Optional Practical Training (OPT)
24-Month STEM Extension Tutorial

Berkeley International Office (BIO)
2150 Shattuck Avenue
Suite 500
Berkeley, CA 94704
(510) 642-2818
internationaloffice.berkeley.edu
COVID-19 Updates

• USCIS remains open for OPT/STEM I-765 application processing. Some USCIS locations are closed for in-person services. NO impact to OPT/STEM applications.
• We have not seen a delay in I-765 processing time due to COVID-19.
• For current USCIS COVID-19 information see: https://www.uscis.gov/about-us/uscis-response-covid-19
• OPT/STEM I-765 applications MUST be submitted from inside the U.S. You must be physically present in the US when your application is received by USCIS. USCIS has NOT made an exception to this due to COVID-19.
• USCIS has NOT changed application timelines and deadlines due to COVID-19.
• USCIS still requires a handwritten “wet” (made with your hand and a pen) signature for the I-765. NO DIGITAL or ELECTRONIC SIGNATURES.
• USCIS has NOT changed the 150 day unemployment rule due to COVID-19
• Monitor BIO’s COVID-19 FAQ page for updates regarding travel, post-completion employment and other COVID-19 issues. This page is updated as we receive new guidance from government agencies, including USCIS.
USCIS Updates

• USCIS *intended* to change the I-765 form and fees on Oct 2, 2020.

• On September 29, 2020, the U.S. District Court for the Northern District of California issued a nationwide preliminary injunction and stay on implementation of the 2020 *final USCIS fee rule* in its entirety. This includes stopping any changes to current fees and forms.

• See the [Fees](#) and [I-765](#) sections of the tutorial for more information about the form and fee changes.

• Make sure you are paying the [correct fee](#) and using the [correct form](#) on the date you are mailing your package to USCIS.
OPT 24-Month STEM Extension Tutorial

Please note that this tutorial is for instructional purposes only.

An OPT STEM application to USCIS is your own personal application. You alone are responsible for timely filing with full documentation, understanding F-1 rules regarding OPT STEM Extension, and properly maintaining F-1 status.

Please review the entire tutorial and ask your BIO adviser if you have questions.
STEM OPT Tutorial Outline

- STEM Eligibility & Allowable Employment
- Application Process Overview
- Step 1: I-983
- Step 2: Updating SSU
- Step 3: BIO STEM I-20 Request Process
- Step 4: Preparing your OPT Request to USCIS
  - Application Deadlines
  - Mailing your Application
- Step 5: Receiving Your EAD & USCIS Documents
  - I-797C receipt Notice
  - Application, Tracking Problems, Denials & Requests for Evidence
- Your EAD card
- Step 6: Maintaining Your F-1 Status & STEM Reporting Requirements
  - BIO SSU Hub & Reporting
  - Changes in Employer
  - Material Changes to the I-983
  - 6 Month Updates and Annual Evaluations
- Travel during STEM OPT
- Completing OPT and Grace Period
- H1-B and STEM Extension
- Frequently Asked Questions
OPT STEM Extension Eligibility

Requirements:
• You must be a recipient of a U.S. Bachelor’s, Master’s or Doctoral degree in a STEM (science, technology, engineering, or math) designated degree program. See this list of STEM Majors. (You can check the CIP code listed on your I-20.)
• You are currently authorized for 12-month OPT and have not exceeded 90 days of unemployment.
• Can apply based on any previous STEM degree from an SEVP, accredited U.S. institution within the last 10 years
• Employed or have a job offer related to your field of study from an employer who is registered in the USCIS E-Verify Program. Must complete Form I-983 with employer and all employers must have an EIN number.
• Your employer can work with you to fully complete the Form I-983 and abide by all employer obligations, including Dept. of Homeland Security Site visits.
• You are applying no more than 90 days before your 12-month OPT expires and no later than the expiration of your 12-month OPT.

Two 24-month STEM extensions may be granted per lifetime.
Types of Allowable Employment

• Volunteer/Unpaid positions and self employment are NOT allowed by the 24-Month STEM OPT Extension.

• STEM-eligible employers must have e-Verify & EIN numbers and the student must have a “bona fide employer-employee relationship”. To establish a bona fide relationship, the employer may not be the student’s “employer” in name only.

• Cannabis Industry- be aware that use and sale of cannabis is illegal at the federal level, although it may be legal in some U.S. states. To avoid possible deportation or inadmissibility form the US, students should avoid positions related to federally illegal substances.

According to USCIS updates August 2018:

• Under no circumstances would another F-1 student on OPT or a STEM OPT Extension be qualified to train another F-1 student on a STEM OPT Extension.

• The employer that signs the Form I-983 must be the same entity that provides the practical training experience to the student.

• The employer has sufficient resources and personnel available to provide appropriate training in connection with the STEM opportunity at the location(s) specified in the Form I-983.

• The “personnel” who provide/supervise the training experience may be either employees of the employer, or contractors who the employer has directly retained to provide services to the employer; they may not be employees or contractors of the employer’s clients or customers.

• DHS will review on a case-by-case basis whether the student will be a bona fide employee of the employer signing the Training Plan, and verify that the employer that signs the Training Plan is the same entity that employs the student and provides the practical training experience.
Temp/Staffing Agencies, 3rd Party Worksites

- Staffing and temporary agencies may employ students under the STEM OPT program, but only if they will be the entity that provides the practical training experience to the student and they have and maintain a bona fide employer-employee relationship with the student.
- STEM OPT participants may engage in a training experience that takes place at a site other than the employer’s principal place of business as long as all of the training obligations are met, including that the employer has and maintains a bona fide employer-employee relationship with the student.
- A STEM OPT employer may not assign, or otherwise delegate, its training responsibilities to a non-employer third party (e.g., a client/customer of the employer, employees of the client/customer, or contractors of the client/customer).
- According to prior guidance from the Student and Exchange Visitor Program If a student uses a temporary or staffing agency to place them in a training opportunity, the agency cannot complete and sign the Form I-983, “Training Plan for STEM OPT Students.” Only the E-verified employer that provides the actual training relevant to the student’s qualifying STEM degree is authorized to sign and complete the Form I-983.
When to Apply

STEM OPT I-20 Timing Considerations:

• You may apply as early as 90 days before your OPT EAD end date.
• You must submit your STEM I-20 request AT LEAST 2 weeks before your current OPT EAD expires.
• USCIS must receive your application before the expiration date of your OPT*. Check your OPT EAD card for the expiration.
• USCIS processing ranges from 3-5 months, with an observed average of 90-120 days. See current USCIS processing times for Form “I-765” for “Potomac Service Center” here: https://egov.uscis.gov/processing-time/.
• If you are applying for an OPT STEM Extension at the same time you are filing for an H-1B employment visa you MUST review both the H-1B & STEM Extension information at the end of this tutorial and the Cap-Gap webpage.

IMPORTANT!
* Your OPT employment authorization will be automatically extended for 180 days after your OPT EAD end date while your OPT STEM application is pending.
Application Process Overview

In most cases we recommend beginning the OPT STEM application process 90 days before the expiration of your 12-month OPT period. The following slides will give you detailed information about each step.

1. Complete the I-983 with your employer.

2. Access SSU Hub to update employment, complete the Apply for STEM form and pay your $450 Post-Completion Services Fee.
   This step can be completely entirely online in your SSU Hub.

3. Receive STEM OPT I-20 from BIO.
   The I-20 will be ready for pick up 5 business days after submitting your complete application and payment in SSU. Arrangements can be made to send you the new I-20 by mail. Please allow enough time for mailing USCIS must receive your application within 60 days of BIO recommending you, which is the date on the school attestation section of your I-20.

4. Prepare, collect & mail your application materials to USCIS.
   Allow approximately 1 week to gather and organize your materials for mailing. A complete application must be received by USCIS before the end date of your current OPT as noted on the EAD card. You must be in the United States to file the OPT STEM application with USCIS.

   Processing time for USCIS is approximately 3-5 months. The observed average processing time is 90-120 days, but can take longer in some cases. However, you may continue to work on OPT for up to 180 days while the STEM application is pending. See current USCIS processing times for Form “I-765” for “Potomac Service Center” here: https://egov.uscis.gov/processing-time/

6. Maintain your F-1 status while on OPT STEM Extension.
   You must report general address and employer updates to Berkeley International Office within 10 days of any change. 24 Month STEM Extension students must also submit a validation report every six months and training evaluations each 12 months. Find information about STEM Reporting here. Your I-20 travel endorsement is valid for only 6 months while on OPT STEM. Failure to provide timely updates may result in termination of the F-1 record.

Can I do anything about the long USCIS processing time?
There is nothing you can do about the USCIS processing time, other than to apply as early as possible! See USCIS Issues & Tracking for how to report a case processing longer than the current USCIS processing time.
OPT STEM Application Timeline:
(Example: July 9\textsuperscript{th} 12-month OPT end date)

- **Prepare I-983 w/employer; Update SSU**
- **Submit STEM OPT request in SSU to BIO as early as 90 days before OPT ends**
- **STEM OPT I-20 processed by BIO in 5 business days; Submit I-765 & supporting materials to USCIS**
- **12-month OPT end date (example); last possible date for USCIS to receive STEM application**
- **24-month STEM EAD received; Upload image of STEM EAD card to SSU**

You may continue to work on OPT for up to 180 days after your OPT expires while the STEM application is pending with USCIS.

