STEM OPT Extension: Reporting & Compliance

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Hosts

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Today’s webinar is based on government regulations and guidance as of April 4, 2022. The information provided during this webinar is to be used in conjunction with the material provided to you on the HIO website, HIO informational emails and subsequent HIO materials received during the application process.

This webinar will NOT include information regarding the STEM OPT application process. For more information, please contact your HIO advisor directly.
This session will cover frequently asked questions regarding the **STEM OPT reporting requirements**. If you have questions during the presentation, please use the **Q&A function** to submit your question. We will answer as many questions as we can at the end of the session.

If we are unable to answer your question by the end of the webinar, please reach out to your HIO advisor.
Review

Employment Requirements

Remote Work

I-983 Training Plan
# Review: Requirements for STEM OPT Employment

<table>
<thead>
<tr>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Job must be a <strong>paid</strong> job, for <strong>at least 20 hours per week</strong> at each STEM employer.</td>
</tr>
<tr>
<td>Must work for an E-Verify employer.</td>
</tr>
</tbody>
</table>
| Must be a **position related to the STEM program major** listed under “Program of Study” on the I-20.  
  - You are responsible for drawing a connection between your position and the skills or knowledge learned in your STEM degree. |
| You must be paid a **salary**, and be **supervised, directly by your employer**. You cannot be paid by a third party or staffing agency or work at a location other than your employer’s place of business.  
  - For more information, please see “The Employer’s Training Obligation: Staffing and Temporary Agencies” on the USCIS Website. |
| **Cannot** be self-employed. |
| If working for more than one employer, each position must meet each of the above criteria. |
| In an academic environment, **you cannot be paid through an external fellowship**. For example, you cannot use STEM for a postdoctoral position in which you are not paid directly by the host institution. |
| You must not have more than 150 days of unemployment time during the entire period of regular post-completion OPT and your 24-month STEM extension combined. |
Review: Remote Work

- Under “normal” circumstances, 100% remote work is not allowed while on STEM OPT. The expectation is that the student will have regular supervisory personnel at the location where the practical training is taking place.

- During “pandemic times,” the Dept. of Homeland Security has allowed some flexibility.
  - “Students currently participating in OPT, including STEM OPT, may work remotely if their employer has an office outside of the United States or the employer can assess student engagement using electronic means. Students participating in STEM OPT do not need to submit an updated Form I-983 to report remote work” (April 26, 2021, FAQ’s for SEVP Stakeholders about COVID-19)

- Keep this in mind when considering your current jobs or future jobs on STEM OPT. The current guidance can be rescinded at any time.
The I-983 is your formal training plan that articulates the student’s learning objectives and affirms the employer’s commitment to the student.

It is extremely important that the student, HIO and the employer always hold the most current, updated I-983 at all times. The majority of the STEM OPT reporting requirements will require an updated I-983.
In the event that ICE decides to make a **site visit** to your place of employment, which they have the right to do, your employer will have to produce your most updated I-983 as part of the visit.

**At this time, the I-983 is not uploaded to your SEVIS records nor submitted with your initial application to USCIS.** However, the I-983 is considered the pillar of the STEM OPT recommendation you will receive from HIO. We anticipate that submitting the training plan to your SEVIS records will soon be a requirement, so **it is important that you continue to supply the HIO with your most updated I-983.**
The Form I-983 asks for an ink signature by both the student and the employer.

If you and your employer can provide ink signatures, please do so. If it isn’t possible due to remote working conditions, sign the Form I-983 digitally.

If the form is signed digitally, we strongly recommend updating the form later with ink signatures and providing the HIO with a copy.
STEM Reporting Requirements

- Address Updates
- Material Changes
- Change of Employer
- Concurrent/Additional Employment
- 6-Month Reports
- Self and Final Evaluations
- Ending STEM OPT & Change of Status
Reporting hub for updates including:

- 6 month reports & evaluations;
- Changes in STEM OPT employment;
- Concurrent/additional STEM Employment;
- Completion of Cap-Gap after STEM OPT extension;
- Material changes to STEM OPT job duties;
- Changes in U.S. residential address;
- Ending your STEM OPT employment with an employer before your 24-month STEM OPT period ends.

This form will allow you to submit required material to the Harvard International Office (HIO) so you can comply with the terms of your STEM OPT extension. You are required to report every 6 months to the HIO from the start date of your STEM OPT period.

There will be a series of questions asking if you need to report a:

- 6 month report
- 12-month (“Self” or “Mid”) evaluation (requires an upload of Page 5 of the I-983 Training Plan)
- 18 month report
- 24-month Final Evaluation (requires an upload of Page 5 of the I-983 Training Plan)
Reporting Requirements: Address Updates

Your personal U.S. address must be updated at all times.

Any changes to your address need to be updated within 10 days of the move.

You must update your U.S. address, email address, and phone number through the HIO STEM Reporting Form: https://hio.harvard.edu/f-1-stem-opt-reporting-form
If any information on your I-983 changes, you should submit an updated I-983 to the HIO and you and your employer should also keep it on file. These changes are considered “material changes.” These include but are not limited to:

- Any change of the employer’s EIN
- Any reduction in work hours
- A change in salary
- Any changes to job duties, goals and objectives
- Change in the employer’s address
- Change in supervisor or I-983 signing authority
- Company mergers or acquisitions*

More information about material changes can be found on the Study In the States website.

