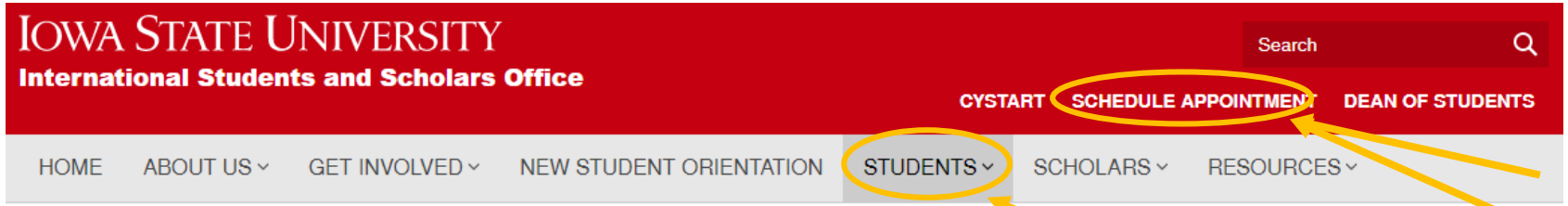
Optional Practical Training (OPT)

Workshop: Part 1

IOWA STATE UNIVERSITY
International Students and Scholars Office

OTHER RESOURCES & QUESTIONS

More resources are also available on our ISSO website – www.isso.dso.iastate.edu. If you have questions after this presentation, you may also email isso@iastate.edu or your assigned International Student Advisor.



Optional Practical Training

Application Materials & Other Resources

General Resources:	Online Application Materials:
OPT Powerpoint	Guide to Online OPT Application
Info on SEVP Portal	Online OPT Application Tips
OPT Checklist	USCIS Tips for Filing Online

Schedule an appointment with your assigned advisor.

OPT informational page and resources found in the "Students" tab of the ISSO website.

AGENDA

- **OPT Overview**
- **Planning for Post-Completion OPT**
- **Application Process**
  - Required OPT Application Documents
  - Sending OPT Application to USCIS
- **After OPT Approval**
  - Reporting Requirements During OPT
  - Options After OPT
  - Travel With OPT Pending or Approved

OPT OVERVIEW

WHAT IS OPTIONAL PRACTICAL TRAINING?

- **Benefit of F-1 status**
- **Practical experience in your academic field**
  - Directly related to major listed on your I-20
- **Two common types of OPT**
  - Post-Completion OPT: 12-month authorization after degree completion (typically)
  - STEM OPT Extension: 24-month extension after Post-completion OPT
    - Open to STEM majors with qualifying employment

WHO IS ELIGIBLE FOR POST-COMPLETION OPT?

- Maintaining valid F-1 status
- Enrolled full time for at least 1 academic year (fall and spring semester)
- Eligible for another 12 months after each degree completed at a higher educational level

Doctoral Degree
↑
Master's Degree
↑
Bachelor's Degree

Doctoral Degree
↓
Master's Degree
↓
Bachelor's Degree

PLANNING FOR POST-COMPLETION OPT

When should I start the OPT application process?

WHAT IS MY PROGRAM COMPLETION DATE?

ISSO will shorten your I-20 to your program completion date – typically the last day of the semester you complete your program. Your program completion date determines the timeline for applying for OPT.

Additional Considerations:

- Graduation date =/= program completion date
- Students cannot **delay** graduation to extend program completion date.

PROGRAM COMPLETION DATE:

Coursework Only Degree Programs

Coursework only programs are:

- Bachelor's degrees
- Master's degrees without a creative component or thesis

Program completion date:

- Last day of semester in which last required course is taken
  - Fall 2022 – 12/16/2022
  - Spring 2023 – 05/12/2023
  - Summer 2023 – 08/04/2023

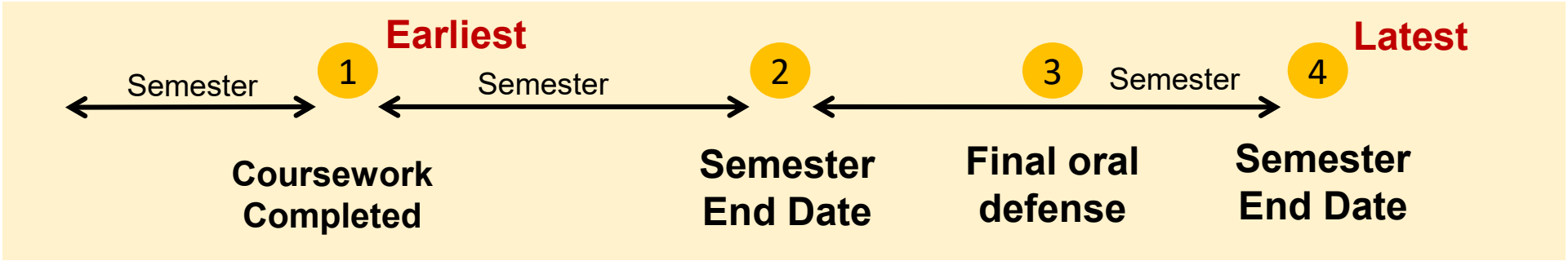
ISSO will shorten your I-20 at the time of your OPT request if needed.

