Post-completion Optional Practical Training (OPT) Workshop

2016-2017

Office of International Services (OIS)
What is Optional Practical Training (OPT)?

• OPT is a type of employment authorization that permits F-1 students to gain work experience in their field of study while in the United States

• OPT is a continuation of a student’s F-1 visa status
There are three types of OPT

<table>
<thead>
<tr>
<th>Type</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pre-completion OPT</td>
<td>Practical training completed <strong>before</strong> student’s program end date</td>
</tr>
<tr>
<td>Post-completion OPT</td>
<td>Practical training completed <strong>after</strong> student’s program end date</td>
</tr>
<tr>
<td>STEM Extension OPT</td>
<td>Additional 24-months of work authorization after post-completion OPT has been approved. Reserved for specific <strong>STEM</strong>* majors only</td>
</tr>
</tbody>
</table>

Pre-completion and STEM OPT Extension information are available on the OIS website

*Science, Technology, Engineering, and Math majors
Eligibility Requirements for applying for Post-completion OPT

Students must:

• Have maintained F-1 status for a minimum of one academic year (one academic year = two semesters)

• Be in their final semester at USC

• Have applied for graduation with the academic department

• Have not accrued 12 months or more of full-time Curricular Practical Training (CPT) at current degree level

Note: A job or job offer is not required in order to apply for OPT
When can I apply for OPT?

Students can apply for OPT as early as 90 days prior to the program end date and up to 60 days after the program end date.

<table>
<thead>
<tr>
<th>If your final semester is:</th>
<th>Your program ends on:</th>
<th>You can apply for OPT as early as:</th>
<th>But no later than:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fall 2016</td>
<td>December 14</td>
<td>September 15</td>
<td>February 12</td>
</tr>
<tr>
<td>Spring 2017</td>
<td>May 12</td>
<td>February 13</td>
<td>July 11</td>
</tr>
<tr>
<td>Summer 2017</td>
<td>August 8</td>
<td>May 9</td>
<td>October 7</td>
</tr>
</tbody>
</table>

United States Citizenship and Immigration Service (USCIS) will deny applications that are received outside of these dates.
OPT Start Date

Students must choose an OPT start date.

<table>
<thead>
<tr>
<th>Graduates</th>
<th>Earliest Start Date</th>
<th>Latest Start Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fall 2016</td>
<td>December 15</td>
<td>February 12</td>
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</tr>
</tbody>
</table>
OPT End Date

OPT expires 12 months from the requested start date.

Example: Tommy graduated in fall 2015. He selected 12/17/2015 as his OPT start date. Tommy’s OPT will end on 12/16/2016.
Things to consider before applying for OPT

• Are you going to graduate on time?
  • If there is a chance that your graduation date might be delayed, wait until you have final confirmation before filing for OPT
  • It is extremely difficult to cancel an OPT application once it is sent to USCIS for processing

• The entire OPT application process – from OPT I-20 request to receipt of the Employment Authorization Document (EAD) from USCIS – will take approximately three to four months, so plan accordingly

• To ensure timely processing of OPT, OIS accepts OPT I-20 applications 90 days prior to graduation and up to 45 days after the program end date
Things to consider before applying for OPT
(continued)

• Students must submit OPT I-20 Request to OIS in person

  • Not able to come in person? Send a friend on your behalf. Give a permission letter to the friend as s/he will need to show it to the front desk staff at the time of drop off and pick-up. Do not email permission letter to OIS.

• Students cannot begin working until both of these requirements have been met:

  • They have received the EAD in the mail; and
  • the start date on the EAD has been reached
Things to consider before applying for OPT (continued)

• Become familiar with the US hiring process
  • Visit the USC Career Center
    • Polish your cover letter and resume
    • Learn effective interviewing and job search strategies
    • Attend helpful workshops and career events
OPT Application Overview

Step 1 • Student submits OPT I-20 Request to OIS

Step 2 • Student returns to OIS to pick-up OPT I-20

Step 3 • Student assembles OPT application packet

Step 4 • Student mails OPT application packet to USCIS

Step 5 • USCIS adjudicates OPT application and mails decision to student

Step 6 • If OPT application is approved, USCIS mails EAD to student

Step 7 • Student may begin working on the approved OPT start date on the EAD
Step 1: Student submits OPT I-20 Request to OIS

