

eFile Form I-765: Filing Tips for STEM OPT Extension

A guide for international students at UC San Diego applying for STEM Optional Practical Training (OPT) Extension online with USCIS.

PURPOSE OF THIS GUIDE

Students are able to submit their Form I-765, Application for Employment Authorization to U.S. Citizenship and Immigration Services (USCIS) through two methods: (1) **Mail:** Downloading, printing, and mailing Form I-765 and other applicable documents and fees to a direct filing address associated with a USCIS Service Center, and (2) **eFile:** Creating a USCIS Online Account and submitting Form I-765 electronically, uploading electronic copies of applicable documents, and paying fees online.

This guide is meant to provide students at UC San Diego with filing tips to file for their STEM OPT Extension through eFiling Form I-765.

The information provided in this document does not, and is not intended to, constitute legal advice; instead, all information, content, and materials included are for general informational purposes only and are an interpretation of the instructions published within the <u>USCIS instructions for Form I-765</u>. Students accessing the following content should contact their attorney to obtain advice with respect to any specific legal matter. No reader, user, or viewer of the following content should act or refrain from acting on the basis of information provided without first seeking legal advice from counsel in the relevant jurisdiction. Only your individual attorney can provide assurances that the information contained herein – and your interpretation of it – is applicable or appropriate to your specific situation. All liability with respect to actions taken or not taken based on the contents of this guide and are hereby expressly disclaimed.

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RESOURCES

- STEMOPT.ucsd.edu
- https://www.uscis.gov/i-765
- ➤ USCIS Filing Tips for Online Forms:

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SECTION 1: TIPS BEFORE STARTING YOUR APPLICATION

- Requesting I-20 with STEM OPT Recommendation: Prior to reviewing this guide and starting your I-765 application, ensure you have submitted a request to ISPO for a STEM OPT I-20 by submitting the F-1 STEM Optional Practical Training (OPT) I-20 Request through iPortal.ucsd.edu.
- **DO NOT** submit your I-765 application online before you receive your **STEM OPT I-20** from ISPO; this is a required document to submit your I-765 OPT Application to USCIS.
- Questions Not Applicable and Blanks: The electronic Form I-765 is designed to only ask questions which may be applicable to you based on the answers you provide to previous questions. Answer as many questions as accurately as you can. If the question does not apply to you, LEAVE IT BLANK (no need to write NONE OR N/A).
- ISPO TIPS: Throughout the document, locate the 🍑 blue lightbulb for helpful filing tips and notes!
- **USCIS Instructions:** Throughout the Form I-765, each page will have a description and instructions on how to properly answer each question in addition to what documents to upload. Read the instructions provided by USCIS within the form for guidance. Note, although the USCIS instructions refer to biometric appointments, please note biometrics are not required for those filing through category (c) (3) (c).

SECTION 2: LOGGING INTO YOUR ACCOUNT

- If you have already created an online USCIS account, log in.
- If you have never created an online USCIS account: Using a desktop or laptop, open your browser and visit **myaccount.uscis.gov** to create your account. You may use any email address. One email address per person per account.
- Once you are logged in, go to My USCIS, choose Account Type, and File a Form Online.
- From there choose Application for Employment Authorization (I-765).
- Then click on Start Form.

SECTION 3: GETTING STARTED

- For Eligibility Category, to work <u>after</u> graduation you should choose (c) (3) (C) STEM Extension.
- Answer "what is your degree" accordingly.
- Enter employer's name as listed in E-Verify and employer's E-Verify company identification number
- For Premium Processing, answer accordingly.
- For Reason for Applying, answer "Renewal of permission to accept employment."
- "Have you previously filed Form I-765" answer should be "yes."
- Answer prepare and interpreter information accordingly.

SECTION 4: ABOUT YOU

- Enter information for your name.
 - o If you do not have a middle name, leave blank.

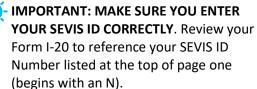
Mailing Address Tips: For "Your contact information", note that the current U.S. mailing address is where your Employment Authorization Document (EAD) will be mailed.

