

## 24-Month OPT STEM Extension Packet

### What is the 24 month OPT Extension?

Effective May 10, 2016, the Department of Homeland Security published an interim final rule in the Federal Register/document 2016-04828 that allows F-1 students with a Bachelor's, Master's or Ph.D. in STEM (Science, Technology, Engineering and Math) majors to apply for a 24 month extension of OPT, for a total of 36 months (8 CFR 214, 8CFR 274). Additional information can be found in at the Study in the States STEM Hub ([studyinthestates.dhs.gov/stem-opt-hub](http://studyinthestates.dhs.gov/stem-opt-hub)).

### Who is Eligible? F-1 Students:

- who are currently on an approved 12 month initial post-completion OPT based upon a bachelor's, master's or doctoral degree earned in the United States; and
- with a current or past major degree (earned in the U.S.) in a field included on the STEM designated majors list found on the DHS website <https://www.ice.gov/sites/default/files/documents/Document/2016/stem-list.pdf>; and
- who are working for or have a job offer from, an employer that is enrolled in the US Government's E-Verify program; and the
- employer agrees to the following:
  - complete and certify Form I-983; and
  - review student's annual self-evaluation and sign it to attest to its accuracy; and
  - report material changes to existing Form I-983
- Students must have accrued no more than 90 days of unemployment during the Initial OPT period; and
- Students must demonstrate proof of employment during Initial OPT period; this is best proven with copies of the *first and last pay stub* you received from each employer.
  - Job offer letters are not adequate as they don't actually prove you ever worked for the company
  - If your employment has been voluntary, we recommend you obtain a letter detailing your job and responsibilities
- who are employed in a job directly related to his/her field of study; and
- who have not previously received a 24-month OPT extension after earning a STEM degree.

*Please Note: All of the above criteria must be met in order for a student to be eligible for the 24-month OPT extension.*

### Common Questions

***When should students apply for the 24 month extension?*** Student can start applying 90 days before the end of your current, 12-month OPT. The application must be received by the US government on, or before the initial OPT end date. The start date will automatically be the day after the end date of the initial 12 month OPT authorization. *Apply early* so you receive the new EAD card before the end of the initial 12-month OPT period. The current processing time is approximately 3 - 4 months.

***What happens if there are Periods of Unemployment?*** Post completion OPT is dependent upon employment. Students may not accrue a total of more than 120 days of unemployment during the initial 12-month OPT period and the 24-month extension combined. *Beware - If you have had more than 90 days of unemployment during your initial OPT period, that may be used as cause to deny approval of the 24-month extension!!!*

***Can students continue working while the application is pending?*** If the application for the 24-month OPT extension is successfully received by the US government prior to the expiration of the first OPT period, students may continue employment until the application is processed or until 180 days have passed, whichever is sooner. 8CFR 214.2(f)(11)(i)(C) and 8 CFR 247a.12(c)(6)(iv)

**Is my degree in a STEM field?** The 24-month Optional Practical Training (OPT) extension may be approved for students who have earned bachelors, masters, or doctoral degrees in a STEM (Science, Technology, Engineering, Mathematics) field that is on the DHS STEM Designated Degree Program List. That list consists of select STEM fields identified by CIP Code (Classification of Instructional Programs). *You can locate the CIP code of your program next to the program name on page 1 of your I-20.*

**What is E-Verify?** E-Verify is a database system operated by the Department of Homeland Security in partnership with the Social Security Administration. It allows participating employers to electronically verify the employment eligibility of newly-hired employees. E-Verify is currently voluntary in most states. For more information see [www.dhs.gov/e-verify](http://www.dhs.gov/e-verify). *Please make sure you confirm that your employer participates in E-verify before filing your application.* Usually the Human Resources department of the company can give you this information.

