Optional Practical Training (OPT) Tutorial

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http://internationaloffice.berkeley.edu
COVID-19 Updates

- USCIS remains open for OPT/STEM I-765 application processing. Some USCIS locations are closed for in-person services. NO impact to OPT/STEM applications.
- We have not seen a delay in I-765 processing time due to COVID-19.
- OPT/STEM I-765 applications MUST be submitted from inside the U.S. You must be physically present in the U.S. when your application is received by USCIS. USCIS has NOT made an exception to this due to COVID-19.
- USCIS has NOT changed application timelines and deadlines due to COVID-19.
- USCIS still requires a handwritten “wet” (made with your hand and a pen) signature for the I-765. NO DIGITAL or ELECTRONIC SIGNATURES.
- USCIS has NOT changed the 90 day unemployment rule due to COVID-19
- Monitor BIO’s COVID-19 FAQ page for updates regarding travel, post-completion employment and other COVID-19 issues. This page is updated as we receive new guidance from government agencies, including USCIS.
USCIS Updates

• USCIS *intended* to change the I-765 form and fees on Oct 2, 2020.

• On September 29, 2020, the U.S. District Court for the Northern District of California issued a nationwide preliminary injunction and stay on implementation of the 2020 [final USCIS fee rule](#) in its entirety. This includes stopping any changes to current fees and forms.

• See the [Fees](#) and [I-765](#) sections of the tutorial for more information about the *current* form and fee changes.

• Make sure you are paying the [correct fee](#) and using the [correct form](#) on the date you are mailing your package to USCIS.
Optional Practical Training (OPT) Tutorial

Please note that this tutorial is for instructional purposes only.

An OPT 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 your BIO adviser if you have questions.
OPT Tutorial Outline

- What is OPT, OPT Eligibility Requirements, Application Process Overview
- Completing BIO’s OPT I-20 Request Process
- Choosing a Start Date & Scenarios
- Checking your OPT I-20 for Accuracy
- Preparing your OPT Request to USCIS
  - Your G-1145 Form
  - The I-765
  - Your Photos
  - Paying the USCIS Fee
  - Completing the I-765 Form
  - Your OPT I-20 Copy
  - Your Passport & Visa copies
  - Your I-94 Record
  - Your Previous I-20 Copies
  - Your Previous EAD Card Copy
- Top 3 USCIS OPT Denial Reasons
- Mailing your Application & Application Deadlines
- Receiving your I-797c receipt notice
- Tracking your USCIS case status
- Requests for Evidence and Rejections/Denials
- Receiving your EAD Card
- Maintaining Your F-1 Status, Reporting and Employment Requirements
- Travel Requirements
- Completing OPT & Grace Period
What is OPT?

Optional Practical Training 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.*

* 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?

Pre-Completion OPT
For most students, Curricular Practical Training (CPT) is a better option. It allows for off-campus work authorization in your field of study without using any of the 12 months of OPT time. See our web site for a detailed description of Curricular Practical Training.

You do NOT need to have a job offer to apply for OPT. The authorization is based on your program completion, not a specific employer. See the OPT FAQ webpage for more commonly asked questions.

Post-Completion OPT

Have you been continuously in a valid student status for one academic year?

At UC Berkeley, one academic year means enrollment for consecutive:
• Fall – Spring semesters
• Spring – Fall semesters
• Spring – Summer (enrollment through August, not Summer A or E only) semesters
• Summer (minimum of 12 units) – Fall semesters

Will you be completing your program of study at UC Berkeley in the next 90 days?

The application for OPT cannot be submitted more than 90 days before your program completion date.
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.
Types of Qualifying Employment

During your 12 month OPT period, OPT employment must be a minimum of 20 hours per week in a job that is directly related to your degree program. The burden of proof is on the student to demonstrate the relationship. The types of employment allowed during the initial 12-month period of OPT include:

- Paid employment
- Multiple employers
- Work for hire (commonly referred to as 1099 employment)
- Self-employed business owner
- Employment through an agency
- Unpaid / Volunteer employment

Employment must be DIRECTLY RELATED to your Major field of study.

See the OPT Qualifying Employment web page for a detailed explanation of each category.
Unemployment During OPT

- Your eligibility to begin OPT employment begins from the start date of the OPT EAD card.
- If you are not employed, you will begin accruing days of unemployment as of the start date of your EAD.
- You are only allowed a maximum of 90 days of unemployment during the entire OPT period.
- This is NOT just 90 days at the beginning of OPT. You are only allowed 90 days over the entire year.

Example 1: Your OPT begins on Jan 1. You only find a job on March 31 (Day 89). You now have only 1 unemployment day remaining for the rest of your OPT. You will either need to not lose or quit this job, or any new position should begin the next day or overlap.

Example 2: Your OPT begins on Jan 1. You begin work on Jan 31 with Company A. You have used 30 days of unemployment. On March 1 you quit your job with Company A because you have a new employment offer you like better from Company B that begins on March 31. You use another 30 days of unemployment, for a total of 60. You have only 30 more days of unemployment remaining.
Warning!

Increased OPT/STEM OPT Scrutiny by DHS

- U.S. Immigration and Customs Enforcement (ICE) has recently targeted OPT and STEM OPT employment for increased scrutiny, resulting in recent arrests for students who reported fraudulent employment with non-existent employers or false employment information.
- Falsifying your OPT employment records or reporting employment that is not legitimate may result in serious repercussions.
- SEVIS may also automatically terminate F-1 records for students who have more than 90 days of unemployment.
Application Process Overview

1. Request an OPT I-20

The I-20 will be ready for pickup 3 business days after submitting the OPT request form and Post-Completion Services Fee payment to Berkeley International Office.

