24 month STEM Optional Practical Training Extension

Disclaimer:
The information contained in this form is provided as a service to international students, faculty and staff at the University at Albany. It does not constitute legal advice. We try to provide useful information, but we make no claims, promises or guarantees about the accuracy, completeness or adequacy of the information contained in or linked to any associated site or form. Neither the University at Albany nor ISSS is responsible for any errors or omissions contained in this form, or for the results obtained from the use of this information. Nothing provided herein should be used as a substitute for the advice of competent legal counsel; students may wish to consult an immigration attorney on the specifics of their case as needed.

Part 1: General Information and Instructions:
Please review this section carefully. By submitted a STEM OPT request to the ISSS Office you are assuming responsibility for the information and requirements outlined in this packet.

24 Month STEM Eligibility Requirements:
F-1 students with STEM (Science, Technology, Engineering, Mathematics) degrees in fields listed on the STEM Designated Degree Program List are eligible for the 24-month OPT extension (list is available online, here [https://www.ice.gov/sites/default/files/documents/Document/2016/stem-list.pdf](https://www.ice.gov/sites/default/files/documents/Document/2016/stem-list.pdf)). On recent I-20s, you can find your degree CIP code (a 6 digit code formatted 00.0000) on page 1 of your I-20. If you are not sure you have earned a degree in an eligible STEM field, please contact the ISSS Office. In addition to having earned a STEM eligible degree, the student must:

1) Be in status and currently authorized for Post-Completion OPT, including working full-time for a U.S. employer in a job directly related to your field of study.
2) Have successfully completed a bachelor’s, master’s or doctoral degree in a field on the STEM Designated Degree Program. Additionally, the degree student must meet the following degree requirements:
   - Your most recent degree must be from a currently accredited SEVP-certified school (UAlbany is SEVP certified)
   - You must have received your STEM qualifying degree: from a school in the U.S.; at a bachelor’s level or higher; and within 10 years of when you are applying for the STEM extension with USCIS. You cannot have previously used this degree for a STEM OPT extension.
   - The qualifying STEM degree’s CIP code (as defined by the institution which awarded the degree) must match the eligible program CIP codes on DHS’ list: [https://www.ice.gov/sites/default/files/documents/Document/2016/stem-list.pdf](https://www.ice.gov/sites/default/files/documents/Document/2016/stem-list.pdf)
3) At the time of application for the 24-month extension, you must have a job or a job offer for employment meeting the following eligibility requirements:
   - You are working full-time (20+ hours per week) in a paid position (commensurate to other similarly situated American employers) which directly relates to the STEM degree under which you are applying for the position
   - The employer must be e-Verified and must be willing to complete, submit, and maintain the Form I-983 Training Plan with you.
What Is 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). It allows participating employers to electronically verify the employment eligibility of their newly hired employees. Contact your employer’s Human Resources office to determine if they are in E-Verify. ISSS does not have access to this information (https://www.uscis.gov/e-verify/what-e-verify).

Employer Obligations for STEM Extension:
In order for the student to be eligible for the STEM extension:

1. The employer must be registered in E-Verify and give its E-Verify number to the student.
2. The employer must develop a Training Plan (Form I-983) for the student. This plan must be submitted to ISSS. Any material changes to the plan must reported to ISSS within 5 business days.
3. The employer must agree to report the termination or departure of the student to the International Student & Scholar Office within 48 hours.

If you or your employer have questions about these responsibilities, we recommend they consult the STEM OPT hub online, here: https://studyinthestates.dhs.gov/stem-opt-hub

When to apply for the STEM extension:
Students may apply no earlier than 90 days before the current OPT EAD expiration date. USCIS must receive all materials before the current OPT EAD expires. USCIS must also receive the request within 60 days of when ISSS prints the new I-20 requesting STEM OPT.

How long is the OPT application process?
ISSS asks for 5-7 business days from the time a complete application is received to complete part 1 of the application process, the processing of the I-20 requesting STEM OPT. Processing time at USCIS is estimated to be 90 days. However, processing times vary widely depending on the time of year and the workload at the USCIS Lockbox to which you send your application. Students may continue working after their current EAD expires for up to 180 days while the STEM OPT application is pending, as long as the student is abiding by all STEM OPT regulatory requirements. If your STEM OPT application is denied, revoked or withdrawn you must stop work immediately.

