Optional Practical Training (OPT): Guidance for I-765 Application, Filing, and Mailing International Student and Scholar Services | Middlebury College

http://www.middlebury.edu/international/isss (go/isss/) | 802-443-5858 | isss@middlebury.edu

To apply for Optional Practical Training (OPT), ISSS will review your Middlebury OPT application and issue an updated I-20 with an OPT recommendation on it for inclusion with your OPT application to USCIS. In completing your applications, ISSS offers the recommendations and best practices below; this is NOT legal advice. We have updated the process in consideration of ongoing changes made by USCIS.

Note: Each student is ultimately responsible for filing their own accurate and complete application with U.S. Citizenship and Immigration Services (USCIS). Students must be in the U.S. in F-1 student status to apply for OPT.

1. Attend a virtual OPT workshop with ISSS - MANDATORY

Here you will not only be able to view our presentation, but you will get additional details and the benefit of posing questions/hearing responses to other questions that might be of interest.

It is mandatory to attend an OPT workshop. ISSS is offering several workshops, so it will be important that you find one that fits your schedule.

Or,

If you cannot find a date to fit your schedule, contact ISSS immediately to make other arrangements. >>> This must be completed before the I-20 with OPT recommendation may be issued, so plan accordingly. <<<

2. Compile your OPT Request >>> MAKE ALL DOCUMENTS SINGLE SIDED TO ENSURE ACCURATE USCIS PROCESSING. <<<

The required ISSS OPT Intake Form and a link to the USCIS Form I-765 is available on the ISSS website at: <u>http://www.middlebury.edu/international/isss/employment</u> (see OPT and Applying for OPT). The USCIS I-765 and G-1145 forms are also available at: <u>https://www.uscis.gov/forms</u>

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

Completed and signed. We must have a month/day/year start date (and end date, if requesting precompletion OPT. ISSS will calculate the end date for post-completion.). You must also indicate dates of any off-campus work authorization (i.e., pre-completion OPT and/or CPT).

□ Original USCIS Form G-1145 e-Notification of Application.

This USCIS form is optional, yet highly recommended if you want to receive an email or text that your application has been accepted at a USCIS Lockbox facility.

□ Original USCIS Form I-765

Completed, signed, with all items completed in black. **TIP:** *typing the form provides great clarity and accuracy on forms that will be scanned by USCIS. Handwriting the application is discouraged for these reasons* **Note:** *Recently, USICS has launched an online I-765; please do NOT complete the form online without first consulting with ISSS. If you complete the online form without the required I-20 recommending OPT submitted with it, your application will be denied, resulting in a delay, or worse - a loss of the OPT opportunity depending on the timing of the submission.*

To obtain the most current form, visit the <u>USCIS website</u>. Use the latest version of Adobe Acrobat Reader. Do NOT use the "File Online" option. 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. **TIP:** *Filling it out on a <u>PC computer</u> is best (Students have encountered problems with date entries and other details when using a Mac).*

Note: Even if you do not need all 7 pages of the application, you must submit all 7 pages to USCIS. TIP: USCIS I-765 form filing tips - <u>https://www.uscis.gov/forms/filing-guidance/form-filing-tips</u>

- 1 Copy of Passport Identification Page.
 This includes any additional pages that confirm the document's validity dates.
- □ **1 Copy** of your most recent **F-1 Visa** (if applicable).
- □ **1 Copy** of your **Electronic I-94 Record** or **Current I-94 Card** (*front and back*) if you have a hard copy card. Access this document using your passport ID page at <u>https://i94.cbp.dhs.gov/I94/</u> and print it. **TIP:** *the travel history is not an acceptable alternative to the I-94 Record*.
- □ **1 Copy** of your **most recent F-1 Entry Stamp** for admission into the U.S. (*if you have one*).
- □ **1 copy** of **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.
- □ **1 copy** *of* **all previous I-20 Forms** (pages 1 and 2). Only I-20 Forms issued at the bachelor's level need to be included. **TIP**: *instructions page may be excluded*

You do not need to submit the 3 items below to ISSS with your ISSS OPT Request.

