Optional Practical Training (OPT) Workshop

PLEASE SIGN IN, TAKE A PACKET, AND HAVE A SEAT.
OPT BASICS
What is Optional Practical Training (OPT)?

- U.S. work authorization for F-1 students up to 12 months after program completion
  - Certain students eligible for 24 month extension

- All employment must be directly related to major

- Do not need a job offer to apply

- Available at each subsequent degree level

**TWO PARTS: apply with OIP, then with U.S. Citizenship and Immigration Services (USCIS)**
- Final approval comes from USCIS in the form of an Employment Authorization Document (EAD)
Who Qualifies?

F-1 students must:

- Be in status and have **maintained status** for one academic year at the time OPT begins
- Be enrolled in their last term or completed final degree requirements
- Have used less than 12 months of full-time CPT at current academic level
- Have not used OPT previously at the same academic level
HOW TO APPLY
How to Apply – OIP

Part 1: OIP recommends OPT and issues a new I-20

- Step 1: Attend this workshop
- Step 2: Apply for graduation
- Step 3: Complete OPT application on Sunapsis
- Step 4: Prepare USCIS application
- Step 5: Meet with an OIP Advisor to review the application and pick up your I-20
Step 2: Apply for Graduation

- Attend a graduation workshop if required by your department
- Submit graduation application by the deadline
- Graduation information must be recorded in Banner

IF YOUR GRADUATION DATE CHANGES, CONTACT OIP IMMEDIATELY
Step 3: Complete OPT Application on Sunapsis

- Complete “OPT Application” e-form at sunapsis.utep.edu
- Upload a letter from academic advisor confirming your graduation date (template letter is in the application)
- OIP will review the e-form, confirm eligibility, and email you once it is approved
When to Apply: Application Window

- I-20 Program End Date will be shortened to the date you will graduate
  - Graduate students may choose to use thesis/dissertation defense as Program End Date
- Application must be physically received by USCIS up to 90 days before or 60 days after I-20 Program End Date
- Your filing window will depend on your I-20 Program End Date. In general:
  - Spring graduates: Mid-February to Mid-July
  - Summer graduates: Mid-May to Mid-October
  - Fall graduates: Mid-September to Mid-February

***You should submit your application through Sunapsis no later than one month after graduation***
Choosing Your OPT Start Date

YOU CANNOT BEGIN WORK UNTIL YOU RECEIVE YOUR EAD IN THE MAIL, EVEN IF YOUR REQUESTED START DATE HAS PASSED.

IF YOU RECEIVE YOUR EAD BEFORE THE START DATE LISTED, YOU CANNOT WORK UNTIL THAT DATE.

Consider USCIS processing times (3-5 months) when choosing a start date

- Earliest start date = day after I-20 Program End Date
  - If you have a job offer, send application ASAP. Even if you file on the earliest day possible, your application may not be approved before your requested start date

- Latest start date = 60 days after I-20 Program End Date
  - The latest OPT can end is 14 months after graduation
  - The later you file, the less OPT time you may receive
Step 4: Prepare USCIS Application

Once you submit your OPT application to OIP, begin preparing the USCIS forms and materials:

- **REQUIRED:** Form I-765 (Application for Employment Authorization) ([www.uscis.gov/i-765](http://www.uscis.gov/i-765))
- **Optional:** Form G-1145 (E-Notification of Petition/Application Acceptance) ([www.uscis.gov/g-1145](http://www.uscis.gov/g-1145))
- **Optional:** Form G-1450 (Authorization for Credit Card Transactions) ([www.uscis.gov/g-1450](http://www.uscis.gov/g-1450))

**USE THE CORRECT EDITION DATE FOR EACH FORM.**
The USCIS website will list which edition date(s) is/are accepted.
Completing Form I-765 – Page 1

For initial OPT application, always select 1.a.

