Post-Completion Optional Practical Training (OPT) Tutorial



OPT Tutorial

Please note that this tutorial is for instructional purposes only.

An OPT application to USCIS is <u>your own personal application</u>. You alone are responsible for timely filing with full documentation, understanding F-1 rules regarding OPT, and properly maintaining F-1 status.

Please review the entire tutorial and contact your OISPS DSO if you have questions.



OPT Tutorial Outline

- OPT Overview
- OPT Eligibility & Allowable Employment
- <u>Application Process Overview</u>
- <u>Step 1: I-765</u>
- Step 2: I-20 Request Process
- Step 3: Preparing your OPT Request to USCIS
 - Application Deadlines
 - Mailing your Application
- Step 4: Receiving your EAD & USCIS Documents
 - I-797 Receipt Notice
 - While Application is Pending
 - Denials & Requests for Evidence
- <u>Step 5: Maintaining Your F-1 Status & STEM Reporting Requirements</u>
 - Employment Update/Change Form
 - Travel during STEM OPT
 - **Options after Post-Completion OPT**

OPT Overview

- Post-Completion Optional Practical Training is a benefit for eligible F-1 students interested in engaging in employment directly related to their field of study after their degree completion in the U.S.
- F-1 students are eligible for an initial 12 months of OPT per higher degree level achieved.
- Applicants do not need an employment offer to apply for OPT.
- Employment MUST be related to student's field of major.



OPT Eligibility

- Must have attended a SEVP certified institution on a full-time basis for at least one academic year
- Must not have had 12-months of OPT authorization for the same degree level
- Must not have accrued 12 months of full-time Curricular Practical Training (CPT) for the same degree level

*** Part-time CPT authorizations do not affect OPT eligibility***

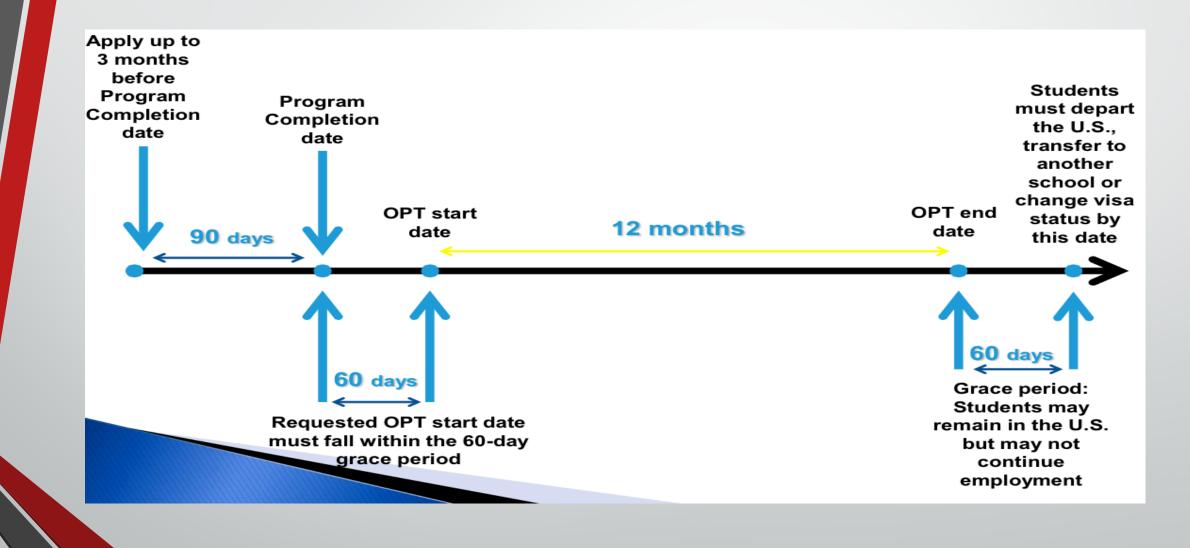


OPT Application Timeline

- OPT Applicants may apply for Post-Completion OPT up to <u>90 days</u> before a student's program completion date (look at Lamar's academic calendar) and up to <u>60 days</u> after the student's program completion date.
- The recommended deadline to submit an OPT application to OIES is at least 3 months before a student's requested OPT start date.
- Important Notes/Deadlines:
 - USCIS must receive your application within 30 days of the DSO's recommendation (date which I-20 is generated in SEVIS)
 - Students applying for OPT after their program completion date may not receive the full 12 months of OPT authorization.
- Please note that the processing times can vary so be aware when selecting your OPT start dates <u>Processing Times (uscis.gov)</u>



OPT Application Timeline (cont.)



