STEM OPT Information and Application Workshop

Office of International Programs (OIP)
San Francisco State University
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San Francisco, CA 94132

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http://oip.sfsu.edu/f1
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STEM OPT Overview
General Requirement

You must meet all the following criteria in order to be eligible to apply for STEM OPT:

- You are currently engaging in Post-Completion OPT (not Pre-Completion OPT) in your major field of study and have not exceeded 90-days of unemployment.
- You have completed degrees in a Department of Homeland Security (DHS) approved STEM field.
- You are not self-employed or volunteering.
- Your employer has agreed to complete and sign the Form I-983, Training Plan For STEM OPT Student. (See Form I-983 tutorial).
- Your employer is participating in the USCIS E-Verify Program.
- Your employer has an Employment Identification Number (EIN) used for tax purposes.
When to Apply

To apply for STEM OPT, you must request a new I-20 with STEM OPT recommendation from the Office of International Programs (OIP). Send your request to OIP no more than 90 days before your current OPT end date.

Once you received the new I-20, you must mail the applications and other supporting documentation to the United States Citizenship and Immigration Services (USCIS). The filing fee for STEM OPT is currently $410. USCIS’ processing time for each OPT application is 90 days/3 months.

Your STEM OPT application must be received by USCIS before the expiration date of your current 12-month Post-Completion OPT, and no later than 60 days from the date OIP issued I-20 with STEM OPT recommendation.

The regulations allow you to continue working while your STEM OPT application is pending, for up to 180 days beyond the expiration of the your Post-Completion OPT. All work done during this 180-day time period is considered STEM OPT extension time that counts towards the 24-month total. **However, you cannot leave the U.S. if your current Post-Completion OPT has ended and your STEM OPT application is pending.**
The rule requires that an STEM OPT student must have a **true employer-employee relationship** with an employer to obtain a STEM OPT extension. You must work at least 20 hours per week for an employer in a position directly related to your STEM major.

**Unacceptable types of employment:**

**Volunteer/Unpaid Position:**
A student is NOT allowed to use a volunteer opportunity as a basis for the extension.

**Self-Employment:** A student may be employed by start-up businesses, however, the purpose of STEM OPT is to provide training for student. Therefore, a student cannot be his or her own supervisor. Student must have a supervisor who oversees his or her work.
In addition to the 90-day maximum period of unemployment during the initial period of post-completion OPT, a student is allowed to have an additional 60 days (for an aggregate of 150 days) for students who obtain a 24-month STEM OPT extension.

<table>
<thead>
<tr>
<th>If you received.....</th>
<th>You may be unemployed for</th>
<th>For al total of (during OPT period)</th>
</tr>
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<tbody>
<tr>
<td>Post- Completion OPT</td>
<td>Up to 90 days</td>
<td>90 days</td>
</tr>
<tr>
<td>24-month extension</td>
<td>An additional 60 days</td>
<td>150 days</td>
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</table>
Previously Obtained STEM Degrees

You are allowed to use a previously obtained STEM degree from a currently accredited and SEVP-certified institution as a basis to apply for a STEM OPT extension, even if it did not serve as the basis for the student's standard 12-month post-completion OPT, under the following conditions:

- The prior degree was earned no more than 10 years before OIP receives your request.
- The prior degree was awarded by a U.S. educational institution that is accredited and SEVP-certified at the time OIP receives your request.
- The practical training opportunity that is the basis for the 24-month STEM OPT extension must directly relate to the prior degree.
If you have already obtained one STEM OPT extension, you may be eligible for a second STEM OPT extension (i.e., a total of two lifetime STEM OPT extensions) after:

- Earning another qualifying STEM degree at a "higher degree level" and,
- Obtaining 12-month post-completion Optional Practical Training based on that higher degree.
Employers' Responsibilities

Employers play a key role in maintaining and strengthening the integrity of the STEM OPT extension program. The new rule requires significant responsibility of the employer to provide a training plan related to the field of study, and attestations to wages and compensation being commensurate with "similarly situated U.S. workers."

