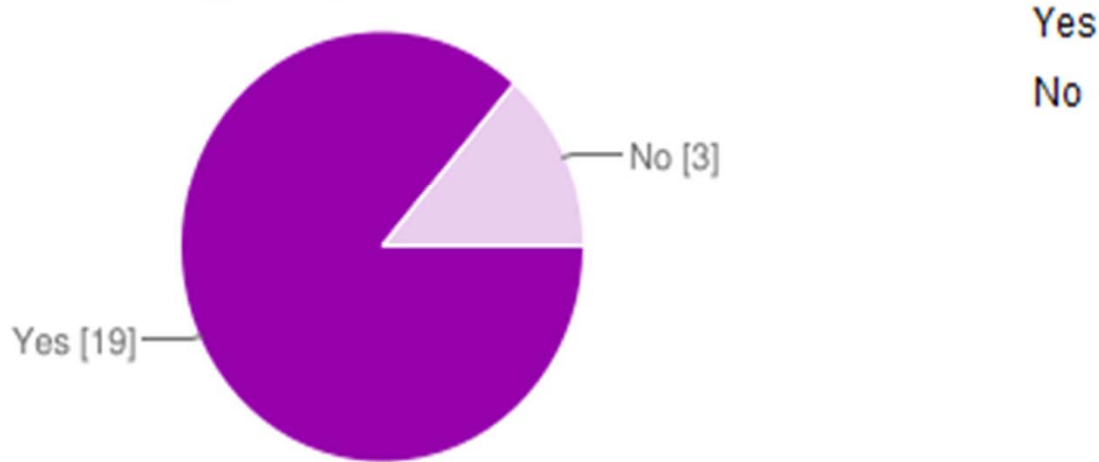


Does your institution require students to enroll in a corresponding course for CPT?

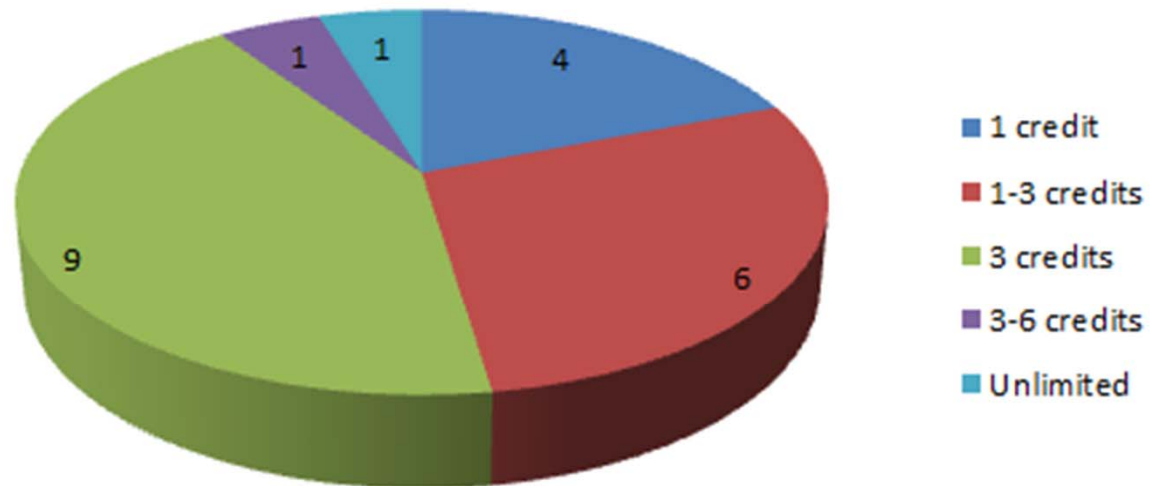


Advisor authorization and credits

In your institution do you require a recommendation from the student's academic advisor for CPT authorization?

