Warning for OPT Applicants: Rejections and Denials

OPT application denials by USCIS are increasing due to the following reasons:

1) USCIS received OPT application more than 30 days after OPT I-20 issuance date
   • Check Date Issued under School Attestation on Page 1 of your OPT I-20 – if USCIS receives your application more than 30 days after this date, your OPT will be denied

2) Application fee payment issues
   • Follow the payment instructions carefully (starting on Slide 41)
   • Send only one form of payment

If your application is returned or rejected for any reason, or if you receive a Request for Evidence (RFE) or denial notice, follow the instructions on Slide 46.

DO NOT RESEND THE APPLICATION WITHOUT CHECKING WITH OIS!
Post-Completion OPT Extension Instructions

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- **Rejection, Request for Evidence (RFE), or Denial** .....46
- **Social Security Number** .....49
General OPT Information
## Useful Terminology and Abbreviations

<table>
<thead>
<tr>
<th>Term</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Graduation date</td>
<td>The date a student will complete all required credits for graduation. This date is usually the official last day of the semester listed on the university’s <a href="#">Academic Calendar</a>.</td>
</tr>
<tr>
<td>Program end date</td>
<td>The expected end date of the student’s academic program. This date can be found on page 1 of the USC I-20.</td>
</tr>
<tr>
<td>Commencement date</td>
<td>The graduation ceremony date where students wear their caps and gowns.</td>
</tr>
<tr>
<td>Final semester</td>
<td>The last semester of academic program at USC.</td>
</tr>
<tr>
<td>USCIS</td>
<td>United States Citizenship and Immigration Services</td>
</tr>
<tr>
<td>OPT</td>
<td>Optional Practical Training</td>
</tr>
<tr>
<td>SSN</td>
<td>Social Security Number</td>
</tr>
</tbody>
</table>
What is Post-completion OPT?

F-1 students who wish to work in the US after graduation must apply for a type of work authorization called Optional Practical Training (OPT)

- OPT permits F-1 students to gain work experience in their field of study/major
- Employment begins after graduation
- While on approved OPT, student is still considered an F-1 student; therefore, OIS continues to monitor the student’s F-1 status
- Students are eligible to work for companies or organizations located anywhere in the US
Eligibility Requirements

Students must have met all of the following requirements in order to apply for OPT:

• Maintained F-1 status for a minimum of one academic year – *one academic year is equivalent to two consecutive semesters*

• Have applied for graduation with their academic department

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

⚠️ A job or job offer is *not* required in order to apply for OPT
Application Filing Period
When Should Students Apply for OPT?

- Students apply for OPT during their final semester at USC

- Regulations permit students to apply as early as **90 days prior** to the program end date and up to **60 days after** the program end date

- USCIS must receive the OPT application within 30 days of *Date Issued on Page 1* of the OPT I-20

- USCIS will *deny* any applications that are received before or after the filing period—no exceptions
When Can Students Request an OPT I-20 from OIS?

OIS accepts OPT I-20 requests *up to* 90 days prior to program end date, and *up to* 45 days after the program end date.

<table>
<thead>
<tr>
<th>If you are graduating in:</th>
<th>Your program ends on:</th>
<th>You can request your OPT I-20 as early as:</th>
<th>You must request your OPT I-20 no later than:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Summer 2019</td>
<td>August 6</td>
<td>May 8</td>
<td>September 20</td>
</tr>
<tr>
<td>Fall 2019</td>
<td>December 18</td>
<td>September 19</td>
<td>January 31</td>
</tr>
<tr>
<td>Spring 2020</td>
<td>May 15</td>
<td>February 18</td>
<td>June 29</td>
</tr>
</tbody>
</table>

Plan ahead! Check OIS and USCIS processing times [here](#). OIS processing time does not include weekends and holidays.
OPT Start Date

The OPT start date is the day the work authorization period officially begins. Some students prefer to start working immediately after they graduate. Others prefer to take a few weeks off before starting their new job; therefore, it is up to the students to select their preferred OPT start date from the range of dates below.

<table>
<thead>
<tr>
<th>Graduating Semester</th>
<th>Select any day on or between the following dates as your OPT Start Date:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Summer 2019</td>
<td>August 7 – October 5</td>
</tr>
<tr>
<td>Fall 2019</td>
<td>December 19 – February 16</td>
</tr>
<tr>
<td>Spring 2020</td>
<td>May 16 – July 14</td>
</tr>
</tbody>
</table>
OPT End Date

The OPT end date is the last day students can work in the US. By default, OPT expires 12 months from the requested start date.