- Complete the [12-Month OPT I-20 Request form](#)
  - Indicate the requested OPT start and end dates
  - Have academic advisor sign the graduation verification section
    - Viterbi master’s and Ph.D. students meet with a Graduate and Professional Programs (GAPP) advisor in OHE 106
- Attach photocopy of most recent USC I-20 – page 1 only
- Please allow **7 business days** to review and process the OPT I-20 Request
Step 2: Student returns to OIS to pick-up OPT I-20

- Pick-up OPT I-20 from OIS
- Sign and date OPT I-20

IMPORTANT: OPT applications must be received by USCIS within 30 days of the OPT recommendation. Please refer to page one of the OPT I-20 under the school attestation section to see when the OPT I-20 was issued. If USCIS receives the OPT application after the thirtieth (30th) day, the application will be denied.
Step 3: Student assembles OPT application packet

Student will include the following documents in the OPT Packet:

- Original Form G-1145
- Original Form I-765
- Passport Photocopy
- I-94 Printout
- OPT I-20 Photocopy (pages 1 and 2)
- *Two US Passport Style Photos
- *Check for Application Fee
- Photocopies of all previously issued EADs, CPT I-20s, and OPT I-20s (if applicable)

*Paperclip the 2 photos and check on top of the application packet.
Instructions for USCIS Form I-765

- **Download** form from USCIS
- Type all information
- Print completed form

Sample Form I-765
I-765 Instructions

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).

1. Full Name
   - Family Name: TROJAN
   - First Name: Tommy

2. Other Names Used (include Maiden Name)

Select this reason:

Field #1
Type family name in all capital letters

Field #2
- Type other legal names used
- Do not use nicknames
I-765 Instructions (continued)

Field #3
- Students should plan to live at this location for at least 4-5 months from date of application submission to OIS
- Do not use a P.O. Box or USC department mailing address
US Address

Attention: Students are strongly advised not to move or change their mailing address while the OPT application is pending with USCIS

- The US Postal Service does not forward mail from USCIS
- If students are no longer residing at the address listed on the I-765, the EAD will be returned to USCIS
- Students are not notified when EADs are returned to USCIS

If it’s absolutely necessary, contact OIS as well as USCIS National Service Center at 1-800-375-5283 to change the mailing address for any pending OPT applications.
I-765 Instructions (continued)

Field #4
Enter country of citizenship

Field #5
Enter place of birth

Field #6
Use the mm/dd/year format
I-765 Instructions (continued)

9. Social Security Number (Include all numbers you have ever used, if any)

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

Field #9
- Optional field
- Students do not need a SSN to apply for OPT
- Students may leave this field blank

Field #10
Enter the 11 digit I-94 number located on the I-94 document
I-765 Instructions (continued)

11. Have you ever before applied for employment authorization from USCIS?

- Yes (Complete the following questions.)
  - Which USCIS Office?
    - Potomac Service Center
  - Dates: 05/16/2014 - 05/15/2015
  - Results (Granted or Denied - attach all documentation)
    - Granted

- No (Proceed to Question 12.)

Field #11

- Select “yes” if you received an EAD in the past
- Otherwise, select “no” and skip to Field #12

12. Date of Last Entry into the U.S., on or about

(mm/dd/yyyy)

07/28/2016
I-765 Instructions (continued)

If you answered “yes” for field #11:

- Enter the name of the USCIS Office that processed your application (i.e. California, Potomac, Vermont, or Texas Service Center)
- Enter the approved start date on EAD
  - Print out the form and handwrite the end date

Was the application granted, denied, or withdrawn?

