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

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

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

□ I-94 Record

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** for admission into the U.S. (*if you have one; not required*)
- Any previous EAD (Employment Authorization Document) cards (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)
 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 I-765

Complete your form online with a <u>myUSCIS account</u>.

Do NOT submit the online I-765 without consulting with ISSS first. If you complete the online form without uploading the required I-20 with OPT recommendation, your application will be denied and/or delayed, resulting in a delay or a loss of the OPT opportunity.

Read all USCIS & ISSS instructions provided <u>before</u> completing the form. (See pages 5-17 for additional guidance on completing Form I-765).

□ Filing fee

Confirm the <u>current filing fee</u> before submitting your application.

□ Passport-style photo

USCIS PHOTO SPECIFICATIONS: Color, 2x2 inch, passport-style photograph, taken recently (ideally within the past 30 days). For specific details and assistance, 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)

ISSS recommends using a professional passport photo service to avoid complications. **TIP**: *Ask for a digital version of your photo.*

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 the OPT intake form 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.
- d) Scan the updated I-20 after you sign and date it. You must sign and date the paper version. **Include this copy with your I-765 application**.
- e) Keep the <u>original</u> Form I-20 with the OPT recommendation; it will beyour most current and active I-20.
- f) USCIS must receive your OPT application <u>within 30 days</u> of the date that your DSO enters the recommendation in your SEVIS record. Be sure to submit to USCIS within 30 days.
- 5. Submit the <u>1-765</u> and all the required documents to USCIS Pages 5-16 are online filing instructions.
- 6. Read page 17 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."

Online Filing Guidance

This guide gives tips for specific questions on the online application form but does not cover and review every single question that appears on the online application.

- 1. Create an account as instructed on the USCIS online filing website (<u>my.uscis.gov</u>). Indicate that you are an applicant (#1).
- 2. After creating an account and signing in, select the box "File a form online"
 An official website of the United States government <u>Here's how you know</u> ~



3. Select "I-765, Application for Employment Authorization" from the drop-down list, then click on "Start Form"

- Read the information on the next pages, clicking "Next" at the bottom only after you have read and understood everything.
 TIP: If you are in F-1 status and filing for Post-completion Optional Practical Training, Biometrics should not be required.
- 5. Choose the appropriate eligibility category for your situation then click the "Next" button. Most students (those finishing their degree program) will choose "(c)(3)(B) Student Post-Completion OPT."

| U.S. Citizenship and Immigration Services | My Account ▼ Resources ▼ Sign Out |
|--|--|
| I-765, Application for Employment Authorization | What is your eligibility category? |
| Getting Started Basis of eligibility Reason for applying Preparer and interpreter information | c(3)(A) Student Pre-Completion OPT c(3)(B) Student Post-Completion OPT |
| About You Evidence Additional Information Review and Submit | c(3)(C) STEM Extension online and are not eligible for one of the listed categories, your application may be denied. |
| | Back Next |

TIP: You can choose to concurrently file Form I-907, Request for Premium Processing, at this time. If you don't file it now, you can still file it later. Talk with your advisor if you'd like help making this decision.

- 6. The next few questions ask about your I-765 history and your personal information. For the email address, use a personal email address. Your Middlebury email address will expire about 6 months after graduation.
- 7. 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.)

Middlebury College ISSS mailing address (for College & Institute students):

- a) In care of name (if any): Middlebury College ISSS
- b) Address line 1: 14 Old Chapel Road
- c) City or town: Middlebury
- d) State: Vermont
- e) Zip code: 05753-6004
- 8. Your U.S. Physical Address: Enter your current physical address in the U.S., unless it is the same as the mailing address.

TIP: If you use the Middlebury ISSS mailing address, then your physical address will be different.

Physical address if you live on the Middlebury College campus:

- a) Address line 1: 14 Old Chapel Rd
- b) Address line 2: MC XXXX (insert your box number)
- c) City or town: Middlebury
- d) State: Vermont
- e) Zip code: 05753-6004
- 9. The next couple of pages ask for more personal information.
 - a) Be sure to enter dates in MM/DD/YYYY format (for example, December 1, 2004 = 12/01/2004).
 - b) For country of birth, you can type in the country if it's not in the drop-down list. However, you cannot do this for country of citizenship.
 - c) You will need your I-94 and Travel History (both available at <u>i94.cbp.dhs.gov</u>) to complete this section
 - d) If you have a passport, you only need to fill in your passport number, not the travel document number.

