Optional Practical Training (OPT) Application Tutorial

Please note that this tutorial is for <u>instructional purposes only</u>. An OPT I-765 application to USCIS is your own personal application. You alone are responsible for timely filing with full documentation, understanding F-1 rules regarding OPT, and properly maintaining F-1 status. Please review the entire tutorial and ask a BIO adviser if you have questions.

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OPT Tutorial Outline

What is OPT? Am I Eligible for OPT?

OPT is an F-1 student employment benefit that allows for work authorization <u>in a student's major field of study</u>. You must be in full-time F-1 status for at least one academic year.*

At UC Berkeley, one academic year means enrollment for consecutive:
- Fall – Spring semesters
- Spring – Fall semesters
- Spring – Summer semesters (enrollment *May through August* for the full Summer term)
- Summer (enrollment *May through August* minimum of 12 units) – Fall semesters

The OPT application cannot be submitted <u>more than 90 days</u> before your program completion date. You must must be in the US at time of the application to USCIS.

A job offer is not required to apply for OPT.

Review more details about OPT eligibility, types of OPT employment allowed, and unemployment limits on the <u>OPT FAQs page</u>.

* 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.

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OPT Employment & Remote Work or Absence from the US

OPT employment allows remote work for US employers. Employment for *non-US employers* does not meet OPT employment requirements and cannot be authorized.

F-1s are considered to be in violation of F-1 if they are absent from the US for 5 continuous months . Continuous absence of 5 months or will result in possible termination of your F-1 record.

If you must temporarily work remotely for your US employer, you must return to the US within 5 months of your departure.

If your employment does not require physical presence in the US, then it is not appropriate employment for OPT.

Review more details about OPT eligibility, types of OPT employment allowed, and unemployment limits on the [OPT FAQs page](#).

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.

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Application Process Overview

1. Request an OPT I-20

The OPT I-20 will be ready 5 business days after submitting the OPT request form and Post-Completion Services Fee payment to Berkeley International Office.

2. Prepare and submit your I-765 application materials to USCIS

Gather and submit required online USCIS I-765 application documents, including a copy of your new OPT I-20. DO NOT SUBMIT YOUR APPLICATION TO USCIS WITHOUT YOUR OPT I-20!

How long will USCIS processing take?

[Check USCIS's current OPT and STEM OPT processing times.](#) Select Form: "I-765"Form Category: "Based on a request by a qualified F-1 academic student [(c)(3)]" Service Center: "Potomac Service Center". (Over the years, BIO has observed processing times ranging from 1-5 months, with most processed within 90 days.)

3. Receive your Employment Authorization Document (OPT EAD card)

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Section 1:
Request OPT I-20 and Choose Your Start Date

Request your OPT I-20

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F-1 Optional Practical Training (OPT) I-20 Request

Logged In as:

Introduction

Summary Review

What is OPT?

Post-Completion Optional Practical Training (OPT) is work authorization available to F-1 international students who want to seek employment in the U.S. in their major field(s) of study after completion of their program.

Students must have been full-time students for at least two consecutive semesters in order to be eligible for OPT. To maintain OPT status, students must obtain and report full-time employment (more than 20 hours a week) related to their major.

Upon your submission of this OPT request form, Berkeley International Office will issue you an OPT I-20 which you will use to apply for your OPT Authorization from the U.S. Citizenship and Immigration Services (USCIS).

Continue

Complete the online OPT Request Form:

- Confirm your expected program completion date.
- On Campus Employment - All current on-campus employment authorization MUST END on or before your Program Completion Date. You can only begin work again, directly related to your field of study, *after* your OPT EAD approved start date.
- Requires approval from your academic advisor
- Choose your OPT start date.
- Includes $250 Post-Completion Services Fee to Berkeley International Office via credit/debit card. Pay online. Find link on our OPT webpage.

Choose your OPT start and end date

- See OPT Timelines for your application windows & dates
- Your OPT **requested start date** is the date that you would like your 12 months of work authorization to begin. It must be within the 60-day grace period after the program completion date.

- 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.*)

- **Job Offers-** *DON'T WAIT* until you get a job offer to apply for OPT or select your dates! Estimate when you would like to be available to work, and choose that start date. If you wait for an offer, you may not be able to apply for OPT in time, unless you are willing to pay a high fee for premium processing.

- The **requested OPT start & end dates** will be noted on page 2 of your new OPT I-20.

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

Obtain Academic Advisor Recommendation

Your online OPT form will be sent to your academic advisor for approval. They will approve your program completion and post-completion OPT eligibility.
See here for [Advisor e-Form Instructions & FAQ](#)

Undergraduates:

- **L&S INSTRUCTIONS**- 1) Make an appointment with your Major Advisor. They will confirm that you are on track to complete all major requirements. If you are, the major advisor will either prepare a memo verifying that information or add a note into the BOA online advising system. 2) Complete the BIO OPT form using the email lns_international_students@berkeley.edu . *If you do not complete Step 1 first, your request will be denied by L&S.*

- **OTHER COLLEGES**- See [OPT Request Form](#) form for instructions

Submission to Your Academic Advisor

Summary Review

Once you submit this form, your academic advisor will receive an email prompting them to review your OPT request. Your advisor must confirm that you are expected to complete all degree requirements and coursework by the start of OPT. Many advisors require students to attend an advising appointment prior to approving an OPT requests.

L&S students: Speak with both your major and college advisors to confirm that you will be completing all degree requirements and coursework by the start of OPT.

Double majors: Even though BIO only requires an academic advisor from one department to sign this form, we strongly encourage you to check in with advisors in all your majors to ensure you are on track to all complete degree requirements and coursework in all majors by the start of OPT.

Your academic advisor's berkeley.edu email address:
(L&S undergraduate students, enter **lns_international_students@berkeley.edu** here.)

This is a required field.

Notes for your academic advisor (Optional).

If you would like to provide any notes or additional information about this request for your academic advisor, you may do so here:

Graduates:

- Use the email of your Graduate Student Affairs Officer (GSAO), unless you are instructed by your department to use a faculty advisor or other staff member.

- Expected completion = last day of the semester in which program requirements are completed, **OR** thesis/dissertation filing date

- 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: Completing in Summer Session?

To qualify for a **Summer** I-20 completion date, you must:

- Have a final in-person degree 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 *May through August*, from the start to the end of the Summer term.

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

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

Option 1

- Use Spring Semester program completion date*
- No summer enrollment required for visa purposes
- Degree conferred in Spring or Summer (depends on when you file)
- OPT start date must be within 60 days of Spring Semester program completion date
- Employment: on-campus or CPT during Spring can only be part-time

Option 2

- Use Summer Session program completion date*
- Enrollment for Summer Session required for visa purposes (no unit minimum)
- Degree conferred in Summer
- OPT start date must be within 60 days of Summer program completion date
- Employment: on-campus or CPT during Summer can only be part-time

Option 3

- Use Fall Semester completion date*
- Be on Fall Filing Fee and submit thesis/dissertation after Summer Session end date
- Degree conferred in Fall
- OPT start date needs to be within 60 days of Fall program completion date
- Employment: on-campus or CPT can be full-time in Summer, only part-time in Fall

* Please speak with a BIO advisor about your program completion date and choosing an OPT start date.
We will help you determine which option best suits your situation and needs.

Program Completion & Employment

- Your I-20 will be shortened to reflect your Program Completion date.

- ALL CURRENT EMPLOYMENT must STOP on or before your Program Completion date-this includes on or off-campus employment.

- After your program Completion Date, you may only work during the dates listed on your approved OPT EAD card. Working before or after the EAD card dates is a serious violation of F-1 status.

- Think carefully about your employment needs when choosing your OPT start date.

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OPT Application Timelines

Your OPT application deadlines are based on your final semester completion date.

CLICK LINKS to go to your specific completion timeline!

- [Summer 2024](#) completion: 08/09/2024

- [Fall 2024](#) completion: 12/20/2024

- [Spring 2025](#) completion: 05/16/2025

- [Summer 2025](#) completion: 08/15/2025

SPECIAL PROGRAMS: *A few degree programs have different completion dates that don't match the general UC Berkeley academic calendar.*

Law (L.L.M., J.D., J.S.D) and **Masters of Financial Engineering** (M.F.E) and **Masters of Translational Medicine** (M.T.M)

- LLM Summer 2024/2025 (multiple completion dates) - check your individual I-20 completion date and use this [OPT planner (Step 3)](#) to calculate your application window.