2. Prepare and mail your application materials - APPLY EARLY!

Allow approximately 1 week to gather and organize the required documents. After USCIS has received your application, allow approximately 3-5 months for processing. (The observed average processing is 90-120 days, but processing can take longer in some cases.) See current USCIS processing times for Form “I-765” for “Potomac Service Center” here: https://egov.uscis.gov/processing-times/


Can I do anything about the long USCIS processing time?
There is nothing you can do about the USCIS processing time, other than to apply as early as possible and be honest with your employer about your possible start date! See USCIS Issues & Tracking for how to report a case processing longer than the current USCIS processing time.
Step 1: Request your OPT I-20

Complete the OPT Request Form [pdf]:

- 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 $125 Post-Completion Services Fee to Berkeley International Office via credit/debit card, check, or money order (no cash). Attach proof of payment to OPT Request form.
  - Credit/Debit Card: Pay online. Find link on our OPT webpage. You must print your receipt/proof of payment and attach it to your OPT I-20 Request form.
  - Check or Money Order: Make check or money order payable to order of “UC Regents.” Attach a deposit slip or small piece of paper with your student ID # to the check/money order. Do not write your student ID # directly on the check/money order. Attach your check or money order to the OPT I-20 Request form.

OPT Requests without proof of payment will not be accepted.
Choose your OPT start & end date

- Your OPT start date is the date that your 12 months of work authorization begins.

- Your OPT 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.)

- **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 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 dates.
Obtain Academic Recommendation and signature

Undergraduates:

- Obtain the signature from a College Advisor, (i.e. College of Letters and Science) or 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.
To qualify for a Summer I-20 completion date, students must:

- Have a final 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 through August, the end of the Summer term. You cannot meet OPT eligibility if only enrolling in Summer Session A or E alone.

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 Through August

*Please speak with a BIO advisor about your program completion date and choosing an OPT start date.

**Option 1**
- Use Spring Semester program completion date*
- No summer enrollment required
- Degree conferred in Summer
- OPT start date must be within 60 days of Spring Semester program completion date

**Option 2**
- Use Summer Session program completion date*
- Enrollment for Summer Session required (no unit minimum)
- Degree conferred in Summer
- OPT start date must be within 60 days of Summer program completion date

**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
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 Timelines

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

- Summer 2020 completion: 08/14/2020
- Fall 2020 completion: 12/18/2020
- Spring 2020 completion: 05/14/2021
- Summer 2021 completion: 08/13/2021

A few degree programs have *different* completion dates:
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 2020/2021- check your individual I-20 completion date.
- Law Fall 2020 completion: 12/12/2020
- Law Spring 2021 completion: 05/19/2021
- M.F.E Winter 2021 completion: 03/11/2021
- MTM Spring 2021 Completion: 6/13/2021
OPT Application Timeline: Summer 2020
(Based on August 14, 2020 program completion)

First Day to Apply: 5/16/2020*
Program Completion Date: 08/14/2020
Final Deadline: OPT Received by USCIS: 10/13/2020

*BIO can accept applications starting 5/15/2020, technically 5/16 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

BIO processing time = 3 business days
USCIS processing time = 3-5 months

Requested OPT start date must begin within 60 days of program completion date
OPT Application Timeline: Fall 2020
(Based on Dec 18, 2020 program completion)

Step 1: Request your OPT I-20

BIO processing time = 3 business days
USCIS processing time = 3-5 months
(observed average: 90-120 days)

First Day to Apply

9/19/2020*

Apply to USCIS up to 90 days before program completion

Program Completion Date

12/18/2020

Apply to USCIS up to 60 days after program completion

OPT must begin within 60 days
Of program completion date

Final Deadline: OPT Received by USCIS

02/16/2021

*BIO can accept applications starting Friday 9/18/2020,
Technically 9/19 is 90 days prior, but is a weekend.
OPT Application Timeline: Spring 2021
(Based on May 14, 2021 program completion)

BIO processing time = 3 business days
USCIS processing time = 3-5 months
(observed average: 90-120 days)

First Day to Apply

2/13/2021*

Apply to USCIS up to 90 days before program completion

Program Completion Date

5/14/2021

Apply to USCIS up to 60 days after program completion

Final Deadline: OPT Received by USCIS

7/13/2021

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

*Bio can accept applications starting Friday 2/12/2021, Technically 2/13 is 90 days prior, but is a weekend.
OPT Application Timeline: Summer 2021
(Based on August 14, 2020 program completion)

*BIO can accept applications starting Friday 5/14/2021, Technically 5/15 is 90 days prior, but is a weekend.

BIO processing time = 3 business days
USCIS processing time = 3-5 months

First Day to Apply

5/15/2021*

Apply to USCIS up to 90 days before program completion

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

08/13/2021

Program Completion Date

Apply to USCIS up to 60 days after program completion

10/12/2021

Final Deadline: OPT Received by USCIS
OPT Application Timeline: Law Fall 2020
(JSD, JD, LLM based on December 12, 2020 completion)

Step 1: Request your OPT I-20

BIO processing time = 3 business days
USCIS processing time = 3-5 months
(observed average: 90-120 days)

First Day to Apply
9/13/2020

Program Completion Date
12/12/2020

Final Deadline: OPT Received by USCIS
02/10/2021

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

OPT must begin within 60 days of program completion date

*BIO can accept applications starting Friday 9/11/2021, Technically 9/13 is 90 days prior, but is a weekend.
OPT Application Timeline: Law Spring 2021
(LLM, JD, JSD based on May 19, 2021 program completion)

BIO processing time = 3 business days
USCIS processing time = 3-5 months
(observed average: 90-120 days)

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

First Day to Apply
2/18/2021
Apply to USCIS up to 90 days before program completion

Program Completion Date
5/19/2021
Apply to USCIS up to 60 days after program completion

Final Deadline: OPT Received by USCIS
7/18/2021
Apply to USCIS up to 60 days after program completion
OPT Application Timeline: MFE Winter 2021
(Special program with March 11, 2021 program completion)

First Day to Apply: 12/11/2021

Apply to USCIS up to 90 days before program completion

Program Completion Date: 3/11/2021

Apply to USCIS up to 60 days after program completion

Final Deadline: OPT Received by USCIS: 5/10/2021

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

BIO processing time = 3 business days
USCIS processing time = 3-5 months
(observed average: 90-120 days)
OPT Application Timeline: MTM Spring 2021 (Special program with June 13, 2021 program completion)

- First Day to Apply: 03/15/2021
- Program Completion Date: 06/13/2021
- Final Deadline: OPT Received by USCIS: 08/12/2021
- Apply to USCIS up to 90 days before program completion
- Apply to USCIS up to 60 days after program completion

BIO processing time = 3 business days
USCIS processing time = 3-5 months (observed average: 90-120 days)

Requested OPT start date must begin within 60 days of program completion date
On Feb. 19th, 2020, Sue mails her application for OPT to the USCIS. She is completing her program on May 14th 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.
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 application to USCIS on May 10th. On July 10th, George still hasn’t received his EAD, so he can’t work. George receives his EAD on Sept 1 and it expires the following year on July 12th. George has lost almost 2 months 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.

