Post-Completion Optional Practical Training (OPT): Guidance for I-765 Application & Filing

Middlebury International Student and Scholar Services

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To apply for Optional Practical Training (OPT), you must first submit the ISSS OPT Intake Form. ISSS will review your Middlebury OPT application. If you're eligible, we will issue you an updated I-20 with an OPT recommendation on it. You must include the updated I-20 with OPT recommendation with your OPT application to USCIS.

It is your responsibility, as the applicant, to fully and correctly submit your I-765 application to USCIS. ISSS is providing this guide as a set of recommendations and best practices. It is <u>NOT legal advice</u>.

You are responsible for filing your own accurate and complete application with U.S. Citizenship and Immigration Services (USCIS). You must be physically in the U.S. and in F-1 student status to apply for OPT authorization.

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Getting Started with ISSS and your I-765 Form Requirements

1. Attend an OPT Q&A session with ISSS

ISSS <u>highly recommends that you attend an OPT Q&A session</u> to fully understand the OPT benefit and eligibility requirements. The sessions feature a presentation and time for questions and answers (Q&A) – you can ask your own questions and learn from the answers to other students' questions. Date and time information will be sent via email and posted on our <u>announcements webpage</u>.

2. Compile your OPT application documents

<u>Assemble all required documents before filing Form I-765.</u> You must have your updated I-20 with OPT recommendation before filing the I-765.

See the <u>ISSS Forms & Resources webpage</u> (under "OPT application forms and resources") for links to the required ISSS OPT Intake Form and to the USCIS Form I-765.

□ **ISSS OPT Intake Form** (For use by the ISSS office only. *Not sent to USCIS*.)

Completed and signed. You must include a month/day/year start date (and end date, if you're requesting less than one year. If requesting the full year, ISSS will calculate the end date). You must also indicate dates of any off-campus work authorization (i.e., CPT, pre-completion OPT).

□ Passport identification page (copy)

This includes any additional pages that confirm the document's validity.

□ Most recent **F-1 Visa (copy)** (*if applicable*)

□ I-94 Record (copy)

Access this document using your passport ID page at <u>https://i94.cbp.dhs.gov/I94/</u> and "print" it as a PDF or other accepted file type. **TIP:** *The travel history is not an acceptable alternative to the I-94 Record.*

□ Most recent **F-1 entry stamp (copy)** for admission into the U.S. (*if you have one; not required*)

- □ Any previous EAD (Employment Authorization Document) cards (copy, front and back) (*if applicable*) If you misplaced your EAD, write a short letter of explanation, including approved start and end dates.
- □ All **previous I-20 Forms with work authorization** (CPT or OPT) **(copy) TIP:** You only need to provide pages 1 & 2; page 3 (instructions page) is not required

You do not need to submit the items on page 3 to ISSS with your ISSS OPT Request. You DO need to submit them to USCIS.

USCIS Form G-1145, E-Notification of Application/Petition Acceptance (original)

Optional but highly recommended, this form will allow you to receive an email or text message when your application has been accepted at a USCIS Lockbox facility.

USCIS Form I-765, Application for Employment Authorization (original)

Completely and accurately filled out in black ink or black typed font (typed is recommended). Read all USCIS instructions provided <u>before</u> completing the form. Additional guidance to complete Form I-765 is included on the following pages of this document and at <u>USCIS</u>.

TIP: Fill in the form on a PC (Mac users have reported issues), using the latest version of Adobe Acrobat Reader. Do NOT use the "File Online" option. Fill in and submit all 7 pages of the application.

□ Money order (recommended) or check for the appropriate fee amount, payable to <u>U.S. Department of</u> <u>Homeland Security</u>.

- Confirm the <u>current filing fee</u> before submitting your application.
- The money order/check must be from a U.S.-based financial institution and payable in U.S. currency.
 TIP: To avoid errors or delays with processing, use a money order or cashier's check to pay. Avoid personal checks and credit/debit cards. Money orders are available at: U.S. Post Office, Western Union, some grocery store customer service desks, and some banks.
 - \circ $\;$ Have the information provided here ready when obtaining the money order $\;$
 - Ensure that your name, date of birth (DOB) and the phrase "I-765 filing fee" appear on the document.
 - Use the memo line to enter the following: I-765 filing fee DOB: mm/dd/yyyy
 - Use the MONTH/DAY/YEAR (MM/DD/YYYY) format when dating checks and writing your DOB (date of birth).
 - If address is required, follow these suggestions:
 - For <u>Pay To</u> address: use the USCIS address you will mail the I-765 packet to (see page 8 of this document for address instructions)
 - For <u>Payee</u> (i.e., you) address: use the mailing address you included on the I-765
 - **TIP:** Review the information from USCIS under "<u>How to Write Your Check</u>."