- [Law Fall 2024](#) completion: 12/16/2024

- [Law Spring 2025](#) completion: 05/14/2025

- [M.F.E Spring 2025](#) completion: 03/13/2025

- [MTM Spring 2025](#) completion: 06/13/2025

OPT Application Timeline: Summer 2024
(Based on August 09, 2024 program completion)

BIO OPT I-20 processing time = 5 business days
USCIS processing time has ranged from 1-5 months
Check current USCIS Processing times for "I-765" "Based on a request by a qualified F-1 academic student [(c)(3)]" with "Potomac Service Center"

Requested OPT start date must begin within 60 days of program completion date
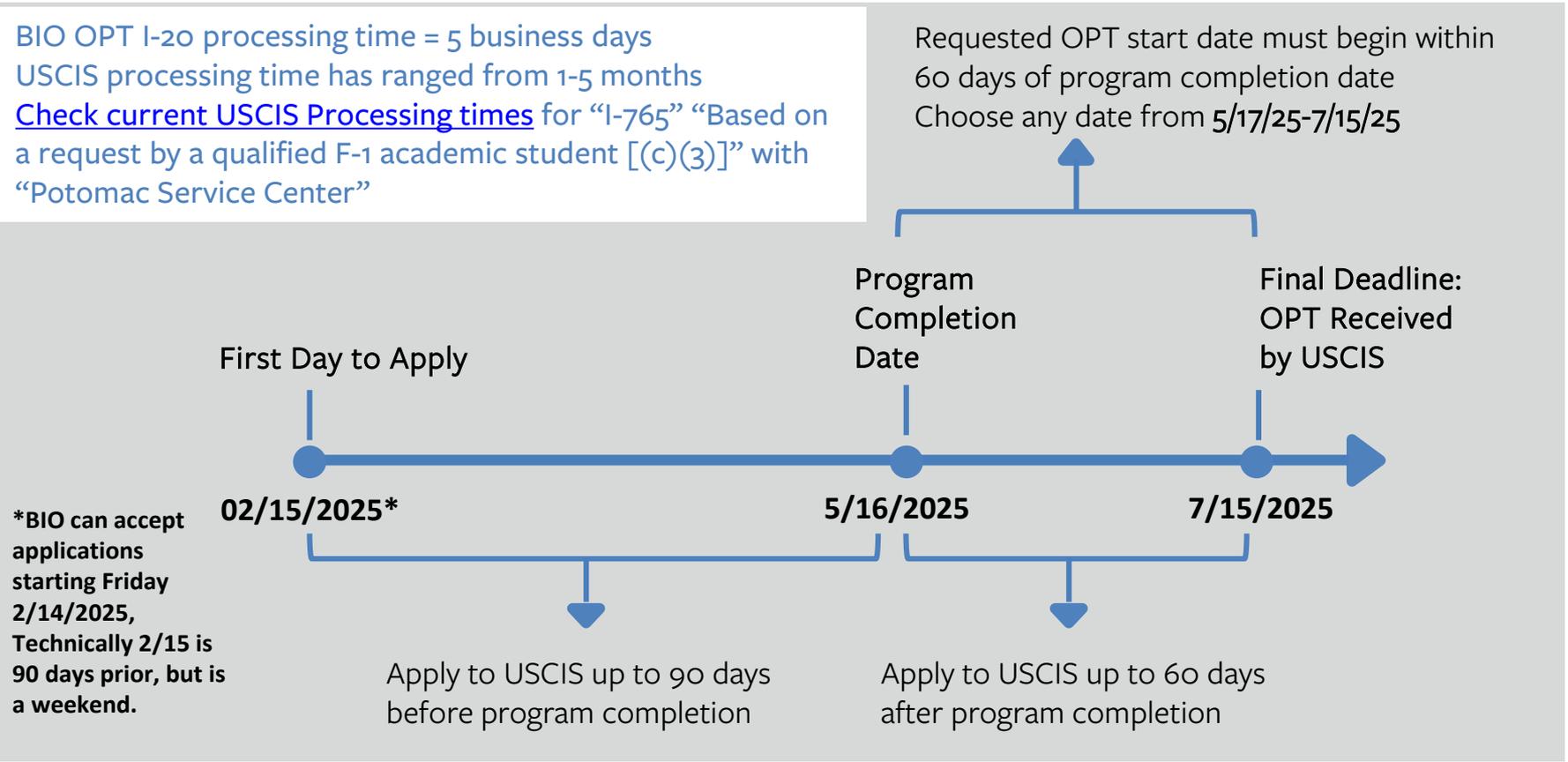Choose any date from 8/10/24-10/08/24
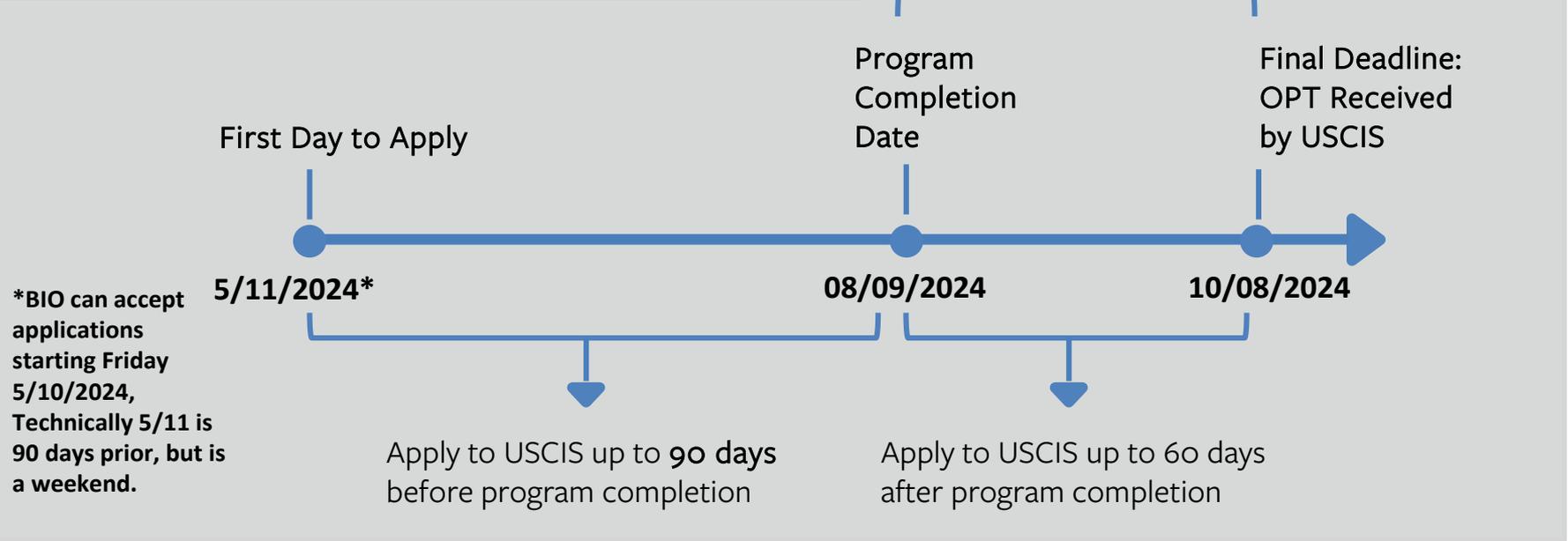
Program Completion Date

Final Deadline: OPT Received by USCIS

First Day to Apply

*BIO can accept applications starting Friday 5/10/2024, Technically 5/11 is 90 days prior, but is a weekend.

5/11/2024*   08/09/2024   10/08/2024

Apply to USCIS up to **90 days** before program completion
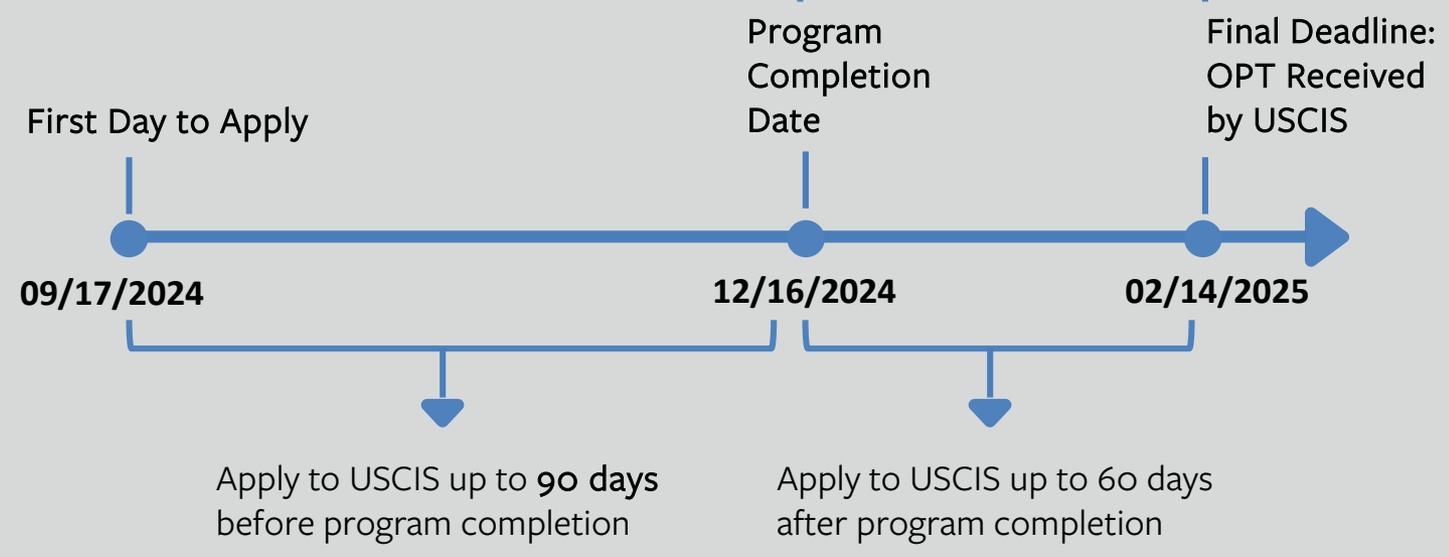
Apply to USCIS up to 60 days after program completion

* For E-filed applications, USCIS uses UTC or Coordinated Universal Time to determine the time/date filed. If you are filing CLOSE to your deadline check the UTC time/date of filing!

