

## **Post-Completion OPTIONAL PRACTICAL TRAINING (OPT) Online Filing Instructions**

### **Employment authorization following graduation**

**Definition:** Optional Practical Training (OPT) is defined in the F-1 regulations as "temporary employment for practical training directly related to the student's major area of study." OPT can be pre-completion (before graduation), or post-completion (after graduation). This handout is about post-completion OPT. Post-completion OPT is authorized to begin after graduation (and in some cases, completion of all coursework for master's and doctoral students) and authorizes full-time degree-related employment if approved.

**Eligibility:** To be eligible:

- You must have been a full-time F-1 student in a degree program for at least one year
- You must be in Active F-1 status, and have a valid passport
- You cannot have done 12 months or more of full-time CPT (curricular practical training)
- You must be completing your degree coursework at the end of the current semester

**Length of OPT:**

- You can do 12 months of full-time OPT per educational level (including any pre-completion OPT).
- You become eligible for another 12 months of OPT when you change to a higher educational level.
- If you are in a STEM field, you may be eligible for an extension of 24-months of your OPT with certain requirements met. This is called 'STEM OPT,' or the 'STEM Extension,' available maximum twice (lifetime limit).

**Job offer and unemployment**

- You do not need an offer of employment to apply for OPT but you are required to be employed during the OPT validity period
- Employment outside the validity dates is strictly prohibited
- All employment must be directly related to your field of studies, the degree just completed.
- All employment must be properly and timely reported (within 10 days of any change).
- Unemployment more than 90 days cumulative results in loss of F-1 status and may result in termination of F-1 status.

**Timeline to apply:**

- Your application for OPT can be filed not more than 90 days before the official end of the semester you are graduating or up to 60 days after.
- Your application must be submitted to USCIS within 30 days of the OPT I-20 being issued.
- Apply as soon as possible because it often takes 3-4 months to receive OPT authorization from the Department of Homeland Security/United States Citizenship and Immigration Services.

**OPT Rules and Regulations:**

1. You can begin work only after receiving the Employment Authorization Card (EAD) issued by the United States Citizenship and Immigration Services (USCIS) and only on or after the start date on the

EAD. Your EAD must be correct with all data, or you must request a replacement. Replacements that are a result of your error will require a new fee of \$410.

2. During OPT, your F-1 status depends on proper employment. You may not be unemployed for a total of more than 90 days. Each day during the period when OPT authorization begins and ends that the student does not have qualifying employment (even time outside the U.S.) counts as a day of unemployment. If you travel while employed either during a period of leave authorized by your employer or as part of your employment, the time spent outside the United States will not count as unemployment.
3. You must be employed full-time (more than 20 hours per week) in a job (or more than one job) that is DIRECTLY RELATED to your field of studies (your major). All employment must be related to your major.
4. You must report your employment (all employment), address, and other information directly to your international student advisor, to be reported in SEVIS. See below, 'Reporting Requirements.'
5. You cannot begin another academic program as a full-time student, either at UCCS or any other school.

Consequences of 90+ days of unemployment: You may be denied future immigration benefits that rely on your valid F-1 status if the Department of Homeland Security determines that you exceeded the limitations on unemployment. Additionally, Immigration and Customs Enforcement may examine SEVIS data and terminate your SEVIS record if it fails to show that you maintained the proper period of employment.

- You need to keep track of your unemployed days and not exceed 90 days!
- Students with more than 90 days of unemployment must depart the U.S. immediately, as they are considered out-of-status.
- 90+ days of unemployment may also result in a STEM Extension application being denied.

