ISS OPT WORKSHOP

UNIVERSITY OF OKLAHOMA - INTERNATIONAL STUDENT SERVICES

OFFICE OF GLOBAL ENGAGEMENT

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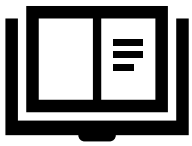

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Definition

Science

Technology

Engineering

Math

OPT STEM is an extension of your temporary 12-month employment authorization (OPT) granted by the USCIS for practical training that is **directly related to your major area of study in a STEM field**.

Eligibility

To be eligible for a STEM extension of your OPT:

1. You must have successfully completed a degree or all formal coursework in a field on the DHS STEM Designated Degree Program list, from a SEVIS-certified US college or university. See the list of STEM-eligible degrees **HERELinks to an external site.**.

The CIP Code is on the first page of your I-20 under the heading "Major 1" and "Major 2" in the format of 00.0000.

2. At the time of application for the OPT STEM Extension, you must have a job offer or be employed by an employer registered with the “E-Verify” federal employment verification system. The job must be directly related to your field of study. For more information on “E-Verify,” see the next section.
3. You must apply before your 12-month OPT employment authorization expires. You cannot apply for an OPT STEM extension after your OPT EAD end date.
4. You must not have been unemployed for more than 90 days while on your 12-month OPT employment authorization period.

Additional Considerations

F-1 students who had already obtained one OPT STEM extension become eligible for a second OPT STEM extension (i.e., a total of two lifetime OPT STEM extensions) after:

- Earning another qualifying STEM degree at a "higher degree level"

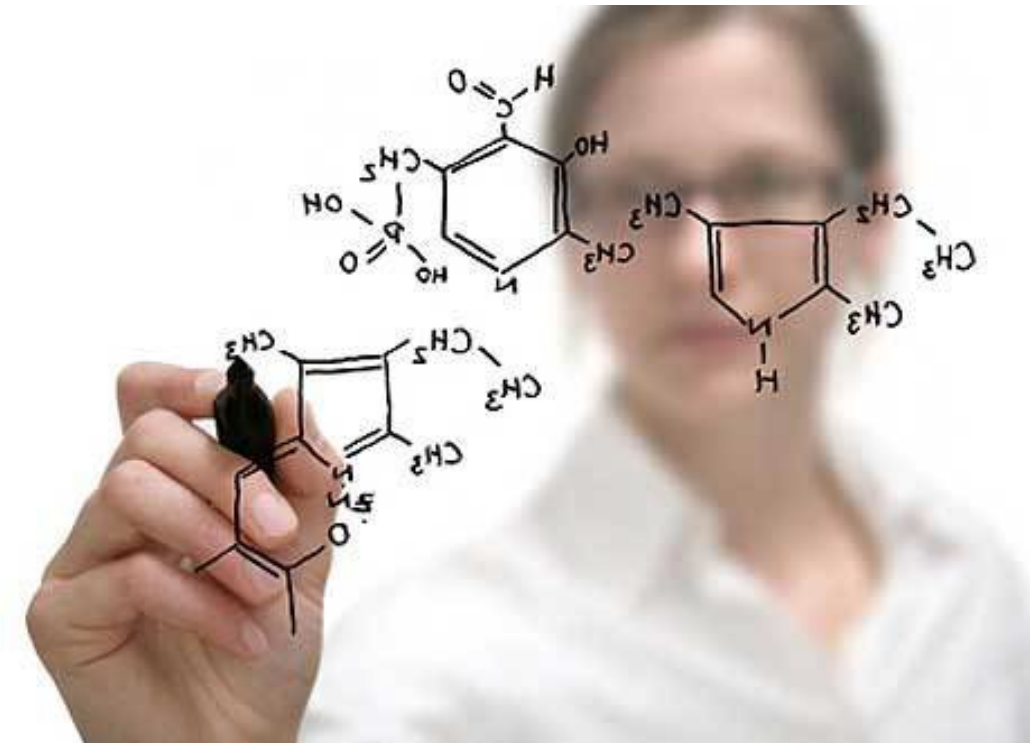
and

- Obtaining a new initial grant of standard 12-month post-completion practical training based on that higher degree

The second period of OPT STEM cannot be tacked on to the first period of OPT STEM. Any subsequent application for an additional 24-month OPT STEM extension must be based on a degree at a higher degree level than the degree that was the basis for the student's first OPT extension, and follow another 12 months of standard post-completion OPT.