OPT Application Timeline: Fall 2024
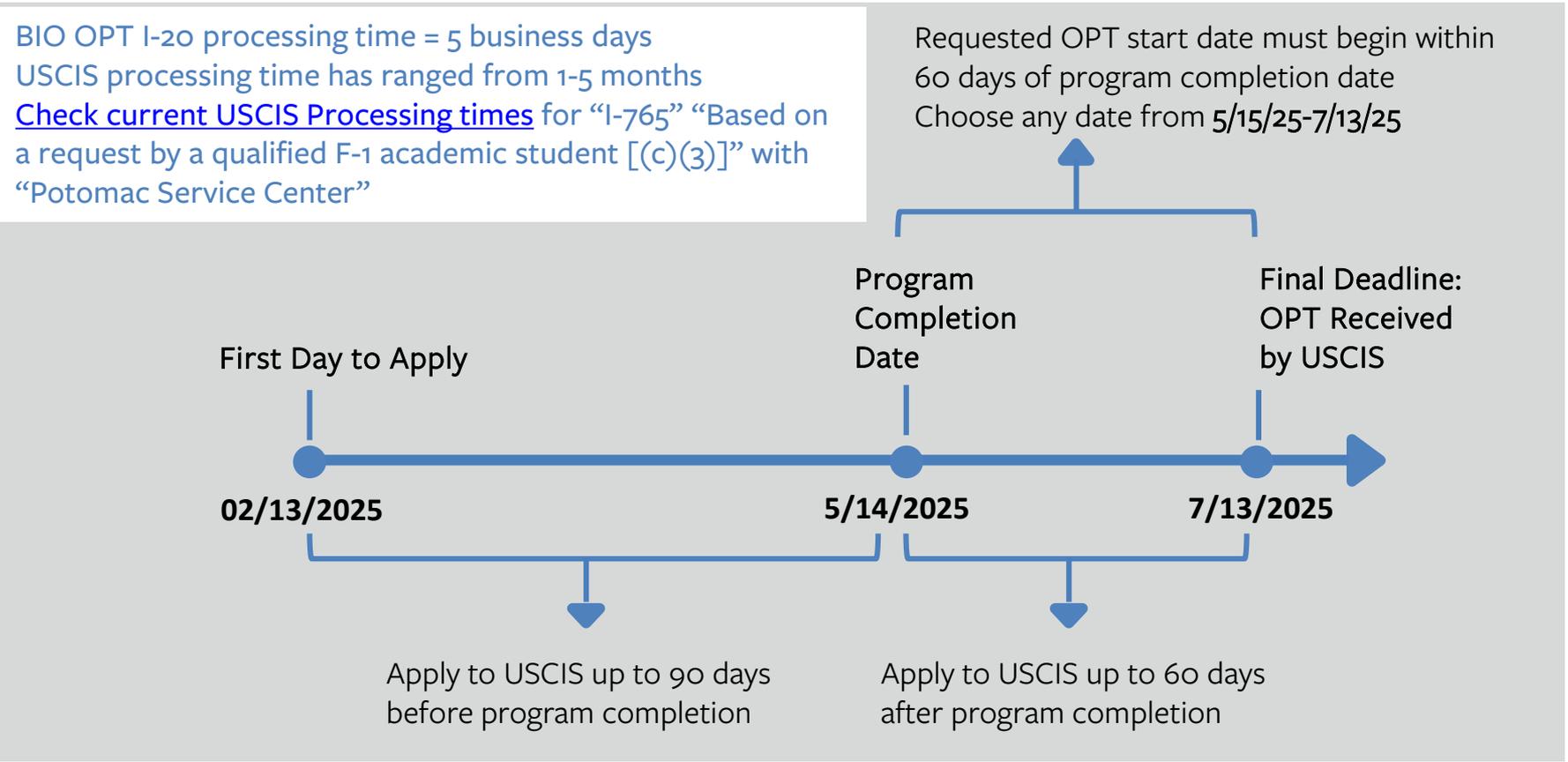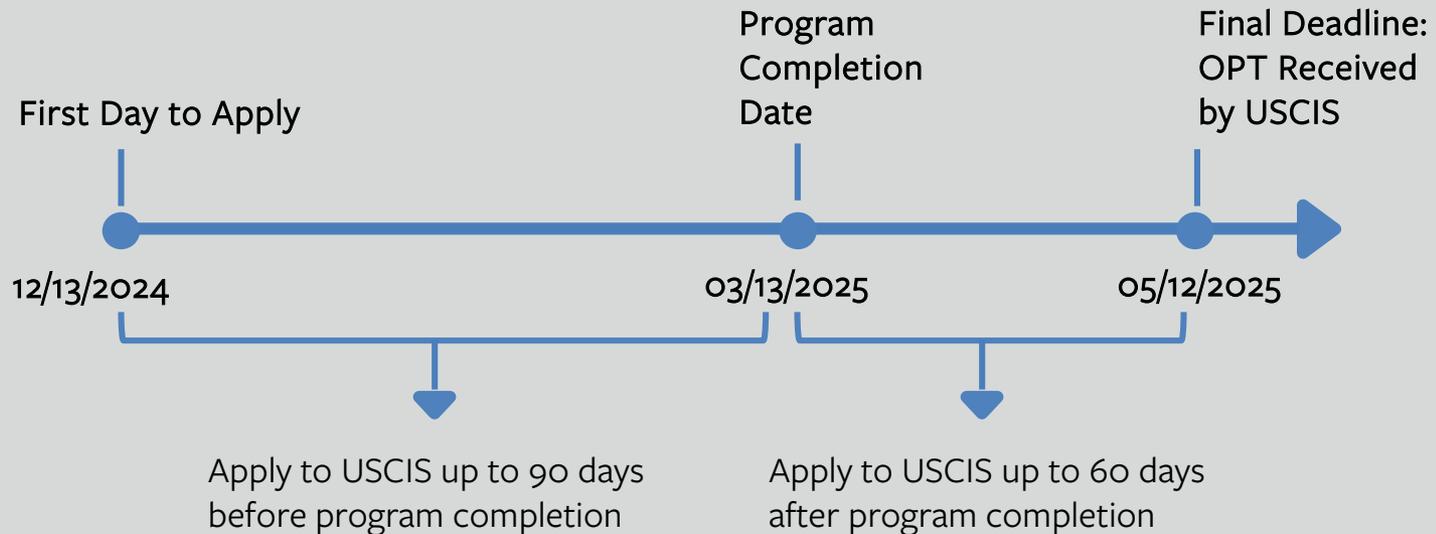# (Based on December 20, 2024 program completion)

BIO OPT I-20 processing time = 5 business days
USCIS processing time has ranged from 1-5 months
Check current USCIS Processing times for "I-765" "Based on a request by a qualified F-1 academic student [(c)(3)]" with "Potomac Service Center"

Requested OPT start date must begin within 60 days of program completion date. Choose any date from 12/21/24-02/18/25

Program Completion Date

Final Deadline: OPT Received by USCIS

First Day to Apply

*BIO can accept applications starting Friday 09/20/2024, Technically 9/21 is 90 days prior, but is a weekend.

09/21/2024*   **12/20/2024**   **02/18/2025**

Apply to USCIS up to 90 days before program completion

Apply to USCIS up to 60 days after program completion
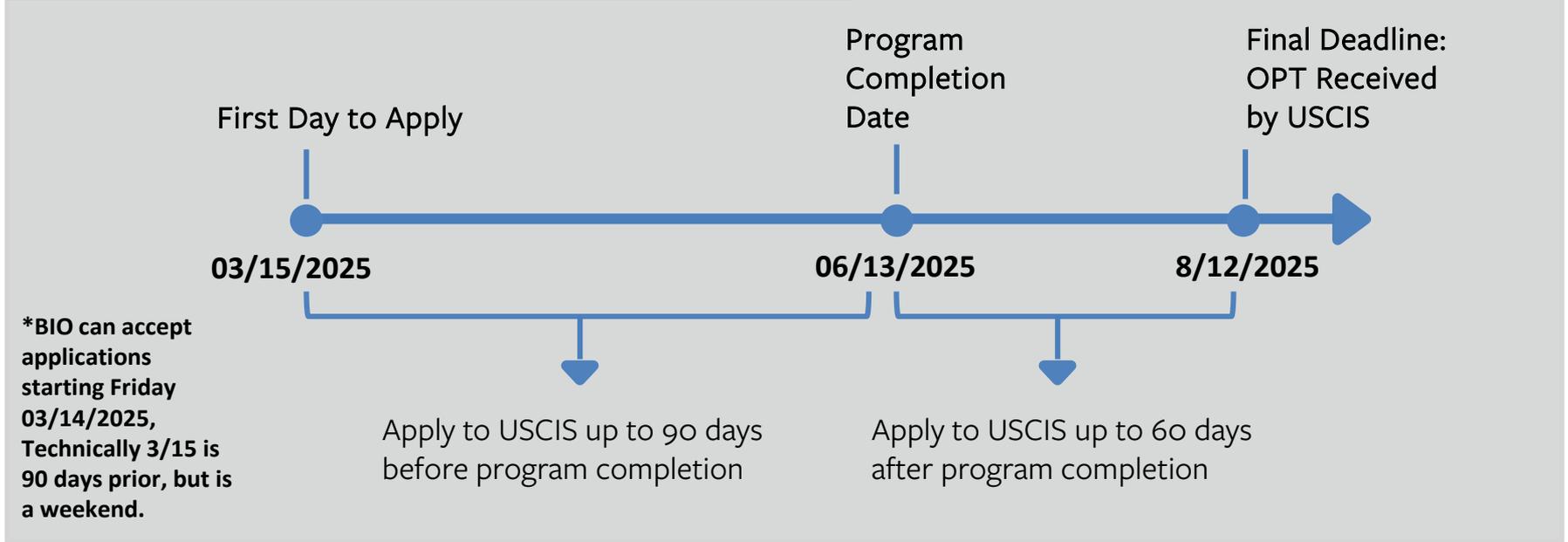
* For E-filed applications, USCIS uses UTC or Coordinated Universal Time to determine the time/date filed. If you are filing CLOSE to your deadline check the UTC time/date of filing!