Several months ahead

Application processing with USCIS (3-4 month average)

4/10 4/15 7/09 7/18
The formal training plan must clearly articulate the OPT STEM learning objectives and affirm the employer’s commitment to helping you achieve those objectives. To fulfill this requirement, you and your employer must complete and sign Form I-983 and then submit pages 1-4* to BiO.

*Do not upload page 5 of the I-983 at this time. See Annual Evaluation for when you will submit page 5.

The following slides provide specific details regarding the I-983; please confirm your application follows the requirements, even if your employer plans to prepare the form on your behalf.
Signatures on the I-983 during Covid-19

During COVID-19 shelter in place restrictions, BIO can accept your and your employer’s e-signatures on the I-983.

Acceptable e-signatures include Adobe Docu-signatures, Apple Pen signatures and handwritten signatures that have been scanned and pasted into the signature field.

BIO CANNOT accept an I-983 where a person’s name has simply been typed into the signature line.

This exception applies only to the I-983. It does not apply to the I-765. The I-765 must be printed and then signed and dated by hand in black ink. USCIS does not accept any sort of e-signature on this document and has rejected application that include e-signatures.
Complete I-983

Always download the current I-983 from the SEVP website. USCIS often updates the expiration date. If the expiration date is passed, that's OK—USCIS may be in the process of updating the form.

Use the UC Berkeley School code found here, even if your STEM degree was from a different school.

If your STEM Degree is from a different school (NOT UC Berkeley), you will need to enter the name of the school where you obtained your STEM degree.

<table>
<thead>
<tr>
<th>Student Name (Surname/Primary Name, Given Name):</th>
<th>Student Email Address:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bear, Oski</td>
<td><a href="mailto:Oski@email.com">Oski@email.com</a></td>
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</table>

<table>
<thead>
<tr>
<th>Name of School Recommending STEM OPT:</th>
<th>Name of School Where STEM Degree Was Earned:</th>
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</thead>
<tbody>
<tr>
<td>University of California, Berkeley</td>
<td>University of California, Berkeley</td>
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</table>

<table>
<thead>
<tr>
<th>SEVIS School Code of School Recommending STEM OPT (including 3-digit suffix):</th>
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<tbody>
<tr>
<td>SFR214F00615000</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Designated School Official (DSO) Name and Contact Information:</th>
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<tbody>
<tr>
<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Student SEVIS ID No.:</th>
<th>STEM OPT Requested Period: (mm-dd-yyyy)</th>
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<tbody>
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</table>

<table>
<thead>
<tr>
<th>Qualifying Major and Classification of Instructional Programs (CP) Code:</th>
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<tbody>
<tr>
<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Level/Type of Qualifying Degree:</th>
<th>Date Awarded: (mm-dd-yyyy)</th>
<th>Based on Prior Degree?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>□ Yes □ No</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Employment Authorization Number:</th>
</tr>
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<tbody>
<tr>
<td></td>
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</tbody>
</table>
Complete I-983

Please write in the contact information of our SEVIS Manager, Mikaela, here. Please fill out this field EXACTLY as it appears here. (DO NOT use a different name). Please include ALL of the contact information. If there is not enough room, you can write it in by hand.

Note this is NOT the same name as the DSO who produced your I-20.

Your I-983 will be rejected if you write a different name.
Complete I-983

The CIP code is a 6-digit code (XX.XXXX) found on your I-20
- Page 1 if I-20 issued on/after 6/26/2015
- Page 3 if I-20 issued before 6/26/15

What are CIP Codes? Classification of Instructions Programs (CIP) codes are published by the National Center for Education Statistics (NES) & are used by SEVIS to designate a student’s major. Your CIP code determines whether your major has been designated as a STEM degree.
Complete I-983

If your STEM degree is listed on your UC Berkeley I-20, check “no.”

Check “yes” ONLY if your STEM degree is NOT the degree listed on your UC Berkeley 12-Month OPT I-20.

<table>
<thead>
<tr>
<th>SECTION 1: STUDENT INFORMATION (Completed by Student)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Student Name (Surname/Primary Name, Given Name):</td>
</tr>
<tr>
<td>Student Email Address:</td>
</tr>
<tr>
<td>Name of School Recommending STEM OPT:</td>
</tr>
<tr>
<td>Name of School Where STEM Degree Was Earned:</td>
</tr>
<tr>
<td>SEVIS School Code of School Recommending STEM OPT:</td>
</tr>
<tr>
<td>(including 3-digit suffix):</td>
</tr>
<tr>
<td>Designated School Official (DSO) Name and Contact Information:</td>
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<tr>
<td>Student SEVIS ID No.:</td>
</tr>
<tr>
<td>STEM OPT Requested Period: (mm-dd-yyyy)</td>
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<tr>
<td>From: __________________ To: __________________</td>
</tr>
<tr>
<td>Qualifying Major and Classification of Instructional Programs (CIP):</td>
</tr>
<tr>
<td>Code: __________________</td>
</tr>
<tr>
<td>Level/Type of Qualifying Degree:</td>
</tr>
<tr>
<td>(i.e. Bachelors, Masters, PhD)</td>
</tr>
<tr>
<td>Date Awarded: (mm-dd-yyyy)</td>
</tr>
<tr>
<td>Based on Prior Degree? □ Yes □ No</td>
</tr>
<tr>
<td>Employment Authorization Number: __________________</td>
</tr>
<tr>
<td>“USCIS #” listed on your 12-Month OPT EAD</td>
</tr>
</tbody>
</table>
Complete Form I-983

For detailed tutorial on completing the rest of the I-983, see: https://studyinthestates.dhs.gov/form-i-983-overview

Pages 3-4 contain the details of the required Training Plan to be determined by you and your employer. To avoid rejection of your application, think carefully about each question and answer fully and completely. Imagine this is an essay exam to be graded—have you and your employer addressed all parts of each question, clearly and specifically? See the next 2 slides slides 14-15 for more details.

Other points for consideration:

- We do not accept electronic signatures on the I-983. Please obtain handwritten signatures.
- Please ensure all responses are visible and upload a corrected I-983. (fillable PDF cuts off. If you don’t have enough room, please submit an attachment.)
I-983 Training Plan Section 5

Student Role: Describe the student's role with the employer and how that role is directly related to enhancing the student's knowledge obtained through his or her qualifying STEM degree.

- Responses that don’t include the name of your STEM degree and a description of the relationship between your role and your degree will be rejected.
- Example of response: [Description of role]. The student's role enhances their knowledge related to their [STEM Degree] by [describe relationship].

Goals and Objectives: Describe how the assignment(s) with the employer will help the student achieve his or her specific objectives for work-based learning related to his or her STEM degree. The description must both specify the student's goals regarding specific knowledge, skills, or techniques as well as the means by which they will be achieved.

- Responses that don’t include learning objectives or how they will be achieved will be rejected.
- Example of response: The student's work-based learning goals/work objectives related to their STEM degree are [describe goals & relation to degree] and they will be achieved by [describe methods].
I-983 Training Plan Section 5

• Responses that do not include description method(s) of oversight and supervision will be rejected.
• Example of response: The employer provides oversight and supervision through [describe methods].

• Responses that do not include description of how knowledge and/or skills are assessed will be rejected.
• Example of response: The employer will measure and assess the student’s new knowledge and skills by [describe methods].
Step 2: Update SSU

Log in to your Student SEVIS Update (SSU) account in order to submit your STEM I-20 request. *(Note: most processing delays are due to failure to update all new required fields in SSU.)*

Before applying for STEM, you must:

1. Update your current address/email/phone
2. Update all current & previous OPT employment
3. Upload a copy of your OPT EAD (if you haven’t already)

After you have done this, click the “Apply for STEM OPT Extension” link in the Other Requests and Reporting Forms section.

See next slide for instructions...
Step 2: Update SSU (Apply for STEM)

On the STEM OPT Application page SSU Indicate with which employer you will be applying for your STEM Extension

- If applying with a current employer, select the employer, and click “Apply with this Employer”
- If applying with a new employer, click “Add New Employer and Apply”

This will lead you to the Employer Information form. See next slide...
Step 2: Update SSU (Employer info)

For Current Employer: you’ll be asked to complete the extra STEM section of this form (see next slide)

For New Employer: you’ll be asked to complete all fields

Address: We recommend that you verify the standard formatting of your employer’s address by using the “look up a ZIP code” feature on USPS.com.

*Address Street 1 should NOT contain the suite or office number. Please enter that in the field Address Street 2.*
Step 2: Update SSU (Employer info)

For your STEM employer, please also complete sections 13-18. This information is required for STEM reporting.

Employer’s E-Verify Company Identification Number: Your employer should be able to provide you with this information. More information about the E-Verify program at [http://www.uscis.gov/e-verify](http://www.uscis.gov/e-verify)

Employer Identification Number: Your employer should be able to provide you with this information.

