Regular & STEM OPT Workshop

Workshop for F-1 Students
Wishing to Participate in Optional Practical Training (OPT)

VISA & IMMIGRATION SERVICE ADVISING

OLD DOMINION UNIVERSITY

What is Optional Practical Training (OPT)?

- Regular OPT is temporary employment authorized by USCIS for 12 months and must be directly related to a student's major.

- Some majors (Science, Technology, Engineering and Mathematics) can extend their Regular OPT for an additional 24 months, which is called STEM OPT.

- If your prior degree was in a STEM major you **might** be eligible for the 24 month extension.

- STEM OPT will be discussed later.

Eligibility Requirements

- Sufficient GPA
  - 2.0 for undergrads and 3.0 for grads
- Maintained F-1 status
- Valid passport
- Two previous semesters were full-time OR approved RCL on file.
- OPT workshop within six months of your application submission to VISA
- When your application is submitted to VISA, you must have applied for graduation with the Registrar's office
  - There is an exception to this for Ph.D. students (see later slide).

Eligibility for PhD Students

- You can apply for post-completion OPT before graduation once you have successfully completed all coursework.

- It is recommended that you meet with your VISA advisor if you apply for OPT without having applied for graduation.

OPT Application Timeline

Submission timeframe to VISA:

- Up to 100 days before your program end date
- No more than 30 days after your program end date

Submission timeframe to USCIS:

- Up to 90 days prior to your program end date
- **If your application is received 91 days before the end date=DENIED**
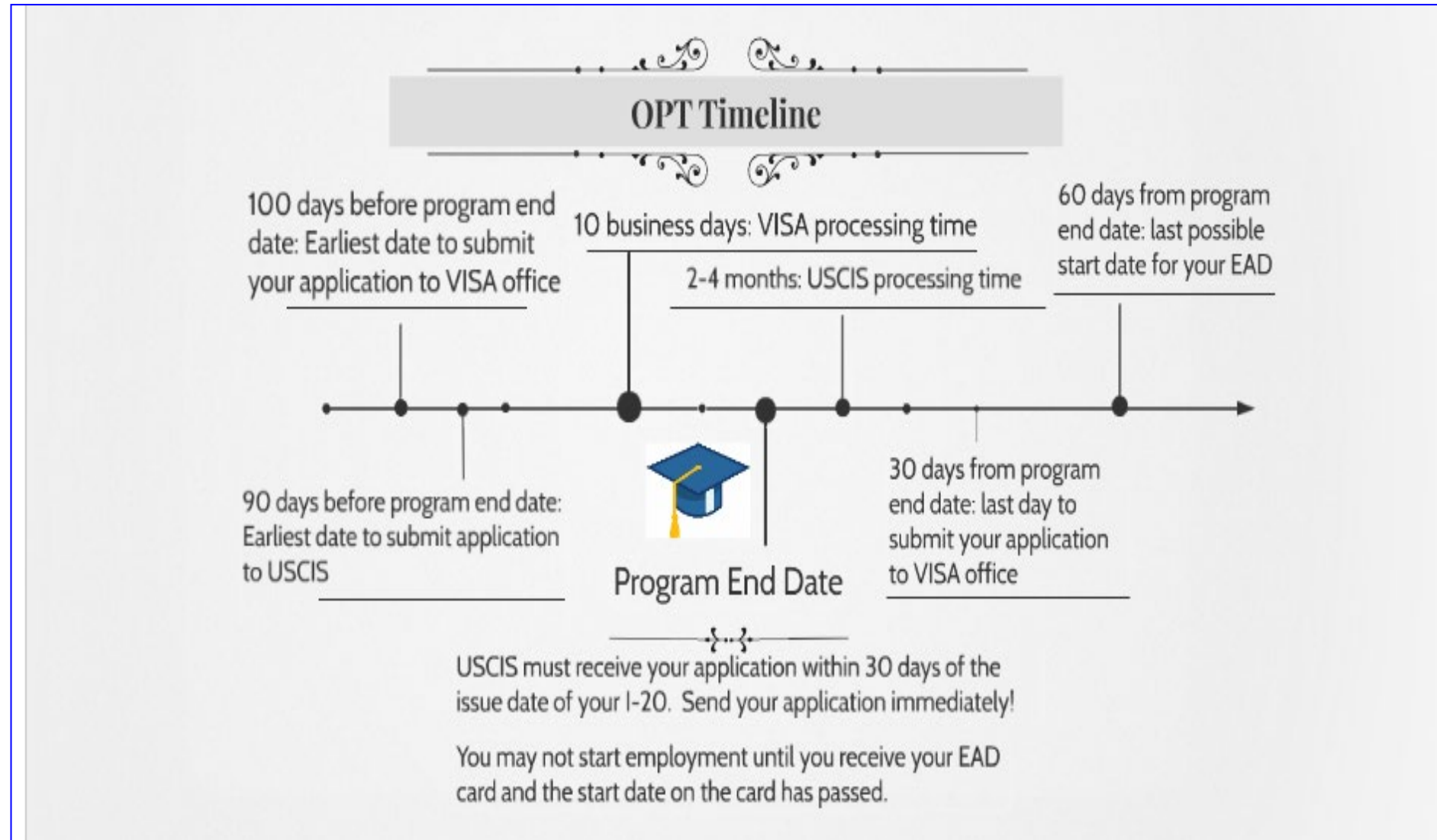- No more than 60 days after your program end date