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

George has lost almost 2 months 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 start and end dates requested (OPT start date may be adjusted in SEVIS if USCIS does not complete the processing of your OPT by the requested date. 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.)
Step 2: Prepare & Mail Your Application Materials
<table>
<thead>
<tr>
<th>Required documents for OPT application</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>2 U.S. Passport Photos (with name and I-94 number written lightly in pencil on back of each), taken within the past 30 days.</td>
<td></td>
</tr>
<tr>
<td>USCIS Fee. Check, Money Order, or Credit Card payment made payable to: “U.S. Department of Homeland Security.” Write your SEVIS ID in the memo line. SEE FEE &amp; I-765 SECTIONS FOR DETAILS.</td>
<td></td>
</tr>
<tr>
<td>Original form I-765: <a href="https://www.uscis.gov/i-765">https://www.uscis.gov/i-765</a> SEE I-765 SECTION FOR DETAILS.</td>
<td></td>
</tr>
<tr>
<td>Copy of OPT I-20 (pages 1-3) issued by BIO within the past 30 days. Don’t forget to sign it!</td>
<td></td>
</tr>
<tr>
<td>Copy of currently valid passport biographical page and F-1 visa stamp, if applicable.</td>
<td></td>
</tr>
<tr>
<td>Copy of expired passport biographical page if you used that document to enter the U.S. most recently.</td>
<td></td>
</tr>
<tr>
<td>Printout of electronic I-94 record (<a href="https://i94.cbp.dhs.gov/I94/">https://i94.cbp.dhs.gov/I94/</a>) or copy of paper Form I-94 (both sides).</td>
<td></td>
</tr>
<tr>
<td>Copies of all previous CPT I-20s (from UCB and/or previous schools), if applicable.</td>
<td></td>
</tr>
<tr>
<td>Copies of all previous OPT I-20s and EAD card(s) (from UCB and/or previous schools), if applicable.</td>
<td></td>
</tr>
<tr>
<td>SPECIAL CASES (RARE): If your UC Berkeley OPT I-20 shows less than 1 academic year (2 semesters) of enrollment</td>
<td></td>
</tr>
<tr>
<td>Readmitted/Transfer students – 1) Copies of I-20s from previous Transfer schools and 2) BIO Adviser Transfer I-20 Letter</td>
<td></td>
</tr>
<tr>
<td>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</td>
<td></td>
</tr>
</tbody>
</table>
Gather the required documentation

Passport Photo Requirements

The photos required to use 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 printed on thin paper with a glossy finish, and be unmounted and unretouched. The passport-style photos must be 2” by 2”. 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.

• Using pencil or felt tip (soft) pen, lightly print your name and I-94 number on the back of the photo. Do not damage the photo surface by pressing hard while writing.

Professional Photography

USCIS has been examining passport photos more strictly. BIO recommends students have their photos taken professionally. Recently, students have been visiting the following locations to obtain their photos.

Metro Publishing
2440 Bancroft Way
Berkeley, CA 94704
http://www.yelp.com/biz/metro-publishing-berkeley

Foto Shop
131 Berkeley Sq
Berkeley, CA 94704
http://www.yelp.com/biz/foto-shop-berkeley
Gather the required documentation

Check, Money Order, or Credit Card:

• **USCIS FEE IS CHANGING:** The current fee is $410 but could change at any time after 10/2/2020 due to lawsuits regarding the fee/forms changes! You must pay the correct fee at the correct time. SEE THE I-765 FORM/FEE UPDATE SECTION BEFORE MAKING YOUR PAYMENT!

• **USCIS Payment Methods:** Check/Money Order or Credit Card Payment for **correct fee amount**.

• **Check/Money Order** should be made payable to “U.S. Department of Homeland Security” with SEVIS number in the memo line. Money orders can be purchased at banks, post office, and some local grocery stores. Make sure a name and address are printed on the check. If the address has changed, that is fine.
  - Do not use “temporary checks” often issued by the bank when opening a new account. These checks have no name or address in the upper left hand corner.

• **For Credit Card** payment, submit form **G-1450**, authorized payment for the **correct fee amount**. You may only use a credit card account with a U.S. billing address—no foreign billing address is allowed. You can use cards with Visa, MasterCard, American Express, and Discover. See Pay Your USCIS Fees with a Credit Card

• **MOST DENIALS ARE DUE TO BAD PAYMENTS! IF YOU USE A CHECK OR CREDIT CARD MAKE SURE YOU MAINTAIN SUFFICIENT FUNDS IN THE ACCOUNT.**

Money orders and cashier checks should include the same information as a personal check.

Check & money order examples are for application postmarked BEFORE 10/02/2020. Remember to check the fee before mailing!
Gather the required documentation

Form G-1145

- Attach to the top of the OPT Application Packet
- Use this form to request text and email notification(s) regarding your application. Download the form at http://www.uscis.gov/files/form/g-1145.pdf

**WARNING!**

USCIS will rarely contact you by phone regarding the status of your OPT application.

If you receive a phone call from a person claiming to work for USCIS or any other government agency, do not provide your personal information to them. Note the person’s name, phone number, and email address, and contact a BIO advisor before responding.
I-765 FORM & FEE UPDATES

USCIS is updating both the I-765 FORM and the I-765 FEE. Please pay attention when you are mailing your application to be sure you pay *exactly* the correct fee and use *exactly* the correct edition of the I-765 form:

- ON or AFTER October 2, 2020, please check the [USCIS I-765 website](https://www.uscis.gov/apply-for-a-green-card/i-765-es) ON THE DATE OF MAILING to be certain you are using the correct form edition.
- Print the Fee & Form Date information from the I-765 page ON THE DATE OF MAILING and include it with your application. Make certain the printout includes the date.