OPT Start and End Dates

- Applicants must choose their OPT start date.
- A requested OPT start date can be as early as 1 day after the program completion date and up to 60 days after the program completion date.
- Graduate students may set their program completion date based on scheduled thesis or dissertation defense dates.
- Students who complete their course requirements in any Part of Term (POT) must calculate their start based in the final class date of the POT.



OPT Employment Requirements

- OPT employment must be directly related to the F-1 student's degree program.
- A student may work part-time (at least 20 hours per week) or full-time.
- Volunteer/Unpaid positions are allowed as long as they do not violate any labor laws.
- Employment through an agency or consulting firm: A student on post-completion OPT must be able to provide evidence showing he or she worked an average of at least 20 hours per week while employed by the agency.
- Self-employed business owner: A student on OPT may start a business and be self-employed. The student must be able to prove that he or she has the proper business licenses and is actively engaged in a business related to the student's degree program.
- Multiple employers: A student may work for more than one employer, but all employment must be related to the student's degree program.
- Short-term multiple employers (performing artists): A student, such as a musician or other type of performing artist, may work for multiple short-term employers (gigs). The student should maintain a list of all gigs, the dates and duration.
- Work for hire: This is commonly referred to as 1099 employment, where an individual performs a service based on a contractual relationship rather than employment relationship. If requested by DHS, the student must be prepared to provide evidence showing the duration of the contract period and the name and address of the contracting company.



Unemployment During OPT

- Students on OPT have a total of 90 days (including weekends and holidays) of allowed unemployment during their 12-month OPT period that begins on the start date of their OPT (as indicated on their EAD card).
- If you exceed 90 days of unemployment during your original 12-month OPT you are not eligible to apply for the STEM OPT Extension.
 - If you exceed your unemployment days on OPT your SEVIS record will be terminated, and your F-1 status will be in an unlawful status



OPT Application Process

- Items needed for DSO to recommend OPT and issue I-20:
 - OPT Application: <u>https://www.lamar.edu/forms/international/optional-practical-training-application.html</u>
 - I-765 form:

https://www.uscis.gov/sites/default/files/document/forms/i-765.pdf

 Academic Advisor Recommendation Form <u>https://www.lamar.edu/international-education/_files/documents/opt-application-academic-adviser-recommendation-form.pdf</u>



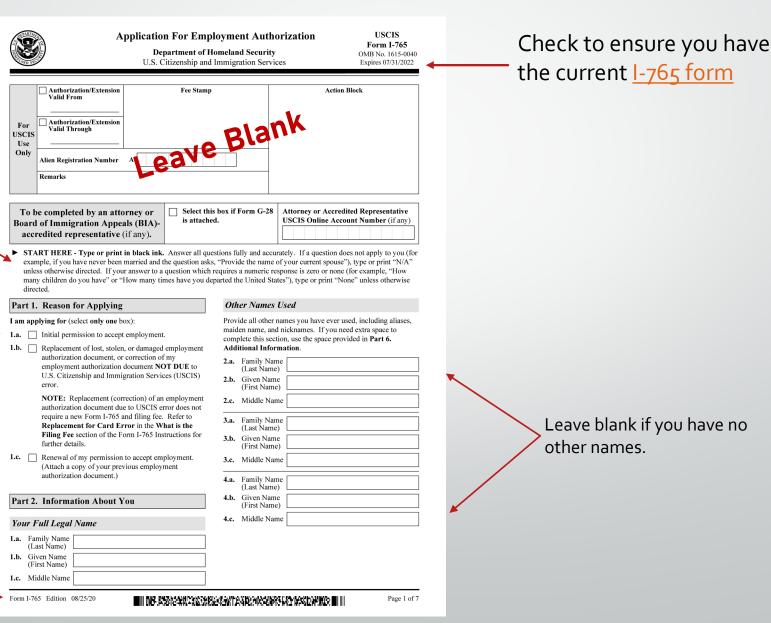
Step 1: I-765

*OIES strongly suggest that you type this form to avoid any misspelling of information. If you choose to handwrite, use **BLACK** ink only.

> Initial for Post-Completion OPT

Name MUST match your passport! Please make sure you enter your "last" and "first" name accordingly.

Check <u>edition date</u> to ensure you have the most current form



1-765

OISPS P.O. Box 10263 Beaumont TX 77710 *you can use your current physical address if you choose

Enter the U.S. address you are physically staying at.