- Money order (preferred) or check for the appropriate fee amount made payable to:
 U.S. Department of Homeland Security. TIP: Avoid a personal check, if possible, since there have been reports of delays processing them recently. It is also highly advised not to use a credit or bank card due to reports of errors in processing payments. TIP: Do not write an abbreviation (such as DHS). The name must be spelled out in full as in the blue highlighted above.
- Confirm current filing fee at: <u>https://www.uscis.gov/i-765</u> before submitting your application.
- The money order/check must be from a U.S.-based financial institution and payable in U.S. currency.
 - Money Orders may be obtained from a U.S. Post Office, Western Union, some grocery store Customer Service desks, and some banks.
 - Be sure to have the information provided here when obtaining the money order, as some require you to provide specific information to issue them.
- Make sure 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 Pay To address: use the USCIS address you will use to mail your OPT application (see page 6 of this document for address instructions)
 - For Payee (i.e. you) address: use the mailing address you included on the I-765 (should be ISSS)

TIP: Go to USCIS Filing Fee information page under "How to Write Your Check" (useful guidance for money orders, also) for specific instructions - <u>https://www.uscis.gov/forms/filing-fees</u>

□ 2 Photos, USCIS PHOTO SPECIFICATIONS: you must submit two identical color, 2x2 inch, passport-style photographs, taken recently (ideally within the past 30 days). For specific details, please refer to the Form I-765 Instructions.

- **Using pencil, lightly print your name and SEVIS ID# on the back of each photo. TIP:** *do not press firmly when writing or it may interfere with the photo and be deemed unusable.*
- Photos can be obtained locally at the US Postal Service, the UPS Store, and Kinney Drugs in Middlebury.
- □ 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 and 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." Within the form, you will submit your completed I-765 pdf version and all supporting documents to ISSS. **TIP**: *When visiting the USCIS Form I-765 download page, be sure to scroll towards the very bottom of the page to obtain the I-765 pdf version; do NOT click on the "File Online" blue button.* An ISSS Advisor will review your submission and if complete, process your request. Please anticipate up to 5-10 business days for initial processing. If further attention is required, ISSS will email you specific feedback, including instructions on how to resubmit documents if necessary.

4. Book an OPT Application Review Appointment.

ISSS will notify you when your OPT application is complete and ready to review and prepare the application for mailing. We will also review if you have any questions, the mailing instructions, how to assemble the documents for mailing, the I-20 recommending OPT, and your reporting and F-1 maintenance responsibilities while your application is pending, when the application is approved, and travel implications. To book your appointment: calendly.com/middleburyisss (select "OPT Application Final Review with Christy Fry"). **TIP**: *this is for students who have a complete application as indicated by ISSS, and are ready to submit the application to USCIS.*

5. Mailing of updated Form I-20 from ISSS.

ISSS will send you an email when your I-20 with OPT recommendation is ready. Depending if you are on campus or at another location, will determine how you will be instructed. The email will provide specific instructions based upon your circumstances. The following steps are VERY IMPORTANT:

- a) Review the information on all pages of the I-20 to ensure it is accurate.
- b) If the information is accurate, then sign & date (MM/DD/YYYY) the student attestation section on page 1.
- c) Confirm the OPT requested dates on page 2 these cannot be changed once submitted to USCIS.
- d) Include a copy of the updated I-20 (be sure to make a copy AFTER signing and confirming the correct dates) in your application. THIS IS THE COPY TO BE INCLUDED IN YOUR OPT APPLICATION.
- e) Keep the <u>original</u> Form I-20 with the OPT recommendation as your most current and active I-20.
- 6. **ASSEMBLE THE OPT APPLICATION DOCUMENTS before mailing.** See page 6. TIP: This really is important and can impact the timely review by the USCIS adjudicator.

7. Carefully read page 7 for Next Steps After Mailing.

Additional Form I-765 Filing Guidance

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)

>> YOUR FULL LEGAL NAME List your full legal name instead of any preferred names.

>> YOUR U.S. MAILING ADDRESS

Use a valid, U.S. address as this is where USCIS will send notices, the Employment Authorization Document (EAD) and Social Security Number (SSN) (if requested). Many students use ISSS's address as it is permanent.