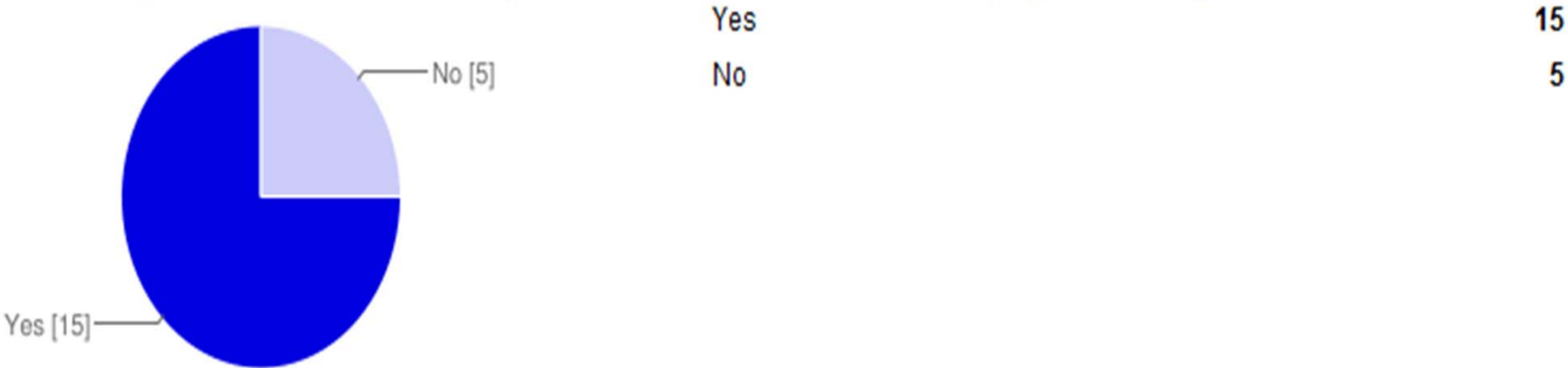


Number of academic credits typically approved

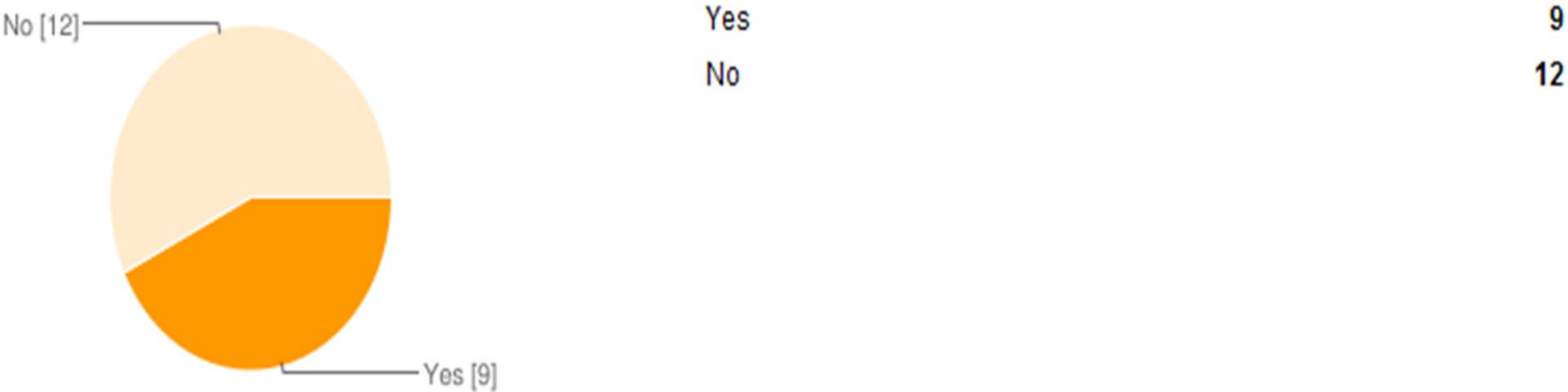


Transfer F-1 and summer CPTs

In your institution do you allow students transferring from another institution into the same program to be eligible for CPT in their first semester of study?