Par	t 2. Information About You (continued)	13.b.	Provide your Social Security nur
You	ır U.S. Mailing Address	14.	Do you want the SSA to issue yo
5.a.	In Care Of Name (if any)		(You must also answer "Yes" to Consent for Disclosure , to receipt
	Stand New Les		
i.b.	Street Number and Name		NOTE: If you answered "No" t to Part 2., Item Number 18.a. Item Number 14., you must also
d.	City or Town		Number 15.
5.e.	State 5.f. ZIP Code	15.	Consent for Disclosure: I authorithe information from this application for the purpose of assigning meta
	(USPS ZIP Code Lookup)		Social Security card.
6.	Is your current mailing address the same as your physical address?		NOTE: If you answered "Yes" 14. - 15. , provide the information
	NOTE: If you answered "No" to Item Number 6. , provide your physical address below.		Numbers 16.a 17.b.
	provide your physical address below.	Fath	er's Name
U.S	. Physical Address		de your father's birth name.
7.a.	Street Number and Name		Family Name (Last Name) Given Name
7.b.	Apt. Ste. Flr.	10.0.	(First Name)
7.c.	City or Town	Moth	ner's Name
7.d.	State 7.e. ZIP Code		de your mother's birth name.
		17.a.	Family Name (Last Name)
Oth	er Information	17.b.	Given Name
8.	Alien Registration Number (A-Number) (if any)		(First Name)
	► A-	You	r Country or Countries of
9.	USCIS Online Account Number (if any)	Nat	ionality
			Ill countries where you are curren
10.	Gender Male Female		a need extra space to complete thi ded in Part 6. Additional Inform
11.	Marital Status	18.a.	Country
	Single Married Divorced Widowed		
12.	Have you previously filed Form I-765?	18.b.	Country
	Yes No		
13.a.	Has the Social Security Administration (SSA) ever officially issued a Social Security card to you?		
	Yes No		
	NOTE: If you answered "No" to Item Number 13.a. , skip to Item Number 14. If you answered "Yes" to Item Number 13.a. , provide the information requested in Item Number 13.b.		

mber (SSN) (if known). ou a Social Security card? Item Number 15., ive a card.) Yes No to Item Number 14., skip If you answered "Yes" to o answer "Yes" to Item orize disclosure of n to the SSA as required an SSN and issuing me a Yes No to Item Numbers n requested in Item Citizenship or tly a citizen or national. is item, use the space nation.

Page 2 of 7

Please make sure that you read #10 - #15 carefully and answer accordingly.

Please read and complete #16-#17 if applicable

Write down country of citizenship in 18a. Leave 18b blank unless you have dual citizenship

1-765

Part 2. Information About You (continued)

Place of Birth

19.a. City/Town/Village of Birth

Please read

and complete

all applicable

information

contained in

Part 2 #19-

#26.

List the city/town/village, state/province, and country where you were born.

	entji i entile i minge er birtin	
19.b.	State/Province of Birth	
19.c.	Country of Birth	
20.	Date of Birth (mm/dd/yyyy)	
20.	Date of Difut (init/dd/yyyy)	

Information About Your Last Arrival in the United States

21.a. Form I-94 Arrival-Departure Record Number (if any)

21.b. Passport Number of Your Most Recently Issued Passport

- 21.c. Travel Document Number (if any)
- 21.d. Country That Issued Your Passport or Travel Document
- 21.e. Expiration Date for Passport or Travel Document (mm/dd/yyyy)
- 22. Date of Your Last Arrival Into the United States, On or About (mm/dd/vvvv)
- 23. Place of Your Last Arrival Into the United States
- **24.** Immigration Status at Your Last Arrival (for example, B-2 visitor, F-1 student, or no status)
- Your Current Immigration Status or Category (for example, B-2 visitor, F-1 student, parolee, deferred action, or no status or category)
- Student and Exchange Visitor Information System (SEVIS) Number (if any)
 ► N-

Information About Your Eligibility Category 27. Eligibility Category. Refer to the Who May File Fo