□ 2 identical passport-style photographs

Photos should be 2 inches x 2inches, color, and recent (ideally taken within the past 30 days). Use a pencil to lightly print your name and SEVIS ID# on the back of each photo. Do not press firmly. ISSS recommends using a professional passport photo service to avoid complications.

For specific photo requirements, refer to:

- Form I-765 Instructions
- U.S. Department of State photo requirements
- <u>U.S. Department of State photo tool</u> (for digital photos)

Where to go for photos:

- in Middlebury: U.S. Postal Service, the UPS Store, and Kinney Drugs
- in Monterey: U.S. Postal Service, the UPS Store, CVS, AAA, and Walgreens
- □ For students who have <u>not</u> been in continuous F-1 status for a full year <u>and</u> will complete the 1-year requirement based on your F-1 status now <u>and</u> a previous valid nonimmigrant status: You <u>must</u> include evidence of having been lawfully enrolled as a student on a full-time basis in the prior status as well as any proof of a change of status to F-1. Ask ISSS if you have questions.

3. Submit your complete OPT Request to ISSS.

Complete the OPT Intake Form found on our Forms website under "Student Employment Authorization" and "OPT application forms and resources." The form will ask for biographical and program information. An ISSS advisor will review your submission (allow 5-10 business days for initial processing). If there are issues or concerns with your application, ISSS will email you specific feedback, including instructions on how to resubmit documents if necessary. If there are no issues or concerns, ISSS will process your OPT Intake form (issuing you an updated I-20 with OPT recommendation)If you have questions about your OPT application, you can email ISSS or make an appointment with your assigned advisor.

4. Receive the I-20 with OPT Recommendation from ISSS

ISSS will send you an email when your I-20 with OPT recommendation is ready. The email will explain how to receive your new I-20. The following steps are VERY IMPORTANT:

- a) Review the information on all pages of the I-20 to ensure it is accurate.
- b) Confirm the OPT requested dates on page 2 these cannot be changed once submitted to USCIS.
- c) If the information is accurate, then sign & date (MM/DD/YYYY) the student attestation section on page 1. You must sign the paper version, using blue or black ink. You are <u>NOT</u> authorized to sign/date digitally.
- You must send an original version of the I-20 with your I-765 application; if you receive your I-20 in person from your DSO, ensure you obtain two original copies. If you receive the I-20 by email, print two original copies. (One to keep and one to mail.)
- e) USCIS must receive your OPT application <u>within 30 days</u> of the date that your DSO enters the recommendation in your SEVIS record. ISSS recommends mailing your I-765 packet to USCIS within two weeks of the recommendation to allow time for mail service.

5. ASSEMBLE THE OPT APPLICATION DOCUMENTS & make a copy of the entire packet before mailing your packet to USCIS.

Pages 5-8 are postal mail filing instructions.

6. Read pages 9-10 for Next Steps After Filing

Note: USCIS will accept both mailed OR online applications. ISSS recommends online filing because it is more secure than mail and the fee is lower. If you must file by mail, see the mailing instructions on the <u>ISSS Forms & Resources</u> <u>webpage</u>, under "OPT application forms and resources."

Postal Mail Filing Instructions

TIP: All documents should be one-sided

Part 1: Reason for Applying

See the USCIS Form I-765 instructions for how to complete the form based on the Foreign Students Category.

Part 2: Information About You

Your Full Legal Name

List your full legal name instead of any preferred names.

Your U.S. Mailing Address

Use a valid & secure U.S. address. This is where USCIS will send notices, the Employment Authorization Document (EAD) card and, if requested, the Social Security Number (SSN) card.

TIP: Using the ISSS address is a very safe option, because we regularly receive and process mail. If you may be moving to multiple locations or traveling, it also ensures a timely receipt of these very important documents. The U.S. government does NOT allow their mail to be forwarded, so any mail forward service you might organize will not apply to anything sent by USCIS. ISSS will also review the documents on your behalf for errors or discrepancies. If you use the Middlebury College ISSS address, enter it as seen below. (If you use the ISSS mailing address and want to change your address on record with USCIS afterwards, please contact ISSS first beforehand so that you have a clear understanding of the implications of this action.)

