Off-Campus Employment Authorization for International Students
Presenters

Erin Skelly
Mimi Ghosh
Berkeley International Office
1. Intended Outcomes
2. International Students at Berkeley
3. Overview of degree-related employment options: CPT, OPT, AT
4. Advising Scenarios
Outcomes

- Learn about the most common types of off-campus employment authorization.
- Understand the campus advisor’s role in recommending these benefits.
- Understand BIO’s role in recommending and authorizing students’ employment.
International Students
At UC Berkeley
International Student Numbers (2017)

- EAP: 4.3% (276 students)
- Graduate: 41.1% (2606 students)
- Undergraduate: 54.6% (3463 students)
Current F vs. J Breakdown

- F-1: 92.4% (5,595)
- J-1: 7.6% (463)
Current F vs. J Breakdown

<table>
<thead>
<tr>
<th></th>
<th>Undergrads</th>
<th>Grads</th>
</tr>
</thead>
<tbody>
<tr>
<td>F-1</td>
<td>3187</td>
<td>2408</td>
</tr>
<tr>
<td>J-1</td>
<td>339</td>
<td>124</td>
</tr>
</tbody>
</table>
OPT started after Spring 2017
Summer 2017 CPT

- Undergrads: 210
- Grads: 146
Approximately 50 J-1 students did post-completion Academic Training after Spring 2018.
Who does BIO serve?

- F-1 and J-1 students (& dependents)
- J-1 scholars (& dependents)

BIO cannot advise on, or authorize employment for, UCBX students, Fulbrighters, other visa categories (e.g., E-2, H-4), DACA students.

BIO may be able to provide advising on culture/adjustment issues or change of status.
F-1/J-1 students sponsored by a different organization (e.g., UCBX, Fulbright, another school) must check with their program sponsor for any type of employment authorization (on- or off-campus)
Off-campus employment types

**F-1 students**
- Severe Economic Hardship
- Employment with International Organization
- Curricular Practical Training (CPT)
- Optional Practical Training (OPT)
- 24-Month OPT STEM Extension
- OPT H1-B “Cap Gap Extension”

**J-1 students**
- Academic Training
- Employment for urgent, unforeseen circumstances
Eligibility

Authorization to gain off-campus work experience related to field of study

- F-1 students: may be eligible to apply after one academic year
- J-1 students: may be eligible to apply after one semester
F-1 Curricular Practical Training
(CPT)
Yao, an F-1 second year PhD EECS student from China, gets a job offer from Apple to do consulting on a new product they plan to release next year. Thrilled, he runs to your office for advice, telling you that this is his dream job.

- Do you think this is possible?
- What’s the first thing you do?
What is F-1 CPT?

How does this relate to Yao?

- Authorization for eligible F-1 students to gain practical experience in their field of study during degree program
- The training must be “an integral part of an established curriculum”*
  - **Degree requirement**: graduation requirement for all students in the degree program
  - **Course credit**: elective internship or independent study within a degree program
    - Course enrollment must be concurrent with employment and at appropriate level of study
    - Granted on a semester-only basis

*We expect increased DHS scrutiny of student employment, excessive CPT usage.*
Part-time or Full-time?

- **Fall and Spring**
  - Part-time (20 hours maximum/week)
  - Exception: Graduate students who have advanced to candidacy
  - No Winter break-only CPT. May have extension of Fall or early start of Spring

- **Summer**
  - Full-time* or part-time (part-time only if it is the student’s final semester)
  - Dates: May begin day after Spring semester ends until day before Fall classes begin. Students graduating in Summer must end by end of Summer term.

- **Final Term**
  - Part-time only (no exceptions), includes Summer!

