

# Online filing Instructions for

Form I-765, Application for Employment Authorization

\*Pre-Completion OPT (c)(3)(A)

\*Post-Completion OPT (c)(3)(B)

\*STEM OPT Extension (c)(3)(C)

# Disclaimer

This document is a general guide to help you submit the online Form I-765 Application for Employment Authorization. It is your responsibility to ensure that your application is completed correctly and all of the required evidence and supporting documents are submitted to USCIS.

**The directions for completing the application listed in this document are meant to be examples only. You will need to enter your information (please do not copy word for word). Upon reading the directions, you may determine a different method for completing the application. Following our guidelines does not guarantee approval of your OPT.**

# Key Terms as Defined by Immigration

## Pre-Completion OPT (c)(3)(A)

- Current students to start work **before** degree completion.

## Post-Completion OPT (c)(3)(B)

- Current students about to graduate, to start work **after** their degree completion OR graduate students who have completed all course requirements and are only left with project, thesis or comprehensive final exam.

## STEM Extension (c)(3)(C)

- Students who have graduated from SJSU with a STEM degree and are currently in a period of valid Post-Completion OPT.

# Filing I-765 (OPT) with USCIS

As of April 2021, USCIS offers 2 different ways to file an I-765 (OPT) application with USCIS.

\*You must choose one option. You cannot choose both options.

1. Mail application to [USCIS lockbox](#).
2. Online filing of [I-765](#).

Please keep in mind the following:

**You will need an I-20 with OPT recommendation from ISSS before you submit your I-765 (OPT) application to USCIS.**

\*See next slide for Comparison

# Online Filing vs. Mailing Application

ISSS recommends that you file online. \*You must choose one option. You cannot choose both options. **\*\*Do not file with USCIS until you have the I-20 with OPT recommendation from ISSS.**

## Online Filing

- Save all required documents for OPT application on your computer.
- Create online account with USCIS.
- File I-765 for OPT.
- Upload supporting documents in online application.
- Receive same day notification, receipt number, that application has been filed with USCIS.

## Mailing Application to USCIS

- Gather all required documents for OPT application.
- Complete I-765.
- Make a copy of your complete application, prior to mailing.
- Mail application to USCIS.
- If application is rejected, it will be returned to you. ***\*If your application is returned back to you, contact ISSS. You may need to get a new I-20, since you might be outside of the filing period.***

This powerpoint will focus on 'online filing' of your application to USCIS.

# I-765 File Online

To get started, you will need to do the following:

1. Go to [I-765, Application for Employment Authorization](#)
  - a. Click 'File Online'
2. Create USCIS Online Account
  - a. If you already have a USCIS online account, check your account details and update your address BEFORE filing your application with USCIS.
  - b. Review USCIS '[How to Create a USCIS Online Account](#)' information.
3. Click 'myUSCIS'
4. Select 'I am an applicant'
  - a. Click 'Submit'
5. Choose 'File a form online'
6. Choose 'Application for Employment Authorization (I-765)'
  - a. Click 'Start Form'

**\*A draft of your application is saved for 30 days, then deleted if not submitted. Editing your application resets the 30 days.**

# Getting Started

## Basis of Eligibility

- This is where you will state which OPT you are filing:
  - (c)(3)(A) Student Pre-Completion OPT (Review slide 17 for list of documents).
    - Current students, to start work **before** degree completion.
  - (c)(3)(B) Student Post-Completion OPT (Review slide 18 for list of documents).
    - Current students about to graduate, to start work **after** their degree completion OR graduate students who have completed all course requirements and are only left with project, thesis or comprehensive final exam.
  - (c)(3)(C) STEM Extension (Review slide 19 for list of documents).
    - Students who have graduated from SJSU with a STEM degree and are currently in a period of valid Post-Completion OPT.
    - If you select (STEM Extension), then you must also include the following:
      - What is your degree?
        - Enter degree name as it appears on your diploma or SJSU final transcript. Example: Bachelor's degree in Computer Science or Master's degree in Engineering.
      - What is your employer's name as listed in E-verify?
      - What is your employer's E-Verify company identification number or a valid E-Verify client company identification number?
        - **(This is not the same number as the Employment Identification Number (EIN) that you indicated on your I-983 training plan.) If your employer is not e-verified at the time of STEM OPT filing, then you are not eligible for STEM OPT extension.**