What is a postmark?

That’s the date that U.S. Postal Service officially sends the package, and stamps the package as mailed.

For commercial couriers (UPS, FedEx, or DHL, etc.), USCIS considers the date on the courier receipt as the postmark date for purposes of filing.

*IF YOU PAY THE WRONG FEE OR USE THE WRONG FORM, YOUR APPLICATION WILL BE DENIED! THERE ARE ONGOING LAWSUITS WHICH ARE CURRENTLY IMPACTING THE FEE & FORM.*

CONTACT BIO IF YOU ARE UNSURE OF WHICH FORM OR FEE TO USE.
Form I-765

Download the Form I-765 DIRECTLY from the USCIS I-765 web site and review the Instructions for Form I-765 found there.

You **DO NOT** need to complete the I-765WS (I-765 Worksheet). **DO NOT download and complete any form titled Preview: Form I-765!**

**Important:** Use **ONLY** the I-765 version indicated under the “Edition Date” on the USCIS website.

1. Download I-765 form just before mailing the application since USCIS updates the form frequently.
2. Check the Filing Fee on the date of mailing!
3. Also print the I-765 webpage showing the correct **Edition Date** and **Filing Fee**, and the date of printing.

**How to fill out Form I-765**

- Type or print legibly in **black ink**.
- Answer all questions fully and accurately.
- If a question does not apply to you, type or print “N/A”
- Print and complete **ALL pages 1-7**. If any pages are missing, your application will be rejected!
- Print all pages single-sided

Some parts of the I-765 can be confusing. The following slides will help you complete those “tricky” questions. Contact BIO with ANY questions or uncertainties about completing the I-765.
Step 2: Prepare and Mail the OPT Application

FORM I-765 UPDATES

Where can I find the Form Edition date on the I-765?

The form edition date is found in the lower left hand corner of the I-765 form. These are examples. You are responsible for confirming the correct edition at the time of mailing.

Form I-765 Edition 10/02/20

Form I-765 Edition 08/25/20
Complete the Form I-765

Top Portion: leave this entire section blank

PART 1. Reason for Applying, pg. 1

Check the “1.a.” box for “Initial Permission to accept employment.”
Complete the Form I-765

PART 2. Information About You, pg. 1

#1.a.-1.c. Name
Your entire family name should be in CAPITAL letters. Use upper and lower case for the first name. Please write 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!

#2.a.-4.c. Other Names Used
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. If none, write “N/A”

If you are typing out the I-765 electronically, be aware that the form does not allow you to write the “/” character into these fields. You will need to hand-write the “N/A” wherever this appears in the instructions.
PART 2. Information About You, pg. 2

U.S. Mailing Address
This is where you would like the Receipt Notice and the EAD card to be mailed. **This is very important!**

The address should be valid for at least 3-5 months, the length of time it will take to process the application. If you have plans to move during this time, use a reliable friend or family member’s address to receive the EAD (indicate this in #5.a.) It is also possible to use a P.O. Box for mailing addresses.

#5.a. If the mailing address belongs to someone other than yourself, put their full name (First Name Last Name) here. This person MUST be listed as a resident of the address with the U.S. Postal Service. If this is your address, write “N/A.”

#5.b-5.e Write a valid mailing address in the U.S. It may be a residence, commercial address, or PO Box. **You may not use BIO’s address.**

#6 If you listed a mailing address that is NOT your current physical living address, select “No” and complete #7.a-7.e. with your current physical address. If “Yes,” write “N/A” in #7.a-7.e. Physical address should reflect where you actually live.

If you live outside of CA, please pay attention to the special mailing instructions later in the tutorial.
Complete the Form I-765

U.S. Mailing Address

On Oct 2, 2020 USCIS plans to begin using the U.S. Postal Service’s (USPS) Signature Confirmation Restricted Delivery service to mail secure documents. You must present identification to sign for your documents upon delivery. You will have the options to:

• Designate an agent to sign on your behalf by completing the Postal Service’s PS Form 3801 or PS Form 3801-A (for apartments, hotels).

• Sign up for USPS Informed Delivery to receive delivery status notifications.

• OR- Arrange for pickup at a post office at a convenient date and time by going to the USPS website and selecting “Hold Mail” This will stop delivery of all your mail.

If you have questions regarding USPS Signature Confirmation Restricted Delivery processes or forms, please contact your local Post Office. BIO is not able to advise on USPS processes.
PART 2, pg. 2, continued...

Complete the Form I-765

Other Information

#8 F-1 students do not have an A-Number; leave this blank.

#9 F-1 students do not have a USCIS Online Account Number; leave this blank.

#10-11 The responses to these questions should be straightforward. Please complete them accurately.

#12
Check “No” if you have never applied for an EAD.
Check “Yes” if you have previously applied for an EAD and were either Approved, Denied, or Rejected. If you were Approved, you will need to provide copies of your previous EADs in your application packet. If you were Rejected or Denied, include a copy of the Rejection or Denial notice. (See Slide 46 for further instructions on these points.)

Note on 12: This question is NOT asking about previous on-campus employment or CPT because you didn’t have to file an I-765 for those positions.
Complete the Form I-765

PART 2, pg. 2, continued...

#13.a.-17.b. Social Security Number (SSN)

#13.a. Check “Yes” if you have been issued an SSN and enter your SSN with one letter in each box.

#13.b. Skip this if you don’t already have an SSN.

#14. Check “Yes” if you want a new or replacement SSN card and complete. Check “No” if you do not want a new or replacement SS card

#15-17.b. If you checked “Yes” for #14, answer these questions. If you checked “No” for #14, skip these questions.

You should receive your Social Security card from SSA about 2 weeks after receiving your approved EAD from USCIS.
Complete the Form I-765

PART 2, pg. 2-3 continued...

The responses to these questions are straightforward. Please complete them accurately.

