



STEM 24-MONTH OPT EXTENSION INSTRUCTIONS

Students who hold degrees in Science, Technology, Engineering, and Mathematics (STEM) may be eligible to apply for an additional 24-months of OPT, for a total of 36 months of Post-Completion OPT. View a full list of [STEM fields](https://studyinthestates.dhs.gov/eligible-cip-codes-for-the-stem-opt-extension) approved by Department of Homeland Security (DHS):
<https://studyinthestates.dhs.gov/eligible-cip-codes-for-the-stem-opt-extension>

I. STEM Extension Eligibility Requirements:

You must meet the following criteria in order to be eligible to apply for the 24-Month extension:

- Be in valid F-1 status
- Have completed degrees in a STEM fields
- Currently engaging in Post-Completion OPT (**not** Pre-Completion OPT) in students' major field of study and have not exceeded 90-days of unemployment
- Applying based on the same degree as Post-Completion OPT, not a previous degree
- Employed by an employer who is participating in the USCIS [E-Verify Program](#)
- Current employer must agree to report the termination or departure of the student to the CIE, or through any other process chosen by the DHS
- Are currently physically in the U.S.
- Have not received 24-month extension previously

II. E-Verify

- E-Verify is an Internet based system operated by the Department of Homeland Security (DHS) in partnership with the Social Security Administration (SSA) that allows participating employers to electronically verify the employment eligibility of their newly hired employees
- A list of employers who have self-reported participation in E-Verify is maintained by USCIS but students are advised to confirm with employers directly regarding eligibility
- An employer's participation in E-Verify is voluntary and is currently free to employers

III. Types of Acceptable Employment for 24-Month Extension

A student authorized for a 24-month extension must work at least 20 hours per week for an E-Verify employer in a position directly related to his or her DHS-approved STEM fields. For a student who is on a 24-month extension, this employment may include

- **Multiple employers:** A student may work for more than one employer, but **all employment** must be related to his or her degree program and all employers must be enrolled in E-Verify;
- **Work for hire:** This is also commonly referred to as 1099 employment, where an individual performs a service 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. If requested by DHS, the student must be prepared to provide evidence showing the duration of the contract period and the name and address of the contracting company;
- **Self-employed business owner:** A student on a 24-month extension 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:** A student on a 24-month 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.

IV. Changing Employer

You may change employers. However, you can only be employed by employers who are enrolled in E-Verify. You must report your new employment information to your adviser in the CIE within 3 days.

V. 120-Day Unemployment Limit

Students who receive a 24-month extension are given an additional 30 days of unemployment for a total of 120 days over their entire post-completion OPT period (total 29 months). According to 8 C.F.R. (Code of Federal Regulations) 214.2(f)(10)(ii)(E):

*“During post-completion OPT, F-1 status is dependent upon employment. Students may not accrue an aggregate of more than 90 days of unemployment during any post-completion OPT carried out under the initial post-completion OPT authorization. **Students granted a 24-month OPT extension may not accrue an aggregate of more than 120 days of unemployment during the total OPT period comprising any post-completion OPT carried out under the initial post-completion OPT authorization and the subsequent 24-month extension period.**”*

VI. Working While Application is Pending

As per **8 CFR 274a.12(b)(6)(iv)**, any student working on a Post-Completion OPT authorization may continue to work for up to 180 days following the expiration of the original Post-Completion OPT while the 24-month STEM OPT extension application is received by USCIS prior to the expiration of the current Post-Completion OPT.

8 CFR 214.2(f)(11)(i)(C) *“If a student timely and properly files an application for a 24-month OPT extension, but the Form I-766, Employment Authorization Document, currently in the student's possession, expires prior to the decision on the student's application for 24-month OPT extension, the student's Form I-766 is extended automatically pursuant to the terms and conditions specified in 8 CFR 274a.12(b)(6)(iv).”*

8 CFR 247a.12(c)(6)(iv) *“An employment authorization document under paragraph (c)(3)(i)(C) of this section based on a 24-month STEM Optional Practical Training extension, and whose timely filed employment authorization request is pending and employment authorization issued under paragraph (c)(3)(i)(B) of this section has expired. Employment is authorized beginning on the expiration date of the authorization issued under paragraph (c)(3)(i)(B) of this section and ending on the date of USCIS' written decision on the current employment authorization request, but not to exceed 180 days.”*

VII. Travelling Overseas While Application is Pending

Although you can work with an expired EAD while your 24-month application is pending, you cannot travel in and out of the U.S. if your extension application is still pending, and your current OPT has expired. You must wait in the U.S. to receive the new EAD.

VIII. Maintaining F-1 Status

You are still in F-1 status while you are on the 24-Month STEM OPT extension. You are required to maintain your F-1 status in order to legally working in the US.

To maintain F-1 status you must:

- Stay employed. You must work at least 20 hours per week to be considered maintaining F-1 status. Your employment under 24-month extension must directly related to your current major(s), not minor. Your employer(s) must enrolled in E-Verify program;

- Report your employment information to your advisor in the CIE via email:
 - As soon as you receive the EAD, report your employment and bring a photocopy of both sides of your EAD to the CIE;
 - Report to the CIE if your employment changes, is terminated, or if you begin working for multiple employers (OK as long as each employer is E-Verified);
 - **You must report your employment information to the CIE every 6 months even if there is no change;**
 - You are not required to provide your information about your income nor your employment contract to the CIE;
 - Report your address change at the CIE. Your advisor will report your address change using the Student and Exchange Visitor Information System (SEVIS).
- Request a travel signature on the 2nd page of your I-20 before you leave the U.S. If you are working full time and cannot submit your travel signature request in person, please email your advisor in the CIE, and send us your I-20. We will process your request and mail the I-20 back to you. You will also need a valid F-1 visa stamp in your passport in order to return to the U.S.