5a: Middlebury College ISSS
5b: 14 Old Chapel Road
5c:
5d: Middlebury
5e: VT
5f: 05753
6: No

Your U.S. Physical Address

Use a valid U.S. address for where you are physically living. If you live on the Middlebury College campus, use:

7a: 14 Old Chapel Rd MC XXXX (insert your box number)

7b: 7c: Middlebury 7d: VT 7e: 05753

Other Information

8: If you have applied for a USCIS benefit before (such as OPT at a lower degree level), then you may have an A-Number. If you have one, you will find it at the top of your EAD card mailer or located under the USCIS # heading on your EAD card. If you have not, then you can leave this question blank.

9: If you have never created a USCIS online account number, then you can leave this question blank.

12: If you have applied for employment authorization in the past, select YES. Provide copies of all previous EADs, front and backside. (You will also have to provide additional information in Part 6.)

13a: Everyone must answer question 13a. It asks if the Social Security Administration (SSA) has ever officially issued you a Social Security Number.

TIP: If you were ever issued an SSN, you must enter it here. Your SSN is a lifetime number

14: If you answer No, you skip ahead to Part 2, Question 18a.

Via this form, you have the option of applying for an SSN or requesting a replacement SSN if your original card was lost or stolen. If so, you should receive your SSN within 2 weeks after your I-765 application is approved. **TIP:** The SSN is issued by the Social Security Administration, not USCIS, so the SSN will not be issued at the same time as the EAC. You may begin working without receiving your SSN (as long as you have the EAD in hand and you are working on or after the OPT start date).

Your Country or Countries of Citizenship

- If you are stateless, use the name of the country where you were last a citizen or national.
- If you are a citizen or national of more than one country, use the name of the foreign country that issued your last passport, and which matches what is referenced on your I-20.

Information About Your Last Arrival in the U.S.

21a: Use your I-94 number and data on the I-94 website at https://i94.cbp.dhs.gov/I94/.

21b: Use your passport information.

21c: This is only to be used if you have a travel document other than a passport.

Information About Your Eligibility Category

27: The post-completion category is c 3 B. (If you are applying for pre-completion, contact ISSS for the correct code.) You do not need to complete numbers 28 through 31 (this is only for STEM).

TIP: Graduating students who may be eligible for a STEM extension will NOT indicate STEM in this box; the STEM extension application is as separate application that you complete later, during your post-completion OPT period.

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

Applicant's Statement

Select the appropriate box. Most students will choose 1a.

Applicant's Contact Information

For questions 3, 4, and 5, use your contact information. If you do not have a phone number for question 3, you may use the ISSS number: 802-443-5858.

Applicant's Signature

Sign your name in the box (black ink) for 7a and **make sure that your signature fits within the box**. USCIS will not accept a stamped or typewritten name in place of a signature. **TIP:** You must use black ink and sign by hand.

Part 4 & Part 5

DO NOT COMPLETE PARTS 4 OR 5. These are only used if you used an interpreter or preparer (attorney). **TIP:** Draw a diagonal line (using black ink) through each page (from the upper corner to the opposite bottom corner) and write **N/A** across the middle of the page; this will show you left the pages blank intentionally. (N/A = not applicable)

Part 6: Additional Information

If you were previously approved for CPT and/or OPT, you can use the suggested entry below for questions 1a-c, 2, and 3a-d. If you were approved for multiple work authorization periods, then you would use the additional 4a-d, 5a-d, etc. to list additional periods. If you applied for OPT and then withdrew your application, you will also provide reference to it in this section.

For OPT:

Family Name, Given Name, Middle Name (as listed in your passport and on the I-765)
 A-Number (if any): Fill in your A-Number, if you have one
 Page Number: 2 3b. Part Number: 2 3c. Item Number: 12
 (Provide the additional information): SEVIS ID N00000000000 (use your specific number).

Since there are no clear USCIS instructions on how to list this information, consider the following method: MM/DD/YYYY to MM/DD/YYYY, Degree Level, Type of OPT

TIP: If you previously submitted OPT and withdrew the application, inform ISSS so we can help you appropriately represent that information in this section.

