

## 24-month STEM OPT Extension

F-1 students approved for post-completion Optional Practical Training (OPT) based on a bachelor's, master or doctorate degree in a certain STEM (science, technology, engineering, mathematics) field may be eligible for a 24-month extension of their current post-completion OPT.

The new 24-month STEM OPT rule became **effective Tuesday, May 10, 2016**.

### Resources for 24-month STEM OPT

- [Study in the States STEM Hub](#)
- [Transition Plan Overview](#)
- [Students Determining STEM OPT Extension Eligibility](#)
- [STEM OPT Frequently Asked Questions](#)
- [Eligible CIP Codes for the STEM OPT Extension](#)

### Eligibility

- Student must have completed a bachelor's, master, or doctorate degree in a STEM field (approved by the Department of Homeland Security (DHS) for the 24-month) from and SEVP-certified school that is accredited at that time that the extension is submitted.
- Student must be currently participating in post-completion OPT, working for a U.S. employer in a job directly related to the student's major field of study.
- Student may not have accrued an aggregate of more than 150 days of unemployment during post-completion OPT.
- Student must have a job or job offer (at least 20 hours per week) from a U.S. employer registered with the E-Verify employment verification system.
- Student's employer must agree to report the termination or departure of the student to International Student Services by email to [Internationalprograms@utsa.edu](mailto:Internationalprograms@utsa.edu) within 2 business days if the termination or departure is prior to the end of the authorized period of 24-month OPT extension.

### When to Apply

- The extension application must be received by USCIS prior to the expiration of the student's current post-completion OPT but no sooner than 90 days prior to the end date.
- The application must be mailed within 60 days of the International Student Advisor's recommendation and issuance of the Form I-20 for extension.

### 180-Day Interim Employment Period

- Students who timely file an application for the 24-month OPT extension will be able to continue employment while the application is pending, until USCIS final decision on the application or for 180 days, whichever comes first. However, students must comply with 24-month OPT Extension requirements during this interim employment period, including the requirement that students work only for an E-Verify employer. **Note:** During the 180-day interim employment period, students should refrain from traveling outside the U.S.

### **E-Verify Employment Verification System**

- E-Verify is a federal, online employment verification system. E-Verify allows businesses to determine the eligibility of their employees to work in the United States. To access the system, employers need to enroll in the program. E-Verify is free of charge. For more information about E-Verify, visit the USCIS website at <http://www.uscis.gov/e-verify>.

### **Dates of STEM OPT Authorization**

- Employment authorization for the 24-month OPT extension begins on the day after the end date of the initial period of OPT and ends 24 months thereafter, regardless of the date the actual extension is approved.

### **Application Process**

1. **Bring or mail your request for 24-month OPT extension recommendation to International Student Services. Documents sent by fax will not be accepted.**

#### Required Items for your Request to International Student Services:

- Completed [Form I-765](#)**
  - Question 3: Write your current residential address.
  - Question 16: Eligibility Code is (c)(3)(C) for STEM Extension.
  - Question 17: List degree type as it is shown on your Form I-20.
- [Form I-983](#), Training Plan for STEM OPT Students ([Instructions on how to complete](#))**
- Copy of your diploma** in one of the STEM fields on [the DHS STEM-Designated Program List](#).
- Copy of your job offer or employment verification letter** on official letterhead stating the job title, job duties as directly related to your major field of study, salary or wages, work hours per week, start and end dates of your employment, supervisor's contact information (full name, email address, and telephone number).
- [Employer Affidavit and Agreement letter](#)**: This letter must be written by your employer and must be on official letterhead.
- Copies of the following**: [I-94 form](#), passport identity page including its expiration date; visa stamp; I-20 forms (page 1 and 3) issued to you during the initial OPT period; current EAD
- Check or money order for \$380 Application Fee** made payable to U.S. Department of Homeland Security: Write "USCIS I-765" in the memo line of the check or money order.
- 2 passport-style photos on white background taken within 30 days of application**: Your name and I-94 number must be printed in pencil or felt pen on the back of the photos. For an example photo, see [http://travel.state.gov/visa/visaphotoreg/photoexamples/photoexamples\\_5331.html](http://travel.state.gov/visa/visaphotoreg/photoexamples/photoexamples_5331.html).
- Original I-20 form reflecting 24-month OPT extension recommendation by International Student Services (if applicable)**
- [Form G-1145](#), E-Notification of Application/Petition Acceptance (OPTIONAL)**