If you are applying for an OPT STEM extension based on a previously earned degree (i.e. not the degree with which you applied for your OPT), you must:

1. have **not** already utilized an OPT STEM extension period for the program of study for which you are applying for the extension
2. have completed the degree within the last 10 years at an SEVP certified US accredited institution of higher education
3. ensure the employment will be directly related to the previously obtained degree for which the extension is requested



STEM Employment Restrictions

E-Verify

To receive approval for the OPT STEM extension, you must pursue your practical training through an employer that is enrolled in USCIS' E-Verify Links to an external site. employment eligibility verification program.

What Is E-Verify?

E-Verify is an Internet-based system operated by the Department of Homeland Security in partnership with the Social Security Administration.E-Verify allows participating employers to electronically verify the employment eligibility of their newly hired employees.

E-Verify is free and voluntary. If an employer joins, the employer will have to verify ALL new employees, including US citizens, in E-Verify. All Oklahoma employers were required to enroll in E-Verify under the provisions of HB1804, which took effect on November 1, 2007. Participating employers must permit visits by Homeland Security and the Social Security Administration to review their employment records and interview employees.

An F-1 student seeking to extend his or her OPT by 24 months can only do so if at the time of filing, the student is employed by, or has a job offer with, an E-Verify participating employer.

Self-employment & Volunteering

- You may not receive a OPT STEM extension for a volunteer opportunity.
- To qualify for a OPT STEM extension, you must have a bona fide employer-employee relationship with an employer signing the Form I-983. **You cannot provide the employer attestation (i.e. signatures) on your own behalf,** so you cannot be self-employed when applying for an OPT STEM extension.
- You may be employed by a start-up business so long as all regulatory requirements are met, including that the employer adheres to the training plan requirements, remains in good standing with E-Verify, will provide compensation to you commensurate to that provided to similarly situated U.S. workers, and has the resources to comply with the training plan. The employer that signs the Form I-983 must be the same entity that employs you and provides the practical training experience.

Third-party employers

- DHS (Department of Homeland Security) says that "students cannot qualify for OPT STEM extensions unless they will be bona fide employees of the employer signing the Training Plan, and the employer that signs the Training Plan must be the same entity that employs the student and provides the practical training experience."
- USCIS states on their website, linked hereLinks to an external site., that "OPT STEM participants may engage in a training experience that takes place at a site other than the employer's principal place of business as long as all of the training obligations are met, including that the employer has and maintains a bona fide employer-employee relationship with the student."
- If you have questions, please read the information on the USCIS website and talk to your ISS adviser.

Applying for OPT STEM

When can I apply for OPT STEM?

- You may apply for OPT STEM beginning 90 days before the end of your 12-month OPT and **must apply before your 12-month OPT expires**. ***Once your 12-month OPT expires, you cannot apply for an OPT STEM extension.***
- You must send your OPT STEM extension application to the USCIS **no later than 60 days from the date your OPT STEM I-20 was created.** The date is on page 1 of your OPT STEM I-20 by your ISS Adviser's signature.

May I continue working after filing my OPT STEM application?

- If your OPT STEM Application is received by USCIS before the end of your 12-month OPT, you may continue working while your OPT STEM extension application is pending, **for up to 180 days after the expiration of your 12-month OPT.**
- All work done during this 180-day time period is considered OPT STEM extension time that counts towards the 24-month total.

What if USCIS requests more documents?

- If the USCIS sends you a Request for Evidence (RFE), please contact the ISS office and submit a copy of the RFE to your ISS advisor for assistance.
- Keep a copy for your records and respond promptly with the required documents.

Other considerations

- Our office recommends that you apply for your OPT STEM extension as soon as your application window opens. USCIS has been taking 3-5 months to process STEM applications, and some students have had difficulty renewing their driver's license between the time that their OPT EAD expires and the time that they receive their OPT STEM EAD.

How do I apply for an OPT STEM extension?

STEP 1

Download the OPT STEM Extension Application Packet after completing the last Check your understanding quiz.

STEP 2

Complete Form I-983 with your employer. A link to the form is located after the OPT STEM Extension Application Packet in this workshop.

STEP 3

Pay the $200 OPT fee through the ISS website.

This fee is charged to cover the maintenance of your SEVIS record while you are on OPT STEM Extension.

STEP 4

Complete the 24-Month OPT STEM Extension I-20 Request form on the ISS website.

