Carnegie Mellon University

STEM OPT Work Permission For F-1 Students

OFFICE OF INTERNATIONAL EDUCATION



STEM OPT Extension Overview

Eligibility for the 24-Month Extension

- Be a recipient of a U.S. Bachelor's, Master's or Doctoral degree in a <u>STEM-designated degree program</u> (Science, Technology, Engineering or Math).
- Be authorized for a period of Post-Completion OPT and have not exceeded 90 days of unemployment.
- Be employed or have a job offer (directly related to your field of study) from an employer who is registered in the USCIS <u>E-Verify</u> <u>Program</u>.
- Employer completes and signs <u>Form I-983</u> (employer must participate in E-Verify employer and have a valid EIN number).
- File within the required timeline.

Note: Up to two 24-month STEM OPT Extensions may be granted *per lifetime* based on completion of an advanced degree level and approved post-OPT.



Type of Allowable Employment

- Employment with an E-Verified Company
- Paid

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- At least 20 hours a week
- Have a supervisor
- A <u>"bona fide employer"</u> completes your I-983
 - Employer signing your I-983 must be the same entity to employ you and provide the practical training experience required by Form I-983

Employment that is Not Permitted on STEM Extension OPT

- Volunteer Work
- Unpaid Positions
- Self-Employment
- Employment with an employer for less than 20 hours per week
- Sole Proprietorships
- Employment through "temp" agencies
- Employment through consulting firm arrangements that provide labor for hire
- Other relationships that *do not constitute a bona fide employer/employee relationship are generally not supported*.

Multiple employment relationships are rare but may be possible; please consult with your <u>OIE Advisor</u>.

STEM OPT Employer Responsibilities

- Be enrolled in <u>E-Verify</u> and remain in good standing.
- E-Verify is a government program that verifies employees' work eligibility. Ask your Human Resource Department if your employer participates in E-Verify

*NOTE: CMU is *NOT* an E-Verify Employer for the purpose of STEM OPT Extension*

- Report material changes to the STEM OPT student's employment to the DSO within 10 business days.
- Implement a formal training program to augment the student's academic learning through practical experience.
- Provide an OPT opportunity that is commensurate with those of similarly situated U.S. workers in duties, hours and compensation.
- Complete the Form I-983 Training Plan for STEM OPT Students. In this form, the employer must attest that:
 - ✓ They have enough resources and trained personnel available to appropriately train the student;
 - ✓ The student will not replace a full- or part-time, temporary or permanent U.S. worker; and
 - ✓ Working for the employer will help the student attain their training objectives.



24-Month STEM OPT Extension – *IMPORTANT Timelines!*



Request your STEM OPT I-20

MyOIE Portal – STEM I-20 e-Form Request



Processing Times for STEM OPT applications

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STEM I-20 e-Form – Documents To Upload

- 1. Copy of previously issued EAD Card(s)
- Copy of a completed AND signed <u>I-983</u>
 <u>Form</u> (pages 1-4) Make sure the employer is <u>E-Verified</u>
- 3. Copy of your most recent <u>I-94 Record</u>
 - (*NOT*Travel History)
 - Confirm information on your I-94 Record is correct! Contact <u>OIE</u> if there are any mistakes!

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If an employer, local, state or federal agency requests admission information, present your admission (I-54) number along with any additional required documents requested by that employer or agency.

Print and Sign Your STEM OPT I-20!

Make sure to print and sign your I-20 before submitting your application.

- Submitting an unsigned I-20 is a common mistake in STEM OPT applications.
- For a digitally sent I-20 to have full validity, it must be printed and signed by the student. You will use this printed I-20 for travel.
- Triple check this before submitting your application!

