OPTIONAL PRACTICAL TRAINING

Part 1: Eligibility and Intro to OPT

International Studies Office

Issp.virginia.edu

MUNIVERSITY of VIRGINIA

OPT Mini-Series

Section 1: Eligibility & Intro to OPT Section 2: OPT Checklist Section 3: How to Complete I-765 Section 4: Application Requirements Section 5: Responsibilities During OPT



What is OPT?

Allows for off-campus work authorization for F-1 students in their primary field of study.

- Students do not need an offer letter to apply for OPT.
- Students must be in full-time F-1 status for at least one academic year.
- Apply in your final semester of study no more than 90 days before your program end date.

OPT and CPT Usage

- If you used 1 year or more of full-time Curricular Practical Training (CPT), during your current degree level, you do not qualify for OPT.
- Part-time CPT should not count towards OPT disqualification.
- Heavy CPT usage (part-time or full-time) may result in additional scrutiny of your OPT application. Be prepared to provide evidence of all prior CPT I-20s, as well as the academic work related to your CPT.

Types of Qualifying Employment

During your 12-month OPT period, OPT employment must be a minimum of 20 hours per week in a job directly related to your degree program. It is the student's responsibility to demonstrate relationship between coursework and employment. Here are types of employment permitted:

- Paid employment
- Multiple employers
- Work for hire (commonly referred to as 1099 employment)
- Self-employed business owner (must obtain proper business licenses)
- Employment through an agency
- Volunteers or unpaid interns (Post-Completion OPT only. Not eligible for OPT STEM Extension)

OPT Start Date

- Your OPT start date is the date that your 12 months of work authorization begins.
- OPT start date must be *within the 60-day grace period* after the program completion date.
- The requested start and end dates will be noted on page 2 of your new OPT I-20
- The end date will be 1 year from your start date (i.e. December 16, 2023 to December 15, 2024)

IMPORTANT: Once USCIS receives your OPT application, it is not possible to change your OPT start and end dates.

OPT Timeline



Application Process Overview

- 1. Review our F-1 OPT webpage and our tutorial
- 2. Initiate the OPT Request Process through <u>ISSP Connect</u>. Submit only 1 request. You can return to an incomplete application by logging onto ISSP Connect. Remember to click on the 'submit' button when you have completed the application.
- 3. You will receive an email when your OPT I-20 has been uploaded to your application. Log onto <u>ISSP Connect</u> and retrieve your I-20 from the documents section.
- 4. Print, sign with wet ink, and re-upload OPT I-20 to your USCIS application.
- 5. OPT I-20 and full OPT application must be submitted **online** to USCIS no later than 30 days after the OPT I-20's issue date.

OPT Mini-Series

Section 1: Eligibility & Intro to OPT Section 2: OPT Checklist Section 3: How to Complete I-765 Section 4: Application Requirements (Part 2) Section 5: Responsibilities During OPT



OPTIONAL PRACTICAL TRAINING

Part 2: OPT Checklist

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UNIVERSITY of VIRGINIA

OPT Application Checklist

- **U.S.** Passport Photo taken within the past 30 days.
- □ USCIS Fee. Always check USCIS webpage for any fee changes.
- □ Original Form I-765 (completed online through USCIS)
- □ OPT I-20 issued by ISO within the past 30 days.
- **Copy of valid passport biographical page**
- **Copy of latest F-1 visa stamp**
- □ Printout of electronic I-94 record, or copy of paper Form I-94
- □ Previous copies of OPT and CPT endorsed I-20s
- □ Previous copy of EAD, if relevant

Passport Photo Requirement

2 X 2 Photo Of You

Upload a recent color photograph of yourself to the USCIS portal that measures 2 inches by 2 inches, with your face measuring 1 inch to 1 3/8 inch from your chin to the top of your head. Your eyes should be between 1 1/8 inch and 1 3/8 inch from the bottom of the photo.

Make sure your whole face is visible, you are facing the camera directly, and the background is white or offwhite. Your head must be bare, unless contrary to your religious beliefs.