PROGRAM COMPLETION DATE:

Creative Component, Thesis, or Dissertation Degree Programs

Program completion date options:

1. **Earliest: Last day of the semester in which POS coursework is finished (excluding research credits)**
2. **Last day of any semester after POS completion**
3. **Final oral defense date (if during the semester)**
   - Must be officially scheduled with Graduate College
4. **Latest: Last day of the semester in which you defend**
   - If you defend in the interim period between two terms, then your latest I-20 end date will be the last day of the term previous.

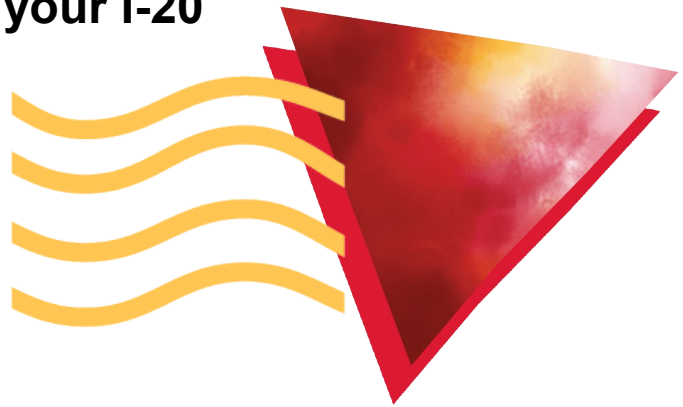


IMPACTS OF PROGRAM COMPLETION DATE:

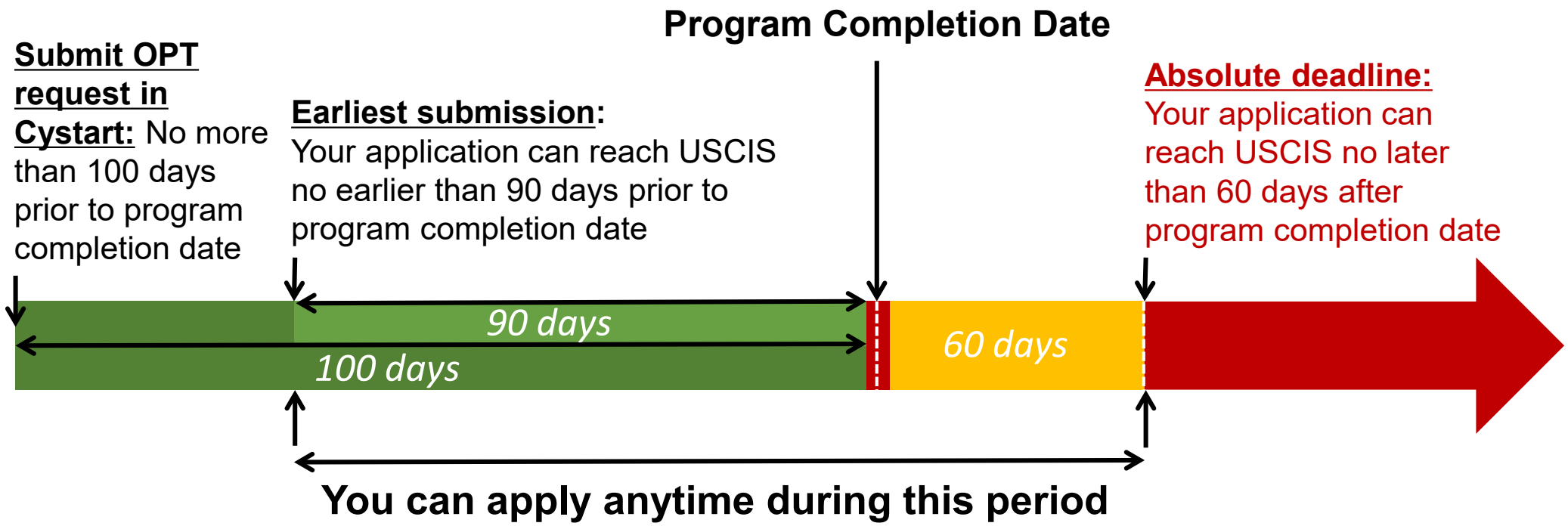
On-Campus Employment

- All on-campus employment (such as graduate assistantship or hourly position) must end by program completion date (I-20 end date).
- ISSO will notify your on-campus employer when your employment authorization has been shortened.

Eligibility for resident tuition and scholarship benefits for students with graduate assistantships may be affected if you elect to shorten your I-20 program end date to the date of your defense.