Company Official Information: This should match the information you listed on I-983 form section 5.

On the next pages, you will be given some instructions and asked to upload your I-983.
Step 2: Update SSU (Upload I-983)

Upload Documents

Please upload your completed I-983(s) following the instructions below.

Important Points for consideration:

- The I-983 is a 6-page form and must be uploaded in ONE FILE, not as individual pages.
- We do not accept electronic signatures on the I-983. Please obtain handwritten signatures.
- Please ensure all responses are visible on the I-983. The fillable PDF cut-off, so if your text exceeds the space allowed, please submit a separate attachment.
- Does Section 1, DSO Name and Contact Information look like this? If no, please edit it before uploading.

TO UPLOAD:

1. Click the green Add Files button
2. Select the correct file to upload
3. Once file has been uploaded, identify your document by selecting an option in the dropdown menu under "Type of Document" on the right.
4. Repeat this process for all required documents. You may upload more than one type of each document, if necessary.
5. To finish the process, click Submit Uploads. You will not be able to make changes after you click Submit.

According to your profile information, Graduate, Visa, we need the following documents from you:

- Additional I-983

Note: Maximum File Size limit is 10MB

Select I-983
Step 2: Update SSU (Delivery Method)

After uploading, you’ll be asked to provide a Delivery Method for your new I-20.

Answer the questions as applicable and continue through the form clicking Continue until you reach the Submission Summary page.

Note: Express Mail will require payment from you via E-Ship Global. You will need to follow the instructions given and provide an order number. BIO will use this order number to send your I-20 to you.
Step 2: Submit Your SSU Form

Summary

⚠️ Warning! Your application is not complete until you review your information and click "Submit" below ⚠️

At the end, you will reach the summary page. Review your information and click Submit at the bottom of the page.

Lastly, you will get to the Submission Confirmation page

You have successfully submitted this form.
Step 3: Submit STEM OPT Post-Completion Services Fee Payment

The STEM OPT Post-Completion Services fee pays for all services related to your F-1 24-month STEM OPT visa status maintenance provided by BIO as required by DHS federal regulations.

*STEM I-20 requests will not be processed without payment or a complete application. This fee is non-refundable.*

In your SSU Hub, submit your $450 Post-Completion Services Fee to Berkeley International Office via credit/debit card by clicking “Submit your STEM OPT Payment” link at the bottom of the SSU Hub homepage. You will receive a receipt via email.
Step 3: Submit STEM OPT Post-Completion Services Fee Payment

Check or Money Order:
You may also pay your $450 Post Completion Services via check or money order.

- Make the check/money order payable to “UC Regents.”
- Your name should be on the check.
- Attach a deposit slip or small piece of paper containing your Student ID Number to the check/money order (do not write your Student ID Number directly onto the check/money order).
- In the memo line, write “STEM OPT.”

Bring it in person during business hours listed on our [contact page](#) or mail it, along with a note including your name, student ID, and reason for payment, to:

Berkeley International Office
2150 Shattuck Avenue, Suite 500
Berkeley, CA 94720-2321
*If express mail, use the phone number 510-642-2818*
Receive your I-20 and check it for accuracy

STEM OPT I-20 processing time is 5 business days. This does not include mailing time.

Check your I-20 and notify BIO immediately if there are any errors with your I-20.

School Attestation
Make sure there is a BIO advisor signature. Check the date – USCIS must receive your application within 60 days of the ISSUE Date date listed on page 1.

Student Attestation
You should sign & date I-20. Students 18 and over do not need a parent’s signature.
Check your OPT I-20 for accuracy

**Employment Authorization Dates**
Check 24-month STEM OPT start and end dates. Verify employer name for accuracy.

**Travel Endorsements**
Check for adviser signature. Endorsements are good for 6-month periods.

You will receive a new travel signature at the time you request your OPT STEM I-20.

Please note: USCIS must receive your application within 60 days of the DATE ISSUED date on PAGE 1, not the travel signature date. (The travel signature may be a later date.)
Step 4: Prepare & Mail Your Application Materials
Required documents for STEM OPT application

All documents should be printed or copied single-sided

- 2 U.S. Passport Photos (with name and I-94 number written lightly in pencil on back of each), taken within the past 30 days.
- USCIS Fee. Check, Money Order, or Credit Card payment made payable to: “U.S. Department of Homeland Security.” Write your SEVIS ID in the memo line. See FEE & I-765 SECTIONS FOR DETAILS.
- Original form I-765: https://www.uscis.gov/i-765 SEE I-765 SECTION FOR DETAILS.
- Copy of STEM OPT I-20 (pages 1-3) that was issued by BIO within the past 60 days. Don’t forget to sign it!
- Copy of your previous OPT and/or previous STEM OPT I-20s.
- Copy of any previous OPT EAD or STEM EAD. If you still have the approval notice (form I-797), attach a copy as well.
- Copy of passport biographical page and F-1 visa stamp, if applicable.
- Copy of expired passport biographical page if you used that document to enter the US most recently.
- Print out of electronic I-94 record (or photocopy of both sides of paper Form I-94)
- Proof of final STEM degree: Final Transcript and/or copy of your diploma showing the major and degree level that makes you eligible for the STEM extension.
- If the OPT STEM extension is based on a prior degree, include the I-20 from your previous school. If the I-20 is not available, request a screenshot of your SEVIS record
- Additional Documents- Check the BIO STEM webpage to see if you should submit additional support letters with your STEM application for concurrent H1-B filing or for certain specific majors

No documents are required for F-2 dependents.
Gather the required documentation

Passport Photo Requirements

The photos required to use for the OPT application must meet the specifications of U.S. style passport photos. To see a full description of these specifications, go to the U.S. Department of State website.

- Submit 2 identical color passport photos taken within 30 days of filing your application. The photos must have a white to off-white background, be printed on thin paper with a glossy finish, and be unmounted and unretouched. The passport-style photos must be 2” by 2”. You must remove your glasses and your head must be bare unless you are wearing headwear as required by a religious order of which you are a member.

- Using pencil or felt tip (soft) pen, lightly print your name and I-94 number on the back of the photo. Do not damage the photo surface by pressing hard while writing.

Professional Photography

USCIS has been examining passport photos more strictly. BIO recommends students have their photos taken professionally. Recently, students have been visiting the following locations to obtain their photos.

Metro Publishing
2440 Bancroft Way
Berkeley, CA 94704
http://www.yelp.com/biz/metro-publishing-berkeley

Foto Shop
131 Berkeley Sq
Berkeley, CA 94704
http://www.yelp.com/biz/foto-shop-berkeley
Gather the required documentation

Check, Money Order, or Credit Card:

- **USCIS FEE IS CHANGING**: The current fee is **$410** but could change at any time after 10/2/2020 due to lawsuits regarding the fee/forms changes! You must pay the correct fee at the correct time. SEE THE I-765 FORM/ FEE UPDATE SECTION BEFORE MAKING YOUR PAYMENT!

- **USCIS Payment Methods**: Check/Money Order or Credit Card Payment for **correct fee amount**.

  - **Check/Money Order** should be made payable to “U.S. Department of Homeland Security” with SEVIS number in the memo line. Money orders can be purchased at banks, post office, and some local grocery stores. Make sure a name and address are printed on the check. If the address has changed, that is fine.

    - Do not use “temporary checks” often issued by the bank when opening a new account. These checks have no name or address in the upper left hand corner.

  - **For Credit Card** payment, submit form **G-1450**, authorized payment for the **correct fee amount**. You may only use a credit card account with a U.S. billing address—no foreign billing address is allowed. You can use cards with Visa, MasterCard, American Express, and Discover. See Pay Your USCIS Fees With a Credit Card

- **MOST DENIALS ARE DUE TO BAD PAYMENTS! IF YOU USE A CHECK OR CREDIT CARD MAKE SURE YOU MAINTAIN SUFFICIENT FUNDS IN THE ACCOUNT.**

Money orders and cashier checks should include the same information as a personal check.

Check & money order examples are for application postmarked **BEFORE** 10/02/2020. Remember to check the fee before mailing!
Gather the required documentation

Form G-1145

- Attach to the top of the OPT STEM Application Packet
- This is an optional form. Use this form to request text and email notification(s) regarding your application.

**WARNING!**

USCIS will rarely contact you by phone regarding the status of your application.

If you receive a phone call from a person claiming to work for USCIS or any other government agency, do not provide your personal information to them. Note the person's name and phone number and contact a BIO advisor before responding.
I-765 FORM & FEE UPDATES

USCIS is updating both the I-765 FORM and the I-765 FEE. Please pay attention when you are mailing your application to be sure you pay exactly the correct fee and use exactly the correct edition of the I-765 form:

• If your application is postmarked BEFORE October 2, 2020 you must pay the $410 fee and use the 8/25/2020 Form edition.

• ON or AFTER October 2, 2020, please check the USCIS I-765 website ON THE DATE OF MAILING to be certain you are using the correct form edition.

• Please also check the USCIS Fee calculator ON THE DATE OF MAILING to be certain you are submitting the correct fee. Print the USCIS Fee Calculation ON THE DATE OF MAILING and include it with your application. Make certain the printout includes the date.

