OPT Instructions

Post-Completion Optional Practical Training (OPT) Instructions and Guidelines for USC Students in F-1 Status
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Post-completion Optional Practical Training (OPT) is a 12-month work authorization benefit for F-1 students seeking employment experience in the US after completing their academic program.

OIS can issue OPT I-20s to USC students in their final semester who meet OPT eligibility requirements.

The student then uses the OPT I-20 to apply for the Employment Authorization Document (EAD) with US Citizenship and Immigration Services (USCIS).

What is OPT?
What is OPT?

CONTINUED

If USCIS approves the student’s OPT application, they will mail the student their EAD, which indicates the approved OPT start and end dates covering a period up to 12-months.

Once the OPT EAD is received and the EAD start date is reached, the student must fulfill certain employment and reporting requirements with OIS and SEVP in order to maintain F-1 status.

OPT is a benefit of F-1 status, not a separate visa status. Therefore, OIS continues to monitor status maintenance for F-1 students on OPT.
When can students apply for OPT?

Students can apply for OPT during their final semester at USC by requesting an OPT I-20 from OIS and then submitting their OPT application to USCIS for approval.

USCIS accepts completed OPT applications with an OPT I-20 as early as 90 days prior to their program end date and as late as 60 days after their program end date.

In accordance with USCIS submission deadlines, 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.

After receiving the OPT I-20 from OIS, the student must submit their OPT application to USCIS for adjudication within 30 days of the Date Issued on Page 1 of the OPT I-20.
How long does the entire OPT application process take?

- **Student requests OPT I-20 from OIS**
  OIS processing time for complete and correct requests is 7 business days after submission date, not including shipping.

- **Student mails completed OPT Application to USCIS**
  Within 2-4 weeks after receiving the application, USCIS will mail the student a receipt notice – students can use this receipt notice to track the status of their application.

- **USCIS adjudicates OPT application and if approved, mails EAD to student**
  USCIS processing time from the "received" date on the receipt notice is approximately 2 to 5 months.
A job or job offer is not required to apply for OPT

However, the student must meet other eligibility requirements...

TIP: The USC Career Center is an excellent resource for learning more about US hiring processes or starting a job search.
To be eligible for OPT, students must have:

- Maintained F-1 status for a minimum of one academic year (i.e. two consecutive semesters)
- Applied for graduation with their academic department

What if a student is worried that they will not graduate on time?

If there is a chance the graduation date might be delayed due to low GPA or other circumstances, the student must receive final confirmation from their academic department (or VASE advisor, for Viterbi graduate students) before filing for OPT.

It is extremely difficult to withdraw or cancel an OPT application once it is sent to USCIS for processing.
To be eligible for OPT, students must not have:

- Accrued 12 months or more of full-time Curricular Practical Training (CPT) at current degree level
- Previously completed OPT at the same degree level - OPT can only be approved once per higher degree level

What if a student has participated in part-time CPT?
Part-time CPT has no impact on OPT eligibility

Can OPT be retroactively approved for a previously obtained degree?
No, OPT is “use or lose” per higher degree level; it cannot be retroactively applied for on a previously earned degree
## OPT Application Overview

<table>
<thead>
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<th>STEP</th>
<th>PROCESS</th>
<th>SLIDES</th>
<th>REMINDER</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td><strong>STUDENT REQUESTS OPT I-20:</strong> Student submits OPT I-20 Request to OIS via the online <a href="#">OPT I-20 Request System</a></td>
<td>10-13</td>
<td>OIS processing time for correct requests is 7 business days after submission date</td>
</tr>
<tr>
<td>2</td>
<td><strong>STUDENT SUBMITS OPT APPLICATION TO USCIS:</strong> Student receives OPT I-20 via eShipGlobal and assembles OPT application packet using <a href="#">OPT Application Checklist</a></td>
<td>14</td>
<td>Important reminders to prevent OPT application rejection or denial</td>
</tr>
<tr>
<td>3</td>
<td><strong>USCIS ADJUDICATES OPT APPLICATION:</strong> USCIS mails receipt notice to student within 2-4 weeks of receiving application; USCIS adjudicates OPT application within 2 to 5 months of receipt date and mails decision notice to student</td>
<td>15-16</td>
<td>See USCIS processing times</td>
</tr>
<tr>
<td>4</td>
<td><strong>STUDENT RECEIVES EAD:</strong> If OPT is approved, USCIS mails student OPT EAD; student can begin working based on EAD start date and completes all <a href="#">OPT Reporting Requirements</a></td>
<td>17-22</td>
<td>Review employment and reporting requirements</td>
</tr>
</tbody>
</table>
How do students choose their OPT start and end dates?