*12 months of full-time CPT cancels eligibility for OPT.
Yao’s department process

1. Yao receives an offer letter.

2. Yao works with his department to enroll in course & get CPT request form signed.

How does the process work in your department?
# Academic Department Recommendation

**To be completed by the Department Adviser (Undergrads) or Faculty Adviser (Graduates)**

<table>
<thead>
<tr>
<th>Adviser’s Name:</th>
<th>Oski Bear</th>
<th>Department:</th>
<th>Electrical Engineering and Computer Science</th>
</tr>
</thead>
<tbody>
<tr>
<td>Telephone:</td>
<td>510-642-1818</td>
<td>Email:</td>
<td>oski@<a href="mailto:eecs@berkeley.edu">eecs@berkeley.edu</a></td>
</tr>
<tr>
<td>Student’s Expected Program Completion Date:</td>
<td>05/10/2020</td>
<td>Did student advance to Ph.D. candidacy?</td>
<td>☑ Yes ☐ No</td>
</tr>
</tbody>
</table>

Select one of the following:

- [ ] This internship will fulfill a **degree requirement** that is listed on the Berkeley International Office website: [http://internationaloffice.berkeley.edu/students/current/f-1/curricular_practical_training](http://internationaloffice.berkeley.edu/students/current/f-1/curricular_practical_training)
- ☑ This CPT is not a degree requirement, and the student will be receiving **course credit** in the following course: 2011 (course # required)

*(If student will receive course credit, they are required to submit a copy of their CalCentral “My Academics” page showing course enrollment.)*

**By signing below, I confirm that this work experience is directly related to the student’s academic program and, if declared, major.**

Optional Comments: 

Adviser’s Signature: Oski Bear | Date: 02/28/2018

*Please note: Authorization will NOT be granted for work that has started before submitting this form.*
1. Yao submits completed CPT request form and proof of course enrollment to BIO.

2. BIO authorizes (3 business days).

3. Yao receives I-20 from BIO authorizing CPT employment.
Authorization for CPT is printed on page 2 of Yao’s I-20 with the following details:

- Part-time or full-time work
- Authorized dates of employment
- Name and city of employer (full address details in SEVIS)

<table>
<thead>
<tr>
<th>Department of Homeland Security</th>
<th>I-20, Certificate of Eligibility for Nonimmigrant Student Status</th>
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<tbody>
<tr>
<td>U.S. Immigration and Customs Enforcement</td>
<td>OMB NO. 1653-0038</td>
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<table>
<thead>
<tr>
<th>SEVIS ID:</th>
<th>NAME:</th>
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<tr>
<td>N00 (F-1)</td>
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<table>
<thead>
<tr>
<th>EMPLOYMENT AUTHORIZATIONS</th>
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<tbody>
<tr>
<td>TYPE</td>
<td>FULL/PART-TIME</td>
</tr>
<tr>
<td>CPT</td>
<td>PART TIME</td>
</tr>
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</table>

<table>
<thead>
<tr>
<th>EMPLOYER INFORMATION</th>
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</thead>
<tbody>
<tr>
<td>TYPE</td>
<td>CPT</td>
</tr>
<tr>
<td>AUTHORIZATION DATES</td>
<td>16 JAN 2018 - 11 MAY 2018</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>EMPLOYER NAME</th>
<th>START DATE</th>
<th>END DATE</th>
<th>CITY &amp; STATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Apple</td>
<td>16 JAN 2018</td>
<td>11 MAY 2018</td>
<td>CUPERTINO, CA</td>
</tr>
</tbody>
</table>
F-1 Optional Practical Training

(OPT)
Maria, an F-1 Integrative Biology PhD student from Chile, plans on filing her dissertation this semester. She receives a job offer as a researcher from Genentech and wants to know how she can work for them after she files her dissertation.

- Do you think this is possible?
- What is the first thing you would do?
- What issues might she face?
What is F-1 OPT?

- Available for up to 12 months at completion of each higher degree level
- Recommended by BIO, approved by United States Citizenship and Immigration Services (USCIS)
- Employment must be related to major field of study
- No job offer is required to apply
- Three types:
  - Pre-Completion
  - Standard Post-Completion (Most Common)
  - STEM Extension OPT (Additional 24 Months)
OPT Tutorial: Maria’s first step

Optional Practical Training (OPT) Tutorial

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

Berkeley International Office
For OPT purposes, the completion date is:

**Undergraduates**
Completion date is the last day of final exams (e.g., 5/11/2018).

**Graduates**
Completion date is the day thesis or dissertation is filed OR the last day of final exams.

*(Maria’s completion date)*

**PhD/Thesis Grad Students completing in Spring/Summer should consult with BIO before applying due to timing.*
OPT application process with USCIS takes approximately 90 days.
1. Maria knows she is ready to file her dissertation and apply for OPT.

