PRACTICAL TRAINING: WHAT WILL HAPPEN AND WHAT YOU NEED TO DO

DOCUMENTS TO BRING TO SUSAN SAMS FOR REVIEW:

WHAT YOU NEED TO MAIL TO THE US CITIZENSHIP & IMMIGRATION SERVICES (USCIS)

1. Two Photographs (see next page for specifications). You can have photos made at CVS or Walgreens. Do not use a cell phone photo

2. Photocopies of your Passport Page and F-1 Visa Page, and a printout of your I-94 number. If you still have a paper I-94, make a copy of front & back. If you entered USA by air after April 2013, go to www.cbp.gov/I94. If you participated in an internship (CPT), include copies of the CPT I-20s (Susan can make copies for you if you do not have access to a copier)

3. $380.00 Check or Money Order to the U.S. CITIZENSHIP & IMMIGRATION SERVICES (USCIS – See Mailing Instructions page)

4. Completed 1-765 Form (see sample I-765)
   • You must use Black Ink!!
   • Make sure your signature is small so it will fit on the work permit card!

5. Complete the Bottom Part of Form G-1145

6. Susan will give you two signed OPT I-20’s. You must sign one and send it with the paperwork to USCIS. The other one is for you to keep.

7. Filing dates and address for mailing are included in the packet.

8. Check or money order, 2 photos, I-765, G-1145, OPT I-20, copies of immigration documents, CPT I-20 copies (if applicable) SHOULD BE STAPLED TOGETHER AND INCLUDED IN THE MAILING. Put check and photos on top.

9. In a few weeks you should receive an email from USCIS stating they received your application
PHOTOGRAPH REQUIREMENTS

- The two photographs must be Identical
- They should be ‘passport style, full-face photographs’
  i. They must be in color and measure exactly 2 inches by 2 inches
  ii. The pose should show a full face frontal view without dark glasses
  iii. The background should be plain white, or off-white
  iv. The photograph must be a glossy finish and taken by a professional photographic service (places like Kinkos and CVS are acceptable).
- The photos should be placed in a clear plastic bag!
- On each photo, print your name in full and SEVIS ID on the back in pencil.
OPT REGULATIONS

OPT APPLICATION FILING PERIOD
F-1 Students may file for OPT up to 90 Days prior to the completion of their degree, and up to 60 days after completion of program/degree requirements. Degree completion is considered the date listed on your I-20!

THE FILING PERIODS BELOW ARE FOR YOUR GUIDELINES:

<table>
<thead>
<tr>
<th>Completion Date</th>
<th>Filing Period</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fall Completion Date: Dec 31</td>
<td>Filing Period: Sep 30 – Feb 28</td>
</tr>
<tr>
<td>Interterm Completion: Jan 31</td>
<td>Filing Period: Nov 1 – Mar 31</td>
</tr>
<tr>
<td>Spring Completion: May 31</td>
<td>Filing Period: Mar 1 – July 31</td>
</tr>
<tr>
<td>Summer Completion: Aug 31</td>
<td>Filing Period: Jun 1 – Oct 31</td>
</tr>
</tbody>
</table>

PERIODS OF UNEMPLOYMENT WHILE ON OPT:
Periods of unemployment are limited to 90 Days, for all students while on the 12 month period of OPT. While a job offer is not required to apply for the initial 12 month period of OPT, students should be aware that they may be denied future immigration benefits from the USCIS if they work less than 9 months during their 12 month period of OPT.

ADDRESS & EMPLOYMENT REPORTING REQUIREMENTS:
The regulations require students on the initial 12 month period of OPT to update ISS (International Student Services) with any change of name or address and to report employer name and address, start date, and job duties.

NOTE: After your OPT I-20 is printed, signed, and given to you, YOU MUST MAIL IT TO USCIS WITHIN 30 DAYS OR YOUR REQUEST FOR OPT WILL BE DENIED!
TRAVEL ON OPT

Before the completion of your academic program, the usual procedures for travel still apply. After completion of your academic program, the guidance for travel is related to whether your OPT has been approved or not.

WHILE POST COMPLETION OPT IS PENDING

If your post-completion OPT has not been approved yet (your Employment Authorization Document [EAD] card has still not yet been issued by USCIS), and you do not have a job or a job offer, you may leave and then re-enter the US to continue to look for employment.

In order to have the best chance of re-entering the US without problems when your post-completion OPT is pending, you should be sure you have the following documents:

- Passport (valid for six months after you plan to re-enter the US)
- Valid F-1 visa stamp in your passport
- I-20 (with a travel signature no older than six months)
- I-765 receipt notice (Form I-797)

The visa stamp requirement does not apply to Canadian citizens.

