

SEVP Policy Guidance: 0801-02

Title: Updates to Post-Completion Optional Practical Training (OPT)

Applicability: Designated school officials (DSOs) for SEVP-certified schools with F-1 students who are eligible for or pursuing post-completion OPT

Effective Date: April 25, 2008

Authority: 8 CFR 214.2(f)(5),(10), (11), and (12) and 274a.12(b)(6)(iv) and (v)

Disclaimer: ICE/SEVP is issuing this Policy Guidance to DSOs of SEVP-certified schools. Policy Guidance is not a regulation and does not create or confer any rights for or on any person or bind the public. This Policy Guidance is intended to assist DSOs in applying the regulatory requirements in the course of their duties as DSOs. SEVP issues guidance to describe:

- Methods that the SEVP staff considers acceptable for use in implementing specific parts of the regulations pertaining to F and M nonimmigrants and SEVP-certified schools;
- Techniques the SEVP staff uses in evaluating specific issues; and
- Data the SEVP staff needs to review school certification or individual student issues.

SEVP will take into consideration a school's use of these practices and any other alternative method in determining whether the school has complied with the regulation. Methods and practices that differ from those in this operational instruction may be acceptable if the school provides a basis for showing it complies with the applicable statutes and regulations. DSOs are responsible for ensuring that they are using the latest version of the guidance.

Purpose: On April 8, 2008, DHS published an Interim Final Rule (IFR) titled *Extending Period of Optional Practical Training by 17 Months for F-1 Nonimmigrant Students With STEM Degrees and Expanding Cap-Gap Relief for All F-1 Students With Pending H-1B Petitions*. The rule is available at <http://edocket.access.gpo.gov/2008/pdf/E8-7427.pdf>.

The IFR made some changes to post-completion OPT that are effective immediately. The preamble to the rule gives a detailed explanation of the reasons for publishing the rule and for making the provisions effective immediately.

This Policy Guidance for DSOs explains the changes in OPT based on the IFR and provides guidance for DSOs.

Unfamiliar Terms: This Policy Guidance does not define all acronyms and terms. Please see the [glossary](#) if you do not understand a term or acronym.

Comments: To comment on this Policy Guidance or suggest a change, please e-mail sevis.source@dhs.gov with "Policy Guidance 0801-02 Comment" in the subject line.



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1. GENERAL INFORMATION ABOUT THE OPTIONAL PRACTICAL TRAINING INTERIM FINAL RULE (IFR)

1.1. Where can I find a copy of the rule?

Federal Register Publication: The Interim Final Rule was published in the Federal Register on April 8, 2008. See 73 FR 18944. The rule is available on the [Federal Register Web site](#) and on the [SEVP Web site](#). The Federal Register publication contains regulatory text (which will be incorporated into the next version of the CFR) as well as a preamble that explains the rule. Until the CFR is updated, you should only rely upon this version for official legal purposes.

Updated Text of the 8 CFR Selected Portions of Parts 214 and 274a

The Office of the Federal Register and Government Printing Office maintain an updated, on-line version of the CFR known as the [Electronic Code of Federal Regulations \(e-CFR\)](#). It is not an official legal edition of the CFR. It is an editorial compilation of CFR material and Federal Register amendments. The e-CFR is updated daily. You can find the text of the 8 CFR by selecting Title 8 on the drop down list and following the links for the relevant paragraphs.

1.2. Where can I find other guidance related to the OPT rule?

U.S. Citizenship and Immigration Services (USCIS) has also published guidance on the rule. This guidance is available at http://www.uscis.gov/files/article/OPT_4Apr08.pdf and http://www.uscis.gov/files/article/supplemental_opt_052308.pdf.