IMPORTANT !

- USCIS must receive your application within 30 days of the date your OPT I-20 is issued OR before the end of your 60 day grace period, whichever is earlier

If your application is received 31 days after your I-20 was issued=DENIED

OPT Application Timeline

OPT Timeline

100 days before program end date: Earliest date to submit your application to VISA office

10 business days: VISA processing time

2-4 months: USCIS processing time

60 days from program end date: last possible start date for your EAD

90 days before program end date: Earliest date to submit application to USCIS

Program End Date

30 days from program end date: last day to submit your application to VISA office

USCIS must receive your application within 30 days of the issue date of your I-20. Send your application immediately!

You may not start employment until you receive your EAD card and the start date on the card has passed.

Requested Start Date

- VISA Processing Time: 10 business days

- USCIS processing time: approximately 3 - 4 months

- Your start date can be as early as the day after your program end date and must be no later than 60 days after your program end date.

- You may not begin your employment until you have your EAD card in your hand AND the start date is current. You may not work on-campus or off-campus after your program end date until you have received the EAD card and the start date is current. THERE WILL LIKELY BE A GAP IN YOUR EMPLOYMENT AUTHORIZATION SO PLEASE PLAN AHEAD.

Employment Authorization (EAD) Card

- You cannot work until your EAD— sometimes called an OPT card—is in your hand, *even if* your requested start date has passed and/or if the USCIS site says it's been approved.

  - It may take up to two weeks to get your card after the approval is noted on the USCIS site.

  - USCIS encourages students to create a myUSCIS account on their website to view your case status.

OPT Employment

- Regular OPT requires at least 20 hours per week of employment; there is no maximum for the hours.

- You can change jobs without obtaining prior authorization and can have more than one employer.

- You may have up to 90 days of unemployment in Regular OPT.
  - Options before Day 90—PLAN AHEAD!!!!:
    - Look for internship and volunteer opportunities
    - Return to school for a new degree program (but lose OPT)
    - Change to another visa status
    - Leave U.S. and continue job search from home (and return in another status (e.g. H-1B))

Volunteering on OPT

- You may work as a volunteer or unpaid intern on Regular OPT in a field related to your major to stop accruing unemployment days.
    - Note that USCIS states this is possible
    "…where this practice does not violate any labor laws."

- The work must be at least 20 hours per week. You must have evidence—acquired from your employer in the form of a letter—to verify your volunteer hours.

- All OPT-related volunteer work must be submitted to VISA via the OPT Employment Update Form.

Application Checklist

ONLINE

Create an account at myaccount.uscis.gov

1. ODU Request for OPT Form & Regular OPT Responsibilities Form

2. Online Form I-765

3. Passport-style photo (2 by 2 inches) recently taken

4. From your passport:
   1. Biographical information & expiration date pages (**not** the address page)
   2. current U.S. visa stamp page

5. Most recent I-94: Online printout **OR** if you haven't left US since 2013 or have had a change of status in the US, a copy of each side of card/I-94 from approval notice

6. Copies of any previous EADs (if applicable)

7. Copies of CPT and OPT I-20s (if applicable)

8. You will be redirected to pay.gov to make a payment of $470 (up from $410 starting April 1, 2024)

Please scan all documents to intlstu@odu.edu

The checklist can always be found on our website!