Can I travel while my application is pending?
Travel outside of the U.S. while your STEM OPT application is pending can be risky. Please consult with ISSS if you need to travel while your application is pending. Once you have received your STEM EAD card, you will need the following to re-enter the United States after travelling: valid I-20 signed for travel within the past 6 months for travel; passport valid for 6 months into the future; valid F-1 visa; valid EAD(s); proof of continuing employment with STEM eligible employer (e.g. contract, offer letter, letter from employer, etc…)

Unemployment Periods While on STEM OPT:
Students on STEM OPT are allowed an additional 60 days cumulative unemployment, including weekends. This means that students on STEM OPT are allowed a total of 150 cumulative unemployment days between the STEM OPT and 12-month OPT periods. If you lose employment, you must complete the final evaluation section on the I-983 form (section 6) and report the loss of employment to ISSS within 5 business days. SEVIS has the capacity to track unemployment.

Changing Employers on STEM OPT:
Students are allowed to change employers while on STEM OPT, as long as the new employer meets all eligibility requirements, including that they are an e-Verified employer. The new employer must work with the student to complete, submit and maintain the form I-983 (this must be submitted to the ISSS office). Additionally, the student must ensure that he/she completes the form I-983 evaluation with the prior employer.
Reporting Requirements While on STEM OPT:

- Keep the “Help USCIS Serve You Better” EAD card cover sheet. (If you ever need to request another card, you should submit this sheet). Keep any EAD cards permanently for your personal records.
- Keep the following information up to date in your MyUAlbany (update with 10 days of any changes):
  - Legal name; residential address (SEVIS USA address); email address; phone number
- Notify ISSS about the following information within 5 business days of any change: Changes to employer/company name; address of employer, including work site location; when employment changes or terminates (start and end dates); change in status (e.g.) change of visa status, permanent residency, etc...; Material changes to I-983 Training Plan, including, but not limited to: change in employer’s EIN, reduction in student compensation that is not tied to a reduction in hours worked, any significant decrease in hours per week student engages in training opportunity, changes to the employer’s commitments or student’s learning objectives as documented on form I-983. Student is required, with their employer’s cooperation, to submit an amended I-983 reflecting these changes to the ISSS Office.
- Every 6 months, complete the OPT Data Form available on the ISSS website:
- Submit the evaluations on the Form-I-983 training plan (Section 6). The first should be done within the first year of STEM employment with the I-983 employer. The final evaluation should be done at the end of the second year of STEM employment or when your employment with that employer ends, whichever comes first.

OPT Denials

Based on updated USCIS guidance regarding unlawful presence and NTAs (“Notices to Appear) OPT denials could have potentially serious consequences. If you receive a denial, RFE (request for evidence), or NTA please contact ISSS immediately so that you can be referred out to an immigration attorney as appropriate. Individual circumstances may determine how you should proceed. Generally, if your STEM OPT is denied and you are past your 60 day grace period and/or have no other status allowing you to remain in the U.S., you should make plans to depart the United States immediately. Unlawful presence may begin accumulating. Unlawful presence can result in bars from entry to the U.S. Individuals who accrue more than 180 days but less than one year of unlawful presence and depart voluntarily may be barred for 3 years. Individuals who accumulate one year or more of unlawful presence may be barred for 10 years (whether they left voluntarily or were removed). USCIS has previously stated that they may issue NTAs for denied applications. An “NTA” is a notice to appear before an immigration judge for deportation proceedings. As of August 2018 that policy has been delayed. With these new/updated policies, it is imperative that you take advantage of your full 90 days advance time period to submit an OPT application.

Part 2: OPT STEM Extension Application Procedures

Step 1 — Submit the following documents to ISSS. Only complete applications will be accepted:

1. The completed OPT STEM Extension Request Form (see page 6)
   a. For detailed instructions on how to complete the I-765, see page 5.
   a. For detailed instructions on how the student and the employer should complete the I-983, please see: https://www.ice.gov/sites/default/files/documents/Document/2016/i983Instructions.pdf
4. A copy of the student’s current OPT EAD card, front and back
5. Current I-94 (cardstock version in passport if most recent, or electronic version available at https://i94.cbp.dhs.gov)

All of this information may be submitted to ISSS by e-mail, fax, mail or in-person. It takes 5-7 business days for an ISSS advisor to process your request. A new I-20 with a recommendation for your OPT extension will be created. The new I-20 will be delivered to you as per your instruction on the OPT STEM Extension Request Form.