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2. MAJOR PROVISIONS OF THE RULE

2.1. Provisions applicable to all F-1 students eligible for OPT

This rule establishes two new provisions that apply to all F-1 students eligible for post-completion OPT. The rule:

- Extends the period in which a student may apply for post-completion OPT to 60 days after the student's program end date. See the section of the rule on the [deadline for filing for post-completion OPT](#) for details.
- Establishes a limit on the number of days a student in a period of post-completion OPT can be unemployed and still maintain F-1 status. For students on regular post-completion OPT or an automatic extension due to the cap-gap provisions, the limit is 90 days. Students with an approved STEM OPT extension will receive another 30 days of unemployment time for a total of 120 days over the entire period of post-completion OPT. See the section on [limits on the periods of unemployment](#) for details.

2.2. Provisions applicable to F-1 students who are the beneficiaries of a properly filed H-1B petition

These provisions apply to F-1 students who are the beneficiaries of an H-1B petition who, due to the cap on the number of H-1B petitions accepted in a given year, cannot begin employment until the beginning of the fiscal year following the fiscal year in which the H-1B petition was filed. In the past, the F-1 status for these students often expired before their H-1B status began — a period known as the [cap gap](#).

This provision of the new rule automatically extends the F-1 status and, for students on post-completion OPT, the employment authorization for students formerly subject to the cap gap. See the section on the [cap-gap provisions](#) for details.

2.3. Provisions applicable to F-1 students with a STEM degree

This rule allows F-1 students who are on a period of post-completion OPT approved after earning a bachelor's, master's, or doctoral degree in a science, technology, engineering, or math (STEM) program that is on the list of designated STEM degrees to apply for a 17-month extension of their post-completion OPT. See the section on [17-month OPT extension](#) for details.

2.4. Where can I find the list of STEM designated degrees?

The list of [STEM degrees](#) is in the preamble to the interim final rule (see 73 FR 18948) and posted on the SEVP Web site. The list is also available as a [PDF](#).

3. GENERAL INFORMATION ABOUT OPT AND THE CAP GAP

3.1. What is optional practical training?

OPT is training that is directly related to an F-1 academic student's major area of study. It is intended to provide students with practical experience in their field of study during or upon completion of a degree program.

3.2. Who is eligible for OPT?

An F-1 academic student who has attended an SEVP-certified college, university, conservatory, or seminary on a full-time basis for at least one academic year may be authorized up to 12 months of OPT per program level. However, F-1 students who have one year or more of full-time curricular practical training are not eligible for OPT for that degree.

3.2.1. What is pre-completion OPT?

Pre-completion OPT is OPT authorized to be worked before the student's program end date. Students with approved pre-completion OPT may work up to 20 hours per week while school is in session. Students who are eligible to register for the next term, and who plan to do so, may have approval to work full time when school is not in session.

3.2.2. What is post-completion OPT?

Post-completion OPT is OPT that begins after the student's program end date.

4. TERMS INTRODUCED IN THIS DOCUMENT

This section defines terms that are used in this Policy Guidance.

4.1. H-1B Cap

The H-1B cap is the Congressionally-mandated limit on the number of individuals who may be granted H-1B status during each fiscal year. For FY09, the cap is, with certain statutory exceptions, 65,000.

Many employers file H-1B petitions on behalf of F-1 academic students after their post-completion OPT expires. Under the previous regulation (and unchanged by this rule), an employer could not file, and USCIS could not approve, an H-1B petition submitted earlier than six months before the date of actual need for the beneficiary's services or training.

As a result, the earliest date that an employer can file an H-1B petition for consideration under the next fiscal year cap is April 1, for an October 1 employment start date. If that H-1B petition and the accompanying change of status request are approved, the earliest date that the student may start approved H-1B employment is October 1.

Consequently, prior to the effective date of this rule, F-1 students who were the beneficiaries of approved H-1B petitions, but whose periods of authorized stay (including authorized periods of post-completion OPT and the [grace period](#)) expired before October 1, had to leave the United States, apply for an H-1B visa at a consular post abroad, and then seek readmission to the United States in H-1B status.

4.2. Cap gap

This Policy Guidance uses the term cap gap to refer to the period of time between the time a nonimmigrant's F-1 student status would ordinarily end and his or her H-1B status begins.

Under the previous regulation, the cap gap occurred when an F-1 student was the beneficiary of a successful H-1B petition, but his or her F-1 status ended before his or her H-1B status began. The time between the end of the F-1 status and beginning of H-1B employment was referred to as the cap gap.

