Please note that this tutorial is for instructional purposes only. 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.

Last updated on November 15, 2022. Updates are made frequently; DO NOT download tutorial. Always access the latest version on BIO’s website.
OPT Tutorial Outline

• COVID-19 Reminders and Updates
• What is OPT? Am I Eligible?
• Application Process Overview
• Section 1: Request OPT I-20 and Choose Your OPT Start Date
  – Completing BIO’s OPT I-20 Request Process
  – Choosing a Start Date
  – Obtain Academic Recommendation/signature & Understanding Program Completion
  – OPT Application Timelines
  – Checking your OPT I-20 for Accuracy
• Section 2: Prepare & Submit Your Application to USCIS
  – Online Filing vs Filing by Mail (ONLINE FILING RECOMMENDED!)
  – OPT Document Checklist
  – Your Photos
  – Paying the USCIS Fee
  – Your OPT I-20 Copy
  – Your Passport & Visa copies
• Section 3: After Filing and OPT Issues
  – I-797C Notice of Action
  – Tracking your USCIS case status
  – Requests for Evidence and Rejections/Denials
  – Receiving your EAD Card
  – Avoiding Immigration Scams
• Next steps: After OPT Approval (OPT Rules & Reporting Requirements)
• Want an OPT application review?
COVID-19 Reminders

Most aspects of the OPT application process have NOT changed due to COVID-19.

- USCIS continues to accept OPT and STEM OPT applications.
- You must submit your OPT or STEM OPT application from within the US and you must be physically present in the US when USCIS receives your application, regardless of whether you file electronically or by paper.
- If you submit a paper I-765 application by mail, you must sign and date the I-765 by hand, in black ink. USCIS rejects all digital and electronic signatures on the printed USCIS forms.
- Students on OPT are still allotted 90 days of unemployment.

Monitor BIO’s COVID-19 FAQ page for updates regarding employment and travel.

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”.

3
What is OPT? Am I Eligible for OPT?

OPT is an F-1 student employment benefit that allows for off campus work authorization in a student’s major field of study. Students 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 (minimum of 12 units) – Fall semesters

The application for OPT cannot be submitted more than 90 days before your program completion date. Eligible students 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 OPT FAQs page.

* 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.
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.
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 organize the required I-765 application documents, including a copy of your new 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.)

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

Complete the **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.
- Get the required signature from your academic advisor.
- Choose your OPT start date.
- Pay your $185 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

- Your OPT requested start date is the date that you would like your 12 months of work authorization to begin.

- Your OPT requested start date 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.

- On Campus Employment - All current on-campus employment 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.

- The requested OPT start & end dates will be noted on page 2 of the 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 Recommendation and signature

Undergraduates:

- Obtain the signature from a College Advisor, (i.e. College of Letters and Science) or Major Department Advisor.
- Expected completion/graduation = The last day of the semester in which program requirements are completed.

Graduates:

- Obtain the signature from a Faculty Advisor or Graduate Student Affairs Officer (GSAO).
- Expected completion = The last day of the semester in which program requirements are completed, OR The date the thesis or dissertation is filed with the Graduate Division.

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, students must:

- **Have a final 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.**
## 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.
OPT Application Timelines

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

- **Summer 2022** completion: 08/12/2022
- **Fall 2022** completion: 12/16/2022
- **Spring 2023** completion: 05/12/2023
- **Summer 2023** completion: 08/11/2023

**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 2022/2023** (multiple completion dates) - check your individual I-20 completion date and use this [OPT planner](#) (Step 3) to calculate your application window.
  - **Law Fall 2022** completion: 12/17/2022
  - **Law Spring 2023** completion: 05/10/2023
  - **M.F.E Spring 2023** completion: 03/09/2023
  - **MTM Spring 2023** completion: 06/16/2023
OPT Application Timeline: Summer 2022
(Based on August 12, 2022 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 8/12/22-10/22/22

First Day to Apply
5/14/2022*

Apply to USCIS up to 90 days before program completion

Program Completion Date
08/12/2022

Apply to USCIS up to 60 days after program completion

Final Deadline: OPT Received by USCIS
10/11/2022

Step 1
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”

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 2022
(Based on December 16, 2022 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 12/17/22-02/14/23

First Day to Apply
09/17/2022*
Apply to USCIS up to 90 days before program completion

Program Completion Date
12/16/2022
Apply to USCIS up to 60 days after program completion

Final Deadline: OPT Received by USCIS
02/14/2023

* 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 2023**
(Based on May 12, 2023 program completion)

<table>
<thead>
<tr>
<th>First Day to Apply</th>
<th>Program Completion Date</th>
<th>Final Deadline: OPT Received by USCIS</th>
</tr>
</thead>
<tbody>
<tr>
<td>02/11/2023*</td>
<td>5/12/2023</td>
<td>7/11/2023</td>
</tr>
</tbody>
</table>

BIO can accept applications starting Friday 2/10/2023, Technically 2/11 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

Requested OPT start date must begin within 60 days of program completion date
Choose any date from 5/13-7/11/23

**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”

*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 2022
(LLM, JD, JSD based on December 17, 2022 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 12/18/22-02/15/23

First Day to Apply
09/18/2022
Apply to USCIS up to 90 days before program completion

Program Completion Date
12/17/2022

Final Deadline: OPT Received by USCIS
02/15/2022
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 2023 (LLM, JD, JSD based on May 10, 2023 program completion)

Step 1

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 5/13-7/11/23

First Day to Apply
02/09/2023*

Apply to USCIS up to 90 days before program completion

Program Completion Date
5/10/2023

Apply to USCIS up to 60 days after program completion

Final Deadline: OPT Received by USCIS
7/09/2023

* 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!
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 03/10/23-05/08/2023

First Day to Apply
12/09/2022

Apply to USCIS up to 90 days before program completion

Program Completion Date
03/09/2023

Apply to USCIS up to 60 days after program completion

Final Deadline: OPT Received by USCIS
05/08/2023

* 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 2023 (Special program with June 16, 2023 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”

First Day to Apply
03/18/2023

Apply to USCIS up to 90 days before program completion

Program Completion Date
06/16/2023

Apply to USCIS up to 60 days after program completion

Final Deadline: OPT Received by USCIS
8/15/2023

Requested OPT start date must begin within 60 days of program completion date

* BIO can accept applications starting Friday 03/17/2023, Technically 3/18 is 90 days prior, but is a weekend.