If you need to apply for a new F-1 visa when your post-completion OPT application is pending (RISKY), you should also be sure to have your I-765 receipt notice (Form I-797) in addition to the usual documents required for a visa application.

WHEN POST COMPLETION OPT IS APPROVED

If your Post completion OPT has been approved (your EAD card has been issued by USCIS) and you have a job or a job offer, you may leave and re-enter the US in order to begin or resume employment. If your post-completion OPT has been approved and you leave the US before getting a job or a job offer, you may not be able to re-enter the US as an F-1 student!

After USCIS has issued an EAD card for post-completion OPT, in order to have the best chance of re-entering the US without problems, you should be sure to have the following documents:

- Passport (valid for six months after you plan to re-enter the US)
- Valid F-1 visa stamp in your passport
- I-20 (with a valid travel signature no older than six months*)
- EAD Card
- Evidence that you already have a job in the US or that you have a job offer.

The visa stamp requirement does not apply to Canadian citizens.
If you need to apply for a new F-1 visa, you should also be sure to have your EAD card and evidence that you already have a job in the US or that you have a job offer in addition to the usual documents required for a visa application.

REPORTING EMPLOYMENT/UNEMPLOYMENT INFORMATION TO THE DSO

Students should consult with their DSO (Susan Sams) as to the preferred method of reporting changes. SEVP recommends using e-mail as it provides both evidence of reporting and the date reported. Some schools may provide other electronic means (such as a web page) to accept reports from students. Students should keep a record of all reports made to the DSO and the method by which the report is made.

DSOs are NOT responsible for determining if a student has exceeded the limit of unemployment time while on OPT! DSOs are responsible for updating SEVIS with employment information provided by the student or the student’s employer. DHS will determine if the student has violated their status by exceeding the permissible unemployment period.

HOW WILL THE DHS ENFORCE THIS PROVISION?
Students may be denied further immigration benefits that rely on the student’s valid F-1 status if DHS determines that the student exceeded the limitations on unemployment.

Additionally, ICE/SEVP may examine SEVIS data for an individual, a selected group, or all students on post-completion OPT and terminate a student’s record if it fails to show the student maintained the proper period of employment. In such cases, the student will be given an opportunity to show that he or she complied with all OPT requirements, including maintaining employment.

USCIS HOMEPAGE: http://www.uscis.gov/portal/site/uscis
http://www.uscitizenship.info/us-visas/i-765-employment-authorization.jsp
USCIS Processing Time Information

U.S. Citizenship and Immigration Services (USCIS) is committed to offering the best possible service to you, our customer. With our focus on customer service, we offer a variety of services both before and after you file your case. For example, you can:

- Determine how long we take to process a particular type of case;
- Easily check the status of your case by clicking on our USCIS Web site;
- Check our customer guides which explains how to contact us. The guide will also help you determine if your case is outside of the targeted processing time.

Background on Case Processing

USCIS usually processes cases in the order they are received. For each type of application or petition we have specific workload processing goals. For example, we try to process naturalization cases within 5 months of the date we receive them and immediate relative petitions (for the spouse, parent or minor child of a U.S. citizen) within 6 months of the receipt date. Sometimes the volume of cases we receive is so large that it prevents us from achieving our goals, but we never stop trying.

Case Processing Table

We have created a table you can use to determine how long we are taking to process an application or petition at a particular office. If you have already filed an application or petition, you can get an idea of how much longer it will take to process your case. To do so, you will need:

- The office where it has been or will be filed (or to which it has been transferred);
- The type of application or petition;
- The date on which it was filed, if it has already been submitted.

If you do not know this information about a case you have filed, you can find it on the Notice of Receipt that we mailed to you when you filed your application or petition.

Instructions on Using the Table

First, using the drop down menus below, find the local office or service center handling the case that interests you. Then click on the relating “Processing Dates” button. This will bring up a chart that shows the Form Number, Form Name and Processing Times for all of the forms that are processed at that office. (Note that not all offices process all types of applications and petitions.)