#18 Countries of Citizenship, pg 2

List all as applicable (use Part 6 of the I-765 if needed) or write “N/A” in 18.b. if you do not have multiple citizenships.

#19-20 Place of Birth, pg 3

List the name of the country as it was named when you were born, even if its name has changed

Make sure your Date of Birth is in the correct format of MONTH - DAY - YEAR. (01/31/1998 not 31/01/1998)
Complete the Form I-765
PART 2, pg. 3 continued...

Information About Your Last Arrival

#21.a. I-94 Number
Use 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 (see example). I-94 numbers issued prior to May 2019 are 11 characters long and contain only numbers. Example: 01234567890. I-94 numbers starting in May 2019 have a format of 9 numbers, followed by a letter, then another number. Example: 012345678A1.

#21.b.-e. Passport Information
Enter the information directly from your passport. This passport should match the country on your I-20.

In cases where you entered the US on a passport that is now expired, enter the number of your expired passport. (You will provide information on the new passport on pg. 7 of the application.)

#21.c. Travel Document
Write “None” here.
Complete the Form I-765

PART 2, pg. 3 continued...

#22 Date of Last Entry into the U.S.
Your most recent entry date can be found on your passport admission stamp, electronic I-94 record, or paper I-94 card.

#23 Place of Last Arrival into the U.S.
Name of the Port of Entry city from your most recent entry. This information can be found on your passport admission stamp, travel history section of your electronic I-94 record, or paper I-94 card (usually as a code, i.e. “SFR” for San Francisco). If you drove across the border, write the name of the city where entered the U.S.

#24 Immigration Status at Last Entry
Status in which you entered the U.S. If you entered with an I-20 as a student, write “F-1 Student.”

#25 Current Immigration Status
Current status should be “F-1 student.” If not, talk to a BIO advisor, and this status should be reflected in your current I-94.

#26 SEVIS ID
Your SEVIS ID appears on the top left side of your I-20 and starts with N00...

Step 2: Prepare and Mail the OPT Application
Complete the Form I-765
PART 2, pg. 3 continued...

#27 Eligibility Category
Use the code \textit{(c)(3)(B)} for eligibility category F-1 Post-Completion OPT.
DO NOT USE a different code!
Even if you have a STEM degree, you are applying NOW for your 12-Month Post-completion OPT, NOT the 24-Month STEM OPT Extension!

#28-30.c. Other Eligibility Categories: \textit{(c)(3)(c), (c)(26), (c)(8)}
Write “N/A” in these fields. These questions are for other types of I-765 applications for other visa categories. They are NOT applicable to your F-1 12-month Post Completion OPT.

#28 is for STEM OPT Extension applicants only. Remember- you are applying NOW for your 12-Month Post-completion OPT, NOT the STEM OPT Extension. LATER if you apply to extend your OPT through the STEM OPT Extension you will use the \textit{(c)(3)(c)} code, and answer these questions.
Complete the Form I-765

PART 2, pg. 4: 30.d-31.b

These questions are for *other* visa categories, NOT for F-1 students applying for Post-Completion OPT.

If you answered “Yes” to Item Number 30.c., provide the following information:

30.d. Date you presented yourself to DHS

| N/A |

30.e. Location where you presented yourself to DHS

| N/A |

30.f. Country of claimed persecution

| N/A |

30.g. Provide an explanation for why you did not enter the United States lawfully through a U.S. port of entry. If you need extra space to complete this item, use the space provided in Part 6. Additional Information.

| N/A |

NOTE: Refer to the Special Filing Instructions for Those With Pending Asylum Applications (c)(8) section of the Form I-765 Instructions for more information.

31.a. (c)(35) and (c)(36) Eligibility Category. If you entered the eligibility category (c)(35) in Item Number 27., please provide the receipt number of your Form I-797 Notice for Form I-140, Immigrant Petition for Alien Worker. If you entered the eligibility category (c)(36) in Item Number 27., please provide the receipt number of your spouse’s or parent’s Form I-797 Notice for Form I-140.

| Leave blank |

31.b. If you entered the eligibility category (c)(35) or (c)(36) in Item Number 27., have you EVER been arrested for and/or convicted of any crime? □ Yes □ No

NOTE: If you answered “Yes” to Item Number 31.b., refer to Employment-Based Nonimmigrant Categories, Items 8. - 9., in the Who May File Form I-765 section of the Form I-765 Instructions for information about providing court dispositions.
Complete the Form I-765

PART 3. Applicant’s Statement, pg. 4

#1.a. Select 1.a. to indicate that you have read and understood the questions.

#3-6 Provide your information as requested

Applicant’s Statement

**NOTE:** Select the box for either Item Number 1.a. or 1.b. If applicable, select the box for Item Number 2.

1.a. **X** I can read and understand English, and I have read and understand every question and instruction on this application and my answer to every question.

1.b. The interpreter named in Part 4, read to me every question and instruction on this application and my answer to every question in a language in which I am fluent, and I understood everything.

2. **Leave blank** At my request, the preparer named in Part 5, prepared this application for me based only upon information I provided or authorized.

Applicant’s Contact Information

3. Applicant’s Daytime Telephone Number

4. Applicant’s Mobile Telephone Number (if any)

5. Applicant’s Email Address (if any)

Select this box if you are a Salvadoran or Guatemalan national eligible for benefits under the ABC settlement agreement.
Complete the Form I-765

PART 3, pg. 4-5

Applicant’s Declaration and Certification

Read the entire declaration carefully.

Applicant’s Signature

#7.a.-7.b. Hand sign your name and provide the date of the signature in black ink.

Important!

Because your signature will be scanned at USCIS, it must fit within the box. It must NOT touch the box outline. If it touches a line, your application could be delayed. You must sign and date by hand in black ink. Do NOT use any form of e-signature including those that are replicas of your exact hand-written signature. Print the form and sign it with an actual pen. USCIS will DENY applications with e-signatures.

Troubleshooting Signature Line:

In some cases the “Don’t forget to sign!” automatic reminder will not disappear when you print the form. You should remove the auto filled “Don’t forget to sign!”