Dependents In F-2 Status

- F-2 dependents will receive a new I-20 as well
- F-2 documents *DO NOT* need to submitted in your OPT application

F-2 dependent(s) *Must ALWAYS Travel* with:

- Their F-2 OPT I-20 and copies of the F-1's immigration documents:
 - OPT I-20
 - EAD card(s)
 - Job Offer Letter

Department of Homeland Security U.S. Immigration and Customs Enforcem	I-20, Certificate of Eligibility for Nonimmigrant Student Status OMB NO. 1653-0038			
SEVIS ID: N0029605728				
SURNAME/PRIMARY NAME	GIVEN NAME	Class of Admission		
PREFERRED NAME	PASSPORT NAME			
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FORM ISSUE REASON CONTINUED ATTENDANCE	LEGACY NAME	LANGUAGE		
SCHOOL INFORMATION			11	
SCHOOL NAME Carnegie Mellon University Carnegie Mellon University	SCHOOL ADDRES 5000 Forbes Ave	S enue, Pittsburgh,	PA 15213	
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Living Expenses	5 20,855	Funds From This School		5 101 250
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STUDENT ATTESTATION				
I have read and agreed to comply with the terms and refers specifically to me and is true and correct to th purpose of purpuing a full program of study at the si pursuant to 8 CFR 214.3(g) to determine my nonimi-	l conditions of my admission a e best of my knowledge. I cent chool named above. I also auth migrant status. Parent or gua	nd those of any extensior ify that I seek to enter or orize the named school to dian, and student, must	n of stay. I certify that all in remain in the United State o release any information fi t sign if student is under 1	nformation provided on this form s temporarily, and solely for the rom my records needed by DHS 18.
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ICE Form I-20 (04/30/2021)

IMPORTANT! The 60-Day STEM OPT I-20 Rule!

SCHOOL ATTESTATION

I certify under penalty of perjury that all information provided above was entered before I signed this form and is true and correct. I executed this form in the United States after review and evaluation in the United States by me or other officials of the school of the student's application, transcripts, or other records of courses taken and proof of financial responsibility, which were received at the school prior to the execution of this form. The school has determined that the above named student's qualifications meet all standards for admission to the school and the student will be required to pursue a full program of study as defined by 8 CFR 214.2(f)(6). I am a designated school of this form.

X DATE ISSUED SIGNATURE OF: Wary Ganska, Foreign Student & Scholar 20 March 2022 Advisor PLACE ISSUED Pittsburgh, PA

- Your OPT application MUST be received by USCIS *within 60 days* of the date your OPT I-20 is issued.
- If I-20 is received by USCIS more than 60 days after its issuance date, your OPT application will be DENIED.

While the STEM OPT Application is Pending...

THE GOAL?

- A New Employment Authorization Document (EAD Card)
- You may continue to work for up to 180 Days while waiting on your new STEM EAD Card to be approved
 - ➢ This is unique to the <u>24-Month</u> <u>STEM OPT</u> extension



Choose How to File the I-765

Choosing How to File - Online or by Mail

As of April 2021, F-1 students now have the option of filing their Form I-765 electronically.

The benefits to filing your request online include:

- No paper mailing involved
- You can pay using a credit or debit card (no need to use a check or money order)
- A receipt number is generated immediately after submission
 - ➢ No need to file Form G-1145
 - > Students will have less wait to receive their receipt number
 - > Access to application "case status" in your USCIS account

Choosing How to File - Online or by Mail

Keep in Mind:

- The processing time for the EAD card **is the same** whether you file electronically or via mail.
- Do not submit an online application AND a mail-in request. Duplicate applications may be denied.
- You MUST file Form I-765 from within the U.S. whether you choose the online filing option or mail your request.
- Regardless if you file online or by mail you cannot edit your request after submission.

Students may choose to file their application online or by mail. Students have reported success with the online application and it seems to minimize potential application errors, but the decision is up to the applicant.

Ready to File?

If you will file **online**, proceed to <u>Slide 19 (The I-765 Application - Online)</u>. If you will file by **mail**, proceed to <u>Slide 28 (The I-765 Application - Mail)</u>.

