Optional Practical Training

READ THE OPT HANDOUT!

Today we will:

• Outline OPT Basics
• Review Application Process & Timing
• Discuss work options in US after OPT (H-1B, etc.)
• Questions?
Optional Practical Training

OPT = Temporary employment authorization for practical training directly related to the student's major area of study.

- Types of OPT:
  - Pre-completion
  - Post-completion
  - STEM extension

- Part-time or Full-time
  - Always full-time after completion of requirements for degree
Practical Considerations

During OPT period:

• You remain in F-1 status
• OPT is not a status, it is a benefit
• CMU holds your SEVIS record
• OIE still your advisors/visa sponsor!
• You still have reporting requirements!!
Reporting Requirements

Upon receiving EAD - report **ANY** changes in employer, address, etc... within **10 days of ANY Change**:

Be specific – this information is reported **DIRECTLY** to immigration (SEVIS)

What work can you do during Post Completion OPT?

- **Any** – As long as it:
  - Is related to **YOUR** field and level of study
  - Paid, unpaid, volunteer, contract
  - Job title **doesn’t** matter…
  - **BUT** the nature of the work **does**

No job offer is needed for you to apply for OPT!
Employment

Types of employment that are acceptable while in the initial period of Post-Completion OPT:

- Multiple employers.
- Short-term multiple employers (performing artists).
- Work for hire.
- Self-employed business owner.
- Employment through an agency or consulting firm.
- Paid employment.
- Unpaid employment.*

*A student may work as a volunteer or unpaid intern, where this practice does not violate any labor laws. The work must be at least 20 hours per week for a student on post-completion OPT. A student must be able to provide evidence acquired from the student’s employer to verify that the student worked at least 20 hours per week during the period of employment.
OPT Usage

• 12 months per *advanced* degree level
  – Can’t have another 12 months of OPT after 2\textsuperscript{nd} Master’s

• Once OPT has been granted, you have used the benefit
The Application is a Three Step Process

1. **Step 1. Recommendation**
   - Signed by your advisor & submitted to OIE

2. **Step 2. New I-20**
   - Goal: new I-20 with OPT recommendation
   - **I-20 TIME:** 5 to 10 business days at OIE

3. **Step 3. Application**
   - Mail to USCIS
   - Goal: EAD card
   - **APPROVAL TIME:** Up to 90 days
The Goal:
Employment Authorization Document (EAD)

You can only legally work in the U.S. when:

• Have received the EAD Card
• Within valid dates on EAD

*EAD Card says “Not Valid For Reentry To U.S.” – This means not Valid for Reentry ALONE (you need all other valid documents: Passport, Visa, I-20, etc..)
The Application Process has **IMPORTANT** Timelines!!

If OPT is denied **before** end of 60 day grace period, it **MAY** be possible to apply again.

If OPT is denied **after** 60 day grace period, the benefit is **forfeited**.
OPT I-20: The 30 Day Rule!!

• OPT application **must be received by USCIS within 30 days of the date your OPT I-20 is issued.**

• Be ready to file when you turn in your request!

• I-20 more than 30 days past issuance date = **OPT DENIED!**
The Application Process: Advisor’s Form

Optional Practical Training (OPT) Recommendation Form

To: Student OPT Applicant
Complete the following information. The OIE advisor will use the information you provide to recommend your OPT. If you do not know the answer to the question, leave it blank and the advisor will assist you during the OPT session.

Name: ________________________________ Date of birth (mm/dd/yyyy): ____________________
(Family) (First)

Andrew ID: ___________________________ Non-Andrew e-mail: _________________________

Address*: __________________________________________ (Street)
(City) (State & Zip Code)
*Address must also be updated in SIO! This does not have to be the address that you’ll use to receive the EAD.

☐ Check here if you have a secondary MAJOR or are in a dual degree program.

OPT Start Date: ___________________________ OPT End Date: ___________________________

Full-time or Part-time: ___________________ Passport Expiration (mm/dd/yyyy): __________

Check one: □ WILL □ WILL NOT directly relate to my field of study/degree program.