### Additional Requirements & Limitations

- Reporting to OISS every six months (6, 12, 18 months)
- Students also have to report changes:
  - Legal name
  - Residential or mailing address
  - Employer name
  - Employer address
  - Loss of employment
  - Worksite address

### Things to Remember:

- Once your application for OPT has been approved, your Employment Authorization Document (EAD) will be mailed to the address you put on the I-765 form. The post office WILL NOT FORWARD mail from USCIS if you change your address after you apply. USCIS will also not deliver your EAD to a PO Box.
- You MUST submit a photocopy of your EAD to OISS upon receipt.
- You MUST report all changes of name, address, or employer to OISS within 10 days. ALL employers must participate in the E-verify program.
- You MUST report all periods of unemployment to OISS within 10 days.
- You MUST submit a validation report to the EMU OISS every six months to confirm name and address, employer name and address, and continuation of employment. The report is due within 10 days of the six, twelve and eighteen-month reporting date.
- If you are changing employers, please follow the instructions on the OISS website. All Employers MUST agree to report within 48 hours the termination or departure of the student from their employment. You must complete a new I-983 training plan with the new employer.
- Remember, while on OPT you are still an EMU F1 student. Please review the attached handout "While you are on OPT" to learn about your responsibilities during this practical training period.
- While on OPT you may be exempt from Social Security & Medicare Tax (FICA)

### 24-month OPT Extension Application Procedure:

- Obtain & carefully read the entire 24-month OPT Extension Packet
  - Available on the OISS website or in the OISS office
- Collect the documents required for the application- see *OPT 24 month STEM Extension – Application Instructions*
- Put your documents in the specified order found in the Application Instructions
- Get your STEM OPT packet reviewed by OISS: make an appointment with an advisor OR scan all documents, in the specified order, into 1 or 2 pdf files & Email to [oiss\\_forms@emich.edu](mailto:oiss_forms@emich.edu)
  1. **Do NOT scan each page separately**
  2. **Do NOT take photographs of each document;** they do not come through clearly
  3. Please, **no more than 2 pdf files!!!**

## **While you are on the 24-month OPT Extension ... ... you are still considered an EMU F1 student!!!**

- You must submit a copy of your new EAD card to OISS upon its receipt
- Name, Address, or Employer Changes - You must report all name, US address, and employer name/address changes to OISS within 10 days, using the IR-24 form found on the OISS website. Your address must describe where you live; it cannot be a PO Box or an office address. You are also required to advise OISS of this information every 6 months (see below). Failure to keep this information current can jeopardize your immigration status! If you change employers, please follow the instructions on the OISS website; you must submit a new I-983 training plan form.
- Periods of Unemployment – You must report to OISS all periods of unemployment (IR-24). Failure to report can jeopardize your immigration status. You cannot have more than a total of 120 days of unemployment, including those while on your initial OPT period. During your job search you need to keep an accurate record of your efforts to find employment (company contacted, date, phone number, name of contact person etc.)
- Validation Reporting - Students must submit a validation report (IR-24) to the EMU OISS every six months to confirm name and address, employer name and address, and continuation of employment. The report is due within 10 days of the six-month reporting date. It is your responsibility to submit the IR-24 in a timely manner!!
- Taxes – Generally, if you've been in the United States less than 5 years, while on OPT you should be exempt from Social Security Tax & Medicare Tax (FICA) (See Internal Revenue Service Publication 519, "US Tax Guide for Aliens"). However, your earnings are subject to applicable federal, state & local taxes unless your country has a tax treaty with the US exempting you from payment. Tax returns must be filed on or before April 15<sup>th</sup> each year, for the previous calendar year.
- Health Insurance – It is very important that you have health insurance while in the USA. For your own physical & financial wellbeing – BE INSURED at all times!!!
- Travel while on OPT – Before you travel, remember to:
  - Make sure your passport is valid at least 6 months into the future
  - Make sure your I-20 has been signed for travel within the past 6 months. If you need a new travel signature, bring or send your I-20 to OISS with a copy of your EAD card
  - Make sure your visa stamp is valid. If your visa is expired, you may need to renew it while overseas. If this is the case, please speak to an OISS advisor before traveling.
- If you have an expired visa stamp & plan a short trip to Canada, Mexico, or adjacent Caribbean islands, you may be qualified for Automatic Revalidation. Please contact an OISS advisor before traveling!
  - Carry your EAD card and proof of employment for the EAD time period with you. Proof of employment can include a letter from your employer and recent pay stubs.
  - Dependent Travel – Since OPT is not noted on dependent I-20's, an F2 dependent must carry copies of the F1 student's I-20 with OPT recommendation, EAD card & job offer letter in addition to their own F2 I-20 when traveling.
- Change of Status – If you change your immigration status during OPT, you are required to send us a copy of the application receipt notice and approval document (i.e. H-1B). We recommend you begin this process before your OPT is expired.
- Your OPT will automatically terminate if you transfer to another school or begin to study another educational program. Please contact OISS if you plan to apply for another degree program or transfer to another school.
- Remember to depart the USA within the 60 day grace period that follows your last day of OPT.