Remember, you should only submit <u>one</u> application! Duplicate applications (for instance, mailing one and submitting one online) can cause issues and result in denial.

The I-765 Application – Online

What Do I Include With My Online Application?

Prepare the Required Documents

We have found the documentation needed for the paper I-765 and the online I-765 is different. The necessary documentation for online filing is listed below, but not limited to the items below. Be certain to read the instructions in the online application and follow the prompts carefully.

Prepare by scanning all documents:

- One U.S. passport-sized photo (no glasses)
- Most Recent I-94 Record Copy
- Photocopy of signed STEM OPT I-20
- Copy of most recently issued EAD card
- Copy of diploma and/or official transcripts confirming degree completion

Do I need to include Institutional Accreditation?

- For students basing their STEM OPT extension off of their most recently completed Carnegie Mellon degree, including evidence of institution accreditation is <u>not necessary</u>.
- Evidence of Institutional Accreditation is only necessary if you are basing your STEM OPT extension on a degree earned *prior* to your most recent Carnegie Mellon degree

Students basing their STEM OPT extension off of a degree completed prior to their most recent CMU degree will need to include evidence of institution accreditation.

Evidence of CMU's institutional accreditation can be found on <u>this website</u>.

- The employment that is the basis for the 24 month STEM OPT extension is directly related to the STEM eligible prior degree.
- Review the U.S. Department of Homeland Security's <u>additional requirements when</u> <u>applying for STEM OPT based upon a previous degree</u>

Create/Log In to Your USCIS Account and Begin the Application for Employment Authorization (I-765)

Create an account at File Online: USCIS.

Use an email address that will not expire. Please note, if you previously created an account using your Andrew email and it has expired, you may need to create a new USCIS account.

Begin the *Application for Employment Authorization* (I-765) and Fill Out All Required Sections

After you have created your account, log-in and select "File a form online" under "Select What You Want To Do." Then select "Application for Employment Authorization (I-765)." Follow the prompts in the online form to complete all the required sections and attach all the required documents.

Select your Eligibility Category and Reason for Applying

What is your eligibility category?

A You can file your request online only for certain eligibility categories

If your eligibility category does not appear on the drop-down list, you must file a paper <u>Form I-765</u>. If you submit online and are not eligible for one of the listed categories, your application may be denied.

(c)(3)(C) STEM Extension

What is your reason for applying?

Initial permission to accept employment

- 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
- Renewal of permission to accept employment

REMEMBER: You are applying for STEM OPT and it is a separate benefit than OPT, which is why you should select "Initial permission to accept employment."

What I-20s Should I Upload?

Follow the steps outlined in the Online I-765 Application.

- You should upload exactly what the online application requests.
- If the application only requests your I-20 that reflects the STEM OPT extension recommendation, that is all you are required to upload for the online process.
- Remember that this could change but if you follow the directions exactly, you will be providing what USCIS needs to process your application.

Online Application Tips

- The USCIS system will keep your application stored for up to 30 days. If you begin a draft, please be sure to log in so you don't lose your progress.
- Keep in mind USCIS must receive your STEM OPT application within 60 days of your I-20 issuance. USCIS will save your draft submission for up to 30 days as long as you continue to log in. If you wait longer than 30 days to log in again, USCIS will delete your draft to protect your data.

Review and Submit your Online Application

Before you submit your form, make sure to review all sections for accuracy. Make any needed corrections. We also highly recommend that you download a PDF copy of your responses to save for your records. You can do this by clicking on "View draft snapshot."



IMPORTANT! In addition to printing or saving a copy of your I-765 before you submit, you should also save copies of all other submission materials.

Monitor Your Request and View Your Receipt Number

Once you have submitted your application online, you can:

- View your receipt notice by clicking on the "Go to my cases" link. You should save a copy of your receipt number.
- View your case status
- View a PDF of your completed Form I-765
- View any notices or review requests for evidence (RFE) if applicable (contact OIE immediately if you receive a biometric notice or RFE)
- View your decision letter

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Any notices will also be mailed to the US mailing address indicated on the Form I-765.