2. **Pay the ISS \$150.00 processing fee** ([UTSA ASAP](#) or at Fiscal Services)
3. **Submit proof of payment (receipt) to ISS either in-person or via** [InternationalPrograms@utsa.edu](mailto:InternationalPrograms@utsa.edu)
4. **Pick up your I-20**
  - Once all the required documents are received, International Student Services will process your application in SEVIS within 7-10 business days. International Student Services will issue two OPT Extension Forms I-20s and email you to notify that documents are ready for pick up.
  - If you are unable to pick up your documents, use Eshipglobal (<https://study.eshipglobal.com/>) to have them express-mailed to you. If you use Eshipglobal, do not forget to attach the Eshipglobal confirmation receipt to your packet.
5. **Mail the application packet to USCIS**
  - Assemble all the required documents: Refer to 'Application Packet to USCIS' section in this handout.
  - Make a copy of the application packet for your personal file.
  - Mail to USCIS: Refer to 'Where to Mail' section in this handout.
6. **USCIS processes your request**
  - USCIS will mail you a receipt notice within 2-4 weeks.
  - If approved, USCIS will mail a new EAD showing the 24-month OPT Extension starting the day after the end date of the initial OPT.
7. **Once you receive your receipt notice and EAD, submit the copies to International Student Services.**

#### **Where to Mail**

Your application should be mailed to the USCIS Service Center having jurisdiction over the place of residence you have written in Question 3 of the I-765 form. **If you live in Texas**, mail your application packet to one of the following according to your delivery method:

#### **For U. S. Postal Service deliveries:**

USCIS Dallas Lockbox  
USCIS, P O Box 660867  
Dallas, TX, 75266

#### **For express mail & commercial courier service:**

USCIS, Attn: AOS  
2501 S. State Hwy 121, Business  
Lewisville, TX, 75067

**If you live in a different state** during the 24-month OPT extension, refer to the page 10 of I-765 Instructions (<http://www.uscis.gov/files/form/i-765instr.pdf>) to choose the correct mailing address.

## **MAINTAINING YOUR F-1 VISA STATUS WHILE ON STEM EXTENSION**

### **Reporting Requirements during 24-month OPT Extension**

In addition to the general OPT reporting requirements, there are additional reporting requirements for students approved for a 17-month OPT extension.

#### **1. General Student Reporting Requirements**

Students must report to International Student Services within 10 days of any change of the following:

- Legal name
- Residential address
- Email address
- Employer information

- Loss of employment

## 2. 6-month Validation Reports

Students must make a 'validation report' to International Student Services **every six months** starting from the date the 24-month OPT extension begins and ending when one of the following occurs:

- Student's F-1 status ends
- Student changes educational levels at UTSA
- Student transfers to another school
- 24-month OPT extension ends

The validation report must include:

- Student's full legal name
- Student's current residential address
- Name and address of the current employer
- Date the student began working for the current employer

**Example of Validation Reports** 24-month OPT period: 01/01/12-12/31/2013

### Validation Due Dates

- 6 months after start date – 07/01/2012
- 12 months after start date – 01/01/2013
- 18 months after start date – 07/01/2013

### Submission Period (within 10 days)

- 6 months – Between 07/01/2012 and 07/10/2012
- 12 months – Between 01/01/2013 and 01/10/2013
- 18 months – Between 07/01/2013 and 07/10/2013

Submit changes and validation reports by completing OPT Update Form

(<http://international.utsa.edu/forms/opt-update-address-employer-form/>) on the UTSA International Gateway.

**Failure to report within 10 days will be considered as a violation to F-1 visa status. Students who do not fulfill the reporting requirements may lose their F-1 visa status.**

## Unemployment Limit

Students on the 24-month OPT extension may have an additional 60 days of unemployment, for a total of 150 days from the start of the initial OPT period.

## Acceptable Employment

A student on the 24-month OPT extension must work at least 20 hours per week for an E-Verify employer in a position **directly related to his or her STEM field of study**. Acceptable employment includes:

- Regular paid employment** of at least 20 hours per week for an E-Verify employer
- Volunteer employment or unpaid internships** where this practice does not violate any labor law. The work should be at least 20 hours per week.

- Multiple employment with different employers:** All employment must be related to his or her degree program and all employers must be enrolled in E-Verify.
- Work for hire:** Commonly referred to 1099 employment where an individual performs a services 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.
- Self-employment/Business owner:** A student 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.
- Employment through an agency or consulting firm:** Students on a STEM extension may be employed by an employment agency or consulting firm. The employment agency or consulting firm must be registered with E-Verify, but the third parties contracting with the agency or firm (for which the student is providing services) need not be.

