
Hiring F-1 STEM OPT Employees

F-1 students who graduate with degrees in the fields of Science, Technology, Engineering or Math (STEM) may be eligible for an extension of their F-1 Optional Practical Training (OPT) work authorization. Below is some basic information, however please be sure to speak to your [OISS adviser](#) [1] before taking any action. As Yale University is the employer, we use the term “employee” below to describe the F-1 student who graduated and is seeking to work at Yale using STEM OPT authorization. Some government forms describe the employee as a “trainee” as the intent of this rule is that it is primarily a training opportunity.

What is STEM OPT?

- An extension of post-graduation F-1 Optional Practical Training (OPT) work permission
 - The total OPT time can be up to three years (one year of OPT and two more years of STEM OPT)
 - The visa is sponsored by the school the student most recently graduated from, which may or may not be Yale
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Who is Eligible for a STEM OPT Extension?

- F-1 students with degrees in the fields of Science, Technology, Engineering or Math (STEM) may be eligible
 - Only degrees where the CIP code on the student's Form I-20 which are on the [list of STEM codes](#) [2] qualify
 - The position at Yale must be directly related to the STEM field identified on the I-20
 - Students may be eligible for two STEM OPT extensions (after two different STEM degrees) during their time in the U.S. In addition, students currently in a non-STEM degree may also be eligible for a STEM OPT extension based on a previous STEM degree obtained at an accredited U.S. institution. In both instances students should consult with the school that issued their I-20 to determine eligibility
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Employer (Department) Responsibilities

The Yale hiring department must complete sections of a Training Plan form (USCIS [Form I-983](#)) [3] and by signing this form agree to all of the conditions. The training plan must identify the goals for the training opportunity, including specific knowledge, skills, or techniques that will be imparted to the employee and explain how those goals will be achieved through the work-based learning opportunity with the employer. The plan must also describe the performance evaluation process and the methods of oversight and supervision. In addition the employer must attest to the following conditions:

- The STEM OPT employee will not replace a full-time or part-time, temporary or permanent U.S. worker
 - The duties, hours, and compensation, must be commensurate with terms and conditions applicable to the employer's similarly situated U.S. workers in the area of employment
 - The employee may not work for less than 20 hours per week, excluding time off taken consistent with leave-related policies
 - The department must report within five business days the termination or departure of the STEM OPT employee to the OISS if the termination or departure is prior to the appointment end date
 - The department should consider an employee to have departed if the employee has not reported to work for a period of five consecutive business days without the consent of the employer
 - The employment must comply with all applicable Federal and State requirements relating to employment (e.g. licensure)
 - The Department of Homeland Security (DHS) has stated that they will be performing site visits (announced and unannounced) to ensure that employers are providing appropriate training.
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- Details on these requirements and guidance on completing the I-983 may be found on the DHS [STEM OPT HUB](#) [4].

How to Begin the STEM OPT Application Process

- Hiring department enters the employee's information into [OISS Connect](#) [5] (if it is not already entered) by completing a [New Sponsorship Request form](#) [6]
- The employee should meet with [the OISS adviser](#) [1] working with your department to discuss whether or not the STEM OPT visa option is the best choice (as opposed to J-1 or H-1B)
- The employee contacts the international office adviser at the school they graduated from to discuss STEM OPT eligibility, deadlines, and procedures (NOTE: F-1 sponsorship during the STEM OPT period remains with the school the student graduated from)
- The employee completes his/her sections of [Form I-983](#) [7]
- The hiring department completes their sections of Form I-983
- The employee mails the entire STEM OPT application (following the school sponsor's instructions) to USCIS
- In most cases the employee will have interim employment authorized status while waiting to receive an employment authorization document (EAD.) The employee should ask the school sponsor about these details
- Upon receiving the STEM OPT authorization (new Employment Authorization Document or EAD), the employee completes a new I-9
- The hiring department uploads copies of new I-20, USCIS receipt notice and new EAD to the OISS Connect record

Employer Evaluations

The employer and employee are required to complete an initial evaluation within 12 months of the approved start date on the EAD issued upon approval of the student's 24-month STEM OPT extension application.

- All required evaluations must be completed prior to the conclusion of a STEM practical training opportunity, and the student and an appropriate individual in the employer's organization must sign each evaluation to attest to its accuracy.
- The employer and employee are required to complete a concluding evaluation at the finish of the STEM OPT

Source URL: <https://oiss.yale.edu/for-departments/hiring-student-visa-holders/hiring-f-1-stem-opt-employees>

Links

[1] <https://oiss.yale.edu/about/connect-with-oiss> [2]
<https://www.ice.gov/sites/default/files/documents/Document/2016/stem-list.pdf> [3]
<https://studyinthestates.dhs.gov/students-and-the-form-i-983> [4] <https://studyinthestates.dhs.gov/stem-opt-hub> [5]
<https://oiss.yale.edu/for-departments/oiss-connect> [6]
<https://connect.oiss.yale.edu/index.cfm?FuseAction=SCHOLAR.Dashboard#/createscholar> [7]
<https://www.ice.gov/sites/default/files/documents/Document/2016/i983.pdf>