**Step 2 – Submit your complete application to USCIS:**
Submit the following documents to USCIS in order to receive a new Employment Authorization Document card. This must be done within 60 days of the creation of the I-20:

1. Original Form I-765 with your signature in ink
2. A photocopy of the new I-20 with the ISSS advisor’s recommendation for STEM Extension and Optional Practical Training
3. A photocopy of your most recent I-94:
   a. Current I-94 (cardstock version in passport if most recent, or electronic version available at https://i94.cbp.dhs.gov)
4. A photocopy of the photo page (identification page) of your passport. Also include any extra pages that record extensions of the validity of your passport
5. A photocopy of the F1 visa page of your passport (even if the visa has expired)
6. A photocopy of ALL previous I-20s that have been issued to you
7. A photocopy of all previous EAD cards, including current EAD, front and back
8. Photocopy of your diploma OR an official transcript giving evidence that you have graduated from the academic program for which you are currently on OPT and (if based STEM extension on previously earned STEM degree) a photocopy of your diploma OR an official transcript giving evidence that you have graduated from a STEM eligible program—must include the specific degree and date conferred. Some diplomas do not have this information on them, so you may need to send a transcript.
9. Two passport type photographs. For complete photo requirements, please review this website: http://www.albany.edu/isss/forms.php#photo. We recommend writing your name and I-94 number on the back of the photos in pencil.
10. A money order, certified check or personal check made payable to U.S. Department of Homeland Security.
   a. Applications mailed and post-stamped on or after December 23, 2016: payable to the amount of $410.00
11. Optional but Recommended: Form G-1145
12. Optional but Recommended: Official job offer letter on company letterhead with an employer’s signature.

Note: Take a copy of the entire application before sending for your records. We recommend sending documents by certified mail with a return receipt OR express mail (so that you have a tracking number) to the U.S. Service Center with jurisdiction over your current residence. USCIS must receive the application within 60 days of when the new I-20 was printed. You do not need to send the form I-983, though USCIS can request the information on the form I-983 at a later date if needed.
If you live in:

Mail your application to: USCIS Phoenix Lockbox

For U.S. Postal Service (USPS) deliveries, including USPS express:
USCIS
PO Box 21281
Phoenix, AZ 85036

For Express mail and courier deliveries (UPS, Fed Ex, DHL):
USCIS
Attn: AOS
1820 E. Skyharbor Circle S
Suite 100
Phoenix, AZ 85034

If you live in:

Mail your application to: USCIS Dallas Lockbox

For U.S. Postal Service (USPS) deliveries, including USPS express:
USCIS
PO Box 660867
Dallas, TX 75266

For Express mail and courier deliveries (UPS, Fed Ex, DHL):
USCIS
Attn: AOS
2501 S. State Hwy. 121 Business
Suite 400
Lewisville, TX 75067

Step 3—While the application is pending with USCIS:
1. You will receive a notice (Form I-797) from USCIS. Keep this for your records. You should receive this receipt notice within 2-3 weeks of when your package arrives to USCIS. If you do not receive a receipt notice, contact USCIS Customer Service at 1-800-375-5283.
2. Track the status of your application and current processing times through USCIS using the case number on your receipt notice: https://egov.uscis.gov/cris/jsps/index.jsp
3. Authorization is granted by the EAD card (Employment Authorization Document):
   i. The EAD will be mailed only to the address listed on Form I-765. Government mail cannot be forwarded, so you must notify USCIS immediately if your residential address changes.

You may continue working up to 180 days after your 12-month OPT expires while the STEM Extension is pending, as long as you are in compliance with all STEM OPT regulations during what would be the STEM OPT period of authorization. Provide a copy of your Receipt Notice to your employer.
I-765 Instructions

The instructions included here are an abridged version of the I-765 instructions provided by USCIS. Those full instructions are available here and students are strongly encouraged to review them: https://www.uscis.gov/i-765. ISSS has included additional comments in blue. These instructions are provided in addition to the sample I-765, which you can also find in our office or online.

General Instructions:

1.) This form must be typed or handwritten with black pen ink.
2.) Do not leave blanks. If there is no answer, write “N/A.”
3.) You must submit all pages to USCIS, even if there is nothing substantial on them.

Part 1. Reason for Applying: Select the appropriate reason

Initial EAD: An EAD issued to an eligible applicant for the first time under a specific eligibility category.

Renewal EAD: An EAD issued to an eligible applicant after the expiration of a previous EAD issued under the same category.

Replacement EAD: An EAD issued to an eligible applicant when the previously issued EAD was lost, stolen, damaged, or contains errors, such as a misspelled name.

Part 2: Information About You

Item Numbers 1.a.-1.c.: Your Full Legal Name: Provide your full legal name as shown on your birth certificate or legal change of name document. This should be the same name as what is on your passport. If your name does not fit, you may handwritten it neatly. If it still doesn’t fit, use Part 6, Additional Information and ask an ISSS advisor for help.