2. Maria meets with department to confirm program completion date and to complete OPT request.
### OPT Form: Academic Dept. Recommendation

<table>
<thead>
<tr>
<th>Academic Recommendation</th>
<th></th>
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<tbody>
<tr>
<td><strong>Student’s Major:</strong> Integrative Biology</td>
<td><strong>Second Major (if applicable):</strong></td>
</tr>
<tr>
<td><strong>Is student registered in current term?</strong> Yes No</td>
<td><strong>Level of Study:</strong> Bachelor’s Master’s Ph.D</td>
</tr>
<tr>
<td><strong>When is student expected to complete all degree requirements?</strong> Semester: Spring Year: 2018</td>
<td><strong>Will the student have completed all coursework requirements for the degree by the start date of OPT?</strong> Yes No</td>
</tr>
<tr>
<td><strong>Graduate students only:</strong> Has student applied for filing fee? Yes No</td>
<td></td>
</tr>
<tr>
<td><strong>When is student expected to file their thesis?</strong> Date: May 11, 2018</td>
<td></td>
</tr>
</tbody>
</table>

“I confirm that the information provided in this section is true and correct. I would like to recommend that this student be allowed to obtain Optional Practical Training in order to secure a position in his/her field of study.”

Optional Comments:

Advisor’s Name: **Oski Bear**

Department: Integrative Biology

Signature: **Oski Bear**

Telephone: **510-642-1818**
Maria’s BIO process

1. Maria submits completed request to BIO.

2. BIO approves OPT request.

3. BIO issues I-20 with OPT endorsement (3 business days).
BIO recommends Maria for OPT on page 2 of the I-20 with her requested OPT dates.
Maria’s USCIS process

1. Gather documents and prepare application.
2. Send application to USCIS
3. Wait approximately 90 days.
Regulations require that students on OPT report certain information to the government:

- Employment information
- Any changes to a student’s name and address

Students can self-report at io.berkeley.edu/ssu.
F-1 24-Month STEM Extension OPT
STEM Extension

- Additional 24-month period of OPT
- Degrees in Science, Technology, Engineering or Mathematics (CIP code specific)
- Employment with an E-Verify employer
- Completion of I-983 Training Plan
- Apply directly with BIO and USCIS
- Application must be received by USCIS no later than last day of 12-Month OPT
- Higher reporting requirements: 6 month validations, 12-/24-month evaluations.
- Hiring at UC Berkeley?
  
  https://internationaloffice.berkeley.edu/ucb_departments/j-1/opt_hiring
J-1 Academic Training
Pierre, a J-1 exchange student from France is nearing the completion of his year abroad. His major at his home institution is journalism and he’s interested in getting work experience in the U.S. before returning home. He applies for an internship at the SF Chronicle, gets a job offer, and visits your office for help.

- Do you think this is possible?
- What’s the first thing you do?
What is J-1 Academic Training?

- Work authorization related to current degree or EAP program of study
- 18 months or for a period equal to the length of the study program, whichever is shorter (an 18 month extension for up to 36 total months for post-doctoral research)
- AT totals are cumulative, including all previously used AT- even at a different educational level
- Employer-specific authorization
- Recommended by Academic Department, authorized by BIO
Does Pierre qualify for AT?

- Pierre has to have a job offer to apply
- Pierre has to apply before completion of his academic program

Program completion date:

- Undergraduates – the last day of final exams
- Graduates – the day thesis/dissertation is filed
- EAP – the last day of final exams
Part-time or Full-time?

- Fall and Spring
  - Part-time (20 hours maximum/week)
  - Exception: Graduate students who have advanced to candidacy

- Summer
  - Full-time or part-time (part-time only if it is the student’s final semester)

- Final Term
  - Generally part-time only, but Grads who have advanced may opt to begin their “post-completion training” period early.
1. Pierre receives an employment offer letter.