# Getting Started

## Would you like to request Premium Processing Service?

- Premium Processing Service guarantees that USCIS will take one of several possible actions (issue an approval notice, a denial notice, a notice of intent to deny, or a request for evidence) on your Form I-765 within 30 days.
- There is a fee for Premium Processing Service.
- If you request premium processing, you will be asked to complete Form I-907 after you sign your Form I-765. You will then be able to pay for and submit both forms at the same time.

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## Pre or Post-Completion OPT

- ISSS does not recommend the premium processing option, as long as you have built in sufficient time (e.g. 2-3 months) to apply for OPT.

## STEM OPT Extension

- ISSS does not recommend the premium processing option for STEM OPT Extension. As long as your application was received by USCIS in a timely manner, within 60 days of ISSS STEM OPT recommendation or by your Post-Completion OPT end date (whichever is first), your employment authorization is automatically extended for up to 180 days while your STEM OPT application is pending with USCIS.

# Getting Started (Continued)

## Reason for Applying

- **What is your reason for applying?**
  - Initial permission to accept employment.
    - Select this reason when:
      - It is your first time applying for Pre-Completion OPT.
      - It is your first time applying for Post-Completion OPT, even if you previously applied for Pre-Completion OPT OR
      - If you previously applied for Post-Completion OPT at a different degree level.
  - 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.
    - Select this reason when you have been authorized for any time of OPT, but your EAD card was lost, stolen, damaged or needs to be corrected and is not due to a USCIS error.
  - Renewal of permission to accept employment.
    - Select this reason **ONLY** when you are applying for the 24-month STEM OPT extension.
- **Have you previously filed Form I-765?**
  - If you have applied for employment authorization using a form I-765 in the past, then select “Yes.” If not, then select “No”.

# Getting Started (Continued)

## Preparer and Interpreter Information

This information is for anyone that uses a paid preparer or interpreter to complete the online application. If someone is assisting you with the application, then you will need to put their details here.

- **Is someone assisting you with completing this application?**
  - Yes or No
  - Only if you select Yes, then the next questions are:
    - Is a preparer assisting you with the completing this application?
      - Yes or No
      - If you select Yes, then you will need to give this person's information.
    - Is an interpreter assisting you with the completing this application?
      - Yes or No
      - If you select Yes, then you will need to give this person's information.

# About You

## Your Name

### **What is your current legal name?**

Your current legal name is the name on your birth certificate, unless it changed after birth by a legal action such as marriage or court order. Do not provide any nicknames here.

Given name (first name)

Middle name

Family name (last name)

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### **Have you used any other names since birth?**

Other names used may include nicknames, aliases and maiden names.

- Yes or No
  - If you select Yes, then you will need to provide the names.

# About You (Continued)

## Your Contact Information

How may we contact you?

- Daytime telephone number
- Mobile telephone number (if any)
- Email address
  - Use a non-SJSU email that you check regularly.

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What is your current U.S. mailing address?

This is where your receipt notice, approval notice, and EAD card will be mailed. This address should be valid for at least 2-3 months from the date you submit your application to USCIS. This may be a friend or family member's address. Do not use the attorney's or other legal representative's address. Do not use the ISSS office address.

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Is your current mailing address the same as your physical address?

- Yes or No
  - If you select no, then you will need to enter the address of where you currently live.

# About You (Continued)

## Describe Yourself

What is your gender?

- Male
- Female

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What is your marital status?

- Single
- Married
- Divorced
- Widowed

# About You (Continued)

## When and where were you born

Enter the exact place of birth as it is printed on your birth certificate, even if the name has changed. If the place where you were born does not have a state or province then leave it blank.

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What is your city, town or village of birth?

What is your state or province of birth?

What is your country of birth?

What is your date of birth?

