Optional Practical Training: STEM Extensions
International Student and Scholar Services

300 College Park, Rike Center #204
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STEM Extension regulations changed in May 2016. This document provides an overview of these changes.

Recipients of bachelor's, master's, and doctoral degrees in certain STEM fields may now be eligible for a 24-month extension of post-completion OPT (for a total eligibility of up to 36 months).

General Considerations

- STEM OPT extension authorization begins the day after the expiration of the 12-month EAD card and ends 24-months later, no matter the date of adjudication
- STEM OPT extension will be granted in one EAD period and cannot be split into smaller periods
- It is possible to change employers during the 24 months as long as the new employment meets the STEM OPT extension requirements, all reporting requirements must be met after change of employer
- Students whose applications are received before the EAD expires will be able to continue employment while the extension application is pending until they receive the final decision from USCIS on the application or for 180 days, whichever comes first
- To avoid any complications or delays with the STEM OPT Extension application, ISSS recommends that students do not travel or change employers while STEM OPT Extension application is pending
- After completing another qualifying degree at a higher degree level and receiving another period of standard post-completion OPT based on that degree, a student would be eligible for one more 24-month STEM OPT extension. A student is limited to two STEM OPT extensions during his or her lifetime
- **Volunteer/unpaid position is not eligible for the 24-month STEM OPT extension**
- Self-employment is not eligible for the 24-month STEM OPT extension

Find the scenario that best describes your current situation to learn more about the process for applying for STEM extension:

Scenario 1: Students currently on post-completion OPT wishing to apply for the 24-month STEM Extension

All four of the following conditions must be met to be eligible 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.

STEM eligible degree
See if your major is eligible. Look at the "Primary Major" on your I-20 then look for that code in the CIP code column of the STEM Designated Degree Programs list.

Application time frame
Students must apply for the extension prior to the expiration of the first 12 months of "standard" OPT. The application must be received by USCIS prior to the expiration date of the first EAD. USCIS will not accept I-765 applications for STEM extensions any earlier than 90 days before the current EAD expiration date. Accordingly, ISSS will only issue STEM OPT I-20s in that time frame.

While STEM extension is pending
If you timely file the application for the extension prior, you may continue working even if your EAD card has expired and until your OPT extension is processed or until 180 days has passed, whichever is sooner.

Reporting requirements during the 24-month extension
Students approved for the extension have additional reporting requirements in order to maintain their status. Students must report to ISSS within 10 days if there is any change of:

- Legal name
- Mailing address
- Employer name
- Employer address
- Loss of employment

Students must also submit a validation report to ISSS every six months to confirm name and address, employer name and address, and employment status. The report is due within 10 days of the six-month reporting date.

Acceptable Employment
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 major. 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.*

Unpaid work is not acceptable.

24-Month Extension Available Twice
The 24-month extension of OPT is available to each student at two non-consecutive periods of time. 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. Each STEM extension must meet the same 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).

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Application Process

1. **Complete the online form [Request for STEM OPT I-20](#). Email a completed [I-983](#) to isss@udayton.edu**. For assistance in completing this form, please view our *Guide to Completing the I-765 & I-983*. Aside from the I-983, ISSS does not accept or review other OPT-related documents. Nor do we send these materials to USCIS. It is the student's responsibility to prepare, review, and send the final application packet to USCIS.
2. ISSS will prepare a new I-20 for you after receiving the **[Request for STEM OPT I-20](#)** and **[I-983](#)**. In most cases your I-20 will be ready in 1 week. We will notify you via email once it is ready.
3. After receiving your new I-20, you will need to submit an application packet to USCIS. Gather the following items in this order (from top to bottom):
   o [Base Fee for I-765](#), 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.
   o 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.
   o [G-1145, E-Notification of Application/Petition Acceptance](#). 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. 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](#). You may choose to receive email alerts about your case status from this web site.
   o Original [USCIS Form I-765](#) (completed, signed, and dated legibly by you). Refer to our *Guide to Completing the I-765 & I-983* for help filing out the form
   o Photocopy of all pages of your new I-20 endorsed for the 24 month OPT extension (do not send the original). **Remember to sign your new I-20!**
   o Photocopy of the front and back of your current EAD card.
   o Print-out of electronic [Form I-94](#) or copy of paper I-94 (front and back).
   o Photocopy of the picture page/expiration date of your passport.
   o Copy of diploma that shows your degree level and program of study OR transcript (official or unofficial) showing degree conferral
   o Letter from employer that includes job duties and specifies part-time or full-time employment

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 ISSS at isss@udayton.edu.

Maintaining Your Status

There are more reporting requirements during the extension. Take special care to comply with these obligations:

1. Report any change of address within 10 days of moving to your new residence.
2. Report any change to the name or address of your employer within 10 days of the change.
3. Report any interruption in employment. You are allowed a maximum of **150** days of unemployment time, which includes any unemployment during 12 month OPT.
4. **Report your status 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. The validation report must contain the following information:
   o Legal name

- o   Residential/mailing address
- o   Employer name
- o   Employer address
- o   Confirmation that you are currently employed by the employer named

All of these changes can be reported through our OPT reporting form.

Scenario 2: Students with an approved 17-month STEM Extension

Any 17-month STEM OPT EAD that USCIS issued on or before May 9, 2016 will remain valid until the EAD expires. 17-month extensions do not automatically convert into 24-month extensions. Students with 17-month extensions will have a limited window (May 10, 2016, through August 8, 2016) to apply for the additional seven months.

Eligibility
To qualify for the seven-month extension, 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 is filed and in addition meet all requirements of the 24-month extension.

This 150 day rule effectively prohibits students from applying whose 17-month extension 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 additional seven months.

Your application must be received:

- by USCIS between May 10, 2016 and August 8, 2016
- at least 150 days before the current end date listed on the 17-month EAD
- within 60 days of the date the DSO creates the STEM OPT I-20 (the date printed on the I-20).

Application Process
See above.

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.

Scenario 3: Students with a pending 17-month STEM Extension application

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.

To request a new I-20 in response to an RFE received for the reason indicated in this section, submit electronic **Request for STEM OPT I-20**. Email a completed I-983 to isss@udayton.edu. This is a new form that requires information from both the student and the employer. For assistance in completing this form, please view our Guide to Completing the I-983.

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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.