OPT Application Timeline: Spring 2025
(Based on May 16, 2025 program completion)

BIO OPT I-20 processing time = 5 business days
USCIS processing time has ranged from 1-5 months
Check current USCIS Processing times for "I-765" "Based on a request by a qualified F-1 academic student [(c)(3)]" with "Potomac Service Center"

Requested OPT start date must begin within 60 days of program completion date
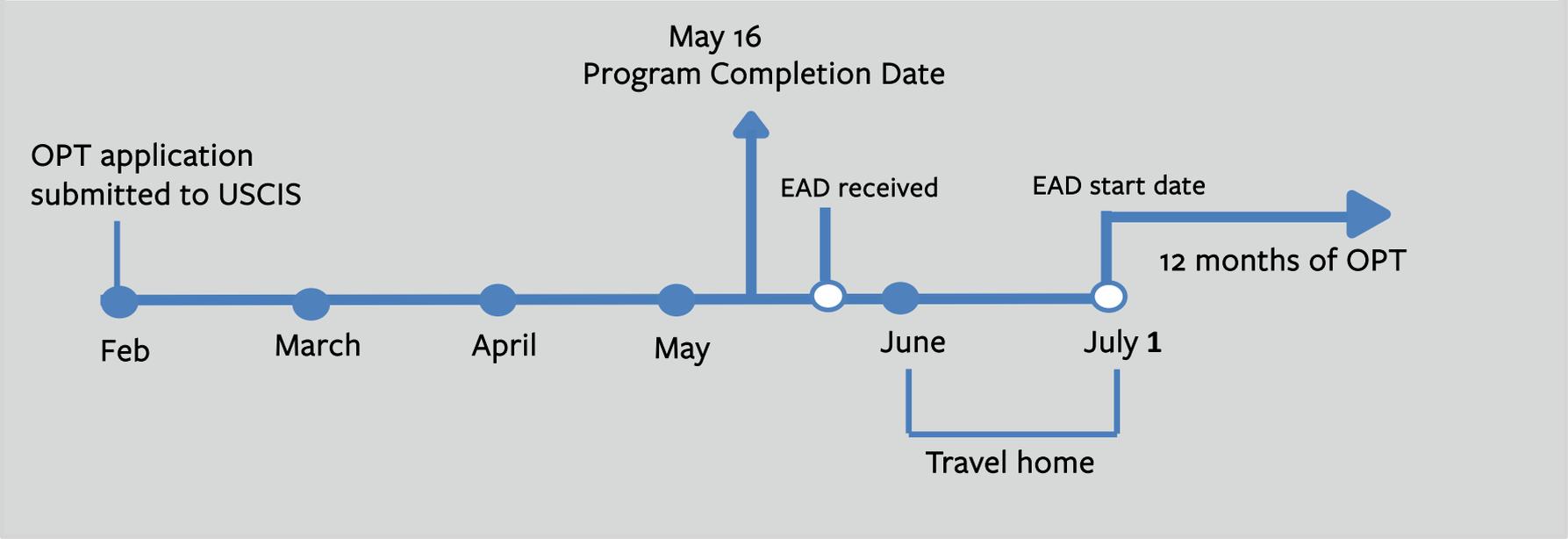Choose any date from 5/17/25-7/15/25

Program Completion Date

Final Deadline: OPT Received by USCIS

First Day to Apply

*BIO can accept applications starting Friday 2/14/2025, Technically 2/15 is 90 days prior, but is a weekend.

02/15/2025*   **5/16/2025**   **7/15/2025**

Apply to USCIS up to 90 days before program completion

Apply to USCIS up to 60 days after program completion

* For E-filed applications, USCIS uses UTC or Coordinated Universal Time to determine the time/date filed. If you are filing CLOSE to your deadline check the UTC time/date of filing!

OPT Application Timeline: Summer 2025
(Based on August 15, 2025 program completion)

BIO OPT I-20 processing time = 5 business days
USCIS processing time has ranged from 1-5 months
Check current USCIS Processing times for "I-765" "Based on a request by a qualified F-1 academic student [(c)(3)]" with "Potomac Service Center"

Requested OPT start date must begin within 60 days of program completion date
Choose any date from 8/16/24-10/14/25
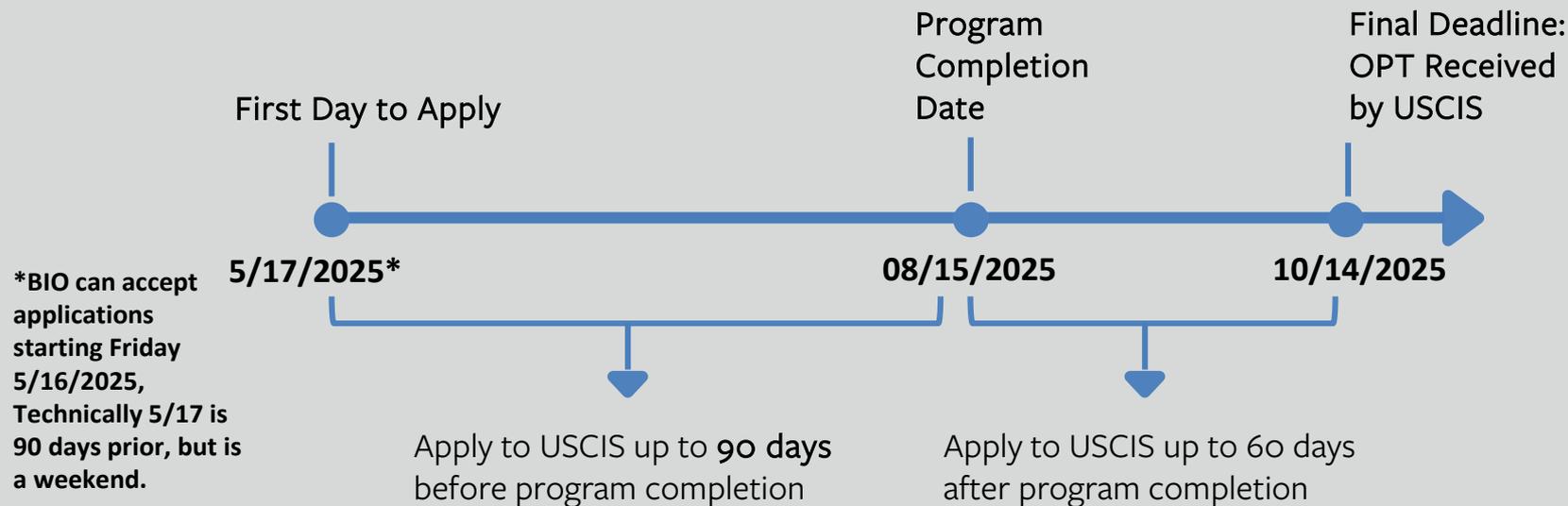
Program Completion Date

Final Deadline: OPT Received by USCIS

First Day to Apply

5/17/2025*   08/15/2025   10/14/2025

*BIO can accept applications starting Friday 5/16/2025, Technically 5/17 is 90 days prior, but is a weekend.

Apply to USCIS up to **90 days** before program completion

Apply to USCIS up to 60 days after program completion

* For E-filed applications, USCIS uses UTC or Coordinated Universal Time to determine the time/date filed. If you are filing CLOSE to your deadline check the UTC time/date of filing!

OPT Application Timeline: Law Fall 2024
(LLM, JD, JSD based on December 16, 2024 program completion)

BIO OPT I-20 processing time = 5 business days
USCIS processing time has ranged from 1-5 months
Check current USCIS Processing times for "I-765" "Based on a request by a qualified F-1 academic student [(c)(3)]" with "Potomac Service Center"

Requested OPT start date must begin within 60 days of program completion date
Choose any date from 12/17/24-02/14/25

Program Completion Date

Final Deadline: OPT Received by USCIS

First Day to Apply

09/17/2024   **12/16/2024**   **02/14/2025**

Apply to USCIS up to **90 days** before program completion

Apply to USCIS up to 60 days after program completion

* For E-filed applications, USCIS uses UTC or Coordinated Universal Time to determine the time/date filed. If you are filing CLOSE to your deadline check the UTC time/date of filing!

OPT Application Timeline: Law Spring 2025
(LLM, JD, JSD based on May 14, 2025 program completion)

BIO OPT I-20 processing time = 5 business days
USCIS processing time has ranged from 1-5 months
Check current USCIS Processing times for "I-765" "Based on a request by a qualified F-1 academic student [(c)(3)]" with "Potomac Service Center"

Requested OPT start date must begin within 60 days of program completion date
Choose any date from 5/15/25-7/13/25

Program
Completion
Date

Final Deadline:
OPT Received
by USCIS

First Day to Apply

02/13/2025   **5/14/2025**   **7/13/2025**

Apply to USCIS up to 90 days before program completion

Apply to USCIS up to 60 days after program completion

* For E-filed applications, USCIS uses UTC or Coordinated Universal Time to determine the time/date filed. If you are filing CLOSE to your deadline check the UTC time/date of filing!

OPT Application Timeline: MFE Spring 2025
(Special program with March 13, 2025 program completion)

BIO OPT I-20 processing time = 5 business days
USCIS processing time has ranged from 1-5 months
Check current USCIS Processing times for "I-765" "Based on a request by a qualified F-1 academic student [(c)(3)]" with "Potomac Service Center"

Requested OPT start date must begin within 60 days of program completion date
Choose any date from **03/14/25- 05/12/25**

Program Completion Date

Final Deadline: OPT Received by USCIS

First Day to Apply

12/13/2024

03/13/2025

05/12/2025

Apply to USCIS up to 90 days before program completion

Apply to USCIS up to 60 days after program completion

* For E-filed applications, USCIS uses UTC or Coordinated Universal Time to determine the time/date filed. If you are filing CLOSE to your deadline check the UTC time/date of filing!

