

## **Frequently Asked Questions on the STEM Process**

1. What if I am on an OPT STEM Extension at the graduate level, in the future, can I apply for an OPT STEM on a Bachelor's degree?

Unfortunately, no. DHS will not allow this. To qualify for a second STEM Extension in the future, you must apply using a higher education level.

2. Can I apply for an additional OPT STEM Extension directly following a current OPT STEM which would allow for a total of 48 months on OPT STEM?

No, DHS has stated that you must be on post-completion OPT to apply for new OPT STEM Extension of 24 months.

3. I've already applied for the STEM Extension and received a Request for Evidence (RFE). What should I do? Immediately email a copy of your RFE to [lisarusso@sciarc.edu](mailto:lisarusso@sciarc.edu) and I will advise you on the next step based on the specifics mentioned in your RFE. Do not wait to act.

4. What should I do if my employer won't sign the Form I-983? If your current employer won't sign the Form I-983 then you won't be eligible for the 24 month OPT STEM Extension This means that you could

search for new employment that meets the requirements of the 24 month OPT STEM Extension and then apply for 24 month OPT STEM Extension.

5. Why do I have to submit an evaluation every 12 months? DHS wants to confirm that you are following a training plan. Remember that you must submit your yearly evaluation (page 6 and 7 of Form I-983) to the International Advisor at [lisarusso@sciarc.edu](mailto:lisarusso@sciarc.edu)

6. How long do I have to submit my yearly evaluation? You must submit it every 12 months to your International Student Advisor. For example, if your 24 month OPT STEM Extension began on August 11, 2018, your report must be submitted by August 10, 2019. Failure to submit this on time will mean that you are not following the OPT STEM Extension Regulations.

7. If I am approved for an OPT STEM Extension, what information do I have to report?

a. If you are approved for the 24 month OPT STEM Extension you must report:

- Any time there are material changes (i.e. employment hours, EIN Number, reduction in compensation, significant decreases in hours of work per week) you must submit an updated Form I-983 (page 1-5)

- Your yearly evaluation (page 6-7 on Form I-983)-this will be submitted to the International Advisor at [lisarusso@sciarc.edu](mailto:lisarusso@sciarc.edu)
- Unemployment: Both employer and student must report to International Student Advisor if student is no longer employed
- 6 month verification report (address/employer) to [lisarusso@sciarc.edu](mailto:lisarusso@sciarc.edu) and reporting changes to address or employment within 10 days of a change.

8. What if I don't report changes in unemployment, evaluations, address, etc.?

If you fail to adhere to the reporting requirements, you will have violated the terms of your immigration status. According to DHS, you will not be eligible for future immigration benefits (changing visa statuses, obtaining visas at Embassy/Consulates, etc.).

Also, if you fail to follow the reporting/employment requirements, the Student and Exchange Visitors Program (SEVP) can terminate your SEVIS record without International Student Advisor's authorization. If your SEVIS record is terminated, you are no longer able to work or legally remain in the U.S. Your EAD card is also no longer valid.

9. Who is responsible for following reporting requirements of the OPT STEM Extension?  
Students on the OPT STEM Extension

are responsible for making sure that all reporting requirements are followed. Once students provide the information to the International Advisor, the information will be updated through the SEVIS system. Both students and employers are responsible for reporting end of employment.

10. When I am on the OPT STEM Extension, where do I report the information?

You will submit your yearly Evaluation (page 6 & 7 of Form I-983), Form I-983, personal address (this is where you sleep at night, not your mailing or office address) and employment changes the International Advisor.

11. What if I have an unpaid employer and can't find a paid employer?

If you haven't yet applied for the OPT STEM Extension, you can wait to find a paid position in the STEM field and then apply for the 24 months OPT STEM Extension. In this situation, USCIS must receive your OPT STEM Extension application before your current EAD expires.

19. Have the unemployment limits changed?

Yes, unemployment has changed for students on the 24 month STEM Extension:

Post-Completion OPT allows for an aggregate of 90 days of unemployment

24 month STEM OPT allows for an aggregate of 150 days of unemployment (90 days for Post-Completion OPT + 60 days for STEM)

20. What does “commensurate with experience” mean? Basically, it means that your employer is paying you fairly. In other words, you are being paid what another employee would be paid if he/she has the same experience and credentials. For reference on what salary would commensurate with experience, DHS has indicated that the Department of Labor provides wage information based on data at <http://flcdatacenter.com/OesWizardStart.aspx>

12. What should I do if I have multiple employers?

- Each employer must sign the Form I-983. It states that employment must be more than 20 hours a week.
- If in application stage for the 24 Month OPT STEM Extension and you know you will have two employers, email [lisarusso@sciarc.edu](mailto:lisarusso@sciarc.edu) for assistance.
- If you are approved for the OPT STEM Extension, update your employer information to [lisarusso@sciarc.edu](mailto:lisarusso@sciarc.edu) with the additional Form I-983. Leave a message in additional comments stating that this is a second employer.

13. Can I work part time while on the 24 Month OPT STEM Extension?

No, you are required to work more than 20 hours per week. Also, if you have multiple employers, you are required to work a minimum of 20 hours per week/employer.

14. What happens if I change my employer while my STEM OPT application is pending with USCIS?

Update your employment information to [lisarusso@sciarc.edu](mailto:lisarusso@sciarc.edu) (you will be asked to submit an updated Form I-983). Once you do this, the International Advisor will print out a new I-20 and send it to you. We recommend that you send us a self-addressed pre-paid Federal Express shipping label so that we can send it to you via express mail. Once you receive this new I-20, you will sign it, and send a copy to USCIS with an updated I-765, a letter explaining the change, a copy of your receipt from USCIS from your original OPT STEM Extension application and copy of your passport ID page(s).

15. If approved for STEM, does my Employer (during my OPT STEM period) have to participate in E-Verify?

Yes. You are not permitted to work for any non-E-Verified employer.

16. When can Immigration Customs Enforcement (ICE) conduct a site visit with my employer? DHS has informed us that they can conduct a site visit at any time with or without notification to your employer.

17. Do the new regulations impact the H-1B application process?

No, the H-1B cap gap and H-1B procedures are outside the scope of these regulatory changes.