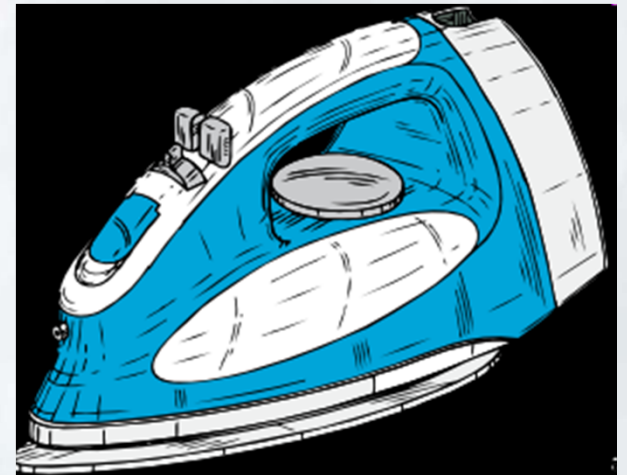


In your institution, can summer CPTs work be approved based on academic credit being granted in the fall or spring semesters?



Details to Iron Out

- For how long is CPT authorized?
- Do you require a CPT course?
 - What is an appropriate CPT course?
 - Who determines this?
- Who decides what is a relevant CPT internship?
- Who is eligible for CPT
 - Transfer Students?
 - Graduate students in first semester?
- What is full time/part time?



Getting the Word Out



- Talk to your departments and learn about their programs
- Explain CPT policy and its importance for international students
- Lobby for CPT courses in departments that do not have them
- Schedule individual meetings with departments that have complicated internship requirements
- Talk to your Career Centers and Co-op offices
- Offer CPT training workshops for students
- Offer CPT training workshops for academic advisors and department administrators

UT vs. TU

Big School vs. Small School Experience

University of Texas in Austin

- 4500 international students
- 5 International Student Advisors responsible for immigration advising only
- Highly decentralized/policies differ from department to department
- 16 Colleges and more than 100 undergrad & 170 grad degree plans offered

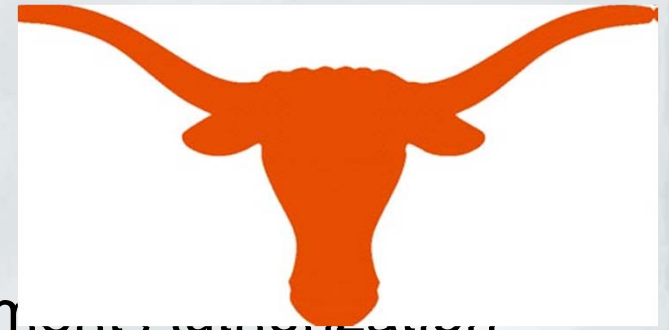
Trinity University

- 250 international students
- 2 International Student Advisors responsible for immigration advising and cultural programming
- A bit decentralized/policies differ from department to department

THE UNIVERSITY OF
T E X A S
AT AUSTIN™


TRINITY UNIVERSITY
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University of Texas in Austin



- Clear detailed CPT policy
- Handouts with clear instructions
 - Curricular Practical Training, F-1 Employment Authorization publication <http://world.utexas.edu/forms/iss/cpt.pdf>
 - Curricular Practical Training recommendation form <http://world.utexas.edu/forms/iss/cptform.pdf>
- Defer CPT Recommendation to Academic Advisor
- Require CPT course
- CPT Authorized per semester with clear semester start and end dates
- No CPT authorization for unpaid internships
- Despite all of this – still lots of issues arise

Curricular Practical Training

F-1 Employment Authorization

Curricular Practical Training (CPT) is temporary employment authorization directly related to an F-1 student's academic program for which the work counts toward course credit. According to immigration regulations, the work performed has to be in the student's major field of study.

Curricular Practical Training Eligibility:

- The student must be in valid F-1 status at the time of application and have been in full-time student status for one academic year preceding the CPT application. Graduate students whose programs require immediate participation in internship/practical training may apply at any time.
- The work must be necessary to fulfill course/class requirements. In other words, it must be required of all students taking the course, not just related to a course.
- The course must be an "integral part of the established curriculum", (i.e., it must be required for the degree program or earning credit for the degree program). For graduate students receiving credit for thesis or dissertation, the work must be required to complete the thesis or dissertation.

You must be authorized for CPT by an Immigration Advisor in International Student and Scholar Services (ISSS) before beginning any employment. Working prior to obtaining authorization could result in a loss of your F-1 status.