See employer's responsibilities at Study in the States STEM OPT hub.
Your Reporting Responsibilities

You have several types of report requirements:

- **General Reporting:** Report **within 10 days** of any changes to the following information:

<table>
<thead>
<tr>
<th>Change</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>To change your legal name</td>
<td>Email F-1 advisors at <a href="mailto:f1@sfsu.edu">f1@sfsu.edu</a> for instructions</td>
</tr>
<tr>
<td>To change U.S. address and phone number</td>
<td>Logon to SF State online Student Center</td>
</tr>
<tr>
<td>To change employers information and report loss of employment</td>
<td>Upload an updated Form I-983 at <a href="http://oip.sfsu.edu/optreporting">http://oip.sfsu.edu/optreporting</a></td>
</tr>
</tbody>
</table>

- **Changes to an existing Form I-983 with CURRENT employer:** An updated Form I-983 must be submitted to OIP at [http://oip.sfsu.edu/optreporting](http://oip.sfsu.edu/optreporting) if there is any “material changes”. “Material changes” may include, but are not limited to:
  - Any change of the employer’s EIN
  - Any reduction in student compensation that is not tied to a reduction in hours worked
  - Any significant decrease in hours per week that a student engages in a STEM training opportunity
  - Changes to the employer’s commitments or student’s learning objectives as documented on the Form I-983

As long as you and employer meet the regulatory requirements and the modified Form I-983 meets the specified requirements, your employment authorization will not cease based on the change to the plan.
Your Reporting Responsibilities

- **Change to a NEW employer:** You may change employer during STEM OPT. The new employer must be enrolled in E-Verify before you start working for pay. You must also submit a new Form I-983 to OIP by email **within 10 days** of starting the new employment.

- **Validation Reporting:** 3 validation reports (6-month, 12-month and 18-month) must be reported to the DSO. This confirms that your name, address, phone number, employer name and address, and employment status are correct. Submit your validation report through OIP’s OPT reporting form at [http://oip.sfsu.edu/optreporting](http://oip.sfsu.edu/optreporting)

- **Two Annual Evaluation Reporting:** You must complete the first “Evaluation of Student Progress” portion of Form I-983 within 12 months of the listed STEM OPT start date. At the end of the STEM OPT extension, you must conduct a second, final assessment. Read the “Evaluation of Student Progress” section at [Study in the States website](http://oip.sfsu.edu/optreporting) before you start working on the evaluation. Submit your completed, signed and scanned evaluation forms at [http://oip.sfsu.edu/optreporting](http://oip.sfsu.edu/optreporting).
STEM OPT
Application Procedures
Submit the following documents to OIP. Do not staple your documents or print double sided. All forms are fillable PDF. You must TYPE all the forms instead of filling out by hand.

1. A blank envelope (at least 9 inches by 11 inches) – the envelope must be big enough to fit all your extension application materials.

2. **TYPED**, completed and signed **STEM OPT Request Form**.

3. **TYPED**, completed and signed **Form I-983**. The DSO contact info on the I-983 should be: **Yuka Sakata (PDSO), San Francisco State University, 1600 Holloway Avenue, San Francisco, CA 94132, 415.338.1293, f1@sfsu.edu**

4. Completed and signed **Form I-765**.

5. Photocopy of the identification page(s) in your passport (must include name, current expiration date, and photo).

6. Photocopy of your current EAD.

   *If you entered the U.S. prior to April 30, 2013, provide a front and back copy of the I-94 card stapled to inside of your passport.*
STEM OPT Request Form

This is a fillable PDF form. Please type all fields and sign at the bottom.
Read the **Applicant Requirements** on the 2nd page and sign at the bottom.
Form I-765

Go to USCIS' I-765 page and download the most current Form I-765. USCIS does update Form I-765 frequently and you should use the most current form.

Check the box for “Renewal of my permission to accept employment”.

✓ I-765 is a fillable PDF. Do not fill it out by hand.
Item # 3: U.S. Mailing Address
The address you put here is where the EAD will be mailed.

- This address needs to be valid for at least 3 months, the length of time it may take to process your STEM OPT application
- If you think you might move in the months after you mail your application, use a reliable friend or family member’s address to receive your EAD.
- The address you put here be in California. If you wish to use a address outside the California, visit [http://www.uscis.gov/i-765-addresses](http://www.uscis.gov/i-765-addresses) for the appropriate USCIS lockbox to send your OPT application
- You may change your mailing address after you receive a [Form I-797C, Notice of Action](http://www.uscis.gov/i-765-addresses), a receipt notice with your case number, from USCIS
**Item # 9.a.: Social Security Number (SSN)**
Provide your SSN

**Item # 9.b.:**
Provide your SSN

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**Form I-765**

9.a. Has the Social Security Administration (SSA) ever officially issued a Social Security card to you?

