**OPT STEM Reporting Requirements for Employers**

The employers must assist in tracking the OPT STEM students and their practical training progress. In order to improve the educational benefit of the OPT STEM extension, the employer must implement formal training programs to enhance academic learning through practical experience.

**Form – I-983** – The OPT STEM employer must work with the student to complete the Form I-983 and designate an “Official with Signatory Authority” to certify the information on the form. See link for additional instructions.


**Evaluation on Student Progress** – The OPT STEM employer must review the student’s annual self-evaluation. The student must submit the first review within 12 months of the OPT STEM start date. The Form I-983 provides a section for the evaluation. The Form I-983 must be submitted no later than 10 days following the 12 month deadline to the DSO for recordkeeping. The final evaluation must be completed and submitted prior to the conclusion of the OPT STEM extension. The goal for the evaluations is to document the student’s progress toward the training goals and ensure that the goals are met. See links for additional information.

- [https://studyinthestates.dhs.gov/employers-stem-opt-reporting-requirements](https://studyinthestates.dhs.gov/employers-stem-opt-reporting-requirements)

**Material changes to an Existing Form I-983** – Employers must assist the OPT STEM student by filling out a new Form I-983 to report to the DSO any material changes or deviations to the formal training plan. Material changes or deviations may include, but not limited to:

- Any change of the employer’s EIN
- Any change in compensation not tied to reduction of work hours
- Any significant decrease in hours per week
- Changes to the employer’s commitment or student’s learning objectives as documented on the Form I-983

- See link for additional instructions
- [https://studyinthestates.dhs.gov/employers-stem-opt-reporting-requirements](https://studyinthestates.dhs.gov/employers-stem-opt-reporting-requirements)

**Loss of Employment** - The employer and the student both must notify the DSO when the employment is terminated for any reason during the OPT STEM extension period. The employer must report a change in the employment to the DSO no later than 5 business days after the student is terminated or has departed. The notification for the termination or the departure can be communicated through an email to the DSO. See link for additional information.

- [https://studyinthestates.dhs.gov/employers-stem-opt-reporting-requirements](https://studyinthestates.dhs.gov/employers-stem-opt-reporting-requirements)

**Employer Site Visits** - The OPT STEM rules allow DHS to perform site visits at employer locations. The site visits will review the content of the Form I-983 and verify the work-based learning experiences for the OPT STEM students. DHS will provide notice to the employer at least 48 hours in advance of the
site visit unless there was a complaint or evidence of noncompliance then DHS reserves the right to visit without notice. See link for additional information.

- https://studyinthestates.dhs.gov/employer-site-visits

**Employer Attestations** - The rules requires that the student and employer complete the Form I-983, training plan. As part of the training plan, the employer must attest that there will be sufficient resources and personnel available to provide appropriate training. Also, the OPT STEM student will not replace a full or part time, temporary or permanent U.S. worker and the student has the opportunity to meet the educational goal. In addition, the rule requires the STEM practical training equal the compensation similar to the U.S. worker in the same situation. Work duties must be designed to assist the student with continuing learning and have at least 20 hours per week of employment. See link for additional details on U.S. worker protection.


**Cap Gap Relief** – Cap Gap is a provision where DHS extends an F-1 student’s duration of status (D/S) and current employment authorization (EAD) if the student has a timely filed H-1b petition and change of status request pending or approved by USCIS. The Cap-Gap extension extends the OPT period until October 1.

The cap refers to the limit on the number of individuals who can receive H-1B status every fiscal year. For example, for the period between October 1, 2015 and September 30, 2016, U.S. law limits, or caps, the number of individuals who may receive H-1B status to 65,000. The gap is the period between the end of an individual’s F-1 status and the beginning of the individual’s H-1B status. See the link for additional information on the Cap Gap.

https://studyinthestates.dhs.gov/cap-gap