- Your Full Legal Name:
  - Must match your passport

- Other Names Used:
  - Maiden name, nicknames, or any other name you commonly use (ex. you have 2 last names but only go by 1)
Completing Form I-765 – Page 2

- Your U.S. Mailing Address:
  - **IMPORTANT:** Must be valid ~6 months into the future – it is where USCIS will mail notices and your EAD
  - If you do not normally receive mail there, list an “In Care Of Name”
  - Border Commuters can use a friend/family member’s name and address

- U.S. Physical Address
  - Leave blank if the same as above. Otherwise, write your current address
  - Border Commuters will leave blank

- Alien Registration Number
  - Most applicants don’t have one yet – leave blank

- USCIS Online Account Number – leave blank

- Gender

- Marital Status

- Have you previously filed Form I-765?
Completing Form I-765 – Page 2

- If you already have a Social Security Number:
  - 13.a.: Yes
  - 13.b.: Type SSN
  - 14: No
  - 15-17: Leave blank

- If you DO NOT already have a Social Security Number:
  - 13.a.: No
  - 13.b.: Leave blank
  - 14: Yes
  - 15: Yes
  - 16-17: Input parents’ information

- Your Country or Countries of Citizenship or Nationality
Completing Form I-765 – Page 3

- **Place of Birth**
- **Date of Birth**
- **I-94 Number**: Copy from the paper card in your passport or electronic record at [https://i94.cbp.dhs.gov](https://i94.cbp.dhs.gov)
- **Passport Number**: Use number from current passport, even if your visa is in an old passport
- **Travel Document Number**: Leave blank
- **Country That Issued Your Passport**
- **Expiration Date for Passport**
  - Must be valid when you apply
  - If it will expire very soon, apply to renew ASAP
- **Date of Your Last Arrival**: Enter the date on your I-94
  - If the date on your I-94 is old or incorrect, enter the correct date or best estimate
- **Place of Your Last Arrival**: 3-letter code from passport entry stamp, or the city & state
- **Immigration Status at Your Last Arrival**: F-1, unless you submitted a Change of Status application with USCIS
- **Your Current Immigration Status or Category**: F-1
- **SEVIS Number**: “SEVIS ID” at the top of I-20

* IF YOU TRAVEL OUTSIDE THE U.S. BEFORE YOU SUBMIT THE APPLICATION, UPDATE THESE FIELDS
(c)(3)(b)

Initial OPT applications will enter (c)(3)(b) in # 27

SKIP QUESTIONS 28 – 31
Completing Form I-765 – Page 4 – 7

- Applicant’s Statement: Select 1.a. “I can read and understand English...”
- Applicant’s Contact Information
- Sign & date in ink on page 4
- Leave pages 5-7 blank!
Completing Form G-1145

Optional form to receive a text/email alert that your application has been received.

- Use your UTEP or personal email address
- Enter only a U.S. cell phone number—texts will not be sent to foreign numbers
- Alerts will not be re-sent if the information is incorrect or the message is undeliverable
Completing Form G-1450

Optional form to pay the filing fee by credit/debit card
- Applicant’s/Petitioner’s/Requester’s Information:
  - Enter your full name as it appears on Form I-765
- Credit Card Holder’s Name:
  - Enter the card holder’s name—this can be someone other than you
- Credit Card Holder’s Billing Address:
  - Must be a U.S. address
  - Must be the billing address connected to the card
- The Card Holder MUST sign the application
- Authorized Payment Amount: $410

ENTER CREDIT CARD INFORMATION CAREFULLY
USCIS WILL REJECT YOUR APPLICATION IF:
THE INFORMATION IS INCORRECT OR
THE CARD IS DECLINED
General Forms Advice

- Enter all dates mm/dd/yyyy (month, day, year)
- Don’t forget to sign and date!!
  - Signatures must be original— not a stamp or copy. Use black or blue ink
- Download the forms from www.uscis.gov and type the information directly into the fields online
- If you must hand-write, do so VERY CAREFULLY and use blank ink
Step 5: Meet with OIP Advisor

- You will receive an email when your new I-20 is ready
  - DO NOT WAIT TO PICK IT UP. USCIS must receive application within 30 days of when you receive the email.

