OPT: Optional Practical Training
Preparing Your OPT Application
OPT

One year authorization for training directly related to your major field of study as indicated on your I-20.

- Can be used during your degree program (pre-completion OPT) and/or after degree completion (post-completion OPT).

**Training is:**

**Temporary:** OPT authorization up to 12 months

**Optional:** Not a required part of a curriculum. It is a benefit associated with F-1 status.

**In Major Field of Study**

Cannot be requested in a minor/previous major if different than current major

- Job offer is not necessary for employment authorization approval

**Authorized by USCIS** (U.S. Citizenship & Immigration Services)
Eligibility Requirements

✓ Maintaining lawful F-1 status for at least 1 academic year;
  • Have valid passport and I-94 indicating F-1 and D/S

✓ Have been continuously enrolled full-time for at least 1 full academic year before your requested OPT start date;
  • Consecutive Fall & Spring semester

✓ Enrolled full-time (or authorized RCL) in semester you apply for OPT;
  • Must have an on-campus presence even during the summer

✓ Have not completed more than 364 days of full-time Curricular Practical Training (CPT) at your current degree level;

✓ Have not completed a higher degree level in the U.S. than your current degree level;

✓ Have not utilized an equivalent of 12 months of OPT work authorization for the same degree level or higher degree level; AND

✓ Intend to get a job, internship, or volunteer position directly related to your major field of study.
When to Apply for Post-Completion OPT

Post-Completion OPT can occur:

• After all degree requirements have been completed
• After completion of all course work (thesis/dissertation could still be in progress)

Plan Ahead—
In general, USCIS application processing is approximately taking 3-5 months from the receipt notice date and additional time if they request information.

Applying for Post-Completion OPT

• Applying based on degree completion:
  Apply as early as 90 days prior to your program completion date.
  ➢ Your application must be received by USCIS by no later than 60 days after your program end date.

• Applying with thesis or dissertation remaining:
  Apply as early as your course work completion date.
Applying for OPT & Travel Considerations

You should not travel outside the U.S. during your 60-day grace period if you have not mailed your OPT application to USCIS.

- OPT applications must be filed while you are in valid F-1 status.
- You are not eligible to re-enter the U.S. in F-1 status during your grace period if you do not already have a pending or approved OPT application.

During your 60-day grace period:
- Your OPT application must be mailed to USCIS prior to international travel.
- Your OPT application must be received by USCIS no later than the 60th day of your grace period.
OPT Request Timeline

<table>
<thead>
<tr>
<th>90 days before Program End Date</th>
<th>Program End Date</th>
<th>60 days after Program End Date</th>
</tr>
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</table>
| • Earliest date that Form I-765 may arrive at USCIS for post-completion OPT. | • Fall: December 19, 2018  
• Spring: May 8, 2019  
• Summer Sessions: | • Last date to request post-completion OPT in SEVIS  
• Filing deadline for USCIS to receive Form I-765  
• Latest possible requested start date for post-completion OPT |
OPT Request Timeline Example

When selecting a requested OPT start date, keep in mind:

- It can take USCIS 3-5 months from the receipt date to process your application
  - The later you apply, the greater the risk that you will not have a full 12 months of OPT
- You cannot change the requested OPT dates after submitting the application
- You do not need a job to apply for OPT. If you know you want to utilize the benefit, ISSS recommends applying as early as you are eligible (90 days before graduation)
OPT Start Date Considerations

Other Considerations—

Do you have a job after graduation?

➢ If yes: Congratulations! You can request the start date of your job offer within your 60 day period post-graduation
   ▪ You must receive the OPT Employment Authorization Document and you can only work within the authorization period.

➢ If not: It’s okay! Apply for OPT early, but consider how long it will take to find a job.
   ▪ If you pick a start date closer to the end of the grace period, you will limit the amount of unemployment you accrue while looking for a job. If you are offered a job before your requested start date, you will not be able to start work until you have your EAD card and it is within the authorization period on the EAD card.
OPT Request Process

Submit the following documents to ISSS:

- ISSS OPT Application Form

YOU complete the “Student Information and Attestation” section of the form.

YOUR ACADEMIC ADVISOR completes the “Academic Advisor Verification” section of the form.

- Exception: Arts and Science Undergraduate students do not need to have this section completed.

