Optional Practical Training (OPT) Tutorial

How to prepare your application materials for submission to the U.S. Citizenship and Immigration Service (USCIS).

Berkeley International Office (BIO) 2299 Piedmont Avenue Berkeley, CA 94720 (510) 642-2818

http://internationaloffice.berkeley.edu



OPT Tutorial Outline

- What is OPT, OPT Eligibility Requirements,
 Application Process Overview
- Completing BIO's OPT I-20 Request Process
- Choosing a Start Date & Scenarios
- Checking your OPT I-20 for Accuracy
- Preparing your OPT Request to USCIS
 - Your Photos
 - Paying the USCIS Fee
 - Completing the I-765 Form
 - Your OPT I-20 Copy
 - Your Passport & Visa copies
 - Your I-94 Record
 - Your Previous I-20 Copies
 - Your Previous EAD Card Copy (may not be applicable)
 - Your G-1145 Form

- Mailing your Application & Application
 Deadlines
- Receiving your I-797c, your EAD card, and Request for Evidence
- <u>Maintaining Your F-1 Status & Reporting</u>
 <u>Requirements</u>
- Frequently Asked Questions: Employment
 & Travel



What is OPT?

Optional Practical Training is an F-1 student employment benefit that allows for off campus work authorization in a student's major field of study.

Students must be in full-time F-1 status for at least one academic year.*

* Some students who change visa status to F-1 and who have been continuously enrolled in a full-time degree program for at least 1 academic year may qualify for OPT prior to 1 year in F-1 status.



Are you eligible for OPT?

Pre-Completion OPT

For most students, **Curricular Practical Training (CPT)** is a better option. It allows for off-campus work authorization in your field of study without using any of the 12 months of OPT time. See our web site for a detailed description of <u>Curricular Practical Training</u>.

You do NOT need to have a job offer to apply for OPT. The authorization is based on your program completion, not a specific employer. See the OPT FAQ webpage for more commonly asked questions.

Post-Completion OPT

Have you been continuously in a valid student status for one academic year?

At UC Berkeley, one academic year means enrollment for consecutive:

- Fall Spring semesters
- Spring Fall semesters
- Spring Summer (enrollment through August, not Summer A or E only) semesters
- Summer (minimum of 12 units) Fall semesters

Will you be completing your program of study at UC Berkeley in the next 90 days?

The application for OPT cannot be submitted <u>more</u> than <u>90 days</u> before your program completion date.



Are you eligible for OPT? CPT Usage

- If you have used 1 year or more of full-time Curricular Practical Training (CPT), during your current degree level, then you do not qualify for OPT.
- Part-time CPT does not count towards OPT disqualification.
- Note that heavy CPT usage either part-time or full-time can cause your OPT application to be subject to additional scrutiny. Be prepared to provide evidence of all prior CPT I-20s, as well as the academic work related to your CPT.



Types of Qualifying Employment

During your 12 month OPT period, OPT employment must be a minimum of 20 hours per week in a job that is directly related to your degree program. The burden of proof is on the student to demonstrate the relationship. The types of employment allowed during the initial 12-month period of OPT include:

- Paid employment
- Multiple employers
- Work for hire (commonly referred to as 1099 employment)

- Self-employed business owner
- Employment through an agency
- Unpaid / Volunteer employment

See the <u>OPT Qualifying Employment</u> web page for a detailed explanation of each category.



Application Process Overview

1. Request an OPT I-20

The I-20 will be ready for pickup 3 business days after submitting the OPT request form and Post-Completion Services Fee payment to Berkeley International Office.

2. Prepare and mail your application materials

Allow approximately 1 week to gather and organize the required documents. After USCIS has received your application, allow approximately 90 days for processing. Average processing is 90 days, but processing can take longer in some cases.

3. Receive the Employment Authorization Document (EAD)



Step 1: Request your OPT I-20

Complete the OPT Request Form [pdf]:

- Confirm your expected program completion date.
- Get the required signature from your academic advisor.
- Choose your OPT start date.
- Pay/prepare your \$100 Post-Completion Services Fee to Berkeley International Office via credit/debit card, check, or money order (no cash). Attach proof of payment to OPT Request form.
 - Credit/Debit Card: Pay online. Find link on our OPT webpage. You must print your receipt/proof of payment and attach it to your OPT I-20 Request form.
 - Check or Money Order: Make check or money order payable to order of "UC Regents" and write your Student ID Number in the notes/memo section; attach your check or money order to the OPT I-20 Request form.

OPT Requests without proof of payment will not be accepted





Choose your OPT start & end date

- Your OPT start date is the date that your 12 months of work authorization begins.
- Your OPT start date must be within the 60-day grace period after the program completion date.
- The requested start & end dates will be noted on page 2 of the new OPT I-20.
- The end date will usually be 1 year from your start date (i.e. a July 2 start date will have a July 1 end date.)

NOTE:

Once USCIS receives the OPT application, it is not possible to change the requested start and end dates.





Obtain Academic Recommendation and signature

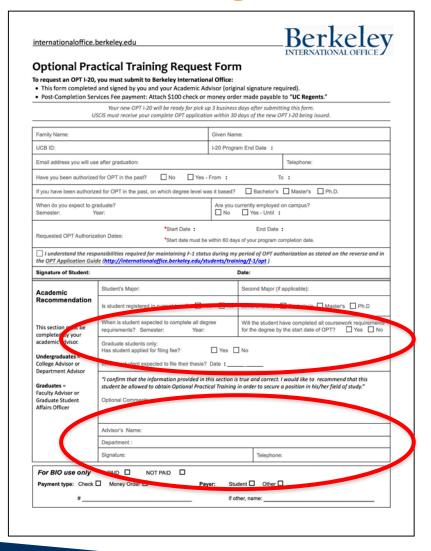
Undergraduates:

- Obtain the signature <u>from a College Advisor</u>, (i.e. <u>College of Letters and Science</u>) or <u>Department Advisor</u>.
- Expected completion/graduation = The last day of the semester in which program requirements are completed.

Graduates:

- Obtain the signature from a Faculty Advisor or Graduate Student Affairs Officer (GSAO).
- Expected completion = The last day of the semester in which program requirements are completed, OR The date the thesis or dissertation is filed with the Graduate Division.

Speak with a BIO advisor if you have a job offer beginning before the last day of the semester. Graduate students who only have a dissertation/thesis remaining may be eligible to begin their post-completion OPT before filing.





Program completion: Undergrads Completing in Summer Session

To qualify for a **summer** completion date, students must:

- Have a final course requirement to be completed in summer.
- Be enrolled full time during Summer Session or receive Reduced Course Load approval from BIO for final term.
- Use the end date of your specific Summer Session as your program completion date (i.e. Summer Session A end date), OR
- Use the general Summer Session end date (i.e. last date of Summer Session E).
- If you have only been enrolled for 1 previous semester (Spring) and are completing in your second semester-Summer, you must be enrolled through August, the end of the Summer term. You cannot meet OPT eligibility if only enrolling in Summer Session A or E alone.

