POST COMPLETION OF STUDIES: FULL-TIME OPTIONAL PRACTICAL TRAINING (OPT)
SUGGESTED TIMELINES FOR FILING OPT PETITION IN ORDER TO RECEIVE THE EMPLOYMENT AUTHORIZATION DOCUMENT (EAD)

Students may apply for 12 months of OPT upon completion of each higher educational level. Please be advised the OPT petition must be received by immigration no later than 60 days after your final semester. Please be advised immigration is allowed up to 90 days to process your request. Filing should be at least 90 days before you wish to begin employment. You are allowed to request a start date as soon as the day after the last day of instruction or no later than 60 days after the last day of instruction of your last semester.

Examples using Fall Semester 2009's official end date which is the last day of finals: 12/19/2009.
Earliest start date possible: 12/20/2009 (1 day after finals).
Latest start date possible: 02/17/2010 (60 days after finals).

Scenario A: Student wishes to start immediately on 12/20/2009

Scenario B: Student wishes to stay in the U.S. as long as possible and requests as late a start time as allowed (60 days after Fall Semester 2009).
Should file by November 15, 2009 with a requested work time of 02/17/2010 to 02/16/2011.

Scenario C: Late filers penalized. Filed Dec. 9 so 90th day is March 9. Although you must request a start date no later than 02/17/2010 because of your delay OPT may only be authorized from 03/09/2009 to 02/16/2011. You will lose almost one month of employment eligibility (more if you file even later).

Scenario D: Petition received 02/18/2010 or after - OPT will be denied based on failure to submit within 60 day deadline.
DOCUMENTS REQUIRED TO BE SUBMITTED FOR OPT

1. Form I-765 may be filed electronically with a credit card or if paying by check use the paper format. The paper format is fillable online. Go to [http://www.uscis.gov/portal/site/uscis](http://www.uscis.gov/portal/site/uscis), click on Immigration Forms, search for Form I-765. Print either the completed paper copy and attach a $380.00 check or money order made payable to the Department of Homeland Security or the electronic filing confirmation page and bring it to Ms. Dolly.

2. **New original SEVIS Form I-20 with OPT authorization** from Ms. Dolly who will print one for the student and one for the Department of Homeland Security.

3. **Photocopies** of ALL previous I-20(s), passport, visa page, I-94/Departure Record (front and back). All copies must be legible, especially entry stamps.

4. **Two passport-style color photos** with a white background taken no earlier than 30 days before submission to USCIS. They should be unmounted, glossy, and unretouched. The photos should show a full-frontal facial position. Your head should be bare unless you are wearing a headdress as required by a religious order to which you belong. The photo must be 2 x 2 inches, with the distance from the top of the head to just below the chin about 1-¼ inches and eye height is 1-1/8 – 1-3/8 inches from the bottom of the photo.

5. **Form G-1145 (free and optional)** Notification of Application/Petition Acceptance via email and/or text. If applicant holds a previous EAD card (i.e. Economic Hardship), also submit:

6. Photocopy of current EAD card (front and back) must be legible

7. Original EAD mailer postcard

As a courtesy the International Student Office will make a copy of the petition for you and will postal mail the original by certified mail with a request for a return receipt to the USCIS Lockbox facility in Arizona. This will serve as evidence should USCIS (United States Customs and Immigration Services) claim it was never received. The facility in Arizona can send you email and/or text notification of receipt of the mailing. To take advantage of this free service, you must include a completed Form G-1145, Notification of Application/Petition Acceptance, and attach it to the first page of your application. Once the Arizona facility forwards the petition to the California Service Center (CSC), you will receive a mailed Notice of Receipt from the CSC within a few weeks of the mailing. That receipt posts a WAC number. You can go online and monitor the progress of your petition using that WAC number. If you have not received this Notice within 4 weeks, please contact the International Student Office.

Try not to move until your EAD has been received. If an attempt to mail has been made and the card returned to the CSC, the process to update your address and have the CSC locate the return EAD to resend could cause long delays. If you must move, be sure to complete a change of address form with your local post office requesting your mail to be forwarded to your new address and advise Ms. Dolly so she can update your SEVIS record with the new address.

This rarely occurs but if you receive any requests for further evidence (RFE), please bring the request and the evidence requested to the International Student Office. The evidence must be submitted by the deadline date indicated on the RFE or your petition will be denied for lack of evidence. Ms. Dolly will submit the additional evidence for you.

Once the EAD is received, please bring it to the International Student Office where Ms. Dolly will check to make sure the EAD was issued correctly. The office needs a legible copy for your file.

You are mandated to notify the International Student Office of every single address change within 10 days of moving. Even if you move out of state to work, Chabot College is still responsible for maintaining your address information for immigration while you are on OPT.