What is a postmark?
That’s the date that U.S. Postal Service officially sends the package, and stamps the package as mailed.

For commercial couriers (UPS, FedEx, or DHL, etc), USCIS considers the date on the courier receipt as the postmark date for purposes of filing.

IF YOU PAY THE WRONG FEE OR USE THE WRONG FORM, YOUR APPLICATION WILL BE DENIED! THERE ARE ONGOING LAWSUITS WHICH ARE CURRENTLY IMPACTING THE FEE & FORM.

CONTACT BIO IF YOU ARE UNSURE OF WHICH FORM OR FEE TO USE.
USCIS Fee Calculator

USCIS Fee Calculator
Use the USCIS Fee calculator ON THE DATE OF MAILING to be certain you are using the correct form edition and submitting the correct fee. For STEM OPT use the information below:

Calculate your fees

Select I-765 and click “Submit”
Step 2: Prepare and Mail the OPT Application

USCIS Fee Calculator

After you input “Form I-765”, the webpage will indicate the correct edition date for the day you are using the calculator. (This is an example)

You MUST use this exact information for STEM OPT.

Click “calculate”
USCIS Fee Calculator

Print the results of your USCIS Fee Calculator, making sure that the date of printing is clear, as well as the Form Edition and the Fee.
Gather the required documentation

Form I-765
Download the Form I-765 DIRECTLY from the USCIS I-765 web site and review the Instructions for Form I-765 found there.
You DO NOT need to complete the I-765WS (I-765 Worksheet). DO NOT download and complete any form titled Preview: Form I-765!

Important: Use ONLY the I-765 version indicated under the “Edition Date” on the USCIS website. Download just before mailing the application since USCIS updates the form frequently.
Check the Filing Fee on the date of mailing!

How to fill out Form I-765
• Type or print legibly in black ink.
• Answer all questions fully and accurately.
• If a question does not apply to you, type or print “N/A”
• Print and complete ALL pages 1-7. If any pages are missing, your application will be rejected!
• Print all pages single-sided

Some parts of the I-765 can be confusing. The following slides will help you complete those “tricky” questions. Contact BIO with ANY questions or uncertainties about completing the I-765.
FORM I-765 UPDATES

Where can I find the Form Edition date on the I-765?
The form edition date is found in the lower left hand corner of the I-765 form. These are examples. You are responsible for confirming the correct edition at the time of mailing.
Complete the Form I-765

Top Portion: leave this entire section blank

PART 1. Reason for Applying, pg. 1

Check the “1.a.” box for “Initial Permission to accept employment.”

Why shouldn’t I select 1.c. since STEM is a renewal of my OPT authorization? Isn’t Renewal more correct?

NO. The USCIS instructions for filling out the I-765 state that you should select 1a if you are “requesting employment authorization for the first time under a specific eligibility category.” The OPT and STEM OPT eligibility categories are different, so this is your first time requesting permission to accept employment under the STEM OPT eligibility category. (You will write the STEM eligibility category on #27 of the I-765.)
Complete the Form I-765

PART 2. Information About You, pg. 1

#1 Name
Your entire family name should be in CAPITAL letters. Use upper and lower case for the first name. Please write your name exactly as it appears in the Surname/Family Name and Given Name fields on your I-20. Note your I-20 DOES NOT have the Middle Name field!

#2–4 Other Names Used
Enter your previous names, including nicknames you have used in official records or documentation. If your I-20 Preferred Name is different than the names you wrote for #1, include that here. If none, write “N/A”

If you are typing out the I-765 electronically, be aware that the form does not allow you to write the “/” character into these fields. You will need to hand-write the “N/A” wherever this appears in the instructions.
Complete the Form I-765
PART 2. Information About You, pg. 2

U.S. Mailing Address
This is where you would like the Receipt Notice and the EAD card to be mailed. **This is very important!**

The address should be valid for at least 3-5 months, the length of time it will take to process the application. If you have plans to move during this time, use a reliable friend or family member’s address to receive the EAD (indicate this in #5.a.) It is also possible to use a P.O. Box for mailing addresses.

OR- you can use your current address and update your address with USCIS. Keep in mind that address changes can take 10 business days to process, and could jeopardize your OPT EAD delivery. We recommend keeping the same address for your entire OPT processing, if possible.

#5.a. If the mailing address belongs to someone other than yourself, put their full name (First Name Last Name) here. This person MUST be listed as a resident of the address with the U.S. Postal Service. If this is your address, write “N/A.”

#5.b-5.e Write a valid mailing address in the U.S. It may be a residence, commercial address, or PO Box. You may not use BIO’s address.

#6 If you listed a mailing address that is NOT your current physical living address, select “No” and complete #7.a-7.e. with your current physical address. If “Yes”, write “N/A” in #7.a-7.e. Physical address should reflect where you actually live.

*If the you live outside of CA, please pay attention to the special mailing instructions later in the tutorial.*
Complete the Form I-765

U.S. Mailing Address

On Oct 2, 2020 USCIS plans to begin using the U.S. Postal Service’s (USPS) Signature Confirmation Restricted Delivery service to mail secure documents. You must present identification to sign for your documents upon delivery. You will have the options to:

- Designate an agent to sign on your behalf by completing the Postal Service’s PS Form 3801 or PS Form 3801-A (for apartments, hotels).
- Sign up for USPS Informed Delivery to receive delivery status notifications.
- OR- Arrange for pickup at a post office at a convenient date and time by going to the USPS website and selecting “Hold Mail” This will stop delivery of all your mail.

If you have questions regarding USPS Signature Confirmation Restricted Delivery processes or forms, please contact your local Post Office. BIO is not able to advise on USPS processes.
Complete the Form I-765

PART 2, pg. 2, continued...

Other Information

8. F-1 students do not have an A-Number, leave this blank.

9. F-1 students do not have a USCIS Online Account Number, leave this blank.

10-11. The responses to these questions should be straightforward. Please complete them accurately.

12. Check “Yes” since you have previously applied for an EAD. You will need to provide copies of your previous EADs. If you have previously applied for OPT or STEM OPT and have been Rejected or Denied, you will also need to provide a copy of the rejection/denial notice. (See Slide 50 for further details.)

You will need to provide copy(s) of your previous EAD(s). If you have been rejected or denied for OPT/STEM OPT, you will also need to provide a copy of the rejection notice.
Complete the Form I-765

PART 2, pg. 2, continued...

#13.a.-17.b. Social Security Number (SSN)

#13.a.-13.b.
You will already have an SSN from your previous OPT. Check “Yes” and enter your SSN with one letter in each box.

#14.
Since you probably already have an SSN, you will not need to apply for one. Check “No” and leave questions #15-17 blank.

Check “Yes” if you need a replacement SSN card and complete #15-17.b

You should receive your Social Security card from SSA about 2 weeks after receiving your approved EAD from USCIS.
Complete the Form I-765

PART 2, pg. 2-3 continued...

The responses to these questions are straightforward. Please complete them accurately.

#18 Countries of Citizenship, pg 2

List all as applicable (use Part 6 of the I-765 if needed) or write “N/A” in 18.b. if you do not have multiple citizenships.

#19-20 Place of Birth, pg 3

List the name of the country as it was named when you were born, even if it’s name has changed.

Make sure your Date of Birth is in the correct format of MONTH - DAY - YEAR. (01/31/1998 not 31/01/1998)
Complete the Form I-765

PART 2, pg. 3 continued...

Information About Your Last Arrival

#21.a. I-94 Number
Use your current I-94 number. This is at the number found on the electronic I-94 record or on the top left corner of the paper Form I-94 card (see example). I-94 numbers issued prior to May 2019 are 11 characters long and contain only numbers. Example: 01234567890. I-94 numbers starting in May 2019 have a format of 9 numbers, followed by a letter, then another number. Example: 012345678A1.

#21.b-e. Passport Information
Enter the information directly from your passport. This passport should match the country on your I-20.

In cases where you entered the US on a passport that is now expired, enter the number of your expired passport. (You will provide information on the new passport on pg. 7 of the application.)

#21.c. Travel Document
Write “none” here
Complete the Form I-765

PART 2, pg. 3 continued...

#22 Date of Last Entry into the U.S.
Your most recent entry date can be found on your passport admission stamp, electronic I-94 record, or paper I-94 card.

#23 Place of Last Arrival into the U.S.
Name of the Port of Entry city from your most recent entry. This information can be found on your passport admission stamp, travel history section of your electronic I-94 record, or paper I-94 card (usually as a code, i.e. “SFR” for San Francisco). If you drove across the border, write the name of the city where entered the U.S.

#24 Immigration Status at Last Entry
Status in which you entered the U.S. If you entered with an I-20 as a student, write “F-1 Student.”

#25 Current Immigration Status
Current status should be “F-1 student.” If not, talk to a BIO advisor, and this status should be reflected in your current I-94.

#26 SEVIS ID
Your SEVIS ID appears on the top left side of your I-20 and starts with Noo...
Complete the Form I-765

PART 2, pg. 3 continued...

Information about your Eligibility Category

#27 Eligibility Category
Use the code (c)(3)(C) for STEM OPT.