If you need help understanding the photo requirements or want to resize, rotate, or crop your photo, you can use to the Department of State's <u>photo composition tools</u>.

File requirements

- •Clear and readable
- •Accepted file formats: JPG, JPEG, or PNG
- •No encrypted or password-protected files
- •If your documents are in a foreign language,

upload a full English translation and the translator's certification with each original document.

•Accepted characters: English letters, numbers, spaces, periods, hyphens, underscores, and parentheses

•Maximum size: 6MB per file



USCIS Fee

• You will be able to pay electronically through pay.gov as you go through the online USCIS application portal.

Check your OPT I-20 for accuracy

- 1. Check your Educational Level (e.g. PhD candidate decides to graduate with a Masters)
- 2. Program End Date
- 3. Student Attestation
- 4. School Attestation: USCIS must receive your application within 30 days of the "Date Issued" date on Page 1, not the travel signature date.
- 5. OPT Start and End Dates
- 6. You will receive a new travel signature at the time you request your OPT I-20

OPT I-20

UVa OPT I-20 (all pages):

- Must be received by USCIS within 30 days of DATE ISSUED on page 1
- Original must be signed by an ISO advisor
- Original must be signed by the student at the bottom of page 1.
- The requested OPT start and end dates will appear on page 2.

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Copy of Passport and Visa

Government ID

- You must upload a copy of a government-issued identity document (such as a passport) showing your picture, name, and date of birth; a birth certificate with photo ID;
- A visa issued by a foreign consulate; or a national ID document with photo and/or fingerprint. The identity document photocopy must clearly show your facial features and contain your biographical information.

File requirements

•Clear and readable

- •Accepted file formats: JPG, JPEG, PDF, TIF, or TIFF
- •No encrypted or password-protected files
- •If your documents are in a foreign language, upload a full English translation and the translator's certification with each original document.
- •Accepted characters: English letters, numbers, spaces, periods, hyphens, underscores, and parentheses

•Maximum size: 6MB per file

Copy of I-94

The I-94 can be:

- An electronic I-94. Visit <u>www.cbp.gov/i94</u> to access and print your record
- A **paper I-94 card** stapled into your passport. Include a copy of both sides, even though the back side may be blank.
- A copy of an I-797 Change of Status Approval Notice which includes a new I-94

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Admission (I-9	4) Record Nu	mber : 2123	456789			
Most Recent D	ate of Entry:	2017 March	06			
Class of Admis	sion : F1					
Admit Until Da	te : D/S					
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Electronic I-94 Record



Paper I-94 (front)

Paper I-94 (back)

Copies of all previous OPT and CPT I-20s

- Upload copies of all previous OPT and CPT I-20s issued
- Copy all pages except the instruction page

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Copy of Previous EAD(s), if applicable

- If an EAD was received in the past, include a copy of the front and back of card
- Can be from OPT approved at a prior institution or different educational level
- Include previous OPT I-20s and I-797 notice of approval as well, if available.





Example only. Your EAD card will have different categories, dates and information listed

OPT Mini-Series

Section 1: Eligibility & Intro to OPT Section 2: OPT Checklist Section 3: How to Complete I-765 Section 4: Application Requirements Section 5: Responsibilities During OPT



OPTIONAL PRACTICAL TRAINING

Part 3: How to Complete I-765

International Studies Office

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MUNIVERSITY of VIRGINIA

I-765

How to fill out Form I-765

- Thoroughly review I-765 instructions on <u>USCIS webpage</u>.
 - Your OPT application is your responsibility.
- Answer all questions fully and accurately.
- Contact ISO with any questions. ISO will not provide line-by-line assistance, but can assist with general questions regarding your OPT application.

OPT Mini-Series

Section 1: Eligibility & Intro to OPT Section 2: OPT Checklist Section 3: How to Complete I-765 **Section 4: Application Requirements** Section 5: Responsibilities During OPT



OPTIONAL PRACTICAL TRAINING

Part 4: OPT Application Requirements

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The Application Deadline

- You must submit your online OPT application to USCIS no later than 30 days after the OPT I-20 issue date on page 1.
- Additionally, USCIS must receive your application before the end of your 60-day grace period.
- Track the status of your application through the USCIS portal.