If you are a graduate student pursuing a thesis/dissertation option, your Academic Advisor must complete all fields regarding your degree completion.
OPT Request Process (continued)

- **$410 Application Fee** *(Pay by Credit Card, Personal Check, or Money Order)*
  - **Credit Card Payment**
    Include the Form G-1450 to authorize a credit card payment
  - **Personal Check/Money Order** payable to “U.S. Department of Homeland Security”
    If you don’t have a U.S. checking account, you can purchase a money order from a bank or a local grocery store
    - Be sure to sign and date the front of the check; Do NOT sign the back of the check
    - On the “memo” line, write “OPT: Your I-94 Number
    - If you do not have sufficient funds, your application will be denied!
OPT Request Process (continued)

- **2 Identical, U.S.-style passport photos** taken in last 30 days
  - Gently write your name and I-94 number on the back of each photo
  - You cannot wear glasses, a hat, or head covering unless a personal (if applicable) or doctor’s statement is submitted.
  - Do not cut, trim, or otherwise alter the photos.
  - Do not reuse old photos or photos used in passport/visa applications. If USCIS requests new photos, it will delay OPT application processing.
  - The Buff OneCard Office offers passport photos for $5. Stores with photo departments also typically take passport photos.

- **Current I-94**
  - Electronic I-94
  - If you were approved for a change to F-1 status, include the approval notice I-94
OPT Request Process (continued)

Clear COLOR photocopies of the following documents:

- (Copy) Valid passport ID page(s) and any renewal or extension pages
- (Copy) Most recent U.S. entry visa or change of status I-797 approval notice
  - Include last U.S. entry stamp if possible
- If you have used OPT before:
  - (Copy) Previously issued EAD card(s) and related I-20s issued for the I-765 application (e.g. previous OPT, STEM OPT, economic hardship employment)
  - Front & back of EAD(s)
  - I-20 (main page and employment authorization page)
OPT Request Process (continued)

- **Form I-765: Application for Employment Authorization**
  - Review the I-765 instructions
  - Type information into the form, print, and **sign in black ink**
  - Do not submit the application online
  - Print I-765 as **separate pages** (not double sided)

Mark

**Part 1. Reason for Applying**

I am applying for (select only one box):

1.a. Initial permission to accept employment.

**Item 1: Full Name**

Name must match your full legal name from your passport

<table>
<thead>
<tr>
<th>Your Full Legal Name</th>
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</thead>
<tbody>
<tr>
<td>I.a. Family Name</td>
</tr>
<tr>
<td>(Last Name)</td>
</tr>
<tr>
<td>I.b. Given Name</td>
</tr>
<tr>
<td>(First Name)</td>
</tr>
<tr>
<td>I.c. Middle Name</td>
</tr>
</tbody>
</table>

If your full name will not fit, use Part 6 of the I-765 for additional space
OPT Request Process (continued)

Form I-765 Instructions (continued)

Item 5: U.S. Mailing Address
• USCIS does not forward mail
• Provide a valid U.S. mailing address that will be active for at least 150 days after you mail your OPT application,
  • Use a residence, APO, commercial address, or PO Box.
  • Do not use the ISSS office or an attorney’s office as your address.

Your U.S. Mailing Address

5.a. In Care Of Name (if any)  The mailbox should be marked with your name, or if you are moving out of your apartment you may use a family member or a trusted friend’s address and include their name in 5.a.
OPT Request Process (continued)

Form I-765 Instructions (continued)

Items 13 & 14: Allow you to apply for a SSN or replacement SSN card as part of OPT your application

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.

13.b. Provide your Social Security number (SSN) (if known).

14. Do you want the SSA to issue you a Social Security card? (You must also answer “Yes” to Item Number 15., Consent for Disclosure, to receive a card.)

☐ Yes   ☐ No

NOTE: If you answered “No” to Item Number 14., skip to Part 2., Item Number 18.a. If you answered “Yes” to Item Number 14., you must also answer “Yes” to Item Number 15.

If you would like to apply for a SSN or SSN replacement card, you must also complete items 15 through 17.b.
OPT Request Process (continued)

Form I-765 Instructions (continued)

Item 20: Date of Birth

20. Date of Birth (mm/dd/yyyy) [Enter Month/ Day/ Year]

Item 21.a.: Enter your current I-94 number

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)

If you entered your passport number in 21.b., write “N/A” in 21.c.
Item 22: Last U.S. Entry Date

Date indicated on your current I-94.
If you traveled to Canada, Mexico, or the adjacent islands for less than 30 days and did not obtain a new I-94, use the date you re-entered the U.S. from that travel.