* 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!
On Feb. 19th, Sue submits her I-765 application for OPT to USCIS. She is completing her program on May 12th 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.

**Scenario 1: Spring Completion**

**Apply early! Good timing.**

- Feb 19: I-765 application submitted to USCIS
- May 12: Program Completion Date
- June 1: EAD received
- July 1: EAD start date
- Travel home
- 12 months of OPT
Scenario 2: Spring Completion
Apply late, lose some OPT time.

George is busy with his final semester. He 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 10th and it expires the following year on July 12th. George has lost 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.
Check your OPT I-20 for accuracy

After receiving your OPT I-20, notify BIO immediately if there are any errors.

**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**
You should sign & date I-20. Students 18 and over do not need a parent’s signature.
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.)
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](https://www.uscis.gov/e-filing) 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](https://www.uscis.gov/ombudsman) with a detailed Q&A about I-765 e-filing questions which may be helpful to you.
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.
  - Readmitted/Transfer students – 1) Copies of I-20s from previous Transfer schools and 2) BIO Adviser Transfer I-20 Letter
  - 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

For paper applications, all documents should be printed or copied single-sided. No documents are required for F-2 dependents.
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.

- Submit 2 identical color passport photos taken within 30 days of filing your application.
- The photos must have a white to off-white background, be unmounted and unretouched, and if printed be 2” by 2” on thin paper with a glossy finish.
- You must remove your glasses and your head must be bare unless you are wearing headwear as required by a religious order of which you are a member.

E-FILING: You must either scan a physical photo or take a picture with your phone. Follow the instructions in the online I-765 application!
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](https://www.uscis.gov/i-765) 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

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:


**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.
Gather the required documentation

Photocopy of all previous OPT and CPT 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: request these from BIO when you turn in your OPT Request Form.
  - Previous School I-20s: contact them directly
- If you have NEVER used CPT or OPT in the past, you do not need to include previous I-20s.
Gather the required documentation

Photocopy of Previous EAD(s), if applicable:

- If an EAD was received 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-20s 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
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

SPECIAL CASES

PROGRAM START/END DATE
01-JANUARY 2019 - 17 MAY 2019

INFORMATION FOR OPT APPLICATION:

- **Program Start Date:** 21 January 2019
- **Program End Date:** 18 December 2019
- **Degree:** Bachelor of Science
- **Major:** Political Science and Government, General 45.1081
- **Tuition and Fees:** $39,903
- **Living Expenses:** $18,000
- **Financial Support:** $0
- **Total:** $48,903

**STUDENT ATTESTATION:**
I hereby certify that the above information is true and complete to the best of my knowledge.

**SIGNATURE:**

**DATE:**

**NAME OF PARENT OR GUARDIAN:**

**SIGNATURE:**

**ADDRESS:**

**DATE:**

ICE Form I-20 (07/17/2016)
The Application Deadline

- USCIS must receive your complete I-765 OPT application no later than 30 days after 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
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’
Online Form I-765

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.
**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 than 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.
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?
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.
Online Form I-765

Other Information

• What is your A-Number?
  – Check box ‘I do not have or know my A-Number’

• What is your USCIS Online Account Number?
  – Provide your USCIS Online Account Number (OAN) if you 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.
Online Form I-765

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 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!
Online Form I-765

Addition Information

• Use this section to provide additional explanations. Make sure to refer to the specific questions you are referencing. Here are some common issues:

- Previous I-765: If your previous OPT application was rejected or denied, enter “See attached documentation for previous I-765 OPT rejection/denial.”

- Expired passport: If you most recently entered the US on a passport that is no longer valid and you now have a renewed passport, enter “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 and the I-94.” Then, upload copies of new and old passports to the Evidence section.

- Previous SEVIS number: If you have previously had other F or J SEVIS ID numbers, list previous SEVIS IDs.

If you do not need to provide any additional information, you may leave this section blank.
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 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!
Section 3: After Filing and OPT Issues
I-797C Notice of Action

E-file: You will receive a receipt notice immediately via your USCIS online account, and later receive the paper 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 very important. If you lose the receipt, it may be very difficult to replace it.
• 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 on the USCIS web site at https://www.uscis.gov

Received Date
Date when USCIS begins processing the application. (It may not be the actual the application was received, but it is when the case was entered into the system.)

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:

See what you can do with your USCIS online account when e-filing, including:

• 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.

Filing by Mail?

• **Sign up for an account** at [https://www.uscis.gov](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.

Address Changes:

If your address changes, you can update it online through the “Change of Address” tool. Keep in mind that address changes can take 10 business days to process, and could jeopardize your OPT EAD delivery. We recommend keeping the same address for your entire OPT processing, if possible.
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:
USCIS almost always denies F-1 student expedite requests for OPT. You can find expedite criteria here: https://www.uscis.gov/forms/how-make-expedite-request. USCIS may consider expediting if the request meets one or more of the following criteria:
• 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*.

* 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!

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

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.
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