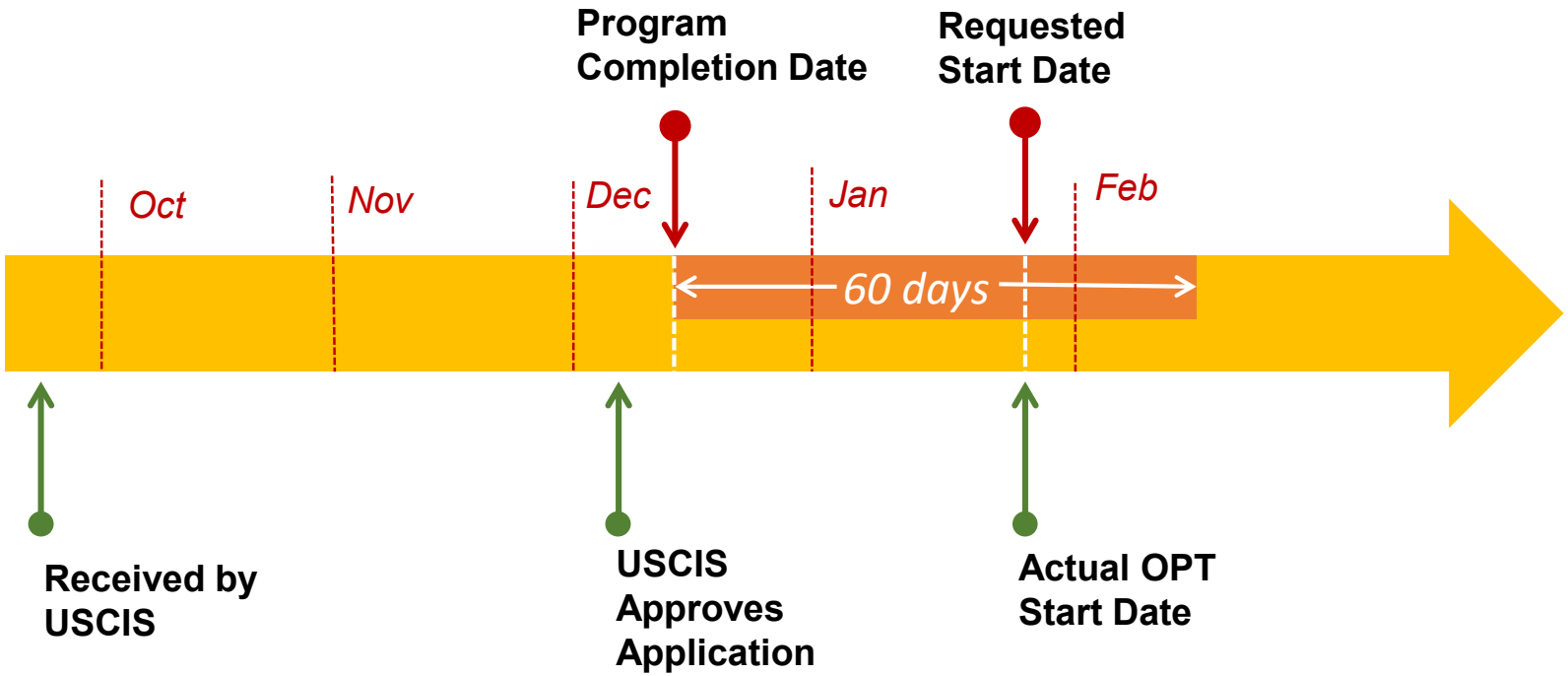


OPT APPLICATION TIMELINE



Be sure you have received your OPT recommendation I-20 from ISSO before submitting your application with USCIS!

OPT START DATE – EXAMPLE SCENARIOS



Requested start date
*Any date within 60 days of the program completion date

Actual start date
*If approved before requested start date: Actual start date should match the requested start date

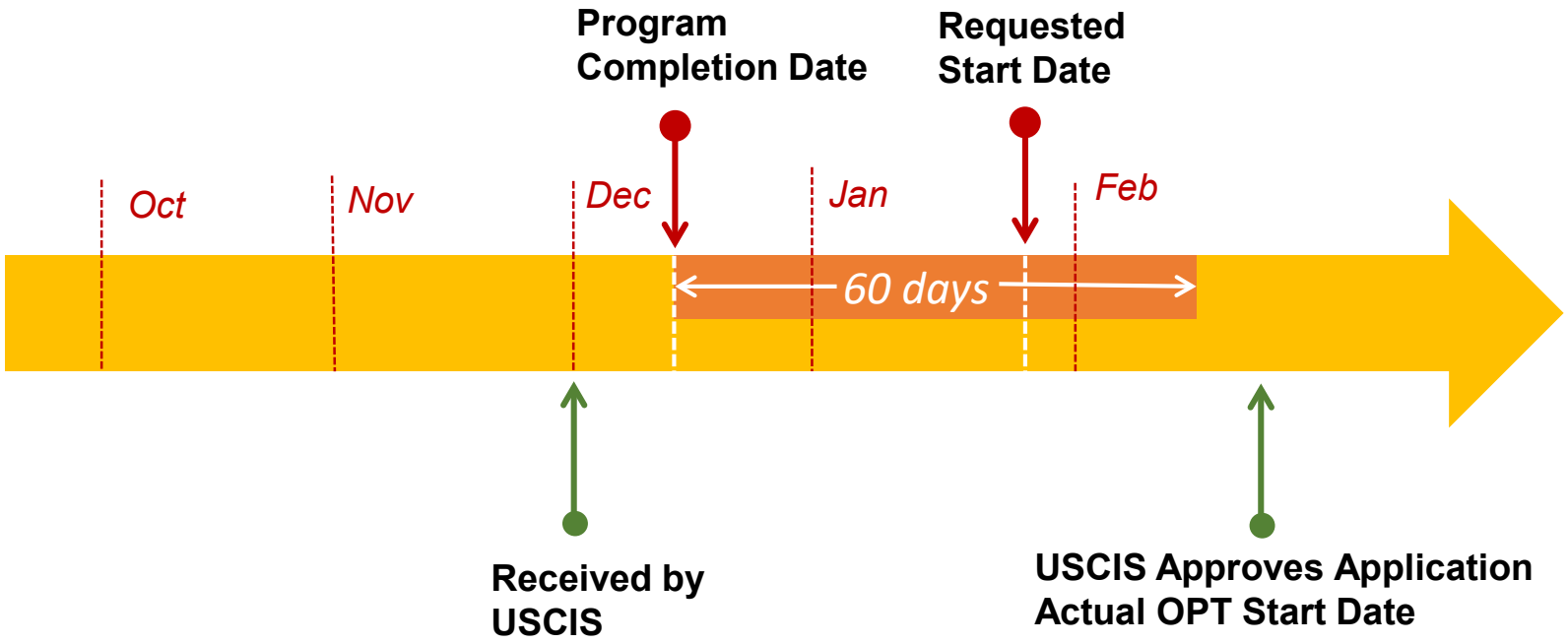
*If approved after requested start date:

- Actual start date will be date of USCIS approval

Example 1 – Requested Start Date January 20

- Received by USCIS: September 20
- USCIS approval date: December 10
- **Actual OPT start date**: **January 20**

OPT START DATE – EXAMPLE SCENARIOS



Requested start date
*Any date within 60 days of the program completion date

Actual start date
*If approved before requested start date: Actual start date should match the requested start date

*If approved after requested start date:

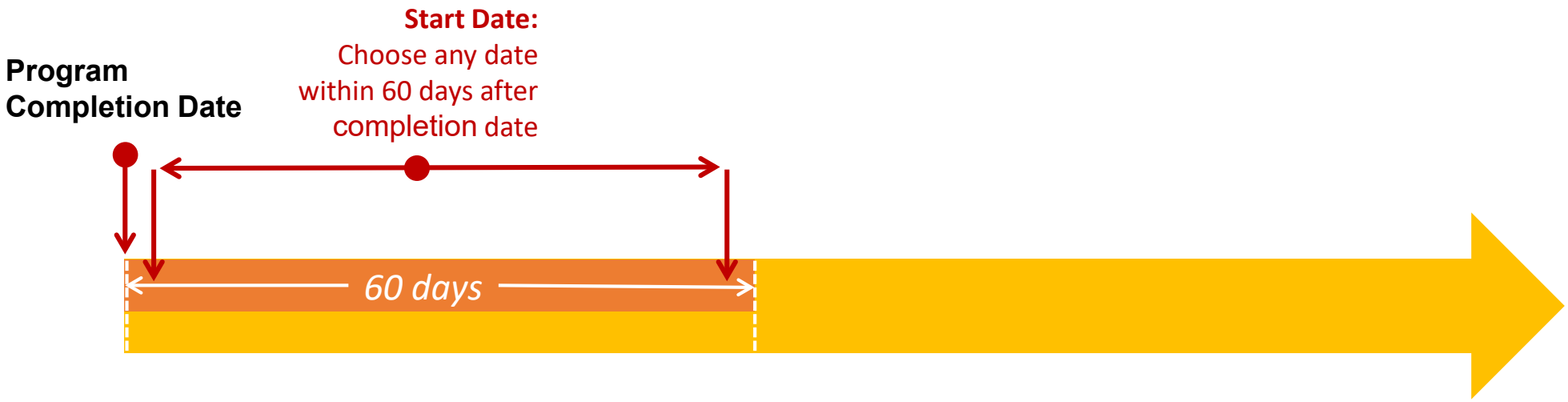
- Actual start date will be date of USCIS approval

Example 2 – Requested Start Date January 20

- Received by USCIS: December 1
- USCIS approval date: February 20
- **Actual OPT start date**: **February 20**

OPT REQUESTED START DATE

What date should I choose?



Earlier Start Date

Pros

- More likely to begin working right away

Cons

- Less time to apply for jobs before OPT start date and OPT unemployment "clock" will start sooner
- **Less processing time for application, so application may not be approved in time to be granted requested start date**

Later Start Date

Pros

- More time to apply for jobs before unemployment "clock" starts
- More likely to be granted requested start date, as USCIS will have more time to process application

Cons

- Cannot start job earlier than approved start date if new company wants you to start right away

Optional Practical Training (OPT)

Workshop: Part 2

IOWA STATE UNIVERSITY
International Students and Scholars Office

OPT APPLICATION PROCESS

OPT APPLICATION OVERVIEW

1. Complete OPT Checklist in Cystart
    a. Complete OPT Workshop
    b. Submit “Optional Practical Training” request to receive OPT recommendation I-20
    c. Compile all application materials and submit OPT Application Review
2. Submit Application to USCIS Online
3. Receive Receipt Notice
4. Wait for Adjudication of Application
    a. Processing times vary, 2-3 months on average