The most common situation occurred when the student's OPT ended in the spring or early summer, and his or her F-1 status expired 60 days after that, leaving a gap of several months before the individual's H-1B status began on October 1.

Under the previous regulation, DHS could remedy this problem by publishing a Federal Register notice allowing students to remain in status in order to span the cap gap. However, this remedy was not automatic and did not allow the student to continue OPT during the gap period. This rule automatically extends the student's F-1 status and work authorization.

4.3. Cap-gap extension

Under the new rule, the cap-gap extension is a period in which an eligible F-1 student's status is automatically extended to bridge the gap between the end of F-1 status and start of H-1B status. If the student is in a period of authorized post-completion OPT on or after the date the student becomes eligible for the extension, the student's post-completion OPT is also automatically extended.

4.4. Cap-gap OPT

A period of OPT that has been extended beyond the date on the F-1 student's employment authorization document during an authorized cap-gap extension.

4.5. STEM OPT extension

An additional 17-month period of OPT granted to a student on post-completion OPT who meets the qualifications in 8 CFR 214.2(10)(ii)(C).

4.6. E-Verify employer

An E-Verify employer is an employer currently registered and in good standing with the [USCIS E-Verify program](#).

4.7. CIP Code

Classification of Instructional Programs (CIP) codes are published by the National Center for Education Statistics (NCES) and are used in SEVIS to designate a student's major, secondary major, and minor. Certain CIP codes have been designated as [STEM designated degrees](#).

More information on NCES CIP codes is available at:
<http://nces.ed.gov/Pubsearch/pubsinfo.asp?pubid=2002165>.

4.8. Grace period

The 60-day period of time given to F-1 students after the completion of a program of study or an authorized period of post-completion OPT allowing the student time to prepare for departure from the United States, apply for a transfer to another SEVP-certified school, request a change of level to continue at the current school, or take steps to otherwise maintain legal status.

4.9. Unemployment time

The time spent without a qualifying job during post-completion OPT. Except as noted in the section on [what counts as time unemployed](#), each day that the student is not employed in a qualifying job is counted toward the limit on unemployment time. The limit is 90 days for students on post-completion OPT, including those with a cap-gap extension, except that students with a STEM OPT extension are given an additional 30 days of unemployment time for a maximum of 120 days.

4.10. Data fix

A change or correction made to a SEVIS record by authorized SEVP staff, usually at the request of a DSO. Some data fixes may be requested through the correction function in SEVIS. If a correction function is not available, the data fix must be requested from the SEVIS Help Desk at (800) 892-4829.

5. DEADLINE FOR APPLYING FOR OPT

5.1. What is the new deadline for applying for post-completion OPT?

F-1 students may apply for post-completion OPT up to 90 days before their program end date and up to 60 days after their program end date. The application must be properly filed with the correct USCIS Service Center. In addition, the application must be properly filed within 30 days of the date the student's DSO recommends OPT in SEVIS.

5.2. How can a DSO recommend OPT after a student's program end date? *(New or Revised)*

SEVIS has been updated to allow a DSO to recommend OPT after a student's program end date (including the STEM extension).

If a DSO is unable to recommend OPT after a student's program end date, please contact the SEVIS Help Desk. If the student is approaching the end of the 60-day grace period and needs to file the Form I-765 immediately, you may instruct the student to do so without the Form I-20. The student should include a statement indicating there is a data fix pending and the Form I-20 will be furnished at a later time.

5.3. When should a student request that his or her DSO recommend post-completion OPT?

A student should ask his or her DSO to recommend post-completion OPT within 30 days of the date the student expects the application to arrive at the USCIS Service Center. If the OPT recommendation in SEVIS is dated more than 30 days prior to the receipt date, the application may be denied.

5.4. What is the earliest date a student can file a request for post-completion OPT with USCIS?

A student may file the request for post-completion OPT no more than 90 days prior to the student's program end date.