Note: If summer is your final semester, any on-campus employment or Curricular Practical Training is limited to 20 hours per week.





Summer Program Completion: Graduate Students Filing Thesis/Dissertation May Through August

*Please speak with a BIO advisor about your program completion date and choosing an OPT start date.

Option 1

- Use Spring Semester program completion date*
- No summer enrollment required
- Degree conferred in Summer
- OPT start date must be within 60 days of Spring Semester program completion date

Option 2

- Use Summer Session program completion date*
- Enrollment for Summer Session required (no unit minimum)
- Degree conferred in Summer
- OPT start date must be within 60 days of Summer program completion date

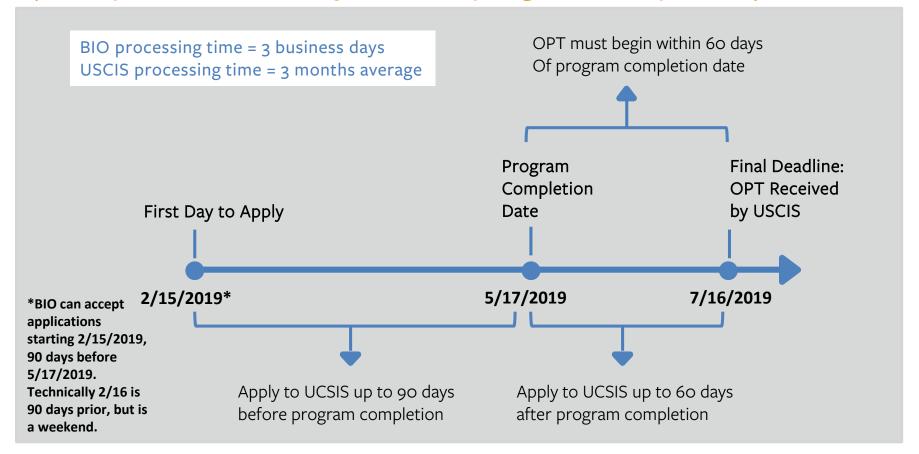
Option 3

- Use Fall Semester completion date*
- Be on Fall Filing Fee and submit thesis/dissertation <u>after</u> Summer Session end date
- Degree conferred in Fall
- OPT start date needs to be within 60 days of Fall program completion date



OPT Application Timeline:

(Example based on May 17, 2019 program completion)





Scenario 1: Spring Program Completion

On Feb. 19th, 2019, Sue mails her application for OPT to the USCIS. She is completing her program on May 17th and chooses July 1st as the OPT start date because she has a job offer beginning that day. She Receives the EAD on May 19th. Her employer is pleased to see proof of the work permission early even though she cannot start working until July 1st, as noted on the EAD. Sue decides to go home for one Month to celebrate her program completion.





Scenario 2: Spring Program Completion

George is busy with his final semester, and receives a job offer with a start date of July 10th. He requests July 10th as his start date, and submits his OPT application to USCIS on May 10th. On July 10th, George still hasn't received his EAD, so he can't work. George receives his EAD on August 10th and it expires the following year on July 16th. George has lost 1 month of his 12 month OPT because his application was approved after the latest available OPT start date.





Check your OPT I-20 for accuracy

After receiving your OPT I-20, notify BIO immediately if there are any errors.

I-20, Page 1

Education Level

Education Level may have changed. (ex. PhD candidate decides to graduate with a Master's)

Program End Date

Program completion date will be updated to the program completion date on the OPT request form.

(I-20 will remain valid through OPT authorization period on page 2 or the approved EAD card dates)

School Attestation

Make sure there is a BIO advisor signature. Check the DATE ISSUED- USCIS must receive your application within 30 days of this date.

Student Attestation

You should sign & date I-20. Students 18 and over do not need a parent's signature.





Check your OPT I-20 for accuracy

I-20, Page 2

OPT start and end dates requested (OPT start date may be adjusted in SEVIS if USCIS does not complete the processing of your OPT by the requested date. Apply at least 90 days before requested start date, if possible.)

You will receive a new travel signature at the time you request your OPT I-20.

Please note: USCIS must receive your application within 30 days of the DATE ISSUED date on PAGE 1, *not* the travel signature date. (The travel signature may be a later date.)





Step 2: Prepare & Mail Your Application Materials



for F-2 dependents.

Required documents for OPT application

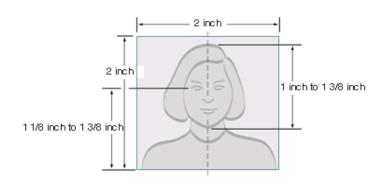
2 U.S. Passport Photos (with name and I-94 number written lightly in pencil on back of each), taken within the past 30 days. USCIS Fee of \$410. Check, Money Order, or Credit Card payment made payable to: "U.S. Department of Homeland Security." Write your SEVIS ID in the memo line. Form G-1145 to confirm receipt and obtain case number in advance of paper notification: http://www.uscis.gov/files/form/g-1145.pdf. Original form I-765: http://www.uscis.gov Copy of OPT I-20 (pages 1-3) issued by BIO within the past 30 days. Don't forget to sign it! Copy of currently valid passport biographical page and F-1 visa stamp, if applicable. Copy of expired passport biographical page if you used that document to enter the U.S. most recently. Printout of electronic I-94 record (https://i94.cbp.dhs.gov/I94/) or copy of paper Form I-94 (both sides). Copies of all previous CPT I-20s (from UCB and/or previous schools), if applicable. Copies of all previous OPT I-20s and EAD card(s) (from UCB and/or previous schools), if applicable. No documents are required



Passport Photo Requirements

The photos required to use for the OPT application must meet the specifications of U.S. style passport photos. To see a full description of these specifications, go to the <u>U.S. Department of State</u> website.

- Submit 2 identical color passport photos taken within 30 days of filing your application. The photos must have a white to off-white background, be printed on thin paper with a glossy finish, and be unmounted and unretouched. The passport-style photos must be 2" by 2". You must remove your glasses and your head must be bare unless you are wearing headwear as required by a religious order of which you are a member.
- Using pencil or felt pen, lightly print your name and I-94 number on the back of the photo. Do not damage the photo surface by pressing hard while writing.



Professional Photography

USCIS has been examining passport photos more strictly. BIO recommends students have their photos taken professionally. Recently, students have been visiting the following locations to obtain their photos.

Metro Publishing

2440 Bancroft Way Berkeley, CA 94704 http://www.yelp.com/biz/metro-publishing-berkeley

Foto Shop

131 Berkeley Sq Berkeley, CA 94704 http://www.yelp.com/biz/fotoshop-berkeley



Check, Money Order, or Credit Card:

- USCIS Payment Methods: Check/Money Order or Credit Card Payment for \$410.
- Check/Money Order should be made payable to "U.S. Department of Homeland Security" with SEVIS number in the memo line. Money orders can be purchased at banks, post office, and some local grocery stores. Make sure a name and address are printed on the check. If the address has changed, that is fine.
 - Do not use "temporary checks" often issued by the bank when opening a new account. These checks have no name or address in the upper left hand corner.
- For Credit Card payment, submit form <u>G-1450</u>, authorized payment amount \$410. You may only use a credit card account with a U.S. billing address—no foreign billing address is allowed.