Have you applied for OPT before?  □ No   □ Yes   If yes, Educational Level (circle) Bachelor’s  Master’s  PhD

I attended an OPT session on ______________________ (date) conducted by ______________________ (OIE advisor name).

Today’s Date

OIE Advisor’s Name
The Application Process: Advisor’s Form

This information must be completed and signed by the academic advisor or department coordinator, not by the student.

This is to certify that ________________________ is expected to complete all requirements for the degree on
(Student’s name)

05/15/2018 and will receive the degree of ________________________ in the field or major of ________________________.
(Date: mm/dd/yyyy) *actual completion-not end of month (Level) (Field of Study)

(Name of Academic Advisor or Authorized Department Personnel—Please Print) (Signature of Academic Advisor or Authorized Department Personnel)

(Telephone Number and/or email address) (Date)

Your academic advisor completes this section. OPT cannot begin before this date.
Completion Date on the I-20

<table>
<thead>
<tr>
<th>PROGRAM OF STUDY</th>
</tr>
</thead>
<tbody>
<tr>
<td>EDUCATION LEVEL</td>
</tr>
<tr>
<td>MASTER'S</td>
</tr>
<tr>
<td>PROGRAM ENGLISH PROFICIENCY</td>
</tr>
<tr>
<td>Required</td>
</tr>
<tr>
<td>Student is proficient</td>
</tr>
<tr>
<td>START OF CLASSES</td>
</tr>
<tr>
<td>22 August 2016</td>
</tr>
</tbody>
</table>

Program end date = academic advisor’s end date

(I-20 page 1)
PhD Students: Potential End Dates

- Date of defense
- Date corrections will be completed
- Date you turn in dissertation and committee signs off
- OR Employment start date (if you have passed the qualifiers)
Program End Date On OPT I-20
= Last Day of Work at CMU!
Your I-20 Program End Date Means...

ALL WORK MUST STOP ON THAT DATE!
If there is a **GAP** between your Program END DATE and your EAD CARD START DATE...

Program End Date
May 15, 2018

**HOWEVER** – **NO WORK** can be done during this Gap (for example – in red)

OPT Start Date on your EAD Card
July 2, 2018

*YOU are still in a Valid STATUS inside the U.S. While OPT Application is PENDING*
YOU CAN NOW ONLY WORK WITHIN THE TIME FRAME ON YOUR EAD
(For example - in green)

OPT Start Date On Your EAD Card
July 1, 2018

2018

2019

OPT END Date On Your EAD Card
June 30, 2019
Choosing Your OPT Start Date

BASED ON YOUR COMPLETION DATE

START DATE:

• Earliest start date: day after program completion
  – OR

• Up to 60 calendar days after program completion

**NO MORE THAN 60 DAYS!**
Choosing a Start Date

• **Early Start:**
  - Work permission right after completion
  - On-campus work continues

• **Late Start:**
  - Good if no job offer
  - Consider travel plans
  - Won’t cut into days of unemployment (90 days)
Choosing Your OPT End Date

• Eligible for 365 days of OPT:
  **Example: Start date = 5/16/2018
        End date  = 5/15/2019

• Remember! If you applied for a period of pre-completion OPT, you must deduct that time from your 12-months.
  • Part-time pre-OPT deducted at ½ rate.
  • Full-time pre-OPT deducted at full rate.

• NOTE: If you choose less than 12 months, only way to “redeem” remainder of 12 months is to go back to school, complete another program (at same level) and reapply for OPT
The Application Process: OPT Dates

• Choose CAREFULLY!

**CAN’T CHANGE OPT DATES**

• OPT Pending?

Status is fine to stay in the U.S. But **NO WORK** without EAD!
Submit OPT Recommendation Form

Completed Form can be turned in today or dropped off at OIE front desk.