5.5. What is the earliest a student can apply for pre-completion OPT?

A student may file for OPT up to 90 days before he or she completes a full academic year. If the student has already completed a full academic year, he or she may apply for OPT up to 90 days in advance of the requested employment start date.

5.6. What is the earliest a student can apply for the 17-month STEM extension of OPT? *(New or Revised)*

A student may file for the 17-month STEM extension up to 120 days prior to the end of his or her post-completion OPT.

5.7. Can a student file for combined pre-completion OPT and post-completion OPT?

No. The new regulatory provisions differentiate between pre-and post-completion OPT in the application process and in the requirements for maintaining employment.

SEVIS has been updated to support this revision.

5.8. What is the impact on students who are currently on OPT that started before their program end date and will end after the program end date?

For students who are currently on a period of OPT that is both pre-and post-completion OPT, the following changes apply based on the new regulatory provisions:

- Any unemployment after April 8, 2008, and the student's program end date will count toward the 90-day maximum on unemployment.
- The student's SEVIS record will not show the link for a DSO to recommend a STEM extension. If the student is qualified for a STEM extension, the DSO will have to request a data fix by contacting the SEVIS Help Desk at (800) 892-4829.

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6. BEGINNING AND ENDING DATES OF POST-COMPLETION OPT

6.1. What are the restrictions on the requested start date for post-completion OPT?

A student cannot have a requested start date that is more than 60 days past the student's program end date.

6.2. What are the restrictions on the requested end date for post-completion OPT?

The requested end date cannot be more than 12 months after the requested start date. The end date may be sooner if the student has less than 12 months of OPT left at the current education level or the student wishes to retain a period of OPT for pre-or post-completion OPT for another degree at the same academic level.

6.3. What are the authorized employment dates for post-completion OPT? *(New or Revised)*

Pursuant to 8 CFR 214.2(f)(11)(i)(D), the start date is the requested start date or the date of approval, whichever is later. (A start date more than 60 days after the program end date is treated as a request to start on the 60th day after the program end date.)

The end date is the earliest of the following situations:

- The requested end date. (If USCIS adjudicates the Form I-765 after the requested start date, the end date will be extended to reflect the later start date.)
- The date the student's remaining allotment of OPT expires. (For example: A student who previously used three months of full-time pre-completion OPT has only nine months of OPT time remaining.)
- At 14 months after the student's program-end date.

6.4. Can a student apply for OPT prior to his or her program end date and continue that employment after the program end date?

No. See the question on [filing for both pre- and post-completion OPT](#).

6.5. In SEVIS, what distinguishes pre-completion OPT from post-completion OPT? *(New or Revised)*

The program end date distinguishes the two types of OPT. All pre-completion OPT takes place prior to the program end date in SEVIS. Post-completion OPT begins after the program end date.

6.6. If a student receives an EAD for 12 months of pre-completion OPT but finishes his or her program of study early, can the student continue to use the EAD issued for pre-completion OPT after the program end date? *(New or Revised)*

No. The EAD was issued for pre-completion OPT. Accordingly, the EAD is only valid for OPT prior to the program end date. The student would have to stop working on or before the program end date, and file a separate application for post-completion OPT.

A student will not lose any unused OPT from the original EAD. The student will only lose the OPT completed prior to the program end date. So, if a student applied for part-time pre-completion OPT from January 02, 2008, to January 01, 2009, but finished the program on June 1, 2008, the student would still have nine months of OPT available (the six months of part-time OPT used by the student would account for three months of the total amount available at that education level).

6.7. Can a student in a graduate-level program who has completed all program requirements, aside from thesis or equivalent, apply for either pre-completion OPT or post-completion OPT? (New or Revised)

Yes. A student who only has the thesis or equivalent remaining may either apply for pre-completion OPT or post-completion OPT while completing the thesis/dissertation.

If a student in this situation applies for pre-completion OPT, he or she:

- May work full time.
- Is not subject to the unemployment provisions, and may receive a program extension.
- May not apply for the STEM extension from a period of pre-completion OPT.
- Would not be eligible for the cap-gap extension of OPT.