## OPT 24 month STEM Extension - Application Instructions

1. Collect the following documents & put them in the order below
2. Scan them all into 1 pdf file (please, no more than 2 pdf files!!!) *Do NOT scan each page separately and do not take photographs of each page.* Email to [oiss\\_forms@emich.edu](mailto:oiss_forms@emich.edu)

### Required Documents – please submit copies of:

- Completed OISS 24-month OPT Extension request form - Please include employment information for the entire OPT timeframe, including any periods of unemployment. Include additional pages as needed
- Completed G-1145 form
- Check for \$410 made payable to the *US Department of Homeland Security*; include your SEVIS N# in the memo field ... (copy front and back, on same page); Must be drawn on a US financial institution.
- 2 full, frontal passport size photos taken within 30 days of filing this application – gently print your name & SEVIS number on the back of each photo. Make sure they are 2" x 2" square, have a white background, are clear and you are wearing a different shirt than in your Visa or Passport photo! (Eye glasses is **NOT** allowed!)
- Completed I-765 Form <http://www.uscis.gov/files/form/i-765.pdf> ; Typed only, must be signed in blue ink, and signature must stay within the white box; do not cross the black outline! See sample.
- Completed Form I-983. The form and instructions can be found at <https://studyinthestates.dhs.gov/form-i-983-overview>
- Front & back of current, valid EAD card (on same page)
- Employer E-verify profile screen, with name and number (sample on OISS website: Forms, Employment OPT24)
- Proof of Employment during the entire first, 12-month OPT period; the best proof of employment are copies of the first & last pay stubs from each employer. Copies of bank statements are also acceptable. Documents **MUST** show dates of employment, employee and employer contact information. Employment offer letters will not be accepted; they are not considered proof of employment. Remember, your total unemployment days cannot exceed 90! If your employment was not paid, thus you have no pay stubs; please see the section regarding *documenting proof of unpaid employment*, later in this packet.
- Diploma or transcript showing conferred degree
- Pages 1 & 2 of most recent I-20 with OPT authorization on page 3
- Pages 1 & 2 of All I-20's with previous OPT or CPT authorization on page 3
- Any other previous EAD cards, if applicable
- Pages 1 & 2 of Initial I-20 used to enter USA for the first time
- Pages 1 & 2 of all Transfer Pending I-20's for all US schools attended
- Passport (photo page and expiration date), visa, & I-94
- Photo Identification (driver's license or student ID, front and back, on same page) make sure can see photo

Processing may take 7 – 10 business days, depending upon the time of year and OISS workload. Please apply early!