- Make an appointment or come during walk-in advising to pick up the I-20 and review your application. Bring:
  - ALL completed forms
  - Copies of passport, visa, and I-94 (OIP can make copies for you)
  - Filing fee payment
  - 2 passport-style photos
    - You can have passport photos taken in our office if you make a separate appointment at https://sa.utep.edu/oip/passports

- If revisions are needed, you may need to make another appointment once forms are finalized

- Once an Advisor has signed off, you are ready to submit your application to USCIS!
How to Apply – USCIS

Once you have everything you need from OIP, you will submit the application to USCIS

- Step 6: Prepare packet and mail to USCIS
- Step 7: Receive I-797C receipt notice in the mail from USCIS
- Step 8: Wait for your application to be approved
- Step 9: Receive Employment Authorization Document (EAD) in the mail once USCIS approves the application
- Step 10: Begin working, and report employment to OIP
Step 6: Prepare and Mail Packet to USCIS

Prepare your packet with the following materials. Use a clip to keep everything together:

- Filing Fee ($410)
  - Personal check, cashier’s check, money order, or G-1450
  - Checks and money orders must be made out to “Department of Homeland Security”
- 2 passport-style photos
  - Write your name and date of birth lightly on the back
- Original G-1145 (optional)
- Original Form I-765
- Copy of new I-20 with OPT recommendation – KEEP ORIGINAL WITH YOU
- Copy of passport biographical page
- Copy of I-94 (front and back if paper card)
- Copy of visa (it is alright if the visa is expired)
- Copy(ies) of any previous EAD(s), if applicable
Step 6: Prepare and Mail Packet to USCIS

- Use traceable mail. Save the tracking information
  - USPS Priority Mail Flat Rate Envelope, or other USPS method with tracking information
  - For express delivery, use USPS Express, UPS, FedEx, or DHL
  - Your OIP Advisor will provide the mailing address when you pick up your I-20

- OPT applications are mailed to a USCIS Lockbox in Texas for initial processing, and then forwarded to a USCIS Service Center in Maryland
Step 6: Prepare and Mail Packet to USCIS

IMPORTANT - REMEMBER

Application MUST be RECEIVED in the mail by USCIS:

Within 30 days of when your DSO entered your OPT recommendation into SEVIS (typically the date you received the email from us)

AND

No later than 60 days after your new I-20 Program End Date
Step 7: Receive I-797C Receipt Notice

- USCIS will mail you a paper receipt notice (Form I-797C) to the mailing address listed on Form I-765 once your application is accepted.

- If you do not receive the notice within 30 days of when your application was received, contact OIP for help contacting USCIS.

You can track the status at https://uscis.gov/casestatus

Date of receipt. Count 3-5 months out to estimate approval timeframe.
Step 8: Wait for Approval

YOU CANNOT WORK WHILE YOUR APPLICATION IS PENDING, EVEN IF THE REQUESTED START DATE HAS PASSED

While your application is pending:

- Apply for jobs if you don’t have an offer yet
- Travel within the U.S. is permitted
- Travel outside the U.S. is usually permitted, but you may receive additional questioning
  - See Travel information later in presentation
- You may not continue your on-campus student job after graduation/I-20 program end date
  - In order to finish their last month of appointment, TAs and RAs must have their OPT approved with a start date the day after graduation
Step 8: Wait for Approval

- Check case status and sign up for text/email notifications at https://uscis.gov/casestatus

- Check your mail! USCIS may issue a Request for Evidence (RFE)
  - You generally have ~2.5 months to respond once you receive the notice in the mail
  - The longer you wait to reply, the longer it will take for your application to be approved
  - Contact OIP for guidance
Step 8: Wait for Approval

IT IS EXTREMELY IMPORTANT THAT THE MAILING ADDRESS YOU USE ON THE I-765 IS ACCURATE AND DOESN’T CHANGE.