OPT Application Timeline: MTM Spring 2024 (Special program with June 13, 2025 program completion)

BIO OPT I-20 processing time = 5 business days
USCIS processing time has ranged from 1-5 months
Check current USCIS Processing times for "I-765" "Based on a request by a qualified F-1 academic student [(c)(3)]" with "Potomac Service Center"

Requested OPT start date must begin within 60 days of program completion date
Choose any date from 6/14/25-08/12/25

Program Completion Date

Final Deadline: OPT Received by USCIS

First Day to Apply

03/15/2025

06/13/2025

8/12/2025

*BIO can accept applications starting Friday 03/14/2025, Technically 3/15 is 90 days prior, but is a weekend.

Apply to USCIS up to 90 days before program completion

Apply to USCIS up to 60 days after program completion

* For E-filed applications, USCIS uses UTC or Coordinated Universal Time to determine the time/date filed. If you are filing CLOSE to your deadline check the UTC time/date of filing!

Scenario 1: Spring Completion
Apply early! Good timing.

On Feb. 19th, Sue submits her I-765 application for OPT to USCIS. She is completing her program on May 10th and chooses July 1st as the OPT start date because she plans to be available to start work on that day. She Receives the EAD on June 1. 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 and will return using her OPT travel documents.

May 16
Program Completion Date

OPT application
submitted to USCIS

EAD received

EAD start date

12 months of OPT

Feb   March   April   May   June   July 1

Travel home

Scenario 2: Spring Completion
Apply late, lose some OPT time.

George waits to find out his job offer start date, instead of applying for OPT early with an estimated start date. In May, he receives a job offer with a start date of July 10th. He requests July 10th as his start date, and submits his OPT I-765 application to USCIS on June 10th. On July 10th, George still hasn't received his EAD, so he can't work. George receives his EAD on August 20th and it expires the following year on July 14th. George has lost almost 1 month of his 12 month OPT because his application was approved after the latest available OPT start date. OPT EAD cards can't be backdated, but the OPT has a maximum end date no more than 14 months from program completion.

May 16
Program Completion Date

OPT application submitted to USCIS

Requested OPT start date

EAD received, actual OPT start date

March　April　May　June 10th　July 10th　August 20th

12 months of OPT—ends on July 14 the next year (maximum possible end date)

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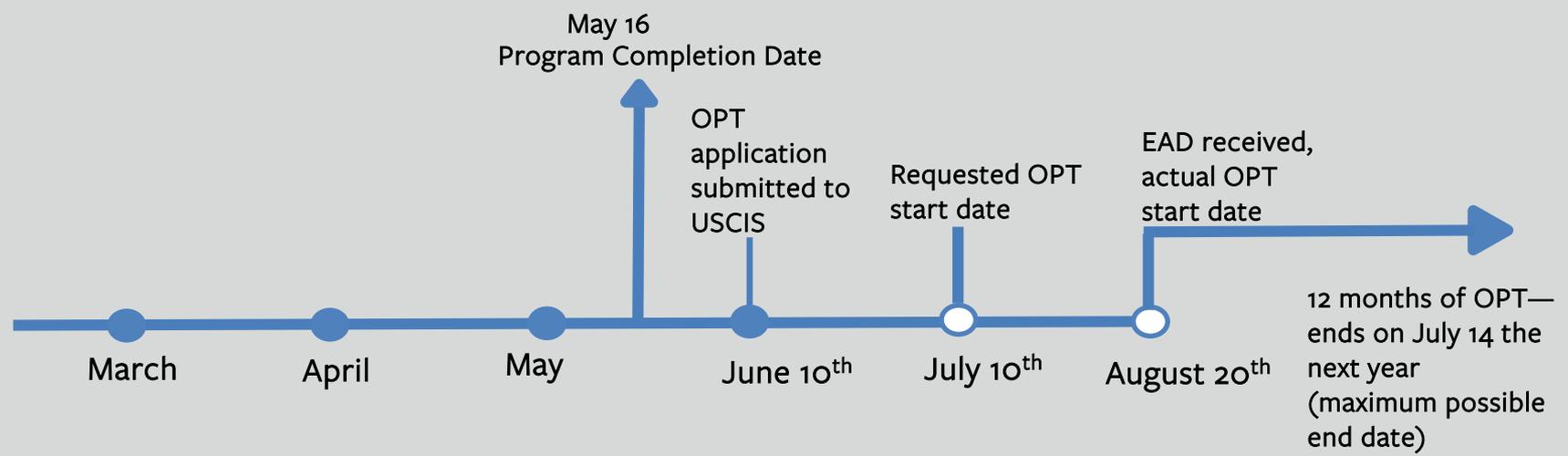
Check your OPT I-20 for accuracy

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*)

Remember: All current on or off-campus employment authorization MUST END on or before your Program End Date. You can only begin work again, directly related to your field of study, *after* your OPT EAD approved start date.

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
Print, sign & date I-20. Sign by hand! Students 18 and over **do not** need a parent's signature.

I-20 Form (image)

Department of Homeland Security
U.S. Immigration and Customs Enforcement

I-20, Certificate of Eligibility for Nonimmigrant Student Status
OMB NO. 1653-0038

SEVIS ID:

SURNAME/PRIMARY NAME	GIVEN NAME	Class of Admission
PREFERRED NAME	PASSPORT NAME	
COUNTRY OF BIRTH	COUNTRY OF CITIZENSHIP	**F-1**
DATE OF BIRTH	ADMISSION NUMBER	
FORM ISSUE REASON CONTINUED ATTENDANCE	LEGACY NAME	ACADEMIC AND LANGUAGE

SCHOOL INFORMATION

SCHOOL NAME
University of California at Berkeley
University of California at Berkeley

SCHOOL ADDRESS
Berkeley International Office, 2299 Piedmont,
Berkeley, CA 94720

SCHOOL OFFICIAL TO CONTACT UPON ARRIVAL
International Student Advisor

SCHOOL CODE AND APPROVAL DATE
SFR214F00615000
27 JANUARY 2003

PROGRAM OF STUDY

EDUCATION LEVEL BACHELOR'S	MAJOR 1 Chemistry, General 40.0501	MAJOR 2 None 00.0000
PROGRAM ENGLISH PROFICIENCY Required	ENGLISH PROFICIENCY NOTES Student is proficient	EARLIEST ADMISSION DATE
START OF CLASSES 31 AUGUST 2015	PROGRAM START/END DATE 31 AUGUST 2015 – 15 DECEMBER 2017	

FINANCIALS

ESTIMATED AVERAGE COSTS FOR: 12 MONTHS
Tuition and Fees $ 21,401
Living Expenses $ 9,450
Expenses of Dependents (0) $
Other $
TOTAL $ 30,851

STUDENT'S FUNDING FOR: 12 MONTHS
Personal Funds $ 0
Funds From This School $
Family Support $ 30,851
On-Campus Employment $
TOTAL $ 30,851

REMARKS

SCHOOL ATTESTATION
I certify under penalty of perjury that all information provided above was entered before I signed this form and is true and correct. I executed this form in the United States after review and evaluation in the United States by me or other officials of the school of the student's application, transcripts, or other records of courses taken and proof of financial responsibility, which were received at the school prior to the execution of this form. The school has determined that the above named student's qualifications meet all standards for admission to the school and the student will be required to pursue a full program of study as defined by 8 CFR 214.2(f)(6). I am a designated school official of the above named school and am authorized to issue this form.

SIGNATURE OF: *Advisor Signature*   DATE ISSUED 07 December 2017   PLACE ISSUED Berkeley, CA

STUDENT ATTESTATION
I have read and agreed to comply with the terms and conditions of my admission and those of any extension of stay. I certify that all information provided on this form refers specifically to me and is true and correct to the best of my knowledge. I certify that I seek to enter or remain in the United States temporarily, and solely for the purpose of pursuing a full program of study at the school named above. I also authorize the named school to release any information from my records needed by DHS pursuant to 8 CFR 214.3(g) to determine my nonimmigrant status. Parent or guardian, and student, must sign if student is under 18.

X *Student Signature*   MM/DD/YYY
SIGNATURE OF: DATE

X
NAME OF PARENT OR GUARDIAN   SIGNATURE   ADDRESS (city/state or province/country)   DATE

ICE Form I-20 (3/31/2018)   Page 1 of 3

Check your OPT I-20 for accuracy

I-20, Page 2

OPT requested start and end dates will be automatically adjusted if USCIS does not complete the processing of your OPT by the requested date. Your EAD will reflect the approved dates. Apply as early as 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.)

| Department of Homeland Security U.S. Immigration and Customs Enforcement | | | | I-20, Certificate of Eligibility for Nonimmigrant Student Status OMB NO. 1653-0038 | |

SEVIS ID: N00123456789 **(F-1)**   **NAME:** Wenyi Wang

EMPLOYMENT AUTHORIZATIONS

TYPE	FULL/PART-TIME	STATUS	START DATE	END DATE
POST-COMPLETION OPT	FULL TIME	REQUESTED	15 JUNE 2017	14 JUNE 2018

CHANGE OF STATUS/CAP-GAP EXTENSION

AUTHORIZED REDUCED COURSE LOAD

CURRENT SESSION DATES

CURRENT SESSION START DATE	CURRENT SESSION END DATE
17 JANUARY 2017	12 MAY 2017

TRAVEL ENDORSEMENT

This page, when properly endorsed, may be used for re-entry of the student to attend the same school after a temporary absence from the United States. Each endorsement is valid for one year.

Designated School Official	TITLE	SIGNATURE	DATE ISSUED	PLACE ISSUED
		X		
Advisor Name	DSO	Berkeley, CA	X *AdvisorSignature*	MM/DD/YYYY	
		X		
		X		

ICE Form I-20 (3/31/2018)   Page 2 of 3

Section 2: Prepare & Submit Your Application Materials to USCIS

Can I file my USCIS OPT/STEM OPT Extension online?

