OPT STEM Extension

On May 10, 2016, the STEM Extension regulations will change. For information regarding the current regulations that expire on May 9, 2016, please visit our 17-month STEM Extension webpage [1]. For information regarding the new regulations, please choose a scenario below to determine how this change will affect your situation:

- Students currently on post-completion OPT wishing to apply for the 24-month STEM Extension after May 10, 2016
- Students with an approved 17-month STEM Extension on May 10, 2016
- Students with a pending 17-month STEM Extension application on May 10, 2016

Students currently on post-completion OPT wishing to apply for the 24-month STEM Extension after May 10, 2016

General Information

Definition of STEM OPT

Practical work experience in your field of study, typically after completion of a degree for a maximum of 36 months (12 months of “regular” OPT with a 24-month extension possible).

Eligibility Criteria for the 24-month OPT extension

- Students who have already been approved for 12 months of post-completion OPT; and
- Who have earned a bachelor’s or higher degree in a field included on the U.S. Government’s list of Science, Technology, Engineering, and Mathematics (STEM) fields within the last 10 years; and
- Who are employed in a paid job directly related to his/her field of study; and
- Who are working for an employer that is enrolled in the U.S. Government’s E-Verify program.

Please Note: All four of the above criteria must be met in order for a student to be eligible for the 24-month OPT extension.

List of degrees in STEM fields

If a student earned a degree in a field that appears on the U.S. government’s official list of STEM fields, he/she may be eligible for the 24-month OPT extension. In order to verify that your degree is on this list, look at the code listed under “Primary Major” on your Page 2 of your I-20 form, and then look for that
code in the CIP code column of the U.S. Department of Homeland Security STEM Designated Degree Programs list.

E-Verify

E-Verify is a database system operated by the Department of Homeland Security in partnership with the Social Security Administration. It allows participating employers to electronically verify the employment eligibility of newly-hired employees. E-Verify is currently voluntary in most states. For more information visit www.dhs.gov/e-verify.

Application time frame for the 24-month OPT extension

Students must apply for the 24-month OPT extension prior to the expiration of the first 12 months of “regular” OPT. The application must be received by USCIS prior to the expiration date of the first OPT period EAD in order to be properly (timely) filed. USCIS will not accept I-765 applications for STEM extensions any earlier than 90 days before the current EAD expiration date. Accordingly, International Center will process a STEM recommendation I-20 no more than three months and one week in advance of your current OPT end date. *Please note: you cannot apply during the 60 day grace period.

Work authorization status while STEM extension is pending: If you successfully file the application for your 24-month OPT extension prior to the expiration of your current 12-month OPT period EAD, you may continue employment even if your previous EAD card is expired until your OPT extension is processed or until 180 days has passed, whichever is sooner.

Additional Information

Reporting requirements during the 24-month extension

Students approved for the 24-month OPT extension have additional reporting requirements in order to maintain their status and work authorization. Students must report to the IC within 10 days if there is any change of:

- Legal name
- Residential or mailing address
- Employer name
- Employer address, and/or
- Loss of employment

Students must make a validation report to the IC every six months to confirm name and address, employer name and address, and continuation of employment. The report is due within 10 days of the six-month reporting date. Use the STEM Extension Reporting Requirement web form to submit your validation report.

Types of Employment Allowed during an OPT STEM extension

A student authorized for a 24-month extension must work at least 20 hours per week for an E-Verify employer in a paid position directly related to his or her DHS-approved STEM CIP code.

For students who are on a STEM extension, this employment may include:
• **Work for one or more employer.** Students may work for more than one employer, but all employment must be related to each individual student's degree program and all employers must be enrolled in E-Verify.

• **Multiple employers.** Students may work for more than one employer, but all employment must be related to each individual student's degree program and all employers must be enrolled in E-Verify.

• **Work for hire.** This is also commonly referred to as 1099 employment where an individual performs a service based on a contractual relationship rather than an employment relationship. The company for whom the student is providing services must be registered with E-Verify. If requested by DHS, students must be prepared to provide evidence showing the duration of the contract periods and the name and address of the contracting company.

• **Self-employed business owner.** Students on a STEM extension can start a business and be self-employed. In this situation, the student must register his or her business with E-Verify and work full time. The student must be able to prove that he or she has the proper business licenses and is actively engaged in a business related to his or her degree program. HOWEVER, under the new STEM regulations, students may not fill out their own Form I-983, Sections 3 to 6, nor act as their own employer for the purposes of the form. *This might result in the student NOT being eligible for a STEM extension if self-employed.*

• **Employment through an agency or consulting firm.** **^** details to come.