EXAMPLE

Tommy graduated in Fall 2017. He selected 12/14/2017 as his OPT start date. Tommy’s OPT will end on 12/13/2018.
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 due to low GPA or other circumstances, wait until you have final confirmation from your academic department before filing for OPT
  • It is extremely difficult to cancel an OPT application once it is sent to USCIS for processing

• Plan ahead!
  • OIS OPT I-20 Processing Time: 7 Business Days
  • USCIS OPT Application Processing Time: 3.5 to 5.5 months*

Things to Consider Before Applying for OPT

Continued:

• Students cannot begin working until both of the following requirements have been met:
  • They have received the EAD in the mail; and
  • The start date on the EAD has been reached

! Working in a paid, unpaid, or volunteer position before receiving your EAD and reaching your approved OPT start date is considered working without authorization and is a very serious violation of your F-1 visa status
Things to Consider Before Applying for OPT

Continued:

• Become familiar with the US hiring process

• Visit the USC Career Center

  • Improve and edit your cover letter and resume
  • Learn effective interviewing and job search strategies
  • Attend helpful workshops and career events
**OPT Timeline**

**Application Window**
- Graduation Date
- USCIS must receive application before 60th day after graduation
- 60 Days

**OPT Employment of 12 Months**
- Cannot accrue more than 90 days aggregate total of unemployment during 12 months.
- If eligible, can file for 24-month STEM OPT Extension. Must file prior to expiration of OPT EAD.

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

**Grace Period of 60 Days to either leave U.S., transfer to another school, or change to another visa category**

**Depart U.S.**

- 60 Days
- Depart U.S.
Employment Requirements
Employment Must Be Directly Related to Major or Field of Study

- USCIS regulations require all employment on OPT to be directly related to a student’s major or field of study.

- What does “directly related” mean? If you answer “Yes” to the following, your job is most likely “directly related”:
  - Can you explain to USCIS how your job relates to specific courses and skills you learned at USC? and
  - Do you apply the knowledge you gained from studying in your major to your job on a day-to-day basis?

The determination of “directly related” is decided by USCIS. If you are not sure if your job(s) meet this requirement, OIS recommends finding different job(s) that you can clearly relate to your major or field of study to avoid any violations to your F-1 visa status.
Work Hours and Duration of Authorization

• Students are required to work **full-time** while on OPT
  • **Full-time** employment on OPT is defined as working a total of **at least 21 hours per week**

• Students are granted up to 12 months of OPT **per higher degree level**

**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 upon completion of his MBA program and must seek employment that is related to his MBA degree.
<table>
<thead>
<tr>
<th>Acceptable Types of Employment While on OPT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Standard full-time employer</td>
</tr>
<tr>
<td>Multiple employers*</td>
</tr>
<tr>
<td>Multiple short-term employers (performing artists)*</td>
</tr>
<tr>
<td>Work for hire/contract</td>
</tr>
</tbody>
</table>

* Total work hours for all jobs must add up to at least 21 hours per week to meet full-time employment requirement.
| **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/staffing agency or consulting firm** | Students on post-completion OPT must be able to provide evidence that they worked an average of at least 21 hours per week while employed by the agency. |
| **Unpaid/volunteer 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. |

* Total work hours for all jobs must add up to at least 21 hours per week to meet full-time employment requirement.
Student’s Responsibilities While on OPT
OPT Reporting Requirements

While on OPT, students are **required** to report the following information via the online SEVP Portal:

- Changes to employment status/situation (i.e. start a new job, quit current job, laid off from current job, unemployed)

- Changes to US address and telephone information

- All changes must be reported via the online SEVP Portal within **10 days**
  - An email with instructions on how to create an SEVP Portal account will be sent from do-not-reply.SEVP@ice.dhs.gov **on or after** the approved OPT start date
  - For guidance on the SEVP Portal, please visit the Study in the States website
  - See OPT Employment Reporting Requirements for additional assistance

Failing to report OPT employment information and/or US address updates in a timely manner may result in termination of your SEVIS record by USCIS
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
90-Day Unemployment Rule

- Students are limited to a total of 90 days of unemployment over the 12-month period while on OPT
  - Students only start accruing unemployment on/after the start date printed on the Employment Authorization Document (EAD)

- If a student accrues 90 days or more of unemployment, it is considered a violation of F-1 status and their SEVIS record will be automatically terminated
  - USCIS may terminate SEVIS records of students who accrue 90 days or more of unemployment, and future U.S. immigration benefits may be negatively affected
90-Day Unemployment Rule

Continued:

• Student and Exchange Visitor Programs (SEVP) may audit SEVIS data for students on OPT and terminate students’ records if there is no employment information updated in SEVIS.