What is the passport number of your most recently issued passport?

M0123456

What is your travel document number (if any)?

10. The next page asks for the A-number and USCIS Online Account Number (If you do not know or do not have that information, you can click the checkboxes) and social security number (SSN) information. Via this form, you have the option of applying for an SSN for the first time 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).

11. The next page gives information about the required photos and allows the upload of a photo, but it must meet the requirements as instructed:

2" X 2" Photo Of You

Upload a recent color photograph of yourself that measures 2 inches by 2 inches, with your face measuring 1 inch to 1 3/8 inch from your chin to the top of your head. Your eyes should be between 1 1/8 inch and 1 3/8 inch from the bottom of the photo.

Make sure your whole face is visible, you are facing the camera directly, and the background is white or off-white. Your head must be bare, unless contrary to your religious beliefs.

If you need help understanding the photo requirements or want to resize, rotate, or crop your photo, you can use the Department of State's <u>photo</u> <u>composition tools</u>. Please note that we cannot approve your application without your photo.

File requirements

- Clear and readable
- Accepted file formats: JPG, JPEG, or PNG
- No encrypted or password-protected files
- If your documents are in a foreign language, upload a full English translation and the translator's certification with each original document.
- Upload no more than one document at a time
- Accepted file name characters: English letters, numbers, spaces, periods, hyphens, underscores, and parentheses
- Maximum size: 12MB per file

TIP: This requirement is a common reason for applications to receive a "Request for Evidence" (RFE). An RFE will result in a processing delay while USCIS waits for sufficient information/documentation from you. It is critical to respond in a timely manner to any RFE because they typically provide a deadline for submissions. The best way to ensure you follow the photo instructions is to use a professional passport photo service. Many of them can provide 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

- 12. The next page asks for your most recent I94 record (available at i94.cbp.dhs.gov)
- 13. The next page asks for EAD or government ID document (most students will submit their passport)
- 14. The next page asks for any previously authorized CPT or OPT and the academic level at which it was authorized. If you've ever been approved for CPT, you need to upload the I-20s showing the authorization. If you've ever been approved for or applied for OPT, you need to upload the I-20s showing the request. Also include any prior Employment Authorization Document (EAD) cards (front and back). **TIP:** If you don't have any I-20s or EADs to submit, you can click Next. You'll receive a warning, but you can bypass it <u>only</u> if you don't have anything to submit.

Previously Authorized CPT Or OPT

Upload evidence of any previously authorized CPT or OPT and the academic level at which it was authorized.

File requirements

- Clear and readable
- Accepted file formats: JPG, JPEG, PDF, TIF or TIFF
- No encrypted or password-protected files
- If your documents are in a foreign language, upload a full English translation and the translator's certification with each original document.
- Upload no more than five documents at a time
- Accepted file name characters: English letters, numbers, spaces, periods, hyphens, underscores, and parentheses
- Maximum size: 12MB per file



15. The next page requires the I-20 with OPT recommendation for this application (current and new I-20). The recommendation must be done in SEVIS within 30 days for post-completion OPT and 60 days for STEM OPT. Unlike the previous page, DO NOT bypass the warning on this page. You must upload the new I-20 with the OPT recommendation. If you do not upload the I-20, upload an I-20 without the OPT recommendation, or upload an I-20 with an OPT recommendation beyond the time frame, your application will be denied. You

would need to refile, and depending on the timeline, may not have time to refile – resulting in a loss of the OPT opportunity.

Important information regarding your Form I-20 Do NOT submit this form until you receive a Form I-20 recommendation from your DSO. We will deny your application if you do not include your Form I-20 recommendation when you submit Form I-765. If you need to provide Form I-765 to your DSO, print or download this draft before you submit.

