STEM Extension Guide

24 Month STEM Extension Instructions, Legal Compliance, and Application Process

International Students & Scholars Office (ISSO)
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Students wishing to apply for the 24-Month STEM Optional Practical Training (OPT) Extension will need to read through this guide in its entirety and then follow the application instructions in the box below:

**DOCUMENTS TO SUBMIT TO ISSO**

What you will need to provide to the ISSO to apply for a 24-month STEM Extension:

- **I-94**
- STEM Calculator Excel Sheet, linked to this page under the Employment Tab (xls)
  *this populates your STEM reporting deadlines
- **Form I-765**, completed and signed by you in black ink
- **Form I-983**, completed and signed by you and your employer
- Copy of unofficial transcript (can be accessed from Sis)
- Copy of your Post-OPT EAD
- Complete the **STEM E-form** and upload the above documents

*ISSO will only accept documents through the above STEM E-form. Students attempting to submit documents in person or via email will be redirected to the E-form.*

The ISSO needs 5-7 business days to issue your STEM I-20. We process all applications as soon as possible, and appreciate your patience.
What is the 24-Month STEM Extension?

The 12-month limit on F-1 Post Completion Optional Practical Training (Post OPT) will be extended by 24 months, for a total of 36 months, for Bachelor’s, Master’s, or Doctoral students from a STEM field (Science, Technology, Engineering, Mathematics). Here is a list of CIP Codes for the acceptable STEM fields: Actuarial Science; Computer Science Applications (except, Data Entry/Microcomputer Applications); Engineering; Engineering Technologies; Biological and Biomedical Sciences; Mathematics and Statistics; Military Technologies; Physical Sciences; Science Technologies; Medical Scientist (MS, PhD).

Am I Eligible for the 24-Month STEM Extension?

- A list of E-Verify Employers as of March 31, 2013 can be found at this [USCIS link](https://www.ice.gov/sites/default/files/documents/Document/2016/stem-list.pdf).
- Form I-983
- STEM OPT Guide for Employers

If a student has a double-major, the 24-month extension can also be based on the second major. The second major CIP code should be listed on Form I-20. Students requesting an extension based on second major, need to include proof that the second major was successfully completed. A transcript will usually reflect degree conferral. A STEM Extension cannot be approved based on a student’s minor or sub plan. An individual is eligible for a total of TWO 24-month STEM extensions so long as the second extension follows the initial 12-month OPT period approved after the completion of the second degree in a higher education level.

Compliance Requirements:

- Student must be currently employed in the 12-month period of post completion optional practical training, working for a U.S. employer in a job directly related to the student’s major area of study.
- Student must have successfully completed a Bachelor’s, Master’s, or Doctoral degree in a STEM field, from a SEVIS-certified college or university.
- Student must have a job offer from an employer registered with the E-Verify employment verification system.
- STEM employees must work a minimum of 20 hours of PAID employment per week.
- Student may hold concurrent STEM employment but ALL employees while on STEM status must be with E-Verify employers.
- Student and STEM employer must submit a [Form I-983](https://www.ice.gov/sites/default/files/documents/Document/2016/stem-list.pdf), Training Plan for STEM OPT Students with their application for a 24-month extension. Therein, employers will attest to the student’s role with the company, the goals and objectives of the position, a description of how the employer will provide oversight, and a description of how the employer will measure and assess the student’s acquisition of new knowledge and skills.
- **Is a Contractor a Legal Employer?**
  Whoever pays you and issues the W-2 or 1099 at the end of the year is your legal employer. You should be sure to ask your employer since many Contractors simply process paychecks and payroll data for a myriad of companies, but would not be considered the employer. Your legal employer(s) must be e-verified and be sure to e-verify you. The law is currently unclear as to whether or not BOTH job site and Contractor/Employer should be e-verified. Our advice is that BOTH should be until further clarification.
- **Self-Employment and Volunteering are NOT possible under STEM.**
- Students granted a 24-month STEM Extension may not accrue an aggregate of more than 150 days of unemployment during the total 36-month OPT period. (If student didn’t use any of the original 90 days of unemployment during their original 12 months of Post OPT time, then they could use the entire 150 days during STEM.)
24-Month STEM Extension Reporting Requirements

- The STEM Calculator excel file, which is a required document to submit to ISSO with your STEM Application, will populate your traditional reporting requirement deadlines. The ISSO is NOT responsible for reminding you of your reporting requirements, as it is your responsibility as an F-1 student on the 24-Month STEM Extension, to report as required by DHS.

- **Student is required to make a validation report to the isso@uml.edu every six months.** The validation is a confirmation that the student’s name and address, employer name and address, and/or loss of employment is current and accurate. Keep in mind that any of the above changes should have already been reported to isso@uml.edu within 10 business days of each change. This is critical as SEVIS will now terminate the STEM extension if the six month report isn’t provided to them. We can only provide it if you update your status with our office every six months. SEVIS will now be strictly enforcing this requirement.

- The student is required to do two self-evaluations on his or her progress in achieving the goals of the training plan. One in the first year of the OPT STEM Extension and the second at the completion of the STEM Extension OPT period. The employer must review the student’s evaluation and sign it to attest to its accuracy. Students who leave the employer whilst on STEM will also be required to submit this form within 10 days of termination of employment to isso@uml.edu.

- Student and student’s employer are required to report termination of employment to isso@uml.edu.  
  - Termination of employment is considered to be when a student has not reported to work for a period of five consecutive business days without the employer’s consent.