OPT I-20 Request: International Student Portal

- To Request your OPT I-20:

- Go to the International Student Portal
  - intl.odu.edu

- Once logged in, select "Request Portal"

OPT I-20 Request: International Student Portal

- Scroll until your see the "OPT Request"
- Click the button circled above

OPT I-20 Request: International Student Portal

- Make sure to upload your GPD-signed OPT form here

OPT I-20 Request: International Student Portal

- Upload your draft I-765
- Upload all other items from the checklist

Application Submission to USCIS

- After your application is processed, you will get an e-mail to your ODU student account. SAVE THIS E-MAIL!

- Your OPT Application to USCIS must have an OPT I-20 from our office. Do not submit your I-765 without an OPT I-20 with requested dates listed on 2nd page

- PAPER APPLICATION: Mail to the address provided in the email.

  - Receipt notice: You will receive a receipt notice within 2-4 weeks by mail.

- ONLINE APPLICATION: Create an account online at myaccount.uscis.gov

  - You will receive the receipt notice immediately, but the processing time remains the same

I-765 FORM TIPS

What is your eligibility category?

REGULAR OPT: (C) (3) (B)   **OR**   STEM OPT: (C) (3) (C)

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

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

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

What is the reason for applying?

REGULAR and STEM OPT

What is your reason for applying?
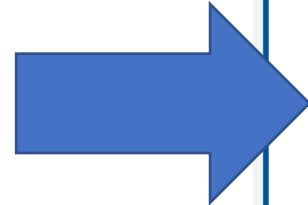
○ Initial permission to accept employment

○ Replacement of lost, stolen, or damaged employment authorization document or correction of my employment authorization document NOT DUE to US Citizenship and Immigration Services error

○ Renewal of permission to accept employment

I-765 FORM TIPS

Upload copies of:
- **Passport ID page**
- **Visa stamp page**

I-765, Application for Employment Authorization

Getting Started ⌄

About You ⌄

Evidence ⌃

2 x 2 photo of you

Form I-94

Employment Authorization Document

Previously authorized CPT or OPT

Form I-20

Additional Information ⌄

Review and Submit ⌄

Employment Authorization Document Or Government ID

Upload a copy of your last Employment Authorization document (EAD) (front and back). If you were not previously issued an EAD, you must upload a copy of a government-issued identity document (such as a passport) showing your picture, name, and date of birth; a birth certificate with photo ID; a visa issued by a foreign consulate; or a national ID document with photo and/or fingerprint. The identity document photocopy must clearly show your facial features and contain your biographical information.

File requirements

- Clear and readable
- Accepted file formats: JPG, JPEG, PDF, TIF or TIFF
- No encrypted or password-protected files
- If your documents are in a foreign language, upload a full English translation and the translator's certification with each original document.
- Upload no more than five documents at a time
- Accepted file name characters: English letters, numbers, spaces, periods, hyphens, underscores, and parentheses
- Maximum size: 6MB per file

Choose or drop files here to upload

I-765 FORM TIPS

Upload copies of:
- **CPT I-20s**
- **OPT I-20s**
- **Previous EAD card**

SKIP if not applicable
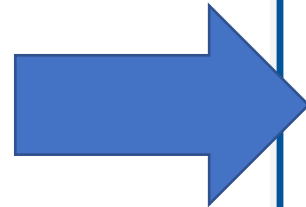
I-765, Application for Employment Authorization

Getting Started ⌄

About You ⌄

Evidence ⌃

   2 x 2 photo of you

   Form I-94

   Employment Authorization Document

   Previously authorized CPT or OPT

   Form I-20

Additional Information ⌄

Review and Submit ⌄

Previously Authorized CPT Or OPT

Upload evidence of any previously authorized CPT or OPT and the academic level at which it was authorized.