Once employed and every time you change jobs, you are mandated to notify the International Student Office of the name and address of your employer. The college is mandated to report this information to U.S. Immigration. You may not be unemployed more than 90 consecutive days.

Most applicants receive their EAD within 90 days. Please contact Ms. Dolly if 90 days have passed and you still have not received your EAD card. Please contact Ms. Dolly if immigration sends you a RFE: Request for Further Evidence.
FREQUENTLY ASKED OPTIONAL PRACTICAL TRAINING (OPT) QUESTIONS

I plan to work for only 6 months then transfer to a four year. If I change my mind after and while already on OPT, may I request the remaining 6 months of OPT?
No, OPT petitions must be received within 60 days after the last day of attendance. We recommend you request the entire 12 months of OPT even if you don’t use all 12 months.

What happens if I decide to transfer to a four year college in the middle of OPT?
As soon as the transfer school issues your transfer I-20, the OPT is automatically voided. Even though your employment card shows a future expiration date, your SEVIS immigration record shows your OPT as no longer valid.

May I still take classes while on OPT?
Immigration frowns upon this. You should not have to take classes while on OPT because you stated and we verified your studies have been completed. If you wish to take a few classes for personal enjoyment, that may be possible. You must request this in advance through the International Student Coordinator who will verify your reasons and ensure you are not accidentally obtaining another I-20.

How many times will I be eligible for OPT?
You may apply for OPT upon completion of each higher degree. That means 12 months of OPT upon completion of your Associate’s degree, Bachelor’s degree, Master’s Degree and Doctorate. Certain Bachelor, Master and Doctorate majors may also allow an additional 17 months of OPT for a total of 29 months. If you completed a bachelor’s degree or higher in the U.S. then transfer to Chabot for an Associate’s degree in another major, you will not be eligible for OPT upon completion of the Associate’s degree. The associate’s degree is lower than the bachelor’s or higher degree and you can only request OPT for each higher degree.

What is the benefit of applying for OPT after my Associate’s degree instead of transferring directly to a four year college?
Although we recommend transferring and keeping your studies continuous, for many students this is a financial hardship. OPT after Chabot provides an opportunity to work full time for 12 months to save up enough money to transfer to the four year college. It may also provide students an opportunity to work in their major to determine if this is truly the field they wish to continue when they transfer.

May I travel while my OPT petition is pending?
No.

May I travel once my OPT has been approved and I have received the employment authorization document (EAD card)?
Not recommended. Immigration is very strict about allowing OPT students back in unless they have a formal letter from their employer verifying they have a job to come back to. They may not allow a student back in who has no actual job to return to and no school to attend.
If I decide to travel while on OPT and need to renew my F-1 visa before reentering, will I be able to do so?
Not recommended. Many students who have attempted to do so were denied the visa and told they should just remain in their home country to work.

What happens if I apply for OPT before my last term is over, but don’t pass my final class(es) as planned?
You will not be allowed to work full time until the class is repeated and passed. You will be restricted to 20 hours a week until the class is passed.

What happens if I lose my EAD?
You will have to apply all over again and pay again and if your employer requests verification you may possibly be unable to work until you receive the new EAD.

How long may I remain in the U.S. upon completion of OPT?
You have 60 days to either depart the country or be accepted by and receive an I-20 from a transfer school. Chabot must transfer your SEVIS record to the new school within 60 days after the last day of OPT. You must start taking classes at your new school within 5 months. In other words:
If your OPT ends June 1st, Chabot will need to transfer your record by the end of July but you don’t have to start until the new school’s Fall term begins in August or September.

I have a great job offer and they want me to start immediately but my EAD has not arrived in the mail yet. May I start working without it?
No. Working without the EAD is a serious violation of your legal status and is grounds for deportation.

Do I need a job offer in order to apply for OPT?
No.

Do I have to work in my major field of study?
Yes. We are required to report the name and address of your employer and update the information every time you change jobs. You may have more than one employer.

Also, before submitting the OPT petition we need to make sure your major listed on your I-20 matches your college record. If you have changed majors since the last time your I-20 was issued, be sure to let the International Office know this so it can be changed to reflect the correct and current major. The authorization for OPT will state your employment is authorized in the field of _________ (your major).

Immigration is also checking to see if the employment is actually in the major field posted. Example of a scenario that may raise suspicion and an employment site visit by ICE: Business Administration major who shows employment by a restaurant. It may turn out the student is actually working as the restaurant’s accountant which is fine but if ICE Immigration and Customs Enforcement finds the student is actually working as a waiter the student will have violated the terms of their OPT and may be deported.