



FLORIDA STATE UNIVERSITY
DIVISION OF STUDENT AFFAIRS

Optional Practical Training (OPT) 24-Month STEM Extension

Center for Global Engagement
Division of Student Affairs



Outline of Presentation

- STEM OPT and the I-983
- Eligibility Requirements
- Application Process and filing your application online to USCIS!
- STEM OPT updates and reporting requirements
- Unemployment during STEM OPT
- Travel Outside the U.S. during STEM OPT
- Study while on STEM OPT
- Completing STEM OPT and Grace Period
- H-1B - Cap Gap - Other Options
- Resources

****It is your responsibility to understand the STEM OPT process and obligations. Take the time to read every slide and finish the entire presentation. You can return to the presentation when you have questions later.**



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STEM OPT AND FORM I- 983



What is STEM OPT?

- A twenty-four-month extension of OPT employment authorization for eligible F-1 nonimmigrant students with qualifying STEM degrees who will be employed using the training and skills gained in that degree program.
- Government site with STEM OPT information: <https://studyinthestates.dhs.gov/stem-opt-hub>



What is the I-983?

- The Immigration and Customs Enforcement (ICE) I-983 form is a training plan that outlines your learning objectives and your employer's commitment to helping you achieve the objectives.
- The I-983 is a fundamental requirement of STEM OPT. **You and your employer must work together to complete the form.**
- You submit the I-983 to your international student advisor but the form does not go to USCIS with your application.



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Eligibility Requirements



OPT STEM Extension Eligibility Requirements

- You must be a recipient of a U.S. Bachelor's, Master's, or Doctoral degree in a STEM (science, technology, engineering, or math) degree program designated by the U.S. Department of Homeland Security. **This list is based on CIP codes. Your I-20 shows the CIP code associated with your FSU degree:**
<https://www.ice.gov/doclib/sevis/pdf/stemList2022.pdf>
- You are currently in a period of regular OPT, but it is not based on a recognized STEM degree. However, you have a previous STEM degree received from an SEVP-accredited U.S. institution within the last 10 years and your employment is/will be related to that STEM field of study.



Eligibility... continued

- You are currently in a period of regular OPT and have not exceeded 90 days of unemployment. This is important because it is not possible to apply for a STEM extension directly after completing a degree – you must be in a period of regular, post-completion OPT.
- You are employed by, or have a job offer from, an employer registered in the [USCIS E-Verify Program](#). The job is in your field of study and the employer and you complete Form I-983. All employers must have an EIN number.
- You have not already had two STEM extensions. You may have two 24-month STEM extensions (each after a period of regular OPT) and no more, ever.



STEM OPT Employment Requirements

- You must have a “**bona fide** employer-employee relationship” – your employer cannot be your “employer” in name only.
- Volunteer/Unpaid positions and self-employment are NOT allowed.
- Your employer must work with you to fully complete the **Form I-983** and abide by all employer obligations, including [Dept. of Homeland Security Site visits](#). (Be sure your I-983 information is accurate.)
- You may have more than one employer, but each one must employ you for at least 20 hours/week, participate in E-Verify, and complete an I-983.



STEM OPT Employment Requirements

- The employer that signs Form I-983 must be the same entity that provides your training experience. If you are placed at a third-party site, the actual employer (entity paying your salary) must provide the supervision and comply with the training plan.
- The employer must have enough resources and personnel available to provide appropriate training in connection with the STEM opportunity and at the location specified in the Form I-983.
- Multiple employer arrangements, sole proprietorships, employment through “temp” agencies, **employment through consulting firm arrangements that provide temporary labor for hire**, freelance/independent contractor work, and other relationships that do not constitute a bona fide employer-employee relationship are generally not ok.



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Application Process and USCIS Online Filing Process



Application Process & Deadlines

- Complete this STEM OPT online presentation. 😊 (Refer to it when you have questions while completing forms.)
- Go to the CGE website for [STEM OPT information](#), for documents to submit in [NOLE START](#) and documents you can prepare while waiting for your new I-20.
- Submit documents to [NOLE START](#) as close to 90 days before your EAD expiration as possible and no later than 2 weeks before your current EAD expires.
- Create your USCIS account to get ready to file your application to USCIS **online**:
<https://myaccount.uscis.gov/>



Application Process & Deadlines...continued

- Your advisor needs time to review your electronic draft of I-765 and check your I-983 form to be sure it meets regulatory requirements before processing your request.
- Your CGE advisor will upload your I-983 in SEVIS and issue a new I-20 with the STEM OPT recommendation.
- **Pay attention to timing**
 - Make sure you do not submit your application to USCIS more than 90 days before your 12-month OPT EAD card expires. Count each day - USCIS will deny the application if it is received even one day too early!
 - Make sure you submit the application to USCIS no later than the expiration of your regular OPT EAD.
 - USCIS must receive your application within **60** days of your advisor's signature date on your I-20.