27. Eligibility Category. Refer to the Who May File Form I-765 section of the Form I-765 Instructions to determine the appropriate eligibility category for this application. Enter the appropriate letter and number for your eligibility category below (for example, (a)(8), (c)(17)(iii)). 28. (c)(3)(C) STEM OPT Eligibility Category. If you entered the eligibility category (c)(3)(C) in Item Numb 27., provide the information requested in Item Numbers 28.a - 28.c. 28.a. Degree **28.b.** Employer's Name as Listed in E-Verify mployer's E-Verify Company Identification Number or 28.c. E alid E-Verify Client Company Identification Number 29.)(26) Eligibility Category. If you entered the eligibility tegory (c)(26) in Item Number 27., provide the receipt umber of your H-1B spouse's most recent Form I-797 otice for Form I-129, Petition for a Nonimmigrant orker. e)(8) Eligibility Category, if you entered the eligibility ategory (c)(8) in Item Number 27., have you EVER een arrested for and or convicted of any crime? Yes No NOTE: If you answered "Yes" to Item Number 30., efer to Special Filing Instructions for Those With Pending Asylum Applications (c)(8) in the Required **Documentation** section of the Form I-765 Instructions or information about providing court dispositions. 31.a. (c)(35) and (c)(36) Eligibility Category. If you entered e eligibility category (c)(35) in Item Number 27., please ovide the receipt number of your Form I-797 Notice for Form I-140, Immigrant Petition for Alien Worker. If you tered the eligibility category (c)(36) in Item Number 27., please provide the receipt number of your spouse's or arent's Form I-797 Notice for Form I-140. **31.b.** If you entered the eligibility category (c)(35) or (c)(36) in tem Number 27., have you EVER been arrested for nd/or convicted of any crime? Yes No NOTE: If you answered "Yes" to Item Number 31.b.,

efer to Employment-Based Nonimmigrant Categories

Items 8. - 9., in the **Who May File Form I-765** section of the Form I-765 Instructions for information about

providing court dispositions.

Eligibility code: (c)(3)(B) for Post-Completion OPT

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Please read page 4 and complete any information that is applicable.

I-765

Part 2. Information About You (continued)

If you answered "Yes" to Item Number 30.c., provide the following information:

30.d. Date you presented yourself to DHS

30.e. Location where you presented yourself to DHS

30.f. Country of claimed persecution

30.g. Provide an explanation for why you did not enter the United States lawfully through a U.S. port of entry. If you need extra space to complete this item, use the space provided in Part 6. Additional Information.

NOTE: Refer to the Special Filing Instructions for Those With Pending Asylum Applications (c)(8) section of the Form I-765 Instructions for more information.

31.a. (c)(35) and (c)(36) Eligibility Category. If you entered the eligibility category (c)(35) in Item Number 27., please provide the receipt number of your Form I-797 Notice for Form I-140, Immigrant Petition for Alien Worker. If you entered the eligibility category (c)(36) in Item Number 27., please provide the receipt number of your spouse's or parent's Form I-797 Notice for Form I-140.

31.b. If you entered the eligibility category (c)(35) or (c)(36) in Item Number 27., have you EVER been arrested for and/or convicted of any crime? Yes No

NOTE: If you answered "Yes" to Item Number 31.b., refer to Employment-Based Nonimmigrant Categories, Items 8. - 9., in the Who May File Form I-765 section of the Form I-765 Instructions for information about providing court dispositions. Part 3. Applicant's Statement, Contact Information, Declaration, Certification, and Signature

NOTE: Read the **Penalties** section of the Form I-765 Instructions before completing this section. You must file Form I-765 while in the United States.

Applicant's Statement

NOTE: Select the box for either **Item Number 1.a.** or **1.b.** If applicable, select the box for **Item Number 2.**

- **1.a.** I can read and understand English, and I have read and understand every question and instruction on this application and my answer to every question.
- 1.b. The interpreter named in Part 4. read to me every question and instruction on this application and my answer to every question in

a language in which I am fluent, and I understood everything.

2. At my request, the preparer named in Part 5.,

prepared this application for me based only upon information I provided or authorized.

Applicant's Contact Information

- 3. Applicant's Daytime Telephone Number
- 4. Applicant's Mobile Telephone Number (if any)
- 5. Applicant's Email Address (if any)

 Select this box if you are a Salvadoran or Guatemalan national eligible for benefits under the ABC settlement agreement.

Applicant's Declaration and Certification

Copies of any documents I have submitted are exact photocopies of unaltered, original documents, and I understand that USCIS may require that I submit original documents to USCIS at a later date. Furthermore, I authorize the release of any information from any and all of my records that USCIS may need to determine my eligibility for the immigration benefit that I seek.

I furthermore authorize release of information contained in this application, in supporting documents, and in my USCIS records, to other entities and persons where necessary for the administration and enforcement of U.S. immigration law.