Field Office
- Agana GU

Service Center
- CSC - California Service Center

National Benefits Center (also known as MSC)

Field Office Processing Dates
Service Center Processing Dates
NBC Processing Dates
TO CONTINUE YOUR COVERAGE WITH UNITED HEALTHCARE

Create your own account and complete continuation form instructions. This must be done prior to your current United Healthcare insurance expiration:

http://www.uhcrs.com/SelfServiceSupport/Students/CollegeStudents.aspx

You can also checkout the following other options:

1. ISO Insurance – International Student Insurance
   www.isoa.org

2. Anthem Blue Cross California – Tonik 5000 (Thrill Seeker Plan)
   https://www.anthem.com/ca/health-insurance/plans-and-benefits/health-insurance-plan
WHAT EMPLOYERS SHOULD KNOW ABOUT HIRING INTERNATIONAL STUDENTS

Many employers are concerned about liability related to the employment of international students in the United States due to changes in federal laws governing non-citizens, particularly the Immigration Reform and Control Act of 1986 (IRCA) and the Immigration Act of 1990 (IMMAC90). This brochure addresses concerns employers might have about international students and work.

Getting permission for international students to work in the US is not as difficult as many employers think! Most international students are in the United States on non-immigrant student visas (F-1 and J-1), and these international students are eligible to accept employment under certain conditions.

PRACTICAL TRAINING FOR F-1 STUDENTS

Practical training is a legal means by which F-1 students can obtain employment in areas related to their academic field of study. Students, in general, must have completed one academic year (approximately nine months) in F-1 status and must maintain their F-1 status to be eligible for practical training. There are two types of practical training:

1. OPTIONAL PRACTICAL TRAINING (OPT)

OPT must be authorized by the Citizenship and Immigration Services (CIS) based on a recommendation from the designated school official (DSO – Susan Sams), at the school which issued the form I-20, and a government document which verifies the student’s admission to that institution. The term “optional” means that students can opt to use all or part of their total practical training allotment of a maximum of 12 months. OPT can be authorized by the CIS: (1) during vacation when school is not in session, full time employment is allowed; (2) for part time work, a maximum of 20 hours per week, which school is in session; (3) after completing all course requirements for the degree; or (4) full-time after completion of the course of study. Students who have received OPT permission will be issued an Employment Authorization Document (EAD) by the CIS. Their name, photo, and valid dates of employment are printed on the EAD. Employers should note that the average processing time for CIS to issue the EAD is two or three months, and students may begin employments only after they receive the EAD which will indicate the starting and ending dates of employment.

2. CURRICULAR PRACTICAL TRAINING (CPT)

CPT may be authorized by the institution (NOT by CIS) for F-1 students participating in curricular-related employment such as cooperative education, work study, practicum and internship program. Authorization is written on the back of the I-20 student copy and will include the name of the company, beginning and ending date, and signature of the designated school official (DSO). Since each institution has different policies related to curricular-related employment, students should speak to the DSO at their institution.

Processing time for the authorization of CPT varies at each institution. Employers should check with the students’ institution for an approximate turn-around time. International students on F-1 visas are eligible for both curricular practical training before finishing their studies, as well as 12 months of OPT. However, students who work full-time on curricular practical training for one year or more are not eligible for OPT. Those engaging in OPT prior to graduation may work for a maximum of 20 hours per week during their school term and 40 hours during their break period.
ACADEMIC TRAINING FOR J-1 STUDENTS

Exchange students enter the US on a J-1 visa. Practical training is called “academic training” for J-1 visa students. International students on J-1 visas are eligible for up to 18 months of academic training. Post-doctoral students are permitted three years. Some J-1 program participants are also allowed to work part-time during the academic program. Academic Training is granted in the form of a letter by the Responsible Officer (RO) or Alternate Responsible Officer (ARO). Students should consult with their RO or ARO.

OTHER INFORMATION

PAPERWORK FOR THE EMPLOYER

Fortunately, there is little paperwork for an employer who hires F-1 or J-1 students. All paperwork is handled by the students, the school, and CIS. For curricular practical training, the school with make a notation on the student’s copy of the I-20 form indicating that CPT has been authorized, and specifying the duration and place of employment. Students authorized for OPT are required to apply to CIS (through the school) for an Employment Authorization Document (EAD).

CONTINUING EMPLOYMENT AFTER THE PRACTICAL/ACADEMIC TRAINING PERIOD

Federal regulations require that employment terminate at the conclusion of the authorized practical or academic training. However, students on an F-1 visa, or students on a J-1 visa who are not subject to a two-year home residency requirement, may continue to be employed, if they receive approval for a change in visa category, usually to H-1B. Students must have a minimum of a bachelor’s degree to qualify for H-1B status. Individuals may work in the United States for a maximum of six years under the H-1B visa. This visa is valid only for employment with the company that petitioned for them. They must re-apply to the CIS if they wish to change employers. As soon as the initial job offer is made, they should petition for an H-1B visa if employment is likely to extend beyond the practical training period.