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Submitting your application to USCIS

Create your account at <u>https://my.uscis.gov/</u> to submit your OPT application. Remember to request OPT I-20 from ISSP Connect first!



👽 myUSCIS makes immigration simpler

myUSCIS provides a personalized account to help you navigate the immigration process. On myUSCIS, you will find:

- Up-to-date information about the application process for immigration benefits;
- Tools to help you prepare for filing and help finding citizenship preparation classes; and
- · Information to help explore your immigration options.



You can use myUSCIS anytime and on any device.

I-797 Notice of Action & USCIS Case Tracking

- You will receive an I-797 receipt notice online at USCIS.
- You can also use your receipt number to check your case status
- <u>https://egov.uscis.gov/casestatus</u>

CASE STATUS
ONLINE
Use this tool to track the status of an immigration application, petition, or request.
Enter a Receipt Number 🥊

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PRIVACY ACT STATEMENT

- You can track the status of your OPT application with your receipt number on your I-797. DO NOT LOSE YOUR I-797. Make a copy for your records and keep in a safe place.
- Verify your name, date of birth and address on your I-797 receipt notice. If incorrect, please contact the USCIS service center listed on your I-797.

Application Problems – RFE or Rejection/Denial

Request for Evidence (RFE)

If there is a problem with your application, USCIS may send you a notice by mail. An RFE does not mean that your application has been rejected. It simply means that you need to send in additional documents before your EAD can be issued. Getting an RTI will delay the processing of your application. Contact the International Studies Office immediately so we may assist you with your application.

Rejection/Denial

In some cases, if too many items are missing from your application, USCIS will return the entire application to you. If this happens, you must make the corrections and send the application before the end date of your 60-day grace period. Contact the International Studies Office immediately so we may assist you with your application.

To avoid delays, review your application materials carefully for completeness and sign all the forms before submitting to USCIS.

The Employment Authorization Document (EAD)

- Review card to make sure the information is accurate. If not, contact an ISO advisor.
- Present your EAD to employers as proof of your legal work authorization in the United States.
- The EAD is a required document for entry to the U.S. during OPT.
- The validity dates listed on your EAD are the dates you are eligible to work. USCIS may change this from the dates you requested.
 Follow the dates listed on your card.



OPT Mini-Series

Section 1: Eligibility & Intro to OPT Section 2: OPT Checklist Section 3: How to Complete I-765 Section 4: Application Requirements Section 5: Responsibilities During OPT



OPTIONAL PRACTICAL TRAINING

Part 5: Responsibilities During OPT

International Studies Office

Issp.virginia.edu

UNIVERSITY of VIRGINIA

Your Responsibilities During OPT

- 1. Reporting Requirements
- 2. Employment Requirements
- 3. Travel Documents for Re-entry
- 4. Applying for an F-1 Visa on OPT
- 5. Always check your UVA email

SEVP Portal

- The Student Exchange Visitor Program (SEVP) has its own "<u>SEVP</u> <u>Portal</u>" for students on OPT and OPT STEM. You will receive an email with instructions on how to create an account.
- You are required to report any changes in address or employment through the portal within 10 days of change.
- If you are unable to access SEVP Portal, please report employment on ISSP Connect using the "OPT Employment Update" form.

Sign In

Attention: Only students who have OPT approved may use the SEVP Portal. You must create an account and set a password before using this log in page. Go to <u>Portal Help</u> for more information.



Beware of scams! SEVP will never ask you for payment to register for the SEVP Portal.

Employment Requirements

- You must work a minimum of 20 hours per week in a position related to your field of study.
- You cannot exceed more than 90 days of unemployment while on OPT. Days of unemployment prior to your EAD start date do not count towards the 90 days of unemployment. It is your responsibility to keep record of your employment history and any periods of unemployment.