### OISS will:

- Review your application materials
- Provide you with written comments and corrections for your application
- Provide the required SEVIS "screen shots" and mailing instructions for your application
- You mail Application to USCIS – Get Receipt Notice – Track Status
  - USCIS **MUST** receive the OPT application prior to the expiration of the initial 12-month OPT
  - USCIS **MUST** receive the OPT application within 30 days of the new OPT I-20 issuance
  - You should receive a text/email from USCIS within 1 week of submitting your application. This text/email will include the receipt number you can use for tracking purposes

## Employment during STEM 24 month Optional Practical Training

Excerpted from the U.S. Federal Register

<https://www.federalregister.gov/articles/2016/03/11/2016-04828/improving-and-expanding-training-opportunities-for-f-1-nonimmigrant-students-with-stem-degrees-and#p-521>

### v. Volunteering, Employer-Employee Relationships, and Related Matters

All OPT employment, including post-completion OPT, must be in a job that is related to the student's degree program. There are several aspects of the STEM OPT extension that do not make it apt for certain types of arrangements, including multiple employer arrangements, sole proprietorships, employment through "temp" agencies, employment through consulting firm arrangements that provide labor for hire, and other relationships that do not constitute a bona fide employer-employee relationship. One concern arises from the difficulty individuals employed through such arrangements would face in complying with, among other things, the training plan requirements of this rule. Another concern is the potential for visa fraud arising from such arrangements. Furthermore, evaluating the merits of such arrangements would be difficult and create additional burdens for DSOs. Accordingly, DHS clarifies that students cannot qualify for STEM OPT extensions unless they will be bona fide employees of the employer signing the Training Plan, and the employer that signs the Training Plan must be the same entity that employs the student and provides the practical training experience. DHS recognizes that this outcome is a departure from SEVP's April 23, 2010 Policy Guidance (1004-03).

DHS, moreover, anticipates that it will be very unusual, though not expressly prohibited, for students to work with more than two employers at the same time during the STEM OPT extension period, given that each employer must fully comply with the requirements of this rule and employ the student for no less than 20 hours per week.

DHS also clarifies that F-1 students seeking STEM OPT extensions may be employed by new "start-up" businesses so long as all regulatory requirements are met, including that the employer adheres to the training plan requirements, remains in good standing with E-Verify, will provide compensation to the STEM OPT student commensurate to that provided to similarly situated U.S. workers, and has the resources to comply with the proposed training plan. For instance, alternative compensation may be allowed during a STEM OPT extension as long as the F-1 student can show that he or she is a bona fide employee and that his or her compensation, including any ownership interest in the employer entity (such as stock options), is commensurate with the compensation provided to other similarly situated U.S. workers.

### Documenting proof of unpaid (volunteer) employment

*As specified in a recent USCIS Request for Evidence:*

If the position was unpaid please identify and provide:

1. A detailed listing of employment activities and projects with which you were engaged and specify the number of weekly hours that you were engaged in each of the activities or projects identified. You must work a minimum of 21 hours per week.
2. Copies of company daily time and attendance records that document your affiliation with the company, including start & end date of affiliation
3. Evidence of your physical presence in the company location such as rental agreements, receipts or bank statements

In addition, if the position was considered voluntary **training**, you must also provide



4. Copies of all diplomas, completion certificate and/or certifications you received related to the training programs identified.

## Final Checklist for mailing 24-month Extension Request to USCIS

Once you've gathered all the required documents, made the suggested revisions and received your I-20 and screen shots from the OISS, you will be ready to assemble and submit your application to the U.S. Government. Place the documents in this specified order:

- G-1145 Form
- Personal check for \$410
- 2 color photographs (Eye glasses is **NOT** allowed)
- Original I-765 Form - typed and signed with blue ink
- Original Form I-983- typed and signed with blue ink
- SEVIS Employment History (supplied by OISS)
- Photocopy of new, signed OPT I-20 (not the original) (supplied by OISS)
- Photocopy of both sides of your current or previous EAD card (s)
- Photocopy of computer screen shot showing employer E-verify name and number
- Proof of employment during the initial 12-month OPT period
- Photocopy of Diploma or transcript showing conferred degree
- Photocopies of all I-20's showing previous CPT and/or OPT authorizations (include copies of previous EAD cards)
- Photocopy of initial I-20 with original US entry stamp
- Photocopy of any transfer pending I-20's
- Photocopy of both sides of your current I-94
- Photocopy of your US Visa
- Photocopy of the picture page & expiration date of your Passport
- Photocopy of 1 additional photo identification