Item 23: Place of Last Entry into the U.S.

Date indicated in your I-94 travel history.
If you traveled to Canada, Mexico, or the adjacent islands for less than 30 days and did not obtain a new I-94, use the port of entry you used to re-enter the U.S. from that travel.
Item 27: Eligibility Category

For Post-Completion OPT based on degree completion or completion of course work:
(c) (3) (B)

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)).

• The first “c” is lowercase
• The letter in the 3rd set of parentheses is CAPITALIZED
Form I-765 Instructions (continued)

Part 3. Applicant's Statement, Contact Information, Declaration, Certification and Signature

7.a. Applicant's Signature

This must be an original signature signed in black ink; not typed or photocopied

7.b. Date of Signature (mm/dd/yyyy)

Part 4: Do not complete unless you used an interpreter to complete the I-765, write “N/A” in the boxes

Part 5: Do not complete unless someone else prepared your I-765 (e.g. immigration attorney), write “N/A” in the boxes
OPT Request Process (continued)

Part 6. Additional Information

Use this section if you need extra space to provide additional information, otherwise write “N/A”

• Please review the I-765 Instructions Handout

<table>
<thead>
<tr>
<th>Part 6. Additional Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>If you need extra space to provide any additional information within this application, use the space below. If you need more space than what is provided, you may make copies of this page to 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 top of each sheet; indicate the Page Number, Part Number, and Item Number to which your answer refers; and sign and date each sheet.</td>
</tr>
</tbody>
</table>

G-1145: E-Notification of Application/Petition Acceptance (optional)
Include this form if you wish to be notified (by email or text) that USCIS received your I-765 application
OPT Request Process (continued)

Submit all of your OPT Request Documents to ISSS
• Drop complete OPT packet in the ISSS box on the front desk (Monday through Friday 9 a.m. to 4:30 p.m.);
• Allow a minimum of 5 business days for ISSS processing

ISSS Will Review your Application Materials & Issue a new I-20 Recommending OPT
• Please note that ISSS only RECOMMENDS that the application be approved; the final decision is made by USCIS.

ISSS Will Email You to Pick-Up Your I-20 & Application Materials
• Document Pick-Up: Mon-Fri 9 a.m. to 4:30 p.m. (exceptions)
  ➢ You must show a photo ID in order for them to be released to you
  ➢ Documents not picked up after 60 days will be shredded

USCIS must receive your application within 30 days of the I-20 being issued

If you have questions and would like to meet with an advisor, sign-in during walk-in advising hours
OPT Request Process (continued)

Review USCIS' Optional Checklist for I-765 filings (c) (3) (B)

Review the ISSS Mailing Instructions

Mail your complete application to the Appropriate USCIS Lock Box/Service Center

- OPT applications must be received by USCIS:
  - Within 30 days of the date the OPT I-20 was issued; AND
  - No later than 60 days after your I-20 end date.

- If you are in your 60-day grace period and you plan to travel, you must file your OPT application *prior to* departing the U.S.

- It is recommended that applications be sent by certified mail with a return receipt so that you can track the delivery of your application to USCIS.
Updating Your Delivery Address

If you move from or are no longer receiving mail at the address you entered in item 5 of the I-765, and have not yet obtained your Employment Authorization Document (EAD Card):

• You must update your address information in the USCIS Online Change of Address System

• Questions regarding the address change should be directed to the National Customer Service Center (NCSC) at 1-800-375-5283
  ➢ Have your receipt notice number ready when contacting the NCSC
USCIS Case Inquiries & Status Requests

In addition to the National Customer Service Center phone line, 800-375-5283, USCIS offers several online tools.

- Check your case status online
- Get automatic updates about your case
- Submit an online case inquiry or service request
USCIS Process

USCIS will send a Receipt Notice (Form I-797C) to the address indicated on the I-765 typically within 2-4 weeks of receiving your application.

