Table of Contents:

1. Current Students- 24 Month OPT STEM Extension
2. Alumni Students- 24 Month OPT STEM Extension
3. Frequently Asked Questions
RE: Current Students- notification to change in OPT STEM Extension

Department of Homeland Security (DHS) has made substantial changes to the OPT STEM Extension program. The entire changes to the OPT STEM Extension program are published in the Federal Registrar and will go into effect on May 10, 2016. We have summarized the main changes for you below. This does not immediately affect current students; however, it likely impacts your future.

General Changes

- Changes begin on 5/10/16, USCIS will not approve 24 OPT STEM Extensions prior to this date
- OPT STEM Extension changes from 17 months to 24 months
  - Two times per lifetime; once per education level (i.e. one for a Bachelor’s degree and a second for a Master’s degree)
  - If pursuing a second STEM Extension, degree must be at a higher level (e.g. you can’t complete a master’s degree, receive an OPT STEM Extension and then pursue a second OPT STEM Extension after completing another bachelor’s degree)
  - Cannot apply for a second STEM Extension directly following the other (i.e. 48 months of STEM)
  - Must be on current post-completion OPT in order to apply for a STEM Extension
- Employment
  - Required to be an E-Verify employer
  - Cannot be self-employed
  - Extensions must be based on paid positions (no volunteer work); pay must be commensurate with experience
  - Must have 20 or more hours per week at one employer
  - If have multiple employers, each employment must at least 20 hours per week
- Degree that OPT STEM Extension is based on
  - Must be from a U.S. accredited institution issued within the last 10 years
  - Must be from a currently SEVP certified school
  - Must be in the STEM field (CIP code must currently be on DHS’ Designated Degree Program List)
  - Students need to submit transcripts, proof of degree and I-20 from previous school if requesting OPT STEM Extension based on a previous STEM degree received in the U.S.
- Form I-983 – Employer needs to sign & attest form for students to apply for OPT STEM Extension. Major components of form include, but are not limited to:
  - Employer must confirm that OPT STEM student doesn’t replace US workers
  - Employer must confirm that company has resources for training the student
  - Student goals & objectives are listed on the form
- Reporting requirements (submitted through the ISD Portal)
  - Submit Form I-983 at time of OPT STEM Extension and any time there are material changes (i.e. employment hours, EIN Number, reduction in compensation, significant decreases in hours of work per week)
  - Yearly evaluations (page 6-7 of Form I-983)
  - Both employer and student must report to International Student Advisor if student is no longer employed
  - 6 month verification report (address/employer) to International Student Advisor as well as the normal reporting within 10 days of a change
Potential employer site visits by ICE
Increase in time allowed for unemployment—a total of 150 days (90 days allowed during post-completion OPT and 60 days for STEM)

More information can be found at DHS’ Study in the State’s Hub on STEM OPT.

Once you are on Post-Completion OPT and you believe that you qualify for the OPT STEM Extension, you should submit your OPT STEM Extension request in the ISD Portal 100 days in advance of your OPT ending. Once you submit your application through the ISD Portal, your advisor will assist you with applying for the OPT STEM Extension.

If you have any additional questions, you can come to Express Advising (Tuesdays and Wednesdays from 2-5 p.m.) at the Office of International Admissions & Programs (Bayou 2123) or contact your advisor at intladvising@uhcl.edu

The Office of International Admissions & Programs
Dear Alumni,

We are contacting you because we have been given additional information related to the OPT STEM Extension process that may or may not affect you. Please follow this updated communication as some of the previous information has changed. The entire changes of the OPT STEM Extension program are published in the Federal Registrar. These go into effect on May 10, 2016. The information below is broken up into parts:

- Part I – What should you do next?
- Part II- What documents should you submit to OIAP if eligible for the OPT STEM Extension?
- Part III- Overview of general changes to OPT STEM Extension

Part I: What should you do next?

The answer to what you should do next will depend on what situation you are in. We have identified the possible categories in red below. If you fail to follow the instructions under your category you could be putting your eligibility for this benefit in jeopardy. In other words, it is very important that you follow the instructions aligned with your situation.