#28.a. Degree: Indicate your degree level AND the name of your UC Berkeley STEM-qualifying Major as it appears on your transcript or diploma (NOT your I-20).

Note that for some programs, the name of your Major differs from the way it appears on your I-20. This will be addressed LATER in section 6 of the I-765.

You cannot qualify based on a minor.

#28.b. Employer’s Name: Your employer should be able to provide you with this information.

#28.c. E-Verify Number: Your employer should be able to provide you with this information.

For more information about the E-Verify program, see http://www.uscis.gov/e-verify
PART 2, pg. 3 continued...

#29-31.b Other Eligibility Categories (c)(26), (c)(8)
Write “N/A” in these fields. These questions are for other types of I-765 applications for other visa categories. Write “N/A” in these fields or leave check boxes blank as they are not applicable to applying for STEM OPT.

29. (c)(26) Eligibility Category. If you entered the eligibility category (c)(26) in Item Number 27., provide the receipt number of your H-1B spouse’s most recent Form I-797 Notice for Form I-129, Petition for a Nonimmigrant Worker.

   ▶ N / A

30. (c)(8) Eligibility Category If you entered the eligibility category (c)(8) in Item Number 27., provide the information requested in Item Numbers 30.a. - 30.g.

30.a. Have you EVER been arrested for, and/or charged with, and/or convicted of any crime in any country? □ Yes □ No

   Leave blank

   NOTE: If you answered “Yes” to Item Number 30.a., refer to Special Filing Instructions for Those With Pending Asylum Applications (c)(8) of the Form I-765 Instructions for information about providing court dispositions.

30.b. Did you enter the United States lawfully through a U.S. port of entry and were you inspected and admitted or paroled after inspection by an immigration officer? (If you answer “Yes,” you MUST provide evidence of your lawful entry.)

   Leave blank

30.c. If you answered “No” to Item Number 30.b., did you present yourself to the Secretary of Homeland Security or his or her delegate (DHS) within 48 hours of entry or attempted entry AND express an intention to seek asylum within the United States or express a fear of persecution or torture in your home country? □ Yes □ No

   Leave blank
Complete the Form I-765

PART 2, pg. 4: 30.d-31.b

These questions are for other visa categories, NOT for F-1 students applying for F-1 STEM OPT Extension.

If you answered “Yes” to Item Number 30.c., provide the following information:

30.d. Date you presented yourself to DHS

30.e. Location where you presented yourself to DHS

30.f. Country of claimed persecution

30.g. Provide an explanation for why you did not enter the United States lawfully through a U.S. port of entry. If you need extra space to complete this item, use the space provided in Part 6. Additional Information.

NOTE: Refer to the Special Filing Instructions for Those With Pending Asylum Applications (c)(8) section of the Form I-765 Instructions for more information.

31.a. (c)(35) and (c)(36) Eligibility Category. If you entered the eligibility category (c)(35) in Item Number 27., please provide the receipt number of your Form I-797 Notice for Form I-140, Immigrant Petition for Alien Worker. If you entered the eligibility category (c)(36) in Item Number 27., please provide the receipt number of your spouse's or parent's Form I-797 Notice for Form I-140.

Leave blank

31.b. If you entered the eligibility category (c)(35) or (c)(36) in Item Number 27., have you EVER been arrested for and/or convicted of any crime?

NOTE: If you answered “Yes” to Item Number 31.b., refer to Employment-Based Nonimmigrant Categories, Items 8. - 9., in the Who May File Form I-765 section of the Form I-765 Instructions for information about providing court dispositions.
Complete the Form I-765

PART 3. Applicant’s Statement, pg. 4

#1.a. Select 1.a. to indicate that you have read and understood the questions.

#3-6 Provide your information as requested

---

**Applicant’s Statement**

NOTE: Select the box for either Item Number 1.a. or 1.b. If applicable, select the box for Item Number 2.

1.a. I can read and understand English, and I have read and understand every question and instruction on this application and my answer to every question.

1.b. The interpreter named in Part 4, read to me every question and instruction on this application and my answer to every question in a language in which I am fluent, and I understood everything.

2. At my request, the preparer named in Part 5, prepared this application for me based only upon information I provided or authorized.

---

**Applicant’s Contact Information**

3. Applicant's Daytime Telephone Number

   1234567890

4. Applicant's Mobile Telephone Number (if any)

   1234567890

5. Applicant's Email Address (if any)

   oskibear067@gmail.com

---

**Step 4: Prepare and Mail the OPT Application**

Berkeley International Office
Complete the Form I-765

PART 3, pg. 4-5

Applicant’s Declaration and Certification

Read the entire declaration carefully.

Applicant’s Signature

#7.a.-7.b. Hand sign your name and provide the date of the signature in black ink.

Important!

Because your signature will be scanned at USCIS, it must fit within the box. It must NOT touch the box outline. If it touches a line, your application could be delayed.

You must sign and date by hand in black ink. Do NOT use any form of e-signature including those that are replicas of your exact hand-written signature. Print the form and sign it with an actual pen. USCIS will DENY applications with e-signatures.

Troubleshooting Signature Line:

In some cases the “Don’t forget to sign!” automatic reminder will not disappear when you print the form. You should remove the auto filled “Don’t forget to sign!”

We recommend trying to...

• open the form in the most recent version of Adobe Reader.
• print a blank version of the form’s second page from your web browser.
Complete the Form I-765

PARTS 4 and 5, pgs. 5-6

These sections are not applicable to you, since you’ve completed the form yourself, so write “N/A.” This section is for those who use an interpreter or translator, or other paid preparer (i.e. an attorney) to complete the form.

Part 4 pg. 5

Part 5 pg. 6
**Complete the Form I-765**

**PART 6, Additional Information, pg. 7**

**#1.a.-1.c.** Provide your name again as listed in Part 2, 1.a-1.c.

**#2.** Leave blank

**#3.a-3.c.** Reference Pg. 2, Part 2, Item 12

**#3.d.**

- Write “Previous OPT/STEM Authorizations” and list your previous OPT and STEM OPT start & end dates and receipt numbers
- Write “See attached documentation for previous OPT/STEM authorizations”
- Include copies of all previous and OPT/STEM I-20s and EAD cards with your application.
- If your previous OPT/STEM OPT application was Rejected or Denied write “See attached documentation for previous I-765 STEM OPT rejection or denial.” Include a copy of the STEM OPT rejection notice with your application.

---

**Previous OPT/STEM Authorizations:**
- OPT 1/8/2015-1/7/2016; WAC4565250057
- OPT 8/8/2017-8/7/2018; SRC45985652500

(These are examples only)

See attached documentation for previous OPT/STEM authorizations.

See attached documentation for previous I-765 STEM OPT rejection or denial.
Complete the Form I-765

Page 7, Part 6 if you:

• most recently entered the US on a passport that is no longer valid and you now have a renewed passport

If this does not apply to you skip to the next slide.

PART 6, Additional Information, pg. 7

#1.a.-1.c. Provide your name again as listed in Part 2, 1.a-1.c.

#2. Leave blank

#3.a-3.c. Reference Pg. 3, Part 2, Item 21.b. (If you already used sections 3.a-3d use the next available section, 4a-d, etc.)

#3d. Write an explanation that clarifies that you have two passports: one that you used for entry but is no longer valid, and one that is currently valid.

#3.d. Include copies of both passports and your I-94 with your application.
Complete the Form I-765

PART 6, pg. 7, continued...

#4.a-4.c. Reference Pg. 3, Part 2, Item 28

(If you already used sections 4.a-d. use the next available section, 5a-d, etc.)

#4.d. Academic Info

- Write “Name of major in SEVIS:” and list your major as written on your I-20
- Write “University of California, Berkeley Approved CIP Code for Major:” and list the CIP Code as written on I-20. (If your STEM degree was received from a different school, NOT from UC Berkeley, use your STEM degree school’s name.)
- Write “See attached I-20 and diploma or transcript”
- Include copies of your I-20 and diploma or transcript

The CIP code is a 6-digit code (XX.XXXX) found on your I-20
- Page 1 if I-20 issued on/after 6/26/2015
- Page 3 if I-20 issued before 6/26/15
Complete the Form I-765

IF YOU ADDED ANY INFORMATION TO PAGE 7, PART 6, you must add your signature and the date to in the blank space at the bottom right-hand side of page 7.

You must sign and date by hand in black ink. Do NOT use any form of e-signature including those that are replicas of your exact hand-written signature. USCIS frequently denies applications with e-signatures.

Oski Bear  August 1, 2018
Complete the Form I-765

You are done with the I-765!

1. Review all the information on the form for accuracy. You must submit ALL 7 pages of the I-765.

2. Make a copy of your completed I-765 application to keep for your records, in case there is a problem with the application.

3. Next, gather the required documentation and copies. See the following slides...
Gather the required documentation

Photocopy of UCB OPT STEM I-20 (all pages):

- Must be received by USCIS within 60 days of DATE ISSUED on page 1.
- Original must be signed by a BIO advisor by hand before copying.
- Original must be signed by hand by the student at the bottom of page 1 before copying.
- The requested OPT start and end dates will appear on page 2.
- Do not mail the original I-20.
Gather the required documentation

Photocopy of PREVIOUS OPT I-20 (all pages):

Page 2 should show your initial 12-month OPT authorization.