• Check the information on the receipt to ensure that it is correct
• If your name or birthdate is incorrect, call the National Customer Service Center to report this

Checking the Status of your I-765 OPT Application:

• Access the USCIS Case Status Search Page

CASE STATUS ONLINE

Enter a Receipt Number

Enter your application receipt number e.g., YSC1234567890

CHECK STATUS
USCIS Process (continued)

Your USCIS case status will likely remain in initial review up until card production and mailing or a Request for Evidence is made.

- You can sign-up for a USCIS account to view case updates.
EAD: Employment Authorization Document

OPT work authorization is granted in the form of an Employment Authorization Document (EAD).

You cannot work on or off-campus after your I-20 end date unless:
1) You have your EAD card in hand;
2) It is within the employment authorization period indicated on the EAD; AND
3) The employment is at least 20 hours/week in your major field of study.

Dates of employment authorization
You CANNOT work outside of these dates
OPT Authorization

Training/employment can be:

• Paid or unpaid (if it does not violate U.S. labor laws and it is a volunteer position that is not typically paid);

• Full-time or part-time (must be at least 20 hours/week)

You may have multiple jobs and change jobs as long as:

1) Training is always within the authorization period indicated on the EAD;
2) Each job is directly related to your major field of study indicated on the I-20;
3) You are working at least 20 hours/week in your major field of study; AND
4) You report all new employment and changes within 10 days via the SEVP Portal
SEVP Portal

An F-1 student who has been approved for OPT and is in the employment authorization period will receive an email from do-not-reply.SEVP@ice.dhs.gov with information about creating a SEVP Portal account.

- Please add do-not-reply.SEVP@ice.dhs.gov to your trusted sender list
- Monitor all active email accounts including junk/spam folder for the SEVP email.
- If you do not receive the SEVP email and are in an approved period of OPT, please contact ISSS.

The SEVP Portal allows F-1 students to monitor their employment authorization and update their address, telephone, and employer information in order to meet regulatory reporting requirements.

- Review the SEVP Help Hub for additional resources (e.g., user guide, instructional videos).
Reporting Requirements on OPT

Even though you are no longer a student at CU Boulder, you are still legally present in the U.S. on an F-1 student visa and an I-20 issued by CU Boulder.

You are required by law to report the following changes within 10 days:

• Name
• Citizenship
• Address (physical and mailing)
• Training/Employment
• F-1 status
Reporting Updates on OPT

Reporting changes of address, employment, and telephone information:
- Access the SEVP portal and update your information. Do not submit a separate OPT Information Update Form to ISSS if you are updating your information in the portal.
  - **Address Updates:** You must also report your address change to USCIS within 10 days of the change using the [Online Change of Address System](#).
    - For alumni purposes, you can update your address in MyCUInfo and with the [Alumni Association](#).
  - **Employment Updates:** Also complete the [I-20 Reprint Request Form](#) in order to obtain an I-20 with updated employer information.

Reporting changes of name, citizenship, and email address:
- **Name and Citizenship Updates:** Submit the [OPT Information Update Form](#) electronically to ISSS.
- **Email Address Updates:** Please email [ISSS](#).
Maintaining Status on OPT

While authorized for OPT, employment is required to maintain F-1 status.

OPT regulations allow F-1 students to accumulate only 90 days (aggregate) of unemployment during the 12 month OPT authorization.

- Unemployment begins to accrue from the start date indicated on the EAD
- If you are unable to find a job within 90 days, you are considered out of status.
  - If it takes 60 days during your OPT authorization period to find a job, only 30 days of unemployment remain for the duration of your OPT authorization period
  - If you consult an ISSS advisor on the 85th day of your OPT unemployment, we will recommend leaving the U.S. immediately or applying for a change of status
Maintaining Status on OPT (continued)

An OPT authorization is automatically terminated when:

- An F-1 student completes a SEVIS transfer to another school
  - OPT ends on the day the SEVIS record is released to the new school
- An F-1 student begins study at another educational level

There is no way to recover remaining OPT authorization period when it is due to a SEVIS transfer, beginning a new level of study, or termination for another reason.

Consult with ISSS to plan the timing of a future transfer and/or beginning of new level of study.
Acceptable Training During OPT

**Regular Paid Employment**
- Directly related major and at least 20 hours per week

**Payment by Multiple Short-Term Multiple Employers**
- Obtain offer letter and maintain a list of all short-term employment including the employer’s contact information and the dates and duration of employment. You must meet an average of 20 hours per week in a month.

