University of Nevada, Reno

Optional Practical Training

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What is OPT?

- **"Temporary employment for practical training directly related to the student's major area of study"**

8 CFR 214.2(f)(10)(ii).

What is Post-Completion OPT?

- **12 months of work authorization**
- **Starts after program completion**
- **Employment in field of study (Major on I-20)**

Who Can Apply for OPT?

- **Student must have been enrolled full-time for one continuous academic year.**

- **Student must not have used full-time Curricular Practical Training for 12 months or more.**

- **Student must not have used 12 months of OPT at current education level. Students are eligible for 12 months of OPT per higher education level.**

- **Student must apply for graduation if graduating in the semester before OPT starts.**

- **Student must be maintaining F-1 status.**

OPT Timeline
(Spring Graduation)

FEB   MAR   APR   MAY   JUN   JUL   AUG

Program Completion:
05/15/2024
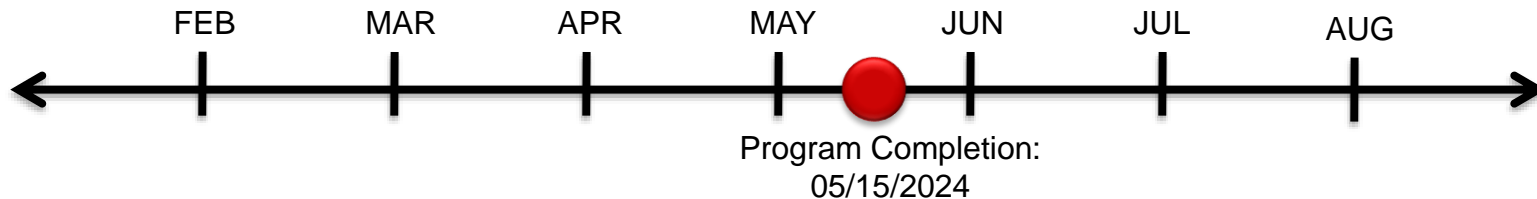
When to get appointment with OISS to apply:

90 days: 02/15/2024   60 days: 07/12/2024 (F)

Choose a date for work authorization to start:

60 days:

05/16/2024 to 07/14/2024

End date*: Up to 12 months after start date

*End date cannot be more than 14 months after program completion

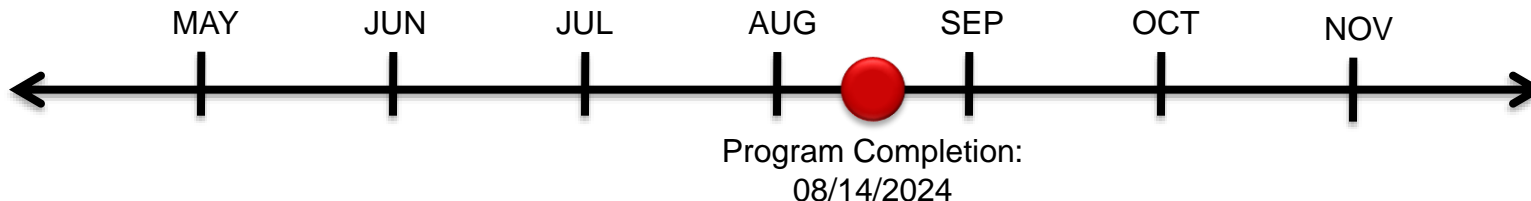**How long should it take to receive the OPT card:** 90 days from the date USCIS receives application

What about using CPT to start working earlier:

CPT

End date: 05/15/2024

OPT Timeline
(Summer Graduation)

MAY   JUN   JUL   AUG   SEP   OCT   NOV

Program Completion:
08/14/2024

When to get appointment with OISS to apply:

90 days: 05/16/2024   60 days: 10/11/2024 (F)

Choose a date for work authorization to start:
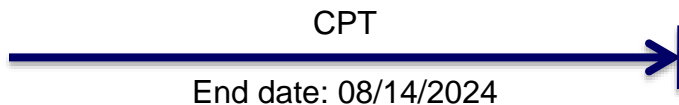
60 days:

08/15/2024 to 10/13/2024

End date*: Up to 12 months after start date

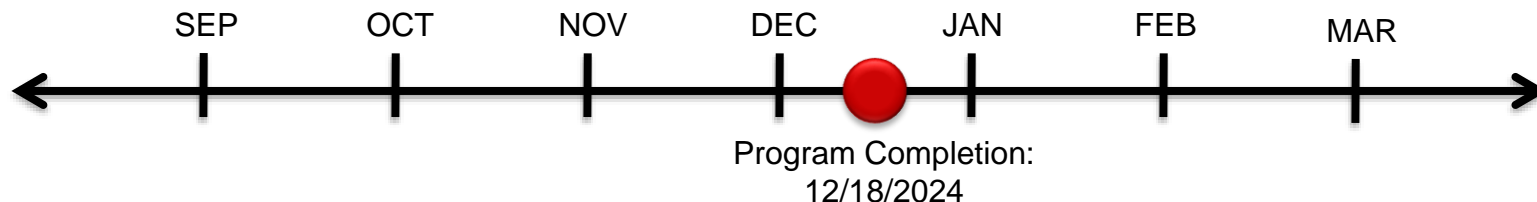 *End date cannot be more than 14 months after program completion

How long should it take to receive the OPT card: 90 days from the date USCIS receives application

What about using CPT to start working earlier:

CPT

End date: 08/14/2024

OPT Timeline
(Fall Graduation)

SEP   OCT   NOV   DEC   JAN   FEB   MAR

Program Completion:
12/18/2024

When to get appointment with OISS to apply:

90 days: 09/19/2024

60 days: 02/14/2025 (F)

Choose a date for work authorization to start:

60 days:

12/19/2024 to 02/16/2025

End date*: Up to 12 months after start date

*End date cannot be more than 14 months after program completion

How long should it take to receive the OPT card: 90 days from the date USCIS receives application

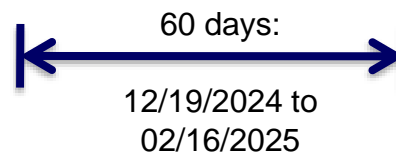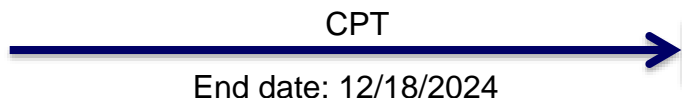**What about using CPT to start working earlier:**

CPT

End date: 12/18/2024

90 Day Unemployment Rule

- **You should not accumulate more than 90 days of unemployment from the start date on your EAD card during the 12-month post-completion OPT period.**

- **You are considered to be in violation of your F-1 status if you accumulate 90+ days of unemployment unless you complete any of the following steps before the 90 days:**

  - Applied for a new program or to transfer to another U.S. institution;

  - Left the U.S.;

  - Applied for a change of status.

How to Avoid 90 Days of Unemployment

- **Plan your OPT start date.**
- **Find other types of employment in your field of study with at least 20 hours of work per week:**
  - Part-time (less than 20 hours per week) paid employment;
    - Requires more than 1 employer if less than 20 hours per week
  - Volunteering/unpaid employment;
  - Employment hours may vary weekly but should average to at least 20 hours per week each month.

Always keep documentation for proof all employment – paid or unpaid!

How to Apply

1. **Complete the steps at [Optional Practical Training (OPT) Form](#).**

   - All documents uploaded to the OPT Request should not be secured;

   - DO NOT include your SSN in the I-765 upload.

2. **Contact OISS to schedule a virtual appointment with an advisor at OISS for OPT.**

   - You must have all required documents at the appointment. Failure to have the required documents and information will cause delays in processing your request.

4. **If you have all the required items, the OISS advisor will create a new I-20 recommending OPT.**

   ❖ The OISS advisor will shorten the end date on your I-20 in order to recommend post-completion OPT.

5. **Submit the application online or mail the OPT packet to USCIS and wait for your receipt and card.**

6. **Please allow 90 days from the day USCIS receives your application for processing.**

Premium Processing

- **Students may concurrently file [Form I-907](#) online or by mail for [premium processing](#) of their OPT application for an additional $1,500^{00}.**

- **With premium processing, USCIS has 30 calendar days to adjudicate (process) the I-765 application after they determine that they have all the necessary documentation to process the I-765 application.**

  - If an RFE or RFI is issued, the 30-day period begins again.

Premium Processing (cont.)

- **If you file online, you will submit Form I-907 after submitting your I-765.**

- **If you file by mail, you may mail both forms at the same time with two separate payments.**

- **OISS recommends you consider [USCIS I-765 processing times](#) before deciding to file for premium processing.**

  - OPT Form I-765 applications are processed at the Potomac Service Center.

OPT Online Filing

USCIS has [Form I-765](#) available for online filing for OPT applications. Go to [USCIS File Online](#) and [Benefits of Filing Online](#) for more information.