Please read page 5 and complete any information that is applicable.

Part 3. Applicant's Statement, Contact Information, Declaration, Certification, and Signature (continued)	Part 4. Interpreter's Contact Information, Certification, and Signature
 I understand that USCIS may require me to appear for an appointment to take my biometrics (fingerprints, photograph, and/or signature) and, at that time, if I am required to provide biometrics, I will be required to sign an oath reaffirming that: 1) I reviewed and understood all of the information contained in, and submitted with, my application; and 2) All of this information was complete, true, and correct at the time of filing. I certify, under penalty of perjury, that all of the information in my application and any document submitted with it were provided or authorized by me, that I reviewed and understand all of the information contained in, and submitted with, my application and that all of this information is complete, true, and correct. 	Interpreter's Mailing Address 3.a. Street Number and Name 3.b. Apt. 3.b. Apt. Ste. Flr. 3.c. City or Town 3.d. State Image: State Image: State
Applicant's Signature	Interpreter's Contact Information
7.a. Applicant's Signature	4. Interpreter's Daytime Telephone Number
7.b. Date of Signature (mm/dd/yyyy)	5. Interpreter's Mobile Telephone Number (if any)
NOTE TO ALL APPLICANTS: If you do not completely fill out this application or fail to submit required documents listed in the Instructions, USCIS may deny your application.	6. Interpreter's Email Address (if any)
Part 4. Interpreter's Contact Information,	Interpreter's Certification
Certification, and Signature	I certify, under penalty of perjury, that:
Provide the following information about the interpreter.	I am fluent in English and which is the same language specified in Part 3. , Item Number
Interpreter's Full Name	1.b., and I have read to this applicant in the identified language
1.a. Interpreter's Family Name (Last Name)	every question and instruction on this application and his or her answer to every question. The applicant informed me that he or
	she understands every instruction, question, and answer on the application, including the Applicant's Declaration and
1.b. Interpreter's Given Name (First Name)	Certification, and has verified the accuracy of every answer.
2. Interpreter's Business or Organization Name (if any)	Interpreter's Signature
2. Interpreter's Business of Organization Name (if any)	7.a. Interpreter's Signature

I-765

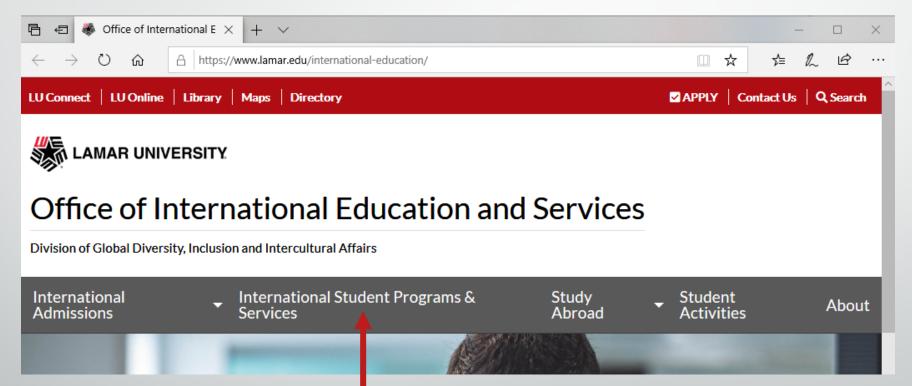


Part 5 is not applicable if you completed the form yourself. Part 6 is to add any "previous OPT/STEM OPT Authorizations" with start & end dates