To apply for CPT, bring the following to ISSS:

- Passport, Form I-94, Visa, Form I-20 (original)
- CPT Recommendation Form (found at: <http://utexas.edu/international/iss/immigration/library/files/cptform.pdf>) which contains:
 - a. for graduate students: verification signature from your Graduate Advisor;
for undergraduate students: verification signature from your Undergraduate Advisor, or Internship Coordinator, or Cooperative Education Program Coordinator
 - b. A description of the program (internship or cooperative education program)
 - c. Name and course number of the internship or research course for which you will be earning credit, name of the supervising professor and the semester in which the course credit will be earned
 - d. Name and address of the company/institution where you will be working
 - e. Beginning and ending dates of employment and the hours per week to be worked
- Letter from the employer (on letterhead paper and signed by employer) describing the work to be performed, including the starting and ending dates of employment, salary, and the employer's address.
- Co-op students registered through UT Extension or Correspondence Course: proof that UT student health insurance has been purchased (**see reverse side)

CURRICULAR PRACTICAL TRAINING RECOMMENDATION FORM

University of Texas at Austin / International Office / International Student & Scholar Services / (512) 471-2477

Student: Please complete the following (all fields are required):

Name: _____ UT ID: _____

Email Address: _____ Phone #: _____

Employer: _____ Employer's Address: _____

_____, City, State & Zip Code: _____

Internship Job Title: _____

Starting Date: _____ Ending Date: _____ Hours Per Week: _____

NOTE: the starting and ending dates of the CPT must fall within the dates of the semester

Description of Work to be Performed: _____

Employed on campus during the CPT period? No Yes / Position: _____ Number of hrs per week: _____

List previous semesters of CPT (both part-time and full-time): _____

Student's Signature: _____ Date: _____

**Advisor: After verifying the above information, please complete the following:
(this section cannot be completed by student!)**

Course Title & Number for which student will be receiving credit (the course has to have an internship component): _____

Semester/Year in which the credit will be earned: Fall Spring Summer** Year: 200____

** Students who participate in CPT in the summer may elect to defer course credit to the fall, with departmental permission.
Failure to enroll in the course in the fall semester will result in the violation of the student's F-1 immigration status.

Explain how this internship relates to the student's field of study and serves an academic purpose. If CPT will be applied toward thesis or dissertation credit, how is this a necessary and required part of the student's thesis/dissertation? _____

I certify that this internship is (please check ONE of the following):

- required to complete the student's degree
- required for report, thesis or dissertation
- an integral part of an established curriculum (i.e., earning credit toward the degree program)

If none of the above applies, the student should discuss options other than CPT with an immigration advisor at ISSS.

Undergraduate:

Internship Coordinator/Undergraduate Advisor: Name: _____ Title: _____

Signature _____ Date: _____

Graduate:

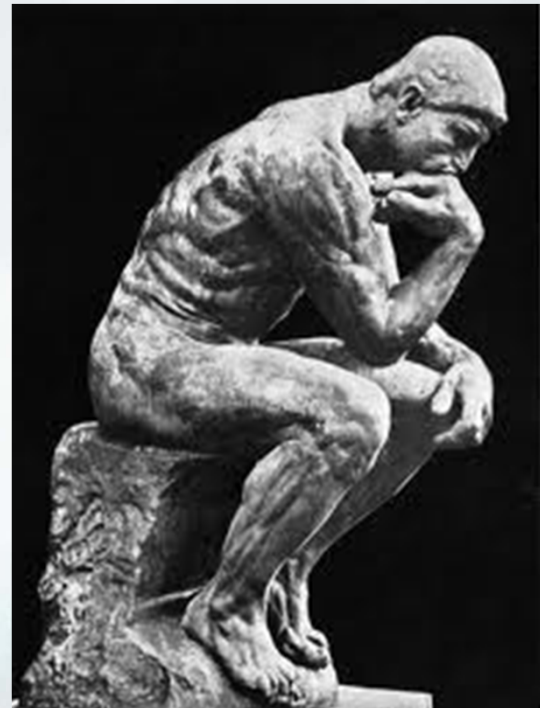
Graduate Advisor's Signature (required): _____ Name: _____ Date: _____

Considering the number of hours to be worked and academic requirements needing to be met this semester, I certify that the student is making adequate progress towards the degree.