*Only for May 2018 Graduates*

OPT I-20 will be ready:

- February 14

OR

- 5 to 10 Business Days from submission of the OPT Recommendation Form if submitted after February 9

**No Emails sent!**
OPT I-20: The 30 Day Rule!!

- OPT application **must be received by USCIS within 30 days of the date your OPT I-20 is issued.**
- Be ready to file when you turn in your request!
- I-20 more than 30 days past issuance date = OPT DENIED!

**IMPORTANT!**

2/15/2018
Pittsburgh, PA
I-20 Page 2

EMPLOYMENT AUTHORIZATIONS

<table>
<thead>
<tr>
<th>TYPE</th>
<th>FULL/PART-TIME</th>
<th>STATUS</th>
<th>START DATE</th>
<th>END DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>POST-COMPLETION OPT</td>
<td>FULL TIME</td>
<td>REQUESTED</td>
<td>16 May 2018</td>
<td>15 May 2019</td>
</tr>
</tbody>
</table>

CHANGE OF STATUS/CAP-GAP EXTENSION

AUTHORIZED REDUCED COURSE LOAD

TRAVEL ENDORSEMENT

This page when properly endorsed, may be used for reentry of the student to attend the same school after a temporary absence from the United States. Each certification signature is valid for one year.

SIGNATURE

DATE ISSUED: 7-2-2015

PLACE ISSUED: [Signature]

OPT Dates

Should be signed every 6 months

New Travel Signature
EAD’s Issued After Start Date Requested

Comments: Full-time OPT recommended in the field of Information Technology (eBusiness Technology) for the recommended dates above OR 12 months from adjudication, whichever is later. Seeking to gain practical experience in the field.

If you request dates 5/16/2018 to 5/15/2019 and USCIS does not process your card until 7/2/18, your EAD will have dates 7/2/18 to 7/1/19.

No work until card received and you are within start and end dates on card!
Timing of Your Application

• Be aware of processing times:
  
  • Up to 90 days to be approved...
    
    ..or longer if application is returned, something is missing, etc.

• **Cannot Expedite OPT!!** Trying can slow the process!
What do I include with my application?

Include *ALL* Materials on 
PAGE 1 in *OPT* handout.
What Do I Include?

- **G-1145** form
- Check for $410 (payable to U.S. Department of Homeland Security)
- Two U.S. passport-sized photos *(No Glasses)*
- Completed, signed **I-765** form
- Copies of all I-20s issued to you
- Copy of passport
- Copy of F-1 visa stamp
- Copy of I-94 record ([www.cbp.gov/i94](http://www.cbp.gov/i94))
- Copy of previous EAD (if you’ve applied for OPT before)

*Items are listed on page 1 of the OPT handout!!*
G-1145 Form

• G-1145 - first page of application

• Free to file

• More like 2-4 weeks...

• Disregard form expiration date – be sure to download from uscis.gov
Preparing Your Check

US Department of Homeland Security

Four hundred ten and-----------------00/100

OPT Application

Sign Your Name Here

mm/dd/yyyy

$410.00
Preparing Your Check

Leave the back **BLANK**
G-1450 Form

If you wish to pay by credit card – please fill-out and attach the G-1450 Form to your application.

“Petitioner is person applying for the OPT Card Holders Information
Can be your information or a friend -> enter that information here.

Make sure “Card Holder” SIGNS the form!

Type or Print in Black Ink
Preparing Your Application: Photos

OIE Cannot Check Photos!

• **Write your name AND I-94 # on back!**
  – Write lightly, and in pencil – don’t damage the photo
• Make sure they are the correct size!
• **DO NOT Wear Glasses!**
• **DO NOT USE OLD PHOTO’S!!!**
Preparing Your Application: Tips

• You can include your check & photos in marked white envelope:

• Attach to application – don’t staple photos!
Form I-765

https://www.uscis.gov/i-765

- Complete Online – form fillable pdf
- USCIS uses machine readable scanner
Form I-765

START HERE - Type or print in black ink.

I am applying for:

☐ Permission to accept employment.