### **Reporting Requirements:**

These are the reporting requirements while on OPT for ALL students (these include both the Homeland Security requirements and those needed by your international student adviser). Please report directly to your international student adviser from your UCCS email address within 10 days of any change. Report all items each time you have any change to report:

1. Your legal name, UCCS ID, and current address (not a PO Box)
2. Degree major your OPT is based on (level, and major)
3. EAD Card start and end dates
4. How the employment reported is directly related to your degree in detail
5. Employer/Company/Business name
6. Employer's EIN
7. Job Title
8. Start and end (if known) dates of employment
9. Hours per week
10. Employer/Company/Business address (where you actually work)
11. Employer/Company/Business address (if your hiring/supervisor is located elsewhere)
12. Supervisor's name and contact information (phone number and email address)

Also, whenever you leave a previous job, you need to report that with the exact last date of employment.

You must also send your international student adviser the following:

- A copy of your OPT application receipt, approval, and EAD card front and back
- A copy of your employment letter (see the 'Documenting your Employment' section of this packet)

You must also respond to any request for current information from your adviser and check your UCCS email account daily for such requests.

### **Allowable employment:**

- **Regular paid employment** for 20+ hours per week in a position directly related to your major. You may work for multiple employers, if all work is directly related to your major and appropriate to your educational level.
- **Payment by multiple short-term employers.** If you are a musician or performing artist you may work for multiple short term employers (gigs).
- **Work for hire.** This is employment where an individual performs a service based on a contractual relationship rather than an employment relationship. If requested by the Department of Homeland Security, you must be prepared to provide evidence showing the duration of the contract periods and the name and address of the contracting company.
- **Self-employed business owner.** Students on OPT may start a business and be self-employed. In this situation, you must work full time. You must be able to prove that you have the proper business licenses and are actively engaged in a business related to your major.
- **Employment through an agency.** You must be able to provide evidence showing you worked an average of more than 20 hours per week while employed by the agency.
- **Volunteers or unpaid interns.** You may work as a volunteer or unpaid intern, where this does not violate any labor laws. The work must be more than 20 hours per week and you must be able to provide evidence from the employer that you worked more than 20 hours per week during the period of employment. **NOTE:** 'Volunteer' work for a business or any organization that operates for profit is not allowable. Also, note that unpaid volunteer work will NOT qualify a STEM student for a STEM OPT extension.

### **Documenting your employment:**

- For your protection, we require that you keep documentation of all your employment. In the future, you may be asked to provide proof that your employment during OPT was in your field of study and that you were working full-time.
- Specifically, you must maintain evidence — for each job — of the position held, proof of the duration of that position, the job title, contact information for your supervisor or manager, and description of the work.
- You must obtain a signed letter on letterhead from the employer's hiring official, supervisor, or manager stating how your degree is related to the work you performed, your title, your duties, and your working hours. Keep this in your personal records, and also send a copy to your international student advisor. It also needs to include your supervisor's email address and telephone number. If you travel, carry this letter and EAD Card with you (as well as your other documents, including your I-20 which needs to be kept up-to-date, and have a signature from your international student advisor at least every 6 months)
- Make sure that your I-20 is kept accurate – when you report employment, make sure that your international student advisor provides you an updated and signed copy.

***REMEMBER! While on OPT, you are still in F-1 student status, and you must follow all OPT regulations and report to your international student advisor to maintain your F-1 status.***

## **OPT Application Document Checklist –**

### **Email to your International Student Advisor:**

1. Memo from your academic adviser or department chair (sample letter is attached) verifying your expected graduation at the end of the current term.
2. Completed OPT I-20 Request form
3. Scan of 1 color U.S. passport-style photograph. Photos must be taken within the last 30 days, measure 2 inches by 2 inches, and have a plain white or off-white background. **(JPG, JPEG, or PNG)**
4. Scan of your most recent I-94 printout (<https://i94.cbp.dhs.gov/>) **(JPG, JPEG, PDF, TIF, TIFF)**
5. Scan of your passport identity page (and any renewal pages) **(JPG, JPEG, PDF, TIF, TIFF)**
6. Scan of the front and back of any previous EAD cards (if applicable) **(JPG, JPEG, PDF, TIF, TIFF)**
7. Scan of any prior I-20s if they show CPT or OPT OR a different SEVIS ID **(JPG, JPEG, PDF, TIF, TIFF)**
8. Completed online form I-765 DRAFT (see directions below, start here: <https://myaccount.uscis.gov/>)