I haven’t yet applied for the OPT STEM Extension, but want to apply for the OPT STEM Extension:

If your current EAD expires prior to 05/23/2016 you should submit your OPT STEM Extension application in the ISD Portal right away. Your advisor will issue your OPT STEM Extension recommendation for 17 months so that you can submit your application to USCIS prior to your EAD expiring. Once USCIS reviews your OPT STEM Extension, you will receive a document from USCIS called a Request for Evidence (RFE). When you obtain this RFE, you will e-mail the following documents to intladvising@uhcl.edu:

- a copy of your RFE
- Form I-983
- Self-addressed, pre-paid tracking label (Federal Express)

Once we receive this, we can request that additional time be added to your OPT STEM Extension recommendation. After your new I-20 is issued by your International Student Advisor, you will receive follow up advice about how to respond to USCIS regarding your RFE.

WARNING: If USCIS doesn’t receive your OPT STEM Extension application prior to your current EAD expiring, you will not be eligible for the OPT STEM Extension.

If your current EAD expires after 05/23/2016, the earliest that you should submit your OPT STEM Extension application in ISD Portal is 100 days prior to your current EAD expiring.

WARNING: If USCIS doesn’t receive your OPT STEM Extension application prior to your current EAD expiring, you will not be eligible for the OPT STEM Extension.
I’ve applied for the OPT STEM Extension, but have not received an approval:

If you received a 17 month OPT STEM Extension recommendation on your I-20 from your International Student Advisor and an approval from USCIS has not been made before 05/10/2016 you will receive a Request for Evidence (RFE). When you obtain this RFE, you will e-mail the following documents to intladvising@uhcl.edu:

- a copy of your RFE
- Form I-983
- Self-addressed, pre-paid tracking label (Federal Express)

Once we receive this, we can request that additional time be added to your OPT STEM Extension recommendation. After your new I-20 is issued by your International Student Advisor, you will receive follow up advice about how to respond to USCIS regarding your RFE.

I’ve been approved for a 17 month OPT STEM Extension and would like the additional 7 months:

If your EAD ends before October 7, 2016 - DHS states that students who do not have at least 150 days remaining on the EAD on May 10, 2016 do not qualify for the 7 month extension. More information on this can be found here. International Student Advisors will not be able to generate an I-20 for you to recommend the additional 7 months since you are ineligible. This means that when your STEM OPT ends, you have 60 days to leave the USA, change your education level, transfer to another school, or be approved for another immigration status.

If your EAD ends on or after October 7, 2016 - You will be eligible for the additional 7 months of OPT STEM Extension if

- USCIS receives your application at least 150 days before your current EAD card expires.
- USCIS receives the application between May 10, 2016 and August 8, 2016.
- You meet all of the other eligibility requirements such as a STEM degree, paid employment, etc.

You can begin this process by submitting your request for the OPT STEM Extension through the ISD Portal. Once an International Student Advisor receives your request additional guidance will be given. Remember to provide your International Student Advisor with 5-7 business days to complete your request. During peak processing times, it could take the advisor longer to process your request depending on how many OPT STEM Applications have been submitted. So please plan ahead!

Part II- What documents should you submit to OIAP?

When requesting an OPT STEM Extensions or the additional 7 month extension to my OPT STEM extension you should submit through the ISD Portal:

- Form I-983
- Form I-765 (typed)
- Copy of money order/check
- 2 passport photos
- Copy of previous EADs
- Copy of visa, I-94, and passport photo page
- CPT I-20s (if any)
- Self-Addressed, pre-paid tracking label (Federal Express)
Part III: Overview of general changes regarding OPT STEM Extensions