This tutorial provides instructions for submitting the OPT or STEM OPT application by e-filing with USCIS. It's also possible to file by mail. **E-filing is recommended.** See the USCIS e-filing website for more information.

What is e-filing?
USCIS e-filing allows you to:
- Create a USCIS account
- Pay the USCIS I-765 fee online
- Complete the I-765 form online and upload documents

USCIS will send all notifications to you via your online account. These include pending notices, requests for evidence, denials and approvals. USCIS will also send you these notices in paper form through the mail.

If you encounter problems, check with BIO and we will do our best to direct you to resources for support. The USCIS Ombudsman has a helpful website with a detailed Q&A about I-765 e-filing questions which may be helpful to you.

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Options to Submit OPT Application (USCIS Form I-765)

E-filing: Filing Online (recommended)

Continue to the next slides in the tutorial for instructions specific to filing your OPT application with USCIS online.

Online Filing Benefits:

- Simpler and has less risk of application documents lost in the mail, or mail delays.

- Immediate receipt number upon submitting application.

- Lower risk of rejection due to payment issues, mistakes in filling out the application or forgotten documents

- You can receive and respond to requests for evidence or other problems online

- You can communicate with USCIS via your online account

- USCIS will send all notifications to you via your online account. These include pending notices, requests for evidence, denials and approvals. USCIS will also send you these notices in paper form through the mail. See the USCIS e-filing website for more information.

Filing by Mail

If you choose to file by mail (**not recommended**):

1. You can request basic instructions from a BIO advisor on how to file the I-765 by mail. BIO no longer provides step by step paper I-765 instructions.
2. You will mail the complete paper Form I-765 and copies of required documentation to USCIS.
3. Continue in this tutorial to Section 3: After Filing & OPT Issues

Why is filing by Mail NOT recommended?
- This application process is slower due to mailing
- You will not receive receipt notices or request for evidence electronically
- Higher risk of lost application, denial due to incorrect fee payment, late applications

Required documents for e-filed OPT I-765 application

❑ U.S. Passport Photo taken within the past 30 days.

❑ USCIS Fee - See the USCIS I-765 page for current filing fee.

❑ Form I-765- You will submit this form online. See the USCIS I-765 page. DO NOT submit the I-765 before you have *received* your OPT I-20!

❑ 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 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.

❑ SPECIAL CASES (RARE): If your UC Berkeley OPT I-20 shows *less than 1 academic year* (2 semesters) of enrollment.

  o **Readmitted/Transfer students –** 1) Copies of I-20s from previous Transfer schools *and* 2) BIO Adviser Transfer I-20 Letter

  o **Change of Status students** – 1) Copy of Change of Status Approval Notice *and* 2) Official UC Berkeley transcript and 3) BIO Adviser Change of Status letter

No documents are required for F-2 dependents.

Gather the required documentation

Passport Photo Requirements

Photos 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.S. Department of State website.

E-FILING: You must either scan a physical photo or take a picture with your phone. Follow the instructions above and in the online I-765 application!

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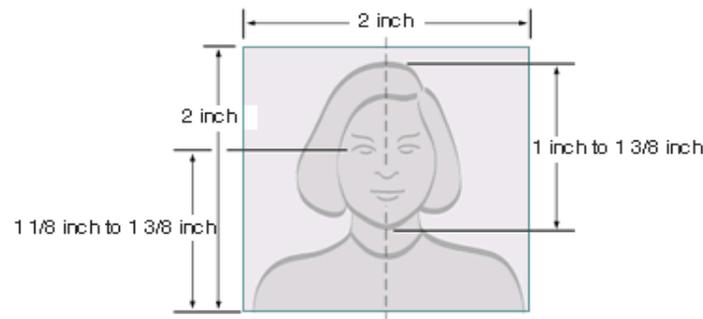
Preparing your USCIS fee payment method: Filing online

Filing online

- If you file the form I-765 online, the online form will automatically calculate the correct fee and you will pay online when you submit the e-filed application.

- You must pay with a valid credit or debit card, or provide your bank routing and checking account numbers to have money taken directly from your U.S. bank account.

- Check the [USCIS I-765 website](#) for the current filing fee.

- DO NOT complete the submission of your I-765 or pay the fee until you have your OPT I-20 and all other required documents!

Gather the required documentation

Photocopy of UCB OPT I-20 (all 3 pages):

- Must be received by USCIS within 30 days of DATE ISSUED on page 1.

- Original must be signed by a BIO advisor, either *by hand or electronically*.

- Original must be signed *by hand* by the student at the bottom of page 1 *before copying*. If you received an electronic copy of your I-20, you must print it out and sign it by hand.

- The requested OPT start and end dates will appear on page 2. CHECK THE OPT RECOMMENDATION ON PAGE 2!

Gather the required documentation

CHECK TO BE SURE YOUR OPT RECOMMENDATION IS ON PAGE 2!

Gather the required documentation

Photocopy of Passport and Visa:

- Photocopy your current passport biographic page with the photo and passport expiration date.

- If this is not the passport you used on your last entry to the U.S., also include a copy of the passport you used when you made entry to the U.S., even if it is expired. (You will provide information on the expired passport in the I-765)

- Photocopy the F-1 visa, if applicable; visa does not need to be valid.

Gather the required documentation

Photocopy of I-94 Information:

The I-94 can be *either*:

- An electronic I-94 record. Visit: https://i94.cbp.dhs.gov to access and print your record. Select "Get Most Recent I-94".

OR (less common)

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

OR (less common)

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

Electronic I-94 Record

Paper I-94 (front)

Paper I-94 (back)

Gather the required documentation

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

- If you have NEVER used CPT or OPT in the past, you do not need to include previous 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.

- You may need to request copies of any lost CPT/OPT I-20s.

  – UCB I-20s : Email BIO for an I-20 Copy request form.

  – Previous School I-20s: contact them directly

Old Version

New Version

Gather the required documentation

Photocopy of Previous EAD(s), if applicable:

- You ever received an EAD 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.

SPECIAL CASES

TRANSFER & READMITTED STUDENTS

If you are a student who has not been continuously enrolled at UC Berkeley, and you transferred your I-20 to UC Berkeley within the last 2 semesters do the following:

- I-20 s should show the same SEVIS ID Number

- Check your current UC Berkeley I-20 Program Start Date and Program End Date

- If your I-20 shows *less than one academic year of enrollment* (2 semesters) then you must also include copies of I-20s from your previous transfer schools to prove that you have been in continuous F-1 status for 1 academic year.

- You can also request a letter from your BIO adviser for your OPT application

SPECIAL CASES

CHANGE OF STATUS STUDENTS

If you are a student who changed your visa status inside the US within the last 2 semesters:

- Check your current UC Berkeley I-20 Program Start Date and Program End Date

- If your I-20 shows *less than one academic year of enrollment* (2 semesters) then you must also include 1) a copy of your Change of Status Approval Notice AND 2) official UC Berkeley transcript showing your continuous enrollment for at least 1 academic year.

- You can also request a letter from your BIO adviser for your OPT application

The Application Deadline

We recommend that you apply early.

- USCIS must **receive** your complete I-765 OPT application within **30 days from 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.

- Additionally, USCIS must receive your I-765 application **before the end of your 60 day** grace period.

- E-filed applications **are immediately receipted on the day you fully submit the online request.**

- **For E-filed applications, USCIS uses** [UTC or Coordinated Universal Time](#) **to determine the time/date filed. If you are filing CLOSE to your deadline check the UTC time/date of filing!**

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.

I-765 Form & Fees

- If you are applying by e-filing: The online application will automatically be up-to date with the current form and fees.

Some parts of the I-765 can be confusing. The following slides will help you complete those "tricky" questions.

E-FILING: Please note that the paper I-765 mirrors the online I-765 when e-filing, but some questions for e-filing may be missing, since the form adapts as you answer. The USCIS Ombudsman has a helpful website with a detailed Q&A about I-765 e-filing questions which may be helpful to you.

Contact BIO with ANY questions or uncertainties about completing the I-765.

Online Form I-765

Create USCIS account: https://myaccount.uscis.gov/
USCIS online filing allows you to:

- Create a USCIS account
- Pay the USCIS I-765 fee online
- Complete the I-765 form online and upload required documents

See instructions on how to create a USCIS online account

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Online Form I-765

After logging in

- select "File form online"

- Select **I-765, Application for Employment Authorization**, click 'Start form' button

- Review the information, click 'Next'

- Review 'Completing Your Form Online'

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Online Form I-765

I-765, Application for Employment Authorization

Getting Started ︿

 Basis of eligibility

 Reason for applying

 Preparer and interpreter information

About You ﹀

Evidence ﹀

Additional Information ﹀

Review and Submit ﹀

What is your eligibility category?

⚠ You can file your request online only for certain eligibility categories

If your eligibility category does not appear on the drop-down list, you must file a paper <u>Form I-765</u>. If you submit online and are not eligible for one of the listed categories, your application may be denied.

(c)(3)(B) Student Post-Completion OPT ▼

Back   Next

Getting Started

Basis of eligibility

- What is your eligibility category?
  - Select eligibility category: **(c)(3)B) Student Post-Completion OPT**

Reason for applying

- What is your reason for applying?
  - Select 'Initial permission to accept employment'
- Have you previously filed Form I-765?
  - If you have previously filed the form I-765 with USCIS (e.g. applied for OPT in the past), select '**Yes**'.
  - *If this is your first time filing the I-765* (either via mail or online) or applying for OPT, and you have only have worked on-campus or applied for CPT, select '**No**'.
  - Select '**Yes**' *only* if you have submitted an I-765 before to USCIS for an EAD card- even if it was rejected, denied or withdrawn.

