24-Month STEM Optional Practical Training Extension

Office of International Students and Scholars
120 Fitzgerald Student Services Building/0074
Reno, Nevada 89557
Tel.: (775) 784-6874 Fax: (775) 327-5845
http://www.unr.edu/oiss
oiss@unr.edu
What is OPT?

- “Temporary employment for practical training directly related to the student’s major area of study”

What is the 24-Month STEM Post-Completion OPT?

- The STEM (Science, Technology, Engineering, Mathematics) OPT extension rule is in response to a court decision that vacated the 2008 DHS rule on procedural grounds. The rule includes changes to the policies announced in the 2008 rule to increase the educational benefits provided by STEM OPT extensions and oversight of STEM OPT.
  - Valid from May 10, 2016.

- May only be used by students with STEM eligible degrees.
What is the 24-Month STEM Post-Completion OPT?

- Eligible students may apply for up to 2 non-consecutive STEM OPT extensions.
- Employment in field of study for current 12-month post-completion OPT or STEM degree earned within 10 years preceding the date of application.
- Students on STEM OPT may be unemployed for a total of 150 days from the EAD start date of the 12-month post-completion OPT. This includes any of the remaining 90 days of unemployment accrued during the 12-month post-completion OPT.
Eligibility for STEM OPT

- Student is in a period of active post-completion OPT.
  - May not apply during post-completion OPT grace period.
- Student’s primary or secondary major was a STEM-eligible field, or the student completed a previous primary or secondary major in a currently STEM-eligible field.
- Student has not already had a STEM OPT extension of any duration based on the qualifying STEM degree.
- Qualifying STEM degree was at the bachelor’s, master’s, or doctoral level.
Eligibility for STEM OPT?

- Qualifying STEM degree was earned within the 10 previous years of the date the DSO (Designated School Official) recommends the STEM OPT extension.

- School where the student earned the STEM degree is currently:
  - SEVIS-certified
  - Accredited by a U.S. Department of Education accrediting organization.

- Student will be, or is working, for an employer enrolled in the E-Verify program.
New Requirements

- **Form I-983**
  - The 24-month STEM OPT regulations increase the educational benefits that F-1 students receive from their practical training experiences by requiring the submission of a formal training plan.
  - The formal training plan must clearly articulate the STEM OPT student’s learning objectives and affirm the employer’s commitment to helping the student achieve those objectives. To fulfill this requirement, a student and their employer must complete and sign Form I-983 and submit it to the student’s DSO.
New Requirements – I-983

– Both STEM OPT students and employers are obligated to report to the DSO material changes to, or material deviations from, the student’s formal training plan.

– Students may participate in entrepreneurial ventures where the student is an employee. However, they may not act as their own employer or as the signatory for the employer for the purposes of the form.

– A tutorial and instructions on completing Form I-983 may be found at https://studyinthestates.dhs.gov/form-i-983-overview.
New Requirements

- **Evaluation of Student Progress**
  - The evaluation of a STEM OPT student’s training progress is a shared responsibility of both the student and the employer.
  - The 1\textsuperscript{st} “Evaluation of Student Progress” portion of the Form I-983 must be completed within 12 months of the listed STEM OPT start date.
  - At the end of the STEM OPT extension or end of employment, a student must conduct a 2\textsuperscript{nd}, final assessment.
  - The employer must review and sign the self-evaluations to attest to its accuracy then the STEM OPT student must submit a copy of the completed evaluations to their DSO.
Reporting Requirements

- Validating SEVIS Information
  - Every 6 months a student must work with their DSO to confirm that the student's record in SEVIS accurately reflects their current circumstance. The report must include:
    - Legal name
    - Residential or mailing address
    - Employer name and address
    - Status of current employment
    - The I0983 evaluation must be submitted with the 12-month validation.

- OISS has a [24-Month STEM OPT Validation Report](https://example.com) to report these requirements.
Reporting Requirements

- **Annual Self-Evaluations**
- **Material Changes to an Existing Form I-983**
- **Changing Employers**
  - When a STEM OPT student changes employers, the new employer must be enrolled in E-Verify before employment begins. The student must also submit a new Form I-983 to their DSO within 10 days of starting the new practical training opportunity.
  - Use the **24-Month STEM OPT Update Form** to report any employment changes to OISS.
Reporting Requirements

- **Unemployment**
  - STEM OPT students must report the termination of their practical training experience within 10 days of the event.

- **Employer Noncompliance**
  - If a STEM OPT student believes that their STEM OPT employer is not complying with the terms and conditions of the 24-month STEM OPT extension regulations, the Form I-983 instructions, and the completed Form I-983 on file with their DSO, the student may:
    - Contact the Student and Exchange Visitor Program at the U.S. Immigration and Customs Enforcement (ICE) by following the instructions found on [ICE.gov](https://www.ice.gov).

When to Apply

1. Students may apply for the 24-month STEM OPT extension up to 90 days before the end date of their current 12-month post-completion OPT.