➤ Changes begin on 5/10/16, USCIS will not approve 24 OPT STEM Extensions prior to this date
➤ OPT STEM Extension changes from 17 months to 24 months
   o Two times per lifetime; once per education level (i.e. one for a Bachelor’s degree and a second for a Master’s degree)
   o If pursuing a second STEM Extension, degree must be at a higher level (e.g. you can’t complete a master’s degree, receive an OPT STEM Extension and then pursue a second OPT STEM Extension after completing another bachelor’s degree)
   o Cannot apply for a second STEM Extension directly following the other (i.e. 48 months of STEM)
   o Must be on current post-completion OPT in order to apply for a STEM Extension
➤ Employment
   o Required to be an E-Verify employer
   o Cannot be self-employed
   o Extensions must be based on paid positions (no volunteer work); pay must be commensurate with experience
   o Must have 20 or more hours per week at one employer
   o If have multiple employers, each employment must at least 20 hours per week
➤ Degree that OPT STEM Extension is based on
   o Must be from a U.S. accredited institution issued within the last 10 years
   o Must be from a currently SEVP certified school
   o Must be in the STEM field (CIP code must currently be on DHS’ Designated Degree Program List)
   o Students need to submit transcripts, proof of degree and I-20 from previous school if requesting OPT STEM Extension based on a previous STEM degree received in the U.S.
➤ Form I-983 – Employer needs to sign & attest form for students to apply for OPT STEM Extension. Major components of form include, but are not limited to:
   o Employer must confirm that OPT STEM student doesn’t replace US workers
   o Employer must confirm that company has resources for training the student
   o Student goals & objectives are listed on the form
➤ Reporting requirements (submitted through the ISD Portal)
   o Submit Form I-983 at time of OPT STEM Extension and any time there are material changes (i.e. employment hours, EIN Number, reduction in compensation, significant decreases in hours of work per week)
   o Yearly evaluations (page 6-7 of Form I-983)
   o Both employer and student must report to International Student Advisor if student is no longer employed
   o 6 month verification report (address/employer) to International Student Advisor as well as the normal reporting within 10 days of a change
➤ Potential employer site visits by ICE
➤ Increase in time allowed for unemployment—a total of 150 days (90 days allowed during post-completion OPT and 60 days for STEM)

More information can be found at DHS’ Study in the State’s Hub on STEM OPT.
With whatever decision you make, you are required to take action. International Student Advisors are available to provide information and answer questions related to F-1 status. However, you are responsible for being proactive with asking questions and making the decision that is best for your situation. We are excited to help you in your next steps.

If you have any additional questions, the best way to contact us is at our e-mail addresses:

Last Name: Begins with A-M  Stephanie Holleran (holleran@uhcl.edu) or 281-283-2746
Last Name: Begins with N-Z  Ann Umbreit (umbreit@uhcl.edu) or 281-283-2747

Thank you,

*The Office of International Admissions & Programs*
These Frequently Asked Questions (FAQs) were updated on 04/20/2016. Students who already read the last FAQs should pay close attention to the updated items in red. These responses have changed because of additional information provided by immigration. Students should continue to review the materials sent to them from the Office of International Admissions & Programs regarding the OPT STEM Extension process as the information can change.

1. How can I have my 17 month OPT STEM Extension extended to 24 months?
   Please refer to the procedures that the OIAP sent you to your personal e-mail. USCIS does not automatically extend 17 month OPT STEM Extensions to 24 months.

2. When should I apply if I am eligible for the 7 month extension?
   Students who are currently on their OPT STEM Extension and their EAD will not expire before October 7, 2016 may apply for their additional 7 months of OPT starting May 10, 2016 through August 8, 2016. To qualify for this extension, USCIS must receive your application at least 150 days before your current EAD expires between the period of 05/10/2016 – 08/08/2016. The aforementioned dates are set up by the Department of Homeland Security (DHS.) Your International Student Advisor can't change these dates.

3. Will my 17 Month OPT STEM Extension automatically extend to 24 months?
   No, you must follow the procedures that were e-mailed to you.

4. My Post-Completion OPT has ended. Can I apply for the 24 month OPT STEM Extension?
   Unfortunately, no, you can’t apply. However, if you complete a higher level of education in the future, you may qualify for the 24 month of OPT STEM Extension once you complete your higher level program and are on approved Post-Completion OPT. You will have to meet all the requirements for the OPT STEM Extension.

5. I have a STEM degree on DHS’ Designated Degree Program List from a previous school. How do I qualify for the 24 month OPT STEM Extension?
   - Your current program (from UHCL) does not have to be STEM to qualify (e.g. current program at UHCL is MBA and you received a Bachelor’s from Harvard in Electrical Engineering), but you must be on approved Post-Completion OPT under your current program and then you can apply for the OPT STEM Extension with your previous STEM degree.
   - When you apply for the OPT STEM Extension and you were already approved for one based on your prior degree, the new OPT STEM Extension application must be at a higher level.
   - The degree must be from an accredited and SEVP certified US institution and awarded within the last 10 years.
   - You will need to submit transcripts or proof of degree from that institution with your OPT STEM Extension Application and a copy of your I-20 from the previous institution to UHCL & USCIS.
6. What if I am on an OPT STEM Extension at the graduate level, in the future, can I apply for an OPT STEM on a Bachelor’s degree?
   Unfortunately, no. DHS will not allow this. To qualify for a second STEM Extension in the future, you must apply using a higher education level. For example, if you earn your M.S in Computer Science from UHCL and you used your OPT & STEM at the master’s level, you will need to be pursuing a PhD in order to qualify for another STEM extension.