ONLINE RESOURCES FOR POST-COMPLETION OPT

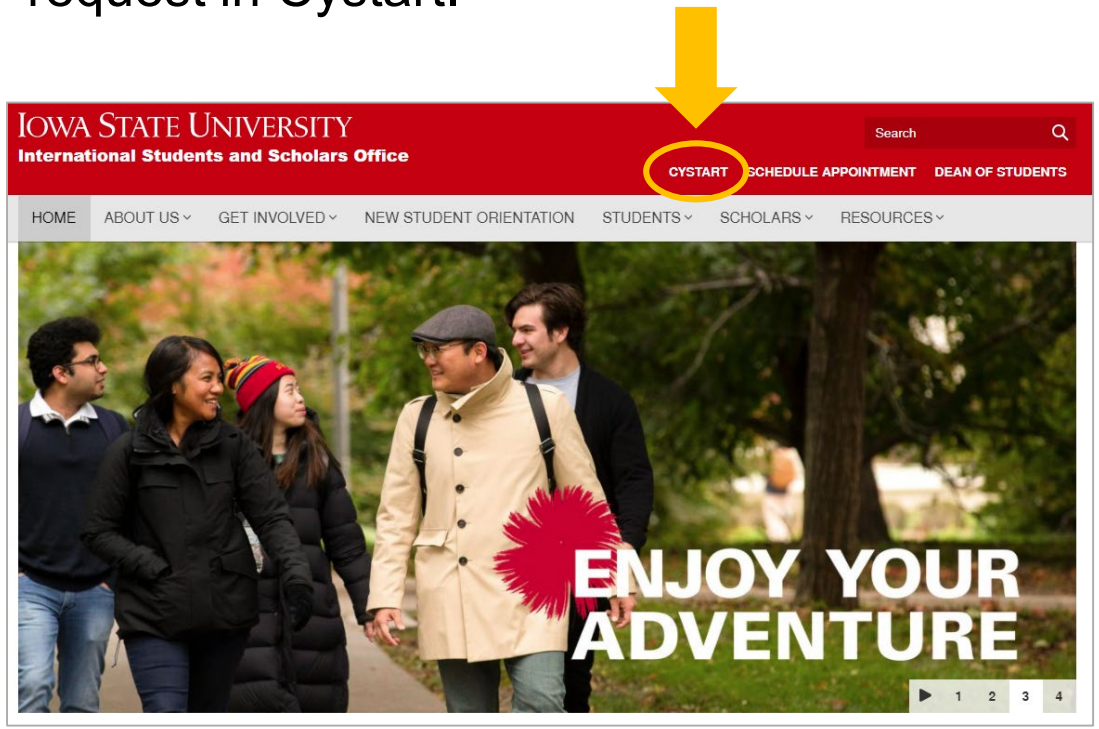
Optional Practical Training

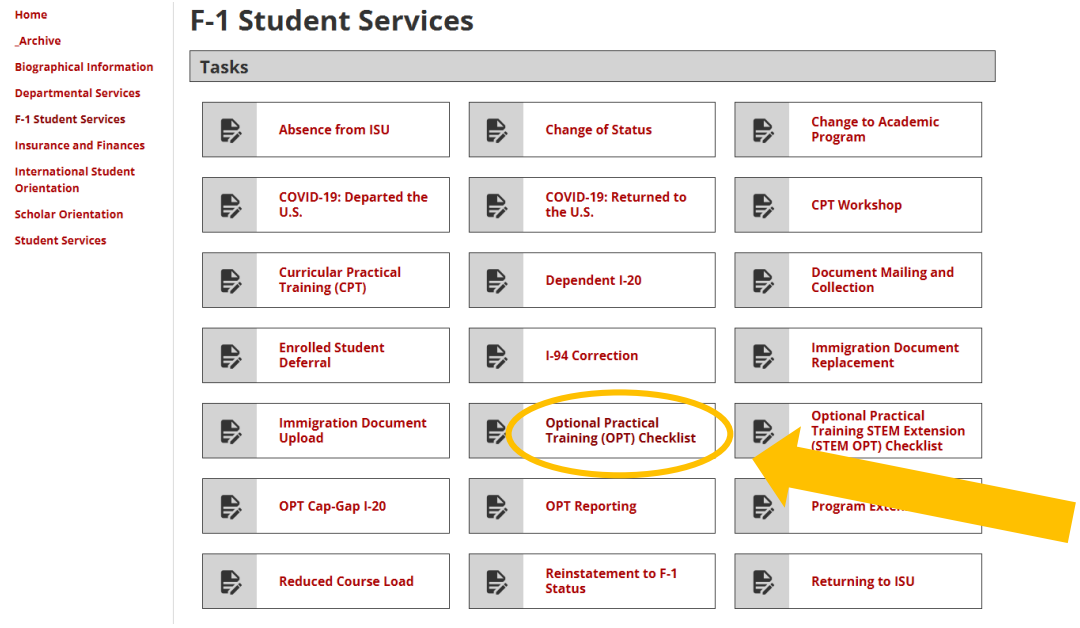
Application Materials & Other Resources

General Resources:	Online Application Materials:
OPT Powerpoint	Guide to Online OPT Application
Info on SEVP Portal	Online OPT Application Tips
OPT Checklist	USCIS Tips for Filing Online

REQUESTING OPT RECOMMENDATION I-20 FROM ISSO

To request an OPT Recommendation I-20, complete the “Optional Practical Training” request in Cystart.