2. Students who file in a timely manner will have their post-completion OPT automatically extended while the STEM OPT application is pending until a final decision on the STEM OPT request is processed or for 180 days, whichever is first.
How to Apply

- Go to [24-Month STEM OPT Application](#) for application instructions.
  - The application packet must be received by USCIS within 60 days of the I-20 issue date listed at the bottom of the 1\textsuperscript{st} page of the I-20 or the student’s application will be denied.
Form I-765 Page 1
Form I-765
Page 2

13a. Family Name (Last Name) 
13b. Given Name (First Name) 

14. Alien Registration Number (A-Number) or Form I-94 Number (if any) 

15. Have you ever before applied for employment authorization from USCIS? 
   - Yes (Complete the following questions.) 
     Which USCIS Office? 
     Dates 
     Results (Granted or Denied - attach all documentation) 
   - No (Proceed to Item Number 16.) 

16. Date of Your Last Arrival or Entry Into the U.S., On or About (mm/dd/yyyy) 

17. Place of Your Last Arrival or Entry Into the U.S. 

18. Status at Last Entry (B-2 Visitor, F-1 Student, No Lawful Status, etc.) 

19. Current Immigration Status (Visitor, Student, etc.) 

20. Eligibility Category. Go to the Who May File Form I-765 section of the Instructions. In the space below, place the letter and number of the eligibility category you selected from the instructions. For example, (a)(8), (c)(17)(iii), etc. 

21. (c)(3)(C) Eligibility Category. If you entered the eligibility category (c)(3)(C) in Item Number 20, above, list your degree, your employer's name as listed in E-Verify, and your employer's E-Verify Company Identification Number or a valid E-Verify Client Company Identification Number in the space below. 

Degree 
Employer's Name as listed in E-Verify 

Employer's E-Verify Company Identification Number or a Valid E-Verify Client Company Identification Number 

22. (c)(26) Eligibility Category. If you entered the eligibility category (c)(26) in Item Number 20, above, please provide the receipt number of your H-1B principal spouse's most recent Form I-797 Notice of Approval for Form I-129. 

23. (c)(35) and (c)(36) Eligibility Category 
   a. If you entered the eligibility category (c)(35) or (c)(36) in Item Number 20, above, please provide the receipt number of the Form I-140 beneficiary's Form I-797 Notice of Approval for Form I-140. 
   b. Have you EVER been arrested for and/or convicted of any crime? 
      Yes No 

NOTE: If you answered "Yes" to Item Number 23b, refer to Item Number 5, Item H, or Item I, in the Who May File Form I-765 section of these Instructions for information about providing court dispositions. 

Certification 
I certify, under penalty of perjury, that the foregoing is true and correct. Furthermore, I authorize the release of any information that U.S. Citizenship and Immigration Services needs to determine eligibility for the benefit I am seeking. I have read the Who May File Form I-765 section of the Instructions and have identified the appropriate eligibility category in Item Number 20. 

Applicant's Signature 

Date of Signature (mm/dd/yyyy) 

Telephone Number 

Signature of Person Preparing Form, If Other Than Applicant 
I declare that this document was prepared by me at the request of the applicant and is based on all information of which I have any knowledge. 

Preparer's Signature 

Date of Signature (mm/dd/yyyy) 

Printed Name 

Address 

Where to Send the OPT Packet

- Where you currently live, as listed on Form I-765, determines where you file. Read the “Where to File” section at http://www.uscis.gov/i-765 for the filing address.
What to Expect After Mailing

- In 2 - 4 weeks of mailing your packet, you will receive a receipt notice, Form I-797C.
- Check the status of your OPT application online with your receipt number at [https://www.uscis.gov](https://www.uscis.gov).
- About 90 days from the receipt date on the receipt notice, you should receive the OPT card.
- If you receive a Request For Evidence (RFE) or Request for Information (RFI), contact an OISS advisor immediately.
- If your application processing takes more than 90 days from the received date on the receipt notice, contact an OISS advisor.
Travel Outside the U.S.

- You may travel outside the U.S. during the STEM OPT extension period. If your visa is expired, we advise against traveling while the STEM OPT extension application is pending. Documents required for travel:
  - OPT I-20 signed for travel (valid for 6 months) on the 2nd page.
  - Valid visa (it is possible to renew a visa after STEM OPT approval).
  - Passport valid for at least 6 months from the date you re-enter.
  - Receipt notice if your OPT has not been approved.
  - OPT EAD card and job offer/contract if your OPT has been approved.

- Please note, re-entry after travel out of the country is never guaranteed. If your application is denied while you are out of the country, it may not be possible for you to return on the F-1 visa or to resume OPT.
Additional Resources

- **STEM OPT Hub**
  - [https://studyinthestates.dhs.gov/stem-opt-hub](https://studyinthestates.dhs.gov/stem-opt-hub)

- **USCIS 24-Month Optional Practical Training Extension for STEM Students (STEM OPT)**

- **NAFSA STEM OPT Rulemaking**
  - [www.nafsa.org/stemoptrule](http://www.nafsa.org/stemoptrule)