For CPT:

1. Family Name, Given Name, Middle Name (as listed in your passport and on the I-765)

2. A-Number (if any): Fill in your A-Number, if you have one

3a. Page Number: N/A **3b.** Part Number: N/A **3c.** Item Number: N/A

3d. (Provide the additional information): SEVIS ID N00000000000 (use your specific number). Since there are no clear USCIS instructions on how to list this information, consider the following method: MM/DD/YYYY to MM/DD/YYYY, Degree Level, CPT

TIP: 3a-c (or additional similar fields, i.e., 4a-c, 5a-c) may require you to handwrite "N/A" in each field. If this is necessary, please use BLOCK LETTERS when doing so.

Note: FOR ANYONE FILING A RENEWAL (i.e., a second request for the same employment at the same educational level, i.e., STEM Extension or second OPT application using the same category):

List all previously issued SEVIS IDs (the N number found on your Form I-20s), all periods of CPT and all periods of OPT, as well as the educational level at which they were authorized.

FINAL REMINDER

Answer all questions fully and accurately. If a question does not apply to you, leave it blank. In some cases, you may be advised to write "N/A" or "Not Applicable" in certain questions. Questions that indicate "if any" may be left blank if they do not apply to you. Always follow the instructions provided on the I-765.

SEE NEXT PAGE FOR MORE IMPORTANT MAILING INFORMATION

Mailing Instructions

1. ASSEMBLE THE OPT APPLICATION DOCUMENTS before mailing:

Refer to the <u>USCIS website regarding the filing of the I-765</u>. Review the <u>Checklist</u>. Follow the *General Requirements* as well as the *Student Seeking Pre- or Post-Completion* guidance on the list.

As of November 18, 2020, according to USCIS, you should submit your documents as follows: *TIP:* Use one large *paper clip* instead of staples to attach documents together.

>> MAKE ALL DOCUMENTS SINGLE SIDED TO ENSURE ACCURATE USCIS PROCESSING <<

- Money Order/Check for Filing Fee,
- 2 Photos that meet USCIS requirements (see page 3) may be placed in a smaller unsealed envelope
- Original Form G-1145 (if you want USCIS to notify you electronically)
- Original Form I-765 Application-- properly signed and dated (must include fresh ink signature & date)
- Original of new I-20 with DSO recommendation of OPT—signed and dated by you and ISSS staff
- Copy of previous EAD cards (if you used OPT before)—both sides; if none, skip this
- Printout of most recent I-94 record
- Copy of passport ID page(s), including validity dates and most recent entry stamp (if available)
- Copy of your F-1 visa (generally not required for citizens of Bermuda or Canada)
- Copies of **all previous I-20s with employment authorization,** single-sided and without staples (instruction page (page 3) may be excluded)
- BEFORE mailing, make a copy or scan of your entire OPT packet (I-765 and supporting materials). Keep this duplicate packet for your personal records, as you may need to refer to it in the future. TIP: Include scan/copy of your payment method and photos as proof of submission with the I-765

3. Mail the completed OPT application to the applicable USCIS Lockbox

Mailing addresses for I-765 can change without notice. <u>Before mailing</u>, verify the address on the USCIS "<u>where to</u> <u>file</u>" page

We recommend using two separate envelopes: one to place your documents in and a second from the mailing service you choose. On the first envelope, write "I-765 – OPT Application," then place it in the second envelope. You will address the second envelope to USICS. The address differs depending on which mail service you use and how you file the form (for example, if you're filing it by itself or with the I-907 Request for Premium Processing). Refer to <u>https://www.uscis.gov/i-765-addresses</u> (select "Foreign students") for current addresses.

TIP: Submit application by an **express mail service** such as UPS (available at Mailing Services in the Freeman International Center building) or FedEx that offer package tracking. If choose US Postal Service (USPS), be sure to request a method with a tracking number. **DO NOT** use a "signature upon delivery" option because USCIS may not "sign" for the package. And remember, **UPS and USPS are two different entities**!

USCIS must receive your OPT application, along with Form I-765, <u>within 30 days</u> of the date that your DSO enters the recommendation in your SEVIS record. ISSS recommends mailing your I-765 packet to USCIS within 14 days of the OPT recommendation to ensure proper time for mailing and receipt by USCIS before the 30 days end.

CONTINUE READING FOR NEXT STEPS AFTER FILING & IMPORTANT REMINDERS

Next Steps After Filing & Important Reminders

Receipt Notice

Within a few weeks, USCIS will mail an I-797 "Notice of Action" to confirm receipt of your application to the address used on your application. You can check the status of your case online at <u>www.uscis.gov</u> using the case number found on your Receipt Notice. USCIS only updates the site when action is taken.

