Post-OPT Tutorial

- Maintaining Status & Keywords
- Social Security Requirements
- OPT Defined
- Types of OPT
- Eligibility
- Application Process & Overview
- OPT Application Materials & Shipping Information
- Timeline for OPT Application
- Reporting Responsibilities & Unemployment
- Traveling on OPT
Maintaining Status

Why it’s important? **If you fail to maintain your F-1 student status, you lose out on ALL employment eligibility!**

Keywords:
- **Part-time**: 20 hours per week
- **Full-time**: More than 20 hours per week
- **Authorization**: Students need to be authorized for OPT
- **Status**: Refers to regulations/responsibilities F-1 students are required to maintain while studying in the U.S. (I-20, I-94)
- **Visa**: An entry document that can expire after you enter the U.S.
- **EAD Card**: Your work permit for OPT
- **Grace Period**: The 60-day period after your degree program end date on your I-20
- **Unemployment Days**: The 90-day period students are allotted after the approved start date on their EAD card to find and report a job. This is NOT considered your grace period.
**Social Security Number (SSN)**

**What is it?**
- An SSN is used to report your wages to the U.S. government.

**When can I apply for an SSN?**
- There’s a section (part 2) on the I-765 in which you can choose to apply for your SSN.
- You may also apply AFTER you receive your EAD card and find a job.

**When can I begin working?**
- Most employers will require you to have your SSN before starting work.
- Estimated Social Security Administration processing is 2-4 weeks.

Safeguard your SSN; keep in safe place; prevent identity theft. Granted to you for a lifetime.
**WHAT IS OPT?**

**Optional Practical Training (OPT)**

- **What is OPT?**
  - OPT stands for “Optional Practical Training.” According to the government, OPT is defined as “temporary employment that is directly related to an F-1 student’s major area of study.”
  - 12 months of OPT are provided altogether
  - Must submit application to the government (I-765)
  - Pre-completion OPT is authorized during your studies
  - Post-Completion OPT is authorized after you complete your degree

**OPT Application fee is $410.00**
<table>
<thead>
<tr>
<th>Type of OPT</th>
<th>Pre-Completion</th>
<th>Post-Completion</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>When</strong></td>
<td>During program of study; before graduation</td>
<td>After program completion date</td>
</tr>
<tr>
<td><strong>Length</strong></td>
<td>Up to 12 months. Part-time deducted at half the rate</td>
<td>Up to 12 months</td>
</tr>
<tr>
<td><strong>Work Hours per week</strong></td>
<td>Part-time (20 hrs/week) while school is in session; Full-time during official school break</td>
<td>Full time employment is authorized; must work at least 20 hrs/week; unpaid employment/multiple jobs OK</td>
</tr>
<tr>
<td><strong>Unemployment Rule &amp; Other Notes</strong></td>
<td>CPT vs OPT; No unemployment is accrued</td>
<td>Unemployment: 90-day cumulative limit</td>
</tr>
</tbody>
</table>
Eligibility for OPT

1. **Must have been a full-time student for at least one academic year**: you do not need to have been in F-1 status for the one full academic year. You can satisfy the “one full academic year” requirement even if you had another nonimmigrant status during that time (e.g., H-4, L-2, etc.).

2. **Must be in good academic standing** (see “maintaining status” slide): if you are on academic probation, ISSS cannot accept your OPT application until you are no longer on academic probation and your cumulative GPA on your transcript is at an acceptable level (minimum 3.0 for grads and 2.0 for undergrads).

3. **Post-Completion OPT**: student must have submitted candidacy petition to graduate and major advisor must confirm that student will be graduating.

4. **Pre-Completion OPT**: student is not required to submit candidacy petition to graduate, but still must obtain signature from department advisor for OPT application.
Pre-Completion OPT

When to Apply*
• Apply as early as 100 days before your requested start date

Work Hours
• Part Time: Fall & Spring Semesters
• Full Time: Summer or for graduate students on project/thesis/exam
• Time Deducted from 12 month total OPT authorizations
  • Part-time (deduct by half)
  • Full-time (deduct by whole)

Benefits
• You choose your own start and end dates
• You do not need a job offer to apply
• You do not accumulate unemployment if not working

1-7 BUSINESS DAYS FOR ISSS + 3-5 MONTHS FOR USCIS PROCESSING

*Students must consult with an International Student Advisor before applying for pre-completion OPT.
Post-Completion OPT

When to Apply

• Eligible when you’ve completed all courses and graduation requirements OR you are a graduate student with ONLY your project/thesis/exam remaining
• May apply 100 days before your program end date on I-20

Work Requirements

• Do not begin working until
  ➢ You physically have your EAD card in hand
  ➢ The EAD card start date is current or in the past
• You MUST work at least 20 hours per week
• You are allowed an aggregate of 90 days of unemployment
• Employment can be paid or unpaid
• Can work multiple jobs
• May start own business
• Work-for-hire (independent contractor/1099) okay

1-7 BUSINESS DAYS FOR ISSS + 3-5 MONTHS FOR USCIS PROCESSING
OPT Application Process

Ensure eligibility

View OPT Tutorial

Fill out OPT application (ISSS website) & submit to ISSS

Obtain new I-20 for OPT

Fill out I-765 & send required documents to gov’t
WHEN TO APPLY FOR OPT

When Can I Apply?

- You may submit the OPT application to ISSS up to 100 days before the program end date on your I-20 (see table below).
- USCIS may receive your application up to 90 days before your program end date on your I-20.
- The last day USCIS may receive your OPT application is the last day of your grace period (your grace period is the 60 days after your program end date on your I-20).
- The earliest date you may choose to begin OPT is the day after your program end date.
- The latest date you may choose to begin OPT is the last day in your grace period.