Alternatively, if a student in this situation applies for post-completion OPT, he or she:

- May work full time.
- Would be eligible for the cap-gap extension.
- May apply for the STEM extension if otherwise eligible.
- Would be subject to the unemployment provisions.
- Would be unable to receive an extension of his or her program.

6.8. If a student does not complete his or her thesis/dissertation during the 12 months of post-completion OPT, what steps must he or she take? (New or Revised)

The student should prepare to change status, change education level and/or transfer, or depart the country prior to the end of the 60-day grace period.

6.9. What happens if a student (excluding those students who have completed all program requirements aside from thesis or equivalent) applies for post-completion OPT before his or her program end date and subsequently fails to complete the requirements for his or her program? (New or Revised)

The student should contact his or her DSO immediately for guidance.

If the employment authorization application has not been adjudicated by USCIS, the student may withdraw the application by notifying the Service Center where the application was filed. The DSO should also withdraw the recommendation for OPT in SEVIS.

If the employment authorization application has already been approved, the DSO should extend the student's program end date to the appropriate date. The student may work part time while enrolled in courses to complete the requirements for his or her program and full time during breaks and vacations. After successful completion of all the program requirements, the student may work full time.

However, even though the student's program end date was extended, because the OPT was granted as post-completion OPT; **the student is subject to the 90-day limitation on unemployment.**

SEVP strongly recommends that a student who may not be able to successfully complete all program requirements on time should defer applying for post-completion OPT until after his or her program ends.

6.10. How does a transfer or change of level impact the period of OPT?

Any OPT authorization ends on the transfer release date for a student who requests a transfer to another SEVP-certified school or a change of education level to continue at the same school.

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7. LIMITS ON PERIODS OF UNEMPLOYMENT DURING A PERIOD OF AUTHORIZED OPT

7.1. Limits on periods of unemployment

7.1.1. What are the limits on periods of unemployment?

Students on post-completion OPT may accrue up to 90 days of unemployment.

Students who have OPT extended due to the cap-gap provisions continue to accrue unemployment time and are subject to the 90-day limitation on unemployment.

Students who receive a 17-month STEM OPT extension are given an additional 30 days of unemployment for a total of 120 days over their entire post-completion OPT period.

7.1.2. Do the limits on unemployment apply to any periods of unemployment prior to April 8, 2008?

No. The limits on unemployment do not apply retroactively.

7.1.3. Do the limits apply to students who had post-completion OPT approved before April 8, 2008?

For students who started post-completion OPT prior to April 8, 2008, unemployment time will accrue only for time spent unemployed after April 8, 2008. Time unemployed prior to April 8, 2008, will not be counted.

7.1.4. Is a student who splits OPT between two degrees at the same level limited to a total of 90 days of unemployment?

No. The student is not limited to a total of 90 days of unemployment in this case. For each new period of post-completion OPT, the student will have the full 90-day period of unemployment.

7.1.5. How many hours does a student need to work per week during post-completion OPT (including the STEM extension) to be considered employed? *(New or Revised)*

A student must work at least 20 hours per week in a qualifying position to be considered employed. If a student has a variable schedule, within a month, it should average out to at least 20 hours per week.

7.1.6. What counts as time unemployed? *(New or Revised)*

Each day (including weekends) during the period when OPT authorization begins and ends that the student does not have qualifying employment counts as a day of unemployment. OPT authorization begins on the employment start date shown on the student's EAD. The only exception is that periods of up to 10 days between the end of one job and the beginning of the next job are not included in the calculation of time spent unemployed. This 10 day exception also applies to the first 10 days from the start date on the student's EAD.

7.1.7. If a student does not receive the approved EAD, the missing EAD is not returned to the USCIS Service Center, and the student applies for a replacement EAD, when does the student begin accruing unemployment? *(New or Revised)*

The "clock" for unemployment starts 10 days after issuance of the replacement EAD by USCIS.

7.1.8. How does travel outside the United States impact the period of unemployment? *(New or Revised)*

Time spent outside the United States during an approved period of post-completion OPT counts as unemployment against the 90/120-day limits, unless the student is either:

- Employed during a period of leave authorized by an employer; or

- Traveling as part of his or her employment.

