Eligibility and When to File: 24-month Optional Practical Training Extension for STEM-Eligible Degrees

The details below are provided to help you determine eligibility for the 24-month extension of Optional Practical Training for STEM-eligible students. This information will provide practical guidance on when to apply for the extension and what to expect with the additional reporting requirements. Read this information carefully.

Glossary of terms:

Optional Practical Training (OPT): work authorization for F-1 students allowing them the opportunity to apply knowledge gained in their degree program to off-campus work.

U.S. Citizenship and Immigration Services (USCIS): the government agency that oversees lawful immigration to the United States.


Request for Evidence (RFE): a request issued to an applicant by USCIS to submit further documentation to support a pending application at the Service Center.

I. Eligibility Requirements

☐ Applicant has completed a degree in a STEM-eligible field from a U.S. accredited institution with SEVP certification within the last 10 years and has not already utilized this degree to apply for an OPT STEM extension,

  o Or applicant is currently engaged in a STEM-eligible Master’s or PhD program, has completed all degree-required coursework and lacks only the thesis or dissertation to complete the degree;

☐ Applicant is in an active period of post-completion OPT at the time of requesting the STEM extension OR is currently engaged in the 17-month extension of OPT with an EAD expiration date on or after October 7, 2016*

  * If currently engaged in the 17-month OPT extension, the applicant must have at least 150 days of OPT remaining at the time the I-765 is filed and the application must be received by USCIS before August 8, 2016;

☐ Applicant files the I-765, with all required documentation and filing fee, to USCIS to request the STEM extension within the necessary filing timeline.

☐ Applicant is working in a paid position for an E-Verified employer; cannot be self-employed.

☐ Applicant has filed a completed I-983 with all attestations and supporting documentation to OIE to request the 24-month STEM extension (or the additional 7-month extension).
II. Types of OPT Extensions

There are three OPT extension types for STEM:

1. 17-month OPT extension for STEM (before May 10, 2016)
2. 24-month OPT extension for STEM (after May 10, 2016)
3. 7-month OPT extension for STEM (after May 10, 2016)

In order to apply for any of the extensions referenced above, the applicant must be engaged in an active period of OPT. The applicant will apply for one of the three types of extension based on the type of OPT they are currently engaged in and the timing of the expiration of their EAD. Please determine the type of OPT you are currently engaged in and the timing of your request for more details on which type of extension to request. Use the chart that follows to determine your eligibility and next steps.

III. Timing considerations For F-1 Visa Holders Currently Engaged in 12-month Post Completion OPT

Green= eligible to apply

<table>
<thead>
<tr>
<th>F-1 Visa Holder Engaged in 12-month Post-Completion OPT</th>
<th>When To Apply:</th>
<th>What to Expect:</th>
</tr>
</thead>
<tbody>
<tr>
<td>EAD expires on or before May 10, 2016</td>
<td>Apply for the 17-month OPT Extension before the EAD Expiration Date; must take additional steps to apply for 24-month extension after May 10, 2016.</td>
<td>Can continue working for same employer in same position for up to 180 days while awaiting the new EAD. If not approved for 17-month extension before May 10, 2016, the applicant will receive an RFE and must submit an updated I-20 for 24-month extension after May 10, 2016 and before the deadline on the RFE. If approved for 17-month extension before May 10, must apply for 7-month extension after May 10, 2016 and before August 8, 2016.</td>
</tr>
<tr>
<td>EAD expires after May 10, 2016</td>
<td>Apply for OPT extension after May 10, 2016 and before the EAD expiration date.</td>
<td>Can continue working for up to 180 days for the same employer in the same position while awaiting the new EAD.</td>
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F-1 Visa Holders Currently Engaged in 12-Month Post-Completion OPT

If your 12-month post-completion OPT end date on the EAD is before May 10, 2016:
In order to be eligible for the STEM extension, F-1 visa holders in an active 12-month period of OPT, must meet the following requirements:

- Complete all course requirements (excluding thesis or dissertation) in a STEM-eligible field
- File the I-765 request for STEM extension before the 12-month OPT end date listed on the EAD
If applying for STEM extension based on a previous degree type, must not have already utilized a STEM extension period for the level and program of study for which they are applying for the extension, must have completed the degree within the last 10 years at an SEVP certified U.S. accredited institution. The practical training experience must also directly related to the previously obtained degree for which the extension is requested.