We recommend trying to...

• open the form in the most recent version of Adobe Reader.
• print a blank version of the form’s second page from your web browser.
Complete the Form I-765

PARTS 4 and 5, pgs. 5-6

These sections are not applicable to you, since you’ve completed the form yourself, so write “N/A.” This section is for those who use an interpreter or translator, or other paid preparer (i.e. an attorney) to complete the form.

Part 4 pg. 5

Part 5 pg. 6
Complete the Form I-765

Page 7, Part 6 needs to be completed ONLY if you:

• most recently entered the US on a passport that is no longer valid and you now have a renewed passport

• have previously had other SEVIS IDs

• have ever been authorized for CPT or OPT, or STEM OPT Extension

• are filing a second OPT application because your previous one was rejected

If none of these apply to you, leave Page 7, Part 6 blank, but you must include it in your application. You are done with the I-765.
Complete the Form I-765

How to complete Page 7, Part 6 if you:

• have ever been authorized for CPT, OPT, or STEM OPT
• are filing a second OPT application because your first one was rejected

PART 6, Additional Information, pg. 7

#1.a.-1.c. Provide your name again as listed in Part 2, 1.a-1.c.

#2. Leave blank

#3.a.-3.c. Reference Pg. 2, Part 2, Item 12
(If you already used sections 3.a.-3.d. use the next available section, 4a-d, etc.)

#3.d. If you have had previous CPT and/or OPT, write “See attached documentation for previous CPT and/or OPT authorizations” and include copies of all previous CPT and OPT I-20s and EAD cards with your application.

If your previous OPT application was Rejected or Denied, write “See attached documentation for previous I-765 OPT rejection or denial.” Include a copy of the OPT rejection/denial notice with your application.

You may need to contact your previous schools if you are missing any of this information.
Complete the Form I-765

How to complete Page 7, Part 6 if you:

• most recently entered the US on a passport that is no longer valid and you now have a renewed passport

If this does not apply to you, leave Part 6 blank. You are done with the I-765; skip to the next slide.

PART 6, Additional Information, pg. 7

#1.a.-1.c. Provide your name again as listed in Part 2, 1.a-1.c.

#2. Leave blank


#3d. Write an explanation that clarifies that you have two passports: one that you used for entry but is no longer valid, and one that is currently valid.

#3.d. Include copies of both passports and your I-94 with your application.
Complete the Form I-765

How to complete Page 7, Part 6 if you:

• have previously had other SEVIS IDs

PART 6, Additional Information, pg. 7

#1.a.-1.c. Provide your name again as listed in Part 2, 1.a-1.c.

#2. Leave blank

#3.a.-3.c. Reference Pg. 3, Part 2, Item 26
(If you already used sections 3.a.-3.d. use the next available section, 4a-d, etc.)

#3.d. List all previously used SEVIS numbers, including from all previous F-1/F-2 or J-1/J-2 programs in the U.S., including high school, short stays, language training schools, community colleges, or previous I-20s at UCB.

You may need to contact your previous schools if you are missing any of this information.

Previous F-1 SEVIS IDs: N0048798787, N0009898989,
Previous J-1 SEVIS ID: N0012345679

(These are examples only- use your own information from your previous I-20s or DS-2019s)
Complete the Form I-765

IF YOU COMPLETED any part of PAGE 7, PART 6, you must add your signature and the date in the blank space at the bottom of page 7.

You must sign and date by hand in black ink. Do NOT use any form of e-signature including those that are replicas of your exact hand-written signature. USCIS frequently denies applications with e-signatures.

Oski Bear August 1, 2018
You are done with the I-765!

1. Review all the information on the form for accuracy. You must submit **ALL 7 pages** of the I-765.

2. Make a copy of your completed I-765 application to keep for your records, in case there is a problem with the application.

3. Next, gather the required documentation and copies... see the following slides.
Photocopy of UCB OPT I-20 (all pages):

- Must be received by USCIS within 30 days of DATE ISSUED on page 1.
- Original must be signed by a BIO advisor by hand before copying.
- Original must be signed by hand by the student at the bottom of page 1 before copying.
- The requested OPT start and end dates will appear on page 2.
- Do not mail the original I-20.
Gather the required documentation

Photocopy of Passport and Visa:

- Photocopy the passport biographic page with the photo and passport expiration date. Use a valid passport even if it is not the passport you used to enter the US most recently. (You will provide information on the expired passport on pg. 7.)

- 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

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

OR

- 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.
- Copies of original I-20s are best, but 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:

- 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.
- I-20s should show the same SEVIS ID Number
- You can also request a letter from your BIO adviser for your OPT application

### Berkeley International Office

**SPECIAL CASE**

**Step 2: Prepare and Mail the OPT Application**

#### Berkeley International Office

**01-January 2019**

**PROGRAM START/END DATE**

01-JANUARY 2019 - 17 MAY 2019
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

- USCIS must receive your complete 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. Please account for mailing time.
- Additionally, USCIS must receive your application before the end of your 60 day grace period.
- Track the status of your mailed application to be certain it was delivered on time.

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.
TOP 3 MOST COMMON OPT DENIAL REASONS

1. Payment problems:
   - Check or Credit Card payment: Money is not in account at time of processing
   - Incorrect fee amount. Check the current fee at: [https://www.uscis.gov/i-765](https://www.uscis.gov/i-765)
   - Check, money order, or credit card form not completed properly
   - Wrong dates on check, money order (U.S Date style = MONTH/DAY/YEAR = MM/DD/YYYY)

2. 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 that your OPT has been rejected or denied. 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.

3. I-765 problems:
   - Incomplete or incorrect form fields
   - Not signed, or not signed in ink by hand
   - Wrong version of the form

Check the Current Edition of the form:
[https://www.uscis.gov/i-765](https://www.uscis.gov/i-765)

Applications may be rejected or denied for other reasons. These are the most common reasons as observed by BIO advisers.

If your application is rejected or denied you might still be able to re-apply to USCIS before the end of your 60-day grace period.