- **You will still need to follow the steps to request an OPT recommendation I-20 to upload to your online Form I-765 application.**

- **Download the draft PDF of your filled in online I-765 to upload to the OPT Application below.**

  – The "View draft snapshot" link to get the PDF is found in "Review and Submit" under "Your application summary".

OPT Online Filing (cont.)

- **DO NOT pay the filing fee and submit the online I-765 before getting the OPT recommendation I-20.**
  - You will need to upload the OPT recommendation I-20 to your online I-765 application;
  - Upload only the supporting documents requested on the online I-765; they will be different from what is listed for the mailing in option.
- **If you file online, DO NOT mail in an application; use only one filing option.**

OPT Packet (What to Mail)

1. Optional: Students may attach [Form G-1145](#) (E-Notification of Application/Petition Acceptance) to the 1st page of the application to request an e-Notification (email or text) of the receipt of the application at the USCIS Lockbox facility. There is no fee for this service.

OPT Packet (What to Mail, cont.)

2. ***Money order, personal check, cashier's check, or credit card using <u>Form G-1450, Authorization for Credit Card Transactions</u> in U.S. currency for the filing fee payment of \$410^{00} (four hundred and ten).**

   ❖ Make checks and money orders payable to the U.S. Department of Homeland Security with "OPT filing fee" in the memo line;

   ❖ Remember to sign the money order, personal check, or Form G-1450.

* Filing fee subject to change, check http://www.uscis.gov/i-765 for the correct fee

3. **2 identical passport photos (2" x 2") taken within 30 days of filing your application with your name and I-94 number lightly written on the back of the photos using a pencil or felt tip pen and in a small envelope or the vendor provided photo sleeve. Go to https://travel.state.gov/content/passports/en/passports/photos/photos.html for specifications.**

   ❖ If filing online, request a digital copy of the passport photo.

OPT Packet (What to Mail cont. (3))

4. **Completed original Form I-765 (Application for Employment Authorization). You may find the form and instructions at http://www.uscis.gov/i-765:**

    ❖ Read the instructions and questions carefully;

    ❖ We recommend you type your responses;

    ❖ If a question does not apply to you, type or print (handwrite) "N/A" unless otherwise directed;

      ❖ If you are typing your application, the form does not allow you to enter the "/" therefore you will have to handwrite "N/A" in black text after printing the application.

    ❖ If your answer to a numeric response is zero or none, type or print "None" unless otherwise directed;

    ❖ Use black ink to print and sign.

OPT Packet (What to Mail cont. (4))

5. Copy of the 1st and 2nd pages of I-20 with OPT recommendation.

6. Copies of the bio page of your current passport (include extension page if applicable), current visa (even if it is expired), and Form I-94.

7. Copies of the 1st and 2nd pages (or 1st and 3rd pages for I-20s issued before July 2015) of any I-20s with employment authorization (CPT, OPT, STEM OPT).

8. If you changed your status to F-1 within the U.S., make a copy of Form I-797 Approval Notice.

9. Front and back copy of any previous EAD card(s), if applicable.

Where to Send the OPT Packet

Filing address subject to change. Refer to the "Where to File" section at http://www.uscis.gov/i-765 for the correct filing address.

Form Details

Close All   Open All

Edition Date ⌄

Where to File ⌃

The filing address depends on your reason for applying and the eligibility category you entered in Question 27. Please check the filing locations for Form I-765 for a list of addresses. If you file at a Lockbox, read our filing tips.

Filing Tips for Form I-765, Application for Employment Authorization

Complete **all sections** of the form.

Don't forget to sign your form! We will reject and return any unsigned form.

Filing Fee ⌄

Close All   Open All

Asylees/refugees and their spouses and children ⌄

Categories based on nationality ⌄

Foreign students ⌃

Eligibility Category 8 CFR 274a.12 This is the category you selected in question 27 on Form I-765	Category Description	Filing Location
	F-1 Optional Practical Training (OPT)	

Where to Send the OPT Packet (cont.)

- **To reduce the chances of your OPT application being rejected or denied by USCIS, the OPT application packet must:**
  - Use USCIS forms with the correct edition date;
  - Not be received by USCIS more than 90 days before your program end date;
  - Be received by USCIS within 30 days of the I-20 issue date listed at the bottom of the first page of your I-20 or 60 days of your program completion, whichever comes first.

What to Expect After Filing Online or Mailing

- **In 2 to 4 weeks USCIS will mail your Form I-797C Receipt Notice that will have a Receipt Number and Received Date confirming that USCIS has received your OPT application:**

  - For online filing, you will get an email message notification with your receipt number within 24 hours of USCIS accepting your application – you will still get a receipt notice in the mail;

  - If you included Form G-1145 with your application packet, you will get an email and/or text message notification with your receipt number within 24 hours of USCIS accepting your application – you will still get a receipt notice in the mail.