Item Numbers 2.a.-4.c. Other Names Used: Provide all other names you have ever used, including aliases, maiden names, and nicknames. If you need extra space to complete this section, use the space provided in Part 6. Additional Information. If you have no other names, write in “N/A” in each box.

Item Numbers 5.a.-5.f.: Your U.S. Mailing Address: You must provide a valid mailing address in the United States. You may list a valid U.S. residence, APO, or commercial address. You may also list a U.S. Post Office address (PO Box) if that is how you receive your mail. If your mail is sent to someone other than yourself, please include an “In Care Of Name” as part of your mailing address [...] We will send your EAD to this address. If you are using ISSS, see the sample I-765 for how to write ISSSS’s address. ISSS will email you when mail is received on your behalf. It is your responsibility to arrange how you will get the mail received.

Items Numbers 6-7.e. U.S. Physical Address: Type or print your physical address in the spaces provided. This address must be where you physically reside, and must also be your current SEVIS USA address in MyUAAlbany.

Item Number 8, Alien Registration Number (A-Number) (if any): Most students will not have this number. The most common way you will have an A-Number is if you have previously received an EAD card. The A-number is the USCIS number on the EAD card.

Item Number 9, USCIS Online Account Number (if any): Most students will not have this. You would only have this if you’ve previously filed an application or petition through USCIS ELIS, an online system.

Item Number 10, Gender: Select the box that indicates whether you are male or female
Item Number 11, Marital Status: Select the box that describes the marital status you have on the date you filed the I-765.

Item Number 12, Previous Application for Employment Authorization from USCIS: If you have applied for employment authorization in the past, select “Yes” for Item Number 12. Provide copies of your previous EADs, if available. ISSS also recommends you include additional information on Part 6. Fill in Page Number 2, Part Number 2, Item Number 12, and indicate whether the I-765 was denied, withdrawn, or granted, and what benefit was received (example: “I have previously filed an I-765 which was granted. I was authorized for post-completion OPT based on my master’s program from 10/01/2017-10/01/2018. Please see the I-20s and EAD card included with this application as documentation of this authorization.”)

Items Number 13.a-17.b, Questions regarding Social Security Numbers (SSN): 13a. asks you if the SSA has ever officially issued you a Social Security card. If the SSA (Social Security Administration) ever issued a Social Security card to you in your name or a previously used name such as your maiden name, then you must enter the SSN from your card in Item Number 13.b.

If your request for employment authorization is approved, the SSA may assign you an SSN and issue you a Social Security card, or issue you a replacement card. If you want the SSA to assign you a Social Security number and issue you a Social Security card, or issue you a new or replacement card, then answer “Yes” to Items Number 14 and 15. You must also provide your father’s and mother’s family and given names at birth in Item Numbers 16.a-17.b.

You are not request to request an SSN using this application. Completing Item Numbers 14-17.b. is optional. However, you must have an SSN properly assigned in your name to work in the United States.

Item Number 18.a-18.b, Country or Countries of Citizenship or Nationality: Type or print the name of the country or countries where you are currently a citizen or national [...] if you are a citizen or national of more than one country, type or print the name of the foreign country that issued your last passport. If you are a citizen of only one country, write “N/A” in 18.b.

Item Numbers 19.a-19.c., Place of Birth: Enter the name of the city, town, or village; state or province; and country where you were born. Type or print the name of the country as it was named when you were born, even if the country’s name has changed or the country no longer exists.

Item Number 20, Date of Birth: Enter your date of birth in mm/dd/yyyy format in the space provided.

Item Numbers 21.a.-21.e, Form I-94 Arrival-Departure Record: You can get this information from your most recent I-94 if you don’t already know it. 21.b., I-94 number, refers to the admission number on your I-94. Most students should write “N/A” in 21.c., because most students will not have a passport and not a travel document number.

Item Number 22: Date of Your Last Arrival Into the United States, On or About: Provide the date on which you last entered the United States in mm/dd/yyyy format

Item Number 23, Place of Your Last Arrival into the United States: Provide the location where you last entered the United States.

Item Number 24, Immigration Status at Your Last Arrival: For most students the answer to 24 is F-1 student, unless you entered the U.S. in a different status and have changed status to F-1.
Item Number 25, Your Current Immigration Status or Category: For all students the answer to 25 should be “F-1 student”

Item Number 26, SEVIS Number (if any): Enter your SEVIS number. If you have had any other previous SEVIS numbers you must use Part 6 to report these. Go to Part 6, type in Page 3, Part 2, Item Number 26, and write your previous SEVIS ID number(s).