COLLECTING OPT I-20

When the OPT Recommendation I-20 is ready, you will receive an email that contains information on:

- How to collect your OPT recommendation I-20
- A list of required OPT application materials
- Application timeline and deadlines
- Instructions for how to submit your complete application for ISSO advisor review
- Information about submitting your application online to USCIS

TIMELINE FOR POST-COMPLETION OPT

- Application can be received by USCIS
  - **No earlier than 90 days** before your program completion date AND
  - **No later than 60 days** after your program completion date
  - **Within 30 days** of OPT recommendation was made
- Reference the OPT Checklist (provided with your OPT I-20) for your application submission deadline. If you will not submit your application to USCIS on time, contact ISSO as soon as possible.
- USCIS typically take 2-3 months to process OPT applications. Due to this uncertainty, ISSO recommends apply as early as possible!

SUBMITTING YOUR OPT APPLICATION TO USCIS

- OPT Application Submission Options:
  - File online at my.uscis.gov
    - See a step-by-step guide for completing the electronic I-765 application on our ISSO OPT webpage.

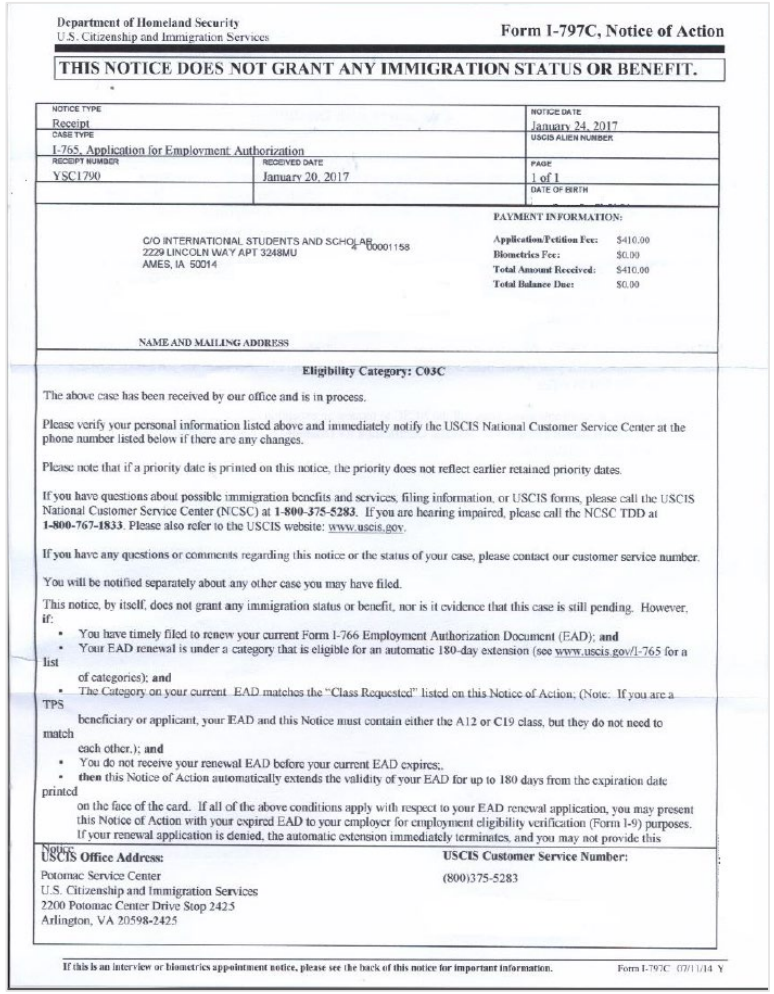
OR

  - Mail application to USCIS
    - Review Form I-765 direct filing addresses based on your address.

You are <u>strongly</u> encouraged to submit your application online, rather than by mail. The online application has proven to be a faster and cheaper option for many students (no mailing costs or delays).

RECEIPT NOTICE

- **USCIS will mail a receipt notice to your mailing address on your I-765 within 2-4 weeks of submission.**
- USCIS may send a text or email confirmation that your application was received prior to sending the receipt notice.
- Check the name and date of birth listed on the receipt notice for accuracy.
- Processing starts from the received date listed on your I-797C receipt notice.
- If you did not use ISSO as your mailing address, provide a copy of I-797C Receipt Notice in “Immigration Document Upload” request in Cystart.
- Check the status of your application on the USCIS website. Updates are not likely until application is approved, unless a Request for Evidence (RFE) is sent.



Department of Homeland Security
U.S. Citizenship and Immigration Services

Form I-797C, Notice of Action

THIS NOTICE DOES NOT GRANT ANY IMMIGRATION STATUS OR BENEFIT.