☐ Yes  ☐ No

NOTE: If you answered “Yes” to Item Number 9.a., provide the information requested in Item Number 9.b.

9.b. Provide your Social Security number (SSN) (if known)


10. Do you want the SSA to issue you a Social Security card? (You must also answer “Yes” to Item Number 11., Consent for Disclosure, to receive a card.)

☐ Yes  ☐ No

NOTE: If you answered “No” to Item Number 10., skip to Item Number 14. If you answered “Yes” to Item Number 10., you must also answer “Yes” to Item Number 11.

11. Consent for Disclosure: I authorize disclosure of information from this application to the SSA as required for the purpose of assigning me an SSN and issuing me a Social Security card.

☐ Yes  ☐ No
**Item # 14: Form I-94 Number.** On this item, you will use your current I-94 number. This is an 11-digit number found on the top left corner of your I-94 card. If you entered the U.S. after April 30, 2013, you can also obtain this number at [https://i94.cbp.dhs.gov](https://i94.cbp.dhs.gov).

**Item # 15: Previous Employment Authorization**
Check “Yes”. Fill in the next two lines with the information related to your current Post-Completion OPT. A photocopy of the EAD must be included with your application package.

**Item # 16: Date of Last Entry into the U.S. or about (mm/dd/yyyy)**
This is the date of your most recent entry into the U.S. This entry date can be found on the admission stamp on your passport or on your I-94.

**Item # 17: Place of Last Entry into the U.S.**
This is the name of the city where you landed in the U.S. This information is also can be found on the admission stamp on your passport (usually as a code like “SFR” for San Francisco). If you drove across from Canada or Mexico, write the name and the city where you entered.

**Item #18: Status at Last Entry**
This is the status you had upon entering the U.S. For example, you may have last entered with a H-4 dependent visa and changed status to F-1.

**Item # 19: Current Immigration Status**
Type “F-1 Students”.
Item # 20: Eligibility Category
Write (c)(3)(C) for STEM OPT extension.

Item # 21: (c)(3)(C) Eligibility Category
Provide your degree information (for example, “MS in Computer Science”) and your employer’s E-Verify information - your employer should be able to provide you with this information.

Certification
I certify, under penalty of perjury, that the foregoing is true and correct. Furthermore, I authorize the release of any information that U.S. Citizenship and Immigration Services needs to determine eligibility for the benefit I am seeking. I have read the Who May File Form I-765 section of the Instructions and have identified the appropriate eligibility category in Item Number 20.

Applicant’s Signature
Sign your name in BLACK ink (Not blue). Your signature must fit between the lines. If your signature touches the signature box, your application will be returned to you. Be conservative and use a signature smaller than your normal handwriting.
Two 2” by 2” U.S. Passport Style Photos

- The photos you are required to use for the OPT application **MUST** meet the specifications of U.S. passport style photos.
- The photos must be taken within 30 days of the date you sign the I-765 application – do not use the same photos that you used to apply for the 12 month OPT.
- Write your name and I-94 number lightly on the back of each photo in case they get separated from your application.

**Helpful Tips**

- Read a **full description** of these specifications at U.S. Department of State web site
- **Most places that take passport photos are already familiar with the specifications**
Pick Up Your Application Materials

- After you submit the completed STEM OPT application materials to OIP, your request will be reviewed by an F-1 student advisor. Once OIP determined you are eligible for STEM OPT, a new I-20 with the STEM OPT recommendation will be issued within 5 business days (excluding weekends and holidays).

- Pick up your new I-20 and the rest of the STEM OPT application materials at OIP front desk 5 business days (excluding weekends and holidays) from the day you submitted the OPT application materials.

- If your new I-20 and the rest of the STEM OPT application materials are ready for pick up in less than 10 business days, OIP will e-mail you a pick up notification.
Prepare Your Application for Mailing

Step 1: Prepare your application package

- **Completed and signed Form I-765**

- **Photos:** Two U.S. passport-style photographs. Write your full name and I-94 number gently at back of your photos and place the photos in a small envelope.