### 24-Month Extension Available Twice

The 24-month extension of OPT is available to each student at TWO non-consecutive periods of time. Please note that this rule is different from the application rules for the "standard" 12-month OPT, under which students could be approved for multiple OPT periods for each higher degree earned in the U.S. (i.e. bachelor's, then master's, then doctoral). Each STEM extension must meet the above-listed STEM eligibility requirements.

#### Starting and Ending Dates

The start date of the 24-month OPT extension will be automatically set to the day after the expiration of the current 12-month OPT authorization. The end date will be 24 months later. (It is not possible to request smaller increments of time for the OPT extension.)

#### Application Procedures for Students

1. Submit electronic [OPT STEM Extension I-20 Request Form](#5) on or after May 10, 2016. Please make sure to fill out all the fields and attach all the documents listed in the form. Incomplete requests cannot be processed. *Students will be required to upload a completed [I-983](#6) form with their I-20 request. This is a new form that requires information from both the student and the employer. For assistance in completing this form, please view our [U-M I-983 Instructions](#7). For more information, please see the [Study in the States](#8) website. *Note for applicants who are employed by U-M:* once your OPT STEM Extension I-20 Request is received and approved by an IC advisor, the advisor will send an e-mail to your U-M supervisor with the university E-Verify number information. You will need this number for your OPT extension application with USCIS. Please ask your supervisor for the E-Verify number after you have been notified by an advisor that your request has been received.*

2. IC will prepare a new I-20 for you. In most cases your I-20 will be ready in 1-2 weeks. We will notify you via email once it is ready. If you are located close to U-M, you may come to the office to pick up your new I-20. If you are located far away from U-M, you may authorize a friend to pick up your I-20 or
we can send it to you either via express mail (recommended) or via regular mail. Find more specific information and forms at Shipping Options [9].

3. Checklist for mailing your application to USCIS
Once you've requested a STEM recommendation through the U-M International Center and received your new I-20, you will need to prepare and submit an application packet to USCIS. Gather the following items in this order (from top to bottom):

- Base Fee for I-765 [10], payable to U.S. Department of Homeland Security. Personal check, cashier’s check, or money order is acceptable. If you use a personal check, please be sure to wait for the check to be cashed before closing your bank account. Please only include the I-765 filing fee and do not include the biometrics fee with the application.
- Two full-face passport-style photos. The photos must be identical, in color, and with a plain white or off-white background. They must be no more than 30 days old when the I-765 is filed at USCIS. Put photos in an envelope or small plastic sandwich bag. You should attach the fee and the photo envelope on top of the entire application (on the upper left-hand corner). Please do not staple the fee and the photos. Use a pencil to gently write your name and I-94 number on the back of your photo.
- Original USCIS Form I-765 [12] (completed, signed, and dated legibly by you). Please download and follow carefully these Instructions for Filling out the I-765 for STEM Extensions [13].
- Photocopy of all pages of your new I-20 endorsed for the 24 month OPT extension (do not send the original). *Be sure to sign your new I-20 before you make the photocopy.
- Photocopy of the front and back of your current EAD card.
- Photocopy of your U-M diploma or official U-M transcript.
- Photocopy of the picture page/expiration date of your passport. Note: If you include the G-1145 form with your application, USCIS will send you an e-notification within 1-2 weeks from the date they receive your I-765 EAD (OPT) application. They will also mail you a paper receipt notice within 2-4 weeks. Once you have received your receipt number, you can track the status of your individual case using the case status search feature of the USCIS web site [15]. You may elect to receive email alerts about your case status from this web site.

4. Sending your application: We recommend using a track-able mail service such as FedEx or United Parcel Service (UPS). The address you use on the I-765 determines where you should send your application (see I-765 instructions).

5. If your OPT extension is approved, you must send a photocopy of your new EAD card to the IC at icenter@umich.edu [16].

6. Please read During the STEM Extension below for more details on how to meet the requirements for properly maintaining your F-1 immigration status.

Approval

If an application for a 24-month extension is approved, USCIS will issue an EAD with a validity period that starts on the day after the expiration date stated on the 12-month OPT EAD.

During the 24-month OPT Extension

How to maintain your F-1 status

Information reporting requirements are more strict during the 24-month OPT extension. Take special care
to comply with these obligations. Failure to do so can jeopardize the validity of your OPT and your legal visa status in the U.S.

