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 will **not** be eligible for ALL types of off-campus employment.**

Keywords:
• **Part-time:** 20 hours per week
• **Full-time:** More than 20 hours per week
• **USCIS:** The government agency that adjudicates the I-765 and additional required OPT application materials.
• **Authorization:** Students need to be authorized for OPT
• **Status:** Refers to regulations/responsibilities F-1 students are required to follow and maintain while studying in the U.S. (I-20, I-94)
• **Visa:** An entry document that may expire after you enter the U.S.
• **EAD:** Your official work permit for OPT, also known as your “EAD card”
• **Grace Period:** The 60-day period after your degree program end date on your I-20 AND after you complete 12 months of OPT (there are two possible grace periods)
• **I-765:** USCIS Application for employment. Must submit this to the government.
• **I-797:** OPT application (I-765) receipt notice from USCIS
• **Unemployment Days:** The 90-day period students are provided after the approved start date on their EAD to find and report a job. **(This is NOT your grace period)**
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 (can take longer due to Pandemic)

Safeguard your SSN; keep in safe place; prevent identity theft. Granted to you for a lifetime (you only need one SSN!)
What is OPT?

- 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 work authorization are provided altogether between Post-AND Pre-Completion OPT**
- 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

I-765 fee is $410.00
### Types of OPT

<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 (Graduation)</td>
</tr>
<tr>
<td><strong>Length</strong></td>
<td>Up to 12 months. Part-time (20 hrs/week) 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 while school is in session. Full-time possible during the summer</td>
<td>Full-time employment (more than 20 hours per week) 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>No unemployment is accrued</td>
<td>Unemployment day accumulation: 90-day cumulative limit</td>
</tr>
</tbody>
</table>
Eligibility for OPT

1. **Must have been a full-time student for at least one consecutive academic year**: you do not need to have been in F-1 status for one full academic year. You can satisfy the “one full academic year” requirement even if you were in another nonimmigrant status during that time which permitted full-time study (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 90 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

5-7 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 *90 days before* your program end date (graduation) 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
• You **MUST** work at least 20 hours per week
• You are allowed a total 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

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

Ensure eligibility

Complete **OPT eForm** & Pay **SJSU Post-OPT Fee** ($150.00)

Major Advisor completes OPT eForm as well

ISSS approves OPT request
Student gets new I-20 for OPT

Fill out I-765 & send required documents + I-765 fee ($410.00) to USCIS
WHEN TO APPLY FOR OPT

When Can I Apply?

Apply up to 90 days before or 60 days after program completion date.

OPT Start Date

Program Completion Date

90 Days

60 Days

• You may submit the OPT application to ISSS up to 90 days BEFORE the program end date (graduation) 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 timelines for Summer & Fall 2021 Graduates:

<table>
<thead>
<tr>
<th>Program Completion Term (Final Semester)</th>
<th>I-20 Program End Date (Graduation)</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 (USCIS must RECEIVE docs by)</th>
<th>FIRST Possible OPT Start Date</th>
<th>LAST Possible OPT Start Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Summer 2021</td>
<td>08/18/2021 12/15/2021</td>
<td>05/20/2021 09/13/2021</td>
<td>05/20/2021 09/16/2021</td>
<td>10/17/2021 02/13/2022</td>
<td>08/19/2021 12/16/2021</td>
<td>10/17/2021 02/13/2022</td>
</tr>
<tr>
<td>Fall 2021</td>
<td></td>
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### Pre-Completion OPT
- Don’t have to work to remain in-status, but OPT time is deducted from overall 12 total months of OPT
- Must choose full-time or part-time work authorization
- Choose your own start and end dates
- Ends when you graduate, must stop working. You will then need to apply for Post-Completion OPT, submit another Form I-765, filing fee, photos, etc.
- Not recommended

### Post-Completion OPT
- Receive full-time work authorization: required to work at least **20 hours per week** to maintain OPT status
- May start Post-Completion OPT one semester **before** Graduation (during last semester of study) if only enrolled in Culminating Experience (Project, Thesis, Exam)
- Choose your own start and end dates
- Do not need to stop working when you graduate, may continue working.
1. In iSpartan, go to “F-1 Practical Training,” then click on “Post Completion Optional Practical Training I-20 Request”.

2. Select start and end dates. It will be in the format of a year minus a day from the start date.

   EXAMPLE: Start Date: 02/13/2022. End Date: 02/12/2023

3. Academic (Department) Advisor information will need to be added into the e-form. Name and Email address.

4. Once submitted to ISSS, processing time is 5-7 business days

5. You will receive a new I-20 with an OPT recommendation on page 2 (see below) via email. You will need this I-20 to file your OPT application with USCIS.
**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: Make sure to submit the current version of the I-765
REQUIRED DOCUMENTS FOR OPT APPLICATION

Required Documentation

1. **I-20**: must have OPT recommendation on second page. Also, must include previous I-20s that show 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), as well as the Post Office, Costco, etc. Write your name and I-94# on the back of each photo.

2. **Payment:** I-765 fee of **$410.00**. Payment must be addressed to the **“U.S. Department of Homeland Security”**. Acceptable forms of payment: money order, personal check, cashier’s check.

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 this address:

- If you would like to send your OPT application to USCIS via express mail through UPS, FedEx, or DHL, please use the following 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 accumulating from start date on EAD
- 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!
<table>
<thead>
<tr>
<th>Traveling on OPT</th>
<th>Pre-Completion OPT</th>
<th>Post-Completion OPT/STEM</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Valid passport</td>
<td>• Valid passport</td>
<td>• Valid passport</td>
</tr>
<tr>
<td>• Valid F-1 visa</td>
<td>• Valid F-1 visa</td>
<td>• Valid F-1 visa</td>
</tr>
<tr>
<td>• I-20 with a travel signature in the last 12 months</td>
<td>• I-20 with a travel signature in the last 6 months</td>
<td>• Financial Support</td>
</tr>
<tr>
<td>• Financial Support</td>
<td>• Financial Support</td>
<td>• Unexpired EAD card</td>
</tr>
<tr>
<td>• Covid-19 Vaccine &amp; Test</td>
<td>• Job verification or offer letter</td>
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</tr>
</tbody>
</table>

- Risky to travel with a PENDING Post-OPT application: This means that you should NOT travel after your graduation and before you receive your EAD
- Risky to travel if you need to apply for another F-1 visa
- Covid-19 Test & Vaccine (refer to ISSS website)

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