File requirements

- Clear and readable
- Accepted file formats: JPG, JPEG, PDF, TIF or TIFF
- No encrypted or password-protected files
- If your documents are in a foreign language, upload a full English translation and the translator's certification with each original document.
- Upload no more than five documents at a time
- Accepted file name characters: English letters, numbers, spaces, periods, hyphens, underscores, and parentheses
- Maximum size: 6MB per file

Choose or drop files here to upload

I-765 FORM : OPT I-20

Upload the OPT I-20 that you will receive from the VISA office AFTER we review your OPT application
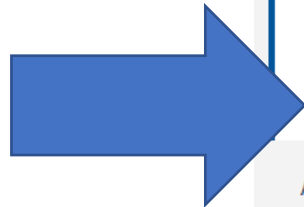
I-765, Application for Employment Authorization

Getting Started

About You

Evidence

    2 x 2 photo of you

    Form I-94

    Employment Authorization Document

    Previously authorized CPT or OPT

    Form I-20

Additional Information

Review and Submit

I-20, Certificate Of Eligibility For Nonimmigrant Student Status

Upload a copy of the Form I-20, Certificate of Eligibility for Nonimmigrant Student Status endorsed by the Designated School Official (DSO). For the (c)(3)(B) eligibility category, your DSO must have entered the recommendation for OPT into your SEVIS record within 30 days of you submitting Form I-765. If you fail to do so, we will deny your OPT request. For the (c)(3)(C) eligibility category, the Form I-20 must have been endorsed by the DSO within 60 days of submitting Form I-765.

File requirements

- Clear and readable
- Accepted file formats: JPG, JPEG, PDF, TIF or TIFF
- No encrypted or password-protected files
- If your documents are in a foreign language, upload a full English translation and the translator's certification with each original document.
- Upload no more than five documents at a time
- Accepted file name characters: English letters, numbers, spaces, periods, hyphens, underscores, and parentheses
- Maximum size: 6MB per file

**Choose** or drop files here to upload

I-765 FORM : Additional Information

You need to complete this part if you had a different SEVIS Number

Example:

Previous SEVIS ID number	
N0012345678 ⇐	Your previous SEVIS Number
09/05/2015 - 05/15/2017 ⇐	Dates you had that SEVIS Number
Bachelor's ⇐	Your educational level with that SEVIS Number

I-765, Application for Employment Authorization

Getting Started ⌄

About You ⌄

Evidence ⌄

Additional Information ⌃

   Additional information

Review and Submit ⌄

Additional Information

If you need to provide any additional information for any of your answers to the questions in this form, enter it into the space below. You should include the questions that you are referencing.

If you do not need to provide any additional information, you may leave this section blank.

+ **Add a response**

Back   Next

OPT Application Review

- You can schedule an appointment with the Graduate Assistant to review your COMPLETED OPT application.

What is OPT?

There are two types of OPT. This page discusses Regular OPT; for information about STEM OPT, please click here. Regular OPT is temporary employment authorized by Immigration for F-1 visa holders for 12 months. It must be directly related to your major and gives you a chance to put your classroom knowledge into real world practice.

Required OPT Workshop

- WATCH PRESENTATION RECORDING
- VIEW PRESENTATION SLIDES
- OPT WORKSHOP REGISTRATION

After watching the video: Please email intlstu@odu.edu, letting us know you have watched it in its entirety and understood it, or with any questions

OPT Application Review

1. Email your completed OPT application packet to intlstu@odu.edu or bring your OPT application to the appointment.
2. Be sure that you have already reviewed the online OPT workshop video.

- SCHEDULE OPT APPLICATION REVIEW APPOINTMENT

Application Submission to USCIS

- **ONLINE APPLICATION:** Do not submit your OPT application **WITHOUT** an OPT I-20 from our office

- **PAPER APPLICATION:** Mail your Regular OPT applications to USCIS, using instructions in e-mail sent when OPT is ready
  - We recommend using United Parcel Service (UPS), FedEx, etc. We do _**NOT**_ recommend using regular U.S. Postal Service
  - Request the additional delivery confirmation for the best protection if your application is lost by USCIS.
  - You can still create an account at myaccount.uscis.gov and add your paper application so you can track your case

Application Submission to USCIS

- **Review your entire I-20 but especially OPT information on the second page of the new I-20. Should there be any errors, VISA must be notified immediately.**

- OPT Endorsement on I-20

EMPLOYMENT AUTHORIZATIONS

TYPE	FULL/PART-TIME	STATUS	START DATE	END DATE
POST-COMPLETION OPT	FULL TIME	REQUESTED	02 SEPTEMBER 2021	01 SEPTEMBER 2022

- STEM OPT Endorsement on I-20

EMPLOYMENT AUTHORIZATIONS

TYPE	FULL/PART-TIME	STATUS	START DATE	END DATE
POST-COMPLETION OPT	FULL TIME	APPROVED	01 JULY 2020	30 JUNE 2021
STEM OPT	FULL TIME	REQUESTED	01 JULY 2021	30 JUNE 2023