Supervising Professor's Signature (required for dissertation and thesis credit): _____ Date: _____

Examples of issues

- Accounting program
- Redefining to students and faculty the policies that may vary from department to department
- Co-op programs



- Clear detailed CPT policy
- E-forms on ISSS website
 - Employment in F-1 Status publication
<http://web.trinity.edu/Documents/international%20Programs%20docs/Employment%20in%20F-1%20Status%20revised%20Oct%202011.pdf>
 - Fillable CPT Recommendation Form (PDF)
<http://web.trinity.edu/Documents/ISSS/CPT%20Recommendation%20Form%20fillable.pdf>
 - Defer CPT Recommendation to Academic Advisor and/or Departmental Chair
- Require CPT course
- Paid/Unpaid CPT work



TRINITY UNIVERSITY

3. Employment with an International Organization 8 C.F.R. 214.2(f)(9)(iii)

This employment benefit allows F-1 students to work for recognized international organizations within meaning of the International Organization Immunities Act [59 Stat. 669].

Preconditions: students are eligible as in F-1 status with no waiting period. Available only while student is in F-1 status, before completion of the educational objective.

Location: must be with qualified international organization (such as UN, WHO, etc. Come visit ISSS for further advice on qualifying organizations)

Duration: granted by USCIS in increments of no more than one year.

Hours per week: can be approved for full-time or part-time employment.

Field/level of work: does not have to be related to course of study, but international organizations usually hire students for positions in their field of study.



International Organizations

Offer of employment: must have a written offer of employment.

Effect on other work: use of this category does not effect eligibility for practical training or on-campus employment.

Approval process: must apply for EAD from USCIS, and receive EAD before employment begins.

Miscellaneous: must continue to maintain a full course of study in F-1 status during the period of employment.

Form I-765, Application for Employment Authorization, item 16, code (c)(3)(ii)

Fee: money order in the amount of \$380 payable to U.S. Department of Homeland Security

Photos: 2 ADIT-style

4. Special Student Relief

Student's substantial means of financial support must come from one of the designated countries:

- Indonesia
- South Korea
- Malaysia
- Thailand
- Philippines

The student does not have to be a citizen of one of those countries to qualify.

International students must have been in F-1 status as of **June 10, 1998**. The date the student obtained F-1 status will be either the date he or she initially entered the United States in F-1 status, or the date that CIS

changed his or her status.

You do not qualify for this category of the employment by simply being a citizen of one of these five countries.

Please note: there are very few international students that qualify for this category of off-campus employment.

5. Practical Training

Optional Practical Training (OPT) and Curricular Practical Training (CPT)

There are several aspects shared by both CPT and OPT:

- Both can be granted for part-time (20 hours or less) or full-time (over 20 hours per week) employment
- An F-1 student must have been lawfully enrolled on a full-time basis in an approved college, institution,

conservatory, or seminary for one full academic year.

- Students that enroll in a study abroad program during their course of study is counted towards the one academic year requirement, as long as the student had spent at least one full academic term enrolled in a

full course of study in the United States prior to studying abroad.



Optional Practical Training (OPT) 8 C.F.R. 214.2 (f)(10)(ii)

Optional Practical Training (OPT) is "temporary employment for practical training directly related to the student's major area of study." Students in certain Science, Technology, Engineering, or Math fields may be eligible for a 17 month extension upon completion of their first 12 month period of OPT. Check with ISSS for more details.