7. Can I apply for an additional OPT STEM Extension directly following a current OPT STEM which would allow for a total of 48 months on OPT STEM?
   No, DHS has stated that you must be on post-completion OPT to apply for new OPT STEM Extension of 24 months.

8. Why won’t my International Student Advisor issue my 24 month extension I-20 now?
   They won’t be able to because (a) the new regulations begin on 5/10/16 and (b) SEVP anticipates changing SEVIS (system that issues I-20s) on 05/13/2016 to reflect the new rule.

9. I’ve already applied for the STEM Extension and received a Request for Evidence (RFE). What should I do?
   Immediately e-mail a copy of your RFE to intladvising@uhcl.edu and your advisor will advise you on the next step based on the specifics mentioned in your RFE. Do not wait to act.

10. Where is I-983?
    The link to Form I-983 is here.

11. What should I do if my employer won’t sign the Form I-983?
    If your current employer won’t sign the Form I-983 then you won’t be eligible for the 24 month OPT STEM Extension or additional 7 month extension to your current OPT STEM. This means that you could search for new employment that meets the requirements of the 24 month OPT STEM Extension and then apply for 24 month OPT STEM Extension application/application for additional 7 months. Or if you are already on the 17 month extension, you can remain on this extension until your EAD expires. All previous regulations regarding the 17 month STEM Extension will remain valid for students remaining on this EAD.

12. Why do I have to submit an evaluation every 12 months?
    DHS wants to confirm that you are following a training plan. Remember that you must submit your yearly evaluation (page 6-7 of Form I-983) to your International Student Advisor through the ISD Portal.

13. How long do I have to submit my yearly evaluation?
    You must submit it every 12 months to your International Student Advisor through the ISD Portal. For example, if your 24 month OPT STEM Extension began on August 11, 2016, your report must be submitted by August 10, 2017. Failure to submit this on time will mean that you are not following the OPT STEM Extension Regulations.

14. If I am approved for an OPT STEM Extension, what information do I have to report?
   a. If you are approved for the 24 month OPT STEM Extension you must report:
      • Any time there are material changes (i.e. employment hours, EIN Number, reduction in compensation, significant decreases in hours of work per week) you must submit an updated Form I-983 (page 1-5)
      • Your yearly evaluation (page 6-7 on Form I-983)- this will be submitted to your International Student Advisor through the ISD Portal
      • Unemployment: Both employer and student must report to International Student Advisor if student is no longer employed
      • 6 month verification report (address/employer) in ISD Portal and reporting changes to address or employment within 10 days of a change
b. If you are approved for the 17 month OPT STEM Extension you will follow the previous reporting requirements which include: validating your employment information and address every 6 months and reporting any change to your employment or personal address within 10 days of the change. You can do this through the ISD Portal.

15. What if I don’t report changes in unemployment, evaluations, address, etc.? 
   If you fail to adhere to the reporting requirements, you will have violated the terms of your immigration status. According to DHS, you will not be eligible for future immigration benefits (changing visa statuses, obtaining visas at Embassy/Consulates, etc.). Also, if you fail to follow the reporting/employment requirements, the Student and Exchange Visitors Program (SEVP) can terminate your SEVIS record without International Student Advisor’s authorization. If your SEVIS record is terminated, you are no longer able to work or legally remain in the U.S. Your EAD card is also no longer valid.

16. Who is responsible for following reporting requirements of the OPT STEM Extension?
   Students on the OPT STEM Extension are responsible for making sure that all reporting requirements are followed. Once students provide the information to OIAP through the ISD Portal, the information will be updated through the SEVIS system. Both students and employer are responsible for reporting end of employment.