7.2. Employment allowed while on OPT

7.2.1. What types of employment are allowed for regular pre- and post-completion OPT? *(New or Revised)*

All OPT employment, including post-completion OPT, is required by 8 CFR 214.2(f)(10)(ii)(A) to be in a job that is [related to the student's degree program](#).

For students who are not on a STEM extension, this employment may include:

- Paid employment. Students may work part time (at least 20 hours per week when on post-completion OPT) or full time.
 - Multiple employers. Students may work for more than one employer, but all employment must be related to each individual student's degree program and for pre-completion OPT cannot exceed the allowed per week cumulative hours.
 - Short-term multiple employers (performing artists). Students, such as musicians and other performing artists, may work for multiple short term employers (gigs). The student should maintain a list of all gigs, the dates and duration.
 - 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. If requested by DHS, students should be prepared to provide evidence showing the duration of the contract periods and the name and address of the contracting company.
 - Self-employed business owner. Students on OPT may start a business and be self-employed. The student should 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. Students on post-completion OPT should be able to provide evidence showing they worked an average of at least 20 hours per week while employed by the agency.
- Unpaid employment. Students may work as volunteers or unpaid interns, where this practice does not violate any labor laws. The work should be at least 20 hours per week for students on post-completion OPT. A student should be able to provide evidence, acquired from the student's employer, to verify that he or she worked at least 20 hours per week during the period of employment.

7.2.2. What types of employment are allowed for students during an OPT STEM extension? *(New or Revised)*

Students authorized for an OPT STEM extension must work at least 20 hours per week for an E-Verify employer in a position directly related to each individual student's STEM degree.

For students who are on a STEM extension, this employment may include:

- Paid employment. All employment during the STEM extension must be paid employment. Volunteer experience does not count as employment for the purpose of maintaining F-1 status during the STEM extension.
 - Multiple employers. Students may work for more than one employer, but all employment must be related to each individual student's 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, students must be prepared to provide evidence showing the duration of the contract periods and the name and address of the contracting company.
 - Self-employed business owner. Students on a STEM 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. Students on a STEM 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.

7.2.3. Can students count volunteer experience as employment during an OPT STEM extension? *(New or Revised)*

Students on a STEM extension are allowed to volunteer, incidental to their status. This means that volunteer work is allowed but does not count as employment for the purpose of maintaining F-1 status.

7.2.4. Can students work multiple jobs during an OPT STEM extension?

Yes, but all the employers must be enrolled in E-Verify.

7.2.5. How do students show that employment is directly related to their degree programs?

SEVP recommends that students maintain evidence — for each job — of the position held, proof of the duration of that position, the job title, contact information for the student’s supervisor or manager and a description of the work.

If it is not clear from the job description that the work is related to the student’s degree, SEVP highly recommends that the student obtain a signed letter from the student’s supervisor or manager or the employer’s hiring official stating how the student’s degree is related to the work performed.

7.3. Reporting employment and unemployment (other than students with a STEM extension)

7.3.1. What should students report to ensure that their status does not expire due to excessive unemployment time?

Students are encouraged to report changes in employment to their DSOs as soon as possible. SEVP recommends that students report changes within 10 business days of the change to avoid situations where a DHS official may determine the student is out of status.

The following table suggests the best way to report employment or a change in employment.

Situation	Report
New job	<ul style="list-style-type: none"> • Name of the employer • Start date of employment • Mailing address for the employer
Change to a new job	<ul style="list-style-type: none"> • Name of the previous employer • Ending date of the employment with the previous employer • Name of the new employer • Start date of employment • Mailing address for the new employer
Multiple short-term gigs in one period with less than 10 days between gigs	<ul style="list-style-type: none"> • Report at the beginning of the first gig and indicate “Multiple short term gigs”
Work for hire (start)	<ul style="list-style-type: none"> • Indicate “Self-employed work for hire” • Indicate the start date of the contract