TIP: Using the ISSS address is a very safe option, as mail is always received here and regularly processed. 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 in regard to your OPT application. We will also then be able to review the documents for errors or discrepancies on your behalf.

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

** If you use the ISSS mailing address and want to change your address on record with USCIS afterwards, please contact ISSS first before taking action so that you have a clear understanding of the implications of this action.

>> 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: Leave blank
7c: Middlebury
7d: VT 7e: 05753

>> OTHER INFORMATION

Question 8: If you have applied for a USCIS benefit before (such as pre-completion OPT), 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.

Question 9: If you have never created a USCIS On-line account number (most Middlebury College undergraduates probably have not), then you can leave this question blank.

Question 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.)

Question 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, even if you don't think you need it or have the card, you must enter it here.*

Question 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**: *due to COVID-19, there are reports of slight delays in the issuance of the SSN beyond 2 weeks. 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 receipt of the SSN (as long as you have the EAC in hand and you are 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 that matches what is referenced in SEVIS on your I-20.

>> INFORMATION ABOUT YOUR LAST ARRIVAL IN THE U.S. Question 21a: Use your I-94 number and data on the I-94 website at <u>https://i94.cbp.dhs.gov/I94/</u>.

Question 21b: Use your passport information.

Question 21c: Most of you will be able to answer 21b with your passport information. In this case, you would leave question 21c blank since the instructions indicate "if any." This is only to be used if you have a travel document other than a passport.

>> INFORMATION ABOUT YOUR ELIGIBILITY CATEGORY

Question 27: The pre-completion category is C 3 A. The post-completion category is C 3 B.

• You do not need to complete numbers 28 through 31 (this is only for STEM).

TIP: Graduating students who may be eligible for STEM, will NOT indicate STEM in this box; the STEM extension application is done later in your post-completion period.

PART 3)

>> APPLICANT'S STATEMENT Select the appropriate box. Most students will choose 1a.

>> APPLICANT'S CONTACT INFORMATION

For questions 3 to 5, use your contact information. If you do not have a phone number for question 3, you may use the ISSS number at 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:** *it is imperative to use black ink*

DO NOT COMPLETE PARTS 4 OR 5. These are only used if the applicant uses 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 ensure you left the pages blank intentionally. (N/A = not applicable)

PART 6)

If you were previously approved for CPT and/or pre-completion OPT, use the below suggested entry for questions 1ac, 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 pre-completion OPT and then withdrew your application, you will also provide reference to it in this section.

For OPT:

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

2. A-Number (if any)—you can find it under the USCIS # on your EAD card or at the top of the EAD card mailer.

3a. Page Number: 2 3b. Part Number: 2 3c. Item Number: 12

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 Bachelors Level Pre-completion OPT

TIP: Students who may have submitted OPT previously and withdrew the application successfully (received a confirmation of withdrawal), please indicate this on the ISSS Intake form so you may receive additional assistance in representing that here appropriately.

For CPT:

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

- 2. A-Number (if any)—you can find it under the USCIS # on your EAD card or at the top of the EAD card mailer.
- 3a. Page Number: NA 3b. Part Number: NA 3c. Item Number: NA
- 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 Bachelors Level CPT

TIP: 3a-c (or additional similar fields, i.e., 4a-c, 5a-c) may require you to handwrite "NA" 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 numbers (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 type "N/A" or "Not Applicable" in certain questions; you will be advised if needed. Always follow the instructions provided on the I-765. Questions that indicate "if any" may be left blank if it does not apply to you.

SEE NEXT PAGE FOR MORE IMPORTANT INFORMATION

MAILING INSTRUCTIONS FOR OPT I-765 APPLICATIONS

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 <u>SINGLE SIDED</u> TO ENSURE ACCURATE USCIS PROCESSING <<

- Money Order for Filing Fee,
- **2** Photos that meet USCIS requirements (see page 2) may be placed in a smaller envelope unsealed
- 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)
- Copy 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** (not required for citizens of Bermuda or Canada)
- Copies of **all previous I-20s**, single-sided and without staples (instruction page may be excluded)
- BEFORE mailing, make a copy or SCAN of your entire OPT packet (I-765 and supportive 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 payment method and photos as proof of submission with I-765 and supportive documents.