Money orders and cashier checks should include the same information as a personal check.







Form G-1145

- Attach to the top of the OPT Application Packet
- Use this form to request text and email notification(s) regarding your application. Download the form at http://www.uscis.gov/files/form/g-1145.pdf

WARNING!

USCIS will <u>rarely</u> contact you by phone regarding the status of your OPT application.

If you receive a phone call from a person claiming to work for USCIS or any other government agency, do not provide your personal information to them. Note the person's name, phone number, and email address, and contact a BIO advisor before responding.



e-Notification of Application/Petition Acceptance

Department of Homeland Security U.S. Citizenship and Immigration Services USCIS Form G-1145 OMB No. 1615-0109 Expires 09/30/2014

That Is the Purpose of This Form?

Use this form to request an electronic notification (e-Notification) when U.S. Citizenship and Immigration Services accepts you immigration application. This service is available for applications filed at a USCIS Lockbox facility.

Constal Information

Complete the information below and clip this form to the first page of your application package. You will receive one e-mail and/or text message for each form you are filing.

We will send the e-Notification within 24 hours after we accept your application. Domestic customers will receive an e-mail and/or text message; overseas customers will only receive an e-mail. Undeliverable e-Notifications cannot be resent.

The e-mail or text message will display your receipt number and tell you how to get updated case status information. It will not include any personal information. The e-Notification does not grant any type of status or benefit, rather it is provided as a convenience to customers.

USCIS will also mail you a receipt notice (I-797C), which you will receive within 10 days after your application has been accepted; use this notice as proof of your pending application or petition.

USCIS Privacy Act Statement

AUTHORITIES: The information requested on this form, and the associated evidence, is collected under the Immigration and Nationality Act, section 101, et seq.

PURPOSE: The primary purpose for providing the requested information on this form is to determine if you have established eligibility for the immigration benefit for which you are filing. The information you provide will be used to grant or deny the benefit sought.

DISCLOSURE: The information you provide is voluntary. However, failure to provide the requested information, and any requested evidence, may delay a final decision or result in denial of your form.

ROUTINE USES: The information you provide on this form may be shared with other Federal. State, local, and foreign government agencies and authorized organizations following approved routine uses described in the associated published system of records notice (DHS-USCIS-007 - Benefits Information System and DHS-USCIS-001 - Alben File, Index, and National File Tracking System of Records, which can be found at https://www.dhs.gov/privacy/. The information may also be made available, as appropriate, for law enforcement purposes or in the interest of national security.

Paperwork Reduction Act

An agency may not conduct or sponsor an information collection and a person is not required to respond to a collection of information is unless it disappears a currently valid OMES control number. The public reporting burden for this collection of information is stimuted at 3 minutes per response, including the time for reviewing instructions and completing and submitting the form. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to: U.S. Citizenship and Immigration Services, Regulatory Coordination Division, Office of Policy and Strategy, 10 Messachuserts Avenue, N.W. Washington, D.C. 20529-2140. OMB No. 1615-0109. Do not mail your completed Form C-1145 to this address.

Complete this form and clip it on top of the first page of your immigration form(s).

Applicant/Petitioner Full Last Name | Applicant/Petitioner Full First Name | Applicant/Petitioner Full Middle Name |

E-mail Address | Mobile Phone Number (Text Message)

Form G-1145 02/28/13

Page 1 of 1



Form I-765

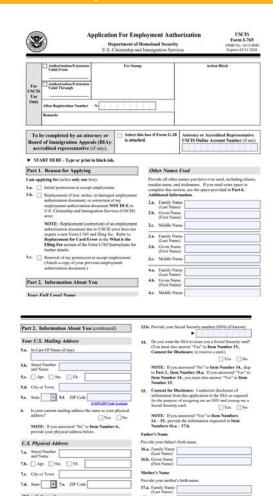
Download the I-765 form from the <u>USCIS web site</u>. **Important:** Use the <u>most current version</u>. It is best to download it just before mailing the application since USCIS updates it frequently.

How to fill out Form I-765

- Type or print legibly in in <u>black ink</u>.
- Answer all questions fully and accurately.
- If a question does not apply to you, type or print "N/A"
- Print and complete <u>ALL pages 1-7</u>. If any pages are missing, your application will be rejected!

Some parts of the I-765 can be confusing. The following slides will help you complete those "tricky" questions. Contact BIO with ANY questions or uncertainties about completing the I-765.

Note: In mid-July 2018, the current version of the I-765 was updated. This tutorial reflects the newest version.

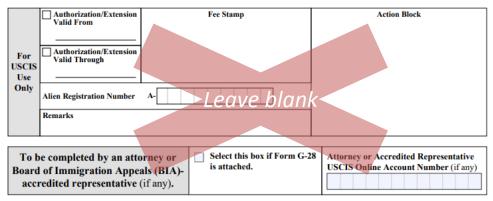




Top Portion: leave this entire section blank

PART 1. Reason for Applying, pg. 1

Check the "1.a." box for "Initial Permission to accept employment."



START HERE - Type or print in black ink.

Part 1. Reason for Applying

I am applying for (select only one box):

Initial permission to accept employment.

1.b. Replacement of lost, stolen, or damaged employment authorization document, or correction of my employment authorization document NOT DUE to U.S. Citizenship and Immigration Services (USCIS)

NOTE: Replacement (correction) of an employment authorization document due to USCIS error does not require a new Form I-765 and filing fee. Refer to Replacement for Card Error in the What is the Filing Fee section of the Form I-765 Instructions for further details.

I.c. Renewal of my permission to accept employment. (Attach a copy of your previous employment authorization document.)



PART 2. Information About You, pg. 1

#1.a.-1.c. Name

Your entire family name should be in CAPITAL letters. Use upper and lower case for the first name. Please write your name exactly as it appears on your I-20.

#2.a.-4.c. Other Names Used

Enter your previous names, including nicknames you have used in official records or documentation. If none, write "N/A"

If you are typing out the I-765 electronically, be aware that the form does not allow you to write the "/" character into these fields. You will need to hand-write the "N/A" wherever this appears in the instructions.



Part 2. Information About You

Your Full Legal Name

1.a. Family Name (Last Name)

FAMILY NAME

1.b. Given Name (First Name)

First Name

1.c. Middle Name

N/A

Other Names Used

Provide all other names you have ever used, including aliases, maiden name, and nicknames. If you need extra space to complete this section, use the space provided in Part 6.

Additional Information.