*If your company merges with or is acquired by another company, you should submit a Final Evaluation (page 5 of I-983) signed by you and your former employer, a new I-983 signed by you and your new employer; AND a completed HIO STEM Reporting Form so we can issue you an updated I-20. Do note that the new company has to be enrolled in E-Verify.
Reporting Requirement: Change of Employer

If you **change employers**, the following documents need to be submitted using the HIO STEM Reporting Form.

<table>
<thead>
<tr>
<th>Documents Required</th>
<th>Submission Deadline to the HIO</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Final Evaluation:</strong></td>
<td>Within 10 days of change</td>
</tr>
<tr>
<td>(page 5 of I-983), signed by student and former employer</td>
<td></td>
</tr>
<tr>
<td><strong>New I-983:</strong></td>
<td>Prior to beginning new job</td>
</tr>
<tr>
<td>signed by student &amp; new employer</td>
<td></td>
</tr>
</tbody>
</table>
Select this option if you are changing your employer and have received your STEM EAD.

Select this option if your STEM OPT extension application has not yet been approved by USCIS and you are changing your employer.
Reporting Requirements: Concurrent Employment

You may find that you are offered more than one position at a time. Concurrent or additional employment is possible while on STEM OPT, however, each position must be:

- a paid job, for at least 20 hours per week at each STEM employer. No third party staffing agencies.
- for an E-Verify employer;
- a position related to the STEM program major listed under “Program of Study” on the I-20;
- able to show the position has a bona fide supervisor/employee relationship. You cannot be self-employed.

For a full, detailed list, see slide 6 and the HIO website: https://hio.harvard.edu/applying-stem-opt

In addition to meeting the above criteria, you must submit a completed and signed I-983 for each position. The HIO will add each STEM employer to your SEVIS record.
Reporting Requirements: 6-month Reports

<table>
<thead>
<tr>
<th>Reporting Timeline</th>
<th>Reporting Requirement</th>
<th>Evaluation</th>
</tr>
</thead>
<tbody>
<tr>
<td>After STEM EAD Start Date, reporting DUE by</td>
<td>Online HIO STEM OPT Reporting Form</td>
<td>N/A</td>
</tr>
<tr>
<td>6 Month</td>
<td>Online HIO STEM OPT Reporting Form</td>
<td>Evaluation on student progress (page 5 of I-983)</td>
</tr>
<tr>
<td>12 Month</td>
<td>Online HIO STEM OPT Reporting Form</td>
<td>N/A</td>
</tr>
<tr>
<td>18 Month</td>
<td>Online HIO STEM OPT Reporting Form</td>
<td>Final evaluation on student progress (page 5 of I-983)</td>
</tr>
<tr>
<td>24 Month</td>
<td>Online HIO STEM OPT Reporting Form</td>
<td>Final evaluation on student progress (page 5 of I-983)</td>
</tr>
</tbody>
</table>
6-month Reports: HIO STEM OPT Reporting Form

Which report type are you completing?

I am completing a STEM OPT extension report. This includes:
- 6 or 18 month reporting
- 12 month/self evaluation or 24 month/final evaluation
- Ending STEM OPT employment with an employer and submitting a final evaluation prior to your 24 month period on STEM
- Completion of Cap-gap

Which type of report are you providing?

- 6 or 18 month validation
- 12 month evaluation
- 24 month, final evaluation or Cap Gap after STEM OPT extension evaluation

My STEM OPT has been approved and I am reporting a change of employer.

My STEM OPT extension application is pending with US Citizenship and Immigration Services and I am reporting my change of employer.
Reporting Requirement: 6-Month Reports

• The **Evaluation on Student Progress** (top portion) is due with the **second** 6-month report or **12 months** after you began STEM OPT.

• The **Final Evaluation** on Student Progress (bottom portion) is due **24 months** after you began STEM OPT or **when you complete your STEM employment**.
### Reporting Requirements: 6-Month Reports

<table>
<thead>
<tr>
<th>Program</th>
<th>Education Level</th>
<th>Major 1 and Name</th>
<th>Major 2 and Name</th>
<th>Program Start Date</th>
<th>Program End Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>DOCTORATE</td>
<td>26.9999 - Biological and Biomedical Sciences, Other</td>
<td>00.0000 - None</td>
<td>Minor and Name</td>
<td>14.1301 - Engineering Science</td>
<td>00.0000 - None</td>
</tr>
<tr>
<td>CPT Employment Authorization</td>
<td>00.0000 - None</td>
<td>Minor and Name</td>
<td>00.0000 - None</td>
<td>00.0000 - None</td>
<td>00.0000 - None</td>
</tr>
</tbody>
</table>
Reporting Requirement: Ending STEM OPT & Changing Immigration Status

Ending STEM OPT

- You will need to submit your Final Evaluation on Student Progress (on page 5 of the I-983) via the HIO STEM Reporting Form.

Change of Status

- Contact your HIO advisor

- Email them your proof of your successful change of status (i.e. I-797A notice of approval or I-94 record showing entry in different status) and also include your Final Evaluation on Student Progress (on page 5 of your I-983) in the email or submit via the STEM OPT Reporting Form.
Submit your reports to the HIO to ensure data accuracy!
FAQs & Q & A

Please submit your questions in the Q&A function in Zoom.
Thank you for joining us!

Virtual HIO Advisor-on-Call:
M–F, 9–10am and 4–5pm EST for quick questions only.
– Meeting ID: 867 504 1315
– Password: HIOZoom

Email:
internationaloffice@harvard.edu

Book an HIO Advisor Appointment:
HIO Website > Contact Us > Make an Appointment Online