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

- Mailing addresses for I-765 can change without notice. So, <u>before mailing</u>, verify the address on the USCIS website: <u>https://www.uscis.gov/i-765</u> under "Where to File."
- You will be using two separate envelopes: one to place your documents in to secure them and a second that will be provided by the express mailing service you choose. The former will go inside the latter.

On the front of the envelope, you place your documents inside, you will write: "I-765 - OPT APPLICATION." TIP: write this in the center of the envelope using all large block letters (as shown above)

- For I-765 mailing information, see: <u>https://www.uscis.gov/i-765-addresses</u> (select "Foreign students")
- For the specific lockbox address you should use, see:

For FedEx, UPS and DHL express mail Deliveries:	For U.S. Postal Service (USPS) Deliveries
USCIS	USCIS
Attn: I-765 C03 (Box 805373)	Attn: I-765 C03
131 South Dearborn - 3rd Floor	PO Box 805373
Chicago, IL 60603-5517	Chicago, IL 60680

→ USCIS must receive your OPT application, along with Form I-765, within 30 days of the date that your DSO enters the recommendation in your SEVIS record. Be sure to submit to USCIS within 30 days.

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. **ATTENTION: UPS and USPS are two different entities!**

Next Steps After Mailing & Important Reminders

Receipt Notice

Within a few weeks, USCIS will send an 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> by using the case number found on your Receipt Notice. USCIS only updates the site when action is taken. ISSS will notify you by email when we receive your receipt notice (if you used our mailing address). *Please note that you may learn of the notice before ISSS if you completed the G-1145 form to receive electronic notification. There is no action required of you at this point in the process. Our email is a courtesy only.*

Approval Notice/Employment Authorization Card

OPT applications can take a significant amount of time for USCIS to process, please see their website for current estimated processing times (https://egov.uscis.gov/processing-times/ - typically, the Field Office/Service Center is Potomac Service Center adjudicating the form). The Approval Notice will be mailed to the ISSS Office (if you used our mailing address), and we will notify you via email when we receive it. Not until ISSS receives your Employment Authorization Card (EAC) will we mail anything to you. ISSS will email you a notification and instructions on how to get the EAC to you. The EAC, Approval Notice, and Receipt Notice will be mailed to you, and you must keep these for your records. TIP: do not engage in any employment/internship/activity, including orientation, training or accept a signing bonus until you have received the EAC physically & you have reached your OPT start date printed on the EAC.

Once you receive your EAC, double check it for any errors and notify ISSS immediately if any are found. Additionally, upon OPT approval, USCIS will email you a link to activate your **SEVIS Portal Account**. If you add the USCIS email address <u>do-not-reply.sevp@ice.dhs.gov</u> to your contacts, important 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 application, because this will be the address USCIS 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 during your OPT Application Final Review Appointment.

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 endorsed for OPT on page 2 with a valid travel signature from ISSS (within 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 Employment Authorization Card (EAC)
- Proof of employment/Employer letter (not required, yet highly recommended)
- Proof of financial ability pay stub, bank letter, etc. (not required, yet highly recommended)

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 in your passport country to use for re-entry to 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.

Please do not enter the US in any other visa category. If you re-enter the United States through the Visa Waiver program or with a tourist visa, or any other visa status, you will <u>not</u> be authorized to work even if you have a valid EAC. **You must be in F-1 status for this card and your authorization to remain valid.** Your I-94 record is proof that you have arrived in the U.S. in a specific status.

Reporting Requirements

You are still in F-1 status and responsible for reporting the following to ISSS: U.S. address, name change, email address, phone number, new or ending employment, and any changes to your employment, i.e., work address, etc. Visit the ISSS Forms website (see "OPT and STEM OPT reporting forms"). TIP: Remember, you must report within 10 calendar days of any change or new information.

You must also continue to maintain a valid travel signature on page 2 of your I-20. Once you are approved for OPT, your travel signature validity period is reduced to 6 months. Updated travel signature is requested using an online form (see Forms "OPT and STEM OPT reporting forms"). Require at least 2 weeks' notice before planned travel.