Upload a copy of the Form I-20, Certificate of Eligibility for Nonimmigrant Student Status endorsed by the Designated School Official (DSO). For the (c)(3)(B) eligibility category, your DSO must have entered the recommendation for OPT into your SEVIS record within 30 days of you submitting Form I-765. If you fail to do so, we will deny your OPT request. For the (c)(3)(C) eligibility category, the Form I-20 must have been endorsed by the DSO within 60 days of submitting Form I-765.

File requirements

- Clear and readable
- Accepted file formats: JPG, JPEG, PDF, TIF or TIFF
- No encrypted or password-protected files
- If your documents are in a foreign language, upload a full English translation and the translator's certification with each original document.
- · Upload no more than five documents at a time
- Accepted file name characters: English letters, numbers, spaces, periods, hyphens, underscores, and parentheses
- Maximum size: 12MB per file



16. The next page is a space to provide any additional responses. The most common reason to use this area is if you lost the required documentation proving previous work authorization (CPT and/or OPT).

Additional Information

If you need to provide any additional information for any of your answers to the questions in this form, enter it into the space below. You should include the questions that you are referencing.

If you do not need to provide any additional information, you may leave this section blank.



17. The next page prompts you to check your application before submitting and indicates the filing fee. It will also indicate if there are any alerts and warnings regarding your application. If you receive any alerts and are unsure about how to resolve the alert or warning, contact your ISSS advisor. If you do not have any alerts or warnings, you will see a green checkmark (see examples below).
Check your application before you submit

Please review your application and check it for accuracy and completeness before you submit it.

We encourage you to provide as many responses as you can throughout the application. Missing or incomplete information may slow down the review process after you submit your application.

You can return to this page to review your application as many times as you want before you submit it.

Your fee

Your form filing fee is: \$470

Refund Policy: USCIS does not refund fees, regardless of any action we take on your application, petition or request, or how long USCIS takes to reach a decision. By continuing this transaction, you acknowledge that you must submit fees in the exact amount and that you are paying the fees for a government service.

Alerts and warnings

You have one or more alerts and warnings based on the information you provided in your application.

A red alert means you have incomplete responses or inconsistent data. You cannot submit your application with any alerts.

There are errors in About You: Your immigration information

Edit my responses

Check your application before you submit

Please review your application and check it for accuracy and completeness before you submit it.

We encourage you to provide as many responses as you can throughout the application. Missing or incomplete information may slow down the review process after you submit your application.

You can return to this page to review your application as many times as you want before you submit it.

Your fee



Refund Policy: USCIS does not refund fees, regardless of any action we take on your application, petition or request, or how long USCIS takes to reach a decision. By continuing this transaction, you acknowledge that you must submit fees in the exact amount and that you are paying the fees for a government service.

Alerts and warnings

We found no alerts or warnings in your application.

18. The next page gives you the opportunity to review the I-765. You can scroll on the page itself, view a draft snapshot, or print (include print to PDF). Whatever method you choose, you should **review the information** carefully before submitting.

Review the I-765 form information

Here is a summary of all the information you provided in your application.

Make sure you have provided responses for everything that applies to you before you submit your application. You can edit your responses by going to each application section using the site navigation.

We also prepared a draft case snapshot with your responses, which you can download below.

| 🖄 <u>View draft snapshot</u> 🔒 Print | |
|--------------------------------------|---|
| Getting Started | |
| Basis of eligibility | |
| What is your eligibility category? | (c)(3)(B) Student Post- Completion OPT |

- 19. The next pages require you to read and agree to Applicant's Statement and Applicant's Declaration before signing.
- The final page is to pay and submit. You will be directed to the pay.gov website to submit your filing fee online. Your application is not complete until you pay the filing fee.
 TIP: Get filing fee costs and guidance at <u>uscis.gov/forms/filing-fees</u>



Continue reading on page 17 for "Next Steps After Filing and Important Reminders"

Next Steps After Filing & Important Reminders

Receipt Notice

After you submit the application online, save the initial confirmation page and email. USCIS may also send a mailed copy of the I-797 "Notice of Action" to confirm receipt of 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 (for 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**.