#### **Early Departure from the U.S. while on OPT**

Students must inform International Student Services if they plan on departing the U.S. permanently while on OPT. Email the following information to [internationalprograms@utsa.edu](mailto:internationalprograms@utsa.edu):

- Full name
- SEVIS ID Number
- End date of your employment, if applicable
- Date of departure
- Subject line should indicate: Early completion of OPT

Your SEVIS record will be updated to reflect your departure from the U.S.

#### **Transferring to Another School or Beginning New Academic Program**

If you plan on transferring to another school, you will need to speak to an international student advisor at UTSA International Student Services to coordinate the release of your SEVIS record. You may request to have your SEVIS record released while you are on OPT or during your 60-day grace period. Once the SEVIS record is released, you cannot continue working on OPT.

Also, if you plan to begin a new academic program at UTSA, you will need to contact International Student Services concerning your employment end date and new I-20 for the new program.

#### **TRAVEL**

The student on OPT can be readmitted to the United States for the remainder of the authorized training period, provided that the student presents the following documents:

- Valid passport
- I-20 with a valid signature from an international student advisor from International Student Services within the preceding 6 months
- Valid F-1 visa
- Valid Employment Authorization Document
- Letter from your employer showing temporary employment in the authorized field of study

You can request a travel signature via our online letter request form at: <http://international.utsa.edu/forms/online-letter-request-form/>. You should mail your latest I-20 to our office for signature. Once we verify your status and process your request, we will mail the I-20 back to you.

#### **ISSUES RELATED TO TRAVEL**

##### **1. Travel outside the U.S. while the application is pending with USCIS**

If you have an OPT application pending with USCIS, you are not supposed to leave the country. If you do, USCIS may consider this departure as an abandonment of the application. International Student Services does **not recommend** that you travel outside the U.S. while your OPT application is pending.

It does happen that students do need to leave the country during this time period. The most common arrangement is that they ask a trusted friend or relative in the U.S. to mail the Employment Authorization Document to them, so that they can re-enter the U.S. with all the required documents. If you are considering this path, please be aware that there is risk involved in this scenario: your card might get lost in the mail or USCIS could send back your application due to some minor technicalities.

##### **2. Travel outside the U.S. with an expired visa**

If you are going to Canada, Mexico, or other contiguous territories (except for Cuba) and staying for less than 30 days, you could re-enter the U.S. on your expired F-1 visa stamp, with a valid passport, your EAD and an I-20 recently signed by an international student advisor. Be sure **not** to turn in your I-94 card. You must keep it in your passport to re-enter the U.S. on an expired visa. If you are traveling elsewhere, you will need to go to a U.S. Embassy or Consulate and renew your visa.

##### **3. Visa Renewal**

The risk of denial for a F-1 visa renewal when you are on OPT is higher than while you are in your degree program, as the fact that the focus of your stay in the U.S. now is that of working rather than going to school, it may be seen as an avenue for adjustment of status to permanent residency. The F-1 student visa requires that the applicant must intend to return to the home country at the end of the program, and if the embassy official is not convinced of your intention to return home, the visa application could be denied.

#### **H-1B CAP-GAP EXTENSION**

Duration of status and work authorization will be extended for a student on post-completion OPT who is beneficiary of a timely filed H-1B petition requesting an employment start date of October 1 of the following fiscal year. For more information, check our CAP-GAP Handout at: <http://international.utsa.edu/images/uploads/Cap-Gap.pdf>. The extension of duration of status and work authorization would automatically terminate upon the rejection, denial or revocation of the H-1B petition filed on the student's behalf.

#### **Processing**

You will need to submit all your documents to International Student Services (ISS) for initial processing. If you are approved for the extension, your application should then be mailed to the appropriate USCIS Service Center. **If you live in Texas**, mail your application packet to one of the following according to your delivery method:

##### **For U. S. Postal Service deliveries:**

USCIS Dallas Lockbox  
USCIS, P O Box 660867  
Dallas, TX, 75266

##### **For express mail & commercial courier service:**

USCIS, Attn: AOS  
2501 S. State Hwy 121, Business  
Lewisville, TX, 75067

**If you live in a different state** during the 17-month OPT extension, refer to the page 10 of I-765 Instructions (<http://www.uscis.gov/files/form/i-765instr.pdf>) to choose the correct mailing address.