17. When I am on the OPT STEM Extension, where do I report the information?
   a. If you are on the 17 month OPT STEM Extension, you will report your address (this is where you sleep at night, not your mailing or office address) and employment information in the ISD Portal.
   b. If you are on the 24 month OPT STEM Extension, you will submit your yearly Evaluation (page 6 & 7 of Form I-983), Form I-983, personal address (this is where you sleep at night, not your mailing or office address) and employment changes in the ISD Portal. The ISD Portal will be updated in the near future to accept the Form I-983 and evaluations.

18. What if I have an unpaid employer and can’t find a paid employer?
   There are a couple of options:
   a. If you are already on the 17 month OPT STEM Extension, then you can remain on this Extension; you do not need to apply for the 24 months OPT STEM Extension. All previous rules apply to this extension (i.e. you do not need to have a paid employer). If you later find a paid employer and wish to transition to the 24 month OPT STEM Extension, USCIS must receive your application for the additional 7 months at least 150 days before your current EAD expires and during the period of May 10, 2016 through August 8, 2016. If you fail to apply for the additional 7 months before this time, you will not be eligible for it in the future.
   b. If you haven’t yet applied for the OPT STEM Extension, you can wait to find a paid position in the STEM field and then apply for the 24 months OPT STEM Extension. In this situation, USCIS must receive your OPT STEM Extension application before your current EAD expires. Remember to follow the instructions that you were e-mailed from the Office of International Admissions & Programs (OIAP) about when to apply for the OPT STEM Extension. There are specific periods in which you must apply for the OPT STEM Extension.
   c. For all OPT STEM Extensions adjudicated (reviewed by USCIS) on or after 05/10/2016, students must have a paid position. USCIS will deny your OPT STEM Extension application for unpaid employment on or after 05/10/2016.
19. Have the unemployment limits changed?
   Yes, unemployment has changed for students on the 24 month STEM Extension:
   o Post-Completion OPT allows for an aggregate of 90 days of unemployment
   o 17 Month OPT STEM allows for an aggregate of 120 days of unemployment
     (90 days for Post-Completion OPT + 30 days for STEM)
   o 24 month STEM OPT allows for an aggregate of 150 days of unemployment
     (90 days for Post-Completion OPT + 60 days for STEM)

20. What does “commensurate with experience” mean?
   Basically, it means that your employer is paying you fairly. In other words, you are being paid
   what another employee would be paid if he/she has the same experience and credentials. For reference
   on what salary would commensurate with experience, DHS has indicated that the Department of Labor
   provides wage information based on data at http://flcdatcenter.com/OesWizardStart.aspx

21. What should I do if I have multiple employers?
   • Each employer must sign the Form I-983. It states that employment must be more than 20 hours a
     week.
   • If in application stage for the 24 Month OPT STEM Extension and you know you will have two employers,
     email intladvising@uhcl.edu for assistance.
   • If you are approved for the OPT STEM Extension, update your employer information in the ISD Portal
     with the additional Form I-983. Leave a message in additional comments stating that this is a second
     employer.

22. Can I work part time while on the 24 Month OPT STEM Extension?
    No, you are required to work more than 20 hours per week. Also, if you have multiple employers, you
    are required to work a minimum of 20 hours per week/employer.

23. What happens if I change my employer while my STEM OPT application is pending with USCIS?
    Update your employment information in the ISD Portal (you will be asked to submit an updated Form I-983). Once you do this, your advisor will print out a new I-20 and send it to you. We recommend that
    you send us a self-addressed pre-paid Federal Express shipping label so that we can send it to you via
    express mail. Otherwise, it will be sent to you via regular post. Once you receive this new I-20, you will
    sign it, and send a copy to USCIS with an updated I-765, a letter explaining the change, a copy of your
    receipt from USCIS from your original OPT STEM Extension application and copy of your passport ID
    page(s).

24. If approved for STEM, does my Employer (during my OPT STEM period) have to participate in E-Verify?
    Yes. You are not permitted to work for any non-E-Verified employer.

25. When can Immigration Customs Enforcement (ICE) conduct a site visit with my employer?
    DHS has informed us that they can conduct a site visit at any time with or without notification to your
    employer.

26. Do the new regulations impact the H-1B application process?
    No, the H-1B cap gap and H-1B procedures are outside the scope of these regulatory changes.