- If you are using your own address, it is best if you will be at that address for at least the next 3-4 months, which is how long your application may take to process.
- Another option is to use a friend or family member's address in the U.S., in which case you would enter their name "In care of name." Regardless of what address you enter here, if it does change while your application is pending make sure you update it as soon as possible through your online USCIS account.
- Note: If you are not using "In care of name", leave blank. Likewise, if you do not have an Address Line
 2, also leave blank.

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- Enter information for Describe yourself.
- Enter information for when and where you were born.
 - -O- IMPORTANT: MAKE SURE YOU ENTER YOUR DATE OF BIRTH CORRECTLY.
- Enter information for your immigration information.
 - Note: If you do not have a travel document number, leave blank.





- Enter Other Information
 - If you have an A-Number and/or USCIS Online Account Number, it will auto-populate; if not check "I
 do not have or know my number."
 - If you do not have an SSN or if you already have an SSN but would like a hard copy replacement, answer "yes" to "Do you want the SSA to issue you a Social Security card"

SECTION 5: EVIDENCE

Document upload quality requirements: The evidence section will ask for you to upload required documents. Ensure that all documents meet the following guidelines in order to be uploaded and accepted by USCIS:

- Clear and readable
- No encrypted or password-protected files
- If your documents are in a foreign language, upload a full English translation and the translator's certification with each original document.
- Accepted characters for file name: English letters, numbers, spaces, periods, hyphens, underscores, and parentheses
- Maximum size: 6MB per file

Passport Photo:

- One 2" x 2" photo of you
- Photo must be taken within the last 30 days.
- Should measure 2 inches by 2 inches, with your face measuring 1 inch to 1 3/8 inch from your chin to the top of your head. Your eyes should be between 1 1/8 inch and 1 3/8 inch from the bottom of the photo. For exact specifications, visit the <u>U.S. Department of State webpage</u>. If you need help understanding the photo requirements or want to resize, rotate, or crop your photo, you can use to the Department of State's photo composition tools.
- Make sure your whole face is visible, you are facing the camera directly, and the background is white or off-white. Your head must be bare, unless contrary to your religious beliefs.
- Photos must be professionally taken.
 - UCSD Mail Services has a <u>Passport Acceptance Office</u> that will take passport photos for a fee (no returns).
 - There are many off-campus locations that offer passport photo services. Please confirm these services follow the U.S. Department of State regulations.

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2 inch

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Note, after you submit your application, the photo document may be labeled as an 'unvalidated photo' in your documents section. Do not be alarmed, this is to be expected and does not require a new or additional upload. Ensure the photo document that you've uploaded meets the above requirements.

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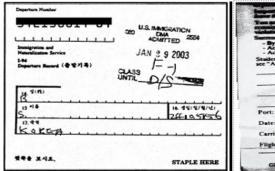


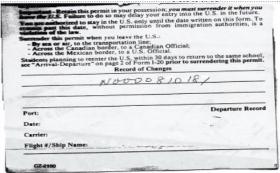
Form I-94:

- Make sure you choose "document type"
- If you travelled into the USA after April 2013 and entered by air or sea, you will have an electronic I-94 record (example below). You can retrieve your electronic I-94 record here: www.cbp.gov/i94.
 - Note: Beginning May 2019, I-94s will follow the format of 9 digits followed by a two-character alphanumeric series: [9-digit sequence] + [1 letter] + [1 digit].



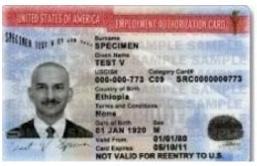
- Change of Status to F-1 Within the U.S.: Your Form I-94 may also be at the bottom of your Form I-797A Notice of action. This is a document sent as a replacement for the Form I-94. This typically means that the change of status has been approved and the immigrant is legally able to stay in the U.S. while a decision is made. Form I-94 can be found at the bottom of Form I-797A and functions as the official document.
- If you have not travelled into the USA since April 2013 OR if you entered at a land border (such as the land port of entry at Tijuana), then you will have a paper I-94. See an example of paper I-94 (front and back sides) below:





Employment Authorization Document OR Government ID:

- Upload ALL of the following in this section:
 - Passport biographical page (most recently issued passport)
 - If different, passport used to last enter the U.S. (See Additional Information)
 - F-1 Visa, if applicable. If your last date of entry to the U.S. was in a different visa type, ensure you upload Form I-797 through the I-94 section.
 - Current EAD, front and back





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Form I-20:

- Include copies of all three pages of STEM OPT I-20 with DSO Recommendation.
- Check to ensure page 2 shows a recommendation STEM OPT Extension under Employment Authorizations.
 Ensure it indicates Full-Time.
- Check requested STEM OPT start and end dates on page 2 for accuracy.
- Check to ensure there is a signature from your DSO on page 1 and page 2.
- From iPortal, download the STEM OPT I-20, print it, sign it in the Student Attestation section, then scan it. Upload a copy.



Look at the 'date issued' on page 1 of your STEM OPT I-20. Remember:

- USCIS must receive your OPT Application within 60 days of the Date Issued on page 1 of your STEM OPT I-20.
- USCIS must receive your STEM OPT Application before your current EAD expires!





College Degree

Upload a copy of your UCSD diploma. If you are applying for a STEM OPT extension based on a previously earned STEM degree, you must also include a copy of your prior STEM degree.

Institution Accreditation

No document is required here UNLESS your UCSD degree was not a STEM degree.

- If your prior STEM Degree was conferred at a lower level at UC San Diego: Include a copy of your STEM
 degree, and include a statement of accreditation from UC San Diego, found here:
 https://www.wscuc.org/institutions/university-of-california-san-diego/
- If your prior STEM Degree was conferred at a different institution: If you are applying for a STEM OPT extension based on a previously earned STEM degree, you must also include a copy of your Form I-20 from your previous institution reflecting the STEM eligible CIP Code, prior STEM degree, in addition to evidence in this section that the institution is currently accredited by the U.S. Department of Education and certified by the SEVP. You can reach out to your previous institution for documentation regarding proof of accreditation.

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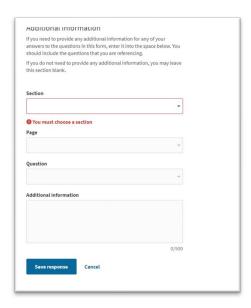


SECTION 6: ADDITIONAL INFORMATION

You may need to provide additional information in this section with additional evidence. See the following examples of additional information required. If none apply to you, click next. If any of these apply to you, you must fill in Additional Information as indicated with the following examples and also attach supporting documents in the appropriate section.

Example A: If your most recently issued passport is not the passport you last used to enter the U.S.

- Refers to: About You, Your Immigration Information, What is the passport number of your most recently issued passport?
- Attach (should already be in EAD or Government ID Section): A copy of your most recently issued passport
- Additional Information: I renewed my passport at an embassy/consulate here in the United States after the date of my last entry. Please see a copy of attached of my new passport.



Example B: If your last date and port of entry was through a land border, such as Mexico or Canada, and I-94 does not reflect the entry.

- Refers to: About You, Your Immigration Information, When did you last arrive in the United States?
- Attach (in Form I-94 section): Travel History page of your electronic I-94 reflecting land border entry and, if available, copy of entry stamp within passport matching same date/port of entry.
- Additional Information: My last port of entry was through Mexico. This is not reflected on my Form I-94, but shows on the Travel History page. Please see the Travel History page attached along with the stamp of entry in my passport.

Example C: If you have had any previously used legal names

- Refers to: About You, Your name, Have you used any other names since birth?
- Attach (in EAD or Government ID section): Copy of government or foreign government issued documentation showing legal name or name change
- Additional Information: Please see the foreign government issued documentation attached which shows my previous legal name and/or new name change.

Example D: If you hold dual citizenship

- Refers to: About You, Your immigration information, What is your country of citizenship or nationality?
- Attach (in EAD or Government ID section): Copy of passport of foreign government issued documentation showing citizenship
- Additional Information: I am a dual citizen from both the countries of Oceano and Pacifica. Please see copies of my passport from both countries attached.