Attach supporting documents (i.e. I-797 Approval Notice, Denial Notice, EAD photocopy)
I-765 Instructions (continued)

<table>
<thead>
<tr>
<th>Field</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>12. Date of Last Entry into the U.S., on or about (mm/dd/yyyy)</td>
<td>07/28/2016</td>
</tr>
<tr>
<td>13. Place of Last Entry into the U.S.</td>
<td>LAX</td>
</tr>
<tr>
<td>14. Status at Last Entry (B-2 Visitor, F-1 Student, No Lawful Status, etc.)</td>
<td>F-1 Student</td>
</tr>
</tbody>
</table>

Fields #12-14

Enter information from I-94 Arrival/Departure Record or the entry stamp in the passport.
I-765 Instructions (continued)

**Item #15**
Type in “student”

**Item #16**
Use the eligibility code: (c)(3)(B)

**Field #17 & 18**
Leave blank. These fields do not apply to post-completion OPT applicants.
17. (c)(3)(C) Eligibility Category. If you entered the eligibility category (c)(3)(C) in Question 16 above, list your degree, your employer's name as listed in E-Verify, and your employer's E-Verify Company Identification Number or a valid E-Verify Client Company Identification Number in the space below.

Degree ____________________________

Employer's Name as listed in E-Verify ____________________________

Employer's E-Verify Company Identification Number or a Valid E-Verify Client Company Identification Number ____________________________

18. (c)(26) Eligibility Category. If you entered the eligibility category (c)(26) in Question 16 above, please provide the receipt number of your H-1B principal spouse's most recent Form I-797 Notice of Approval for Form I-129.

__________________________

19. (c)(35) and (c)(36) Eligibility Category

a. If you entered the eligibility category (c)(35) or (c)(36) in Question 16 above, please provide the receipt number of the Form I-140 beneficiary's Form I-797 Notice of Approval for Form I-140.

__________________________

b. Have you EVER been arrested for and/or convicted of any crime?  
   \[\square\] Yes  \[\square\] No

NOTE: If you answered "Yes" to Item Numbers 19.b., refer to Item Number 5, Item H, or Item I. in the Who May File Form I-765 section of these Instructions for information about providing court dispositions.

Fields #17, 18, 19 Leave blank. These fields do not apply to post-completion OPT applicants.
I-765 Instructions (continued)

Signature Field
- Print the form
- Sign name using black ink pen
- Signature must fit in the box
- Enter today’s date
- Enter phone number

Since you are preparing your own application, leave this section blank.
Two US-Style Passport Photos

**Passport photo requirements** *(click on the link for specifications)*

- Only US-style passport photos taken in the US will be accepted by USCIS
- Obtain passport photos at the following locations:
  - Quik-Pik (located at 2820 South Vermont Avenue)
  - Costco
  - Walgreens
- Photos cost $10-$15
Two US-Style Passport Photos (continued)

- Handwrite on the back edge of each photo:
  - First and last name
  - I-94 Arrival/Departure admission number

Note: Damaged photos are not accepted by USCIS. Do not press too hard when writing on them. Do not let ink smear on the face of the photo.
I-765 Application Fee

- Non-refundable
- Fee Amount: $410
- Check should be payable to the US Department of Homeland Security (do not abbreviate)

Tommy Trojan
1234 Sample Street #123
Los Angeles, CA 90089

Pay to the order of: US Department of Homeland Security
The sum of: Four hundred ten dollars

Date of birth: 08/20/1989
Memo: I-94#12345678910

Check # # # #

mm/dd/year

$410.00

Tommy Trojan
I-765 Application Fee (continued)

- Write “Four hundred ten dollars”
- Write date of birth and I-94 admission number on the front of the check in the Memo section (bottom left corner)—if check is from another account holder, write student’s name as well
- Do not write on or sign the back of the check
- Check must have imprinted name and either imprinted or hand-written address in upper left corner
- Check must be a US check from a US bank, but does not need to be from students’ own accounts
- Ensure sufficient funds are available
- If the check “bounces” (is not valid due to insufficient funds), USCIS will suspend the application until receiving valid payment, which delays the application processing time
Standard OPT Processing Time

• Current OPT application processing time for USCIS is 90 days
  • Count 90 days from the date on the I-797 Notice of Receipt – students can expect the decision of their OPT application by that date.

• [Check application status online]

• [Contact OIS with any updates]
Employment Authorization Document (EAD)

Once the OPT application is approved by USCIS, students will receive the Approval Notice in the mail. A few days later, the EAD will also arrive by mail.