☐ Replacement (of lost employment authorization document).

☐ Renewal of my permission to accept employment (attach a copy of your previous employment authorization document).

Check the box:

“Permission to accept employment…”
Form I-765

#1: Last name, First name, Middle Name
(If No Middle Name – Leave Blank)

• #3: **Be careful of address!**
• This must be a U.S. address!
• Where will you be in 90+ days?
• Do NOT use a P.O. Box address.
• Governmental Mail NOT forward by USPS!
• Keep name on mailbox

**Remember:**
• This address determines the USCIS location to which you send your OPT application.

- This address is the location to which USCIS will mail your receipt notice and EAD card.

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- If you believe you will change addresses within the next three months, you are advised to list the address of a trusted friend or family member.
- If you choose to enter your friend or family member’s address, you must also include a “care of” name. This is indicated by writing “C/O” and then the name of your friend or family member before the street address.
Form I-765

#9A: Do you have a Social Security Number?

#9B: Enter SSN Number

#10: - ONLY if you answered NO for #9A, and would like an SSN Number – and will be at address used on I-765 – Complete questions 10, 11, 12, and 13.
#14: Write in I-94 Number
https://i94.cbp.dhs.gov/I94/home

#15: Check “Yes” ONLY if you have had OPT before.

List the appropriate USCIS Service Center,
Refer to EAD… code could be:
EAC = Vermont
SRC = Texas
WAC = California
LIN = Nebraska
YSC = Potomac
List OPT start date.
Form I-765

#16 and #17 Refer to your latest port of entry stamp in your passport

Please Note: ANY U.S. Point of Entry outside the U.S. – Where you enter through immigration

#18: “F-1 Student”
#19: “Student”
#20: Post Completion OPT code: (c)(3)(B)
Form I-765

Mother's Name (Provide your mother's birth name)
13.a. Family Name (Last Name)
13.b. Given Name (First Name)

14. Alien Registration Number (A-Number) or Form I-94 Number (if any)

15. Have you ever before applied for employment authorization from USCIS?
  Yes (Complete the following questions.)
  Which USCIS Office? Dates:
  Results (Granted or Denied - attach all documentation)

16. Date of Your Last Arrival or Entry Into the U.S. On or About (mm/dd/yyyy)

17. Place of Your Last Arrival or Entry Into the U.S.

18. Status at Last Entry (B-2 Visitor, F-1 Student, No Lawful Status, etc.)

19. Current Immigration Status (Visitor, Student, etc.)

20. Eligibility Category. Go to the Who May File Form I-765? section of the Instructions. In the space below, place the letter and number of the eligibility category you selected from the instructions. For example, (c)(6), (c)(17)(b), etc.

21. (c)(24) Eligibility Category. If you entered the eligibility category (c)(26) in Item Number 20, above, please provide the receipt number of your I-134 principal sponsor’s most recent Form I-797 Notice of Approval for Form I-129.

22. (c)(35) and (c)(36) Eligibility Category
   a. If you entered the eligibility category (c)(15) or (c)(36) in Item Number 20 above, please provide the receipt number of the Form I-140 beneficiary’s most recent Form I-797 Notice of Approval for Form I-140.
   b. Have you EVER been arrested for and/or convicted of any crime? Yes No

NOTE: If you answered “Yes” to Item Number 24 b., refer to Item Number 5, Item 8, or Item 9 in the Who May File Form I-765 section of these Instructions for information about providing court documents.

Certification
I certify, under penalty of perjury, that the foregoing is true and correct. Furthermore, I authorize the release of any information that U.S. Citizenship and Immigration Services needs to determine eligibility for the benefit I am seeking. I have read the Who May File Form I-765? section of the Instructions and have identified the appropriate eligibility category in Item Number 20.

Applicant’s Signature
Don’t forget to sign!

Date of Signature (mm/dd/yyyy)

Telephone Number

Signature of Person Preparing Form, If Other Than Applicant
I declare that this document was prepared by me at the request of the applicant and is based on all information of which I have any knowledge.

