Spring 2022
OPT Workshop
Wednesday, February 9th 2022
UNC Charlotte
Workshop Overview

• What is OPT?
• Pre-Application Process
• OPT Application
• Awaiting OPT Approval
• While On OPT
• Miscellaneous Reminders
Ground Rules

• Please submit your questions via the chat (ideally, at the end)

• Questions submitted throughout the presentation will be answered at the end

• Please refrain from asking case-specific questions

  • E.g. of a case specific question: “In my specific situation, X is also happening, and I also will be traveling to country Y, and I don’t have Z document—will that impact my app?”

  • For those, sign up for an advising appointment
What Is OPT?

- OPT stands for Optional Practical Training
- It is 12 months of off-campus work authorization based upon completion of an academic degree (continues F1 status).
- Work must be in your field of study, at your level of study.
- A job offer is NOT necessary to apply!
1. Pre Application Process

- OPT Eligibility
- When Do I Apply for OPT?
- Choosing My OPT Start Date
- Special Note!:
  - Thesis/Dissertation Students
OPT Eligibility Criteria Requirements

1. Pre Application Process

Completion of **at least one** academic year in a student status

Currently in **valid F-1 status**

Full time OPT cannot begin until program completion
Completion of degree

**OR**
Completion of coursework (thesis/dissertation students)
When To Apply

1. Pre Application Process

Spring 2022 Graduation Date for OPT-purposes: May 13th, 2022

(Up to 90 days BEFORE program end date)

Earliest date **(February 12th, 2022)**

Apply by date deadline **(July 12th, 2022)**

USCIS processing usually takes ~90 days (and sometimes longer)

(Up to 60 days AFTER program end date)
OPT Start Date

OPT must begin 1 to 60 days after program completion

Spring 2022 Graduation Date for OPT-purposes: May 13th, 2022

(1 to 60 days AFTER)

Riskier Start Date

Safer Start Date

Earliest OPT start date (May 14th, 2022)

Latest OPT start date (July 12th, 2022)

Riskier: Late May/Early June

Safer: Late June/Early July
OPT Start Date

Tricky Ricky chose the following OPT Dates: 05/16/2022-05/15/2023

-If everything goes perfectly, he’s good.

What happens to Ricky if USCIS actually issues his EAD on June 1st?
A: USCIS will edit the EAD to reflect the delayed issuance date, but Ricky can’t work until he has the EAD and Start Date has passed; employer might be put off by delay and even rescind offer.
OPT Start Date

Safe Sam chooses the following OPT Dates: 07/11/2022-07/10/2023

- May not have a job offer and is worried it may take a while to find one
- Wants to take a breather between study and work
- Doesn’t trust USCIS to process average time (90 days)

What happens to if USCIS actually issues her EAD on 06/15/2022?
A: The start date will still be 7/11/2022, but Sam can’t work until she has the EAD and the Start Date has arrived. Sam might get a job quicker than she expected and the employer may want her to start before 7/11/2022, but she can’t—she has to wait.
Don't you want to start work RIGHT AWAY? Make your start date the day after graduation.

You should play it safe and choose a start date with a little more cushion!
Choosing OPT Start Date

Consider the following:

• USCIS Processing Time
  (average of ~90 days)
• Interviews/Job Search/Employer Requirements
• Holidays/Travel Plans/Time to Rest
• ISSO staff cannot make this decision for you

Remember:

• Your requested start date must be **within 60 days** after your program completion date.
• The “start date” is the date your permission to work begins.
  • You **cannot** work earlier than the start date, but you can start **working later**.
• It is **IMPOSSIBLE** to change the requested OPT date after the application has been submitted to USCIS. Choose your dates **CAREFULLY**.
Summer 2022 Graduates

Some flexibility on program end date, depending on what term you complete your program in.

- Summer Term 1 End Date: June 29th. Start date between June 30th-August 28th
- Summer Term 2 End Date: August 10th. Start date between August 11th-October 9th
Thesis/Dissertation Students

1. Pre Application Process

Flexibility in OPT start date

• Full time OPT available upon completion of coursework
• Defense date should be scheduled within first 6 months of proposed OPT start date.
• All on-campus employment, stipends, university health insurance ends by OPT start date.