Sample EAD:

A valid passport, I-94, OPT I-20, and OPT EAD will satisfy employer’s request for proof of work authorization.
Request for Evidence (RFE)

- If there are errors or omissions in the application packet, USCIS may issue a RFE

- **Contact OIS** if you receive an RFE

- The RFE will explain which additional documents are required along with return mailing instructions

- Use the return envelope that is provided by USCIS to send the requested documents to USCIS

- Respond to the RFE by the stated deadline; otherwise, students risk having their request for OPT significantly delayed or denied
Employment Restrictions While on OPT

- Students are granted up to 12 months of work authorization per higher degree level
- Job must be appropriate to the students’ degree level and field of study
- Students must work at least 20 hours per week (paid or unpaid)

Example: Tommy applied for OPT based on his bachelor’s degree in Computer Science. He was granted 12 months of OPT. After working for 12 months, he decided to go back to school to earn a master’s degree in Business Administration (MBA). Tommy is eligible for another 12 months of OPT and must seek employment that is related to his MBA program.
Physical Location of Company

Students are eligible to work for companies or organizations located anywhere in the US.

Types of Employment Permitted While on OPT

• Paid Jobs – See next slide for examples.
• Unpaid Jobs – Students may work on a volunteer basis or as unpaid interns, where this does not violate any US labor laws. Labor laws vary by state. Check with the company’s Human Resources office for restrictions.
Acceptable Types of Paid Employment

• Multiple employers – Students may work for more than one employer, but all employment must be related to students’ field of study.

• Multiple short-term employers (performing artists) – Musicians or other performing artists may work for multiple short-term employers (i.e. gigs). Students should maintain a list of all gigs, including the dates and duration of the gigs.

• Work for hire – Also commonly referred to as 1099 employment, the term work for hire describes a service based on a contractual agreement rather than an employment relationship. This means that the individual is performing a service.
Acceptable Types of Paid Employment (continued)

- Self-employed business owner – Students on OPT may start a business and be self-employed. In this situation, students must work full-time. Students must be able to prove to DHS that they have the proper business licenses and are actively engaged in a business related to their degree program. OIS recommends that self-employed students seek consultation from a lawyer.

- Employment through an employment agency or consulting firm – Students on post-completion OPT must be able to provide evidence that they worked an average of at least 20 hours per week while employed by the agency.
OPT Reporting Requirements

In order to maintain F-1 status while on OPT, all students must:

• **Report OPT employment information** to OIS **within 10 business days** of any changes to employment. OIS will update your employer information in SEVIS within a few days of submission

AND

• Update US address using the **OPT Employment Reporting link within 10 days** of moving. Updates will automatically be reported in SEVIS.
90-Day Unemployment Rule

• Students are limited to 90 days of unemployment while on OPT
• The 90-day “clock” begins on the start date printed on the Employment Authorization Document (EAD)
• If students accrue 90 days of unemployment, it is considered a violation of F-1 status and their SEVIS records will be automatically terminated
• Future US immigration benefits can be affected for students who accrue 90 days or more of unemployment
• Student and Exchange Visitor Programs (SEVP) may audit SEVIS data for students on post-completion OPT and terminate students’ records if there is no employment information updated in SEVIS
90-Day Unemployment Rule (continued)

Students who are unemployed should select one of the following solutions before their ninetieth (90th) day of unemployment:

• Begin a new degree program at USC
• Transfer SEVIS record to another SEVP certified school
• Change visa status
• Depart the United States
OPT Cancellation

Students who wish to forfeit their OPT and return to their home country must notify OIS so that their SEVIS records can be closed out. Students can use the OPT Employment Reporting link to inform OIS of their departure date. Failure to report departure information to OIS can result in the automatic termination of their SEVIS record as a result of excessive unemployment days.

OPT and Avocational Coursework

Students may take classes that are avocational or recreational in nature that are incidental to the job, but will need to meet with an OIS Advisor for authorization.
Social Security Number

A Social Security number (SSN) is a 9-digit number issued to US citizens, permanent residents, and temporary (working) non-residents (i.e. F-1 students on OPT) by the Social Security Administration (SSA) Office. Its primary purpose is to track individuals for taxation purposes; it is not intended to be used for identification purposes.