The OPT start date must be within 60 days after the program end date. Some students prefer to start working immediately after they graduate, others prefer to take a longer gap between graduating and beginning employment. It is up to the student to select their preferred OPT start date from the range of dates below.

<table>
<thead>
<tr>
<th>FINAL SEMESTER</th>
<th>OPT START DATE</th>
<th>OPT END DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fall 2020</td>
<td>Dec 17, 2020 – Feb 13, 2021</td>
<td>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.</td>
</tr>
</tbody>
</table>
| Spring 2021    | TBC            | Example
Start date: Dec 17, 2020
End date: Dec 16, 2021 |
| Summer 2021    | TBC            | TBC – To be confirmed |

TBC – To be confirmed
When can students request an OPT I-20 from OIS?

As early as **90 days before** the student's program end date, and **no more than 45 days after** the student's program end date.

<table>
<thead>
<tr>
<th>FINAL SEMESTER</th>
<th>PROGRAM END DATE</th>
<th>EARLIEST OPT I-20 REQUEST DATE</th>
<th>LATEST OPT I-20 REQUEST DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fall 2020</td>
<td>December 16</td>
<td>September 17</td>
<td>January 29, 2021</td>
</tr>
<tr>
<td>Spring 2021</td>
<td>TBC</td>
<td>TBC</td>
<td>TBC</td>
</tr>
<tr>
<td>Summer 2021</td>
<td>TBC</td>
<td>TBC</td>
<td>TBC</td>
</tr>
</tbody>
</table>

*TBC – To be confirmed*
How do students request an OPT I-20 from OIS?

1. Create a profile in the OIS OPT I-20 Request System to obtain their Graduation Verification Form (GVF)
   - The Graduation Verification Form (GVF) is a PDF form that is automatically generated within the OPT I-20 Request System after the student enters their personal information and preferred OPT start and end dates.

2. Download the GVF and submit to their academic advisor for signing
   - Dual majors must obtain both academic advisors’ signatures. Graduate Viterbi students must have the form signed by their VASE advisor – refer to the instructions on VASE website. Electronic signatures are accepted.

3. Upload PDFs of the signed GVF and their eShipGlobal order into the OPT I-20 Request System and submit to OIS for processing
   - Processing time for complete and correct requests is 7 business days after submission date, not including shipping. Students will be notified via email when their I-20 has been processed and shipped.
What happens after receiving the OPT I-20?

Assemble and mail the OPT application packet to USCIS

Refer to the [OPT Application Checklist](#) for the list of required documents (including the I-765) and mailing instructions

Follow the instructions carefully; failure to comply could result in rejection or denial of the OPT application – review application tips [here](#)

USCIS must receive complete and correct OPT applications:

- No more than 30 days after *Date Issued* on Page 1 of the OPT I-20
- No more than 60 days after *Program End Date* on Page 1 of the OPT I-20

USCIS will deny any applications that are received after either deadline—no exceptions

Students at risk of missing either deadline should [contact OIS immediately](#)
Next, USCIS reviews and adjudicates the student’s OPT application

- Within 2-4 weeks after receiving the application, USCIS will mail the student the Form I-797 receipt notice – students can use this receipt notice to track the status of their application.
- USCIS processing time is 2-5 months; current processing times are updated here – select “Form I-765” and “Potomac Service Center” from the drop-down menus.
- If OPT is approved, USCIS will issue an approval notice and mail the student their Employment Authorization Document (EAD).
- Student can begin work on or after the approved start date printed on the EAD.
Student may only begin working on or after the OPT start date printed on their EAD*

Employers generally require a valid passport, I-94, OPT I-20, OPT EAD, and SSN as proof of work authorization.

Refer to Slide 28 for SSN information.

*Working in a paid or unpaid position prior to the OPT EAD start date is a serious violation of the student’s F-1 status and will result in termination of the student’s SEVIS record by SEVP and/or USCIS.
To maintain F-1 status on OPT, students must:

- Engage in employment that is directly related to their major or field of study
- Work full-time, which is defined as 21 hours or more per week
- Not accrue more than 90 days of unemployment between the dates printed on the EAD
- Comply with all OPT reporting requirements, as specified by US immigration regulations – all updates must be reported within 10 days of the change

See OPT Reporting Requirements for additional guidance

Failure to comply with these requirements will result in termination of the student’s SEVIS record by SEVP and/or USCIS
All employment on OPT must be directly related to a student’s field of study

What does “directly related” mean? If a student can answer “Yes” to the questions below, their job is most likely “directly related”

- Can the student explain to USCIS how their job relates to specific courses and skills they learned at USC?
- Does the student apply the knowledge they gained from studying in their major to their job on a day-to-day basis?

