

Optional Practical Training (OPT) – STEM EXTENSION ONLY

(STEM Extension Segment – Not to be used for Initial OPT requests)

In April 2008, USCIS published a regulation allowing F-1 students engaged in Optional Practical Training (OPT) who are in certain STEM (Science, Technology, Engineering, and Mathematics) fields to apply for an additional 17 months of OPT authorization beyond their initial 12 months of OPT (for a total of 29 months). You must be already engaged in authorized post-completion OPT based on graduation from a program in an acceptable STEM field to be eligible.

OPT STEM Eligibility Requirements

- a) F-1 students who completed a degree in a STEM field, have been approved for post-completion OPT, have their EAD and are engaged in OPT in their field of study are eligible to extend. Not all STEM disciplines qualify – some majors (based on CIP code) are not eligible. See the list of acceptable CIP codes at: www.ice.gov/sevis/stemlist.htm Please note that curricula that have CIP codes that end in .xx99 are **NOT** currently eligible (CIP codes are approved at the UNC System level – we cannot change them – and the exclusion of these codes is a decision of Homeland Security). Excluded majors (ineligible fields of study – not a comprehensive list) at NC State include: MEAS (Marine, Earth, and Atmospheric Sciences), Functional Genomics, and Financial Mathematics.
- b) Students must also be working for - or get a job offer from - an employer that has enrolled in the E-Verify system. E-Verify is an Internet-based system operated by U.S. Citizenship and Immigration Services (USCIS) in partnership with the Social Security Administration (SSA). E-Verify is currently free to employers and is available in all 50 states. E-Verify provides an automated link to federal databases to help employers determine employment eligibility of new hires and the validity of their Social Security numbers. See the e-Verify information on the USCIS website <http://www.uscis.gov/everify> .
- c) You must not have already applied for and been approved for the 17 month OPT STEM extension.

Time Limits

How many months can I apply for?

F-1 students are generally eligible for a maximum of **12 months** of OPT for each degree level. The STEM OPT extension is for an additional 17 months from the expiration of the first/current post-completion Employment Authorization Document (EAD). This is a one time (lifetime) extension of 17 months only (not more, not fewer).

When should I apply for STEM OPT extension EAD?

Students may apply for the STEM OPT no more than 120 days prior to the expiration of the EAD for the initial 12 months of OPT. As a general rule, sooner is better in terms of applying for the extension, but some STEM students may not desire or need the extension. If you are returning home or if you have an approved H-1B petition, there is no need or benefit in applying for the extension. We recommend (and request) you apply 120 days before the expiration of your current EAD.

Do I need a job offer before I apply for the STEM OPT extension?

Yes. It is not necessary to have a job offer before applying for an initial period of OPT, but the STEM extension requires that you have an offer from a US company that has enrolled in the E-Verify program.

Can I continue working before I receive my EAD for STEM Extension OPT?

Yes. As long as you apply *before* your current EAD expires (USCIS must receipt your application before you current EAD expires), you may continue to work for up to 180 days even if you do not yet have your new EAD.

Can I apply for my STEM extension during my 60 day grace period? No. You must apply for your extension while your current EAD is still valid. If you miss your deadline, you must stop working when your EAD expires and you should consult with your employer about other employment options like the H-1B. If your company has an approved H-1B petition for you, it is possible to continue working after your EAD expires until October 1 begin date. You do not currently need a new EAD for this automatic extension.

What if I change employers?
What if I lose or quit my job? It is possible to change employers during any period of OPT, but if you are in your 17 month STEM extension, you are restricted to work for an employer approved in the E-Verify system. If you change your employer, add an employer, move to a new site, or lose your position for any reason, you **MUST** notify OIS immediately through the OIS OPT Validation webpage. If you accumulate 120 days or more of unemployment during your 29 month total OPT period (both segments), you may lose future immigration benefits and encounter other immigration difficulties.

What do I tell my employer about what they need to do to hire me? OIS cannot provide legal advice to outside employers. We have a general webpage for outside employers, but your employer will need to review the relevant USCIS websites or consult with a qualified attorney or HR specialist for specific questions. In addition to enrolling in e-Verify, they must also certify that your position is a STEM field position and that they will inform OIS if you leave or change your employment status or location.