Continue to <u>Slide 40 - After You Apply and How to Maintain Status on STEM OPT</u>

The I-765 Application – Mail

What Do I Include With My Mailed Application?

What To Include?:

- ✓ <u>G-1145 Form</u>
- ✓ *Check (payable to U.S. Department of Homeland Security) OR,
 - ✓ Form G-1450 to pay by Credit Card. The fee amount is found on the USCIS website. Click the 'Filing Fee' tab.
- ✓ Completed, signed <u>I-765 Form</u>
- ✓ Two U.S. passport-sized photos (No Glasses)
- ✓ Copies of all I-20s issued to you from your current degree level, including new STEM I-20
- ✓ Copy of most recent <u>I-94 Record</u> (NOT Travel History Page)
- ✓ Copy of *VALID* passport
- ✓ Copy of F-1 visa sticker (even if expired)
- ✓ Copy of previous EAD (if you've applied for OPT before)
- Proof of Degree Completion: Official <u>transcripts</u> confirming your degree *and/or* a copy of your diploma.

G-1145 Form

Complete this form and clip it on top of the first page of your immigration form(s).						
Applicant/Petitioner Full Last Name	Applicant/Petitioner Full First	Name	Applicant/Petitioner Full Middle Name			
E-mail Address	Tour Tribe Rune	Mobile Phone Number (Text Message)				
xxxxxx@gmail.com		412-123-4	4567			

- G-1145 Form:
 - Should be the 1st page of your OPT application
 - Free to file
 - More like 2-4 weeks... •
 - Disregard the form's expiration date but be sure to download from uscis.gov <u>website</u>.

USCIS Form G-1145 Expires 9/26/14 Y

When Will I Be Notified?

We will send the e-Notification within

▶ 24 hours after we accept your application

A Personal Check Prepare Your Check Following the Format of the Image Below

- NOTE: There are different options for paying the I-765 Fee. You can find additional information about this on the USCIS <u>website</u>.
- Checks must be issued by a U.S. bank.
- Confirm the fee amount on the <u>USCIS website</u>. Scroll down and Click 'Filing Fee'

Your Name 123 Street Name City, State, Zip Code (123) 456-7890	1025
Write out the dollar amount in words here.	Dollars D
MEMO Form 1-765 for SEVIS #NOODXXXXX	Sign Your Name Here
::00000000: ::00000000::	1025

A Personal Check Prepare Your Check Like The Image Below

Leave the back of the check **BLANK**



G-1450 Form (for Credit Card Payments Only)

Applicant's/Petitioner's/Request Given Name (First Name)	er's Information (Full Legal Middle Name (if any)	Name) Family Name (J	Last Name)	"Petitioner" is person applying
Credit Card Billing Information Given Name (First Name)	(Credit Card Holder's Name Middle Name (if any)	e as it Appears on the Carlor Family Name (1	ard) Last Name)	for the OPT.
Credit Card Holder's Billing Addre Street Number and Name City or Town Credit Card Holder's Signature and Credit Card Holder's Signature	d Contact Information:	Apt. St	te. Flr. Number ate ZIP Code	 Card Holders Information Can be your information or a friends → enter that information here
Credit Card Holder's Daytime Teleph	one Number Credit Card H	older's Email Address		
Credit Card Information Credit Card Number Credit Card Expiration Date (mm/yyyy) Form G-1450 01/04/18	Credit Card Type:	Visa Aut MasterCard S American Express Discover	horized Payment Amount . 00 Page 1 of	 Make sure "Card Holder" SIGNS the form!

If you wish to pay by credit card – please fill-out at attached the <u>G-1450 Form</u> to your application.

