

Once you have completed Form I-765, make an appointment with Susan or Junko to create your OPT I-20. If you have questions about completing your I-765, you can ask them during our appointment.

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

Put in following order and paper clip together:

- 410.00 Check or Money Order to the U.S. Department of Homeland Security
- Form G-1145 (This form is optional. It is a request that USCIS contact you by email)
- Completed I-765 Form (don't forget signature in black ink). Include ALL 7 pages of I-765 application (although some pages will be "NA")
- Photocopies of your Passport Page and F-1 Visa Page, and a printout of your I-94 number. Go to www.cbp.gov/I94.
- Two Photographs (safest to put in envelope and write "PHOTOS" on envelope)
- If you participated in an internship (CPT), include copies of the CPT I-20s. You will also need to include any previous school (non-Chapman) I-20's. If you previously did OPT, you will need to include OPT I-20 and copy of EAD.

MAKE COPIES OF EVERYTHING YOU SEND TO USCIS

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. Individuals should not wear glasses
- On each photo, print your name in full and SEVIS ID on the back in pencil.

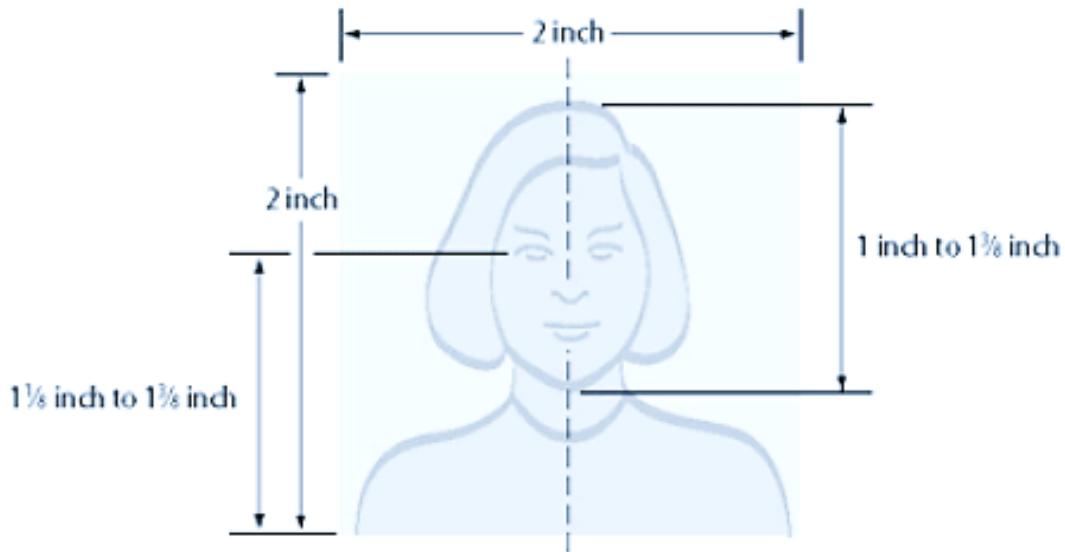


Figure 2. Head Position & Placement

Well-Composed Photos



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:

Fall Completion Date: Dec 31	Interterm Completion: Jan 31	Spring Completion: May 31	Summer Completion: Aug 31
Filing Period: Oct 2 – Mar 1	Filing Period: Nov 2 – April 1	Filing Period: Mar 2 – July 30	Filing Period: Jun 2 – Oct 30

PERIODS OF UNEMPLOYMENT WHILE ON OPT:

A job offer is not required to apply for OPT. **Students cannot be unemployed for an aggregate of more than 90 days from the start date on EAD.**

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

REPORTING EMPLOYMENT/ADDRESS INFORMATION

Students must report their employment information and address directly to the SEVIS portal. Following OPT approval start date, you will receive an email from SEVIS instructing you to set up your portal account. Please set up account promptly. Failure to set it up will result in the portal being locked.

DSOs are NOT responsible for determining if a student has exceeded the limit of unemployment time while on OPT! DHS will determine if the student has violated his/her status by exceeding the permissible unemployment period.

Types of Permissible Employment (full-time or part-time):

Full-time=40hr +/week, Part-time = minimum 20hr/week

- Multiple employers: you may work in your field of study for more than one employer.
- Short-term multiple employers (performing artists): musicians and other performing artists may work for multiple short-term employers (gigs). Keep a list of all positions, dates and duration.
- Work for hire: contract employment in your field of study
- Self-employment: you may start a business and be self-employed in your field of study. You must have a business license and document your active engagement in business related to your degree.
- Employment in your field of study through an agency or consulting firm
- Volunteer service: you may work as a volunteer or unpaid intern in your field of study, as long as this does not violate any labor laws.

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, please note it can be risky.

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 (Request from Susan a new one that indicates your employer on page 2)
- EAD Card
- Evidence that you already have a job in the US or that you have a job offer.

How to search - USCIS Case Status / USCIS Processing Timeline

Website: <https://egov.uscis.gov/casestatus/landing.do>

The screenshot shows the USCIS Case Status Online landing page. At the top, the text "CASE STATUS ONLINE" is displayed in blue. Below this, there is a prompt "Enter a Receipt Number" with a question mark icon. A white input field is provided for the user to enter the receipt number. Below the input field is a "CHECK STATUS" button. Underneath the button is a link for the "PRIVACY ACT STATEMENT". The USCIS logo is centered below the privacy statement link.

Below the main content area, there is a section titled "Why sign up for an account?". To the left of this text is a blue link labeled "Click Here". To the right are two buttons: "ACCOUNT LOGIN" (with a person icon) and "SIGN UP" (with an information icon).

At the bottom of the page, there is a "RELATED TOOLS" section with four cards:

- MAKE UPDATES**: Change of Address (with a plus sign icon)
- GET HELP**: Submit a Case Inquiry (with a plus sign icon)
- INQUIRE**: USCIS Processing Times Information (with a plus sign icon)
- LOCATE**: USCIS Office Locations (with a plus sign icon)

HEALTH INSURANCE

In the event of unexpected accident or illness, it is very important that you maintain health insurance while under OPT.

You can check out the following option:

ISO Insurance – International Student Insurance

www.isoa.org

or

“Covered California” online



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 will 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 student 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 (HIGHLY RECOMMENDED):

USCIS

Attn: AOS

1820 E. Skyharbor Circle S

Suite 100

Phoenix, AZ 85034

**YOU MUST MAIL IT TO USCIS
WITHIN 30 DAYS OR YOUR
REQUEST FOR OPT WILL BE
DENIED!**