### **After meeting with your international student advisor:**

9. Upload a copy of your OPT I-20 (signed in ink) to your application **(JPG, JPEG, PDF, TIF, TIFF)**

1. Gather all items listed above (except the OPT I-20) and email all documents to your International Student Advisor.
2. Make an appointment with your International Student Advisor to complete the application. You will be given the I-20 needed to complete your OPT application at this appointment.
3. After the appointment with your international student advisor, complete the following:
  - a. Print and physically sign the I-20 sent to you showing your OPT recommendation. Upload a scanned copy of the 1st and 2nd page of your new I-20 to your draft application. Review your application, ensure all required materials are uploaded, and submit within 30 days of receiving your new I-20.
  - b. After submission, return to your pending applications to download your application receipt. Email a copy of your application receipt to [international@uccs.edu](mailto:international@uccs.edu) when received (send the formal receipt; no copy of the confirmation email is needed).

## **Step-by-Step Instructions for Online Filing**

1. Create an account at: <https://myaccount.uscis.gov/>
2. Click on Create an Account to set up your account OR log in to an existing account. If you are setting up an account use a personal non-UCCS email that you will have access to forever. That way, you do not need to recreate an account after you leave UCCS.
3. Once you have logged in, click on “My USCIS” then “File a form online” to begin your application process.
4. Select “Application for Employment Authorization (I-765)” from the drop-down list.
5. Review the information on the page carefully. It will tell you everything you need to file online. Make sure you have all the items on the list of required evidence prepared before starting your application. Answer the form questions in order – do not skip ahead. Go in order so that you only see the questions you need to complete. The form will autosave your answers in each section.
6. You will be applying for (c)(3)(B) Student Post-Completion OPT. Make sure that you select this category.
7. You must select “Initial permission to accept employment.” If you have ever filed form I-765 before (even if it was denied), you must say Yes. Remember: you can only apply for OPT if you have not already done OPT at this or a higher educational level. If you have already done OPT at the same level (i.e. certificate or associates), or have done OPT previously at a higher level, do not apply. You are not

- eligible and will not be refunded. If you did not disclose this to our office and have already received your OPT I-20, please contact us immediately to cancel your recommendation and discuss your next steps.
8. The next sections in the application will ask information about you. You will need your I-94, passport, and I-20 to complete the immigration information section. You will generally not have A Number or USCIS account number. It is ok to leave these blank.
  9. If you do not have a social security number (SSN) already issued, you can apply for it at the same time as you apply for your EAD card.
  10. For the Employment Authorization Document or government-issued photo ID, upload your passport picture page. For the Form I-20 upload, you will see it listed that your “DSO must enter OPT recommendation in SEVIS within 30 days before you submit I-765” – this will be done at your OPT appointment. Do not submit your application until then. You will be preparing a draft of your I-765 for review at this time. You will be given an I-20 showing your OPT recommendation after your appointment. Your I-20 must be printed and physically signed (in ink) before uploading. Do not electronically sign or insert a digital signature on an I-20. This must be uploaded or your application will be denied. Review the formatting requirements required for your uploads. It is your responsibility to format your documents properly for USCIS, according to their instructions. It is highly recommended that you do not take pictures. We recommend scanning your documents from a scanner/copier machine and uploading “clean” clearly-legible PDFs, free of shadows, and with nothing in the “background” – no fingers, tabletops, other paperwork, etc.
  11. Before moving to payment, the application will check for errors and notify you if you may need to edit your response. Errors will NOT be checking your answers for accuracy or blanks – you must make sure that the data you provided in your application is complete and correct. If an error is highlighted in red, it must be corrected before you can submit your application. A “yellow” error calls your attention to something that may need correction. Review it to make sure your information is correct. If it is, you can submit without changing your response.
  12. STOP: DO NOT move to the next step of payment and submission of your application until after you have had your OPT appointment, received your OPT I-20, and uploaded this evidence to your application. You will be preparing a draft of your I-765 for review at this time. Download the draft and send a copy to your international student advisor along with all other required materials.
  13. After reviewing your draft I-765 and other materials, you will receive an email with any corrections. You will then be offered the opportunity to schedule your OPT appointment. After you have had your appointment, received your OPT I-20, and uploaded it to your application, proceed to the submission and payment page.
  14. You will electronically sign your I-765. This is the only electronic signature allowed (again, your I-20 copy must show a signature signed physically, in ink). You will then be directed to pay.gov to pay your application fee.
  15. You may pay by bank transfer (ACH) or via a debit/credit card issued by a US bank. The US billing address provided must match the details on your bank/credit card account.
  16. Make sure that you have completed submission. A confirmation will be displayed on the screen, and you will immediately get a receipt notice with your case number. Click on “Go to my cases,” then click on “Documents,” to download and send your receipt to international@uccs.edu (please include your full name and ID number when emailing us). If you receive an RFE, speak with us before responding.