However, if your mailing address changes after you file your application:

- Immediately complete a Change of Address request online (https://egov.uscis.gov/coa)
  - Include your receipt number!!

- Complete the “Address Change Request” e-form in the “F-1 Student Services” tab of Sunapsis

USCIS SENDS DOCUMENTS THROUGH USPS, AND THEY WILL NOT FORWARD THIS MAIL EVEN IF YOU SET UP A FORWARDING ADDRESS
Step 9: Receive EAD Upon Approval

When your application is approved, USCIS will automatically produce your EAD (also called I-766) and mail it to the address on your Form I-765.

This is your USCIS #, also called A#, or Alien Registration #. You may be asked for this # in future immigration filings.

This language means you need more than this card (i.e. your passport, visa, and I-20) in order to re-enter the U.S.

Expiration Date. Make sure you know when your card expires!

IF YOUR NAME, COUNTRY OF BIRTH, DATE OF BIRTH, OR CATEGORY IS INCORRECT, CONTACT OIP FOR INFORMATION ON HOW TO CORRECT IT.
Social Security Card

- If you already have a social security card, you are ready to begin work!

- If you do not have a social security card but requested one when you filed Form I-765, your information was automatically sent to the Social Security Administration (SSA)
  - If you do not hear from SSA more than 2 weeks after you receive your EAD, contact them directly to follow up. OIP cannot assist.
Step 10: Working & Reporting Employment

DHS REQUIRES YOU TO REPORT ALL EMPLOYMENT/VOLUNTEERING
WHILE ON OPT

FAILURE TO REPORT = SEVIS ASSUMES YOU ARE UNEMPLOYED
AND
YOUR SEVIS RECORD MAY BE AUTOMATICALLY TERMINATED BY DHS
Step 10: Working & Reporting Employment

- You may **work** or **volunteer** in multiple positions, for as many hours as you would like
  - ALL employment/volunteering must be related to your major

- To maintain status, work/volunteer at least 20 hours per week

- Complete the “OPT Notification of Changes” in Sunapsis for the following changes. For any employment changes, click yes when asked if you would like a new I-20 to be created
  - Starting a job
  - Significant change in position (job title, duties, changing between paid/unpaid, worksite, etc.)
  - Ending a job
  - Change in address
  - Change in contact information
    - Phone number, email address, etc.
Unemployment

OPT RECIPIENTS ARE ONLY PERMITTED 90 CUMULATIVE DAYS OF UNEMPLOYMENT

- Unemployment includes:
  - Days between your card “valid from” date until you begin your first job
  - Any days between leaving one job and starting another
  - Days between your last job and your “card expires” date

- Work authorization automatically ends on your 91st day of unemployment even if your card has not expired

- If you are about to reach 90 days, you must do one of the following no later than day 90:
  - Begin another academic program that starts within 5 months (new I-20 must be issued by 90th day)
  - Submit a change of status application with USCIS
  - Leave the U.S.
When your OPT is approved, DHS will email you with instructions to make an SEVP Portal account so that you can report your employment and changes directly to SEVP.

**BUT**

The SEVP Portal does not collect all necessary information, or report back to OIP’s internal system

**THEREFORE**

Please report all employment and contact information changes to OIP through Sunapsis, even if you reported through the SEVP Portal
STEM OPT EXTENSION
24-Month STEM OPT Extension

- Students with an eligible STEM (science, technology, engineering, or mathematics) degree can apply for a 24-month extension at the end of their initial OPT period, for a total of 3 years