Example E: You last entered the U.S. in a different status (not F-1) and changed status to F-1 from within the U.S. and received Form I-797A Notice of action showing approval of your F-1 Status.

- Refers to: About You, Your Immigration Information, When did you last arrive in the United States?
- Attach (in I-94 section): Form I-797 with Form I-94 attached at the bottom.

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• Additional Information: I last entered the U.S. through a different classification and recently changed status using Form I-539 with USCIS to F-1. The I-797 Notice of Action reflects the approval of my F-1 Status and Form I-94 at the bottom.

Example F: If you are applying for STEM OPT with more than one STEM employer.

- Refers to: Getting Started, Basis of eligibility, What is your employer's name as listed in E-Verify
- Attach: No additional attachments needed
- Additional Information: I have more than one qualified STEM employer and I am working paid positions that
 are at least 20 hours per week for each of them. Additional employer name as listed in E-Verify: XXXXXXX
 (Input e-verify number).

SECTION 7: REVIEW AND SUBMIT

Avoid Common Mistakes

- In order to avoid complications, delays or denials of your OPT Application, review the tips below and make a final check of your application before paying and submitting to USCIS. Make sure that:
 - DO NOT SUBMIT THIS APPLICATION until you have received your STEM OPT I-20 with a recommendation listed on page 2 of your Form I-20 from ISPO.
 - USCIS requires that applicants be <u>physically present in the U.S.</u> at the time of submitting their STEM OPT Application.
 - USCIS receives your OPT application no later than 60 days after the Date Issued on Page 1 of your OPT I-20. If USCIS does not receive your OPT Application within the 60 days after the Date Issued, ISPO must issue you're an updated OPT I-20 (email iemployment@ucsd.edu) in order to restart the 60-day window.
 - USCIS receives your OPT application no later than your EAD end date
 - Double check the documents you are uploading. Ensure that you sign your STEM OPT I-20 and that all documents are uploaded in appropriate sections within evidence.

If filing close to any deadlines, note that USCIS operates on Universal Coordinated Time (UTC) which is 7 hours ahead of Pacific Standard Time. Ensure all applications are complete and submitted before **4:59 PM PST** of the current day in order for it to be considered as submitted on that day.

Review your application

- Check for alerts if there are any red or yellow alerts, make appropriate edits
- Move on to "Your application summary" when you have a green alert that says "We found no alerts or warnings in your application



Application Summary

- Review all your answers on this page. If you want to make any changes, click the appropriate section (i.e. Evidence) on the top left.
- You can click "print" for a print out of this page.
- You can also click "View draft snapshot" for Electronic Form version of I-765 (not to be sent to USCIS)

Your Statement and Your Signature

- On "Your Statement", read and click the check mark for Applicant's Statement
- On "Your Signature", read Applicant's Declaration and Certification click the check mark, and sign by typing
 your full legal name under Applicant's signature. USCIS will record the date of your signature with your
 application.

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Enter Payment Information

- The amount due will show on the screen. Click the box "pay and submit."
- Choose payment method and enter appropriate information.

NOTE: The Pay.gov website processes and post-dates payments to the next business day. You will not be able to submit your application until the payment information is received. Thus, as long as your application has been submitted on time, the Pay.gov payment date being post-dated is not a problem.



Only click the "CONTINUE" button when you are ready to submit. This is the final step!

Final Submission

The application will be considered as submitted once you click 'CONTINUE'. After final submission, you may not make edits to your responses or previously uploaded document. To add additional document corresponding to Additioanl Information, see next section.

• Receipt Notice: Immediately after submission, you will receive a PDF copy of your I-797C Receipt Notice of Action. This will contain your receipt number and information regarding when USCIS received your application. Refer to the information on this receipt notice to follow up on the status of your application. Note, this document will also be mailed to you at the mailing address you provided in your I-765 application.

SECTION 8: UNSOLICITED EVIDENCE

This section is utilized after submission of the application to upload additional information, if needed. Prior to adding additional information to your application, please

If you have any questions regarding your application after you have submitted, please visit STEMOPT.ucsd.edu (STAGE 3: WAITING FOR STEM OPT APPROVAL)

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