What to Expect After Filing Online or Mailing (cont.)

- **Check the status of your OPT application online using your receipt number at https://www.uscis.gov.**

- **About 90 days from the receipt date on the receipt notice, you should receive the OPT card.**

- **If you receive a Request For Evidence (RFE) or Request for Information (RFI), contact an OISS advisor immediately.**

FORM I-765

- **Go to [Sample OPT I-765](#) for a sample I-765.**
- Make sure you are using the correct edition otherwise USCIS will reject your application. Check "Edition Date" at [Form I-765](#).
- If you need more space than is provided in Part 6 (page 7), you may use extra copies of the page.

FORM I-765 – PAGE 1

- Enter your name as it appears on your I-20.
- Enter any previous names, including aliases, maiden name, and nicknames.
- If you need extra space to complete this section, use the space provided in Part 6.

FORM I-765 – PAGE 2

- Your U.S. Mailing Address will be used by USCIS to mail any documents for your application.

- If your mail is sent to someone other than yourself, please include an "In Care Of Name" as part of your mailing address.

- If "No" to item 6, enter your U.S. Physical Address.

- F-1 students do not have an A-Number.

- If you previously filed online, enter a USCIS Online Account Number.

- Item 12: check yes if you have previously applied for an EAD.

FORM I-765 – PAGE 3

- Go to [Get Most Recent I-94](#) to retrieve and print your I-94 unless you changed your status in the U.S.

  – Items 21.a., 22, and 24 can be found on your I-94;

  – Your travel history is not required.

- Item 23 can be found on the last admission stamp in your passport.

  – If you drove across the border, enter the name of the city where you entered the U.S.

FORM I-765 – PAGE 3 cont.

- Item 27: Enter (c)(3)(B) for post-completion OPT (to start OPT after program completion or during thesis/dissertation stage after completing all required coursework).

- Items 28 to 31.b. do not apply to a 12-month post-completion OPT application.

FORM I-765 – PAGES 4 to 6

- Read the full "Declaration and Certification" carefully.

- Float your handwritten signature inside the "Applicant's Signature" box, do not touch or go outside the lines.

- Parts 4 to 5 do not apply to you if you completed the form yourself.

- Complete this page if:
  - You need more space for any of the items in Parts 2 to 5;
  - You have used a different SEVIS ID in F-1 status in the U.S. (for example, you attended school for a while, left the U.S. to take a break from school, and returned with a new I-20, you would have a SEVIS ID from your first period of attendance that is different than your current SEVIS ID);
  - You have been approved for CPT, OPT, SEH, or TPS in the past.

What About Travel Outside the U.S.?

- **You may travel out of the country and return before the program end date on your OPT I-20 with a travel signature and a valid passport and visa.**

- **If you want to re-enter the U.S. after your program end date, have the following documents with you:**

  - OPT I-20 signed for travel (valid for 6 months) on the 2nd page;

  - Valid visa (it is possible to renew a visa after OPT approval);

  - Passport valid for at least 6 months from the date you re-enter;

  - Receipt notice if your OPT has not been approved;

  - OPT EAD card and job offer/contract if your OPT has been approved.

- **Please note, re-entry after travel out of the country is never guaranteed. If your application is denied while you are out of the country, it may not be possible for you to return on the F-1 visa or to resume OPT.**

What if I Don't Graduate and Post-Completion OPT Has Not Been Approved?

- **You may keep the OPT and take part-time classes while maintaining your OPT.**

- **You may withdraw your application by writing a letter to USCIS requesting the withdrawal with an explanation of the reason for the withdrawal.**

  - The OISS advisor will email the letter to USCIS.

- **You will NOT be reimbursed your Form I-765 filing fee.**

What if I Don't Graduate and Post-Completion OPT Has Been Approved?

- **If <u>coursework</u> is still required during fall and spring semesters only work part-time (up to 20 hours/week). The 90-day unemployment limitation will still apply.**

- **If you only have your thesis or dissertation, you may work full-time.**

- **You must complete your program before your OPT ends since your I-20 cannot be extended.**

OPT Reporting Requirements

- **Use the OISS Portal (recommended) or the SEVP Portal to report:**

  - Changes to your mailing or physical address;

  - Telephone number changes;

  - Employment updates.