- Student must report all employment to ISSO at isso@uml.edu, including the submission of a Form I-983 for each STEM employment.

- **Also remember to report the following to isso@uml.edu, within 10 days of the change**
  - Legal name change
  - Change in U.S. Residential or Mailing address
  - Change to another non-immigrant status
  - Change in Country of Citizenship

Filing times for 24-Month STEM Extension

*The STEM Extension Petition must reach USCIS no later than the end date of the EAC card,* and within 60 days of the STEM I-20 issuance from the ISSO. Please plan accordingly since ISSO will need at least 5-7 business days to process a STEM Extension I-20.

When does the student’s employment authorization period of STEM Extension OPT start?
If the student has properly filed for a STEM Extension, (i.e. filed prior to the expiration date of the current EAC), the student’s period of STEM Extension starts the day after the expiration of the student’s original period of Optional Practical Training provided it is with an E-Verify employer in a STEM field in the student’s area of study and that the job is for at least 20 paid hours per week. **If the STEM Extension was filed in a timely fashion, as above-mentioned, the student’s work authorization automatically extends for up to 180 days while the student’s STEM Extension application is pending.**

What Happens After I Submit the Petition to USCIS?
Within one to two weeks of the date that you submit the application to USCIS, you should receive a receipt notice. Six to eight weeks after you receive your receipt notice, you should receive your Employment Authorization Card. *(Please note that these are estimated processing times and that on occasion it can take up to 12 weeks.)* If you do not receive your EAC card by the 75th day of mailing, please contact our office for assistance. We are legally unable to follow up before the 75th day.
What if I am Employed through a Contractor?

Is the Employment that you are reporting on Form I-983 and Form I-765 for a Contractor?

Whoever pays/issues the W-2 or 1099 at the end of the year is the legal employer. A student must be a “bona fide employee” of the employer signing the Form I-983, and the employer that signs the Form I-983 should be the same entity that employs the student and provides the practical training experience. The W-2 or 1099 employer must be the employer who is listed on Form I-765.

However, because of the nature of a staffing agency/contractor they are usually unable to provide the actual training to the student. The training is typically offered by a supervisor at the assigned job site location. In this case, the W-2 or 1099 employer continues to be listed on Section 3 of Form I-983, but the direct supervisor providing the training at the job site, should sign the form. The employer “site” will be listed on Section 5 of Form I-983. The student must submit a new Form I-983 to isso@uml.edu every time they’re assigned to a different employer site location. Student must ensure that they are working 20 hours per week at each job site location in a job that is in their STEM degree.

Both the employer site location and the staffing agency or contractor must be e-verified, though ONLY THE EMPLOYER is required to actually e-verify the student. Although the law is currently unclear as to whether or not both should be e-verified, our advice is that they should until further clarification.

Who is considered the employer?

Whoever pays/issues the W-2 or 1099 to the student is the legal employer. A student must be a “bona fide employee” of the employer listed on Section 3 of Form I-983. The W-2 or 1099 employer must be the employer name and e-verify # listed on the STEM Form I-765. The W-2 or 1099 employer listed on Form I-983 should be the same entity that employs the student and provides the practical training experience.

What if my employer is a Contractor or Staff Agency who pays me/issues me a W-2 or 1099?

If a student is working for a contractor or staffing agency that places them in a job that fulfills the STEM requirements, such companies are usually unable to provide the actual training to the student. The training is typically offered by a supervisor at the assigned job site location. In this case, the W-2 or 1099 employer continues to be listed on Section 3 of Form I-983 as well as the Employer Name in Section 5. But the actual site location is listed in Section 5. The student’s direct supervisor, who provides/oversees the STEM training as well as the review and evaluation process answers questions in Sections 5 and 6 of Form I-983 pertaining to job role, goals, objectives, oversight, measures and assessment questions. The same direct site supervisor also signs Section 6 of Form I-983.

The student must submit a new Form I-983 to isso@uml.edu every time they’re assigned to a different employer site location. Student must ensure that they are working 20 hours per week at each job site location in a job that is in their STEM degree. A revised Form I-983 is needed for each change in job site location, job title, job description, salary change, # of hours per week.

Both the employer site location and the staffing agency or contractor must be e-verified, though ONLY THE EMPLOYER is required to actually e-verify the student. Although the law is currently unclear as to whether or not both should be e-verified, our advice is that they should until further clarification.

Is a Temp Agency a permitted STEM Employer?

No, Temp Agencies are not allowed on STEM

What if I want to work for a Startup Company?

Student will first need to demonstrate that the company has a board of directors and/or prove that other members of the company have the power to fire the student (even if the student is a co-founder). An immigration attorney will be asked to review the request prior to ISSO approval of STEM for this category.
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What do I do after the ISSO issues me a STEM Recommended I-20?

An ISSO Advisor is always available during our regular Advising Hours to review your entire Petition before you submit it to USCIS. **It is your responsibility to submit a completed Petition to USCIS. Failure to do so will result in a denial or it being returned for additional information.**

You will receive a checklist via email and with your STEM I-20 with ALL of the materials that need be mailed to a lockbox address according to the manner of shipment. We advise you to send your documents to the USCIS via overnight courier service. **Please remember that USCIS must receive your complete application PRIOR to the end of your current EAC and within 60 days of the issuance date listed on OPT STEM I-20.**