Other Important Reminders:

You are required by law to notify and update OIS **within 10 calendar days** if any of the following occur:

- you change your address <http://uscis.gov/graphics/formsfee/forms/ar-11.htm> (you will send the original form to the address listed at the bottom; you will send a copy of the form to our office and keep a copy for your records)
- you change your employment status (quit, lose your job, get fired, etc). Warning: being unemployed for 120 days (cumulative) is a violation of status and will result in termination of your SEVIS record.
- you change employers (company and/or location and/or company name)
- you change your name
- you change your nonimmigrant visa status (e.g., to H-1B)
- you wish to "transfer" to another school and need to transfer in SEVIS
- you lose your employment status (get fired, quit, etc.)
- you stop engaging in your OPT and depart the US to return home

As a STEM OPT Extension student you are also required to confirm the above information **every SIX months** (starting from the beginning of your STEM extension EAD) to OIS so we can validate your OPT status in SEVIS. Please verify your information using the OPT Validation Form <http://www.ncsu.edu/ois/forms/validate.php> .

Procedures

- Step 1 Contact your company and obtain their E-Verify Company or Client Identification Number. You will need to enter this on the Form I-765 (STEM extensions only, not initial applications). Your employer should enter this information in an offer letter. It is also recommended that your employer include in the letter a statement of how your position is related to the STEM field. We also ask that they certify that they will notify OIS (or other approved means of communication with DHS) if they terminate your employment or you leave your position (this is done on the [Application and Certification for F-1 OPT STEM Extension](#)). If your company is not already enrolled in the E-Verify program you are not eligible for the STEM extension.
- Step 2 Completed application materials will need to be submitted to OIS via e-mail (ois@ncsu.edu), mail or in person (see above for OIS contact information). Missing, late, or incorrect items may prevent us from issuing a new I-20 for you on time. You should receive an email within 3-5 business days informing you that your new I-20 with the OPT recommendation has been processed. You may authorize a friend to pick up the new I-20 for you (please provide your friend's name and e-mail address), OIS can mail the new I-20 to you using regular US Postal Service (please provide your address), you may pick the I-20 up from OIS in person or we are happy to express mail your new Form I-20 to you (so that you can submit the entire OPT application package) as long as you provide a pre-paid and self-addressed FedEx airbill.
- Step 3 Once you received your new I-20 you should express mail the entire OPT application to the USCIS Lockbox facility responsible for your current place of residence (The Dallas Lockbox facility for those living in NC). After 2-6 weeks, a Receipt Notice will be issued by USCIS (and sent to your address on the front of Form I-765), and some time after that (possibly 90+ days) the Approval Notice (I-797D) and EAD should arrive at the same address.

- Step 4 Please check your EAD for accuracy when it arrives. Show it to your employer for their documentation that you may continue working. You MUST bring or send a copy of your EAD to OIS so that we can validate the OPT STEM extension segment of your program.
- Step 5 Validate your program status every six months with OIS AND notify OIS immediately if/when you depart the US, terminate your employment with your current company or change/add employers, change your nonimmigrant status, move, etc. Please use the OPT Validation Form on the OIS website for this purpose.

Application Checklist

These documents are required in order for OIS to issue the STEM I-20:

- Completed and signed Application and Certification for F-1 OPT STEM Extension (for OIS use only)
- Photocopy of your offer letter from a qualified e-Verify Employer indicating their e-Verify Company Number and your position title along with a statement that certifies your position with the company is directly related to the STEM field in which you graduated
- Photocopy of your completed Form I-765 (please read and follow instructions; print neatly)
- Photocopy of your current EAD (and any/all previous EADs issued by USCIS if applicable)

*Note: Please scan each of the items listed above and submit to OIS using the Help Desk System (<http://oisehd.acsad.ncsu.edu/ehelpdesk/login.jsp>). OIS only requires the items listed above to process the I-20 for STEM Extension. USCIS does require additional documents which are listed on the OIS STEM Information web page and the USCIS I-765 application instructions at <http://www.uscis.gov/i-765>. Upon receipt of the above items, OIS will issue a new Form I-20 and provide the new Form I-20 (and an instruction sheet) to you so you (or your attorney or your HR representative) can express mail the complete original application package to the appropriate USCIS Lockbox facility. Missing or incomplete information will delay our processing your new Form I-20. You should confirm the application requirements, procedures and fees with USCIS www.uscis.gov before mailing your application.

– please review your materials carefully and only send us complete and correct materials.