- **Report within 10 days of change.**

- **Email OISS after you update your information in the SEVP Portal to confirm the update.**

OPT Reporting Requirements cont. (2)

OISS Portal

- **Login to international.unr.edu using the "Log in with Portal Account".**

- **Employment update: Go to the "Request & Document Center" to submit the "OPT Employment Update" request in the "What can we help you with?" section. OISS will be notified when you submit an update.**

- **Contact information update: Go to the "Request & Document Center" to submit the "Contact Information Update" request in the "What can we help you with?" section. OISS will be notified when you submit an update.**

OPT Reporting Requirements, cont. (3)

SEVP Portal

- **On your approved OPT start date, you will receive an email from do-not-reply.sevp@ice.dhs.gov with instructions on creating an SEVP Portal account.**

  - If you do not see the email in your inbox, check your spam or junk mail folder.

  - If you still do not see it after 48 hours of your approved start date, contact OISS at <u>oiss@unr.edu</u> to request an account reset.

  - The link to create your account will expire within 14 days of the date the email is sent.

- **You may go to <u>SEVP Portal Help</u> for more detailed information and guidance videos.**

OPT Reporting Requirements, cont. (4)

- If you cannot update your employment in the SEVP Portal because it is past the 10-day reporting timeline, submit the "OPT Employment Update" in the OISS Portal.

- If you need to change your email address, submit the "Contact Information Update" request in the OISS Portal.

- OPTIONAL: If you want a new I-20 with your OPT employer information, submit the "OPT Employment Update" in the OISS Portal.

- You should maintain health insurance coverage during your OPT authorization period.

I'm starting a new academic program/ level after I graduate, do I need OPT?

1. Must be admitted to new program/school by end of 60 day grace period.
2. New program must start at next available term or within 5 months of program end date, whichever is sooner.
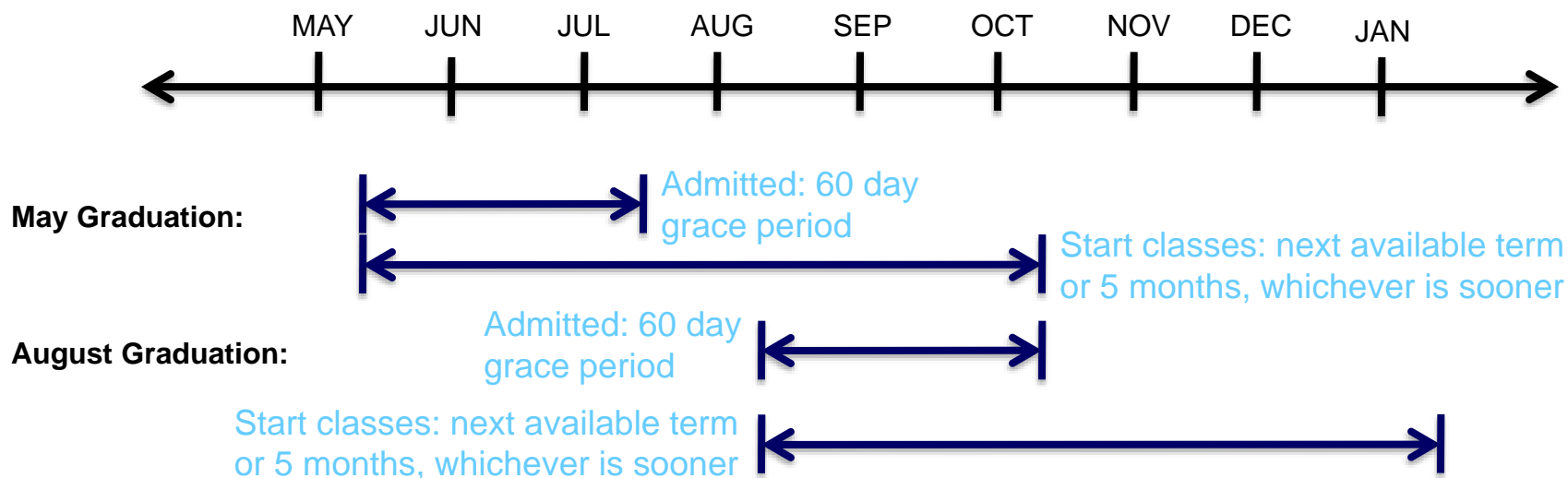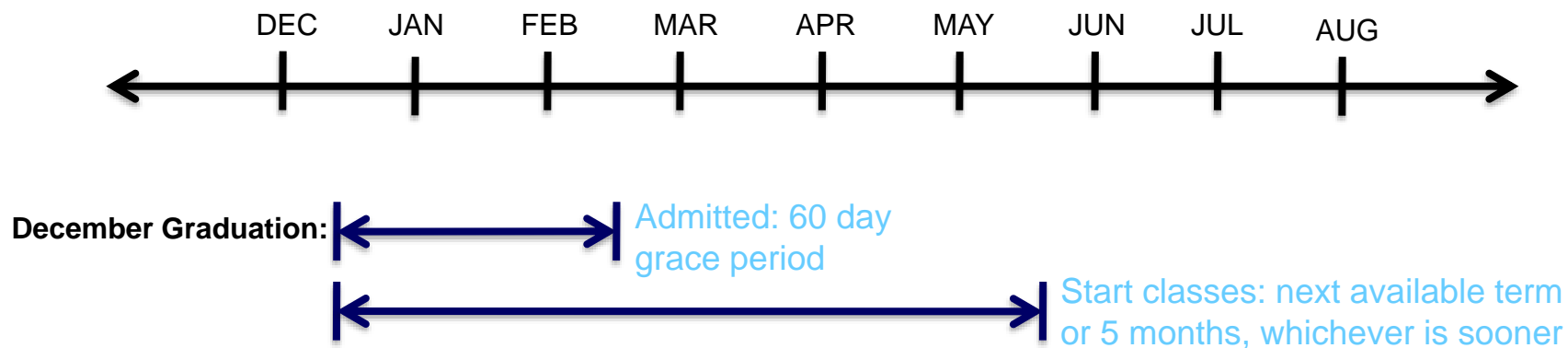