- Remember, your application must be submitted to USCIS no later than:
  - 30 days after your I-20 has been issued OR
  - before your 60-day grace period end date OR
  - Regular OPT EAD card end date (for STEM OPT)

Required Employment Updates

- After you receive your EAD, send a pdf scan of your EAD to VISA at intlstu@odu.edu

- Submit the OPT Employment Update form any time there are changes in your employment. That includes when you first receive employment

- You must provide a short description about how your major relates to your current job in the OPT Employment Update form

- A new I-20 is not necessary when you change employers. Your I-20, EAD and employer documentation are sufficient to verify that you are legally in the US

Other Required Updates

- Your OPT is on an ODU I-20.

- Therefore, you are still responsible for keeping the following information current with VISA.
  - SEVIS U.S. address
  - SEVIS Home country address
  - Name
  - Country of citizenship
  - Change of status (e-mail scanned PDF to VISA)

  It is **YOUR RESPONSIBILITY** to ensure we have your current information.

OPT Application Process Overview

If eligible for STEM OPT

| Submit OPT Request Form to VISA | Mail or submit online your OPT Application to USCIS | Receive a receipt notice from USCIS with your case # | Approval Notice from USCIS – CANNOT begin your employment yet | Receive the EAD Card | Submit a copy of your EAD card to VISA and OPT Employment Update Form | 90 before OPT end date: Submit your STEM OPT Application to VISA |

- IMPORTANT: Mail from the government (SSA, USCIS, etc.) cannot be forwarded even if you submit the address-forwarding form.

- If USCIS contacts you for additional information and you have questions about it, please scan and send the correspondence to VISA.
    - If you have no questions, feel free to respond to the request and be sure to keep a copy of everything you send.

General Info

- The expiration date on your I-20 will be the program end date for that semester. **However,** your OPT dates will be listed on the second page.

- Remember, your OPT employment must be directly related to your major.
  - If your job appears to be in a field different than your major, ask your employer to write a letter to justify the connection between your job and your degree. Keep this with your I-20s and other important documents.

- You can register for one or two classes per semester as a **non-degree** student.
  - for recreational reasons <u>OR</u>
  - for professional development related to your current OPT job

SAVE YOUR I-20s…FOREVER!!! (Yes, forever!)

Student SEVP Portal

- Students on OPT and STEM OPT will have access to the SEVP portal

- SEVP will email you with instructions on activating the portal account

- You can report your employment, update your address and update employer info through the portal; HOWEVER you are still required to submit the OPT employment update form to our office

- **Documentation Tip: Take a screenshot of your portal at the end of your OPT/STEM OPT** as your access to it will end 6 months past the end date

studyinthestates.dhs.gov/sevp-portal-help

STUDENTS: LEARN HOW TO USE THE SEVP PORTAL

In this section you will find:

- Step-by-step instructions.
- Instructional videos.
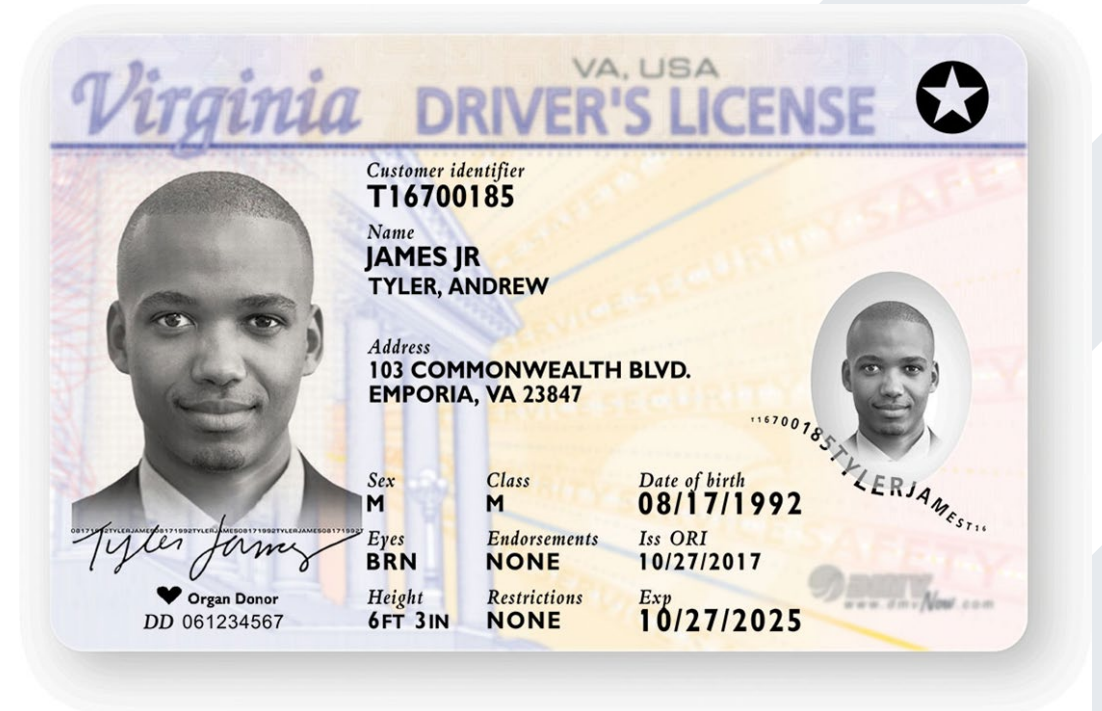- Additional SEVP Portal Help resources.