Application Process and Deadlines...continued

- If you don't receive your STEM EAD before your regular OPT EAD expires, you may work for up to 180 days with the E-Verify employer that completed the I-983. The I-797 receipt is evidence of a timely-filed application and the automatic extension of employment authorization.



Online submission of I-765!

Learn About the USCIS Online Account



www.uscis.gov/file-online

- Filing tips and videos
- Helpful questions & answers
- Resources for attorneys and representatives
- Password resets and how to get technical support





Quick Tips



- Online form is the same as paper version
- Form logic based on your answers, starts at the beginning
- Answer as many questions as you can
- We automatically save your answers so you can work at your own pace
- Draft forms are saved for 30 days from the last time you worked on your form

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- File **AFTER** you get a STEM OPT I-20 from your CGE Advisor.



Online I-765

Submitting a Draft I-765 in NOLE START using the online version (optional)

Official website of the Department of Homeland Security [Here's how you know.](#)

U.S. Citizenship and Immigration Services

My Account ▾ Resources ▾ | Sign Out

I-765, Application for Employment Authorization

Getting Started ▾

About You ▾

Evidence ▾

Additional Information ▾

Review and Submit ▴

Review your application

Your application summary

Your statement

[Review the I-765 form information](#) Print

Here is a summary of all the information you provided in your application.

Make sure you have provided responses for everything that applies to you before you submit your application. You can edit your responses by going to each application section using the site navigation.

We also prepared a draft case snapshot with your responses, which you can download below.

[View draft snapshot](#)

Click here. Then save the document as Pdf to submit in NoleStart

Getting Started

Basis of eligibility

What is your eligibility category? c(3)(B) Student Post-Completion OPT

What is your degree?



Form I-765 TIPS

- Submit the electronic version of the I-765 shown in earlier slide in [NOLE START](#) for your CGE advisor's review. Make sure to use category **C03C** when beginning your online application!
- Refer to this video if you need assistance with filing application online: <https://youtu.be/vJqXnnSET5I>



Form I-983 TIPS

- NO auto pen or electronic signatures on the I-983. Sign by hand and obtain handwritten signatures from your employer. (Electronic signatures are still allowed due to COVID-19)
- **Section 1: Student Information (Completed by student)**
 - Write your names correctly – Pay attention to the instructions.
 - FSU's SEVIS School code is MIA214F00074000
 - STEM OPT requested period: From - The day *after* regular OPT expires. End - Two years after start date (ex: 7/15/2020 – 7/14/2022).



Form I-983 TIPS...continued

- Qualifying Major and CIP code (Major/s and code listed on I-20)
- Based on prior degree? (if using same degree as used for current OPT, mark "No")

Section 3: Employer Information (Completed by Employer)

- Start Date of Employment – Date when you begin the STEM OPT training with the employer (earliest date is the start of the STEM OPT extension, *even if you are a continuing employee*)

Page 5, Evaluations:

- Leave this page blank. You will use it later

- The STEM EAD card looks like your initial OPT card, except it will show authorization for STEM Optional Practical Training, Category C03C



- **Please check all information on your EAD card for accuracy. If anything is incorrect (dates, name, photo), contact USCIS.**



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STEM OPT Updates & Reporting Requirements



STEM OPT Updates

THIS IS **VERY** IMPORTANT

- While on STEM OPT, you still hold F-1 status and **MUST** update your [SEVP Portal](#) within **10 days** with changes to the following:
 - Name
 - Your Residential Address or Mailing Address
 - Your Phone Number
 - Employer Name or Address
 - Employment End Date – It is VERY important to keep accurate employment end dates. USCIS will assume continued employment (possibly unauthorized) if dates aren't accurate! Submit a final evaluation through the [STEM OPT reporting/I-983 Submission Form](#)



STEM Updates continued

- Contact your CGE advisor with any of this information:
 - Change in your preferred email address
 - Change of employers: Submit new I-983 **within 10 days of the change** so your advisor can update SEVIS. Use the [STEM OPT REPORTING/I-983 SUBMISSION FORM](#)
 - **Do not delete** previous employment information in your SEVP OPT Portal.
 - Date of departure from the U.S. if ending OPT. Be sure to let your advisor know you are ending OPT early and leaving the U.S. so they can end your SEVIS record.
 - USCIS approval for a change of status to another visa category.



MANDATORY REPORTING **EXTREMELY IMPORTANT**

- Your obligation during STEM OPT is to report your participation to your international student advisor and verify information in the SEVP Portal every six months from the start date on your STEM EAD. Do this through the [STEM OPT REPORTING/I-983 SUBMISSION FORM](#)
- At 12 months and 24 months, you must also submit the correct evaluation on Page 5 of the I-983 through the [STEM OPT REPORTING/I-983 SUBMISSION FORM](#). It must be signed by you and your employer.