General eligibility requirements:

- Must have been lawfully enrolled in full-time status for one academic year preceding the OPT application
- Can be authorized for a maximum aggregate period of 12 months per educational level
- If applying for OPT after graduation, USCIS must receive your application before graduation date

Checklist:

- Apply to the P/DSCO sufficiently in advance of the program completion date to allow the SEVIS record to be updated before the completion date is reached
- Submit photocopies of all prior I-20s
- Submit photocopies of the ID pages from the passport, and for applications for renewal of work authorization, photocopies of the previously-issued EADs
- Submit a letter issued by the Registrar's Office, indicating the current academic status and expected completion of studies
- Complete Form I-765, Application for Employment Authorization, in item #16 choose the following the code

(c)(3)(A) [pre-graduation]

(c)(3)(B) [post-completion]

(c)(3)(C) [stem extension]

□ Include Trinity International Programs address as your current address: **One Trinity Place, Box 100, San Antonio, TX 78212-7200.**

□ Money order made payable to U.S. Department of Homeland Security in the amount of \$380.00

□ 2 ADIT style photos <http://www.uscis.gov/files/form/m-203.pdf>

□ A copy (both sides) of Form I-94

Please note:

-While on OPT, a student must be working or actively looking for a job. Being unemployed for over 90 days while on OPT may jeopardize F-1 status.

—A student who still has coursework remaining in his or

her degree program is limited to 20 hours per week of OPT while school is in session.

—Authorization to engage in OPT is terminated when the student transfers to another school or begins study at another educational level.

—Once the OPT request is submitted to SEVIS, the student's records will change to reflect that the OPT request is pending.

—Please anticipate a wide variation in USCIS processing times for EADs, and delays are common.

—Students must notify ISSS when they find, lose, or change employment during OPT. <http://tinyurl.com/4sfbgix>

—Students must notify ISSS and the US Department of Homeland Security when they change address.

Curricular Practical Training (CPT) 8 C.F.R. 214.2 (f)(10)(i)

Curricular Practical Training (CPT) must be an integral part of an established curriculum. Curricular practical training is described as alternate work/study, internship, cooperative education, or any other type of required internship of practicum which is offered by sponsoring employers through cooperative agreements with Trinity University.

Preconditions: student must have been lawfully enrolled on a full-time basis and is only available while student is in F-1 status.

Location: students may engage in CPT only for the specific employer, location and period approved and recorded by the P/DSCO in SEVIS.

Duration: may be granted by P/DSCO in increments of no more than one year, or until expected date of employment completion, whichever is shorter. No cumulative maximum, except that it can only be approved before completion of the academic objective.

Hours per week: can be approved for part-time (20 hours or less) or full-time (over 20 hours).

Field/level of work: must be an integral part of established curriculum, in the student's course of study.

Offer of employment: must have an offer of employment

from an employer offering work that qualifies CPT.

Effect on other work: use of full-time CPT for one year or more eliminates eligibility for OPT.

Approval process: must receive written authorization from P/DSCO, who records authorization in SEVIS and issues SEVIS I-20 with notation, before work begins. Please note that USCIS approval is not required.

Miscellaneous: must continue to maintain a full course of study in F-1 status during period of employment, but some exceptions may exist for some CPT.

Cost: FREE

How do I arrange CPT?

In order to get CPT approval, complete the CPT form <http://web.trinity.edu/Depts/ISSS/CPT%20Rev%2001/2006%20Form%2016%20Rev%2001.pdf>

Then meet with your academic advisor so that she or he can fill out the advisor portion.

Then bring this completed form and your official offer letter of employment to ISSS for processing.

Lastly, come sign your new I-20 that lists the details of your internship.

"Practical Training is for students that want to engage in temporary employment to gain practical experience in the field of study"

Curricular Practical Training (CPT) Recommendation Form



Trinity University - International Programs Office ~
International Student & Scholar Services
One Trinity Place, Box 100 ~ San Antonio ~ TX ~ 78212-7200
Phone: (210) 999-7313 ~ Fax (210) 999-7305

PART I - to be completed by an international student:

Name: _____ Student ID number
e-mail address _____@Trinity.edu Phone number: _____
Employer: _____
Employer's address: _____
Internship Job Title: _____
Internship starting date: ___/___/___ Internship ending date: ___/___/___
mm dd year mm dd year

The starting and ending dates of the CPT must fall within the dates of the semester

Hours per week 10-20 hrs per week 20-40 hrs per week

Description of work to be performed: _____

Employed on campus during CPT period? No Yes, position: _____
numbers per week employed _____
Student's signature: _____ Date: ___/___/___
mm dd year

PART II - to be completed by the Advisor, after verifying the above information:

Course Name _____ and Course Number _____ for which student will be receiving credit (the course has to have an internship component)

Semester/Year in which the credit will be earned Fall Spring Summer** Year: _____

** Students who participate in CPT in the summer may elect to defer course credit to the Fall, with departmental permission. Failure to enroll in the course in the fall semester will result in the violation of the student's F-1 immigration status.