USCIS determines if a student’s OPT employment is directly related to the student’s field of study
Work Hours and Compensation on OPT

- Total hours must add up to at least 21 hours per week to meet full-time employment requirement
- Employment can be paid or unpaid
### Employment Types Allowed on OPT

- **Standard, full-time employer** - Student works for one employer on a full-time basis.

- **Multiple employers** - Student works for more than one employer.

- **Multiple short-term employers** - 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/contract** - 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.

- **Self-employment** - Students may start a business and be self-employed. 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 may gain employment through a 3rd party 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.
What is the 90-day unemployment rule on OPT?

- Students are limited to a total of 90 days of unemployment over the 12-month EAD period while on OPT.
- Accrual of more than 90 days of unemployment is considered a violation of the F-1 status and the student’s SEVIS record will be automatically terminated.

When do students begin accruing unemployment?

Students only start accruing unemployment on/after the approved OPT start date printed on the Employment Authorization Document (EAD).

What happens if a student accrues more than 90 days of unemployment?

SEVP and/or USCIS will terminate SEVIS records of students who accrue more than 90 days of unemployment, which would end the student’s F-1 status and may negatively affect future U.S. immigration benefits.

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 school
- Change visa status
- Depart the United States
Students on OPT must report changes to employment and/or personal contact information

Students must comply with all **OPT Reporting Requirements** to maintain their F-1 status on OPT, including reporting employment relation to major to OIS and updating employment and personal contact information in the **SEVP Portal**.

All updates must be reported to OIS and in the SEVP Portal **no more than 10 days after the change**.

Review the **Study in the States website** for guidance on the SEVP Portal.

**Failure to comply with reporting requirements will result in termination of the student’s SEVIS record by SEVP and/or USCIS**
**OPT Rejection, Request for Evidence (RFE), or Denial**

Students that receive a returned or rejected OPT application, RFE, or denial notice from USCIS must contact OIS for guidance before responding or resubmitting their application to USCIS.

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

**RFE**: If USCIS needs more information to process a student’s application, they may issue 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 a student’s 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, student’s whose applications are denied will likely not be eligible to re-apply for OPT.
Frequently Asked Questions about OPT (FAQs)

Topics
Click topic to navigate to slide

- Tips to avoid OPT rejection and denials
- US mailing address
- Form I-765 application fee
- Social Security Number (SSN)
- Applying for OPT from outside the US
- Electronic signatures
- OPT application pending with USCIS
- Cancelling OPT
- Enrolling in classes while on OPT
- Working remotely on OPT
- Travel while OPT is pending or approved
- Options after OPT ends
What are common, avoidable reasons for OPT rejections or denials?

• **REASON 1**: USCIS received Form I-765 OPT application more than 30 days after OPT I-20 issuance date
  • Students must check *Date Issued* under *School Attestation* on Page 1 of their OPT I-20 – if USCIS receives their application more than 30 days after this date, their OPT application will be denied

• **REASON 2**: Application fee payment issues
  • Follow the payment instructions on Slide 27 very carefully
  • Send *only one* form of payment

• **REASON 3**: Missing or invalid student signatures on forms
  • Students must sign forms by hand in black ink
  • USCIS does *not* accept electronic signatures

If a student’s application is returned or rejected for any reason, or if they receive a Request for Evidence (RFE) or denial notice, the student *must contact OIS immediately* before responding to USCIS. Refer to instructions provided on Slide 23.
What US mailing address should student use on the Form I-765?

- OIS recommends students use a mailing address they can reliably retrieve mail from for up to 6 months after graduation – this may require using a friend or relative’s address
  - Students are strongly advised not to change their mailing address while their OPT application is pending with USCIS, since this can cause delays with processing and receiving the EAD in a timely manner
- Refer to the Sample OPT I-765 for instructions, noting:
  - A US Postal Service (USPS) Post Office Address (P.O. Box) is acceptable for mailing address, not physical address
  - USPS does not forward mail from USCIS, even if a student has signed up for mail forwarding
  - If the EAD is undeliverable due to a change in address, the EAD will be returned to USCIS – the student will not be notified if this happens

How do students report a change of address to USCIS and OIS if they move while their OPT application is pending?

- Students must notify USCIS by completing the online USCIS Change of Address form AND OIS by updating their address in OASIS
How should students pay the I-765 application fee?