Virginia Driver's License

- To renew your driver's license…:
  - you will need your OPT I-20 and EAD <u>OR</u>
  - if you have not received your EAD, submit a letter request form from the VISA office to temporarily extend your DL for 60 days

  If you have issues extending your VA driver's license, please contact us

Travel and Re-Entry

- VISA **strongly** recommends you not leave the U.S. while USCIS is processing your Regular OPT request

- You must have a job related to your major to re-enter the U.S. on OPT; the moment your EAD is **issued**, you'll need to show it and proof of employment at the airport

  - Proof of employment should be a letter on company letterhead from your employer verifying your start date and OPT end date (even if you plan to change to another status and continue with the company)

TRAVEL SIGNATURES: You automatically get your first travel signature when your OPT I-20 is issued

Please visit our page on *Traveling Abroad and Re-Entry the U.S. under Resources*

When you are traveling, it is important that you have all the necessary documents, even when taking a brief trip to Mexico, Canada, or islands adjacent to the United States.

› **Documents Required for Re-entry into the U.S.**
› **Traveling While on Optional Practical Training (Regular OPT & STEM Extension)**
› **Travel Ban**
› **Visa Stamp and Applying for a New One**
› **Administrative Processing**
› **Automatic Visa Stamp Revalidation**

Useful Tips to Consider

Book flights with enough layover times. For example, if your port of entry is at JFK, make sure to have at least 3 hours before your flight to Norfolk.

Be prepared to go through secondary inspection or additional processing at the port of entry.

Always double check that you have all necessary documents before your trip, including visas or paperwork needed to enter the country to which you will be traveling.

Regular OPT & Health Insurance

- You are not required to purchase the University Health Insurance Plan <u>after graduation</u>

- HOWEVER, we <u>**STRONGLY**</u> recommend you continue coverage or purchase another health insurance plan

- As you are still on a student visa, you are eligible for ODU's insurance.
  - If your employer offers insurance, it will likely be a more comprehensive policy and you may want to consider buying that one instead

- ODU Student Health Services: You are eligible to receive health services at the Student Health Center one semester after graduation

Cap Gap & H1-B

- A cap-gap I-20 can be issued to an F-1 student whose H1B application was selected for processing and their OPT will expire before October 1 (Start date of all cap-subject employees is October 1)—your OPT/STEM OPT must be valid at the time of H1B application receipt

- **Students CANNOT travel during the cap gap and return in F-1 status**

- Students can file for the STEM OPT extension while an H-1B application is pending

Regular OPT Termination

- If you are issued an I-20 to start a new degree program or if your SEVIS record is transferred to another school, your OPT will be terminated at the time the I-20 is transferred or created
  - Be sure to work with the international student advisor at your school to make sure you are aware of when your OPT will end

- If you wish to cancel your OPT, please send an e-mail to VISA and an advisor can provide information on the next step(s)

This concludes the portion about Regular OPT.

STEM OPT

STEM OPT Extension Eligibility

- Students who received their most recent degree in the following fields:
  - Science, Technology, Engineering, Mathematics

  This list includes those with a double major (but minors are not eligible)
  - Check your major to make sure it is eligible.