TAX REQUIREMENTS

Unless exempted by a tax treaty, F-1 and J-1 students earning income under practical training are subject to applicable federal, state, and local income taxes. Information on tax treaties may be found in the Internal Revenue Services Publication 519, U.S. Tax Guide for Aliens, and 901, U.S. Tax Treaties.

Generally, F-1 and J-1 students are exempted from social security and Medicare tax requirements. However, if F-1 and J-1 students are considered “resident aliens” for income tax purposes, social security and Medicare taxes should be withheld. Chapter 1 of the IRS Publication 519, U.S. Tax Guide for Aliens explains how to determine the residency status of international students.

More information on social security and Medicare taxes can be found in Chapter 8 or IRS Publication 519 and in Section 940 of Social Security Administration Publication No. 65-008, Social Security Handbook.

FREQUENTLY ASKED QUESTIONS

Q: Isn’t it illegal to hire international students because they don’t have a green card?
   A: No. Federal regulations permit the employment of students on F-1 and J-1 visas within certain limits. These visas allow students to work in jobs related to their major field of study. F-1 students can work on “practical training.” J-1 students may work on “academic training.”

Q: Won’t it cost a lot of money and involve a lot of paperwork to hire and international student?
A: No. The only cost to the employer hiring international students is the time and effort to interview and select the best candidate for the job. The international student office handles the paperwork involved in securing the work authorization for F-1 and J-1 students. In fact, a company may save money because the majority of international students are exempt from Social Security (FICA) and Medicare tax requirements.

Q: How long can international students work in the United States with their student visa?
A: F-1 students are eligible for CPT before completing their studies, as well as an additional 12 months of OPT, either before or following graduation, or a combination of the two. However, if they work full-time for one year or more of curricular practical training, they are not eligible for OPT. Students with J-1 visas are usually eligible to work up to 18 months following graduation. They may also be eligible to work part-time during their program. The Responsible Officer (RO) or Alternate Responsible Officer (ARO) will evaluate each student to determine the time for which they are eligible to work.

Q: Don’t international students need work authorization before they can be hired?
A: No. International students must have the work authorization before they begin actual employment, but not before they are offered employment. In fact, J-1 students must have a written job offer in order to apply for the work authorization. Many F-1 students will be in the process of obtaining work authorization while they are interviewing for employment. Students can give employers a reasonable estimate of when they expect to receive work authorization.

Q: What does the work authorization look like?
A: For OPT, F-1 students receive an Employment Authorization Document (EAD) from CIS. This photo ID card indicates the dates for which they are permitted to work. For CPT, F-1 students receive authorization from the school (NOT FROM CIS), and this will be indicated on the third page of the student’s I-20. J-1 students receive work authorization in the form of a letter issued by the RO or ARO at their institution.

Q: What if I want to continue to employ international students after their work authorization expires?
A: With a bit of planning ahead, an employer can hire international students to continue to work for them in the H-1B visa category for a total of six years (authorization is granted in two three-year periods). The H-1B is a temporary working visa for workers with a “specialty occupation”. The application procedure to the CIS is straightforward. They job must meet two basic requirements:
1. The salary must meet the prevailing wage as defined by the Department of Labour
2. A bachelor’s degree is a minimum normal requirement for the position

Q: Does an employer have to prove the international student isn‘t taking a job from a qualified American?
A: No. American employers are not required to document that a citizen of another country did not take a job from a qualified American if that person is working under an F-1, J-1, or H-1B visa. Employers must document that they didn’t turn down a qualified American applicant for the position only when they wish to hire foreign citizens on a permanent basis/sponsor them for a permanent resident status (“green card”).

Q: Can I hire international students as volunteer interns?
A: Normally, if the internship involves no form of compensation and is truly voluntary, the students may volunteer without having to do any paperwork with CIS. If, however, the internship provides a stipend or any compensation, students must obtain permission for practical/academic training prior to starting their internship. Students should check with their employers to ensure that the company is allowed by law to offer unpaid internships.
MAIL INSTRUCTION SHEET

You will be responsible for mailing your own OPT application during the filing period.

Please send everything to:

For U.S. Postal Service (USPS) deliveries:

USCIS
PO BOX 21281
Phoenix, AZ 85036
(the least expensive way but you have no proof that USCIS receives your application)

OR

For Express Mail and Courier deliveries:

USCIS
Attn: AOS
1820 E. Skyharbor Circle S
Suite 100
Phoenix, AZ 85034