If you no longer need OPT authorization because you have left the country or have changed status, you are required to let ISO know by emailing <u>issp@virginia.edu</u>

Travel Documents for Re-entry to United States

Documents	Before Completing Program and Before EAD Issuance	After Completing Program and Before EAD Issuance	After Completing Program and After EAD Issuance
Valid Passport	\checkmark	\checkmark	\checkmark
Valid F-1 visa stamp (if applicable)	\checkmark	\checkmark	\checkmark
OPT I-20 with valid travel endorsement signed within 6 months by an ISO Advisor	\checkmark	\checkmark	\checkmark
Evidence of continued enrollment (e.g. <u>Enrollment Certificate</u>)	\checkmark		
Evidence of financial support	Strongly recommended	Strongly recommended	Strongly recommended
OPT Receipt: I-797 Notice of Action		\checkmark	\checkmark
Job offer letter from employer		Strongly recommended	\checkmark
EAD (Employment Authorization Document)			\checkmark

Travel Tips

- Avoid long absences from the US during the OPT period. Time spent outside of the US while unemployed by a US employer counts toward your 90 days of unemployment.
- Attempting to re-enter the U.S. close to the expiration date of your OPT can be risky.
- You must not enter the U.S. in a status other than F-1. This may result in the loss of your OPT eligibility.

Travel after Program Completion, but before OPT Card is received

- There is a higher risk associated with travel and return while your OPT is pending after the program completion date. If there are any problems with your application, you may not be able to respond to USCIS in a timely manner, which could delay processing of your EAD.
- If your EAD is mailed to your U.S. address and you are currently outside the U.S. you need to travel with your EAD before returning to the U.S. Be aware of the logistical complications to get your EAD mailed to your foreign address.
- If your OPT application is denied while outside the US, you will not be able to re-enter the US in F-1 status and will not be able to reapply.

Applying for F-1 Visa on OPT

If you are traveling abroad and your F-1 visa has expired, you must obtain a new F-1 visa before returning to the U.S. When going to your visa interview, bring the documents below.

- Valid Passport
- Valid I-20 with travel endorsement from UVA ISO Advisor within the past 6 months from the date of return to U.S.
- Unexpired EAD Card
- Job offer letter or proof of current employment directly related to your field of study
- Evidence of sufficient funds (e.g. a bank statement, a letter from sponsor or a job offer letter)

ALWAYS CHECK YOUR UVA EMAIL

- Important information regarding your immigration status will be sent to your official UVA email (@virginia.edu)
- Make sure to set up your alternate email address in UVA SIS

Students starting at UVA in 2006 through November 2021

•You received a UVA Google account (e.g., Gmail, Google Drive, etc.).

•When you graduate, you will continue to have access to the UVA Google platform.

Students starting at UVA in December 2021 or later

You received UVA Microsoft 365 (formerly Office 365) email to use while at UVA.
When you graduate:

- Your Microsoft 365 account will expire **nine months** after you leave UVA.
- You will continue receiving emails sent to your UVA email address via <u>Alumni Email Forwarding</u>.

Options After Post-Completion OPT



Further Education

OPT is granted once per degree level. OPT STEM can be granted twice, but only once per degree level. Outside of employment, you can remain in the United States by pursuing a new degree program.



If you are in a STEM program, you are eligible for an additional 2 years of employment. Apply 90 days before your OPT authorization expires. Visit issp.virginia.edu for more information.



Change Your Status

Examples: Change of status to H1b through employer, or change of status to F-2 through spouse. Contact an immigration attorney to learn more about other visa types to remain in the United States.



Depart the United States

After OPT authorization ends, you are permitted 60 days to remain in the United States, after which you must depart or change your status.





ISO Website

<u>https://issp.virginia.edu/f-1-optional-practical-training-opt</u>

ISSP Connect

- <u>Connect.issp.virginia.edu</u>
- OPT Application
- Make an appointment with an ISO Advisor

USCIS Website

<u>https://www.uscis.gov/i-765</u>

Email

• issp@virginia.edu