Do I need copies of my previous CPT I-20s?

No! USCIS doesn’t need to review your previous CPT usage. They only need to review your prior OPT and STEM authorizations.
Gather the required documentation

Photocopy of Passport and Visa:

- Photocopy the passport biographic page (with photo and passport expiration date); passport must be valid 6 months into the future.

- Photocopy the F-1 visa, if applicable; visa does not need to be valid.
Gather the required documentation

Photocopy of I-94 Information:

The I-94 can be either:


**OR**

- a paper I-94 card stapled into your passport. Include a copy of both sides, even though the back side may be blank.

**OR**

- a copy of an I-797 Change of Status Approval Notice which includes a new I-94.
Gather the required documentation

Photocopy of current OPT EAD: (and previous STEM EADs if applicable)

- Include a copy of the front and back of the card.
- Include I-797 notice of approval if available.
Gather the required documentation

Photocopy of Diploma or Official Transcripts

- Your diploma or official transcripts must show the major and degree level that makes you eligible for the STEM extension. Final Transcripts are preferred.
- For information about obtaining your UC diploma if you do not have it, see http://registrar.berkeley.edu/diplomas.html
Gather the required documentation

Previous Degrees or Previous STEM Extensions

• If the OPT STEM Extension is based on a prior degree not listed on your current 12-Month OPT, you must also include a copy of your I-20 from the previous school.
• If you have previously had another STEM extension, you must include a copy of your previous STEM I-20.
• If the I-20 is not available, either request 1) a screenshot of your F-1 SEVIS record from the previous school OR 2) a letter from your previous international office stating your name, SEVIS ID, the dates of your attendance, and your STEM major and CIP code.
Step 4: Prepare and Mail the OPT Application

Berkeley International Office

Gather the required documentation

Additional STEM OPT Documents:
CIP Code/Major Name Mismatch

- In some cases, your UC Berkeley Major Name on your transcript/diploma and does not match the CIP Code name listed on page 1 of your I-20. (Example: Your Major title is “Journalism” the designated CIP code for the Journalism degree at UC Berkeley is 09.0702— Digital Communication and Media/Multimedia.)

- BIO recommends that students in these “CIP Code/Major Name Mismatch” programs submit a letter of explanation with the STEM application to avoid any confusion by USCIS.

- Review the Additional STEM OPT Documents, CIP Code/Major Name Mismatch section of the STEM webpage to see if a letter is recommended for your major.

What are CIP Codes? Classification of Instructions Programs (CIP) codes are published by the National Center for Education Statistics (NES) & are used by SEVIS to designate a student’s major. Your CIP code determines whether your major has been designated as a STEM degree.
Additional STEM OPT Documents: Concurrent H-1B & STEM Applications

Filing an H-1B and a STEM applications concurrently can sometimes cause complications in your SEVIS record. If you are planning to file for an H-1B and STEM at the same time, you should submit your OPT STEM application on time, before the original 12 month EAD expires.

BIO recommends including the following letter with your STEM Extension application to USCIS:

- **STEM/Cap-Gap Letter**: Include this letter if a Cap-Gap Extension appears on your OPT STEM I-20.

- **STEM/H-1B Letter**: Include this letter if NO Cap-Gap Extension currently appears on your I-20, but your employer has filed for an H-1B for you and your OPT expires before 9/30.

- See [H-1B & STEM Extension](#) information at the end of this tutorial.
Application Deadline

USCIS must receive the OPT STEM application:

• No later than **60 days** after the OPT STEM I-20 ISSUE DATE on page 1.
  - The issue date is located next to the advisor’s signature on page 1 of the OPT STEM I-20.

• No later than the **end date** of your current 12-month OPT as noted by your EAD. Please account for mailing time.

• If you have received a **Cap-Gap Extension** of your I-20, you must still submit your STEM application to USCIS before the expiration of your 12 month EAD.

• You may apply up to 90 days before your current OPT end date.

• Track the status of your mailed application to be certain it was delivered on time.

We recommend that you apply early.

Your application must be submitted to USCIS from within the U.S.
TOP 3 MOST COMMON OPT STEM DENIAL REASONS

1. Payment problems:
   - Check or Credit Card payment: Money is not in account at time of processing
   - Incorrect fee amount. Check the current fee at: [https://www.uscis.gov/i-765](https://www.uscis.gov/i-765)
   - Check, money order, or credit card form not completed properly
   - Wrong dates on check, money order (U.S Date style = MONTH/DAY/YEAR = MM/DD/YYYY)

2. Copy of OPT STEM I-20 (pages 1-3) is TOO OLD
   - New OPT STEM applications: USCIS must receive your complete OPT application no later than 60 days after the ORIGINAL OPT STEM I-20 ISSUE DATE on page 1 of the I-20.
   - Resubmission after OPT STEM Rejection or Denial: If your STEM OPT is REJECTED OR DENIED you must NOTIFY BIO that your OPT has been rejected or denied. You may need to request a NEW OPT I-20 recommendation FROM BIO before you resubmit your OPT STEM application. Again, USCIS must receive your new, complete OPT re-application no later than 60 days after the OPT I-20 ISSUE DATE on page 1 of the I-20 AND BEFORE the expiration of your OPT EAD.

3. I-765 problems:
   - Incomplete or incorrect form fields
   - Not signed, or not signed in ink by hand
   - Wrong version of the form

Applications may be rejected or denied for other reasons. These are the most common reasons as observed by BIO advisers.

If your application is rejected or denied you might still be able to re-apply to USCIS before the end of your OPT EAD.

If you receive a Rejection or Denial (or Request for Evidence) notify BIO immediately, and ask for advice before your response. BIO sees many re-application denials which could have been avoided by consulting an adviser before response.
Mailing the STEM Application from California

USCIS Mailing Addresses
for people who live in California*

FedEx, UPS, & Other Express Carrier Mail, requesting signature from the addressee:
USCIS
Attn: NFB AOS
1820 E. Skyharbor, Circle S
Suite 100
Phoenix, AZ 85034

U.S. Postal Service Mail
USCIS
PO Box 21281
Phoenix, AZ 85036

If using USPS, choose Express or Priority Mail option and use the above address.
Be sure your mailing option includes tracking and guaranteed delivery.

BIO recommends FedEx as a reliable option. If using FedEx or UPS, use the above address. Be sure your mailing option includes tracking and guaranteed delivery.

* If you do not live in California, see the next slide for mailing information.
USCIS Mailing Addresses

If living in...

Alabama, Arkansas, Connecticut, Delaware, District of Columbia, Florida, Georgia, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Mississippi, New Hampshire, New Jersey, New Mexico, New York, North Carolina, Pennsylvania, Puerto Rico, Rhode Island, South Carolina, Oklahoma, Tennessee, Texas, Vermont, Virginia, U.S. Virgin Islands, or West Virginia

Mail your application to...

U.S. Postal Service
USCIS
PO Box 660867
Dallas, TX 75266

Express Deliveries
USCIS
Attn: NFB AOS
2501 S. State Hwy 121 Business Suite 400
Lewisville, TX 75067

U.S. Postal Service
USCIS
PO Box 21281
Phoenix, AZ 85036

Express Deliveries
USCIS
Attn: NFB AOS
1820 E Skyharbor Circle S Suite 100
Phoenix, AZ 85034

Step 5:
Receive the Employment Authorization Document (EAD)
**I-797 Notice of Action**

You should receive the notice by mail within 2-4 weeks after mailing the OPT application to USCIS.

- **The I-797 is very important.**
  If you lose the receipt, it may be very difficult to replace it.

- **The I-797 is necessary if you want to:**
  1) inquire about the status of your OPT STEM application.
  2) travel outside the U.S. while your OPT STEM is pending.

**Receipt Number**
The case number for the OPT application at USCIS. Check the status of the case on the USCIS web site at [https://www.uscis.gov](https://www.uscis.gov)

**Received Date**
Date when USCIS begins processing the application. (It may not be the actual the application was received, but it is when the case was entered into the system.)

**Address Information**
Verify your name, date of birth, and address on the I-765 receipt notice. If incorrect, contact BIO immediately.

**Contacting USCIS**
If you have any problems or questions with the OPT application, contact a BIO advisor before calling the USCIS Customer Service.
**USCIS Issues & Tracking Your Case**

**Sign up for an account** at [https://www.uscis.gov](https://www.uscis.gov). This will allow you to receive automatic updates and monitor your case. Click “Check Your Case Status” and then select “Sign Up.”

**General Case Tracking:**
If you don’t sign up for an account, you can still track your case using the “Check Your Case Status” Tool.