STEP 5

Once you receive your OPT I-20 from the ISS office, ***mail your application with all required documents to the USCIS within 60 days.***

Optional: if you would like an ISS adviser to review your application packet before you send it to the USCIS, please make an appointment on iAdvise. Come prepared to your appointment with all required documents.

Optional: Online I-765

USCIS has started to accept OPT STEM applications submitted online. If you choose to file your OPT STEM application online, please read the USCIS instructions carefully and review your supporting documents before submitting. *Do not submit a paper OPT application in addition to your online OPT application.*

For additional information, please see the USCIS website here: https://www.uscis.gov/news/news-releases/f-1-students-seeking-optional-practical-training-can-now-file-form-i-765-onlineLinks to an external site.

If you plan to file your application online and want your ISS advisor to review your application materials, please set up an OPT Document Review appointment at iadvise.ou.edu/iss. Before your appointment, complete the PDF version of the I-765Links to an external site. for your ISS advisor to review before you enter the information in the online I-765.

Reporting Requirements

It is your responsibility to provide changes in information to the ISS office.

- OU ISS is not responsible for you or your employer's reporting responsibilities, nor for advising your employer of their reporting responsibilities.

- **You must report your US employer, work address, and residential address *every 6 months* (even if there have been no changes) and *within 10 days* of any change**.
    - Report this information by completing the STEM Extension Reporting form on the ISS website.

Required reporting at 12 months and 24 months

- When you have been on OPT STEM extension for 12 months, you must submit a self-evaluation using the Form I-983.
- Complete the first "**Evaluation of Student Progress**" portion within 12 months of your listed OPT STEM start date (Page 6).
- At the end of the OPT STEM extension, you must conduct a second, final assessment (Page 7).
- For each evaluation, collect signatures from your employer and submit the form to ISS. We will keep it in your record.

Changing Employers

- If you change employers at any time during your OPT STEM extension:
    - your new employer must be enrolled in E-Verify
    - you must submit a new I-983 completed by your new employer
    - you must submit a Final Evaluation for your previous employer.

Unemployment

- You must report **the start** and **end** dates of any period of unemployment while on OPT.
- More than 150 days of unemployment during OPT STEM extension period (counted from the start date of your original 12-month OPT EAD card) will result in the loss of your F-1 status.
- This 150-day period includes any time of unemployment accrued during OPT, as well as OPT STEM.
- Your US employer must report to OU ISS within 48 hours if you have left their employment.

SEVP Portal

The Student and Exchange Visitor Program (SEVP) launched a portal for F-1 students on approved OPT or OPT STEM to access their personal and employment information as it appears in SEVIS. SEVP has created an SEVP Portal Help Links to an external site section on Study in the States if you would like to know more.

- **Using the portal is OPTIONAL.**
    - If you choose to use the portal, ***you are still REQUIRED to report*** any changes in your contact information and your employment information by completing the STEM Extension Reporting form on the ISS website

SEVP

STUDENT AND EXCHANGE VISITOR PROGRAM

U.S. Immigration and Customs Enforcement

Report to OU ISS

- Submit a *Form I-983 Final Evaluation* if you stop working for an employer, even if you entered this information in the Portal
- Change of employer even, if you entered this information in the Portal

SEVP Portal Reporting

- **NEVER** select the "*Self Employed*" option in the SEVP Portal as self employment is not allowed when you are using the OPT STEM extension.
- **NEVER** edit your current employer's information to report a change of employer.
- If you lose access to your OU email account, or if your STEM extension is about to end, we recommend updating the SEVIS portal with an email address that you will continue to be able to access.

Reporting changes in the SEVP Portal does NOT replace your mandatory reporting requirements every six months. Report your OPT STEM extension participation to OU ISS every 6 months **(even if there have been no changes)** by completing the STEM Extension Reporting form on the ISS website.

STEM Extension Application Instructions and Video Guide

There are two options to file your STEM extension application. You can mail it OR file it online. File your application using only one method (mail or online).

OPT STEM Extension Application Instructions mailed (PDF) Download OPT STEM Extension Application Instructions mailed (PDF)

- This guides you step by step in preparing your STEM extension application for USCIS by mail.

OPT STEM Application Instructions online (PDF) Download OPT STEM Application Instructions online (PDF)

- This guides you step-by-step in preparing and filing an online STEM extension application through the USCIS website.

https://studyinthestates.dhs.gov/form-i-983-overviewLinks to an external site.

- Instructions for completing the I-983 for you and your employer

OPT Application Review.mp4Download OPT Application Review.mp4
This video guides you step by step in completing the I-765.