The 90 days of unemployment rule is still applicable if a student applies for OPT to bridge the gap between academic programs.

I'm starting a new academic program/ level after I graduate in December, do I need OPT?

1. Must be admitted to new program/school by end of 60 day grace period.
2. New program must start at next available term or within 5 months of program end date, whichever is sooner.

DEC   JAN   FEB   MAR   APR   MAY   JUN   JUL   AUG

December Graduation:

Admitted: 60 day grace period

Start classes: next available term or 5 months, whichever is sooner

The 90 days of unemployment rule is still applicable if a student applies for OPT to bridge the gap between academic programs.

24-Month STEM OPT Extension Eligibility

- **F-1 students with [STEM field](#) degrees.**

- **Must be working for a U.S. employer in a job directly related to the STEM field of study (traditional paid employment).**

- **Employer MUST be registered in E-Verify.**

- **File for extension up to 90 days before 12-month post-completion OPT ends.**

# H-1B (Specialty Occupations)

- Granted up to 6 years.

- Must have at least a U.S. bachelor's degree (or foreign equivalent).

- Will be working in a job that requires at least a bachelor's degree.

- Employer must be willing to sponsor a visa petition.

- H-1B Cap of 65,000 new H-1B approvals each year. Graduates with U.S. advanced degrees (master's or higher) have an additional allocation of 20,000.