**Address Changes:**
If your address changes, you can update it online through the “Change of Address” tool. Keep in mind that address changes can take 10 business days to process, and could jeopardize your OPT EAD delivery. We recommend keeping the same address for your entire OPT processing, if possible.
USCIS Issues: Case Inquiries & Expedites

Case Inquiries & Processing times:
You can submit inquiries and requests about your case using the Case Inquiry tool for these issues:

• If you don’t receive your receipt notice, EAD or other notifications
• If your case is pending longer than the normal processing time. See current USCIS processing times for Form“I-765” for “Potomac Service Center” here: https://egov.uscis.gov/processing-time/
• If there is an error on your receipt notice or EAD card

Expedites:
USCIS almost always denies F-1 student expedite requests for OPT. You can find expedite criteria here: https://www.uscis.gov/forms/how-make-expedite-request USCIS may consider expediting if the request meets one or more of the following criteria:

• Severe financial loss to a company or person, if expedite is not due to applicant’s failure: (1) to file the benefit request in a reasonable time frame; or (2) to respond to any RFE in a timely manner;
• Urgent humanitarian reasons;
• Compelling U.S. Government interests (such as urgent cases for the Department of Defense or DHS, or other public safety or national security interests); or
• Clear USCIS error.

NOTE: 1) Severe financial loss to a company means the company would be at risk of failing. 2) The need to obtain employment authorization, standing alone, without evidence of other compelling factors, does not warrant expedited treatment
Application Problems: RFE or Rejection/Denial

RFE: If there is a problem with your application, the USCIS may send you a notice by mail called a “Request for Evidence (RFE).” An RFE does not mean that your application has been rejected. It simply means that you need to send in additional documents before your EAD can be issued.

- Getting an RFE will delay the processing of your application.

Rejection/Denial: In some cases, if too many items are missing from your application, USCIS will return the entire application to you. If this happens, you must make the corrections and send the application before the end date of your 60-day grace period.

Contact BIO IMMEDIATELY if you receive a RFE, rejection, or denial.

To avoid delays, review your application materials for completeness and sign all the forms before mailing them to USCIS.
The Employment Authorization Document (EAD)

USCIS takes approximately 3-5 months for processing. The observed average processing time at USCIS is 90-120 days, but processing can take longer in some cases. See current USCIS processing times for Form “I-765” for “Potomac Service Center” here: https://egov.uscis.gov/processing-times/

While waiting, keep these things in mind.

• Your F-1 status & employment authorization will be **automatically extended** for up to 180 days while your OPT STEM application is pending. You may work during this time.

• A change in employment will require a new BIO 24-Month STEM request AND a new I-983 with the new employer.

• You must work full time in your field of study while on your OPT STEM Extension

• You may accumulate up to 150 days of unemployment on OPT STEM inclusive of any time used during 12-month OPT.

• If you decide to return to school as a full-time student, you must request a transfer or a change of level from Berkeley International Office within 60 days of your EAD expiration.

• Review card to make sure the information is accurate. If not, contact a BIO advisor.

• Present your EAD to employers as proof of your legal work authorization in the US.

• The EAD is a required document for entry to the U.S. during STEM OPT.

• Upload a copy of your EAD card at io.berkeley.edu/ssu
Driver License Applications & Renewal

• If your California Driver License has expired, you can only renew the license after your OPT EAD EAD has been approved.

• This is because your I-20 has expired, and without proof of the OPT approval (and continuing F-1 status) you won’t qualify to renew the license.

• If you live in a state other than California, check with the local DMV regarding requirements for renewal
Avoiding Immigration Scams

- It is very rare for USCIS or SEVP to contact you via phone regarding your application or your SEVIS record. Most notices from SEVP Portal are sent by email, and most notices from USCIS are sent via mail. They will generally never ask you for money.

- See USCIS’s website on how to avoid immigration scams, report fraud, and find authorized legal services.

- You can report immigration scams by contacting the FTC. Please visit the USCIS Avoid Scams Initiative website to learn more about avoiding immigration scams and reporting fraud.
Step 6: Maintaining Your F-1 Status & STEM Reporting Requirements
Reporting Requirements

- Submit updates online at io.berkeley.edu/ssu
- You must report any changes to your employment, address, and/or name within 10 days.
- Complete 6 Month validation with BIO.
- Report Material Changes to your I-983 to BIO within 10 days.
- Annual Evaluation of Student Progress due at 12 and 24 Months

See STEM Reporting Requirements for instructions on how to submit updates, validations, and evaluations.
Reporting Your Information

While on OPT STEM, you must update the Berkeley International Office within 10 days of any changes to the following information:

- Your Name
- Your Residential Address
- Your Phone & Email Address
- Employer Name or Address
- Starting or Ending Employment
- Date of departure from the U.S. if you leave prior to OPT STEM end date and want to end your OPT.
- Change of status to another visa category

We recommend saving the website page showing your updated information.

In order to update your information, you will need your UC Berkeley Student ID # and SEVIS # (found on your I-20; starts with Noo...).
Reporting Requirements: BIO SSU HUB (MANDATORY)

• ALL STUDENTS ON OPT/STEM ARE REQUIRED TO USE THE BIO SSU HUB TO SUBMIT OPT UPDATES. BIO SSU Hub is a BIO system.

• Submit updates online at io.berkeley.edu/ssu.

SEVP Portal (OPTIONAL)

• The Student Exchange Visitor Program (SEVP) has its own “SEVP Portal” for students on OPT/STEM. On day 1 of your approved OPT, you will receive an email from SEVP with instructions on how to create an account. This email will come from do-not-reply.sevp@ice.dhs.gov.

• Be aware of scams: SEVP will NEVER ask you for a payment to register for the optional SEVP Portal.

• Registration for SEVP Portal is OPTIONAL. BIO WILL NOT USE the SEVP Portal for OPT reporting purposes. BIO recommends using SEVP Portal as “view-only.”
Changing Employment While on STEM OPT Extension

If you change employers during your 24-month STEM OPT period, follow the instructions below. (If your STEM EAD has not yet been approved by USCIS, contact a BIO advisor for more information.)

Log into SSU and do the following:
1. Update your address/phone/email.
2. Add the new employer information and upload a new I-983 form for the new employer. You will choose the delivery method for your new I-20.
3. Edit your previous employer and add end date and upload the Final Evaluation I-983 page 5.
4. Upload a copy of your STEM EAD (if we don’t have it already).
Report Material Changes to Form I-983

Material changes may include, but are not limited to:

• Change in employer address or supervisor.
• Any change of the employer’s Employer Identification Number, (i.e., the company’s Federal Tax ID number) resulting from a change in the employer’s ownership or structure.
• Any reduction in your compensation that is not tied to a reduction in hours worked.
• Any significant decrease in hours per week that you engage in a STEM training opportunity.
• Changes to the employer’s commitments or your learning objectives as documented on the Form I-983.
• Updated Material Changes via a revised I-983 needs to be submitted to BIO within 10 business days.
6-Month Validation

- STEM OPT students must submit a validation report to BIO every six months starting from the date the 24-month extension begins and ending when the student’s F-1 status ends.
- 4 validations in total over 24-month OPT STEM Extension time.
- Your F-1 record may be terminated if you fail to report each 6 months.
- Check your STEM OPT start date and mark your calendar for each 6 month interval of your STEM Extension for your reporting deadlines. (Example: Your STEM Extension Starts January 1, 2017. You must submit 6 month validations on July 1, 2017, on January 1, 2018, on July 1 2018 and on Jan 1, 2019.)
- Be sure to check email reminders from BIO.
Annual Evaluation

• You must submit Form I-983 page 5 “Evaluation of Student Progress” to BIO each 12 months and/or any time you leave an employer.

• Your employer must review and sign the self evaluation to attest to the accuracy.

• Your F-1 record may be terminated if you fail to submit your evaluations.

• Check your STEM start date and mark your calendar for each 12 month interval of your STEM Extension for your reporting deadlines. (Example: Your STEM Extension Starts January 1, 2017. You must submit an annual evaluation January 1, 2018, and a final evaluation by January 1, 2019.)

• Be sure to check email reminders from BIO.
SSU Hub Reporting

- You can see your reporting deadlines in the SSU Hub.
- Validation Report links will become available during your reporting period.

### STEM Validation Report

While on STEM, you must complete a validation report every 6 months. Verify that all your Contact information and Employer information above is up-to-date then click Validate. The Validate link will only be available during the reporting window.

Note: Older Validation Reports may not show here. To see all previous Validation Reports, click “See All your Form Submissions” below.

<table>
<thead>
<tr>
<th>Validation Type</th>
<th>Due Date</th>
<th>Reporting Window</th>
<th>Status</th>
<th>Validation Report</th>
</tr>
</thead>
<tbody>
<tr>
<td>12-month (Eval required)</td>
<td>10/3/2018</td>
<td>9/23/2018 - 10/13/2018</td>
<td>Accepted</td>
<td></td>
</tr>
<tr>
<td>Final (Final Eval required)</td>
<td>10/2/2019</td>
<td>9/22/2019 - 10/12/2019</td>
<td></td>
<td>Not Yet Due</td>
</tr>
</tbody>
</table>
SEVP Portal Reminders

- SEVIS SEVP Portal will also email you reminders regarding your 6 Month Validations and Annual Evaluations. Remember, you’ll do this reporting through the BIO SSU Hub.
- You can also check your reporting deadlines via the SEVP Portal.