- **Filing Fee:** $410. Fee can be paid by personal check. Make check payable to “U.S. Department of Homeland Security”. Your photos and the personal check should be paper clipped on top of the Form I-765.

- **Photocopies of the I-20:** make photocopies of your new I-20 and sign it with a blue ink pen. Sign under the “Student Attestation” section at the bottom of page 1.

- **I-94.** Print from [http://www.cbp.gov/i94](http://www.cbp.gov/i94) or attach photocopies of both the front and back sides of your I-94 card.

- **Photocopy of your passport.** The photocopy must include name, current expiration date, and your photo.

- **Photocopy of your current EAD**

- **Copy of your degree:** Unofficial transcripts or copy of the diploma showing the level and program of study.

- **(Optional) G-1145 E-Notification of Application/Petition Acceptance.** If you would like to receive a receipt notification of your application electronically either via email or text, complete the G-1145 and send it with your application.
STEP 2: Mail Your Application

If your address is **IN** California, mail the above documents to:

<table>
<thead>
<tr>
<th>For U.S. Postal Service:</th>
<th>Private Courier (FedEx, DHL or UPS)</th>
</tr>
</thead>
<tbody>
<tr>
<td>USCIS, PO Box 21281</td>
<td>USCIS, Attn: AOS</td>
</tr>
<tr>
<td>Phoenix, AZ 85036</td>
<td>1820 E. Skyharbor Circle S, Suite 100</td>
</tr>
<tr>
<td>(OIP recommends that you send your application by <strong>Priority Mail</strong> - additional fee will apply)</td>
<td>Phoenix, AZ 85034</td>
</tr>
</tbody>
</table>

If your address is **OUTSIDE** California, visit [http://www.uscis.gov/i-765-addresses](http://www.uscis.gov/i-765-addresses) for the appropriate USCIS lockbox to send your OPT application. OIP will provide you a mailing instruction sheet with your new I-20. Please read the instruction sheet carefully.
As long as you have submitted your application to USCIS, your F-1 student status remains valid and you can continue to work.

You cannot leave the U.S. if your current Post-Completion OPT has ended and your STEM OPT application is pending.

USCIS will mail Form I-797C Notice of Action to you after they received your extension application. This is the proof that your application is being processed and your application fee has been received by USCIS.

Your receipt number (usually starts from “YSC”) is printed on this I-797C. You can check the status of your OPT application by entering your receipt number under “Check your case status” at http://www.uscis.gov/.

The Received Date on the Notice of Action: This is the date when the USCIS begins processing your application. It may not be the actual date they received your application but it is when your case was entered into the system.

The Notice Date on the Notice of Action: This is the date the Notice of Action is issued.

If you do not receive any Form I-797C, Notice of Action within 4 weeks after mailing your application, request the receipt letter to be sent to you by using the USCIS online tools at https://www.uscis.gov/tools or call USCIS National Customer Service Center at 1-800-375-5283.
If there is a problem with your application, USCIS will send you a notice by mail called the “Request for Evidence (RFE).” In most cases, the USCIS will NOT call you at the telephone number you put on the Form I-765.

We strongly advise you to contact a F-1 International Student Adviser at OIP if you receive an RFE. An RFE does not mean that your application has been rejected. It simply means that you need to provide the missing documents before your EAD can be issued.

USCIS usually give applicant 30 days to respond to RFE. Your application will be denied if you fail to provide missing documents within 30 days of RFE issue date.

Getting an RFE will delay the processing of your application usually by 4 weeks. For this reason, you should read the mailing instruction when you pick up the STEM OPT application materials at OIP, and send the COMPLETED application package to USCIS.

- The standard processing time for extension application is 90 days/3 months.
- Spring/Summer tends to be peak period.
Employment Authorization Document (EAD)

USCIS will send you an Employment Authorization Document (EAD) upon approval.

If you do not receive your EAD within 90 days of your “Received Date” on Form I-797C Notice of Action, follow up by using the USCIS online tools at [https://www.uscis.gov/tools](https://www.uscis.gov/tools) or call USCIS National Customer Service Center at 1-800-375-5283.

Please upload an image of your STEM EAD at OIP’s online reporting form: [http://oip.sfsu.edu/optreporting](http://oip.sfsu.edu/optreporting)
The End

Good luck and we wish you all the best!