US Banks ONLY! Type or Print in Black Ink

Photos OIE Cannot Check Photos!

- Write your name *AND* I-94 # on the back of the photos!
 - Write lightly don't damage the photo!
- Make sure they are the correct size!
- Photos taken within past 30 days!
- NO glasses!
- White or off-white background with no shadows!
- You can include your check & photos in a white envelope, marked with your name and I-94 number.
- Attach envelope to application
- Do not staple photos!





Form I-765

For a detailed guide on how to complete the I-765, please refer to our <u>sample I-765</u>.

This sample guide will walk you through how to complete the paper form. Please note this guide is intended for the paper form <u>only</u>. If you are applying online, please refer to the earlier slides in this document as well as the instructions on the USCIS Website.

Additional Required Documents – *Photocopies*



- I-94 Record <u>Printout</u>, *OR*
- A photocopy of White I-94 Card (front & back)





- Photocopy of your VALID passport photo page AND a photocopy of your most recent F-1 Visa Sticker
 - Photocopy of your current Post-Completion OPT EAD Card.



- ALL I-20s from your current degree level, including your new STEM OPT
 I-20. Remember to Sign all I-20s before photocopy them!
- Proof of Degree Completion: To obtain transcripts and/or a diploma, you will need to contact <u>The HUB</u>.
 - You will need to provide official transcripts confirming your degree completion and/or a copy of your diploma.
 - OIE recommends that you provide both (transcripts and a copy of your diploma).



Optional Cover Letter

Sample OPT Cover Letter

[DATE OF REQUEST]

Cover letter *NOT* required unless something is missing or further explanation is required:

- Missing I-20
- Missing EAD

[STUDENT NAME]: [SEVIS ID NUMBER]: [OPT REQUESTED: PRE or POST-COMPLETION or STEM] [OPT DATES REQUESTED]:

Dear USCIS Officer:

Please accept this cover letter for my F-1 [PRE or POST-COMPLETION or STEM] Practical Training request. I am writing this letter because [REASON FOR LETTER].

Enclosed, please find my [PRE or POST-COMPLETION or STEM] application materials

Please contact me if you require additional information or documentation to process this request.

Sincerely,

[SIGNATURE OF STUDENT]

[NAME OF STUDENT]

BEFORE You Mail Your Application...

DOUBLE CHECK EVERYTHING!

- Did you check that you are using the most recent/updated <u>I-765 Form</u>?
- Did you check the box at the top of the I-765 Form (page 1) indicating what you are applying for?
- Did you sign and date your I-765 Form on page 5?
- Did you include all 7 pages of the I-765 Form?
- Did you check the USCIS <u>website</u> to make sure that your application <u>fee</u> is correct?
- Did you check the F-1 I-765 mailing instructions on the USCIS <u>website</u>?
- <u>Make a copy of all application materials</u> before you package and ship it to USCIS.

Mailing OPT Application – FedEx/UPS

NOTE: OPT Applications *MUST* be mailed from within the United States!

- Make sure that you checked the F-1 (I-765) mailing instructions on the USCIS <u>website</u>?
 - Click on "Foreign Students" and see the row with
 - 'F-1 Optional Practical Training' for the most up to date mailing address.
 - Note the distinct mailing address for FedEx and UPS deliveries.
- OIE recommends using Express Mail (FedEx or UPS).
 - That you mail your application packet with *Tracking*!
 - That you save a copy of the Express Mail receipt that you receive from FedEx and UPS.
 - This can help you prove that your application arrived at USCIS.



After You Apply and How to Maintain Status on STEM OPT

What Happens After You Submit your I-765 Application

You should receive from USCIS:

- (mailed applications only) Text message or email with your receipt number within 2 to 4 weeks
- Paper Receipt Notice within 4 weeks
- Paper Approval Notice -within 2-5 months
- EAD Card -within 2-5 months

If you think you made a mistake on your STEM OPT Application, <u>do not</u> send a duplicate application.