MANDATORY REPORTING **EXTREMELY IMPORTANT**

- Although SEVP sends email reminders and tells you to contact your advisor, **the CGE requires you to complete the mandatory reporting on this link: [STEM OPT REPORTING/I-983 SUBMISSION FORM](#).**
 - If you send this information via email to your advisor, you will be asked to send it again via the link.
 - You can also find this link in the Forms tab of the CGE website - STEM OPT Reporting/I-983 Submission Form



MANDATORY REPORTING

- When you submit your mandatory report using the CGE form, your advisor logs into SEVIS and confirms that you completed the required report. You can submit the report up to 15 days before it is due. Your advisor has another 30 days to acknowledge the report in SEVIS.
- If you do not make the mandatory report or are too late, the function in SEVIS that allows your advisor to acknowledge your report will disappear. Then it is no longer possible to comply with the requirement. **PAY ATTENTION TO THE SEVP REMINDERS!**



MANDATORY REPORTING

- If you fail to submit the report on-time, you have not complied with STEM OPT obligations. SEVP can terminate your F-1 status for failure to comply and, the SEVIS “event history” will show that you did not comply.
- If you have problems logging into the SEVP Portal and need a reset, email your CGE advisor for assistance.



Ending/Changing Employment while on STEM OPT

- Submit the final evaluation on page 5 of the I-983 within 10 days of ending employment. Use the [STEM OPT REPORTING/I-983 SUBMISSION FORM](#)
- Submit a new I-983 (and final evaluation for previous employment) if you change employers during your 24-month STEM OPT period. Submit it within 10 days of starting the new employment and use the CGE's STEM OPT Reporting/I-983 Submission Form that is on the CGE website under forms.
- If you change employers before USCIS has approved your STEM OPT application, contact your CGE advisor for more information.



Access to the SEVP Portal

- Your access to your SEVP Portal ends 6 months after the end of your OPT.
- Print or save a copy of your Portal information so that you will have an accurate record of the information if you need it in the future.
- Also keep copies of all your pay stubs so that you have proof of your employment. You might need them for a future immigration application.



More Information on Mandatory Reporting and Other STEM OPT Obligations

- This useful link from Homeland Security (DHS) shows the specific actions and responsibilities required by students, employers and DSO's (aka your CGE Advisor) during STEM OPT

<https://studyinthestates.dhs.gov/assets/sevpstemoptreportingrequirementsfinal.pdf>

Be sure you and your employer comply with all obligations. DHS can make site visits to verify compliance!



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Unemployment During STEM OPT



Unemployment Rules

- Your F-1 status during OPT and STEM OPT is dependent upon employment in your field of study.
- With a STEM OPT extension, you are allowed an additional 60 days of unemployment during the STEM OPT period. This is in addition to the 90-day maximum period during initial OPT. If you did not use all 90 days allowed for unemployment during regular OPT, you can add remaining days to the 60-days added for STEM OPT, up to a total of 150 days.
- After 150 days of accumulated unemployment (regular and STEM OPT combined), your F-1 status ends. You forfeit your remaining OPT time. **There is no grace period after 150 days of unemployment.**



Tracking Unemployment

- Keep good records of your employment and be sure the information in your SEVIS Portal is accurate. The SEVIS system keeps track of your days of unemployment. The days accumulate if your CGE Advisor did not enter your information in SEVIS.
- If you are close to reaching 150 days of unemployment with no prospect of employment:
 - leave the U.S.
 - transfer your SEVIS record to begin another degree program, or
 - apply to change to another nonimmigrant status before you reach 150 days, if eligible

There is no grace period after reaching 150 days of unemployment

- If you decide to stop working and leave the US before the end date on your STEM EAD card, submit the I-983 final evaluation and email your CGE advisor to complete your SEVIS record. Unless your advisor completes your SEVIS record, days of unemployment will continue to accumulate in SEVIS.



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Travel Outside of the U.S.



Travel Abroad

- We recommend that you avoid travel if your STEM OPT application is still pending, especially if your regular OPT EAD has expired.
 - If there are problems with your STEM OPT application, you might miss communication from USCIS and jeopardize your STEM OPT.
- For international travel, be sure that you have the following documents:
 - Passport valid for at least 6 months after your planned re-entry
 - Valid F-1 visa (or be sure to apply for one – possibly risky) unless eligible for automatic revalidation of visa
 - STEM OPT I-20 with a CGE advisor's signature on page 2 that will be no older than 6 months at the time you re-enter
 - STEM EAD (preferred) or regular EAD (with I-797 receipt for pending extension)
 - Proof of employment



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Study While on STEM OPT



Study While on STEM OPT

- Academic study while on STEM OPT is generally prohibited. Enrolling full time or part time for a degree program or taking classes at a higher educational level could jeopardize your F-1 status and employment authorization, even if the dates on your EAD are still valid.
- Government guidance states that recreational and avocational study is permitted. The CGE cannot verify if specific courses or programs fall under the category of recreational or avocational and recommends caution about beginning any kind of professional formal training outside the workplace.
- Contact your CGE advisor with specific questions.



