Rules and Regulations for
24-Month STEM OPT Extension

Visa and Immigration Services (VIS)
E5310 Melville Memorial Library
Stony Brook University
(631)632-4685 | www.stonybrook.edu/visa
What is a STEM Extension?

F-1 students who have:

• Received a science, technology, engineering, or mathematics (STEM) degree listed on the STEM Designated Degree Program List;
• Are authorized to work under post-completion OPT related to such a degree;
• Are employed by an employer enrolled in E-Verify.

Students are eligible for two STEM OPT extensions over the course of his/her academic career.
Eligibility & Requirements

In order to be eligible for a STEM OPT Extension you must:

• Have completed a bachelor's, master's, or doctoral degree in a field list on the [DHS STEM Designated Degree Program List](#).

• Currently participating in a 12-month period of Post Completion OPT

• Working at least 21 hours/week in a paid position directly related to your major

• Employed with a company that is registered with the E-Verify Employment Verification System.

• Provide a completed and signed Form I-983 indicating your formal training plan.

• Valid Passport: Valid at least six months into the future
Form I-983 Training Plan

The new 24-month STEM Extension requires additional documentation and reporting requirements. You are responsible to work with your employer to complete the Form I-983 prior to requesting the STEM Extension in accessVIS.

The Form I-983 will not be submitted to USCIS with the I-795, but DHS maintains the discretion to request and review all documentation for eligibility concerns.

For more information, visit Study in the State's Students and the Form I-983 page or click here for instructions on completing the Form I-983.
Transitioning to the New Rule


Any STEM OPT extension applications **approved before May 10** will be adjudicated under the 17-month rule. If approved under the 17-month rule, you are eligible to convert to the 24-month STEM OPT extension if you file a request for the additional 7 months between **May 10 and August 8, 2016**.

If you choose not to transition to the 24-month STEM OPT, you are required to follow the 17-month rules regarding employment reporting and unemployment time.

Any STEM OPT extension applications still **pending on May 10 or later** will be issued a Request For Evidence (RFE), which will require you to provide an updated I-20 recommending the 24-month STEM OPT benefit. Students issued an RFE by USCIS must submit the **STEM Extension Request for Evidence** form in accessVIS uploading a completed **Form I-983** AND a copy of the RFE. Our office cannot issue an updated Form I-20 to be sent to USCIS until you have received the RFE.

★ [Click here](#) for more information on applying for the STEM Extension and/or transitioning to the new 24-month rule
A recommendation from VIS in the form of an I-20 is required when applying for the STEM Extension. Authorization is then granted by USCIS issued in the form of an EAD (Employment Authorization Document).

You may begin applying for the STEM OPT Extension:
- 90 days before the expiration of your Post-Completion OPT
- USCIS must receipt your request prior to the expiration of your Post-Completion OPT

Processing Time:
- Once the STEM Extension request has been submitted in accessVIS, VIS may take up to 10 business days to issue the I-20 recommending the STEM Extension
- USCIS authorization takes approximately 2-3 months
- USCIS will not expedite the processing of your request before 90 days of processing time has elapsed
Part I: STEM Application Process

Part 1: Requesting an I-20 Recommending STEM

1. Login to accessVIS through Limited Services, using your Stony Brook ID, date of birth and Limited Access Pin.

2. Complete and submit BOTH forms within the 24-Month STEM OPT Extension request.

The following must be uploaded in accessVIS:
• Completed & Signed Form I-983 Training Plan
• Employment Offer Letter
• Employment Authorization Document (EAD Card)
• Passport (photo/expiration date)
• F-1 Visa stamp (if applicable)
• Current I-94 Arrival/Department Record
Part I: STEM Application Process

If your request for STEM is approved by VIS:

• $200 International Student Fee will be charged to your SOLAR account

• You will be contacted by email to obtain your I-20 via the method you indicate on your request form (eShipGlobal, pick-up at VIS, etc.)

• You will be given two Forms I-20 recommending STEM. Sign BOTH: one is for you to keep, the other is to be included with your I-765 and submitted to USCIS.
Part II: Submitting the I-765 to USCIS (cont.)

You are responsible for mailing the following documents to USCIS:

• Two passport style photos, no more than 30-days old
• Money order or Certified Check for $380 made out to "U.S. Department of Homeland Security"
• Form G-1145 (optional)
• Cover Letter (issued by VIS)
• Completed Form I-765, fill-able PDF version recommended.
• Original I-20 recommending STEM (remember to sign and date)
• Copies of all Forms I-20 ever issued to you
• Copies of the ID & expiration date pages in your passport
• Most recent U.S Visa Stamp (if applicable)
• Copy of your most recent admission stamp (in passport)
• Copy of your electronic Form I-94
• EAD Card: Photocopies of all previously issued Employment Authorization Document(s).
• Proof of STEM Degree: Provide a photocopy of your Stony Brook University diploma or an official transcript with your STEM degree posted.