Contact <u>OIE</u> for advice on the specific mistake. Make sure to specify whether you filed online or by mail.

What Happens After You Submit your I-765 Application

- Once you receive your Receipt Number from USCIS, you can check your STEM OPT case status on the USCIS <u>website</u>.
 - NOTE: This website is not 100% accurate.
- Case status may stay/remain in "received status" until your STEM OPT has been approved.



Maintaining Your F-1 Status During STEM OPT



You *MUST* maintain a valid passport

If you need to renew your passport, this can be done from inside the US. You will need contact your <u>Embassy/Consulate</u> for additional information.





Follow ALL the STEM OPT rules and regulations

- The type of 'qualifying employment' you can participate in on STEM OPT is specific.
- Employment during STEM OPT requires that your work be 20 hours a week or more, directly related to your degree/major field of study, that your employer is e-verified and that you are paid.





You must submit a STEM Validation Reports and Evaluations to OIE

- Instructions on how to submit your STEM OPT Validation Reports can be found on the OIE <u>website</u>. You can also review your <u>STEM Planning Tool</u> for specific dates and information.
- You must also submit a 12-Month STEM Report and Mid-Point Evaluation, and a 24-Month STEM Report Final Evaluation. You can find those evaluations located on page 5 of the <u>I-983 Form</u>.



When Do You Submit STEM Reports?

- ➢ Reports are due every 6 months from your STEM OPT Start Date.
- 6 Months STEM Validation Report Due
- 12 Months STEM Validation Report Due *including* the First Evaluation of Student Progress (I-983, page 5)
- 18 Months STEM Validation Report Due
- 24 Months STEM Validation Report Due *including* the Final Evaluation of Student Progress (I-983, page 5)
- REMEMBER: You must *also* submit a Final Evaluation if you leave a STEM OPT employer early or change to a new employer. Even if it has been a relatively short period of time, it is <u>required</u>.

Maintaining Your F-1 Status During STEM OPT

Update your <u>SEVP Portal</u> account



- You *MUST* report *ANY* updates through your SEVP Portal, and this must *always* be done within 10 days of *ANY CHANGE.*
- NOTE: During STEM OPT you can *ONLY* update the below in your SEVP Portal account:
 - Residential Address
 - Personal Contact Information



Remember, you *CANNOT* exceed <u>150 days of unemployment time</u> during your 12-month OPT and 24-month STEM OPT periods combined

- Unemployment time is defined as each calendar day that the student is not employed in qualifying employment.
- If more than 150 days, OPT and F status ends.
- REMINDER: Unpaid Work is not allowed during 24-Month STEM OPT Extension period.



Information about my current STEM OPT Employer changed. Do I need a new I-20?

- What is considered an important STEM OPT employer "change/update" is determined by immigration.
 - You can find out whether or not your recent STEM employer change/update falls under immigrations definition of an "Important Material Change" on the SEVP <u>website</u>.
 - If the change/update is an ""Important Material Change", you will need to submit a new Form I-983 to OIE

Changing Employers on STEM OPT

- 1. Gather documentation for the new STEM I-20 Request.
 - The "Final Evaluation on Student Progress" (page 5 of I-983) from the employer you are leaving/have left
 - o Completed I-983 from the new employer (make sure this new employer is E-Verified).
 - o Copy of your EAD card
 - o Copy of your most recent I-94 record.
- 2. Submit the STEM I-20 Request E-Form in the MyOIE Portal.
 - Review the instructions about how to access MyOIE during your STEM OPT period. You will need to use the "Limited Services Login" link to access the MyOIE Portal.
 - o If you have trouble logging in, please clear your cache or try a different browser.
 - Open the "F-1 Practical Training" forms and click "STEM I-20 Request". Follow the prompts to submit your final evaluation from your previous employer and the updated information for you new employer.