- Students who received their prior degree in STEM within 10 years preceding the date of STEM application

- Students who received another STEM degree at a higher educational level. (Maximum: 2 periods of 24-months STEM OPT)

STEM OPT Application

- Complete VISA's online STEM OPT request form and upload all requested documents to it.

- Once processing is complete, we will send an email to your ODU student email.

- Please take the time to follow the STEM OPT example application on the VISA webpage very carefully.

STEM OPT Forms

Application for STEM OPT
Fill out online first, then print and sign.

Example Application
Use this as a guide for filling out the application.

Form I-765
Application for Employment Authorization

Form I-983
Training plan for STEM OPT students.

Application Checklist

ONLINE   Create an account at myaccount.uscis.gov

1. ODU Online Request for STEM OPT Form & STEM OPT Responsibilities Form

2. Online Form I-765

3. Form I-983 (pages 1-4, page 5 will be due after 12 and 24 months of STEM)—the I-983 is not part of your final application—this document is stored in the VISA office for audit

4. Passport-style photo (2 by 2 inches) recently taken

5. From your passport:
    1. Biographical information & expiration date pages (**not** the address page)
    2. current U.S. visa stamp page

6. Most recent I-94

7. Copy of your OPT EAD

8. Copies of CPT and OPT I-20s (if applicable)

9. ODU unofficial or official transcript and ODU Diploma

10. You will be redirected to pay.gov to make a payment of $470 (up from $410 starting April 1, 2024)

Please scan all documents to intlstu@odu.edu

STEM Application Submission to USCIS

- USCIS can receive your application 90 days before the end of your current OPT (EAD card).

- ALL STEM OPT applications **should be** processed by the VISA office before being mailed to USCIS. Reminder:
  - VISA's processing time: 10 business day
  - USCIS processing time: appx. 3-4 months

- If your application is submitted in time, your transition from Regular OPT to STEM OPT should be seamless.

- You can continue **to work up to 180 days** while your application is pending.

- You should keep your STEM application receipt (I-797) to document that you have submitted it to USCIS

Employer Responsibilities

- Employers must be enrolled in USCIS e-Verify employment eligibility verification program

- Employers must complete and sign I-983 form

- USCIS may visit your employers' worksite(s) to verify whether they are meeting the STEM OPT program requirements

- Employers must report changes in any of the following via I-983 form to the VISA office within 5 business days:
  - Employer name and address
  - Decrease in student's compensation
  - Reduction in hours worked to less than 20 hours per week
  - Employer's EIN
  - Termination of employment

Employment Requirements

- You must be working in a paid position for at least **20 hours per week per employer**; otherwise, you will accrue unemployment days.

- You cannot be unemployed for more than **150 days total** (including unemployment days during your Regular OPT).

- Volunteering and unpaid internships are only allowed above and beyond your paid employment.

- All employment and address information must be current with VISA.

Required Updates

- OPT Employment Update must be submitted:
  1. EVERY 6 MONTHS regardless if there is a change or not

     6 months: OPT Employment Update online form

     12 months: OPT Employment Update online form and 12-month self-evaluation (last page of I-983)

     18 months: OPT Employment Update online form

     24 months: Final Employment evaluation (last page of I-983)
  2. Within 5 business days whenever there is a change in employment. NEW I-983 is required.

  SEVP may terminate your record if you do not make this update.

- You are still responsible for keeping the following information current with VISA.
  1. SEVIS U.S. address
  2. SEVIS Home country address
  3. Legal Name
  4. Country of citizenship
  5. Change of status (e-mail scanned PDF to VISA)

Travel and Re-Entry

- VISA **strongly** recommends you not leave the U.S. while USCIS is processing your STEM OPT request.

- You must have a job with an e-verified company in a position that is related to your major to re-enter the U.S. on STEM OPT.

- Upon re-entry, you need proof of employment.
  - letter from employer verifying that you'll start or resume a job and pay stubs

TRAVEL SIGNATURES: You automatically get your first travel signature when your STEM OPT I-20 is issued.

Please visit our page on *Traveling Abroad and Re-Entry the U.S. under Resources*

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› **Automatic Visa Stamp Revalidation**

Useful Tips to Consider

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Be prepared to go through secondary inspection or additional processing at the port of entry.

Always double check that you have all necessary documents before your trip, including visas or paperwork needed to enter the country to which you will be traveling.

This concludes the STEM OPT portion.

Questions?

intlstu@odu.edu

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