

Eligibility and Description of 24-month OPT Extension for STEM majors

OPT Extension (c)(3)(C) Eligibility:

- Student must have been granted post-completion OPT and currently be in a valid period of post-completion OPT;
- Student must have earned a bachelor's, master's, or doctoral degree from a school that is accredited by a U.S. Department of Education-recognized accrediting agency and is certified by the Student and Exchange Visitor Program (SEVP) when they submit their STEM OPT extension application;
- Employment must be directly related to the student's course of study; should also be appropriate with the level of the student's study;
- Employer must meet all the requirements listed below in the STEM OPT Employer Responsibilities section;
- Student must agree to all participation and reporting – contact info, employment info, 6-month update, job evaluations;
- OPT Extension application must be received by USCIS on or before the post-completion OPT EAD expiration date. Student must allow enough time to work with ISS to issue new documents and mail the application to be received by USCIS.

OPT Extension Highlights:

- Period of extension is 24 months, allowing a total of 36 months of post-completion OPT;
- OPT Extension is an extension of the post-completion OPT for recipients of Bachelor's, Master's, and Doctoral degrees in approved STEM fields. The approved STEM majors are listed at <http://www.ice.gov/sevis/stemlist.htm> . If your degree CIP major code as noted on your I-20 is not listed, you do not qualify for a STEM extension;
- STEM degree for OPT Extension may be the same that the post-completion OPT is based on, or may be a previous degree from a qualified US institution within the last 10 years;
- Student may have two OPT Extensions per lifetime with a second OPT extension for an additional degree in a higher degree level than the first. The two extensions may not be used consecutively (must have a new degree earned and post-completion OPT between);
- With OPT Extension, total days of unemployment allowed increases to 150 total for post-completion and extension period;
- Students with approved OPT Extension are eligible for the cap gap extension for submitted H-1B petitions.

STEM OPT Employer Responsibilities:

- Be enrolled in E-Verify and remain in good standing;
- Report material changes to the STEM OPT student's employment to UW ISS staff within 5 business days of the change;
- Implement a formal training program to augment the student's academic learning through practical experience;
- Provide an OPT opportunity that is commensurate with those of similarly situated U.S. workers in duties, hours, and compensation;
- Complete the Form I-983, Training Plan for STEM OPT Students. In this form, employer must attest that:
 - They have enough resources and trained personnel available to appropriately train the student;
 - The student will not replace a full- or part-time, temporary or permanent U.S. worker; and
 - Working for the employer will help the student attain his or her training objectives.

U.S. Immigration and Customs Enforcement may visit the worksite(s) to verify whether all are meeting the STEM OPT program requirements, including maintaining the ability and resources to provide structured and guided work-based learning experiences.

H-1B Cap-Gap

There is an annual limit on the number of new H-1B visas available. This number is commonly referred to as the H-1B Cap. When the available H-1B visas have been issued for the federal fiscal year, which begins October 1 and ends September 30, the cap is considered to have been reached, and no new cap-subject applications can be approved until the next fiscal year.

Any student on post-completion OPT or OPT extension, who meets the below requirements, will have their OPT extended. The extension of status and OPT automatically terminates upon the rejection, denial, or revocation of the H-1B petition filed on the student's behalf. **If an H-1B petition is filed, the student should complete the Cap Gap notification form that can be found on the ISS OPT Information website.**

To qualify for the H-1B Cap-Gap Extension, the student must be the beneficiary of an H-1B petition that

- has been timely filed;
- that requests an employment start date of October 1 of the current year; and
- requests a change of status

Further, the student must not have violated the regulations of their F-1 status.

APPLYING FOR OPT EXTENSION – TIMING AND APPLICATION CHECKLIST

OPT extension application may be filed up to 90 days before the end of the post-completion OPT but MUST be received by USCIS prior to the expiration date of the OPT. Student employment authorization is considered automatically extended for up to 180 days while the EAD card extension application is pending. Please allow time for processing with ISS and mailing time before the expiration of your current post-completion OPT!

Checklist

1. Complete USCIS Form I-765 – download from the ISS OPT Information webpage. If you download the form from the USCIS.gov, please use (c)(3)(c) for Question #27. You do not need to complete Questions #29-31. If you already have a social security number, please also skip Questions #15-17.
 2. Complete the OPT Extension Request form – download from the ISS OPT Information webpage
 3. Complete USCIS Form G-1145 Notification of Application Acceptance – download from the ISS OPT Information webpage
 4. Completed Form I-983 “Training Plan for STEM OPT Students”. Form can be found on the ISS OPT Information webpage and should be filled out by your employer. Form must be signed by you and by your company signing authority. A link to the Department of Homeland Security tutorial for completing this form is available on the ISS OPT Information webpage.
 5. Official transcript documenting the completion of your STEM degree and major. Graduate students - If degree has not been awarded, provide a letter from your advisor confirming completion of all required coursework. If your STEM degree was not awarded by UW, please include an OFFICIAL transcript showing completion of the degree, and a copy of your Form I-20 from that institution. STEM degree must be from an accredited school in the US.
 6. A letter from all employer(s) verifying your actual dates of employment during OPT. Your current employer may also provide a recommendation letter if they would like. If you have exceeded 90 days of unemployment during your 12 months of post-completion OPT, your STEM OPT Extension may not be approved.
 7. Current passport, visa, and I-94 printout from www.cbp.gov/i94, and the most recent OPT Form I-20.
 8. Two (2) passport style photos according to the USCIS regulations, taken within the last 30 days.
 9. Filing fee of \$410. A check or money order made payable to “US Department of Homeland Security”, or you may complete Form G-1450 (not recommended) with your credit/debit card information and submit with the application – download from the ISS OPT Information website. Cash cannot be accepted! ***NOTE: Fee increases to \$550 on October 2, 2020.**
 10. Make an appointment with ISS to apply for the OPT Extension. *If you are not in Laramie: Email I-983, I-765, and OPT Extension Information form to ISS for review. ISS will review the documents, ask you to make any necessary corrections, and the instruct you to mail your complete application packet to ISS for processing. Please do not send original passports/visas or I-20s. Allow extra time for mailing to make sure that your application is received by USCIS before your OPT end date! Late submissions are not allowed by USCIS – NO exceptions! ***NOTE: As of Spring 2020, see the Special 2020 Application Process on the ISS site for virtual application review and submission instructions.**
- Student should review the STEM OPT Extension Information and Application slides on the ISS OPT Information website. Also, provide the link to the “Employer Reporting Form” on the ISS OPT Information website, or a paper copy of the form, to your employer. Your employer must use this form to report certain required information to ISS throughout your OPT Extension period. This form is not needed for the STEM OPT application!