Situation	Report
Work for hire (with more than 10 days between the end of one contract and the beginning of another contract or a new job)	<ul style="list-style-type: none"> • Indicate “Self-employed work for hire” • Indicate you have no current contract • Ending date of the last contract worked
More than 10 days of unemployment	<ul style="list-style-type: none"> • Indicate “unemployed” • Ending date of last job
Self-employed business owner (start)	<ul style="list-style-type: none"> • Indicate “Self-employed business owner” • Indicate date went into business
Self-employed business owner (end)	<ul style="list-style-type: none"> • Indicate “Self-employed business owner” • Indicate date business closed or student no longer worked for the business full time
Student decides to exit the United States and complete his or her F-1 status prior to the end date of OPT	<ul style="list-style-type: none"> • Indicate “Completing OPT and exiting the United States” • Date of exit

7.3.2. How should students report employment/unemployment information to their DSOs?

Students should consult with their DSOs as to the preferred method of reporting changes. SEVP recommends using e-mail as it provides both evidence of reporting and the date reported. Some schools may provide other electronic means (such as a Web page) to accept reports from students.

Students should keep a record of all reports made to the DSOs and the methods by which the reports are made.

7.3.3. How should DSOs report periods of employment in SEVIS?

From the *Student Information* screen in SEVIS, click the [OPT Request](#) link to display the OPT Employment screen. On this screen, click the Edit link. This will allow the DSO to update the employer information.

Situation	Employer Name Field	Employer Address Field
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Situation	Employer Name Field	Employer Address Field
New job	Name of the employer [start date mm/dd/yyyy] Example: ABC Inc. [04/15/2008]	Employer address supplied by student
Change to a new job (less than 10 days between jobs)	Name of the new employer [start date mm/dd/yyyy] Example: A New Job, Inc. [06/15/2008]	New employer's address supplied by student
More than 10 days of unemployment	Unemployed [ending date of last job mm/dd/yyyy] Example: Unemployed [07/12/2008]	Leave blank
Multiple short-term gigs in one period	Multiple gigs [start date]	Leave blank
Work for hire (start)	Work for hire [start date mm/dd/yyyy]	Leave blank
Work for hire (end)	Unemployed [end date of last contract mm/dd/yyyy]	Leave blank
Self-employed business owner (start)	Self-employed business owner [date started business mm/dd/yyyy]	Business address
Self-employed business owner (end)	Unemployed [date business closed or student no longer worked for business full time mm/dd/yyyy]	Leave blank
Student decides to exit the United States and complete his or her F-1 status prior to the end date of OPT	No change Complete the student's record — this will stop the accrual of unemployment time	No change

7.4. Consequences of exceeding the period of unemployment

7.4.1. How should DSOs advise students who are close to reaching the limit on authorized unemployment? *(New or Revised)*

DSOs should advise students of the options available and on the potential problems associated with violating status by exceeding the period of authorized unemployment. To avoid violating status, prior to reaching the

limit on authorized unemployment, students should prepare to transfer to another SEVP-certified school, change education level, depart the United States, or take action to otherwise maintain status in the United States.

7.4.2. What is the impact on a student's status if the student exceeds the limit on authorized unemployment?

A student who has exceeded the period of unemployment while on post-completion OPT has violated status unless he or she has taken one of the following actions:

- Applied to continue his or her education by a change of level or transferring to another SEVP-certified school
- Departed the United States
- Taken action to otherwise maintain legal status

7.4.3. Are DSOs responsible for determining if a student has exceeded the limit on authorized unemployment? *(New or Revised)*

No. DSOs are not responsible for calculating unemployment time or taking action in SEVIS based on unemployment time. If a student's SEVIS record remains in *Active* status and the student has otherwise maintained F-1 status, a DSO should consider the student in status and act accordingly.

DHS maintains responsibility for determining whether a student has violated his or her status by exceeding the permissible limit on authorized unemployment.

7.4.4. How will DHS enforce this provision?

A student may be denied future immigration benefits that rely on the student's valid F-1 status if DHS determines that the student exceeded the limitations on authorized unemployment.