Preparer’s Signature

Date of Signature (mm/dd/yyyy)

Printed Name

Address

Sign within lines in dark blue ink
Required **Photocopies** of Documents

- I-94 printout
  (https://i94.cbp.dhs.gov/I94/#/home)
  **OR** White I-94 card (front & back)

- Photo page of passport

- Most recent F-1 visa stamp

- **ALL I-20s ever issued (including OPT)**
  - Sign all I-20s before copying
Optional Cover Letter

• Cover letter *not required*, unless something is missing or further explanation is required:
  • Missing I-20
    -(check your records then contact your school)
  • Missing EAD
    -No template: Just “To whom it may concern: I am missing X”
Dependents in F-2 Status

• F-2 dependents will receive a new I-20

F-2 documents *NOT* submitted in OPT application

• F-2(s) Must ALWAYS Travel with:
  • New F-2 I-20
  • Copies of F-1’s Documents (OPT I-20, EAD card(s), Job Offer Letter)
Make A Copy of ENTIRE Application!!

You will need this information in the future!
Scan, copy, etc…
But make sure it is a copy of the **entire application**
Mailing your Application: FedEx/UPS

On I-765 (#3), if you use an address in:

Alabama, Arkansas,
Connecticut, Delaware, DC,
Florida, Georgia, Kentucky,
Louisiana, Maine, Maryland,
Massachusetts, Mississippi,
New Hampshire, New
Jersey, New Mexico, New
York, North Carolina,
Pennsylvania, Rhode
Island, South Carolina,
Oklahoma, Tennessee,
Texas, Vermont, Virginia,
West Virginia

USCIS
Attn: AOS
2501 S. State Hwy. 121 Business
Suite 400
Lewisville, TX 75067
Mailing your Application: FedEx/UPS

On I-765 (#3), if you use an address in:


USCIS
Attn: AOS
1820 E. Skyharbor Circle S
Suite 100
Phoenix, AZ 85034
Mailing your Application

If you mail your application with ANY SERVICE other than FedEx or UPS…

Please find that specific lockbox here

DO NOT MAIL Regular Mail!
What Happens After You Send In Your Application to USCIS

You should receive from USCIS:

- Text message or email with case number
  - (within 2 to 4 weeks)
- Paper Receipt Notice
  - (within 4 weeks)
- Approval Notice
  - (up to 90 days)
- EAD card
  - (up to 90 days)

Remain Patient!
If You Make a Mistake on Your Application…

DON’T PANIC!

Contact OIE!

And

**NEVER** Send in Duplicate Applications!
Case Status Online: www.uscis.gov

On November 3, 2014, we received your Form I-765, Application for Employment Authorization, Receipt Number EAC: and sent you the receipt notice that describes how we will process your case. Please follow the instructions in the notice. If you do not receive your receipt notice by December 3, 2014, please call Customer Service at 1-800-375-5283. If you move, go to www.uscis.gov/addresschange to give us your new mailing address.
Keeping Records & Maintaining Status

Job **MUST** be related to level & field of study at CMU

Keep documentation of employment for *your* records:

- Employer/company
- Employer address
- # hours per week
- Job description
- Supervisor contact info

- Paid work: Paystubs, W-2 forms, etc.
- Unpaid work: Employer letters

**NOTE:** Employer **MAY NOT** be able to write letter for unpaid work – check before starting job!
Reporting Requirements

Report **ANY** changes in employer, address, etc… to the OIE portal within **10 days of ANY Change**:

Be as specific as possible – this information is reported **DIRECTLY** to immigration (SEVIS)

90 Day Unemployment Rule

You may not accrue more than 90 days of unemployment during the Post-Completion OPT...if more than 90 days...

Your SEVIS record will be terminated

OPT and F-1 status ends!