To qualify:
  - Students may capture STEM OPT extension from a previous degree
- Student must have a full-time (20+ hours per week) job or job offer related to the degree
- Student must have not accumulated more than 90 days of unemployment
- Student must not have already had two previous STEM extensions
- Employer must be enrolled in E-Verify (https://www.e-verify.gov/)
- Student and employer must complete pages 1-4 of Form I-983, Training Plan for STEM OPT Students
  - Form: https://www.ice.gov/doclib/sevis/pdf/i983.pdf
  - Full instructions: https://www.ice.gov/doclib/sevis/pdf/i983Instructions.pdf
Applying for the STEM Extension

- Same basic steps as applying for initial OPT
  - Submit “STEM OPT Extension Application” through Sunapsis
  - Submit application packet with filing fee to USCIS

- Apply with OIP up to 3.5 months before current EAD expires

- USCIS must receive extension application in the mail up to 90 days before current EAD expires, AND no later than current EAD expires
  - Do not mail more than 91 days before current EAD expiration

- As long as your application is received on time, you may continue working for up to 180 days even after your current EAD expires

- Your new EAD will be valid for 2 years
Working During STEM Extension

- Must not exceed 150 days of unemployment total (from initial OPT and extension period)
- Must work full-time (at least 20 hours per week) at each job
- Required to report to OIP every 6 months, even if there are no changes or updates
- Required to complete and submit Form I-983 to OIP:
  - After 12 months on STEM extension (complete Evaluation of Student Progress on last page)
  - At the end of STEM extension (complete Final Evaluation of Student Progress on last page)
  - Whenever you start a new job
  - Whenever you leave a job (complete Final Evaluation of Student Progress on last page)
IMPORTANT NOTES
Traveling on OPT

- Always bring your passport, visa, I-20, and EAD when you travel outside the U.S.
  - You may also be asked for proof of employment, including job offer letter, paystubs, etc.

- If you travel while your OPT application is pending:
  - Always bring your passport, visa, I-20, and receipt notice (Form I-797C)
    - If you don’t have the receipt notice, you can only re-enter before your program end date (graduation). CBP may deny you entry after your program end date if you don’t have the receipt notice
  - If you don’t have a valid visa:
    - Do not travel while your application is pending, unless eligible for Automatic Visa Revalidation (see next slide)
    - DOS will not renew your visa while your OPT application is pending
Traveling on OPT

- When you re-enter the U.S., page 2 of your I-20 must have been signed by OIP within the last 6 months
  - If you are in the area: Submit “Travel Signature Request” through Sunapsis, come into office to have I-20 re-signed
  - If you cannot come to the office: Submit “I-20 Replacement Request” through Sunapsis, and either authorize a friend to pick up the I-20, or complete “Document Shipping Request (eShipGlobal)” through Sunapsis

- Automatic Visa Revalidation allows foreign nationals to re-enter the U.S. with an expired visa
  - You typically need a valid visa to enter the U.S.
  - You may be allowed to enter with an expired visa if you meet all of the following conditions:
    - You only visited Canada, Mexico, or the Caribbean islands (except Cuba)
    - You are in status with a valid passport and I-20
    - You were absent from the U.S. for 30 days or less
    - You are not from Iran, North Korea, Sudan, and Syria
  - NOT GUARANTEED, even if all conditions are met. Contact our office for guidelines and more information
Traveling on OPT

**DO NOT LEAVE THE U.S. AFTER GRADUATION IF YOU HAVE NOT ALREADY APPLIED FOR OPT AND RECEIVED YOUR RECEIPT NOTICE**

If you exit the U.S. (even crossing into Mexico) after graduation and you have not already applied for OPT, you lose your F-1 status and you are no longer eligible to apply for OPT. This applies to Border Commuters too.

We recommend applying for OPT at least one month before graduation if you are a Border Commuter or have travel plans after graduation.
Renewing Your Driver’s License

- You may have issues renewing your license during your time on OPT
- Even though you are allowed to remain in the U.S. between graduating and waiting for OPT approval, and while you are waiting for your STEM extension to be approved, the Department of Public Safety (DPS) may not renew your license until you have your new EAD
- Always bring all immigration documents (passport, visa, I-94, I-20, EAD) when you visit DPS
- Apply early to avoid these issues
Ending OPT

If you are maintaining status and have not exceeded the 90 day unemployment limit, you have a 60 day grace period after your OPT ends to receive an I-20 to begin a new academic program, change to another immigration status, or leave the U.S.