IX. How to Apply

Plan ahead! You can submit the STEM application to USCIS **up to 120 days/4 months before** your initial Post-Completion OPT ends.

Step 1) Read this entire document to understand what the 24-month extension is and how it works.

Step 2) Complete the Training Plan I-983 Form and OPT STEM Extension Request Form

Step 3) Prepare and submit your USCIS application materials to the CIE for review. The processing time for the CIE to issue an I-20 with an extension recommendation is **3-5 business days**.

Include the following documents in your application to USCIS:

- Form I-765: completed and signed in blue ink (form can be downloaded here <http://www.uscis.gov/sites/default/files/files/form/i-765.pdf>). Here are some hints:
 - **Item #3:** If you may move while this application is being processed, use a stable address such as your employer or OIA. Mail from USCIS is not forwarded by the Postal Service.
 - **Item #9:** Use your U.S. Social Security Number.
 - **Item #10:** This is the 11-digit number on your most recent I-94
 - **Item #11:** Includes your current OPT information.
 - **Item #14:** USCIS wants to know what your status was the last time you entered the U.S. For most students applying for OPT, it is “F-1”.
 - **Item #15:** This must be “F-1”.
 - **Item #16:** (C)(3)(C)
 - **Item #17:** Degree = your degree level and major; Employer’s name as listed in E-Verify; Employer’s E-Verify Identification Number (E-Verify information can only be obtained from your employer)
- Two U.S. passport-style photos: these must meet the specifications of U.S. passport photos described here: <http://travel.state.gov/content/visas/en/general/photos.html>. Write your full name and I-94 number on the back of your photos;
- Filing Fee: USD \$380; fee can be paid by personal check. Make check payable to “U.S. Department of Homeland Security.” Your passport photos and the personal check should be paper clipped on top of the Form I-765;

- Photocopies of the I-20: make photocopies of your new I-20 and sign it with a blue ink pen; sign under the “Student Attestation” section at the bottom of page 1;
- I-94: print from <http://www.cbp.gov/i94> or attach photocopies of both the front and back sides of your I-94 card;
- Passport: photocopy of the identification page(s) in your passport;
- Photocopies of your current Employment Authorization Document (EAD);
- ONE of the following documents: Official transcripts, Unofficial transcripts, Copy of the diploma showing the level and program of study;
- Letter from your employer indicating how your employment relates to the STEM field indicated on your SSU I-20.

Step 4) Mail your application to USCIS. Your advisor in the CIE will review your application materials and issue a new I-20 for your extension application. The CIE will ONLY email your @sonoma.edu account. Once you receive email notification, come to the CIE front desk to pick up your new I-20 and all the application materials, and then mail them to the USCIS.

Use the following address to mail your application to USCIS:

For U.S. Postal Service (USPS):

USCIS, PO Box 21281
Phoenix, AZ 85036

Via Private Courier (FedEx, DHL, or UPS):

USCIS, Attn: AOS
1820 E. Skyharbor Circle S, Suite 100
Phoenix, AZ 85034

If you live outside of California, visit <http://www.uscis.gov/i-765-addresses> for the appropriate USCIS lockbox to send your OPT application.

X. What’s Next?

- As long as you have submitted your application to USCIS before the deadline, your F-1 student status remains valid and you can continue to work;
- USCIS will mail Form I-797C Notice of Action to you after they received your extension application. This is the proof that your application is being processed and your application fee has been received by USCIS;
- Your receipt number (usually starts from “WAC”) is printed on this I-797C. You can check the status of your OPT application by entering your receipt number under “Check your case status” at <http://www.uscis.gov/>;
- The Received Date on the Notice of Action: This is the date when the USCIS begins processing your application. It may not be the actual date they received your application but it is when your case was entered into the system;
- The Notice Date on the Notice of Action: This is the date the Notice of Action is issued;
- If you do not get your Notice of Action within 6 weeks after mailing your application, call USCIS National Customer Service Center at 1-800-375-5283.

XI. Request for Evidence (RFE)

If there is a problem with your application, USCIS will send you a notice by mail (in most cases, they will not call the phone number listed on your Form 1-765) called “Request for Evidence” (RFE).

- We strongly advise you to contact your adviser at the CIE if you receive an RFE. An RFE does not mean that your application has been rejected. It simply means that you need to provide the missing documents before your EAD can be issued;
- USCIS gives applicant 30 days to respond to an RFE. Your application will be denied if you fail to provide missing documents within 30 days of RFE issue date;
- Getting an RFE will delay the processing of your application usually by 4 weeks. For this reason, you should read the mailing instruction when you pick up the extension application materials at OIP, and send the COMPLETED application package to USCIS;
- The standard processing time for extension application is **90 days/3 months**. Spring/Summer tends to be peak period.

XII. Employment Authorization Document (EAD)

USCIS will send you an Employment Authorization Document (EAD) upon approval. If you do not receive your EAD within 90 days of your "Received Date" on Form I-797C Notice of Action, call USCIS National Customer Service Center at 1-800-375-5283.