2.a. Family Name (Last Name)

N/A

2.b. Given Name (First Name)

N/A

2.c. Middle Name

N/A

3.a. Family Name (Last Name)

N/A

3.b. Given Name (First Name)

N/A

3.c. Middle Name N/A

4.a. Family Name (Last Name)

N/A

4.b. Given Name (First Name)

N/A

4.c. Middle Name

N/A

PART 2. Information About You, pg. 2

U.S. Mailing Address

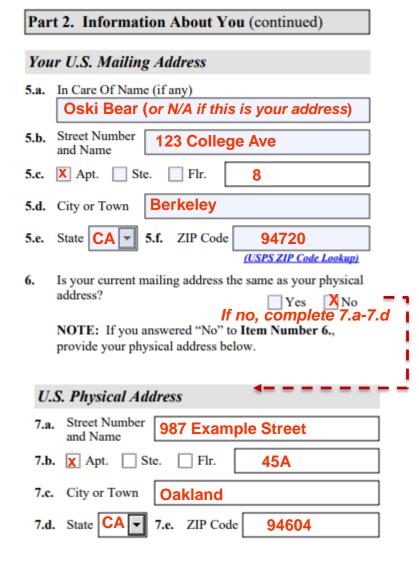
This is where you would like the Receipt Notice and the EAD card to be mailed. *This is very important!*

The address should be valid for at least 3-5 months, the length of time it will take to process the application. If you have plans to move during this time, use a reliable friend or family member's address to receive the EAD (indicate this in #5.a.)

#5.a. If the mailing address belongs to someone other than yourself, put their full name (First Name Last Name) here. If this is your address, write "N/A."

#5.b-5.e Write a valid mailing address in the U.S. It may be a residence, commercial address, or PO Box. *You may not use BIO's address*.

#6 If you listed a mailing address that is **NOT** your current physical living address, select "No" and complete **#7.a-7.d** with your current physical address. If "Yes," write "N/A" in **#7.a-7.d**. Physical address should reflect where you actually live.





If you live outside of CA, please pay attention to the special mailing instructions later in the tutorial.

PART 2, pg. 2, continued...

Other Information

#8 F-1 students do not have an A-Number, leave this blan

#9 F-1 students do not have a USCIS Online Account Number, leave this blank.

#10-11 The responses to these questions should be straightforward. Please complete them accurately.

#12

Check "No" if you have never applied for an EAD.

Check "Yes" if you have previously applied for an EAD. You will need to provide copies of your previous EAL

Note on 12: This question does not apply to previous oncampus employment or CPT.

Other Information Alien Registration Number (A-Number) (if any) 8. Leave blank 9. USCIS Online Account Number (if any) Leave blank 10. Gender Male Female Marital Status 11. Widowed x Single Married Divorced Have you previously filed Form I-765? x Yes No If yes, you will need to provide copy(s) of your previous EAD(s)



PART 2, pg. 2, continued...

#13.a.-17.b. Social Security Number (SSN)

#13.a. Check "Yes" if you have been issued an SSN and enter your SSN with one letter in each box.

#13.b. Check "No" if you do not yet have an SSN.

#14. Check "Yes" if you want a new or replacement SSN card and complete.

#15-17.b. Check "No" if you do **not** want a new or replacement SS card.

13.a. Has the Social Security Administration (SSA) ever officially issued a Social Security card to you?

If yes, complete 13.b. X Yes

No
If no, skip to 14

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).

123456789

 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.)

If no, skip to 18

No

If yes, complete 15-17.b Yes

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.

15. Consent for Disclosure: I authorize disclosure of information from this application to the SSA as required for the purpose of assigning me an SSN and issuing me a Social Security card.
Yes

NOTE: If you answered "Yes" to Item Numbers 14. - 15., provide the information requested in Item Numbers 16.a. - 17.b.

Father's Name

Provide your father's birth name.

16.a. Family Name (Last Name)

FAMILY NAME

16.b. Given Name (First Name)

First Name

Mother's Name

Provide your mother's birth name.

17.a. Family Name (Last Name)

FAMILY NAME

17.b. Given Name (First Name)

First Name



You should receive your Social Security card from SSA about 2 weeks after receiving your approved EAD from USCIS.

PART 2, pg. 2-3 continued...

The responses to these questions are straightforward. Please complete them accurately.

#18 Countries of Citizenship, pg 2

List all as applicable (use Part 6 of the I-765 if needed) or write "N/A" in 18.b. if you do not have multiple citizenships.

#19-20 Place of Birth, pg 3

List the name of the country as it was named when you were born, even if it's name has changed

Make sure your Date of Birth is in the correct format of MONTH - DAY - YEAR. (01/31/1998 not 31/01/1998)

Your Country or Countries of Citizenship or Nationality

List all countries where you are currently a citizen or national. If you need extra space to complete this item, use the space provided in **Part 6. Additional Information**.

18.a. Country

Australia

18.b. Country

N/A

Place of Birth

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

19.a. City/Town/Village of Birth

Brisbane

19.b. State/Province of Birth

Queensland

19.c. Country of Birth

Australia

Date of Birth (mm/dd/yyyy)

01/31/1998



PART 2, pg. 3 continued...

Information About Your Last Arrival

#21.a. I-94 Number

Use your current <u>I-94 number</u>. This is at the number found on the electronic I-94 record or on the top left corner of the paper Form I-94 card (see example).

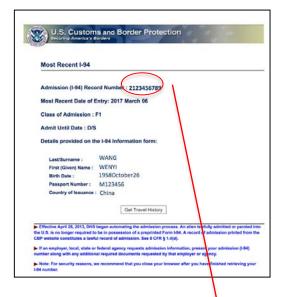
#21.b.-e. Passport Information

Enter the information directly from your passport. This passport should match the country on your I-20.

In cases where you entered the US on a passport that is now expired, **enter the number of your renewed passport**. (You will provide information on the expired passport on pg. 7 of the application.)

#21.c. Travel Document

Write "N/A" here.



Information About Your Last Arrival in the United States

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

2123456789

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

YG000954R

21.c. Travel Document Number (if any)

N/A

21.d. Country That Issued Your Passport or Travel Document

Australia

21.e. Expiration Date for Passport or Travel Document (mm/dd/yyyy) 11/01/2022



PART 2, pg. 3 continued...

#22 Date of Last Entry into the U.S.

Your most recent entry date can be found on your passport admission stamp, electronic I-94 record, or paper I-94 card.

#23 Place of Last Arrival into the U.S.

Name of the Port of Entry city from your most recent entry. This information can be found on your passport admission stamp, travel history section of your electronic I-94 record, or paper I-94 card (usually as a code, i.e. "SFR" for San Francisco). If you drove across the border, write the name of the city where entered the U.S.

#24 Immigration Status at Last Entry

Status in which you entered the U.S. If you entered with an I-20 as a student, write "F-1 Student."

#25 Current Immigration Status

Current status should be "F-1 student." If not, talk to a BIO advisor, and this status should be reflected in your current I-94.

#26 SEVIS ID

Your SEVIS ID appears on the top left side of your I-20 and starts with Noo...