NOTICE TYPE		NOTICE DATE
Receipt		January 24, 2017
CASE TYPE		USCIS ALIEN NUMBER
I-765, Application for Employment Authorization		
RECEIPT NUMBER	RECEIVED DATE	PAGE
YSC1790	January 20, 2017	1 of 1
		DATE OF BIRTH

C/O INTERNATIONAL STUDENTS AND SCHOLAR
2229 LINCOLN WAY APT 3248MU
AMES, IA 50014

PAYMENT INFORMATION:

Application/Petition Fee:	$410.00
Biometrics Fee:	$0.00
Total Amount Received:	$410.00
Total Balance Due:	$0.00

NAME AND MAILING ADDRESS

Eligibility Category: C03C

The above case has been received by our office and is in process.

Please verify your personal information listed above and immediately notify the USCIS National Customer Service Center at the phone number listed below if there are any changes.

Please note that if a priority date is printed on this notice, the priority does not reflect earlier retained priority dates.

If you have questions about possible immigration benefits and services, filing information, or USCIS forms, please call the USCIS National Customer Service Center (NCSC) at **1-800-375-5283**. If you are hearing impaired, please call the NCSC TDD at **1-800-767-1833**. Please also refer to the USCIS website: www.uscis.gov.

If you have any questions or comments regarding this notice or the status of your case, please contact our customer service number.

You will be notified separately about any other case you may have filed.

This notice, by itself, does not grant any immigration status or benefit, nor is it evidence that this case is still pending. However, if:

- You have timely filed to renew your current Form I-766 Employment Authorization Document (EAD); **and**
- Your EAD renewal is under a category that is eligible for an automatic 180-day extension (see www.uscis.gov/i-765 for a list of categories); **and**
- The Category on your current EAD matches the "Class Requested" listed on this Notice of Action; (Note: If you are a TPS beneficiary or applicant, your EAD and this Notice must contain either the A12 or C19 class, but they do not need to match each other.); **and**
- You do not receive your renewal EAD before your current EAD expires;
- **then** this Notice of Action automatically extends the validity of your EAD for up to 180 days from the expiration date printed on the face of the card. If all of the above conditions apply with respect to your EAD renewal application, you may present this Notice of Action with your expired EAD to your employer for employment eligibility verification (Form I-9) purposes. If your renewal application is denied, the automatic extension immediately terminates, and you may not provide this Notice.

USCIS Office Address:
Potomac Service Center
U.S. Citizenship and Immigration Services
2200 Potomac Center Drive Stop 2425
Arlington, VA 20598-2425

USCIS Customer Service Number:
(800)375-5283

If this is an interview or biometrics appointment notice, please see the back of this notice for important information.

Form I-797C 07/11/14 Y

WHILE YOUR OPT APPLICATION IS PENDING

- You remain in valid F-1 status, and you can remain in the United States for as long as your application is pending.
- All on-campus employment must stop on or before your I-20 program end date.
- You may not begin OPT employment until you receive the Employment Authorization Document (EAD) from USCIS and your OPT approved start date is reached.

POSSIBLE ISSUES WITH OPT APPLICATION

Contact ISSO <u>immediately</u> under the following circumstances:

- You will no longer complete your academic program **<u>or</u>** if you think you might fail a class required for graduation.

- You no longer want to apply for OPT and wish to withdraw your application.
  - Application fees are not refunded for withdrawn applications.

Optional Practical Training (OPT)

Workshop: Part 3

IOWA STATE UNIVERSITY
International Students and Scholars Office

AFTER OPT APPLICATION APPROVAL

AFTER OPT APPROVAL OVERVIEW

1. Receive EAD card in the mail
2. Register SEVP Portal account
3. Start employment only after receiving EAD card and reaching employment start date listed on EAD
4. Use EAD to complete I-9 with employer
5. Report employment in SEVP Portal

RECEIVING YOUR EAD

Your EAD card will be sent to the mailing address listed on Form I-765

ISSO Mailing Address

- ISSO will notify you when we have received any mail on your behalf.
- You can collect the EAD card from the ISSO or have someone collect it for you.
- If you are no longer in the Ames area, complete a “Document Mailing” form in Cystart to have your EAD card sent to your current address (at cost).

Personal Mailing Address

- Only use a personal mailing address that is a safe place to receive mail for the next 2-4 months.
  - If you move while your OPT application is pending, you will need to submit a change of address request with USCIS at uscis.gov/addresschange. USCIS may not process this request before your EAD card is mailed.
- Once your EAD card is received, upload a copy (front and back) in the “Immigration Document Upload” request in Cystart.

EMPLOYMENT AUTHORIZATION CARD (EAD)

Post-Completion OPT Category should be C03B

- Notify ISSO if this is incorrect

Approved OPT Start Date

- First day you are allowed to begin employment on OPT
- 90 days of unemployment start accruing on this date

Approved OPT End Date

- Post-Completion OPT must end on this date
- If eligible for the STEM OPT extension, begin application process 3-4 months before OPT EAD end date

SEVP PORTAL ACCOUNT

- You should receive an automated email on your approved OPT start date with an account creation link.
- Follow the link and register your account within 10 days of your OPT start date, even if you do not yet have employment.
- Contact ISSO if you do not receive your account creation email or if you are locked out of your account.