If you exceed the 90 day unemployment limit, you DO NOT have a grace period. You are required to leave the U.S. immediately.

If you decide you want to end your OPT early or you obtain a new immigration status, submit the “OPT Notification of Changes” e-form through Sunapsis.

Beginning a new academic program automatically cancels any remaining OPT:
- Your new program must start within 5 months of when your OPT ends.
- Work with the DSO to find a program start/transfer date that works for you.
Other Notes

- You are permitted to stay in the U.S. while your OPT application is pending, even beyond the 60 day grace period.

- You are generally not allowed to enroll in classes while on OPT. Any studies must be:
  - Part-time
  - Non-degree seeking
  - Incidental to your primary purpose

- F-1 students on OPT may be exempt from paying FICA taxes/Social Security/Medicare – check with your employer!

- **REMEMBER: YOU ARE STILL ON A STUDENT VISA. YOU ARE ENTERING THE U.S. FOR PRACTICAL TRAINING RELATED TO YOUR STUDIES, NOT “GOING TO WORK”**
OTHER WORK VISAS
OIP does not provide formal advising regarding work visas or other areas of immigration law.

For more information, contact your (prospective) employer and/or an immigration attorney.
TN (NAFTA, “Trade National”)

- Restricted to citizens of Mexico and Canada
- Must have a job offer in an eligible professional position
  (https://www.nafsa.org/_/file/_/amresource/8cfr2146.htm)
- Issued for up to 3 years at a time, and renewable indefinitely
- Initial application must be made at a port of entry
- Must maintain “nonimmigrant intent”
- Eligible to bring “TD” dependents
  - Dependents are permitted to study, but may not work
H-1B

- Must have a job offer in a professional position that requires a Bachelor’s degree or higher
  - Your degree must match the job requirements

- Issued for up to 3 years at a time, with a 6-year limit
  - If green card process has been started, may be eligible for more than 6 years

- Individuals may apply to change status within the U.S., or apply for a visa from abroad. Either way, approval by USCIS is required

- Employers are required to pay some filing fees by law. Most will cover all fees

- Allowed to have “dual intent”

- Eligible to bring H-4 dependents
  - Dependents are permitted to study
  - Dependent spouses may eventually apply for work authorization
H-1B Cap ("Lottery")

- Some employers (universities, non-profits, research foundations) may hire as many H-1B workers as they would like, at any time of the year.

- Restrictions exist for all other employers. This has led to the "H-1B cap" or "H-1B lottery"
  - 85,000 H-1B visas issued each year
    - 20,000 designated for individuals with a U.S. Master's degree or higher – better chance!
  - All petitions received during the first 5 business days of April are put into a lottery
  - Individuals who “win” and have their petitions approved begin working in H-1B status on October 1
    - Getting a spot in the lottery does not guarantee approval
QUESTIONS?

OFFICE OF INTERNATIONAL PROGRAMS (OIP)
UNION EAST 203
OIP@UTEP.EDU | (915)747-5664
WWW.UTEP.EDU/OIP
Resources

OIP’s OPT Information: https://www.utep.edu/student-affairs/oipsa/office-of-international-programs/visas/f-type-visa/opt.html

USCIS OPT for F-1 Students: https://www.uscis.gov/opt

ICE Practical Training: https://www.ice.gov/sevis/practical-training

USCIS Working in the U.S.: https://www.uscis.gov/working-us

USCIS e-Request Tools: https://egov.uscis.gov/e-request/Intro.do


I-983 Information: https://studyinthestates.dhs.gov/students-and-the-form-i-983

Study in the States: https://studyinthestates.dhs.gov