★ Your I-765, I-20 recommending STEM and additional supporting documents must be receipted by USCIS within 60 days of the issue date printed on the Form I-20, and no later than the expiration of the current EAD.

★ It is your responsibility to confirm that all required documents are submitted with your I-765
Form G-1145

- The G-1145 tells USCIS that you’d like to be informed via text or email that your I-765 was received.

- It is your responsibility to confirm that your contact information is correct on the Form G-1145.

★ It is your responsibility to confirm that all of the information is correct on the Form G-1145
It is your responsibility to confirm that all of the information is correct on the Form I-765.
Immigration Documents

You are required to include photocopies of the following with your I-765:

• **Previously Issued I-20s:** Provide copies of all Forms I-20 ever issued to you

• **Current Form I-94:** Copy of your I-94 card stapled within your passport, or downloaded from CBP’s website (I94.cbp.dhs.gov/I94)

• **Passport:** Including the identity and expiration pages

• **U.S. Visa Stamp** (if applicable)

• **Admission Stamp:** Most recent admission stamp issued at the port of entry upon your latest arrival to the U.S. (in passport)

• **EAD Card:** Photocopies of all previously issued Employment Authorization Document(s).

• **Proof of STEM Degree:** Provide a photocopy of your Stony Brook University diploma or an official transcript with your STEM degree posted.

★ Photocopies of the above should be printed on separate pieces of paper
Passport Style Photos

Two identical passport style photographs, issued within the last 30 days, are required.

Photos must meet the following criteria:

• In color & printed on matte or glossy photo quality paper
• 2 x 2 inches (51 x 51 mm) in size
• Taken within the last 30 days
• Taken in front of a plain white or off-white background
• Taken in full-face view directly facing the camera

★ Gently write your name, date of birth and I-94 number on the back of both of your photos.
Application Fee

• Money Order or Certified Check for $380


• In the memo/notes portion of the check, include your SEVIS ID#

• Cash (paper money) is not an acceptable method of payment.
Filing with USCIS

- Send your application to the U.S. Citizenship and Immigration Services by FedEx, UPS or Express mail.

- USCIS must receive it within **60 days** of the date your I-20 was issued and no later than the expiration of the current EAD.

- Visit uscis.gov for the appropriate address to mail your I-765 application to. It is your responsibility to mail to the correct address.

- If you decide NOT to apply for or use your STEM OPT Extension authorization, complete the **Ending my F-1 Status** form in accessVIS immediately. If you fail to notify VIS, your ability to work in the U.S. in the future could be denied.
STEM Approval & EAD Authorization

- USCIS takes approximately 90 days to process your I-765 Extension of Employment.

- If you have timely filed your I-765 Extension of Employment request, you may continue to work while the request is pending with USCIS, until a decision is rendered or 180 days, whichever comes first.


- Employment during OPT must be directly related to your academic program and full-time (at least 21 hours per week).
Limited Periods of Unemployment

• You may not accrue more than 150 aggregate days of unemployment during the full 36-month period of OPT.

• Exceeding more than 150-days of unemployment could result in the loss of legal status.

• You are required to report all changes and interruptions in employment within 10 days by the STEM OPT Extension Reporting form accessVIS.

• We recommend keeping proper documentation for each job you hold, which verifies dates of employment, job description and title, as well as supervisor contact information (Examples: pay stubs, W-2, tax returns).
It is important to understand the reporting requirements while on STEM OPT. The following requirements are your responsibility as an F-1 student and failure to comply may result in the termination of your OPT eligibility by USCIS or SEVP.

6-month SEVIS Validations:
You are required by USCIS to report your OPT participation to VIS every six months. Within 10 days of your scheduled reporting date, you must complete the STEM OPT Extension Reporting form in accessVIS. The form will ask you to verify your current address, employer’s contact information, and any loss of or interruptions in your employment.

Annual Self-Evaluations:
When authorized under the 24-month STEM Extension rule, you must submit an annual self-evaluation verifying the progress of your training experience. You are required to complete the first “Evaluation of Student Progress” portion of the Form I-983 within 12 months of the listed STEM OPT start date. At the end of the STEM OPT extension, you must submit a second/final assessment. Completed evaluations must be signed by your employer and submitted to Visa and Immigration Services electronically through the STEM OPT Extension Reporting form in accessVIS.
Reporting Requirements (cont.)

Changes or Interruptions in Employment:
While authorized for the OPT STEM Extension, you are required to report any changes or interruption of your employment to VIS within 10 business days by submitting the STEM OPT Extension Reporting form in accessVIS.