<table>
<thead>
<tr>
<th>Choose one payment option – do not send multiple forms of payment:</th>
</tr>
</thead>
<tbody>
<tr>
<td>OPTION 1: Check or money order*</td>
</tr>
<tr>
<td>• Can be personal check, cashier’s check, or money order</td>
</tr>
<tr>
<td>• If personal check or cashier’s check, must be from a U.S. bank</td>
</tr>
<tr>
<td>• If personal check, must include account holder’s name and address on top left corner of check; does not need to be from student’s own account</td>
</tr>
<tr>
<td>• Make payable to U.S. Department of Homeland Security – do not abbreviate</td>
</tr>
<tr>
<td>• Include date of birth (MM/DD/YYYY) and I-94 number in memo section</td>
</tr>
<tr>
<td>• Do not write on or sign the back of the check</td>
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</tbody>
</table>

Non-refundable application filing fee:

$410

On September 29, 2020, a US federal court issued an injunction against the USCIS fee increase that was expected to go into effect on October 2, 2020. Due to this ruling, USCIS will continue to accept OPT applications filed with the 8/25/20 edition of the Form I-765 and $410 fee until further notice.

*Strongly recommended by OIS
**Not recommended by OIS; this form of payment is more likely to be rejected by USCIS due to typos or errors
What is a Social Security Number (SSN)?

• 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)
  • The primary purpose of an SSN is to track individuals for taxation purposes; it is not intended to be used for identification purposes

How can students apply for an SSN for OPT?

• Students who have had paid employment in the US prior to OPT should already have an SSN, and do **not** need to re-apply
• Students who have never worked for pay in the US and therefore need an SSN must apply for one using the Form I-765
  • If the OPT application is approved by USCIS, the SSA will assign the student an SSN and issue a Social Security card
• Refer to the **Sample OPT I-765** for instructions
Can students apply for OPT while they are outside the US?

- No. Students must be physically in the US in order to apply for OPT. If a student is outside the US during their final semester, they must re-enter the US before their final semester end date in order to apply for OPT.

Does USCIS accept electronic signatures?

- No. All documents requiring signatures must be signed by hand in black ink. Electronic signatures are not accepted in any form.

What happens if a student’s OPT application is still pending past the requested OPT start date? Are these dates counted as unemployment?

- Not necessarily. USCIS makes the final decision on the actual OPT dates for each application upon approval. The approved OPT dates on the EAD may differ from the requested OPT dates. The student must wait until they receive the EAD from USCIS to verify the actual OPT start date as printed on the EAD. The 90-day unemployment clock starts on the start date printed on the EAD.

Can a student remain in the US if their application is pending?

- Yes. Students that have filed a timely OPT application can remain in the US while their OPT application is pending with USCIS.
Can students cancel their OPT after it has been approved?

• OPT cannot be cancelled after it is approved, but students may choose to forfeit their OPT
• Students who wish to forfeit their OPT and return to their home country must notify OIS so that their SEVIS record can be completed
  • Failure to report departure information to OIS can result in the automatic termination of their SEVIS record as a result of accruing more than 90 days of unemployment, which could negatively impact future U.S. visa applications

Can students enroll in classes while on OPT?

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

Can students work remotely on OPT?

• Remote work is authorized, but student must obtain written confirmation from their employer indicating they have permission to work remotely
  • This document is for personal records only and does not need to be submitted to OIS or USCIS; no additional updates need to be made in the SEVP Portal
  • Student must continue to comply with all OPT Reporting Requirements
Can students travel while their OPT is pending, and after it is approved? If so, what documents do the students need?

- Travel document requirements while OPT is pending and/or approved are on the travel section of the OIS website.

What are the student’s options after OPT ends?

- Students are allowed to remain in the US for up to 60 days after the approved OPT end date printed on their EAD. 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. During their 60-day grace period, students can:
  
  - **Begin a new degree program at USC** - Students must apply to the new program, be admitted, and be issued a new I-20 from USC Graduate Admissions
  
  - **Transfer SEVIS record to another school** – Student must submit a completed Transfer Out from USC to Another Institution form to OIS@usc.edu
  
  - **Change visa status** - USCIS must receive and approve the application to change the immigration status before the end of the grace period
  
  - **Depart the United States**
Questions?

OIS International Student Advisors are available to answer questions via email, one-on-one advising, or through group advising sessions.

**Email**

Email [OPT@usc.edu](mailto:OPT@usc.edu) with a brief description of issue or question. Be sure to include student name, SEVIS ID, and if applicable, photocopies of any documents received from USCIS.

**OIS Live – Virtual Front Desk and Advising**

**OIS Advisors are available for consultation Mondays through Fridays via Zoom. Advising hours and Zoom meeting link are posted [here](#). No appointment necessary.**

**OIS Zoom Group Advising and Webinars**

**OIS offers group advising sessions covering topics such as Optional Practical Training (OPT) via Zoom. Refer to the [OIS eCalendar](#) for upcoming dates and times.**