- If your H-1B petition is timely filed, you will be eligible for a "cap gap extension", a period in which a student's status is automatically extended to bridge the gap between the end of F-1 status and start of H-1B status.
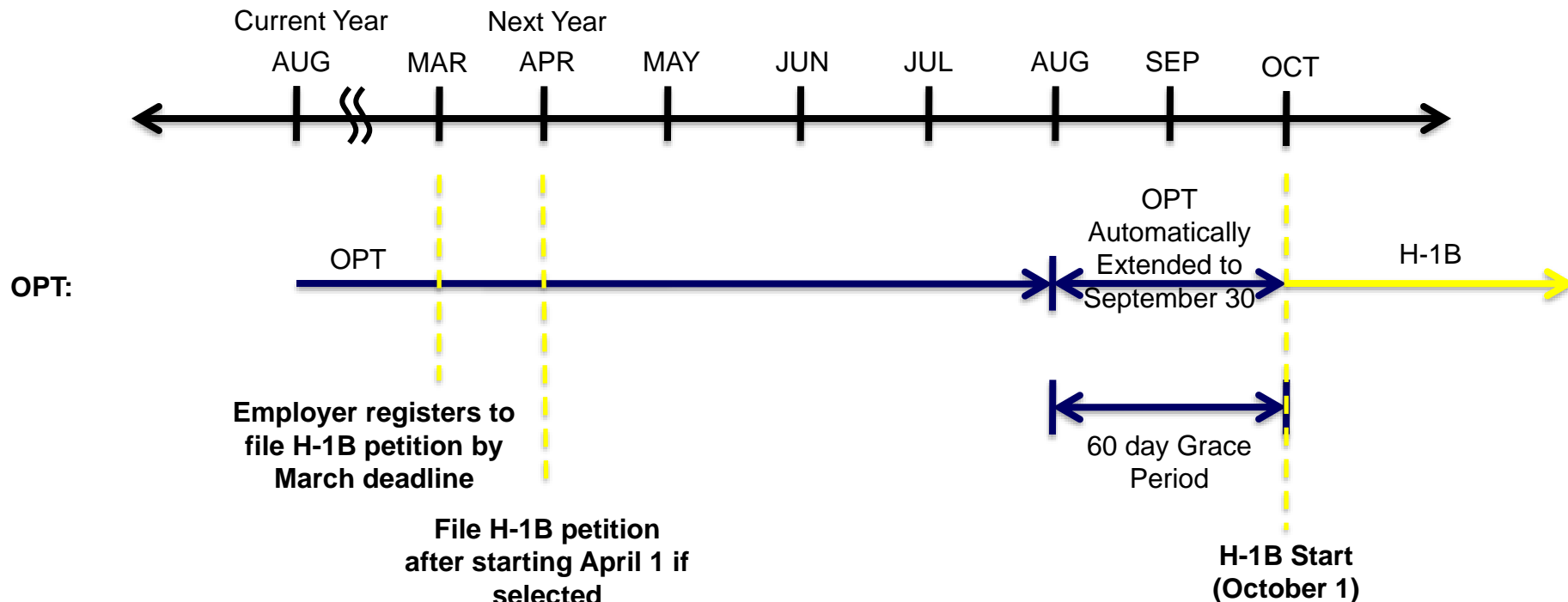
OPT / H-1B Timeline
(Spring Graduation)
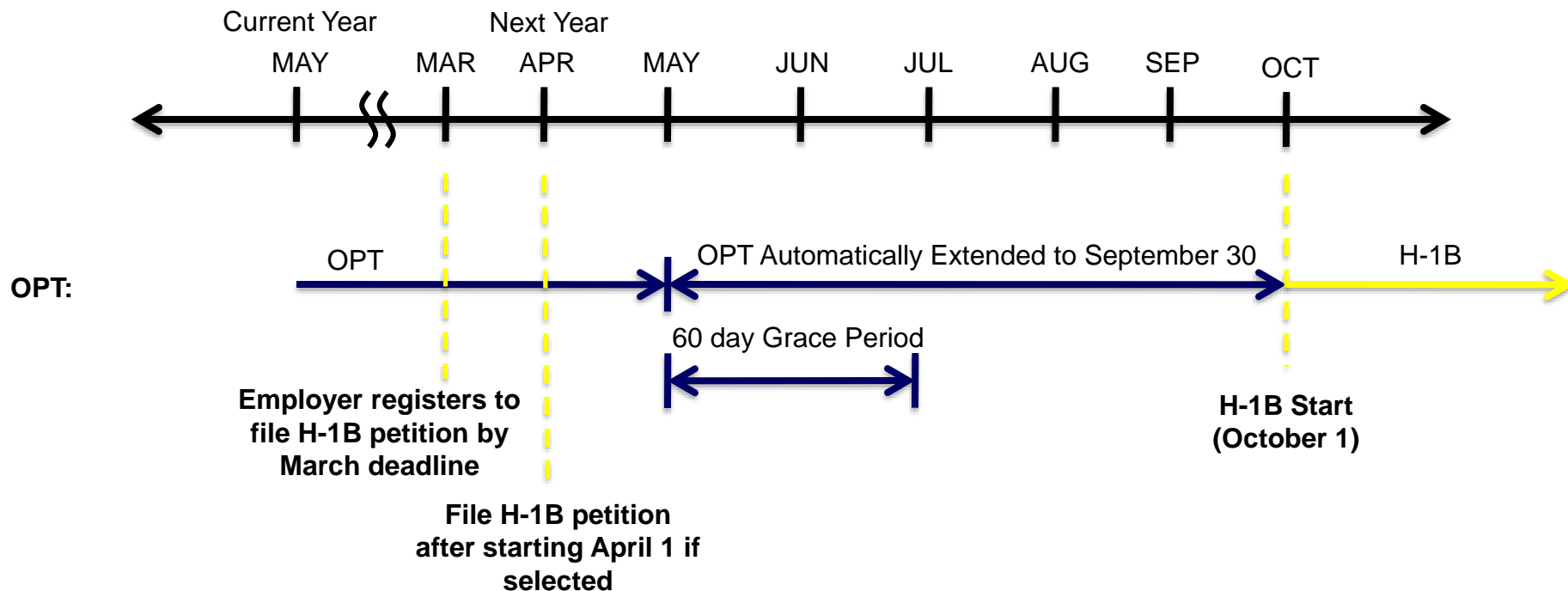
Students are not eligible to have their post-completion OPT extended during the cap-gap period if their OPT ends before their H-1B petition is submitted