If you receive a Rejection or Denial (or Request for Evidence) notify BIO immediately, and ask for advice before your response. BIO sees many re-application denials which could have been avoided by consulting an adviser before response.
Mailing the OPT Application from California

USCIS Mailing Addresses
for people who live in California*

FedEx, UPS, & Other Express Carrier Mail, requesting signature from the addressee:
USCIS
Attn: NFB AOS
1820 E. Skyharbor, Circle S
Suite 100
Phoenix, AZ 85034

BIO recommends FedEx as a reliable option. If using FedEx or UPS, use the above address. Be sure your mailing option includes tracking and guaranteed delivery.

U.S. Postal Service Mail
USCIS
PO Box 21281
Phoenix, AZ 85036

If using USPS, choose Express or Priority Mail option and use the above address. Be sure your mailing option includes tracking and guaranteed delivery.

* If you do not live in California, see the next slide for mailing information.
Mailing From Outside California

If living in...

Mail your application to...

**U.S. Postal Service**
USCIS
PO Box 660867
Dallas, TX 75266

**Express Deliveries**
USCIS
Attn: NFB AOS
2501 S. State Hwy 121 Business Suite 400
Lewisville, TX 75067

**U.S. Postal Service**
USCIS
PO Box 21281
Phoenix, AZ 85036

**Express Deliveries**
USCIS
Attn: NFB AOS
1820 E Skyharbor Circle S Suite 100
Phoenix, AZ 85034

I-797C Notice of Action

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](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. 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.

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*Berkeley International Office*

*Step 3: Receive the Employment Authorization Document (EAD)*

*Department of Homeland Security*

*US Citizenship and Immigration Services*

*This Notice Does Not Grant Any Immigration Status Or Benefit*

*Berkeley International Office*
USCIS Issues & Tracking Your Case

**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.”

**General Case Tracking:**
If you don’t sign up for an account, 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 your case is pending longer than the normal processing time. See current USCIS processing times for Form“I-765” for “Potomac Service Center” here: https://egov.uscis.gov/processing-time/

• If there is an error on your receipt notice or EAD card

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 and Rejection/Denial

RFE

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

Rejection/Denial

In some cases, the USCIS will return the entire application to you. If this happens, you must make corrections and send a new application before the end date of your 60-day grace period.

NOTIFY BIO that your OPT has been rejected or denied! You MUST request a NEW OPT I-20 recommendation from BIO before you resubmit 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.

Contact BIO IMMEDIATELY if you receive an RFE, rejection, or denial.

To avoid delays, review your application materials for completeness and sign all the forms before mailing them to the USCIS.
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.
Driver License Applications & Renewal

- If your California Driver License has expired, you can only renew the license after your OPT EAD has been approved.

- This is because your I-20 has expired, and without proof of the OPT approval (and continuing F-1 status) you won’t qualify to renew the license.

- If you live in a state other than California, check with the local DMV regarding requirements for renewal.
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 website on how to avoid immigration scams, report fraud, and find authorized legal services.
• You can report immigration scams by contacting the FTC. Please visit the USCIS Avoid Scams Initiative website to learn more about avoiding immigration scams and reporting fraud.
Your Responsibilities during OPT

1. Reporting Requirements
2. Employment Requirements
3. Travel Documents for Re-entry
4. Applying for an F-1 Visa on OPT
1. Reporting Requirements: BIO SSU HUB—MANDATORY

- ALL STUDENTS ON OPT/STEM ARE REQUIRED TO USE THE BIO SSU HUB TO SUBMIT OPT UPDATES. BIO SSU Hub is a Berkeley International Office system.

- Submit updates online at io.berkeley.edu/ssu

- You will need to register for an SSU Hub account at your first login.

SEVP Portal—OPTIONAL

- The Student Exchange Visitor Program (SEVP) has its own “SEVP Portal” for students on OPT/STEM. On Day 1 of your Approved OPT, you will receive an email from SEVP with instructions on how to create an account. This email will come from do-not-reply.sevp@ice.dhs.gov.

- Be aware of scams—SEVP will NEVER ask you for a payment to register to register for the optional SEVP Portal.

- Registration for SEVP Portal is OPTIONAL. BIO WILL NOT USE the SEVP Portal for OPT reporting purposes. We recommend that you use the SEVP Portal as view only and continue to use SSU Hub to update your information.
REPORTING REQUIREMENTS: BIO SSU HUB

ALL STUDENTS ON OPT/STEM ARE REQUIRED TO USE THE BIO SSU HUB TO SUBMIT OPT UPDATES. BIO SSU Hub is a Berkeley International Office system.

The following information must be reported to Berkeley International Office during the post-completion OPT period of authorization within 10 days of any changes:

• Your residential address
• Your phone and email address
• Employer’s name
• Employer’s address
• Job Title(s)
• Explanation of how your job(s) relates to your major area of study at UCB (see following section for further detail)
• Start and/or end dates of employment
• Any periods of unemployment
• Date of exiting the U.S. (You must provide date of exit if you decide to exit the U.S and complete your OPT status prior to the end date of your OPT)
• If your visa status changes while on OPT
• You are required to update this information within 10 days of any changes. Keep a receipt copy of the web site each time you report a change.
2. Employment Requirements

• You can only work during the dates listed on your approved OPT card.

• You must work a minimum of **20 hours per week** in a position related to your field of study. For more information, visit “Qualifying OPT Employment.”

• You cannot exceed more than **90 days of unemployment** while on OPT. Days of unemployment prior to your EAD start date do not count towards the 90 days. It is your responsibility to keep records of your employment and any periods of unemployment.

• For more information see: OPT Unemployment Allowances

• Cannabis Industry - be aware that use and sale of cannabis is illegal at the federal level, although it may be legal in some U.S. states. To avoid possible deportation or inadmissibility form the U.S., students should avoid positions related to federally illegal substances.
Direct relation to degree

• Federal regulations require that F-1 students on OPT provide a description of how their employment relates to their major area of study.

• There must be a logical connection between the duties involved in the OPT employment and the student’s major area of study. In the written description, the regular duties should be explained and the connection between those duties and the degree should be described.
Examples: Direct relation to degree

• **1. Bachelor’s degree in Electrical Engineering:** I work full time as an Electrical Engineer at ABC Corp., a government contractor. In my job, I analyze client requirements for electrical systems and provide them with cost estimates of such systems. My work requires understanding of electrical circuit theory, which I studied in-depth at the University of ABC.