1. You must report any change of address Wolverine Access within 10 days of moving to your new residence. Your address must describe where you live. It cannot be a P.O. Box or an office address.
2. If the name or address of your employer changes, you must report this information to the IC within 10 days of the change.
3. If you experience an interruption in employment, you must report it to the IC. Students are allowed a maximum of 150 days of unemployment time, which is cumulative including the 12 month OPT and the 24 month STEM extension.
4. **You are required to make a validation report to the IC every six months** starting from the date your 24-month OPT extension is approved. The report is due within 10 days of the required reporting date. Use the [STEM Extension Reporting Requirement](#) web form to submit your validation report. The validation report must contain the following information:
   - Legal name
   - Residential/mailing address
   - Employer name
   - Employer address
   - Confirmation that you are currently employed by the employer named

**Ending Your OPT**

Your F-1 status remains valid until 60 days after the expiration of your EAD card. During this 60-day grace period, you are no longer authorized to work, however you may legally stay in the U.S. If you depart the U.S. during the 60-day grace period, you are no longer eligible to re-enter under your previous F-1 visa status.

- If you plan to return home after the end of your OPT, please make sure that you depart the U.S. before the end of your 60-day grace period.
- If you decide to abandon your OPT and depart the U.S., please submit a [departure form](#).
- If you plan to change your visa status, we recommend you begin this process before your OPT is expired. Notify the Registrar's Office if your immigration status does change during the OPT period.
- If you plan to start a new degree program at another college or university, please make sure to contact the IC regarding the transfer of your SEVIS record. [Transfers](#) must be done before the end of the 60-day grace period.

**Students with an approved 17-month STEM Extension on May 10, 2016**

**Overview**

Any 17-month STEM OPT EAD that USCIS issued on or before May 9, 2016, will remain valid until the EAD expires, is terminated, or revoked. The new STEM Extension rule increases the duration period from 17 months to 24 months, but DHS will not automatically convert 17-month extensions into 24-month extensions.

As a transitional measure, from May 10, 2016, through August 8, 2016, students with 17-month EADs will have a limited window in which to apply for the additional seven months of OPT, effectively enabling
them to benefit from a 24-month period of STEM OPT.

**150 Calendar Days Remaining on EAD**

To qualify for the seven-month extension, such students must have at least 150 calendar days remaining before the end of the student’s 17-month OPT period at the time the Form I-765 [10] is filed, and they must otherwise meet all requirements of the 24-month STEM OPT extension.

This 150 day rule effectively eliminates the possibility of a seven-month extension for students whose 17-month EAD card expires on or before October 6, 2016. That is, only students with a 17-month EAD card end date of October 7, 2016 or later are eligible to apply for an extra seven months of OPT.

**Timely Filing of the Seven-Month Extension**

The STEM OPT student must properly file a Form I-765 with USCIS within the following time frame:

- Application is received by USCIS between May 10, 2016 and August 8, 2016
- Application is received at least 150 days before the current end date listed on the 17-month EAD
- Application is received within 60 days of the date the DSO enters the recommendation for the 24-month STEM OPT extension into the student’s SEVIS record (the date printed on the I-20).

**Special Instructions for Students with STEM End Dates between 10/7/2016 – 10/20/2016**

Due to the sensitive time frame, USCIS is allowing special procedures for students whose current 17-month EAD card has an end date between October 7, 2016 and October 20, 2016. Students should file the Form I-765 with USCIS without the Form I-20, but include a statement that indicates the following:

*Due to new regulations, I must apply for the seven-month extension of my STEM OPT before SEVIS supports it. I will provide a Form I-20 with the extension recommendation after USCIS requests it.*

**Note:** These applications cannot arrive at USCIS before May 10, 2016. Please follow the application procedures outlined below, with the notable exception that the I-20 will not be included with the application. Also, students in this situation should not request an I-20 from the International or Center or send a photocopy of the Form I-20 to USCIS until after USCIS requests it.

**Application Procedures for Students**

1. Submit electronic [OPT STEM Extension I-20 Request Form](#) on or after May 10, 2016. Please make sure to fill out all the fields and attach all the documents listed in the form. Incomplete requests cannot be processed. *Students will be required to upload a completed I-983 [6] form with their I-20 request. This is a new form that requires information from both the student and the employer. For assistance in completing this form, please view our [U-M I-983 Instructions](#). For more information, please see the [Study in the States](#) website.*

**Note for applicants who are employed by U of M:** once your OPT STEM Extension I-20 Request is received and approved by an IC advisor, the advisor will send an e-mail to your U of M supervisor with the university E-Verify number information. You will need this number for your OPT extension application with USCIS. Please ask your supervisor for the E-Verify number after you have been notified by an advisor that your request has been received.
2. IC will prepare a new I-20 for you. In most cases your I-20 will be ready in 1-2 weeks. We will notify you via email once it is ready. If you are located close to U-M, you may come to the office to pick up your new I-20. If you are located far away from U-M, you may authorize a friend to pick up your I-20 or we can send it to you either via express mail (recommended) or via regular mail. Find more specific information and forms at Shipping Options [9].