OPT / H-1B Timeline
(Summer Graduation)

OPT:

Current Year
AUG   MAR   Next Year
APR   MAY   JUN   JUL   AUG   SEP   OCT

OPT

OPT Automatically Extended to September 30

H-1B

Employer registers to file H-1B petition by March deadline

File H-1B petition after starting April 1 if selected

60 day Grace Period

H-1B Start (October 1)

Students are not eligible to have their post-completion OPT extended during the cap-gap period if their OPT ends before their H-1B petition is submitted
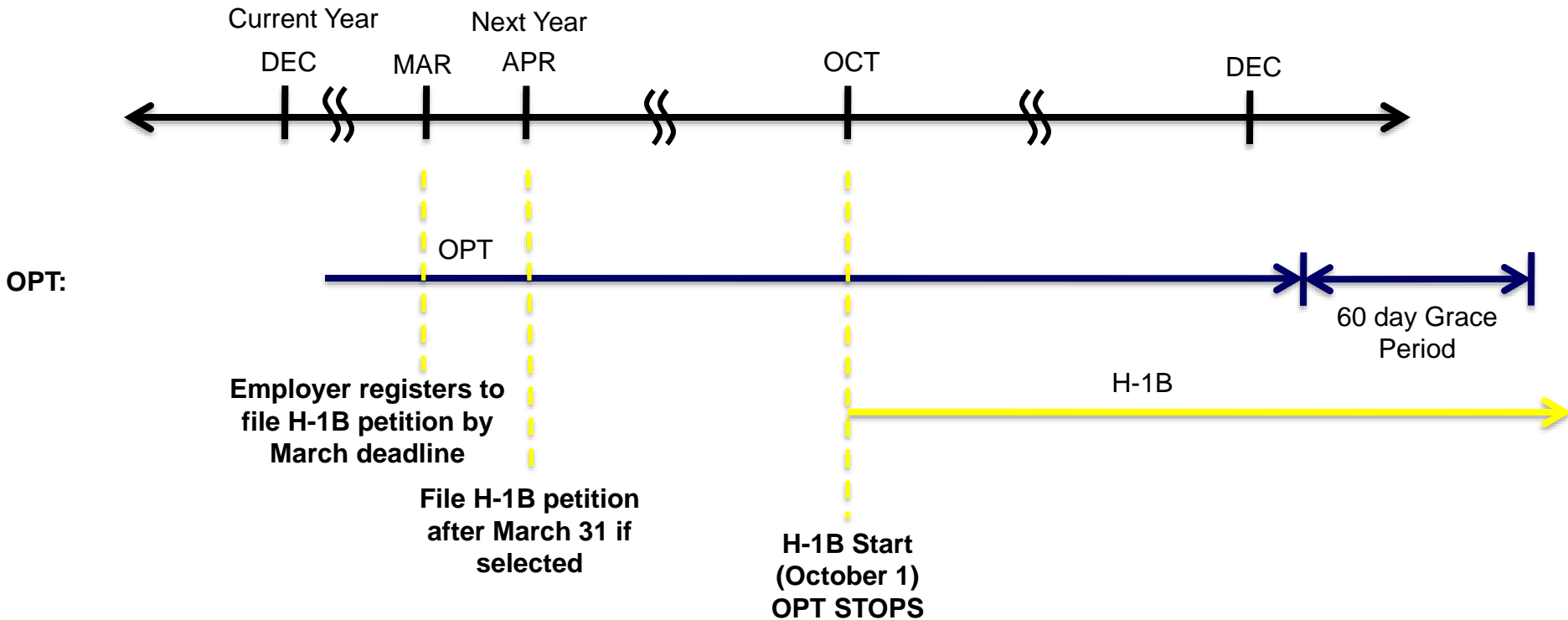
OPT / H-1B Timeline
(Fall Graduation)

OPT and J-1/H-1B in Higher Education

- **J-1 (Researcher/Professor) can be extended to 5 years.**

- **H-1B's are not subject to the quota or the timeline.**

- **Changing status to J-1 or H-1B can take 2 weeks to 6 months, so OPT is recommended to maintain status while the change of status application is pending.**

- **Possible to leave the U.S. apply for new visa and re-enter under the new status.**

- **Consider dependent's work and school options**
  - J-2's can apply to work and engage in full/part-time study;
  - H-4's <u>cannot</u> work, but can engage in full/part-time study.