**Work for Hire (1099 employment)**
- An individual performs a service based on a contractual relationship rather than an employment relationship. Must be prepared to provide evidence showing the duration of the contract periods (hours worked per week) and the name and address of the contracting company.

**Self-Employed Business Owner**
- You may start a business and be self-employed. Must work full-time and be able to prove you have a proper business licenses and that work is degree-related.

**Employment through an Agency**
- Must be able to provide evidence showing you worked an average of at least 20 hours per week while employed by the agency.

**Volunteers or Unpaid Interns**
- You may work as a volunteer or an unpaid intern, so long as this does not violate U.S. labor laws. The work must be at least 20 hours per week. You must be able to provide evidence from the employer that you worked at least 20 hours per week during the period of employment.
Stay Away From Marijuana (Cannabis) Related Industries

A legal permanent resident or anyone on immigrant or non-immigrant visas should stay away from marijuana use or anything associated with it as it may have a negative immigration consequences. This includes working in industries associated with marijuana and cannabidiol or CBD (e.g. working in a lab extracting CBD oils for medical purposes).

Please review these articles and videos:

- Colorado’s 9News: Marijuana can disqualify you for citizenship
- Unless You're a Citizen, Legal Marijuana Isn't for You
Travel with OPT Pending or Authorized

Travel prior to OPT I-20 end date:
  • Travel & entry requirements not impacted by OPT recommendation

Travel while OPT application is pending after I-20 end date:
  • Travel is not recommended.
  • Consult ISSS and see ICE Travel FAQ for additional information.

Travel with a valid EAD card during your OPT authorization period:
  • Review the ISSS OPT Reporting Requirements Handout (p.2)
Travel Considerations

• If you do not have a job, travel outside of the U.S. is not recommended as the regulations allow re-entry to the U.S. to resume training.

• A temporary absence for the U.S. should be less than 5 months. Even with a job offer and valid EAD, an absence greater than 5 months will not be considered temporary and you could be denied re-entry to the U.S. Also you are only allowed up to 90 days of unemployment and OPT is only 12 months.

• If you seek a renewal of your F-1 visa during your OPT authorization, you must:
  - Present your OPT I-20 signed within the last 6 months, passport, valid EAD, official job offer letter, SEVIS fee receipt, and financial support documents
  - Prove your eligibility for F-1 non-immigrant status and that you do not have immigrant intent
  - Review 10 Points to Remember When Applying for a Non-Immigrant Visa

Do NOT leave the U.S. if you have a change of status application pending as it will likely be considered abandoned.

While in the U.S. or abroad, stay up to date with the latest immigration alerts on our website.
Potential Issues

If your I-765 is pending outside of USCIS’s posted processing time and no Request for Evidence has been issued, it is possible to contact USCIS.

• Call USCIS Contact Center at 1-800-375-5283 to ask that they create a service request.
• Have your receipt notice number ready when contacting the USCIS Contact Center.
• Note the day and time of the call, the representative’s name, and the referral ID number.

Please consult an ISSS advisor immediately if:
• You do not complete your course work prior to the end date on your OPT I-20
• You want to cancel an OPT request prior to mailing the application to USCIS
• You want to withdraw your OPT application after mailing it to USCIS
• You qualify for cap-gap relief and require a cap-gap extension I-20
I-9 Employment Eligibility Verification Process
All employees in the U.S. must complete the I-9 Employment Eligibility Verification Form with their employers within 3 days of starting a job.

Social Security: Employment in the U.S. requires a Social Security Number (SSN).

Taxes:
Social Security and Medicare Taxes
Typically, non-resident F-1 students with authorized CPT or OPT are exempt from Social Security (F.I.C.A) and Medicare taxes as long as are considered a non-resident status for tax purposes.

Federal, State, and Local Taxes
Federal, state, and local taxes will be withheld from your paycheck by employers unless you qualify for a tax treaty exemption.
• More information is available at the IRS website and ISSS website

ISSS does not provide tax information or advice. Please use the resources above or contact a tax attorney or specialist with questions or concerns.
Applying for OPT can be a complicated process.

If you have questions after reviewing this presentation:
• Email your questions to isss@colorado.edu
• Stop in during advising hours to meet with an ISSS advisor

Congratulations on completing your degree program at CU Boulder!