Students on OPT must apply for a SSN as soon as they receive their EAD, even though there is no job offer. Instructions for Social Security applications are available on the OIS website.
Travel and Re-Entry to the US with Pending OPT Application

<table>
<thead>
<tr>
<th>Travel before graduation date</th>
<th>Travel after graduation date</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Filing for OPT has no effect on students’ ability to travel before the graduation date</td>
<td>• Students are strongly advised to wait for their EAD if traveling internationally after the graduation date</td>
</tr>
<tr>
<td>• Students will travel as they always have as F-1 students</td>
<td></td>
</tr>
</tbody>
</table>

OPT | 42
University of Southern California
# Required Documents for Re-entry to the U.S.

## Pending OPT Application
- Valid passport
- Valid F-1 visa
- OPT I-20 (signed for travel on page 2 by OIS)
- I-797 Notice of Receipt (Payment receipt that can be used as proof of properly filing OPT application with USCIS)

## Approved OPT Application
- Valid passport
- Valid F-1 visa
- OPT I-20 (signed for travel on page 2 by OIS)
- Employment verification letter, offer letter, or interview schedule
- Valid OPT EAD (EAD says “Not Valid for Re-entry” since the card must be presented with above documents. The EAD alone does not suffice for re-entry to the US.)
Travel Signatures

Students who have an OPT I-20 and need to travel internationally will need to request a travel signature from OIS prior to leaving the US.

Each travel signature is valid for 6 months from the date it was signed.

Need a travel signature? Submit the following documents to OIS:
• Completed Travel Signature Request Form
• OPT I-20 pages 1-2
• OPT EAD Photocopy
• Self-addressed, stamped envelope (for students who are not able to visit OIS in person)

Visit the OIS website for current document processing timelines.
60 Day Grace Period

- Students are allowed to remain in the US for up to 60 days after the OPT end date. During this time, students may not work and cannot leave and reenter the US as F-1 students.
## Options During 60 Day Grace Period

<table>
<thead>
<tr>
<th>Options</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Begin a new program of study at USC</td>
<td>Students must apply to the new program, be admitted, and be issued a new I-20 from the Graduate Admissions (GA).</td>
</tr>
<tr>
<td>Apply for a change of status</td>
<td>USCIS must receive the application to change the immigration status before the end of the grace period.</td>
</tr>
<tr>
<td>Transfer to another institution</td>
<td>Students must request the transfer of their SEVIS record to that institution before the end of the 60 days. To request a transfer of SEVIS record, students will need to submit the SEVIS Transfer Release Form and the transfer in form (if applicable) to OIS.</td>
</tr>
<tr>
<td>Return home</td>
<td>Students can return to their home country or depart the US before the end of the grace period.</td>
</tr>
</tbody>
</table>
Recordkeeping Tips

• Keep copies of all I-20s and EADs – Students who apply for future immigration benefits in the US will likely be asked to provide evidence of all previous EADs and I-20s

• Keep track of OPT employment – OIS will continue to monitor students SEVIS records while on OPT, but it is the students’ responsibility to keep track of their employment records

• Keep original EAD in a safe place, not in a wallet
  • Lost or stolen EAD will need to be replaced at the student’s expense
OPT TIMELINE

Apply up to 3 months before

Graduation Date

Grace period of 60 days to either leave U.S., transfer to another school, or change to another visa category

60 Days

90 Days

Application Window

OPT application must be received by OIS no later than 3 weeks BEFORE graduation.

OPT

OPT employment of 12 months

*Cannot accrue more than 90 days aggregate total of unemployment during 12 months.
*If eligible, can file for STEM 17-month extension. Must file before expiration of EAD card.

Can choose any day within 60 day window after graduation for OPT start date.
*Cannot have start date MORE THAN 60 days after graduation date.

End date on 12 month EAD card. Last day to work unless granted extension by USCIS.

Depart U.S.

*Please note - If you are simply remaining in U.S. for the grace period, you cannot leave and re-enter.

USC Student Affairs
University of Southern California
Questions?

Contact OIS at (213)740-2666 and ask to speak with an advisor or email ois@usc.edu