- Date format: MM/DD/YYYY

# About You (Continued)

## Your Immigration Information

- **What is your country of citizenship or nationality?**
  - List all the countries where you are currently a citizen or national.
- **What is your Form I-94 Arrival-Departure Record Number (if any)?**
- **When did you last arrive in the United States?**
  - Date of arrival. MM/DD/YYYY
  - Place of Arrival. (City and State)
  - Status at last arrival. (Most likely F1 - Student, Academic or Language Program.)
- **What is the passport number of your most recently issued passport?**
- **What is your travel document number (if any)?**
  - If you entered the US using your passport, then do not enter a travel document number.
- **What is the expiration date of your passport or travel document?**
- **What country issued your passport or travel document?**
- **What is your current immigration status or category?**
  - F1 - Student, Academic or Language Program.
- **What is your Student and Exchange Visitor Information System (SEVIS) Number (if any)?**
  - Your SEVIS ID Number (N is provided, so you only have to enter the numbers).
  - Use the “Additional Information” section to include all previously used SEVIS numbers.

# About You (Continued)

## Other information

- **What is your A-Number?**
  - Enter only if you have one. If not, then check the box, 'I do not have or know my A-Number'.
  - STEM OPT Applicants Only: This is your USCIS number on your Post-Completion OPT EAD card.
- **What is your USCIS Online Account Number?**
  - Enter only if you have one. If not, then check the box, 'I do not have or know my USCIS Online Account Number'.
- **Has the Social Security Administration (SSA) ever officially issued a Social Security card to you?**
  - Yes or No
  - ONLY if you select Yes, will you need to enter your Social Security number.
- **Do you want the SSA to issue you a Social Security card?**
  - Yes or No
    - You do not need to get another Social Security card if you already have one.
  - ONLY if you select Yes, you must agree to the 'Consent for Disclosure', then enter your father's birth name, as well as your mother's birth name.
    - Given name (first name) and Family name (last name)

# Preparing Evidence for I-765

## Preparing Your Documents

Please review USCIS' website '[Tips for Filing Forms Online](#)'

Keep in mind the following:

1. All required documents will need to be uploaded when filing online.
2. Students may upload 5 documents at a time.
3. Maximum size for document upload is 6MB.
4. Documents must be PDF, JPEG, TIF/TIFF. (Word Documents are not allowed).
5. Photos must be JPG, JPEG or PNG. (Word Documents are not allowed).
  - a. Do not submit a selfie. You must get a new passport photo taken.
6. Government Issued ID is your passport bio page.
7. Students need to make sure that they have signed and dated page 1 of their I-20 in the appropriate space.

# Evidence (Pre-Completion OPT)

Required documentation for filing the online [I-765 Pre-Completion OPT Application](#) to USCIS

- 2 x 2 Photo of You
  - You will need to get a new passport style color photograph taken.
  - Review the [Department of State photo guidelines](#).
- Form I-94
  - Retrieve I-94 at <https://i94.cbp.hs.gov/>
  - If you have a paper I-94, include a copy both sides of the card
  - If you changed your status to F-1 and have not left the US since getting F-1 status, you will need to submit a copy of your I-797A approval notice.
- Employment Authorization Document (EAD)
  - If you do not have an EAD, then you will need to submit a copy of your passport bio page.
    - \*If your passport will be expiring within 6 months, you will need to write a letter acknowledging your passport expiration date and that you plan on renewing your passport before it expires.
    - \*If your I-94 has your old passport number on it, then you will need to submit a copy of your current and your previous passport.
- Proof of Enrollment
  - Submit documentation to show that you have been enrolled full-time for one academic year.
  - University Transcript.
- Previously authorized CPT or OPT
  - Upload I-20's that have CPT or OPT authorization.
  - If you have not had CPT or OPT, then do not upload an I-20 here.
- Form I-20
  - I-20 with pre-completion OPT recommendation from ISSS.