Part 5. Contact Information, Declaration, and	Preparer's Statement	Part 6. Additional Information	5.a.	Page Number	5.b. Pa	art Number	5.e. I	tem Number
Signature of the Person Preparing this Application, If Other Than the Applicant	7.a. I am not an attorney or accredited representative but	If you need extra space to provide any additional information						
Provide the following information about the preparer.	have prepared this application on behalf of the applicant and with the applicant's consent.	within this application, use the space below. If you need more space than what is provided, you may make copies of this page to	5.d.					
Preparer's Full Name	7.b. I am an attorney or accredited representative and my representation of the applicant in this case	complete and file with this application or attach a separate sheet of paper. Type or print your name and A-Number (if any) at the						
I.a. Preparer's Family Name (Last Name)	<pre>extends does not extend beyond the preparation of this application.</pre>	top of each sheet; indicate the Page Number , Part Number , and Item Number to which your answer refers; and sign and date						
	NOTE: If you are an attorney or accredited	each sheet. 1.a. Family Name						
1.b. Preparer's Given Name (First Name)	representative, you need to submit a completed Form G-28, Notice of Entry of Appearance as Attorney or Accredited Representative, with this	1.a. rainfy vante (Last Name) 1.b. Given Name (First Name)						
2. Preparer's Business or Organization Name (if any)	application.	1.c. Middle Name						
	Preparer's Certification	2. A-Number (if any) ► A-						
Preparer's Mailing Address	By my signature, I certify, under penalty of perjury, that I prepared this application at the request of the applicant. The	3.a. Page Number 3.b. Part Number 3.c. Item Number	6.0	Page Number	6 h . Da	ert Number	6 e - I	tem Number
3.a. Street Number and Name	applicant then reviewed this completed application and informed me that he or she understands all of the information		0.4.		0.0. 12	at realiser	0.0.	tem rumber
3.b. Apt. Ste. Flr.	contained in, and submitted with, his or her application, including the Applicant's Declaration and Certification, and	3.d.	6.d.					
3.c. City or Town	that all of this information is complete, true, and correct. I							
3.d. State 3.e. ZIP Code	completed this application based only on information that the applicant provided to me or authorized me to obtain or use.							
3.f. Province	Preparer's Signature							
3.g. Postal Code	8.a. Preparer's Signature							
3.h. Country								
	8.b. Date of Signature (mm/dd/yyyy)							
Preparer's Contact Information								
4. Preparer's Daytime Telephone Number		4.a. Page Number 4.b. Part Number 4.c. Item Number	7 .a.	Page Number	7 .b. Pa	art Number	7.e. I	tem Number
5. Preparer's Mobile Telephone Number (if any)		4.d.	7 .d.		L		L	
6. Preparer's Email Address (if any)								
Form I-765 Edition 08/25/20	Page 6 of 7	Form I-765 Edition 08/25/20	n in die	unaneo ac	ianomi	2002 III - 2003		Page 7 of 7

Step 2 – I-20 Request Process

• Log on to <u>lamar.edu/international</u> website



Click on International Student Programs
 & Services

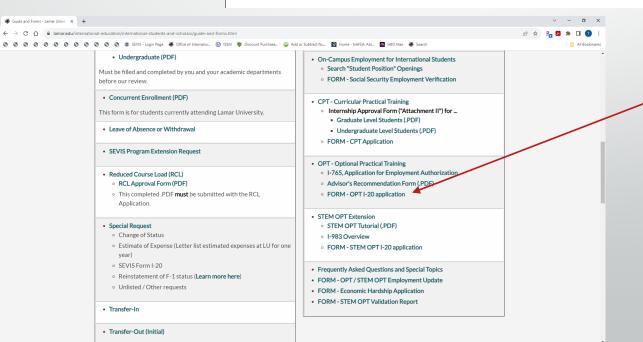


I-20 Request Process

International Students and Scholars

Click on "Guide and Forms"

On Ca	mpus Services
Life At	Lamar
Mainta	aining Immigration Status
Intern	ational Student Employment
Studer	nt Handbook and Other Resources
Guides	s and Forms
Freque	ently Asked Questions



Then click on "OPT I-20 Application" under Employment forms to complete application.



Step 3: Preparing your Post-Completion OPT Request to USCIS



Post-Completion OPT Application Checklist

- Documents needed for application–See checklist below:
 - <u>I-765 Forms Available to File Online | USCIS</u>
 - Copy of I20 with the OPT recommendation signed by DSO and Student
 - Copies of all prior I-20s
 - \$410 (current as of 3/2021)
 - **2 Passport style photos** taken within 30 days of filling the Form I765.
 - Copies of any previous and current EAD cards
 - Copy of <u>I-94</u>
 - Copy of passport and visa