If filing based on a previous U.S. STEM degree, you must also include:

- Photocopy of Diploma or transcript showing conferred previous STEM degree
- Proof of previous school's accreditation (typically can be found on the school's website)
- Proof of previous school's SEVP certification (<https://studyinthestates.dhs.gov/school-search>)

*OISS highly recommends making a photocopy of the entire packet before sealing the mailing envelope!*

Mailing address- this varies based on the shipping method you chose (U.S. Postal Service, FedEx, DHL, UPS, etc.) and your location. The address can be found at <https://www.uscis.gov/i-765-addresses#Lockbox%20Addresses>.

- If you later decide NOT to mail your OPT Extension application to USCIS, you must notify OISS immediately so that we can cancel your OPT recommendation in SEVIS. Failure to inform OISS that you are not applying for OPT can cause future problems.

### Tracking your Application Status

Generally, within 1 week you should get an email and/or text message with your receipt number; Keep this information! Then in another 2 – 3 weeks of sending your application you should receive a "Notice of Action;" this is proof that you have an application pending with USCIS. You need to know your receipt number to check your case status on-line at <https://egov.uscis.gov/cris/Dashboard.do>.

EmployerWizard

\* Sample Employer E-verify Profile \*

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Welcome User ID Last Login 04:40 PM - 10/07/2010 Log Out

- Home
- My Cases
- New Case
- View Cases
- My Profile
  - Edit Profile
  - Change Password
  - Change Security Questions
- My Company
  - Edit Company Profile
  - Add New User
  - View Existing Users
  - Close Company Account
- My Reports
  - View Reports
- My Resources
  - View Essential Resources
  - Take Tutorial
  - View User Manual
  - Contact Us

### Company Information

**Company Name:** [Redacted] [View / Edit](#)

**Company ID Number:** [Redacted]

**Doing Business As (DBA) Name:**

**DUNS Number:**

**Physical Location:**

**Address 1:**

**Address 2:** Suite 104

**City:** Ann Arbor

**State:** MI

**Zip Code:** 48105

**County:** WASHTENAW

**Mailing Address:**

**Address 1:**

**Address 2:**

**City:**

**State:**

**Zip Code:**

**Additional Information:**

**Employer Identification Number:**

**Total Number of Employees:** 1 to 4

**Parent Organization:**

**Administrator:**

**Organization Designation:**

**Employer Category:** None of these categories apply

**NAICS Code:** 541 - PROFESSIONAL, SCIENTIFIC, AND TECHNICAL SERVICES [View / Edit](#)

**Total Hiring Sites:** 1 [View / Edit](#)

**Total Points of Contact:** 1 [View / Edit](#)

SAMPLE

24-Month OPT Extension Request Form

Mohammed Alqahtani E01234567 LIN 07632134  
 First Name Last Name EMU ID# Current EAD Card Number  
 malqahtani1@emich.edu (734)487-3116 From 2/19/17 to 2/18/18  
 Email Address (Area Code) Telephone Number EAD Authorization Dates  
 123 Main St Apt 16 Farmington Hills MI 48676  
 Current Address Current City State Zip code