The start date listed on your EAD is when either:

- Employment starts
- Unemployment clock starts

Employment (FT/PT) from an Immigration Stand-Point =

- Paid/Unpaid FT – Anything GREATER than 20 hours a week
  - (For Example – Working 20 hours and 15 minutes is considered Full-Time)
- Paid/Unpaid PT – Anything 20 hours a week and BELOW
  - NOT ALLOWED (unless you have multiple employment/employers).
Travel

“I’m traveling before…”
– If you have applied for OPT and travel outside the U.S. before your program end-date:
  • You will travel with the usual:
  ✓ Passport
  ✓ I-20 (New OPT I-20)
  ✓ Unexpired Visa
  ✓ Enrollment Verification Letter from The HUB (Optional)

“But when I travel after I have applied for OPT – my I-94 record will change…”
– This is expected – And does not affect your OPT Application
Travel While on OPT

*After End Date Listed on OPT I-20

ALWAYS TRAVEL WITH:

- ✔ Passport
- ✔ OPT I-20 travel signature
  - ✔ (OIE recommends getting a signature every 6 months)
- ✔ F-1 visa sticker
  - ✘ Valid AND unexpired for re-entry…except for Canadians
- ✔ EAD
- ✔ Job Offer Letter
- ✔ Employer information Reported to OIE
OPT Travel Continued

EAD says not valid for re-entry!
– Don’t worry!
– This means not Valid for re-entry alone!

Canada and Mexico + adjacent islands?
– 30-day exception for expired US visa
  – *unless you apply for and are denied a US visa*
  – Called Automatic Visa Revalidation

Do **NOT** Enter as a tourist!! Will end your OPT!
OPT Travel Continued

• **H-1B application pending?**
  – *CONSULT* your H employer!

• **Travel questions**
  (need a new visa, etc.)?
  – Consult an OIE advisor
Options After Your Initial Post-Completion OPT Expires

- H-1B Temporary Work Visa
- 24-month STEM Extension
H-1B Temporary Work Visa

Private Sector:
- H-1B effective start date is Oct 1st
- The H-1B “CAP” or quota
  65,000 annually available to employers April 1st
  (6 months in advance)
  20,000 additional H-1B spaces set aside for
  advanced degree holders

Universities and Non-Profits not subject to Cap
- University/Non-Profits employers can apply at any
  time for any start date
H-1B vs. OPT

OPT is *based on your degree*
  – If you don’t like your job, you can start working somewhere else using your OPT.

H-1B is directly linked to your employer
  – If you don’t like your job and decide to quit, you will have no status.
  – Once H is approved, OPT is ended and F-1 is complete.
Cap-Gap Extension

If H is timely filed
(between April 1 and before the end of your OPT)…

-OPT AUTOMATICALLY extends from end of your OPT to September 30 of the year filed.

If your employer wants new I-20…email OIE

– We need a copy of your H approval notice and your current EAD card

**Directions of how to request a “Cap-Gap I-20” is on our website**
H-1B / OPT Timeline

OPT Start Date on your EAD Card May 16, 2018 or Later

Cap-Gap Highlighted in Yellow

2019

OPT End Date on your EAD Card May 15, 2019

H-1B Filing Year Opens April 1, 2019

Start Date of H-1B October 1, 2019

Carnegie Mellon University
24-Month STEM Extension

Am I eligible?

To be eligible you MUST:

1. Have your most recent degree in a **STEM designated field**
   - CHECK the Major Code(s)/(cip code) on your I-20 NOW!

2. Be in the initial Post-Completion OPT period

3. Have a job or job offer with an **e-verify** employer, that is paid employment
24-Month STEM Extension

How do you apply?
Submit a 24-month STEM I-20 request to OIE
Can be done remotely!
-Directions on our website

Mail STEM application to USCIS

Must reach USCIS:
• Within 90 days of EAD Card end date
• Before end of Post-OPT period
Reporting Requirements

Report **ANY** changes in employer, address, etc… to the OIE portal within **10 days of ANY Change**:

Be as specific as possible – this information is reported **DIRECTLY** to immigration (SEVIS)