• Students who are unemployed should select one of the following solutions before their 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
International Travel
Travel and Re-Entry into the US with Pending OPT Application

<table>
<thead>
<tr>
<th>Travel <em>before</em> graduation date</th>
<th>Travel <em>after</em> 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>
## Required Documents for Re-Entry into the U.S.

### Pending OPT Application
- Valid passport
- Valid F-1 visa
- OPT I-20 (signed for travel 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 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.

⚠️ Travel signatures while on OPT are only valid for 6 months.

• **Need a travel signature?** Submit the following documents to OIS:
  1) Completed Travel Signature Request Form
  2) OPT I-20 (Original)

• Students can **pick up their signed I-20 in person or request express mail delivery via eShipGlobal** (at the student’s expense)

• **Plan ahead!** Do not wait until the last minute to request a travel signature! Visit the OIS website for current document processing times.
Options After Completing OPT
Options After OPT Ends

Students are allowed to remain in the US for up to 60 days after the OPT end date. This period of time is called a “grace period”. During this time, students may not work and cannot leave and re-enter the US as F-1 students.

Please see next slide for options during the 60 day grace period.
# Options During 60-Day Grace Period

<table>
<thead>
<tr>
<th>Option</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 SEVIS record transfer, students will need to submit the SEVIS Transfer Request Form and a 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>
OPT Application Instructions
# OPT Application Overview

<table>
<thead>
<tr>
<th>Step 1</th>
<th>Student submits OPT I-20 Request to OIS via the online OPT I-20 Request System</th>
</tr>
</thead>
<tbody>
<tr>
<td>Step 2</td>
<td>Student picks up OPT I-20 from OIS</td>
</tr>
<tr>
<td>Step 3</td>
<td>Student assembles OPT application packet</td>
</tr>
<tr>
<td>Step 4</td>
<td>Student mails OPT application packet to USCIS - USCIS must receive application within 30 days of <em>Date Issued</em> on Page 1 of the OPT I-20</td>
</tr>
<tr>
<td>Step 5</td>
<td>USCIS adjudicates OPT application and mails decision to student</td>
</tr>
<tr>
<td>Step 6</td>
<td>If OPT application is approved, USCIS mails EAD to student</td>
</tr>
<tr>
<td>Step 7</td>
<td>Student may begin working on EAD start date and reports employment in SEVP Portal</td>
</tr>
</tbody>
</table>

- **OIS processing time is 7 business days**

- **Important reminder to prevent OPT denial**

- **See USCIS processing time**

- **Review reporting requirements while on OPT**
STEP 1: Student Requests OPT I-20 Online

- Create an **OPT I-20 Request System** profile and indicate **preferred OPT start and end dates** – this will generate a PDF Graduation Verification Form
  - Have academic advisor sign the Graduation Verification Form
    - Viterbi Master’s students: Email the PDF Graduation Verification Form to masters@vase.usc.edu for signature
    - Viterbi Ph.D. students: Meet with a Viterbi Admission & Student Engagement (VASE) advisor in OHE 106
  - Upload the signed Graduation Verification Form & copy of current I-20 (page 1 only) in the OPT I-20 Request System
  - Submit OPT I-20 request for processing

- Please allow **7 business days** for OIS review and process the OPT I-20 Request – incomplete applications will require additional processing time
STEP 2: Student Picks Up OPT I-20 from OIS

• Students will be notified via email when their OPT I-20 is available for pick-up at OIS
  
  • If you are unable to come to OIS, you may have a friend pick up the I-20 on your behalf. Your friend must present a printed letter/email from you stating that you give him/her permission to pick-up your I-20 on your behalf. OIS will not mail OPT I-20s to students so please plan accordingly.

• Student must sign and date OPT I-20

Check “Date Issued” and “Program End Date” on Page 1 of your OPT I-20. If your application is received by USCIS more than 30 days after “Date Issued” and/or more than 60 days after “Program End Date” on Page 1, your OPT application will be DENIED.
STEP 3: Student Assembles OPT Application Packet

Assemble all documents as indicated on the **OPT Application Checklist**:

- Original [Form G-1145](#)
- Original [Form I-765](#) – see next slide for instructions
- Passport Photocopy
- [I-94 Printout](#)
- Photocopy of complete OPT I-20, sign and date “Student Attestation” section
- Two [US Passport Style Photos](#)*
- Application Fee Payment (check -OR- [Form G-1450](#))*
- Photocopies of all previously issued EADs, CPT I-20s, and OPT I-20s (if applicable)

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

- Download most recent form from USCIS
- Type all information
- Refer to USC’s Sample OPT I-765 for further instructions
- Print and sign completed form in black ink
U.S. Address

• Students are strongly advised not to move or change their mailing address while the OPT application is pending with USCIS – it can cause delays with processing and receiving EADs in a timely manner.