## **Other FAQs:**

### **How long does the approval take?**

USCIS generally takes 2-3 months to approve an OPT application but in the event of backlogs, it can take up to 5 months. Use your receipt number to check your case status online.

### **What do I do if I change my mind about OPT?**

If you decide to cancel or withdraw your OPT application or quit earlier than the employment end date indicated on your EAD, contact your international student adviser. Recovering all or part of a period of OPT that has already been granted by USCIS is not possible.

### **Do I need a social security number?**

Yes, you will need an SSN to work. If you do not already have one, you can request one on your I-765 (you can also apply as soon as you have your EAD card and the employment start date is current). You may begin working before you have an SSN (but not before you have your approval and employment authorization document).

### **What about health insurance?**

It is highly recommended to have good health insurance in the U.S. as health care costs are very expensive. You may be required to have health care if you are a resident for tax purposes. Your employer may provide a plan. If your employer does not offer a health plan or you do not yet have employment, you should purchase one on your own. Ask your international student adviser for more information if you are in this situation.

### **Can I travel outside the U.S. during OPT?**

During OPT, you can travel outside the United States and should be eligible for re-admission to the U.S. to begin or resume employment for the remainder of the period authorized on your EAD card, if the following are all true:

- You have an updated I-20 showing OPT 'Approved' and signed by your International Student Advisor in the last 6 months, and
- You have an unexpired EAD, and
- You are returning to begin or resume employment (you must have an employment letter)
- You have a passport valid at least 6 months into the future
- You have a valid visa (unexpired)

**IMPORTANT** – Before you travel on OPT, request from your International Student Advisor an update of your I-20 that shows your OPT 'Approved' and has your reported employment information included. Make sure your I-20 is signed every 6 months.

### **Should I use the SEVP Portal?**

In 2018 SEVP introduced a new portal for OPT and STEM OPT students to directly report employment information and address information. You are welcome to use the SEVP portal if you wish. However, you must also report your information directly to your UCCS international student advisor so that your reporting can be checked, and an updated I-20 issued for you.

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**SAMPLE MEMO FROM ACADEMIC ADVISOR OR DEPARTMENT CHAIR**

**DEPARTMENT LETTERHEAD**

To: UCCS International Student Adviser

From: (Name of academic advisor or department chair)

Date:

\_\_\_\_\_ (Name of student) \_\_\_\_\_ is currently an (under)graduate student with a major in \_\_\_\_\_ (Degree major) \_\_\_\_\_ and is expected to graduate on \_\_\_\_\_ (Date) \_\_\_\_\_.

Signature (must be original): \_\_\_\_\_

Email: \_\_\_\_\_

Phone: \_\_\_\_\_