Item Number 27, Eligibility Category: For pre-completion OPT, write (C) (3) (A). For post-completion OPT, write (C) (3) (B). For STEM OPT, write (C) (3) (C).

Item Numbers 28-28.c, STEM OPT Eligibility: If you are applying for STEM OPT, write your level and major in box 28.a. (example: Master’s in Computer Science); write your Employer’s Name exactly as it appears in e-Verify in box 28.b.; and write your employer’s e-Verify number in 28.c.. Please note the e-Verify is not the same as the EIN; it is usually a 5-7 digit number.

If you are not applying for STEM, write “N/A” in boxes 28.a.-28.c

Item Numbers 29-31.b.: You may leave these blank because you are not applying for these categories.

Part 3, Applicant’s Statement, Contact Information, Declaration, Certification and Signature: Most students should choose option 1.a., because they should be preparing the application on your own. If you used an interpreter or preparer you must fill in the appropriate boxes.

Be sure to fill in your phone number(s) and email address. If you don’t have multiple numbers, write “N/A” in any box left blank.

You must sign in black pen ink. Do not type or use a digital signature. Be certain to date your signature.

If you did not use a preparer/interpreter/attorney, please fill in the boxes “N/A” for pages 4-6. You still must send these pages to USCIS.

Part 6, Additional Information: If you need extra space to provide any additional information within this application, use the space provided in Part 6, Additional Information. [...]Type or print your name and A-Number (if any) at the top of each sheet; indicate the Page Number, Part Number, and Item Number to which your answer refers; and sign and date each sheet.

You must turn this sheet in even if you don’t use it. Sign and date in the bottom right hand corner.

Students who have previously used OPT and/or CPT must include that information on this page. You may reference Page Number 3, Part Number 2, and Item Number 27 to list your CPT/OPT. Please state whether it was part-time or full-time, which degree level (bachelor’s, master’s, PhD), and the dates of authorization. You must also include copies of your I-20 showing your OPT and/or CPT.

Example: “I was previously authorized for part-time CPT for my master’s degree from 8/27/18-12/15/16. Please see the I-20s included with this application as documentation of this authorization.”

Disclaimer:
The information contained in this form is provided as a service to international students, faculty and staff at the University at Albany. It does not constitute legal advice. We try to provide useful information, but we make no claims, promises or guarantees about the accuracy, completeness or adequacy of the information contained in or linked to any associated site or form. Neither the University at Albany nor ISSS is responsible for any errors or omissions contained in this form, or for the results obtained from the use of this information. Nothing provided herein should be used as a substitute for the advice of competent legal counsel; students may wish to consult an immigration attorney on the specifics of their case as needed.

Last Updated: 11/01/2018
OPT STEM Extension Request Form

In order to be eligible for a STEM extension, a student must:
- Be currently engaged in post-completion OPT
- Have earned a bachelor’s, master’s, or doctoral degree in a STEM CIP that is approved by DHS
- Have a job or job offer from an e-Verified employer

Student Information

Family (Last) Name______________________ Given (First) Name______________________

UAlbany ID#__________________________ SEVIS#______________________________

Phone:______________________________ E-mail: ________________________________

Current EAD Card approval dates: (Start Date) ___________--(End Date)__________

Employer Information—If this is a new employer please also complete the OPT Data Form to report your end date with your prior employer

Employer’s name & address exactly as registered with e-Verify:

__________________________________________________________________________

__________________________________________________________________________

__________________________________________________________________________

__________________________________________________________________________

Student’s work location if different than employer’s e-Verify address:

__________________________________________________________________________

__________________________________________________________________________

__________________________________________________________________________

__________________________________________________________________________

e-Verify Number: ______________________ Position Title: _________________________

Please log in to MyAlbany. Are your SEVIS USA address, email, and phone number current in MyUAlbany?* Yes No If no, please update before submitting this form.

Shipping Information

Please indicate how you would like to receive your I-20:

_____ I will come to the ISSS office to get my I-20

_____ Please send my I-20 via regular US Mail (not trackable) to the following address:

__________________________________________________________________________

__________________________________________________________________________

_____ I would like to pay to have my I-20 sent express mail. I have ordered mailing through eShip Global’s University Express Mail Service at www.eshipglobal.com.

Student Attestation: By signing below, I take full responsibility for reading/understanding the information presented in this STEM packet. I attest that all the information including with this request is true and correct to the best of my knowledge.

Student’s Signature __________________________________________ Date ________________

Last Updated: 11/01/2018