• **2. Bachelor’s degree in Business:** I work full time as a Loan Officer at a mortgage company, Happy Homes, where I meet with clients and evaluate, authorize and recommend approval of loan applications. On a daily basis, I use the knowledge I gained in my credit analysis, sales and marketing classes that I took as part of my major program of study.

• **3. Master’s degree in Music:** I am working at a hospital playing the harp in patient rooms. I also conduct hands-on harp beginner workshops for long-term patients. On average, I work at the hospital 35 hours a week. My duties directly utilize the skills and knowledge I acquired from my coursework and degree in music therapy.

• **4. PhD in Computer Science:** I am employed as a Computer and Information Research Scientist at ABC Research Institute. I work as part of a team of scientists and engineers that designs experiments to test the operation of various software systems. My work builds on research in complex algorithms and machine learning, which I studied as part of my dissertation.

• **5. Master’s degree in Kinesiology:** I am working 25 hours a week in a health food store as a consultant for Self-Made Inc., designing and teaching exercise classes that are incorporated into a customer’s overall nutrition and exercise plan. My designs and customer instruction draw upon my studies and classwork in exercise therapy and physical reconditioning.
## 3. Travel Documents for Re-entry

<table>
<thead>
<tr>
<th>Documents</th>
<th>Before Completing Program &amp; Before EAD issuance</th>
<th>After Completing Program &amp; Before EAD issuance</th>
<th>After Completing Program &amp; After EAD issuance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Valid passport</td>
<td>✅</td>
<td>✅</td>
<td>✅</td>
</tr>
<tr>
<td>Valid F-1 visa stamp (if applicable)</td>
<td>✅</td>
<td>✅</td>
<td>✅</td>
</tr>
<tr>
<td>OPT I-20 with a valid travel endorsement signed within 6 months by a BIO Advisor (page 2)</td>
<td>✅</td>
<td>✅</td>
<td>✅</td>
</tr>
<tr>
<td>Evidence of continued enrollment (e.g. Enrollment Verification from CalCentral)</td>
<td>✅</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Evidence of financial support</td>
<td>Strongly recommended</td>
<td>Strongly recommended</td>
<td>Strongly recommended</td>
</tr>
<tr>
<td>OPT receipt: I-797 Notice of Action</td>
<td></td>
<td>✅</td>
<td></td>
</tr>
<tr>
<td>Job offer letter from employer</td>
<td></td>
<td>Strongly recommended</td>
<td>✅</td>
</tr>
<tr>
<td>EAD (Employment Authorization Document)</td>
<td></td>
<td></td>
<td>✅</td>
</tr>
</tbody>
</table>

Your admission to the U.S. is always at the discretion of the Customs and Border Protection Officers. To avoid problems, you must have the required documents outlined above.
Important Information on Travel

• Avoid long absences from the U.S. during the OPT period. Time spent outside of the U.S. while unemployed by a U.S. employer counts toward your 90 days of unemployment.
• Attempting to re-enter the U.S. close to the expiration date of your OPT can be risky.
• You must not enter the U.S. in a status other than F-1. This may result in the loss of your OPT eligibility.

Travel after Program Completion, But Before OPT Card is received

• There is a higher risk associated with travel and return while your OPT is pending after the program completion date. If there are any problems with your application, you may not be able to respond to USCIS in a timely manner, which could delay processing of your EAD.
• If your OPT application is denied while outside the U.S., you will not be able to re-enter the U.S. in F-1 status and will not be able to reapply.
4. Applying for an F-1 Visa on OPT

If you are traveling abroad and your F-1 visa has expired, you must obtain a new F-1 visa before returning to the U.S. When going to your visa interview, bring the documents below. For more information, visit: http://internationaloffice.berkeley.edu/visa_application

1. Valid passport
2. Valid I-20 with travel endorsement from a Berkeley International Office advisor within the past 6 months
3. Unexpired EAD Card
4. Job offer letter or proof of current employment directly related to your field of study
5. Evidence of sufficient funds (e.g. a bank statement, a letter from a sponsor or a job offer letter)

Check the U.S. Department of State web site for more information about getting a visa and specific requirements at the local embassy or consulate at www.travel.state.gov
5. Completing OPT & Grace Period

• You have a 60 day grace period following the end of the OPT EAD.
• Failure to exit, continue your F-1 status, or timely file an Extension or USCIS Change of Status will result in accrual of days of unlawful presence.
• If you intend to apply for an OPT STEM Extension, you must do so before the expiration of your 12 month OPT.
• The only additional extension of OPT available is the OPT Cap Gap Extension, for students who have an accepted cap-subject H1-B application.
• If you receive an Extension of your OPT, the grace period will begin after the end of the Extension period.

If you do not extend your OPT, and your EAD expires, you have the following options before the end of the 60 days grace period:

1. Exit the US within 60 days
2. Continue your F-1 Status & Studies: Transfer your I-20 to continue studies at another school OR request a Change of Educational Level to begin new studies at UC Berkeley
3. Work with immigration legal counsel regarding a Change of Status application to a new visa category. You will need to check with your legal counsel regarding your allowed period of stay or required exit date if you have a pending change of status when your grace period ends.
More Information

Consult the Berkeley International Office [OPT webpage] for detailed information related to:

- Frequently Asked Questions (FAQs)
- Address and Employer Reporting System
- Types of Qualifying Employment
- 90-Day Unemployment Rule
- Beginning a New Program of Study
- Taking Classes While on OPT
- Traveling Outside the U.S.
- Early Completion of OPT
- OPT STEM Extension
- Cap-Gap Extension
Final check of your OPT application

Want to review all your documents in detail before mailing them to USCIS? Attend one of BIO’s OPT Document Check Workshops!

These group workshops 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?
Come talk to a BIO advisor at Berkeley International Office during advising hours.
Office Hours

internationaloffice@berkeley.edu

510-642-2818