Preparer and interpreter information

- Is someone assisting you with completing this application?
  - This is asking if an attorney or translator has assisted you. Select '**No**'. Then Next.

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Online Form I-765

About You

Your name

- **What is your current legal name?**
  - Enter your name exactly as it appears in the Surname/Family Name and Given Name fields *on your I-20.*
  - Note your I-20 DOES NOT use the Middle Name field. Leave the Middle Name field **blank**.

- **Have you used any other names since birth?**
  - If you select 'Yes', enter your previous names, including nicknames you have used in official records or documentation.
  - If your **I-20 Preferred Name** is different then the names you wrote for #1, include that here. Click Next.

Your contact information

- **How may we contact you?**
  - Provide 'Daytime telephone number', 'Mobile telephone number' (if different from Daytime telephone number, and 'Email address'.

- **What is your current U.S. mailing address?**
  - Enter your mailing address.
  - If the address belongs to someone other than yourself, put their full name (First Name Last Name). This person MUST be listed as a resident of the address with the U.S. Postal Service.

- **Is your current mailing address the same as your physical address?**
  - If 'No', enter your physical address.

Form panel (left):

I-765, Application for Employment Authorization

Getting Started

About You
- Your name
- Your contact information
- Describe yourself
- When and where you were born
- Your immigration information
- Other information

Evidence

Additional Information

Review and Submit

What is your current legal name?
Your current legal name is the name on your birth certificate, unless it changed after birth by a legal action such as marriage or court order. Do not provide any nicknames here.

Given name (first name)

Middle name

Family name (last name)

Have you used any other names since birth?
Other names used may include nicknames, aliases and maiden names.

○ Yes
○ No

What is your current U.S. mailing address?
We will use your current mailing address to contact you throughout the application process. We may not be able to contact you if you do not provide a complete and valid address. Please provide a U.S. address only.

In care of name (if any)

Address line 1

Street number and name

Address line 2

Apartment, suite, unit, or floor

City or town   State   ZIP code

Is your current mailing address the same as your physical address?

○ Yes
○ No

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Online Form I-765

The responses to these questions should be straightforward.

Please complete them accurately.

- Describe yourself
  - What is your gender?
  - What is your marital status?
  - When and where you were born
  - What is your city, town, or village of birth?
  - What is your state or province of birth?
  - What is your country of birth?
  - What is your date of birth?

I-765, Application for Employment Authorization

Getting Started ⌄

About You ⌃

Your name

Your contact information

Describe yourself

When and where you were born

Your immigration information

Other information

Evidence ⌄

Additional Information ⌄

Review and Submit ⌄

What is your gender?

○ Male

○ Female

What is your marital status?

○ Single

○ Married

○ Divorced

○ Widowed

What is your city, town, or village of birth?

What is your state or province of birth?

What is your country of birth?

What is your date of birth?

MM/DD/YYYY

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Online Form I-765

Your Immigration Information

- **What is your country of citizenship or nationality?**
    - List *all countries* where you are currently a citizen or national.

- **What is your Form I-94 Arrival-Departure Record Number (if any)?**
    - Enter your [current I-94 number]. 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.

- **When did you last arrive in the United States?**
    - List your arrival date (your most recent entry date found on your passport admission stamp, electronic I-94 record or paper I-94 card), place of arrival (choose 'San Francisco Intl' if entered via SFO Airport), and status at arrival.

- **What is the passport number of your most recently issued passport?**
    - Passport information should match the country on your I-20

- **What is your travel document number (if any)?**
    - Leave blank. (You have a *passport,* not a travel document!)

- **What is the expiration date of your passport or travel document?**

- **What country issued your passport or travel document?**

- **What is your current immigration status or category?**
    - Current status should be "F-1 student." If not, talk to a BIO advisor, **and** this status *should be reflected in your current I94.*

- **What is your Student and Exchange Visitor Information System (SEVIS) Number (if any)?**
    - Use the "Additional Information" section later to *include all previously used SEVIS numbers,* if you had any *previous* F-1 or J-1 record.

What is your country of citizenship or nationality?
List all countries where you are currently a citizen or national.

[▾]

[+ Add country]

What is your Form I-94 Arrival-Departure Record Number (if any)?

[ ]

When did you last arrive in the United States?
List your arrival date, place of arrival, and status at arrival.

Date of arrival

[MM/DD/YYYY]

Place of arrival

[▴]

SAN DIEGO, CA
SAN FERNANDO VALLEY
SAN FRANCISCO ASYLUM OFFICE
SAN FRANCISCO INTL
SAN FRANCISCO, CA
SAN JOSE, CA
SAN JUAN, PR
SAN LUIS OBISPO, CA

Online Form I-765

Other Information

- **What is your A-Number?**
  - Check box 'I do not have or know my A-Number' if you have never received an EAD before
  - If you have previously had a USCIS EAD, you should note the USCIS number on the previous EAD card.

- **What is your USCIS Online Account Number?**
  - Provide your USCIS Online Account Number (OAN) if you already have one

- **Has the Social Security Administration (SSA) ever officially issued a Social Security card to you?**
  - If answer 'Yes', enter your SSN.
  - If answer 'No', proceed to the next question.

- **Do you want the SSA to issue you a Social Security card?**
  - If 'Yes', review consent and click 'Yes'. Provide your father's and mother's birth names accordingly.
  - Select 'No' if you already have a social security number and card.

You should receive your SSN card from SSA about 2 weeks after receiving your EAD card from USCIS.

What is your A-Number?

☐ I do not have or know my A-Number.

A-

What is your USCIS Online Account Number?

Providing your unique USCIS Online Account Number (OAN) helps us manage your account. You may already have an OAN if you previously filed certain paper forms and received an Account Access Notice in the mail. You can find the OAN at the top of the notice; it is not the same as an A-Number.

☐ I do not have or know my USCIS Online Account Number.

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

◉ Yes
◯ No

What is your Social Security number (if known)?

Do you want the SSA to issue you a Social Security card?

◉ Yes
◯ No

Online Form I-765

Getting Started
About You
Evidence
- 2 x 2 photo of you
- Form I-94
- Employment Authorization Document
- Previously authorized CPT or OPT
- Form I-20
Additional Information
Review and Submit

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 to the Department of State's photo composition tools. 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 five documents at a time
- Accepted file name characters: English letters, numbers, spaces, periods, hyphens, underscores, and parentheses
- Maximum size: 6MB per file

Choose or drop files here to upload

Evidence

Upload supporting documents

- **2 x 2 Photo of You**

- **I-94, Arrival and Departure Record**

- **Employment Authorization Document or Government ID**
  – Upload a copy of passport and F-1 visa
  – If previously issued an EAD, upload front and back copies of the EAD card.

- **Previously Authorized CPT or OPT**
  – Upload I-20 copies of any previously authorized CPT and/or OPT.

- **Form I-20**
  – Upload a copy of the **new OPT I-20** (all 3 pages). Remember- the I-20 is only valid for OPT application and upload IF it is no more than 30 days after the I-20 ISSUE DATE on page 1 of the I-20.

  If your I-20 is too old, contact BIO for a new OPT I-20! If the I-20 is too old or is not your OPT I-20, the application will be DENIED

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Online Form I-765: Additional Information

I-765, Application for Employment Authorization

Getting Started ⌄
About You ⌄
Evidence ⌄

Additional Information ⌃
    Additional information

Review and Submit ⌄

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.

+ Add a response

Back   Next

There are some circumstances when it is important to clarify or add additional information to your application. These are:

- You have completed Form I-765 previously (previous OPT, or other USCIS work authorization)

- When you most recently entered the US on a passport that was valid at that time but is now expired

- When you have had previous SEVIS IDs from previous F, J or M statuses

On the following slides, we offer guidance on how to explain these situations to USCIS.

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Online Form I-765: Additional Information

Previous I-765

1. In the Additional Information section, click **Add Response**.
2. **Indicate that you are adding additional information about this question:** *Getting Started– Reason for Applying--Have you previously filed Form I-765?)*
3. *Explain: (Example) " I have previous OPT/STEM Authorization. See attached documentation for previous OPT or STEM authorization(s). " and then* <u>*list your previous OPT and STEM OPT start & end dates and receipt numbers*</u>. *(Example: "OPT 07/10/2021-07/09/2022. Receipt number: SRC1234567890")* Upload copies of all previous and OPT/STEM I-20s and EAD card(s) to the Evidence – Employment Authorization section.

   - Not common: If your previous OPT application was rejected or denied, enter *"See attached documentation for previous I-765 OPT denial."* Upload a copy of the previous denial, etc.

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Online Form I-765: Additional Information

Expired passport

You entered the US on a passport that has expired, and now have a new passport.

1. In the Additional Information section, click **Add Response**.
2. **Indicate that you are adding additional information about this question**: *About You– Your Immigration Information-- What is the passport number of your most recently issued passport?*
3. If you most recently entered the US on a passport that is no longer valid and you now have a renewed passport, write the following, filling in your own details for the date and numbers : "*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. My new passport number is #######. See attached copies of both passports*".
4. Upload copies of new and old passports to the Evidence section associated with the passport.

If you have had previous SEVIS IDs from previous F, J or M statuses:

1. In the Additional Information section, click **Add Response**.

2. **Indicate that you are adding additional information about this question**: About You–Your Immigration Information--What is your Student and Exchange Visitor Information System (SEVIS) Number (if any)?

3. If you have previously had *other* F or J SEVIS ID numbers, list previous SEVIS IDs write them in the response here. N00XXXXXXX

Online Form I-765

Review and Submit

- Review your information and uploaded evidence for accuracy and completeness. The form filing fee and any warning about incomplete sections in your application will be listed on this page.

- Next page, check your **application summary**, and print/save a copy for your personal records.

- Next page, **read and agree to the statement** by checking the box.