APPLY EARLY AND DO NOT START WORK UNTIL YOU RECEIVE YOUR EAD CARD.

OPT application timeline for Spring 2020:

<table>
<thead>
<tr>
<th>Program Completion Term</th>
<th>I-20 Program End Date</th>
<th>First Day OPT applications are accepted at ISSS</th>
<th>First Day to Apply (send docs to USCIS)</th>
<th>Last Day to Apply</th>
<th>FIRST Possible OPT Start Date</th>
<th>LAST Possible OPT Start Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Spring 2020</td>
<td>05/20/2020</td>
<td>02/10/2020</td>
<td>02/20/2020</td>
<td>07/19/2020</td>
<td>05/21/2020</td>
<td>07/19/2020</td>
</tr>
</tbody>
</table>
### Graduate Students on Exam, Thesis, or Project Only

<table>
<thead>
<tr>
<th>Pre-Completion OPT</th>
<th>Post-Completion OPT</th>
</tr>
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<tbody>
<tr>
<td>➢ Don’t have to work to remain in-status, but OPT time is deducted from overall 12 total months of OPT benefit</td>
<td>➢ Receive full-time work authorization; required to work at least 20 hours per week to maintain OPT status</td>
</tr>
<tr>
<td>➢ Must choose full-time or part-time work authorization</td>
<td>➢ Choose your own start and end dates</td>
</tr>
<tr>
<td>➢ Choose your own start and end dates</td>
<td>➢ 24 month OPT extension possible if you complete STEM eligible degree.</td>
</tr>
<tr>
<td>➢ Ends when you graduate; you must apply for post-completion OPT; another Form I-765, filing fee, photos, etc.</td>
<td></td>
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</tbody>
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ISSS APPLICATION

- Complete ISSS OPT Request Form (Section A)
- Academic Advisor completes Section B: “Academic Department Certification”
- You will receive a new I-20 with your OPT recommendation once we approve and process your application
- ISSS OPT application is available on our website
What is the I-765?

- Application for employment authorization (e.g., all types of OPT require this application)
- Must send via post to USCIS
- 7-pages long
- Must type (recommended) or fill out in BLACK ink (DO NOT touch the borders of the boxes if you are filling out by hand)
- Comprehensive PowerPoint tutorial on I-765 available on ISSS website
- Fill out accurately and completely or your application may be denied/rejected or you will receive an RFE (request for evidence)
- I-765 application
Required Documentation

1. **I-20**: must have OPT recommendation on second page. Also, must include previous I-20s that have work authorizations (e.g., OPT or CPT) or different SEVIS IDs (in the event you took a break for more than 5 months)

2. **Valid Passport**: passport must be valid for at least 6 months into the future

3. **Visa**: visa can be expired

4. **Most recent I-94**: please ensure that there are no errors on your I-94 (e.g., incorrect order or spelling of name; incorrect visa class)

DO NOT SEND ORIGINALS! COPIES ONLY!!
REQUIRED DOCUMENTS FOR OPT APPLICATION (CONTINUED)

Additional Application Materials

1. **2 Passport Photos**: photos must be 2” x 2” passport-size photos. Photos need to be recently taken (within last 30 days). Passport photos can be taken at most drug stores (CVS, Walgreens, etc.), as well as the Post Office, Costco, etc. Write your name and I-94# on the back of each photo.

2. **Payment**: payment of **$410.00** addressed to the “U.S. Department of Homeland Security” must be included. Acceptable forms of payment: money order, check, cashier’s check, credit card (G-1450): **credit cards are not recommended**!

3. **Copies of previous EAD cards** (if you’ve applied for OPT previously)
Two Shipping Options

• If you would like to send your OPT application packet through USPS (regular mail), please use the P.O. Box address for the Lockbox

• If you would like to send your OPT application to USCIS via express mail through UPS, FedEx, or DHL, please use the “1820 E. Skyharbor Circle S” address
OPT Reporting Responsibilities

Post-Completion OPT

- Must report employment within **90 days** of the start date on your EAD card
- Students must report any material changes to their employment or contact information within 10 DAYS of the changes
- **Students will receive a no-reply email from SEVP with a link to login to their SEVP Portal account once they are approved for OPT.**
- For specific questions regarding the Portal, please visit [SEVP Portal Help](#) on the “Study in the States” website

Pre-completion OPT

- Reporting employment is **not** required
- Whether you find employment or not, your time will be deducted from post-OPT (“if you don’t use it, you still lose it”)

Report your employment through the SEVP Portal!
Unemployment and OPT

Pre-completion OPT
• Unemployment is not counted

Post-Completion OPT
• No more than 90 days of unemployment
• Begin accruing from start date on EAD card
• Unemployment is cumulative

To Stop Accruing Unemployment Days:
✓ Work at least 20 hours per week
✓ Can work multiple jobs
✓ Paid or Unpaid
✓ Must be related to your field of study

It’s your responsibility to keep track of unemployment!
# Traveling on OPT

## Pre-Completion OPT
- Valid passport
- Valid F-1 visa
- I-20 with a travel signature in the last 12 months
- Financial Support

## Post-Completion OPT/STEM
- Valid passport
- Valid F-1 visa
- I-20 with a travel signature in the last 6 months
- Financial Support
- Unexpired EAD card
- Job verification or offer letter
- Risky to travel with a PENDING Post-OPT application
- Risky to travel if you need to apply for another F-1 visa

Leaving the US and not coming back? Please let ISSS know!
THANK YOU!

SAN JOSÉ STATE UNIVERSITY powering SILICON VALLEY

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