Applying with USCIS for OPT

Online filing now available at <u>https://www.uscis.gov/i-765</u>

Online Filing Benefits



Case status alerts and secure messages



See all case correspondence

Check your case status and update personal information



Upload evidence

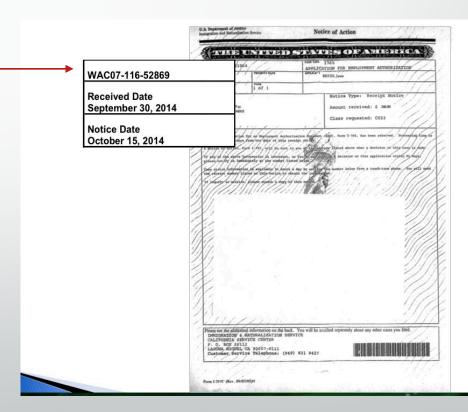


Step 4: Receiving your EAD & USCIS Documents



I-797 Receipt Notice

- Applicants will typically receive a I-797 Notice of Action receipt from USCIS approximately 3-4 weeks from the date the OPT application was received by USCIS. The status of an OPT application can be viewed online with a Receipt Number: https://egov.uscis.gov/casestatus/landing.do
- Applicants will receive their Employment Authorization Document (EAD) card approximately 3 months from the date the OPT application was received by USCIS (times may vary)
- If you used OISPS mailing address once OIES receives an approval notice to be followed by the EAD card, OIES will email you instructions on how to get your documents.



***verify all biographical information is correct as soon as you receive your I-797 notice and notify USCIS if there is any incorrect information shown.

While OPT Application is Pending

- Student may NOT begin employment until they have received their Employment Authorization Document (EAD) card and the start date as indicated on the EAD card has been reached.
- Student may not continue working beyond the end date of the EAD card.
- Student may NOT continue to work on campus after graduation or degree completion



Application Problems: RFE or Rejection/Denial

- RFE: If there is a problem with your application, USCIS may send you a notice by mail called a "Request for Evidence (RFE)." An RFE does not mean that your application has been rejects, it simply means you need additional documents before your EAD can be issued.
- **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 6o-day grace period.
- To avoid delays, review your application materials for completeness and correct/current information.



Step 5: Reporting Requirements While On OPT



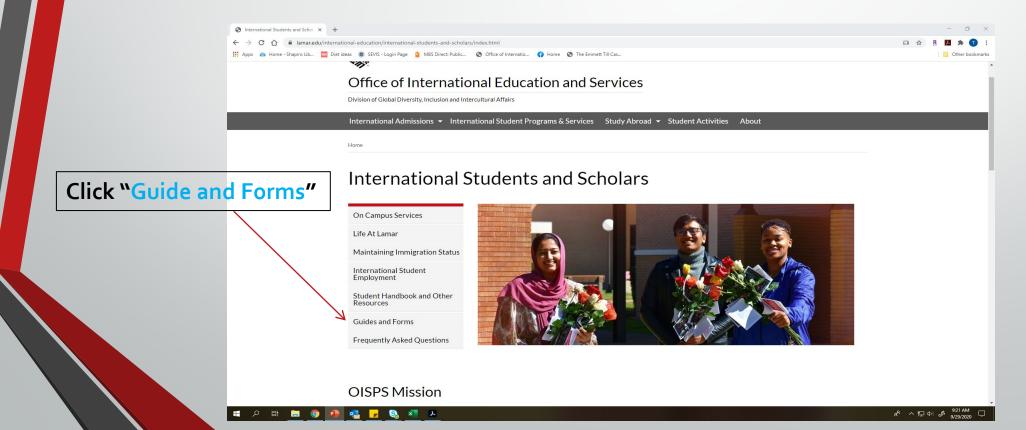
Reporting Requirements While On OPT

- F-1 students are required to report to the DSO within 10 days if <u>any</u> of the following changes during their OPT period:
 - ALL employment changes including changing jobs, employer name change, acquisitions, etc. Changes in the student's name
 - Address (physical/mailing)
 - Visa Status (i.e. H1B Approval)
 - Primary work location