3. **Checklist for mailing your application to USCIS**

Once you've requested a STEM recommendation through the U-M International Center and received your new I-20, you will need to prepare and submit an application packet to USCIS. Gather the following items in this order (from top to bottom):

- **Base Fee for I-765** [10], payable to **U.S. Department of Homeland Security**. Personal check, cashier's check, or money order is acceptable. If you use a personal check, please be sure to wait for the check to be cashed before closing your bank account. Please only include the I-765 filing fee and do **not** include the biometrics fee with the application.
- Two full-face passport-style photos. The photos must be identical, in color, and with a plain white or off-white background. They must be no more than 30 days old when the I-765 is filed at USCIS. Put photos in an envelope or small plastic sandwich bag. You should attach the fee and the photo envelope on top of the entire application (on the upper left-hand corner). Please do not staple the fee and the photos. Use a pencil to gently write your name and I-94 number on the back of your photo.
- **G-1145, E-Notification of Application/Petition Acceptance** [11]
- Original **USCIS Form I-765** [12] (completed, signed, and dated legibly by you). Please download and follow carefully these **Instructions for Filling out the I-765 for STEM Extensions** [13].
- Photocopy of all pages of your new I-20 endorsed for the additional 7-month OPT extension. (Do not send the original.) Make sure to sign your new I-20 before you make the photocopy.
- Photocopy of the front and back of your current EAD card.
- Photocopy of your U-M diploma or official U-M transcript.
- Print-out of electronic **Form I-94** [14] or copy of paper I-94 (front and back).
- Photocopy of the picture page/expiration date of your passport.
- If you include the G-1145 form with your application, USCIS will send you an e-notification within 1-2 weeks from the date they receive your I-765 EAD (OPT) application. They will also mail you a paper receipt notice within 2-4 weeks. Once you have received your receipt number, you can track the status of your individual case using the **case status search feature of the USCIS web site** [15]. You may elect to receive email alerts about your case status from this web site.

4. **Sending your application:** We recommend using a trackable mail service such as FedEx or United Parcel Service (UPS). The address you use on the I-765 determines where you should send your application (see I-765 instructions).

5. If your OPT extension is approved, you must send a photocopy of your new EAD card to the IC at icenter@umich.edu [16].

**Approval**

If an application for a seven-month extension is approved, USCIS will issue an EAD with a validity period that starts on the day after the expiration date stated in the 17-month STEM OPT EAD.

**Students with a pending 17-month STEM Extension**
application on May 10, 2016

Overview

The 17-month STEM OPT regulations remain in effect through May 9, 2016. DHS will continue to accept and adjudicate applications for 17-month STEM OPT extensions under the original rules through May 9, 2016.

The STEM OPT 24-month extension rule is effective beginning on May 10, 2016.

Requests for Evidence

Beginning May 10, 2016, USCIS will issue Requests for Evidence (RFEs) to students whose 17-month STEM OPT applications are still pending on that date. The RFEs will allow students to effectively amend their application to demonstrate eligibility for a 24-month extension without incurring an additional fee or having to refile their EAD application.

RFEs will, generally, ask that students submit a new Form I-20 that was endorsed on or after May 10, 2016. This new I-20 will indicate a recommendation for a 24-month extension of OPT. Students should wait to request the new I-20 until after they receive the RFE.

New I-20

To request a new I-20 in response to an RFE received for the reason indicated in this section, students should submit the electronic OPT STEM Extension I-20 Request Form. Please make sure to fill out all the fields and attach all the documents listed in the form. Incomplete requests cannot be processed.

Students will be required to upload a completed I-983 form with their I-20 request. This is a new form that requires information from both the student and the employer. For assistance in completing this form, please view our U-M I-983 Instructions. For more information, please see the Study in the States website.

Responding to the RFE

Follow the instructions listed on the RFE, providing all necessary documents to USCIS in a timely manner. After receiving the additional documents, USCIS should be able to review your complete application and, if approved, issue you an EAD card with a 24-month duration.

Source URL: https://internationalcenter.umich.edu/students/f1-students/stem-extend

Links
[1] https://internationalcenter.umich.edu/students/f1-students/stem-opt
[9] https://internationalcenter.umich.edu/shipping-options
[10] https://www.uscis.gov/i-765
[14] https://internationalcenter.umich.edu/i-94
[16] mailto:icenter@umich.edu
[17] https://internationalcenter.umich.edu/resources/forms/f1-departure
[18] https://internationalcenter.umich.edu/sites/default/files/forms/Ftransferout.pdf