Material Changes to an Existing Form I-983:
You are required to report any material changes or deviations from your initial Form I-983 formal training plan to VIS. Material changes may include, but are not limited to:

- Any change of the employer’s EIN.
- Any reduction in your compensation that is not tied to a reduction in hours worked.
- Any significant decrease in the amount of hours/week you’re working
- Changes to the employer’s commitments or your learning objectives as listed on the I-983

If you do not comply with all regulatory requirements & submit a modified I983 when necessary, your employment authorization will be jeopardized. Modified Forms I-983 must be uploaded to the STEM OPT Extension Reporting form in accessVIS.
Invalidating Your OPT

Your STEM authorization may be cancelled or invalidated if you:

• Start a new degree program
• Transfer to another institution
• Change or end your status
• Enter the U.S. using any visa other than F-1
• Violate your F-1 non-immigrant status
• Are unemployed for more than 150 days

★ Contact your VIS Advisor for instructions on how to proceed.
Travel and Re-Entry on OPT

Travel outside of the U.S. while your I-765 Extension of Employment is pending with USCIS is a risk and could jeopardize the approval of your application.

If you decide to travel, upon reentry to the U.S. be prepared to show the following documents:

- Valid passport with an expiration date that is at least 6-months into the future
- Valid, unexpired F-1 visa
- Valid Travel Signature on I-20 (Travel signatures are only valid for 6-months while on STEM)
- Employment Authorization Document (EAD card)
- Proof of employment (e.g. initial offer letter, pay stubs, employment verification letter)

If you wish to renew your F-1 visa while traveling outside of the U.S., in addition to your immigration documents, it is recommended that you have your EAD and proof of employment readily available.

★ Students who have received their EAD cards, but have not found employment may encounter difficulties when re-entering the US.
H-1B Cap Gap Extension

• H-1B is an employment based status.

• Cap Gap Extension is a government generated extension of your work authorization or status of stay. It bridges the gap between the end date of your STEM and start of your H-1B status (October 1st).

• Your duration of status and work authorization will be automatically extended if you are the beneficiary of a timely-filed cap subject H-1B petition.

• If applicable, a Cap-Gap I-20 may be requested from VIS by submitting the H-1B: Cap Gap Extension Request form in accessVIS.

• If you are in your grace period following completion of STEM when the H-1B petition is filed (usually April 1), only your duration of status will be extended, not your work authorization.

★ Travel abroad is not recommend during a H-1B cap gap extension

★ The Cap Gap extension of your status/work authorization will automatically terminate upon the rejection, denial, withdrawal or revocation of your H-1B petition.
Income Tax Filing Requirement

You are required to file both federal and state taxes every year whether or not you have earned income in the US.

- File Form 8843 if you have not earned an income in the U.S.
- File Form 1040NR if you have earned an income in the U.S.

We recommend using a tax accountant for assistance in filing taxes.

Basic information and useful links can be found at www.stonybrook.edu/visa

★ Some F-1 students and scholars qualify for a tax treaty exception but must file to claim the tax treaty exemption.
Health Insurance

• While under Stony Brook’s program for STEM you are **required** to have health insurance **after graduation**.

• You may enroll in SUNY’s Health Insurance plan or your employer’s insurance plan.

• We recommend that you enroll in MEDEX in addition to the standard health insurance plan.
Reminders:

• You may request the 24-month STEM Extension **120 days before** the expiration of your Post-Completion OPT, but no later than the expiration date listed on your current EAD.

• The I-765 Extension of Employment request must be receipted by USCIS within **60 days of your Form I-20 being issued** AND no later than the expiration of the current EAD.

• Your employment while on STEM must be with a company that is registered with the E-Verify Employment Verification System.

• You must work at least **21 hours/week** in a paid position **directly** related to your field of study.

• You may **not accrue more than 150 aggregate days** of unemployment during the full 36-month period of OPT.
Contact Us:

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E5310 Melville Library
631.632.4685
www.stonybrook.edu/visa
accessVIS: https://vis.stonybrook.edu

Lindsi Walker
Assistant Dean
Lindsi.Walker@stonybrook.edu

Kelly Bunster
Office Manager
Kelly.Bunster@stonybrook.edu

A - D
Tricia Simons Figuero
tricia.simonsfiguero@stonybrook.edu

E - J
Meghan Behan
meghan.behan@stonybrook.edu

K - M
Christos Kalesis
christos.kalesis@stonybrook.edu

N - V
Jasmina Gradistanac
jasmina.gradistanac@stonybrook.edu

W - Z
Jessica Raphael
jessica.raphael@stonybrook.edu