  • Refer to USC’s Sample OPT I-765 for address instructions
  • A Post Office Address (P.O. Box) is acceptable for mailing address, but not physical address
  • The U.S. 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 is absolutely necessary for you to change addresses after mailing your OPT application to USCIS, you must notify OIS and the USCIS National Service Center of this change. Please call USCIS at 1-800-375-5283 or complete the online USCIS Change of Address form.
Two U.S.-Style Passport Photos

Passport Photo Requirements – click on link for specifications

- Only U.S.-style passport photos taken in the U.S. will be accepted by USCIS

Handwrite on the back edge of each photo:

- Name in the format of “LAST NAME, FIRST 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 Payment

- Non-refundable
- Fee Amount: $410
- Two payment options available, choose only one:
  - Form G-1450 for credit card payment
  - OR-
  - Check (personal, cashier’s, or money order) – see sample check below
- WARNING: If funds are not available to cover the $410 fee, USCIS will reject your application – if rejected, see Slide 46

Remember to add your date of birth and I-94 to “Memo” section

Always format as MM/DD/YYYY

Date of birth: 06/11/1994
I-94#: 1234567890

Four hundred ten dollars

U.S. Department of Homeland Security

PAY TO THE ORDER OF: U.S. Department of Homeland Security $ 410.00

Tommy Trojan
659 Trousdale Pkwy, Apt 3
Los Angeles, CA 90089

Date: 02/15/2019

Memo:

I-94#:

1234567890

Always format as MM/DD/YYYY
Check (Personal, Cashier’s or Money Order) Payment for Application Fee

**If you are paying with a credit card, please skip to the next slide

- **Pay to the Order of:** “U.S. Department of Homeland Security” – *do not abbreviate*
- **Amount:** “Four hundred ten dollars”
- **Memo section** (bottom left corner): Write your date of birth (MM/DD/YYYY) and I-94 admission number
  - If check is a cashier’s check, money order, or from another account holder, write your name, date of birth, and I-94 number in memo section

- 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 U.S. check from a U.S. bank, but does not need to be from students’ own account
- **WARNING:** If funds are not available to cover the $410 fee, USCIS will reject your application – if rejected, see Slide 46
Credit Card Payment for Application Fee

- Must use a card from a U.S. bank and make sure sufficient funds are available
- Type or print legibly in black ink
- **WARNING: USCIS will reject OPT applications with declined or incorrect credit card payments** – if your application is rejected by USCIS, see Slide 46

Authorized Payment Amount: $410.00
Standard OPT Processing Time

- **USCIS OPT Application Processing Time:** 3.5 to 5.5 months*


- Students can [check the status of their I-765 application](https://egov.uscis.gov/processing-times/) online
  - Enter receipt number from I-797C Receipt Notice of Action
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.
Rejection, Request for Evidence (RFE), or Denial

Contact OIS and schedule an appointment as soon as you receive a returned or rejected application, RFE, or denial notice from USCIS

DO NOT RESEND THE APPLICATION WITHOUT CHECKING WITH OIS!

Returned or Rejected: If your application is returned or rejected, you will need to request a new OPT I-20 from OIS. USCIS will deny your OPT if your re-apply with an expired OPT I-20. USCIS must receive your new application within 30 days of Date Issued on Page 1 of your OPT I-20.

RFE: If USCIS needs more information to process your application, they may issue you an RFE. The RFE will explain which additional documents are required along with return mailing instructions and a specific deadline to respond by.

Denial: If your OPT is denied, USCIS will indicate the reason for the denial on the denial notice. Due to the long OPT application processing time with USCIS, you will likely not be eligible to re-apply for OPT.
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. Failure to report departure information to OIS can result in the automatic termination of their SEVIS record as a result of excessive unemployment days, which could have a negative impact on any future U.S. visa applications.

OPT and Taking Classes – “Avocational Coursework”

• Students may take classes that are avocational or recreational in nature, and are incidental to their employment. Per USCIS regulations, students cannot be enrolled in a certificate- or degree-seeking program while on OPT.
Social Security Number
Social Security Number (SSN)

- 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)
  - Its primary purpose is to track individuals for taxation purposes; it is not intended to be used for identification purposes

- Students who have had paid employment in the US prior to OPT should already have a SSN, and do not need to apply for another one.

- Students who have never worked for pay in the US and therefore need a SSN must apply for one using the OPT I-765 application. See the USC’s Sample OPT I-765 for instructions.
Questions Regarding OPT?

Call OIS at (213) 740-2666 to schedule an appointment (phone or in-person) with an advisor or email ois@usc.edu.