Applications received after the 12-month post-completion OPT end date will be denied by USCIS. Be sure to file accordingly. If your STEM extension application is pending on May 10, 2016, you will receive an RFE from USCIS. You will then be required to request a new I-20 from OIE with a 24-month STEM extension recommendation. You must respond to the RFE by filing the updated I-20 and Form I-983 (a new filing fee will not be required). You must wait for the RFE to submit this additional information to USCIS. All additional documentation must be filed to USCIS by the RFE deadline.

If your 12-month post-completion OPT end date is after May 10, 2016:
You are encouraged to apply for your I-20 requesting the 24-month OPT extension after May 10, 2016 and must file no later than the OPT end date listed on your EAD. Please note that if you request the I-20 prior to May 10, you will receive an RFE from USCIS which will likely delay your STEM extension request and will require you to request a new I-20 from OIE to comply with the RFE.

IV. Timing considerations for F-1 Visa Currently Engaged in 17-month OPT STEM Extension

<table>
<thead>
<tr>
<th>F-1 Visa Holder Engaged in 17-Month OPT STEM Extension:</th>
<th>When to Apply:</th>
<th>What to Expect:</th>
</tr>
</thead>
<tbody>
<tr>
<td>EAD expires before May 10, 2016</td>
<td>Not Eligible to Apply</td>
<td>May not work after the end date of the EAD, but may remain in the U.S. during the 60-day grace period.</td>
</tr>
<tr>
<td>EAD expires between May 10, 2016 and October 6, 2016</td>
<td>Not Eligible to Apply</td>
<td>May not work after the end date of the EAD, but may remain in the U.S. during the 60-day grace period.</td>
</tr>
<tr>
<td>EAD Expires on or after October 7, 2016</td>
<td>Must apply after May 10, 2016, but application must be received by USCIS before August 8, 2016. AND Applicant MUST have at least 150 days of OPT remaining at the time the I-765 is filed.</td>
<td>May continue working for same employer in same position for up to 180 days while awaiting the new EAD.</td>
</tr>
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F-1 Visa Holders Currently Engaged in 17-Month OPT Extension for STEM

If your 17-month STEM extension expires before May 10, 2016:
Unfortunately, the 2016 OPT rule does not extend eligibility for the 24-month OPT Extension for STEM to individuals with a 17-month OPT Extension for STEM end date prior to May 10, 2016. You will not be eligible to receive an I-20 with a recommendation for the 24-month extension.

If your 17-month STEM extension expires between May 10, 2016 and October 7, 2016:
In order to be eligible to apply for the 24-month OPT extension for STEM, F-1 visa holders in an active period of 17-month OPT extension for STEM must have 150 days remaining on the EAD at the time of application. F-1 visa holders with EAD expiring between May 10, 2016 and October 7, 2016 will not have 150 days remaining on the EAD and will unfortunately be ineligible to receive an I-20 recommending the 24-month OPT extension.

If your 17-month STEM extension expires after October 7, 2016:
In order to request the additional 7-month extension of OPT, you must request a new I-20 after May 10, 2016 and file a new I-765 request for the additional 7 months within 60 days of the DSO authorization. You must submit the I-765 request for the additional 7 months prior to August 8, 2016 in order to be eligible to receive the additional 7 months extension. Applicant must have at least 150 days of OPT remaining at the time the I-765 is filed with USCIS.

V. Additional Reporting Requirements During the 24-month Extension

- Individuals engaged in a period of 24-month STEM extension must submit a report to OIE (oie@andrew.cmu.edu) every 6 months verifying:
  - Legal name
  - Residential or mailing address
  - Employer name and address
  - Status of current employment

- Individuals engaged in a period of 24-month STEM extension must complete two self-evaluations during the course of his or her STEM period. The first evaluation must be submitted within 12 months of the STEM OPT start date and the second, concluding evaluation, must be submitted at the end of his or her STEM OPT period. Evaluations must be signed by the student and his or her immediate supervisor, and then submitted to the DSO.

- Individuals engaged in a period of 24-month STEM extension cannot be unemployed for an aggregate of more than 150 days.

VI. Additional Resources
You may have additional questions about whether or not you meet the eligibility requirements or want further details on the requirements, we recommend three excellent resources for more information:

- Study in the States: https://studyinthestates.dhs.gov/stem-opt-hub (including I-983 Instructions)
  - Planning tool for 7-month extension of STEM OPT
  - Planning tool for 24-month extension of STEM OPT

- NAFSA STEM OPT: http://www.nafsa.org/Find_Resources/Supporting_International_Students_And_Scholars/ISS_Issues/STEM_OPT_Rulemaking/

- USCIS 24-Month Extension Guidance: https://www.uscis.gov/working-united-states/students-and-exchange-visitors/students-and-employment/stem-opt