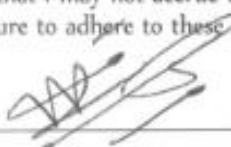
| Initial post-completion OPT Employment Information                      |  |  |                          |
|---|--|--|--------------------------|
| You must account for every day since the beginning of your approved OPT |  |  |                          |
|   | 1 <sup>st</sup> Employer                       | 2 <sup>nd</sup> Employer                       | 3 <sup>rd</sup> Employer |
| Employer Name   | ABC Software                                   | Acmc Software                                  |                          |
| Employer Address  | 10176 Northwestern Hwy<br>Southfield, MI 48111 | 101 Haggerty Rd<br>Suite 121<br>Novi, MI 48117 |                          |
| Job Title   | Software Engineer                              | Software Engineer                              |                          |
| Supervisor Name   | John Doe                                       | Sharon Mills                                   |                          |
| Phone Number  | (744)123-5678                                  | (244)123-4567                                  |                          |
| Email address   | JD@ABC.COM                                     | SM@ACMC.COM                                    | From: To:                |
| Dates of Employment   | From : 3/1/17<br>To : 4/18/17                  | From : 4/30/17<br>To : Present                 |                          |

Periods of Unemployment

|                               |                               |                                  |
|-------------------------------|-------------------------------|----------------------------------|
| From: 2/19/17 To: 2/28/17     | From: 4/19/17 To: 4/29/17     | From: _____ To: _____            |
| #Days 10                      | #Days 11                      | #Days _____                      |
| Cumulative Days Unemployed 21 | Cumulative Days Unemployed 21 | Cumulative Days Unemployed _____ |

In making this request I agree to abide by all requirements, including:

- I will provide OISS with a copy of my new Employment Authorization Document (EAD) upon receipt
  - I understand I should have health insurance coverage throughout my OPT period
  - I will report all changes in my Name, Employer, and US address to OISS within 10 days of such change
  - I will report all periods of Unemployment to OISS within 10 days
  - I will validate my status with OISS every six months using the OISS Form IR24 Information Reporting Form
  - I have informed my employer they must report my departure or termination of employment within 48 hours
  - I understand that I may not accrue more than 120 days unemployment during the combined 29 months of OPT
- I understand failure to adhere to these regulations may result in the termination of my SEVIS record.

  
 Student Signature

5/11/2017  
 Date



## 24-Month OPT Extension Request Form

|                 |  |  |                         |
|-----------------|--|--|-------------------------|
| First Name      | Last Name                                      | E<br>EMU ID#                                   | Current EAD Card Number |
| Email Address   | 1 (____) _____<br>(Area Code) Telephone Number | From _____ to _____<br>EAD Authorization Dates |                         |
| Current Address | Current City                                   | State  | Zip code                |

| Initial post-completion OPT Employment Information                      |                                |                                |                                |
|---|--------------------------------|--------------------------------|--------------------------------|
| You must account for every day since the beginning or your approved OPT |                                |                                |                                |
|   | 1 <sup>st</sup> Employer       | 2 <sup>nd</sup> Employer       | 3 <sup>rd</sup> Employer       |
| Employer Name   |                                |                                |                                |
| Employer Address  |                                |                                |                                |
| Job Title   |                                |                                |                                |
| Supervisor Name   |                                |                                |                                |
| Phone Number  |                                |                                |                                |
| Email address   |                                |                                |                                |
| Dates of Employment   | From:                      To: | From:                      To: | From:                      To: |

**Periods of Unemployment**

|                                      |  |  |
|--------------------------------------|--|--|
| From: _____ To: _____<br>#Days _____ | From: _____ To: _____<br>#Days _____<br>Cumulative Days Unemployed _____ | From: _____ To: _____<br>#Days _____<br>Cumulative Days Unemployed _____ |
|--------------------------------------|--|--|

In making this request I agree to abide by all requirements, including:

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  - I understand I should have health insurance coverage throughout my OPT period
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  - I will report all periods of Unemployment to OISS within 10 days
  - I will validate my status with OISS every six months using the OISS Form IR24 Information Reporting Form
  - I have informed my employer they must report my departure or termination of employment within 48 hours
  - I understand that I may not accrue more than 120 days unemployment during the combined 29 months of OPT
- I understand failure to adhere to these regulations may result in the termination of my SEVIS record.

\_\_\_\_\_  
Student Signature \_\_\_\_\_  
Date