By discretion of ISSO; we may not approve if you are not making normal progress toward your degree.
Thesis/Dissertation Students

Time Management Challenges

- It is hard to work full-time and finish a thesis/dissertation
- You cannot extend your I-20 for more time to complete your Thesis/Dissertation
- Cannot apply for a STEM extension without a copy of your diploma (which won’t be available if thesis or dissertation is incomplete)
How to Apply

1. Apply Online through ISSO Connect
   • Request new I-20 based on start date & 1x Academic Advisor recommendation through ISSO Connect.

2. Schedule OPT Review
   • Sign up for an OPT review session that is at least 5 business days after you submit your OPT I-20 Request.
   • **NEW THIS SEMESTER** Thursdays for Paper, Fridays for Online

3. Prepare OPT Application
   • Follow F-1 OPT I-765 Materials Guide for Paper I-765, or follow Guide Filing I-765 Online
   • Print e-signed I-20; sign yourself; make a copy to send with I-765, or scan the copy.

4. Submit/Mail Application
   • Mail or submit online your complete application WITHIN 30 DAYS of OPT I-20 Issuance to USCIS
Tips For Form I-765

• Get the latest version of the I-765 Form from the USCIS website directly (third party links might link to wrong version)

• Follow USCIS form I-765 instructions carefully; use the appropriate I-765 Materials Guide or Online File Guide, depending on how you choose to file

• If questions do not apply to you - type or print “N/A” unless otherwise directed

• Name:
  • Make sure it is consistent with how name appears on passport/I-20

• Address:
  • Valid address where you can receive mail for the next ~90-120 days

• OPT Eligibility Category: (C)(3)(B)

• Handwritten signature required (no digital signature for the I-765)
Online vs. Paper Filing

- In May of 2021, USCIS launched online filing capability for I-765 for OPT applicants
- Applicants can choose between mailing a paper Form I-765 or submitting the online equivalent
  - The ISSO cannot tell you which way to file -- it’s up to you
- But...here are some things to consider:
  - Online file may reduce risk of shipping and payment-related issues or errors :)
  - Applicants who file online will get their Receipt Number immediately :)
  - Applicants who file online can save their work and return to the application later if needed :)
  - Fall 2021 students reported applying online was easier than expected :)

2. Pre Application Process
Waiting on OPT Approval

- Tracking Your OPT Application
- EAD Issues
- OPT Issues
- Managing your stress while waiting
Tracking Your OPT App

- G-1145
  - Allows electronic notification from USCIS regarding application
- USPS Informed Delivery
  - Preview of your mail electronically before it arrives
- USCIS Case Status
  - Check your status once you have a receipt number
EAD (Employment Authorization Document) Issues

• Employment can begin only when EAD is received and employment start date is reached.

• EAD envelope cannot be forwarded (federal mail does not get forwarded)
  • Might need to go to nearest post office to see what’s up if Case Status says “Delivered”

• Look up your USCIS Case Status
  • If your case is outside normal processing time (i.e. 5.5 months), submit an online inquiry rather than calling USCIS
Other “Waiting” Issues

- NC Driver’s License expires before EAD arrives:
  - 60 day extension possible until EAD arrives
- Make sure EAD is correct once you receive it
  - Sometimes USCIS makes typos—easy to fix if caught early
- If you happen to get an RFE or Rejection, contact ISSO immediately (rare)
Managing Stress

3. Waiting on Approval

**Good Ideas**
- Exercise
- Spend time on your hobbies
- Prepare resumes & cover letters
- Work on interviewing skills
- Focus on positive things in life

**Bad Ideas**
- Checking case status every day
- Reading non-credible websites
- Pondering scary what-if’s
- Calling USCIS every day
- Listening to friends on various social media platforms
While on OPT

• Reporting Requirements on OPT
• Unemployment on OPT
• Travel on OPT
• Taxes
• EAD Ending
• After the EAD Start Date has passed, within 1-14 days, you will receive an email invitation to create an SEVP Portal account

  • Create an account right away! Even if you don’t have a job yet.