Once you submit the STEM I-20 Request to OIE, we will update SEVIS and issue an I-20 reflecting your new STEM OPT employer within 10 business days. The government allows OIE extra time to update students' employment records. You will not need to submit any documents to USCIS.

Travel During OPT/STEM OPT Period

If traveling outside the US, you need the below documents to re-enter the US:

- ✓ Valid passport (valid for 6 months into the future)
- ✓ Valid F-1 visa sticker (not expired)
- ✓ STEM OPT I-20 (most recently issued)
 - I-20 Signed for travel within the past 6 months
- ✓ EAD Card(s) (or if STEM EAD Card is pending, then your Paper STEM OPT Receipt Notice from USCIS, plus Post-OPT EAD Card).
- ✓ Proof of employment

You can check I.C.E's <u>website</u> for updated guidance on travel.



Travel (cont.)

If you travel outside the US, but have an H-1B Application pending with USCIS, you must:

- *REFER TO* your H employer and their attorneys with all travel questions.
 - Once you have a pending/approved H-1B, you must discuss ALL international travel with your H employer and their attorneys. OIE is not able to advise regarding travel for students in these circumstances.



If you travel outside the US and will remain in F-1 Status on STEM OPT, then you can:

- REFER TO <u>slide 47</u>
- Refer to the OIE website for additional information



***NOTE:** All EAD Cards state "not valid for re-entry" – this is OK. It only means that your EAD Card is not valid for re-entry *alone*. You will need all the required materials to re-enter.

Travel on Automatic Visa Revalidation

Automatic Visa Revalidation

 This may allow students to be admitted into the US, if they meet certain requirements. See the OIE <u>website</u> for more information.

Requirements For Automatic Visa Revalidation:

Students on OPT/STEM, who depart the US, for brief travel of 30 days or less to Canada, Mexico, or <u>adjacent</u> <u>islands</u> may be admitted back into the U.S. if they have an expired F-1 visa and all other required travel documents. You can find additional information on the DoS <u>website</u>.

NOTE: Citizens of some countries are <u>excluded</u>; some adjacent islands are excluded (Cuba).



Automatic Visa Revalidation <u>does not apply</u> if you:

- Apply for a new visa sticker
- Have been outside of the U.S. for more than 30 days
- Have traveled to a country other than
 Canada, Mexico or an adjacent island
- If you are uncertain if Automatic Visa Revalidation applies in your situation, please contact your <u>OIE Advisor</u>.

STEM OPT vs. H-1B



VS.

OPT/STEM OPT

- You can change jobs/employers while on your STEM OPT (as long as job/employer meets all STEM OPT requirements). SEVIS must be updated!
- You have 90 days of unemployment time while on 12-month OPT and an additional 60 days on STEM OPT (150 days total).



H-1B Temporary Work Visa

- H-1B is directly linked to your employer/job.
- Not as easy to change jobs/employers, since US immigration status is based on the job.
- Once H-1B is approved, your F-1 Status and your STEM OPT benefits end.

Options After STEM OPT

H-1B Temporary Work Visa

- Private Sector: H-1B effective start date is Oct 1st. The H-1B "CAP" or quota is 65,000 annually, available to employers April 1st, plus 20,000 additional H-1B spaces for advanced degree holders.
- Universities and Non-Profits: Not subject to Cap and can apply at any time for any start date.

Cap-Gap Extension

• Cap-Gap Extension extends an eligible F-1 student's status to bridge the gap between the end of their F-1 status and the start of H-1B status, allowing the student to remain in the U.S. during the "gap" and continue working (if on active OPT/STEM OPT). The cap-gap extension is available to students who were either on approved OPT/STEM OPT or in their F-1 60-day grace period when their H-1B was filed and have a pending or approved Change-of-Status H-1B Petition with USCIS.

To apply for a Cap-Gap Extension I-20, you MUST:

- Submit a Cap-Gap Extension e-Form Request to OIE. Directions on our website.
- You can also review the OIE Cap-Gap FAQ handout for additional information.