Please explain how this internship related to the student's field of study and serves an academic purpose. If CPT will be applied toward thesis or dissertation credit, how is this a necessary and required part of the student's degree? _____

I certify that this internship is (please check one of the following):

- required to complete student's degree
 required for report or thesis
 an integral part of an established curriculum (i.e. earning credit toward the degree program)

Name: _____ Title: _____
Advisor/Chair's Signature: _____ Telephone number: _____
E-mail: _____ Date: _____

Please forward completed recommendation to the International Programs Office, Box 100

Examples of issues

- Engineering program
- Redefining to students and faculty the policies that may vary from school to school

Scenario 1

As a new P/DSO at a small Liberal Arts institution, you quickly find out that there is neither a clearly defined school policy nor a common practice for processing CPTs. You also realize that your predecessor did not have proper training and clear understanding of CPT and has been negligent in obtaining immigration benefits for international students.

An international student asks you for advice on filing taxes on income that he earned in previous semester for employment off campus. You realize that there was no CPT authorization, but the student (and his influential family) insist that the student was advised by your predecessor that approval was processed. That approval is nowhere to be found. The family is threatening to sue the university and you find yourself in meetings with legal counsel and Administration. What do you do?

A) Consult regulations

1. 214.2(f)(10)(i): A student may begin curricular practical training only after receiving his or her Form I-20 with the DSO endorsement. This is clear, student did not have authorization thus should have not worked off campus.

B) Can you enter the authorization in SEVIS and backtrack the date? Functionally, SEVIS allows you to put a past start date.

1. 214.2(f)(10)(i)(B): The DSO must sign, date, and return the SEVIS Form I-20 to the student prior to the student's commencement of employment. Can't do that.

C) Check re-entry stamp! Did this student leave and re-enter the U.S. after completing this unauthorized CPT employment? If so, did this stamp save him?

D) Should you terminate SEVIS record due to unauthorized employment and help student file for re-instatement

If you choose to take this route, be sure to consult with your University legal office if writing

support memo is appropriate and if it is craft careful wording.

E) Will it help if you consult SEVIS Help Desk?

F) As a result of this experience, and with the help of your legal counsel, quickly develop clear CPT policy.

Scenario 2

A student sits down at your desk and has all the paperwork required by your school to file for CPT. You are about to authorize it, but on reviewing his record notice that he is in his 1st semester of study. The student is in a Masters program, and was in F1 status at another US University for his Bachelors degree. Between his masters and bachelors degrees he took a year off for OPT. The program in which the student is taking part does not require immediate participation in an internship, but the student is claiming that the internship is required for him as he is doing masters report option, and on his timeline, he must begin his internship before completing 2 semesters of study.

Scenario 2

- a) Do you authorize the CPT, and if so on what basis?
- b) How do you document your decision?
- c) Who do you consult to determine the validity of the student's request?
- d) What implications does such a situation have for your CPT policy. And how do you plan to accommodate such a situation within it.

Scenario 3

A student comes in to extend his internship. He was authorized by your colleague (a senior respected member of the staff) for the last semester, to perform this internship and is now requesting to continue it into the next semester. You begin to review the documents and notice that the job offer letter states that the student will be working in a restaurant as a singing waiter. The student will be waiting tables and singing to customers for birthdays and special events. The student is a Masters level Music Performance, Voice major, and according to the documents signed by the music department, will be receiving credit for a Voice (MUS 359) course. When you begin to question the student about the job description, he insists that you are just being difficult and he had no problem getting this this authorization last semester.

Scenario 3

- a) Do you authorize the internship and how do you justify it/document it?
- b) Do you talk to your colleague, your supervisor, both?
- c) Do you contact the student's department for verification?
- d) Do you cancel the current CPT authorization?
- e) How do you formulate your CPT policy to avoid similar situations in the future.

Thank you for attending CPT session!