# Evidence (Post-Completion OPT)

Required documentation for filing the online [I-765 Post-Completion OPT Application to USCIS](#)

- 2 x 2 Photo of You
  - You will need to get a new passport style color photograph taken.
  - Review the [Department of State photo guidelines](#).
- Form I-94
  - Retrieve I-94 at <https://i94.cbp.dhs.gov/>
  - If you have a paper I-94, include a copy both sides of the card
  - If you changed your status to F-1 and have not left the US since getting F-1 status, you will need to submit a copy of your I-797A approval notice.
- Employment Authorization Document (EAD)
  - If you do not have an EAD, then you will need to submit a copy of your passport bio page.
    - \*If your passport will be expiring within 6 months, you will need to write a letter acknowledging your passport expiration date and that you plan on renewing your passport before it expires.
    - \*If your I-94 has your old passport number on it, then you will need to submit a copy of your current and your previous passport.
- Current or previously authorized CPT or OPT
  - Upload I-20's that have CPT or OPT authorization.
  - If you have not had CPT or OPT, then do not upload an I-20 here.
- Form I-20
  - I-20 with post-completion OPT recommendation from ISSS.

# Evidence (STEM OPT)

Required documentation for filing the online [I-765 STEM OPT Application](#) to USCIS

- 2 x 2 Photo of You
    - You will need to get a new passport style color photograph taken.
    - Review the [Department of State photo guidelines](#).
  - Form I-94
    - Retrieve I-94 at <https://i94.cbp.dhs.gov/>
    - If you have a paper I-94, include a copy both sides of the card
    - If you changed your status to F-1 and have not left the US since getting F-1 status, you will need to submit a copy of your I-797A approval notice.
  - Employment Authorization Document (EAD)
    - Copy of post-completion OPT EAD (front and back sides)
  - Form I-20
    - I-20 with STEM OPT recommendation from ISSS.
  - College degree
    - Official transcript from SJSU or diploma showing degree completion.
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- Institutional accreditation
    - This is not required. This is ONLY required if your STEM application is based on a STEM degree that was not awarded at SJSU.

# Additional Information

Required documentation for filing the online I-765 OPT Application to USCIS

## Additional Information

Complete this section to give additional useful information that you would like USCIS to know.

**\*You are required to indicate any current or previous employment authorizations that have been authorized in your SEVIS record (CPT, OPT, STEM OPT).**

## Additional information may also include:

\*Passport information: Only if your I-94 information has your old passport number on it, then enter the expired passport information here.

\*SEVIS ID number: If you have had a different SEVIS ID number, other than the number listed on your current I-20.

# Additional Information (Continued)

For filing the online I-765 OPT Application to USCIS

If you had current or previous CPT or OPT authorization:

Section: Select “Evidence”

Question: “Previously authorized CPT or OPT”

Additional Information: Enter the type of employment authorization, indicate if part-time or full-time, degree level, authorization dates, and any receipt numbers (YSC, IOE) associated with the authorization.

Example for CPT: CPT; Full-time; Master’s; Authorized (05/31/2020 - 08/15/2020).

Example for OPT: Post-Completion OPT; Full-time; Master’s; Authorized (01/21/2021 - 01/20/2022); IOE or YSC...123456789.

# Review and Submit to USCIS

- Review your application
  - This is where you can check your application before you submit.
- Your application summary
  - This is a summary of all the information that you provided in your application.
- Your statement
  - You must read and agree to the statements that are listed in this section.
- Your signature
  - Type in your full legal name, for the digital signature.
- Pay and submit
  - The final step to submit the Form I-765 is to pay the required application fee.
    - The filing fee is non-refundable and subject to change. Please go to <https://www.uscis.gov/i-765> for the current filing fee.

# After Submitting to USCIS

1. Within 2-3 weeks of USCIS receiving your OPT application, a paper receipt (Form I-797c) will be mailed to the mailing address that you provided as your mailing address in your application (Form I-765).
  - a. Review the receipt for any errors in your name or date of birth. If there are errors, please contact ISSS.
2. Processing of your OPT application can take up to 3 months, sometimes longer. There is no option to expedite your application.
  - a. You cannot change your requested Pre or Post-Completion or STEM OPT dates, once you have filed your OPT application with USCIS.
  - b. If you receive a RFE 'Request for Evidence' or RFI 'Request for Information' from USCIS, please contact ISSS.

# THANK YOU!

[international-office@sjsu.edu](mailto:international-office@sjsu.edu)

Office Hours: Monday-Friday 9:00am to  
4:00pm

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