Approval Notice/Employment Authorization Document (EAD) Card

USCIS can take a significant amount of time processing OPT applications (visit their website for current estimated processing times: <u>egov.uscis.gov/processing-times</u>). If you used the ISSS Vermont office address (College & Institute students) as the mailing address on the I-765, all USCIS paper communications regarding your OPT application will be sent to ISSS in Vermont. We will notify you via email when we receive the receipt notice. However, we will not mail anything until we receive your Employment Authorization Document (EAD) card. When we receive the EAD, ISSS will email you a notification and instructions on how to receive it. The EAD, Approval Notice, and Receipt Notice will be mailed to you; keep these for your records. If you used your personal address, then you need to make sure that ISSS gets copies of the notices and EAD (front and back) via our Document Submission form on the Forms & Resources page of our website. Once you receive your EAD, double check it for any errors and notify ISSS immediately if you find any.

TIP: Do not engage in any employment/internship/activity, including orientation, training or accepting a signing bonus, until you physically have the EAD & you have reached your OPT start date as printed on the EAD.

On the first day of your approved OPT period, USCIS will email you a link to activate your **SEVIS Portal Account**. Add the USCIS email address <u>do-not-reply.sevp@ice.dhs.gov</u> to your contacts so that messages from them will not be filtered into your spam or junk mail.

TIP: It is your responsibility to monitor the email address you listed on the OPT intake application, because this will be the email address that USCIS and ISSS will use for all official communication.

Travel Advice

ISSS recommends that you **do not travel** outside of the U.S. while your OPT application is **pending** approval. If you must travel, please discuss this with ISSS when applying for OPT.

Once your OPT has been approved, you may travel outside of the U.S. before and during your OPT period. You must present the following documents at the U.S. port of entry upon your return each time:

- Form I-20 with OPT recommendation/approval, signed for travel (the travel signature is good for 6 months)
- Valid F-1 visa (not required for citizens of Bermuda and Canada)
- Valid **passport** (for at least six months into the future)
- Valid EAD card
- *Proof of employment/employer letter (not required but highly recommended)*
- *Proof of financial ability pay stub, bank letter, etc. (not required but highly recommended)*

F-1 Visa

If your F-1 visa has expired, you will need to apply for a new F-1 visa at a U.S. embassy or consulate (preferably in your passport country). You must have a valid F-1 visa to re-enter the U.S. You may be required to show documentation that you have a job to return to and sufficient income or funds to cover your living expenses. You will need the same documents for travel for any visa applications. A visa to cover your OPT period will only be possible after you have received the OPT approval and the EAD.

Do not enter the U.S. in any visa category other than F-1. If you re-enter the United States through the Visa Waiver program, with a tourist visa, or any other visa status, you will <u>not</u> be authorized to work even if you have a valid EAD. **You must be in F-1 status for this card and your authorization to remain valid.** Each time you enter the U.S., check the status you were admitted in with your <u>I-94</u>.

Reporting Requirements During OPT

You are <u>still in F-1 status and responsible for reporting</u> the following to ISSS within 10 days of the change:

- U.S. address
- name change,
- email address,
- phone number,
- new employment
- changes to employment (e.g., job title, work address)
- ending employment

Report these changes using the forms on the <u>ISSS Forms & Resources webpage</u> (under "OPT and STEM OPT reporting forms").

You must also continue to maintain a valid travel signature on page 2 of your I-20. Once you are approved for OPT, travel signatures are valid for only six (6) months. You can request an updated travel signature online: <u>ISSS Forms &</u> <u>Resources webpage</u>, under "OPT and STEM OPT reporting forms." Request the travel signature at least **two weeks before** you plan to travel.

It is your responsibility to keep track of required reporting requirements; if you are unsure, ask ISSS.

After OPT

If you have a STEM-eligible major, refer to the <u>ISSS STEM OPT webpage</u>. ISSS recommends that you begin preparing the STEM application about five months before your OPT end date, to ensure you have time to prepare your application appropriately and consult with ISSS if needed.

If you are not eligible for or do not plan to use the STEM extension, you may consider transferring your SEVIS record to a U.S. institution for further study. Consult ISSS for further guidance if this might be your plan.

If you will leave the U.S. after your OPT period, then you have a grace period of 60 days to exit. If you exit during the 60-day period, then you cannot re-enter the U.S. in F-1 status with your Middlebury documents.

For more information about post-OPT options, visit the **ISSS After Middlebury webpage**.