- 22. Date of Your Last Arrival Into the United States, On or About (mm/dd/yyyy) 12/19/2017
- 23. Place of Your Last Arrival Into the United States

 SFR
- Immigration Status at Your Last Arrival (for example, B-2 visitor, F-1 student, or no status)

F-1 Student

 Your Current Immigration Status or Category (for example, B-2 visitor, F-1 student, parolee, deferred action, or no status or category)

F-1 Student

 Student and Exchange Visitor Information System (SEVIS) Number (if any)

► N- 0023104289



PART 2, pg. 3 continued...

#27 Eligibility Category

Use the code (c) (3) (B) for post-completion OPT.

DO NOT USE a different code!

Information About Your Eligibility Category

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)).

C)(3)(B

#28-31.b. Other Eligibility Categories

Write "N/A" in these fields. N/A means not applicable. These questions are NOT applicable to applying for your 12-month Post Completion OPT. #28 is for STEM OPT applicants only.



- (c)(3)(C) STEM OPT Eligibility Category. If you entered the eligibility category (c)(3)(C) in Item Number 27., provide the information requested in Item Numbers 28.a 28.c.
- 28.a. Degree N/A
- 28.b. Employer's Name as Listed in E-Verify

N/A

28.c. Employer's E-Verify Company Identification Number or a Valid E-Verify Client Company Identification Number

N/A

 (c)(26) Eligibility Category. If you entered the eligibility category (c)(26) in Item Number 27., provide the receipt number of your H-1B spouse's most recent Form I-797 Notice for Form I-129, Petition for a Nonimmigrant Worker.

N/A

30. (c)(8) Eligibility Category. If you entered the eligibility category (c)(8) in Item Number 27., have you EVER been arrested for and/or convicted of any crime?

Leave blank

NOTE: If you answered "Yes" to Item Number 30., refer to Special Filing Instructions for Those With Pending Asylum Applications (c)(8) in the Required Documentation section of the Form I-765 Instructions for information about providing court dispositions.

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.

N/A

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?

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, pg. 4

#1.a. Select 1.a. to indicate that you have read and understood the questions.

#3-6 Provide your information as requested



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. X 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

Leave blank

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

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

Leave blank

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

Applicant's Contact Information

Applicant's Daytime Telephone Number

1234567890

4. Applicant's Mobile Telephone Number (if any)

1234567890

Applicant's Email Address (if any)

oskibear067@gmail.com

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

PART 3, pg. 4 continued...

Applicant's Declaration and Certification

Read the entire declaration carefully.

Applicant's Signature

#7.a.-7.b. Hand sign your name and provide the date of the signature.

Important!

Your signature will be scanned and must fit within the box. It must NOT touch the box outline. If the signature is too big and crosses a line, your application could be delayed. Be conservative and use a signature smaller than normal. Please see the example.

Troubleshooting Signature Line:

In some cases the "Don't forget to sign!" automatic reminder will not disappear when you print the form.

You should remove the auto filled "Don't forget to sign!"

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

Applicant's Signature

7.a. Applicant's Signature



Your signature here (don't touch the lines)

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

MM/DD/YYYY

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.

We recommend trying:

- To open the form in the most recent version of Adobe Reader.
- To print a blank version of the form's second page from your web browser.



PARTS 4 and 5, pgs. 4-6

These sections are not applicable to you, since you've completed the form yourself, so write "N/A." This section is for those who use an interpreter or other paid preparer to complete the form.

Part 4 pg. 4

| | ., . |
|--|--|
| Part 4. Interpreter's Contact Information, Certification, and Signature | |
| Prov | ide the following information about the interpreter. |
| Interpreter's Full Name | |
| 1.a. | Interpreter's Family Name (Last Name) N/A |
| 1.b. | Interpreter's Given Name (First Name) N/A |
| 2. | Interpreter's Business or Organization Name (if any) |

Part 4 pg. 5 Part 4. Interpreter's Contact Information, Part 5. Contact Information, Declaration, and Certification, and Signature Signature of the Person Preparing this Application, If Other Than the Applicant Interpreter's Mailing Address Provide the following information about the preparer 3.a. Street Number N/A Preparer's Full Name 3.b. Apt. Ste. Fir. La. Preparer's Family Name (Last Name) N/A 3.c. City or Town 1.b. Preparer's Given Name (First Name) 3.d. State 3.e. ZIP Code Preparer's Business or Organization Name (if any) Preparer's Mailing Address 3.a. Street Number N/A Interpreter's Contact Information 3.b. Apt. Ste. Flr. Interpreter's Daytime Telephone Number 3.c. City or Town 3.d. State 3.e. ZIP Code Interpreter's Mobile Telephone Number (if any) Interpreter's Email Address (if any) 3.g. Postal Code Interpreter's Certification I certify, under penalty of perjury, that: Preparer's Contact Information I am fluent in English and N/A which is the same language specified in Part 3., Item Number 1.b., and I have read to this applicant in the identified language every question and instruction on this application and his or her answer to every question. The applicant informed me that he or arer's Mobile Telephone Number (if any) she understands every instruction, question, and answer on the application, including the Applicant's Declaration and Certification, and has verified the accuracy of every answer Interpreter's Signature 7.a. Interpreter's Signature

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

Part 5 pg. 6

Part 5. Contact Information, Declaration, and Signature of the Person Preparing this Application, If Other Than the Applicant (continued)

Preparer's Statement

- 7.a. I am not an attorney or accredited representative but have prepared this application on behalf of the applicant and with the applicant's consent.
- 7.b. I am an attorney or accredited representative and my representation of the applicant in this case extends does not extend beyond the preparation of this application.

NOTE: If you are an attorney or accredited ay need to submit a completed Form G-28, Notice of Entry of Appearance as Attorney or Accredited Representative, with this application.

Preparer's Certification

By my signature, I certify, under penalty of perjury, that I prepared this application at the request of the applicant. The applicant then reviewed this completed application and informed me that he or she understands all of the information contained in, and submitted with, his or her application, including the Applicant's Declaration and Certification, and that all of this information is complete, true, and correct. I completed this application based only on information that the applicant provided to me or authorized me to obtain or use.

Preparer's Signature

8.a. Preparer's Signature N/A N/A

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



Page 7, Part 6 needs to be completed ONLY if you:

- most recently entered the US on a passport that is no longer valid and you now have a renewed passport
- have previously had other SEVIS IDs
- have ever been authorized for CPT or OPT

If none of these apply to you, leave Page 7, Part 6 blank, but you must include it in your application. You are done with the I-765.



How to complete Page 7, Part 6 if you:

 most recently entered the US on a passport that is no longer valid and you now have a renewed passport

If this does not apply to you, leave Part 6 blank. You are done with the I-765; skip to the next slide.

PART 6, Additional Information, pg. 7

#1.a.-1.c. Provide your name again as listed in Part 2, 1.a-1.c.

#2. Leave blank

#3.a-3.c. Reference Pg. 3, Part 2, Item 21.d.

#3d. Write an explanation that clarifies that you have two passports: one that you used for entry but is no longer valid, and one that is currently valid.

#3.d. Include copies of both passports and your I-94 with your application.