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Completing STEM OPT And Grace Period



After STEM OPT

- You have a 60-day grace period following the end of your STEM OPT employment, but there is no grace period if you reach 150 days of unemployment.
 - You cannot work during your 60-day grace period.
 - Departing the U.S. during the grace period completes your F-1 status.
- The only extension of STEM OPT is the OPT Cap-Gap Extension for students who have an accepted or approved cap-subject H-1B application/change of status filed with USCIS before the expiration of the EAD. An H-1B filed during your grace period can extend your stay but does not provide authorization to work. The cap-gap extension and cap-gap employment authorization ends immediately if USCIS denies or revokes the application.



Options During Grace Period

- Exit the U.S. within 60 days.
- Continue F-1 Status by requesting a transfer of your SEVIS record to another school.
 - You must begin study within 5 months of your OPT end date or the next available session, whichever is sooner.
- Obtain readmission to FSU and request a Change of Educational Level to begin a new program.
 - Study must begin within 5 months of your OPT end date or the next available session, whichever is sooner.
- Work with an immigration attorney regarding an application to change to a new visa status.
 - Seek advice before your STEM OPT ends.



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H-1B – Cap Gap - Other Options



Change of Status

- Seek the advice of an experienced immigration attorney for questions about your status and options. Your employer should work with an experienced immigration attorney if your employer doesn't have in-house staff who are experienced with immigration.
- If you have ever held a J-1 visa, make sure to verify your eligibility for H-1B.
 - For questions about the J-1 212(e) rule, contact Angélique Stevens, J-1 Scholar Advisor, for more information (850-645-1424 or apstevens@fsu.edu)



Common Questions Regarding H1-B and STEM Extension

My OPT is currently valid but will expire between April 1 and October 1. My Employer filed an H-1B application for me, and the application is pending. Should I apply for the STEM OPT Extension?

- Assuming your employer is subject to the annual cap on H-1B visas, you might want to apply for the OPT STEM extension. Although you are eligible for the F-1 [cap-gap](#) extension of status and employment authorization, you would want STEM OPT if USCIS doesn't approve the H-1B application after reviewing it.



Common Questions Regarding H1-B and STEM Extension

I am on regular OPT. My Employer filed an H-1B application for me, and USCIS approved it with an October 1 start date. Should I apply for the STEM OPT Extension?

- You may not need a STEM OPT Extension. Talk to your CGE advisor before submitting a STEM OPT application. A Cap-Gap I-20 might be better for you.
- If you are in F-1 status with a valid OPT EAD when your employer files a change of status H-1B application with an October 1 start date, you will receive an automatic cap-gap extension of both your F-1 status and your authorization to work. You will remain authorized to work as an F-1 student with OPT through September 30.



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Resources



- **CGE:** <https://cge.fsu.edu/international-students/current-students/employment/practical-training-f-1/stem-opt>
- **USCIS:** <https://www.uscis.gov/working-united-states/students-and-exchange-visitors/students-and-employment/stem-opt>
- **STUDY IN THE STATES:** <https://studyinthestates.dhs.gov/stem-opt-hub>
- **TAX INFORMATION:** [cge.fsu.edu/international-students/current-students/employment/taxes](https://www.irs.gov/individuals/international-taxpayers/foreign-students-scholars-teachers-researchers-and-exchange-visitors)
<https://www.irs.gov/individuals/international-taxpayers/foreign-students-scholars-teachers-researchers-and-exchange-visitors> (this site includes links to other relevant information)



CGE Advisors

- **Betty Jensen**, bjensen@fsu.edu - 645-6879
 - Students with family names beginning A - H
- **Angélique Stevens**, apstevens@fsu.edu - 645-1424
 - Students with family names beginning I - O
- **Jared Tirone**, jmtirone@fsu.edu - 644-0662
 - Students with family names beginning P - Z



Congratulations!

You have completed the STEM OPT Extension presentation.

To confirm completion, and to acknowledge that you have read the complete online OPT information presentation, type the following URL into your browser (URL is case sensitive) or click here:

https://fsu.qualtrics.com/jfe/form/SV_9BmeRITGCXz78fb

**YOU ARE NOW READY TO FOLLOW THE STEM OPT
INSTRUCTIONS AND UPLOAD YOUR APPLICATION IN
NOLE START FOR PROCESSING 😊**

<https://cge.fsu.edu/international-students/current-students/employment/practical-training-f-1/stem-opt>