### STEM Student Due Date Announcement

Hello, [student name]!

Your STEM OPT Reporting Deadlines:

While on STEM OPT, you must give your designated school official (DSO):

1. Validation reports to confirm that your address and employer information in SEVIS is correct. These are due every six months.
2. Two Evaluations of Student Progress (page 5 of the Form I-983). These are due:
   a. 12 months after your STEM OPT starts and
   b. 24 months after your STEM OPT starts.
3. Evaluation of Student Progress (page 5 of the Form I-983) when you stop working for a STEM employer before your STEM OPT authorization ends. These are due within 10 days after you stop working for the employer.

Your reporting deadlines:

<table>
<thead>
<tr>
<th>Date</th>
<th>What is Due</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aug 6 2013</td>
<td>Validation report for address and employer information</td>
</tr>
<tr>
<td>Feb 6 2019</td>
<td>Validation report for address and employer information Evaluation of Student Progress (page 8 of Form I-983)</td>
</tr>
<tr>
<td>Aug 6 2019</td>
<td>Validation report for address and employer information</td>
</tr>
<tr>
<td>Feb 6 2020</td>
<td>Validation report for address and employer information Evaluation of Student Progress (page 8 of Form I-983)</td>
</tr>
</tbody>
</table>

Missing these deadlines may affect the status of your SEVIS record.

For more information, go to the STEM OPT Hub (https://studyinthesates.dhs.gov/stem-opt-hub) pages on the Study in the States website.
Important Information Regarding Travel

• Avoid long absences from the U.S. during the STEM OPT period. Time spent outside of the U.S. while unemployed by a U.S. employer counts toward your 150 days of unemployment.

• Attempting to re-enter the U.S. close to the expiration date of your OPT can be risky.

• You must not enter the U.S. in a status other than F-1. This may result in the loss of your OPT eligibility.

Travel While STEM OPT is Pending, But Before STEM OPT Card is Received

• There is a higher risk associated with travel and return while your STEM OPT is pending after the program completion date of your OPT EAD. If there are any problems with your application, you may not be able to respond to USCIS in a timely manner, which could delay processing of your EAD.

• If your STEM OPT application is denied while outside the U.S., and your original OPT EAD has expired, you will not be able to re-enter the U.S. in F-1 status and will not be able to reapply.
Applying for an F-1 Visa on STEM OPT

If you are traveling abroad and your F-1 visa has expired, you must obtain a new F-1 visa before returning to the U.S. When going to your visa interview, bring the documents below. For more information, visit: http://internationaloffice.berkeley.edu/visa_application.

1. Valid passport (at least 6 months in the future)
2. Valid STEM I-20 with travel endorsement from a Berkeley International Office advisor within the past 6 months
3. STEM EAD Card
4. Proof of current STEM OPT employment (employer should match employer info listed on the I-20)
5. Evidence of sufficient funds (e.g. a bank statement, a letter from a sponsor or a job offer letter)

Check the U.S. Department of State website for more information about getting a visa and specific requirements at the local embassy or consulate.
Completing OPT & Grace Period

- You have a 60 day grace period following the end of your STEM OPT EAD.
- The only additional extension of OPT available is the OPT Cap-Gap Extension, for students who have an accepted cap-subject H-1B application.
- Failure to exit, continue your F-1 status, or timely request a Cap-Gap Extension or USCIS Change of Status will result in accrual of days of unlawful presence.
- If you receive an extension of your OPT, the grace period will begin after the end of the extension period.

If you do not extend your STEM OPT via the H1-B Cap-Gap, and your EAD expires, you have the following options before the end of the 60 days grace period:

1. Exit the U.S. within 60 days.
2. **Continue your F-1 Status & Studies:** Transfer your I-20 to continue studies at another school OR request a Change of Educational Level to begin new studies at UC Berkeley.
3. Work with immigration legal counsel regarding a Change of Status application to a new visa category. **You will need to check with your legal counsel regarding your allowed period of stay or required exit date if you have a pending change of status when your grace period ends.**
H-1B and STEM Extension

Can I file for an H1-B and a STEM Extension at the same time?

Yes, but filing these applications concurrently can sometimes cause complications in your SEVIS record. You can apply for an STEM OPT Extension before your OPT EAD expires. If you are planning to file for an H-1B and STEM at the same time, you should submit your STEM OPT application on time, before the original 12 month EAD expires. You should also be mindful to take extra steps when filing for your STEM OPT Extension and continuing your F-1 status:

• Before requesting a STEM I-20, check with your employer and the legal counsel working on your H-1B and confirm that your employer recommends that you file STEM/H-1B concurrently at this time.

• When submitting your STEM OPT Extension, include the [STEM/Cap-Gap Letter](#) if a Cap-Gap appears on your OPT STEM I-20.

• If no Cap-Gap currently appears on your I-20, but your employer has filed for the H-1B and your OPT expires before 9/30, include the [STEM/H1B Letter](#).

• Update BIO as soon as possible regarding any Withdrawal or Denial of your H-1B petition. These actions may have an impact on your SEVIS record, and a BIO adviser will need to review the record to see if any corrections need to be made.

• If your H-1B is approved, the STEM OPT Extension (or pending STEM OPT Extension) will end on the date your H-1B becomes effective. Report the end of your OPT via the [SSU Hub](#). Select “Report Early OPT/Academic Training Completion” and provide your I-797 Approval Notice From USCIS. Your F-1 record will be completed after the effective date of your H-1B.
H-1B and STEM Extension

My employer filed for my H-1B and the petition has been approved. Should I file for the STEM OPT Extension if my H-1B is already approved for Oct. 1?

You may not need a STEM OPT Extension if your OPT is ending, and your H-1B has already been approved. If this is your situation, check with a BIO adviser before submitting your STEM OPT Extension request. An adviser will need to review your record and H-1B approval notice. An adviser will determine whether a STEM OPT Extension or Cap-Gap I-20 is better for you.

Before contacting a BIO adviser, make sure that you have 1) uploaded a copy of your OPT EAD card to the SSU Hub and 2) have your H-1B I-797 Approval Notice From USCIS.
Frequently Asked Questions (FAQs): Employment

**What is considered full-time employment on the 24-month OPT STEM Extension?** 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. All employers must be authorized on the I-20 and in SEVIS.

**I have two part-time jobs. One of the employers is enrolled in E-Verify but the other is not. Is this allowed?** No, only full-time employment is allowed at your STEM-eligible E-Verify registered employer.

**How many days of unemployment am I allowed while on the 24-month STEM OPT Extension?** 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.

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

**Can I continue to work while my 24-month STEM OPT Extension is pending?** If a student’s EAD expires while the STEM Extension application is pending with USCIS, 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.

**What documents should I present to my employer once my 12-month OPT expires and my STEM OPT is pending?** The student should present the employer with the expired EAD card, the form I-20 recommending the student for STEM OPT Extension, and proof of the timely filing with USCIS (STEM OPT I-797 receipt notice).

**Can I change STEM employers after my STEM EAD is approved?** Yes, see our [OPT Reporting page](#) for instructions on submitting a request to change employers. You should not start working before receiving authorization for the new employer.

**Can I switch employers while my STEM OPT application is pending?** Yes, but we do NOT recommend this. We recommend changing employers after the EAD is approved, if possible. Please contact BIO for instructions regarding how to change employers while your application is pending.
Travel & Re-Entry

**Can I travel outside the US during my approved OPT STEM period?**
Yes.* However, if the student whose approved period of OPT has started travels outside of the U.S. while unemployed, the time spent outside the U.S. will count as unemployment against the 90/150-day limits. See the [OPT Travel page](#) for required documents.

If a student travels while employed either during a period of leave authorized by an employer or as part of their employment, the time spent outside the US will not count as unemployment.

**Can I travel outside the U.S. while my 24-month STEM Extension OPT is pending?**
Yes*, travel while your OPT STEM application is pending is possible if you have a valid F-1 visa and STEM I-20 signed within the past 6 months. You should travel with a copy of your I-797 receipt notice and proof of your STEM employment. See the [OPT Travel page](#) for required documents.

*If your employer has filed for an H-1B for you, please discuss your travel plans with your BIO adviser and with the legal counsel working on the H-1B request. BIO advisers can advise on travel as an F-1, but we cannot advise on how the travel might impact your H-1B application.

**Can I renew my visa while on STEM OPT?**
Yes, you are eligible to renew your visa while on STEM OPT. Remember, that you are still applying for an F-1 nonimmigrant visa, which means you must demonstrate ties to your home country. See [Applying for a Visa](#) for a complete list of documents and advice on renewing the visa during STEM OPT and feel free to discuss your concerns with an adviser. Be advised that you MUST have an approved STEM EAD to apply for a new visa.

**What documents do I need to re-enter the U.S with approved STEM OPT?**
If you are eligible for travel, you will need:
- A valid passport with an unexpired F-1 visa stamp (if applicable).
- Form I-20, signed on page 2 by an adviser at Berkeley International Office within the last 6 months.
- Unexpired EAD Card.
- Proof of employment (or employment offer).
Office Hours

internationaloffice@berkeley.edu

510-642-2818