Part 6. Additional Information

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.

| 1.a. | Family Name (Last Name) | FAMILY NAME | | | | |
|------|----------------------------|-------------|--|--|--|--|
| 1.b. | Given Name (First Name) | First Name | | | | |
| 1.c. | Middle Name | N/A | | | | |
| 2. | A-Number (if a | nny) ▶ A- | | | | |

3.a. Page Number 3.b. Part Number 3.c. Item Number 2 21.d

3.d. I most recently entered the US on MM-DD-YYYY

with passport ####### and was issued I-94
#######. Since this date, I have renewed my
passport. The number of my new passport is
#######. See attached copies of both passports
and the I-94.



How to complete Page 7, Part 6 if you:

- have previously had other SEVIS IDs
- have ever been authorized for CPT or OPT

PART 6, Additional Information, pg. 7

#1.a.-1.c. Provide your name again as listed in Part 2, 1.a-1.c.

#2. Leave blank

#3.a.-3.c. Reference Pg. 3, Part 2, Item 27 (If you already used sections 3.a.-3.d. use the next available section, 4a-d, etc.)

#3.d. List all previously used SEVIS numbers, including from all previous F-1 programs in the U.S., including high school, short stays, language training schools, community colleges, or previous I-20s at UCB.

#3.d. If you have had previous CPT and/or OPT, write "see attached documentation for previous CPT and/or OPT authorizations" and include copies of all previous CPT and OPT I-20s and EAD cards with your application.

You may need to contact your previous schools if you are missing any of this information.

Part 6. Additional Information

Family Name

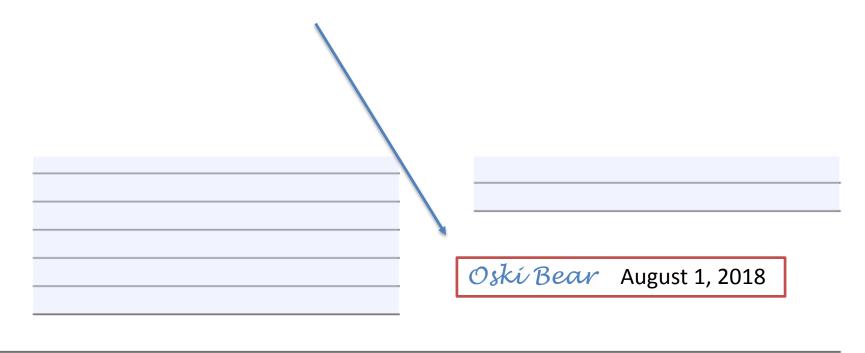
If you need extra space to provide any additional information within this application, use the space below. If you need more space than what is provided, you may make copies of this page to complete and file with this application or attach a separate sheet of paper. Type or print your name and A-Number (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.

| | (Last Name) | FAMII | YNAME | | | | | | |
|----------|---|---------|-------------|-------|--------|-------|------|--|--|
| 1.b. | Given Name (First Name) | First N | lame | | | | | | |
| 1.c. | Middle Name | N/A | | | | | | | |
| 2. | A-Number (if a | any) ► | A- | | | | | | |
| 3.a. | Page Number | 3.b. I | Part Number | er 3. | e. Ite | em Nu | mbei | | |
| 3.d. | Previous SEVIS IDs: N0048798787, N0009898989, N0012345679 (these are examples only) | | | | | | | | |
| → | See attached documentation for previous CPT and OPT authorizations. | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |



IF YOU COMPLETED any part of PAGE 7, PART 6,

you must add your signature and the date in the blank space at the bottom of page 7.



Form I-765 05/31/18 Page 7 of 7





You are done with the I-765!

- Review all the information on the form for accuracy. You must submit ALL 7 pages of the I-765.
- 2. Make a copy of your completed I-765 application to keep for your records, in case there is a problem with the application.
- 3. Next, gather the required documentation and copies... see the following slides.



Photocopy of UCB OPT I-20 (all pages):

- Must be received by USCIS within 30 days of DATE ISSUED on page 1.
- Original must be signed by a BIO advisor in before copying.
- Original must be signed by the student at the bottom of page 1 before copying.
- The requested OPT start and end dates will appear on page 2.
- Do not mail the original I-20.





Photocopy of Passport and Visa:

- Photocopy the passport biographic page with the photo and passport expiration date. Use a valid passport even if it is not the passport you used to enter the US most recently. (You will provide information on the expired passport on pg. 7.)
- Photocopy the F-1 visa, if applicable; visa does not need to be valid.







Photocopy of I-94 Information:

The I-94 can be either:

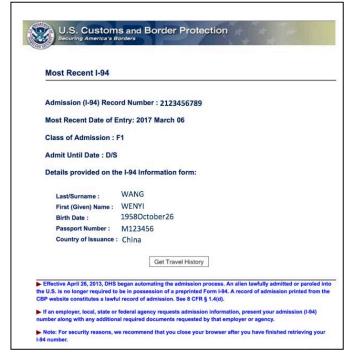
 An electronic I-94 record. Visit: <u>www.cbp.gov/i94</u> to access and print your record.

OR

 A paper I-94 card stapled into your passport. Include a copy of both sides, even though the back side may be blank.

OR

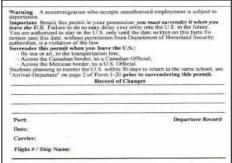
A copy of an I-797 Change of Status
 Approval Notice which includes a new I-94.



Electronic I-94 Record





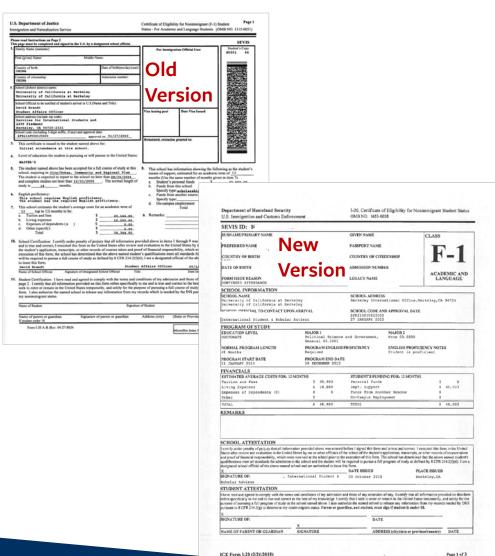


Paper I-94 (back)



Photocopy of <u>all</u> previous OPT and CPT I-20s:

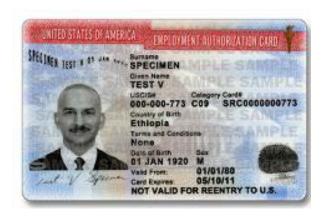
- Include copies of all previous CPT and OPT I-20s at UCB and previous schools.
- Old and new versions of the I-20 are acceptable.
- Copy all 3 pages.
- Keep the originals for your records.
- Copies of original I-20s are best, but you may need to request copies of any lost CPT/OPT I-20s.
 - UCB I-20s: request these from BIO when you turn in your OPT Request Form.
 - Previous School I-2os: contact them directly
- If you have never used CPT or OPT in the past, you do not need to include previous I-2os.