  • If your account creation link hasn’t come, email Vivian!
What To Report on OPT

- Report within 10 days using SEVP Portal
- Change of Address / Phone
- Start/End Employment
- Change of Employment Location

A new I-20 is NOT generated when employment is updated; SEVP Portal is not controlled by ISSO.
Unemployment = No More than 90 Days

- Max 90 days of unemployment during 12 months of OPT
  - Counting begins from the start date on EAD
- Employment must be 20+ hours per week in your field of study, including:
  - unpaid internships
  - self-employment
  - paid employment
- You are allowed to have more than 1 employer and can change employers
- Keep employment offer letter for personal filing purposes
  - But…letters are not the “be-all-end-alls” of OPT
  - Employment starts on first day of work, not when you get an offer letter
- Unemployed more than 90 days = violation of status
Travel Outside U.S. on OPT

• Short-term travel is allowed AFTER EAD is received
• Must have necessary documents for re-entry:
  • EAD Card
  • Valid passport, at least 6 months into the future
  • Valid F-1 visa stamp
  • I-20 signed for travel within the 6 past months
  • Employment offer letter
• Remember to apply for I-20 Travel Signature/Reprint > 5 bus. days before re-entry
Study While on OPT?

• Additional study is generally NOT allowed while on OPT
• Examples of what we mean:
  • Starting “part-time degree program” while on OPT – Nope.
  • Starting new higher level program (e.g. MS->PhD) – Nein.
  • Trying to study while on OPT=U.S. government terminates your EAD=BAD.
• Main point: you shouldn’t be studying while on OPT. OPT is for work, not study.
• If you want to start a new program, notify us, we end your OPT and transfer your record (to another university) or change your level (if at UNC-Charlotte)
  • However: basket weaving class at local community college, swimming or tennis lessons etc. are allowed. Nice!
Paying Taxes

- Federal & State taxes will be withheld
- Less than 5 years in F1 status these aren’t withheld:
  - FICA
  - Social Security
  - Medicare Taxes
- Check for accuracy on your 1\textsuperscript{st} paycheck – don’t wait!
4. While on OPT

- Understand your tax treaty (if applicable)
- Make friends with your human resources manager!
- Consult IRS publication 519 for details
- www.irs.gov/forms-pubs/about-publication-519
- ISSO staff cannot answer tax related questions
- Refer to the IRS website
As OPT EAD is ending…

- You may have options!
- Grace period – up to 60 days after EAD expiration
  - May STAY in the U.S., cannot work or re-enter U.S. in F-1 status
- Transfer F-1 record to another university
  - Earn a higher degree = 12 more months of OPT
- ‘Cap Gap’ work authorization
  - For period of time between end of OPT and start date of H1-B
- Apply for a STEM extension (before EAD expires)
  - Students ONLY in STEM degrees are eligible to apply
  - 24 month extension on top of 12 month OPT
  - See ISSO STEM OPT Extension instructions
5. Misc. Reminders

Ethical Job Search

UNC Charlotte expects any student accepting a job offer to honor their commitment to the accepted position and company by ceasing their job search and withdrawing other open applications upon accepting an offer.

When faced with an offer you are not sure about:

- Ask offering employer for 24 hours to consider.
- Inform any ‘first choice’ employers of your offer and ask if they have made their hiring decision yet.
- Based on what you learn, make the best decision you can and **STICK WITH IT**!
- **DO NOT** promise an early start date before your EAD start date/arrival

http://career.uncc.edu/resources/policies
Questions?
Further Questions?

• **ISSO Advising Hours**
  - Monday/Friday: 10am – 12pm
  - Tuesday/Thursday: 2pm – 4pm

• **OPT Review (must sign-up online)**
  - Thursday afternoons
  - Friday mornings

• **Email and Phone Communication**
  - 704-687-7781 or intlsso@uncc.edu
  - 3 business days processing time for responses
  - Use only one communication method per question
  - Professional communication expected