WHAT EMPLOYMENT QUALIFIES FOR POST-COMPLETION OPT?

Types of Employment

- Multiple employers
- Short term multiple employers (performing artists and “gig” employment)
- Work for hire (contractual relationship)
- Employment through an agency or consulting firm
- Self-employed business owner
  - ISSO recommends working with a qualified attorney to assure they have all requisite licenses for owning a business in the U.S.
- Paid or Unpaid
  - You must ensure that unpaid positions do not violate labor laws.
  - All unpaid work at ISU must be approved by the Office of Risk Management.

Full-time or part-time

- Must be working at least 20 hours per week to stop days of unemployment from counting

ALL OPT EMPLOYMENT MUST BE DIRECTLY RELATED TO YOUR MAJOR!

REPORTING REQUIREMENTS ON POST-COMPLETION OPT

- Must **update within the SEVP Portal within 10 days** of a change to:
  - Living address
  - Employer
  - Employer address
  - Employer name
  - Loss of employment
- All employment is self-reported through the SEVP Portal account.
  - If you are unable to add employment through the Portal, then please submit an “OPT Reporting” request in Cystart.
- Once your OPT is approved and employer information reported, you can request an updated I-20 through the OPT Reporting request in Cystart.

EMPLOYMENT HISTORY RECORDS

We recommend you keep the following documents:

- If paid, retain pay stubs and W-2 tax forms
- If unpaid and/or self-employed, document the number of hours worked each week
- A letter from each employer stating
  - Job title(s)
  - Duties
  - Location
  - Pay rate
  - Number of hours worked per week

Optional Practical Training (OPT)

Workshop: Part 4

IOWA STATE UNIVERSITY
International Students and Scholars Office

UPDATING ISSO DURING OPT

UPDATING ISSO

ISSO continues to maintain your F-1 immigration record while on OPT.

Contact ISSO if:

- You plan to depart the U.S. permanently and will no longer use your OPT
- You received an I-797 Approval Notice for a change of immigration status
- You want to begin study at a new degree level
- You are unable to accurately report your employment or living address in the SEVP Portal

Your ISU email will **stay active** while you are on OPT. Please monitor it!

STEM OPT EXTENSION

- For students eligible for the STEM OPT Extension, you can apply up to 90 days before the end of your Post-completion OPT period.
- 3-4 months before your Post-Completion OPT period ends, attend the “OPT Extension Workshop” in Cystart and begin reviewing ISSO resources about the application process.

H-1B APPLICATION AND "CAP-GAP"

- **Employers will submit registrants in the H-1B "lottery" each March**
  - If you are selected, then your employer can file an H-1B application on your behalf.
  - If your OPT is scheduled to end after your H-1B application is submitted, but before the October 1st H-1B start date – then a "cap-gap" extension may be applied to your I-20.
  - If you are in your grace period following completion of your OPT at the time your H-1B application is submitted – then you may be able to extend your legal stay in the United States, but not your employment authorization.

90 DAYS OF UNEMPLOYMENT

- **Allowed up to 90 days of unemployment**
  - Count only days between dates listed on Employment Authorization Document (EAD)
  - Count all days, including weekends and holidays
  - Count any week employed fewer than 20 hours
  - Cumulative over 12 months of OPT
  - Count days outside the U.S., if unemployed

- **Considered a violation of status to go over 90 days of unemployment**
  - Responsibility of student to report employment accurately

OPTIONS FOLLOWING OPT

- **You have a 60-day grace period following the end date on your EAD.**
  - You do not get a 60-day grace period if you exceed 90 days of unemployment.

- **During the 60-day grace period, you may:**
  - Depart the United States.
  - Have a new I-20 issued for a new program of study.
  - Transfer to another school to begin a new program of study.
  - Apply to change your immigration status in the U.S.

TRAVEL DURING OPT

TRAVEL DURING OPT

- **F-1 students remain eligible to travel while OPT is pending or approved**
- **Students should carry the following documents when traveling:**
  - Most recently issued I-20 (which should be your OPT recommendation I-20)
    - Travel signature is only valid for **6 months** during OPT
  - Valid passport and F-1 visa
  - EAD card
    - If application is still pending, carry I-797C Receipt Notice
  - Job offer letter or letter verifying current employment (if OPT already approved)
  - More information can be found at www.ice.gov/sevis/travel

TRAVEL DURING OPT

- **Risks of travel while OPT is pending:**
  - If you receive a Request for Evidence (RFE) from USCIS asking you to provide further information, then it will be mailed to your U.S. mailing address listed on the I-765. You may not receive it if abroad.
  - Once OPT is approved, you are expected to re-enter the U.S. with your EAD card. If approved while outside the U.S., ISSO would advise mailing your EAD card to your current location (at cost).
  - If you will travel internationally or if you plan to move while OPT is pending, we recommend you list ISSO's address on I-765 mailing address. ISSO can then receive mail from USCIS on your behalf.

QUESTIONS?

- **If you have questions after this presentation, please:**
  Email isso@iastate.edu
- Email your International Student Advisor
- Schedule an appointment with your International Student Advisor at https://isso.dso.iastate.edu/appointments