Photocopy of Previous EAD(s), if applicable:

- If an EAD was received in the past, include a copy of the front and back of the card.
- Can be from OPT approved at a prior institution or different education level.
- Include previous OPT I-20s and I-797 notice of approval as well if available.







The Application Deadline

- USCIS must receive your complete OPT application no later than 30 days after the OPT I-20 ISSUE DATE on page 1.
 - The issue date is located next to the advisor's signature on page 1 of the OPT I-20. Please account for mailing time.
- Additionally, USCIS must receive your application before the end of your 60 day grace period.
- Track the status of your mailed application to be certain it was delivered on time.

Your application must be submitted to USCIS from within the U.S. If you exit the U.S. after your program completion date without applying for OPT, you cannot return and will lose your option for OPT.





Mailing the OPT Application from California

USCIS Mailing Addresses

for people who live in California*

FedEx, UPS, & Other Express Carrier Mail:

USCIS

Attn: NFB AOS

1820 E. Skyharbor, Circle S

Suite 100

Phoenix, AZ 85034





BIO recommends FedEx as a reliable option. If using FedEx or UPS, use the above address. Be sure your mailing option includes tracking and guaranteed delivery.

U.S. Postal Service Mail

USCIS PO Box 21281 Phoenix, AZ 85036



If using USPS, choose Express or Priority Mail option and use the above address. Be sure your mailing option includes tracking and guaranteed delivery.

* If you do not live in California, see the next slide for mailing information.



Mailing From Outside California

If living in...

Alabama, Arkansas, Connecticut, Delaware, District of Columbia, Florida, Georgia, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Mississippi, New Hampshire, New Jersey, New Mexico, New York, North Carolina, Pennsylvania, Puerto Rico, Rhode Island, South Carolina, Oklahoma, Tennessee, Texas, Vermont, Virginia, U.S. Virgin Islands, or West Virginia

Mail your application to...

U.S. Postal Service

USCIS

PO Box 660867

Dallas, TX 75266

Express Deliveries

USCIS

Attn: NFB AOS

2501 S. State Hwy 121 Business

Suite 400

Lewisville, TX 75067

Alaska, Arizona, **California**, Colorado, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, North Dakota, Ohio, Oregon, South Dakota, Utah, Washington, Wisconsin, Wyoming, Guam, or the Commonwealth of Northern Mariana Islands.

U.S. Postal Service

USCIS

PO Box 21281

Phoenix, AZ 85036

Express Deliveries

USCIS

Attn: NFB AOS

1820 E Skyharbor Circle S

Suite 100

Phoenix, AZ 85034



Step 3: Receive the Employment Authorization Document (EAD)



I-797 Notice of Action

You should receive the notice by mail within 2-4 weeks after mailing the OPT application to USCIS.

- The I-797C is very important.

 If you lose the receipt, it may be very difficult to replace it.
- The I-797C is necessary if you want to:
 - 1. inquire about the status of your OPT application.
 - 2. travel outside the U.S. while your OPT is pending.

Receipt Number

The case number for the OPT application at USCIS. Check the status of the case on the USCIS web site at https://www.uscis.gov

Received Date

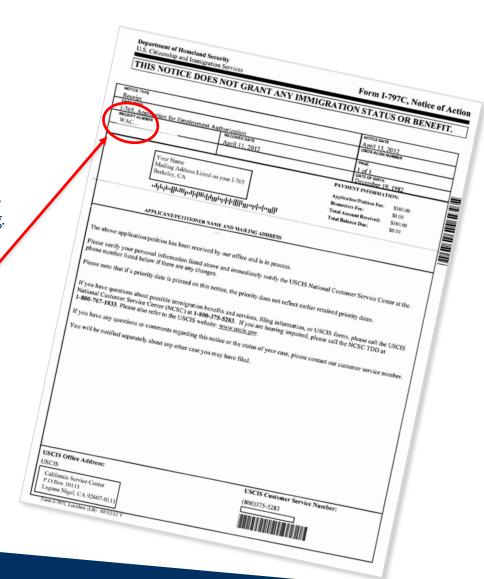
Date when USCIS begins processing the application. (It may not be the actual the application was received, but it is when the case was entered into the system.)

Address Information

<u>Verify your name, date of birth, and address on the I-765 receipt notice</u>. If incorrect, contact BIO immediately.

Contacting USCIS

If you have any problems or questions with the OPT application, contact a BIO advisor <u>before</u> calling the USCIS Customer Service.





USCIS Issues & Tracking Your Case

Case Status Updates

BIO strongly recommends that you sign up for an account at https://www.uscis.gov. This will allow you to receive automatic updates and monitor your case. Click "Check Your Case Status" and then select "Sign Up."

General Case Tracking:

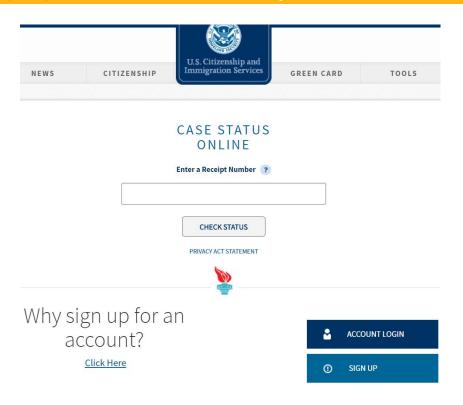
If you don't sign up for an account, you can still track your case using the "Check Your Case Status" Tool.

Address Changes:

If your address changes, you can update it online through the "Change of Address" tool. Keep in mind that address changes can take 10 business days to process, and could jeopardize your OPT EAD delivery. We recommend keeping the same address for your entire OPT processing, if possible.

Case Inquiries:

You can submit inquiries about your case using the Case Inquiry tool, if your don't receive your receipt or other notifications, or if your EAD has been pending for more than 75 days.







Application Problems: RFE and Rejection/Denial

RFE

If there is a problem with your application, the USCIS may send you a notice by mail called a "Request for Evidence (RFE)." An RFE does not mean that your application has been rejected. It simply means that you need to send in additional documents before your EAD can be issued.

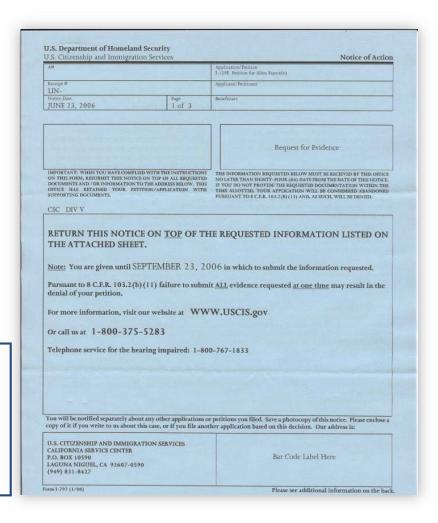
• Getting an RFE will delay the processing of your application.

Rejection/Denial

In some cases, if too many items are missing from your application, the 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 60-day grace period.

Contact BIO IMMEDIATELY if you receive an RFE, rejection, or denial.