GAP IN EMPLOYMENT AUTHORIZATION

Changing Your F-1 Status During STEM OPT

- You *MUST* update OIE once you have an approved Change of Status (COS).
 - It could be for an H-1B, O-1, etc., but OIE will need a copy of the COS I-797 Paper Approval Notice from your employer/USCIS *within* 10 days after your new status starts!

Log into the <u>MyOIE Portal</u> and under the Biographical Information menu, submit the "Change of Status from F-1 (OPT/STEM OPT) e-Form.

This form requires:

- 1. Approval Notice (I-797)
- 2. Completed Final Evaluation (page 5) of the <u>I-983 Form</u>

Have additional questions about reporting requirements?

• Visit the OIE website



STEM OPT Frequently Asked Questions

Frequently Asked Questions (FAQs)

1. <u>What is considered full-time employment on the 24-month OPT STEM Extension?</u>

• Students must work at least 20 hours per week for an E-Verify employer in a position directly related to the STEM degree, following the goals and objectives stated in the I-983 training plan.

2. <u>I have two part-time jobs. One of the employers is enrolled in E-Verify but the other is</u> <u>not. Is this allowed?</u>

• No, all employment during the 24-month STEM must be full-time (over 20 hours a week) with an E-Verify employer as outlined on the I-983.

3. <u>How many days of unemployment am I allowed while on the 24-month STEM</u> <u>Extension?</u>

• Students who receive a 24-month OPT STEM extension are given an additional 60 days of unemployment for a total of 150 days over their entire post-completion OPT period.

Frequently Asked Questions (FAQs)

4. What counts as unemployment?

• Each calendar day during the period when OPT authorization begins and ends that the student does not have qualifying employment counts as a day of unemployment.

5. Can I continue to work while my 24-month STEM Extension OPT is pending?

• If a student's post-completion EAD expires while the STEM Extension application is pending, the student is authorized to work until USCIS makes a decision about the application, but not more than 180 days from the date the student's initial OPT EAD expires.

6. <u>How do I report any changes during my STEM Extension?</u>

- If you have a residential address change or a personal contact information change, you can report to immigration using the <u>SEVP Portal</u>.
- Change of employer must be submitted to OIE via the <u>MyOIE Portal</u> STEM OPT I-20 e-form.
- To submit your STEM Reports use the STEM OPT Report form in the MyOIE Portal.

7. <u>What documents should I present to my employer if my Post-Completion OPT expires and my OPT</u> <u>STEM is pending?</u>

• The student should present the employer with the expired EAD card, the form I-20 recommending the student for STEM Extension and proof of the timely filing with USCIS (Receipt Notice from USCIS).

Frequently Asked Questions (FAQs)

8. Can I switch employers while my OPT STEM application is pending?

- Yes, you can but depending on when you make the change, you may need to submit additional documentation to our office.
- You will need to upload the below documentation through your MyOIE Portal account. Submit the "STEM OPT I-20 Request" E-Form. (*Remember to login with "Limited Access Client Services"*).
 - Copy of your <u>I-983 Form</u> Final Evaluation (page 5) signed by "Company A" (if your STEM OPT has already started)
 - Copy of your new <u>I-983 Form</u> signed by "Company B" (required before <u>or</u> after the STEM OPT period has started)
 - Copy of your EAD Card(s)
 - Copy of your most recent <u>I-94 Record</u>

OIE will update your information in SEVIS and with USCIS. You will receive a new I-20. Nothing additional would need to be submitted by the student to USCIS for the pending I-765 application.

Additional Questions?

Visit:

- <u>STEM OPT HUB</u> on the Study in the States website
- OIE STEM OPT Resources

Office of International Education Cyert Hall, 1st Floor (Atrium Level) oie@andrew.cmu.edu www.cmu.edu/oie