2. Pierre meets academic advisor with employment letter and completes AT form with advisor.
NEW! AT Form: Academic Dept. Recommendation - Goals & Objectives

**Academic Advisor’s Recommendation (Required)**

J-1 Academic Training is training related to a student’s field of study and requires goals, objectives and a clear explanation of how the training is integral or critical to the student’s academic program of study. This section must be completed with your academic advisor. Undergraduates = College/Department Advisor; Graduates = Faculty Advisor/Graduate Students Affairs Officer

**Describe the academic goals and/or objectives of the student’s Academic Training experience:**

Oski will complete the following academic objectives as part of the Academic Training experience:

1. Learn to use new client-specific statistical software for data analysis and modeling.
2. Learn to apply statistical analysis skills to large data set reports.
3. Gain experience in a large-scale US workforce, increasing time-management, presentation, and group collaboration skills.
Explain how this Academic Training experience directly relates to the student’s current UC Berkeley degree or Education Abroad Program (EAP) field of study:

Oski’s EAP program and home country major are in Statistics. Specifically, the Summer Data Intern assignments with Apple will allow Oski to gain experience in working with large data sets and extensive statistical modeling.

Explain why this Academic Training experience is an integral or critical part of the student’s academic program:

Students in Statistics gain theoretical knowledge of statistical modeling and analysis through coursework/projects. This experience provides Oski a critical opportunity to practice those skills in a real-world scenario with big data sets and analytical technology unavailable at UC Berkeley. Real-world application of quantitative skills is critical to a full understanding of the Stats curriculum.

PhD STUDENTS ONLY- If the student has completed a Ph.D. and is requesting an extension beyond the initial 18 months of work authorization, please briefly address the research aspect of the Academic Training experience:
NEW! AT Form: Academic Dept. Recommendation
- Advisor confirmation

<table>
<thead>
<tr>
<th>Advisor Name</th>
<th>Iman A. D'Visor</th>
<th>Title</th>
<th>Statistics Undergrad Advisor</th>
<th>Advisor Email or Phone: <a href="mailto:a.dvisor@berkeley.edu">a.dvisor@berkeley.edu</a></th>
</tr>
</thead>
</table>

I confirm that I have reviewed and approve the Academic Training Plan as described in this form.

Advisor Signature


1. Pierre submits AT request form (including proof of funding if job is unpaid).

2. Based on department’s recommendation, BIO authorizes AT.

3. BIO issues DS-2019 endorsed for AT (3 business days).
Authorization for AT is printed on page 1 of Pierre’s DS-2019.

- DS-2019 is extended to accommodate AT period.
- Employment details and authorization dates are listed.

### Purpose of this Form: Amend a previous form: Site of Activity Modified

<table>
<thead>
<tr>
<th>3. Form Covers Period:</th>
<th>4. Exchange Visitor Category:</th>
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</thead>
<tbody>
<tr>
<td>From (mm-dd-yyyy): 08-16-2017</td>
<td>STUDENT NON-DEGREE</td>
</tr>
<tr>
<td>To (mm-dd-yyyy): 08-31-2018</td>
<td>Subject/Field Code: 24.0199</td>
</tr>
<tr>
<td></td>
<td>Subject/Field Code Remarks:</td>
</tr>
<tr>
<td></td>
<td>SF CHRONICLE</td>
</tr>
</tbody>
</table>

5. During the period covered by this form, the total estimated financial support (in U.S. $) is to be provided to the exchange visitor by:

- **Academic Training:**
  - SF CHRONICLE
  - (05-12-2018 – 03-21-2018)
Advising Scenarios
Juan, a F-1 Computer Science 3rd year undergraduate comes to you with a full time internship opportunity from Google for the spring 2018 semester. It may even lead to a full time job upon graduation. He wants to know what is required to accept the job.

- Do you think this is possible?
- What’s the first thing you do?
Sujin, a senior studying economics, is on track to graduate this spring and comes to your office to complete her OPT request. She is extremely concerned about one of her classes and worries that she may fail. She asks if you can indicate that her program completion date will be December 15, 2018 in case she does not pass this class.

- Do you think this is possible?
- What’s the first thing you do?
Thank you!
Questions?