

## **OPT Extension Considerations for Students and Employers**

An F-1 student currently engaged in a period of Post-Completion OPT who has been awarded a bachelor's, master's, or doctoral degree in a Department of Homeland Security (DHS) approved STEM field and works for an E-Verify employer is eligible to apply for the STEM extension.

Students with degrees in qualifying majors, who plan to extend their OPT, should discuss the OPT Extension responsibilities with their employer early as the employer now has specific training and reporting responsibilities, in addition to the student's reporting responsibilities, while on OPT Extension. Please see the below responsibilities for both students and employers when considering applying for the OPT Extension.

### **Student Responsibilities:**

- Check the DHS approved STEM degree list at <http://www.ice.gov/sevis/stemlist.htm>. If your CIP major code (as given on your I-20) is not listed, you may not apply for OPT Extension;
- Consult with their employer regarding employer responsibilities and ensure the employer's support for the OPT Extension application;
- Download and complete all application forms (including the Form I-983 Training Plan form) from the ISS OPT Information website and contact ISS to submit your application materials. Application may be submitted up to 90 days before the end date printed on the EAD card and must be received by USCIS before the expiration date of the EAD card. Students are encouraged to apply as early as possible to avoid timing issues;
- Continue to report any changes to contact or employer information within 10 days of any change. \*New employment requires submission of a new Form I-983 within 10 days to ISS and before SEVIS can be updated and new I-20 printed;
- Complete 6-month update online survey within 10 days of the end of every six months on OPT Extension;
- Complete the self-evaluation (signature from employer required) portion of the I-983 form and submit to ISS BEFORE the end of the 12<sup>th</sup> month on OPT Extension and 24<sup>th</sup> month on OPT Extension (or at the completion of employment if employment is terminated early).

### **Employer Responsibilities:**

- Be enrolled in the federal E-Verify program and remain in good standing. See the E-Verify fact sheet at: <https://www.uscis.gov/e-verify> for information about this program;
- 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, 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 his or her training objectives.

\*Tutorial for completing the Form I-983 can be found at:

<https://studyinthestates.dhs.gov/assets/stem-opt-hub/story.html>

During the OPT Extension period, the employer is required to submit the following reports to the student's Designated School Official (DSO):

- Evaluation on Student Progress – review student's annual self-evaluation section of the Form I-983 and sign it to attest to its accuracy. Evaluation must be submitted by the end of the 12<sup>th</sup> and 24<sup>th</sup> month of the OPT Extension or at the end of employment if ended before the EAD expiration;
- Material Changes to the Form I-983 – changes to salary, significant decrease in weekly hours worked, change to training plan or goals within training program. Must submit updated Form I-983 within 10 days of change;
- Loss of Employment – Report termination of employment within 5 days of termination.

Employer should download the Employer Reporting Form from [www.uwyo.edu/iss/opt](http://www.uwyo.edu/iss/opt) and submit as a cover sheet with any necessary documentation for any report made to the student's DSO.

U.S. Immigration and Customs Enforcement may visit employer worksite(s) to verify whether they are meeting the STEM OPT program requirements, including whether they are maintaining the ability and resources to provide structured and guided work-based learning experiences for the STEM OPT student.

For more information about the OPT Extension visit <https://studyinthestates.dhs.gov/stem-opt-hub>, find resources at [www.uwyo.edu/iss/opt](http://www.uwyo.edu/iss/opt) or contact UW International Students and Scholars.