- Next page, review **Applicant's Declaration and Certification**, check box "I have read and agree to the applicant's statement", and type your digital signature.

- Next page, **pay for the filing fee and submit your application** electronically. Once you have paid and submitted your application successfully, you should receive the receipt number. Keep this number for your personal records.

TOP 4 MOST COMMON E-FILING OPT DENIAL REASONS

1. Copy of OPT I-20 (pages 1-3) is TOO OLD
   – **New OPT applications**: USCIS must receive your complete OPT application no later than 30 days* after the ORIGINAL OPT I-20 ISSUE DATE on page 1 of the I-20.
   – **Resubmission after OPT Rejection or Denial-** If your OPT is REJECTED OR DENIED you must NOTIFY BIO. You will need to request a NEW OPT I-20 recommendation FROM BIO **before** you resubmit your OPT application. Again- USCIS must receive your new, complete OPT re-application no later than 30 days after the OPT I-20 ISSUE DATE on page 1 of the I-20.

2. Online filing *without OPT I-20*
   – Be sure to include the OPT I-20 before fully submitting online application.

3. Submitted OPT Application after deadline*
   – Your OPT application must be received by USCIS *before* the end of the 60-day grace period following your Program Completion Date.

4. Applied for the wrong I-765 category
   – You are applying for category: (c)(3)B) Student Post-Completion OPT
   – Watch out for drop-down menu errors!

* For E-filed applications, USCIS uses <u>UTC or Coordinated Universal Time </u>to determine the time/date filed. If you are filing CLOSE to your deadline check the UTC time/date of filing!

Section 3:
After Filing and OPT Issues

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I-797C Notice of Action

E-file: You will receive a receipt notice **immediately** via your USCIS online account, and later receive the paper I-797C receipt notice by mail.

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

- 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 via your USCIS account and on the USCIS web site at https://www.uscis.gov

Received Date
Date the application was received by USCIS

Address Information
Verify your name, date of birth, and address on the I-765 receipt notice. (Date of birth does not appear on e-filed notices.) If incorrect, contact BIO immediately.

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

USCIS Issues & Tracking Your Case

E-Filing:

You can use your USCIS online account to:

- Get your current case status and the history of your case;
- Respond to Requests for Evidence (RFEs);
- Access every notice USCIS sends you; and
- Send USCIS secure messages and get answers.

Address Changes:

If your address changes, you can update it online through your existing USCIS online account if you filed your form online

Keep in mind that address changes can take time to process, and could jeopardize your OPT EAD delivery. We recommend keeping the same address for your entire OPT processing, if possible.

Filing by Mail?

- **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."

- Add your paper-filed case to your account (Step 13)

- **General Case Tracking:**
  If you don't sign up for an account (NOT RECOMMENDED), you can still track your case using the "Check Your Case Status" Tool.

Premium Processing

Premium Processing is now available for the I-765 form.

What is premium processing?

- USCIS will process your OPT/STEM I-765 request **within 30 business days** of submission of the fully completed I-907 form.

How much does it cost?

- It's expensive! See the current Premium Processing for Form I-765 under the "Filing Fee" section on the Form I-907 website.

How can I request premium processing

- You can either file at the same time you complete your I-765 application. Or you can file the Form I-907 online *later* and "upgrade" your already pending OPT application. (The 30 business day processing guarantee only starts from when you pay the I-907 premium fee.)
- For more information see How Do I Request Premium Processing?

Is it worth it?

- Check current USCIS Processing times for "I-765" "Based on a request by a qualified F-1 academic student [(c)(3)]" with "Potomac Service Center"
- Premium processing doesn't guarantee OPT approval! It also doesn't guarantee you will receive your EAD card within 30 business days because mailing isn't included. You will just be guaranteed a *decision* within 30 days: either an approval, denial, or request for additional evidence.

USCIS Issues: Case Inquiries & Expedites

Case Inquiries & Processing times:

You can submit inquiries and requests about your case using the Case Inquiry tool for these issues:

- If you don't receive your receipt notice, EAD or other notifications
- If there is an error on your receipt notice or EAD card
- If your case is pending **longer than the normal processing time**. Check current USCIS Processing times for "I-765" "Based on a request by a qualified F-1 academic student [(c)(3)]" with "Potomac Service Center"
  - Scroll down the page, enter your receipt date and select "Get Inquiry Date". This will advise you on if your case is being processed within normal timeframes, and provide you the first date you can make an inquiry.

Expedites (*without* paying Premium Processing):

USCIS *almost always denies* F-1 expedite requests for OPT. USCIS may consider expediting if the request meets one or more of the expedite criteria below. See expedite criteria & instructions here.

- Severe financial loss to a company or person, if expedite is not due to applicant's failure: (1) to file the benefit request in a reasonable time frame; or (2) to respond to any RFE in a timely manner;
- Urgent humanitarian reasons;
- Compelling U.S. Government interests (such as urgent cases for the Department of Defense or DHS, or other public safety or national security interests); or
- Clear USCIS error.

NOTE: 1) Severe financial loss to a company means the **company would be at risk of failing.** 2) The need to obtain employment authorization, standing alone, **without evidence of other compelling factors**, does not warrant expedited treatment

Application Problems: RFE, Rejection, Denial

RFE - If there is a problem with your application, the USCIS may send you a notice 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.

Denial – Denials are usually the result of the student not fulfilling the eligibility requirements, e.g. application not received within 60 days of program completion date*. Denials are issued by adjudicators.

Filing by Mail: Rejection - USCIS mailing Lockbox typically reviews and rejects OPT applications within 2-4 weeks of receipt of the application packet due to a variety of reasons: missing documents in the application packet, issue with OPT application fee (credit card declined, check bounced), student forgot to sign I-765, etc.

- In some cases, USCIS will return the entire application to you by mail. If this happens, you must make corrections and send a new application. You may need to request a NEW OPT I-20 recommendation from BIO **before** resubmitting your OPT application. USCIS must receive your new, complete OPT re-application no later than 30 days after the OPT I-20 ISSUE DATE on page 1 of the I-20 and before the end date of your 60-day grace period*.

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

* For E-filed applications, USCIS uses UTC or Coordinated Universal Time to determine the time/date filed. If you are filing CLOSE to your deadline check the UTC time/date of filing!

Contact BIO IMMEDIATELY if you receive an RFE, rejection, or denial notice for assistance!

Application Problems: RFE, Rejection, Denial

How will I receive an RFE, Denial, or Rejection?

- **E-File:** You will receive all notices in your online account, and will receive a copy by mail as well

- Filing by Mail- You will receive all notices by mail. If you've added paper-filed applications to your online USCIS account, you may be able to access notices there.

The Employment Authorization Document (EAD)

- Review your EAD card to make sure the information is accurate. If it is not, contact a BIO advisor immediately!

- 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.

- You can ONLY work during the dates listed on the approved EAD card- not before and not after!

- Upload a copy of your EAD card at io.berkeley.edu/ssu.

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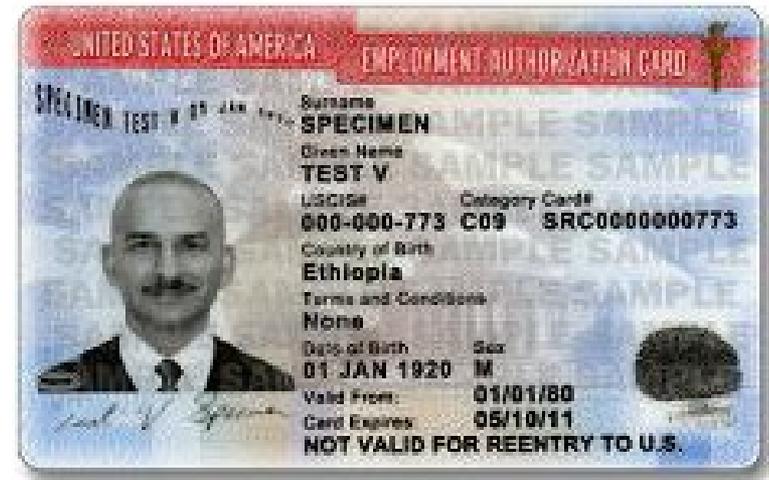
Avoiding Immigration Scams

- **It is very rare for USCIS or SEVP to contact you via phone regarding your application or your SEVIS record.** Most notices from SEVP Portal are sent by email, and most notices from USCIS are sent via mail. They will generally never ask you for money.

- **See USCIS's** Avoid Scams Initiative **website on how to avoid immigration scams, report fraud, and find authorized legal services.**

Next Steps: After your OPT Approval

Your OPT has been approved! Remember- you are still F-1! While on OPT, students must follow certain rules and regulations to maintain their proper F-1 status in the U.S.

What are my REQUIRED next steps?

1. Register for the BIO SSU Hub (Address and Employer Reporting System) and review your OPT Reporting Requirements
   - Upload a copy of your OPT EAD card
   - Update your address
   - Report your employment information

2. Review the OPT Frequently Asked Questions page to understand rules and policies during OPT:
   - Types of Qualifying Employment
   - 90-Day Unemployment Rule
   - Traveling Outside the U.S.
   - Taking Classes While on OPT
   - Early Completion of OPT
   - Beginning a New Program of Study
   - Ending OPT

3. Understand your options to extend OPT.
   - OPT STEM Extension
   - Cap-Gap Extension

Want a final review of your OPT application?

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

Attend one of BIO's OPT Document Check Workshops!

These group review sessions allow you to follow along as a BIO adviser leads you through the application step by step and cover required documents, how to fill out the forms, and most common mistakes in the application. In addition, there is a Q&A portion during which you can ask specific questions about your own application.

See our Events calendar to sign up for an upcoming session.

Still have questions?

See BIO's Student Services Advising page

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