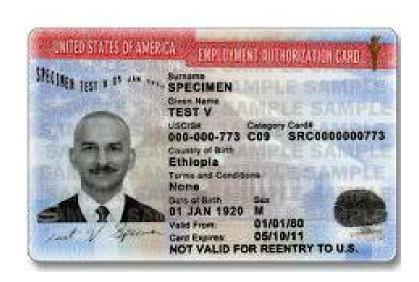
To avoid delays, review your application materials for completeness and sign all the forms before mailing them to the USCIS.





The Employment Authorization Document (EAD)

- Review your EAD card to make sure the information is accurate. If it is not, contact a BIO advisor.
- Present your EAD to employers as proof of your legal work authorization in the US.
- The EAD is a required document for entry to the U.S. during OPT.
- Upload a copy of your EAD card at io.berkeley.edu/ssu.





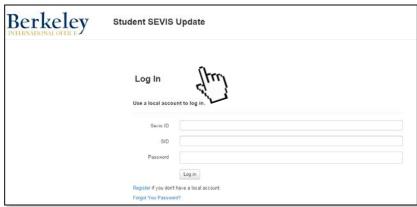
Your Responsibilities during OPT

- 1. Reporting Requirements
- 2. Employment Requirements
- 3. Travel Documents for Re-entry
- 4. Applying for an F-1 Visa on OPT



1. Reporting Requirements: BIO SSU HUB—MANDATORY

- ALL STUDENTS ON OPT/STEM ARE REQUIRED TO USE THE <u>BIO SSU HUB</u> TO SUBMIT OPT UPDATES. BIO SSU Hub is a Berkeley International Office system.
- Submit updates online at <u>io.berkeley.edu/ssu</u>



SEVP Portal—OPTIONAL

- The Student Exchange Visitor Program (SEVP) has its own "SEVP Portal" for students on OPT/STEM. On Day 1 of your Approved OPT, you will receive an email from SEVP with instructions on how to create an account. This email will come from do-not-reply.sevp@ice.dhs.gov.
- Be aware of scams—SEVP will NEVER ask you for a payment to register to register for the optional SEVP Portal.
- Registration for SEVP Portal is OPTIONAL. BIO WILL NOT USE the SEVP Portal for OPT reporting purposes. We recommend that you use the SEVP Portal as *view only and continue to use SSU Hub to update your information*.



2. Employment Requirements

- You must work a minimum of 20 hours per week in a position related to your field of study. For more information, visit "Qualifying OPT Employment."
- You cannot exceed more than 90 days of unemployment while on OPT.
 Days of unemployment prior to your EAD start date do not count
 towards the 90 days. It is your responsibility to keep records of your
 employment and any periods of unemployment.
- For more information see: <u>OPT Unemployment Allowances</u>



3. Travel Documents for Re-entry

| Documents | Before Completing Program & <u>Before</u> EAD issuance | After Completing Program & <u>Before</u> EAD issuance | After Completing Program & <u>After</u> EAD issuance |
|---|--|---|--|
| Valid passport | ✓ | ✓ | ✓ |
| Valid F-1 visa stamp (if applicable) | ✓ | \checkmark | |
| OPT I-20 with a valid travel endorsement signed within 6 months by a BIO Advisor (page 2) | ✓ | ✓ | ✓ |
| Evidence of continued enrollment (e.g. Enrollment Verification from CalCentral) | ✓ | | |
| Evidence of financial support | Strongly recommended | Strongly recommended | Strongly recommended |
| OPT receipt: I-797 Notice of Action | | \checkmark | |
| Job offer letter from employer | | Strongly recommended | ✓ |
| EAD (Employment Authorization Document) | | | ✓ |

Your admission to the U.S. is always at the discretion of the Customs and Border Protection Officers. To avoid problems, you must have the required documents outlined above.



Important Information on Travel

- Avoid long absences from the U.S. during the OPT period. Time spent outside of the U.S. while unemployed by a U.S. employer counts toward your 90 days of unemployment.
- Attempting to re-enter the U.S. close to the expiration date of your OPT can be risky.
- You must not enter the U.S. in a status other than F-1. This may result in the loss of your OPT eligibility.

Travel after Program Completion, But Before OPT Card is received

- There is a higher risk associated with travel and return while your OPT is pending <u>after</u> the program completion date. If there are any problems with your application, you may not be able to respond to USCIS in a timely manner, which could delay processing of your EAD.
- If your OPT application is denied while outside the U.S., you will not be able to re-enter the U.S. in F-1 status and will not be able to reapply.



4. Applying for an F-1 Visa on OPT

If you are traveling abroad and your F-1 visa has expired, you must obtain a new F-1 visa before returning to the U.S. When going to your visa interview, bring the documents below. For more information, visit: http://internationaloffice.berkeley.edu/visa_application

- 1. Valid passport
- Valid I-20 with travel endorsement from a Berkeley International Office advisor within the past <u>6 months</u>
- 3. Unexpired EAD Card
- 4. Job offer letter or proof of current employment directly related to your field of study
- 5. Evidence of sufficient funds (e.g. a bank statement, a letter from a sponsor or a job offer letter)

Check the U.S. Department of State web site for more information about getting a visa and specific requirements at the local embassy or consulate at www.travel.state.gov



Completing OPT & Grace Period

- You have a 60 day grace period following the end of the OPT EAD.
- Failure to exit, continue your F-1 status, or timely file an Extension or USCIS Change of Status will result in accrual of days of <u>unlawful presence</u>.
- If you intend to apply for an <u>OPT STEM Extension</u>, you must do so before the expiration of your 12 month OPT.
- The only additional extension of OPT available is the OPT Cap Gap Extension, for students who have an accepted cap-subject H1-B application.
- If you receive an Extension of your OPT, the grace period will begin after the end of the Extension period.

If you do not extend your OPT, and your EAD expires, you have the following options before the end of the 60 days grace period:

- 1. Exit the US within 60 days
- 2. <u>Continue your F-1 Status & Studies</u>: Transfer your I-20 to continue studies at another school OR request a Change of Educational Level to begin new studies at UC Berkeley
- 3. Work with immigration legal counsel regarding a Change of Status application to a new visa category. You will need to check with your legal counsel regarding your allowed period of stay or required exit date if you have a pending change of status when your grace period ends.



More Information

Consult the Berkeley International Office <u>OPT webpage</u> for detailed information related to:

Frequently Asked Questions (FAQs)

Address and Employer Reporting System

Types of Qualifying Employment

90-Day Unemployment Rule

Beginning a New Program of Study

Taking Classes While on OPT

Traveling Outside the U.S.

Early Completion of OPT

OPT STEM Extension

Cap-Gap Extension



Final check of your OPT application

Want to review all your documents in detail before mailing them to USCIS?

See our online video:

OPT Application Checklist

OPT Application Checklist

A review guide before you mail your application!



Still have questions?

Come see a BIO advisor in person at Berkeley International Office.





Office Hours

internationaloffice@berkeley.edu

510-642-2818