Instructions for Completing OPT STEM Extension Application

Adviser's Recommendation Form The Advisor's Recommendation Form is not necessary for STEM Extensions. Instead, you and your current employer must complete and return to OIS the Application and Certification for F-1 OPT STEM Extension

Form I-765 Application for Employment Please mark the box "Renewal of my permission to accept employment" and complete the 1-765

1. For item #3, you should use your own mailing address. If you are uncertain about the permanency of your current address, you may wish to use a friend's address
2. For item #10, list your I-94 number (eleven digits)
3. For item #11, Mark "Granted" since you have previously applied to USCIS for an EAD
4. For item #16, enter (c) (3) (**C**) for 17-month STEM OPT extension
5. For item #17, enter your employer's E-Verify Company or Client Identification Number; you MUST enter this information for the STEM extension – if your employer cannot provide this information, you are not eligible and we cannot recommend the OPT
6. Sign your name, list your telephone, and date.

This form can be found and filled on the web at: <http://www.uscis.gov/I-765>

Submit to OIS Please submit your Application and Certification for F-1 OPT STEM Extension and the other items to OIS at least 30 days before your current EAD expires using the Help Desk System (<http://oisehd.acsad.ncsu.edu/ehelpdesk/login.jsp>). We recommend (and request) you process your STEM extension request between 90 and 120 days before your initial EAD expires. OIS prefers that you use the Help Desk System to submit your OPT STEM Extension Materials, you may also schedule an appointment with an OIS advisor, you may bring your completed forms to an OPT processing session, or you may express mail everything to OIS (please include a pre-paid self addressed envelope or FedEx airbill so we can return everything to you for final signature and submission to USCIS).

Note: Once you have received your receipt notice, you may check on the status of your application online. Go to www.uscis.gov and click on "case status" on the right side of the page. You will use the receipt number (3 letters and 11-14 digits) printed on your receipt notice to reference your case. OIS requires students to mail their own applications and to use their home address on the Form I-765. Please do not use the OIS address. OIS is not responsible for lost mail, delays, or denials. Students should confirm application fees, requirements and procedures with USCIS (www.uscis.gov) prior to mailing the STEM application.

*Note: Information in this handout is subject to change at anytime based on changes in immigration regulations and processes.
Updated 2/26/2010*

Application & Certification for F-1 OPT STEM Extension

Student Name: _____ SEVIS ID#: _____

Email: _____ Day Phone: _____

Alternate Email: _____ Cell Phone: _____

Current Residential Address: _____

EAD Start Date: _____ EAD End Date: _____

Student's Certification:

- I hereby request OIS to issue me a Form I-20 in support of my application to extend my OPT based on my completion of a STEM field program, I have read the instructions, and I certify that I am to the best of my knowledge eligible for this extension.
- I certify that I will apply for my OPT extension with the appropriate USCIS Service Center before my current EAD expires and within 30 days of OIS issuing my new Form I-20. I also certify that I will send a copy (jpg or pdf or fax) to OIS of my new EAD as soon as I receive it from the Service Center. I also take full responsibility for sending my complete OPT application to the USCIS Service Center on time and acknowledge that I will not hold OIS responsible for late, missing, or incorrect information in my application.
- I certify that I will update OIS in writing (by fax, email, or OIS Webpage) as soon as one of the following conditions or circumstances exist:
- I change my name
 - I change my address or contact information (US residence, email, phone, permanent residence in home country)
 - I change my nonimmigrant status
 - I complete my employment and return to my home country
 - I change my job status (quit work, am fired or laid off, am relocated, change or add employers, etc.)
- I also certify that I will verify my continued OPT status and other required details via the OIS OPT Validation Website every six months beginning with the date of my STEM Extension EAD. I understand that my OPT and/or SEVIS record may be terminated if I do not verify my information with OIS every 6 months, I am unemployed more than 90 days, or do not fulfill my F-1 reporting and status requirements.

Student's Signature: _____ Date: _____

****** The following section to be completed by the Student's Supervisor or Human Resources representative ******

Employer Information

Company Employer (name): _____ Phone: _____

Company Mailing Address: _____

Company's e-Verify Company or Client Identification Number: _____

Current Supervisor (or HR rep.) Name: _____ Position: _____

Supervisor Email: _____ Fax: _____

Please certify the following statements by checking each box and signing below:

- This student has (or is being offered) a temporary position with our company and the work is directly related to a field in Science, Technology, Engineering, or Mathematics (STEM).
- We are enrolled in the e-Verify system.
- We will notify the Office of International Services (OIS) at NC State University immediately when this student is no longer employed with our company, the student's nonimmigrant status changes (e.g., H-1B), or the student employee departs the US for an extended period (45 days or more).

Supervisor's Signature: _____ Date: _____