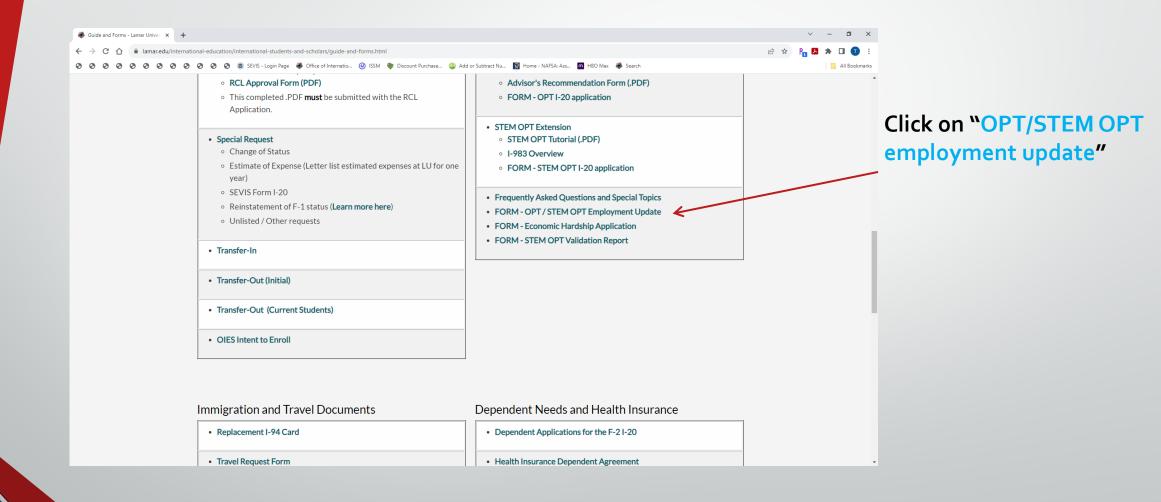


How To Report OPT Employment?

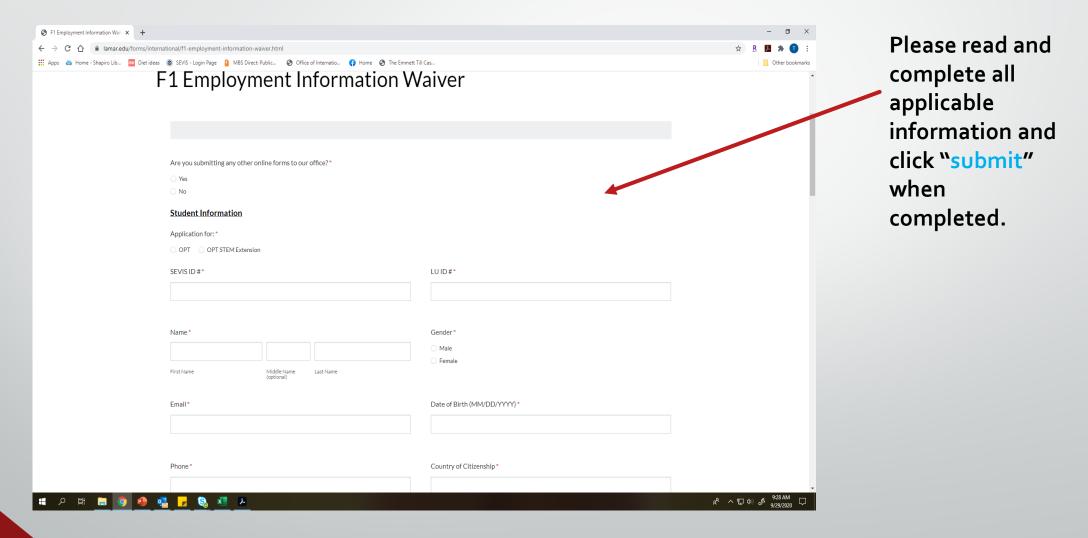
- Employment Updates/Changes
 - https://www.lamar.edu/international-education/international-students-andscholars/index.html



How To Report OPT Employment?



How To Report OPT Employment?



Traveling Abroad While On OPT

- Complete Travel Application Online -<u>https://www.lamar.edu/forms/international/travel-request-application1.html</u>
- Documents required to re-enter the U.S. in valid F-1 status:
 - Valid Passport
 - Endorsed I-20 (each travel authorization signature is valid for 6 months from the date it was last signed and must be valid at the time of entry to the U.S.)
 - Valid F-1 Visa (if expired, you must renew with the U.S. Consulate/embassy)
 - EAD Card
 - Proof of Employment or Offer Letter
- NOTE: If you are planning to travel while your OPT is PENDING contact OIES regarding risks involved. OIES does NOT recommend international travel while the OPT application is pending with USCIS



Options After Initial OPT Period

- STEM Extension
- Resume studying at Lamar or transfer to another school
- Return to Home Country



Resume Studying

- If a student wish to resume studies, the updated I20 must be printed prior to the start of class and prior to the 60-day grace period ending.
- Your OPT work authorization ends on the date your new I20 is generated.
- Ending OPT early is allowed.
- If you are resuming study at another institution, you must request a transfer of your SEVIS record PRIOR to the student's 6o-day grace period ending.
 Please submit our <u>transfer out form</u> in order to proceed with this option.
- First day of classes MUST be within 5 months of the OPT EAD card end date



Changing Status

- Applications for change of visa status *must* be received by USCIS prior to the end of the 6o-day grace period
- Work with an immigration legal counsel regarding a Change of Status application to a new visa category (I-539 form).