Additionally, ICE/SEVP may examine SEVIS data for an individual, a selected group, or all students on post-completion OPT and terminate a student's record if it fails to show the student maintained the proper period of employment. In such cases, the student will be given an opportunity to show that he or she complied with all OPT requirements, including maintaining employment.

8. 17 MONTH EXTENSION OF OPT FOR F-1 STUDENTS WITH A STEM DEGREE

8.1. Eligibility

8.1.1. Who is eligible for the STEM extension?

F-1 students who completed a bachelor's, master's, or doctoral degree in a STEM field and are currently engaged in post-completion OPT may apply for the STEM extension if they have a job or job offer from an [E-Verify employer](#).

8.1.2. Is the extension available to students who completed their post-completion OPT prior to April 8, 2008?

No. The eligibility is not retroactive.

8.1.3. How does a student or DSO know which degrees are designated as STEM degrees?

The [STEM Designated Degree Programs List](#) is on the SEVP Web site.

8.1.4. Can a student with a dual major qualify for the STEM extension based on one of the degree programs?

Yes, if at least one of the degrees is on the [STEM Designated Degree Programs List](#) and all jobs worked while on post-completion OPT are related to the student's STEM degree(s). However, the CIP Code for the student's secondary major will not print on the Form I-20 recommending the STEM extension. The DSO must annotate the Form I-20 with the proper [CIP Code](#) for the secondary major. The post-completion OPT that the student seeks to extend must be based on a bachelor's, master's, or doctorate degree that is on the STEM Designated Degree Programs List and which is documented on the student's current Form I-20 with an appropriate CIP code. This means that if a student has a double major and obtained regular post-completion OPT on the non-STEM degree, then the student is ineligible for the STEM extension.

8.1.5. Can a student qualify for the STEM extension based on the student's minor?

No.

8.1.6. Can a student who has previously earned a degree in a STEM field and has now earned a non-STEM degree apply for the extension?

No. The STEM extension must be based on the same degree as that which serves as the basis for the post-completion OPT.

8.1.7. Are programs of study with CIP codes ending in “99” eligible for the STEM extension? *(New or Revised)*

No. As indicated in the preamble to the OPT rule, they are not considered STEM designated degrees.

8.1.8. What can a student do if his or her program of study has a CIP code ending in “99” thus making the student ineligible for the STEM extension? *(New or Revised)*

A student enrolled in a program ending in “99” should contact the DSO and present clear arguments with supporting evidence requesting the institution change the program’s CIP code from “99” to a program listed on NCES Web site at <http://nces.ed.gov/pubs2002/cip2000/ciplist.asp>.

The DSO should review the student’s request and handle the request per the school’s standard procedure. If a school official wishes to pursue the change, then he or she must then work with NCES to reclassify the program or create a new CIP code for the program.

If NCES approves the CIP code change, a student may apply for the STEM extension based on the new CIP code.

8.1.9. How can someone suggest a change to the STEM Designated Degree Programs List?

To suggest a change to the list of STEM designated degrees, write to sevis.source@dhs.gov, with STEM Code Change Request in the subject line. Please include your name, phone number, organizational affiliation, the code(s) you would like to see added and the rationale for the change.

8.2. Filing for the STEM OPT extension

8.2.1. What are a DSO’s responsibilities when recommending a STEM OPT extension for a student?

Before recommending a STEM extension in SEVIS, a DSO should confirm the following:

- The student’s education level shown in SEVIS is bachelor’s, master’s or doctoral.
- The name of the student’s major shown in SEVIS is on the [STEM Designated Degree Programs List](#).

- SEVIS shows the student is on an approved period of OPT that has not expired.
- The employer name and address entered into SEVIS are entered exactly as provided by the student.

While the DSO must ensure that the student knows that he or she must work for an [E-Verify employer](#), the DSO is not responsible for verifying an employer's registration with E-Verify.

Note that the extension application of a student who is ineligible for an extension will be denied and the application fee will not be refunded.

8.2.2. When does a student need to file for the extension?

The student must ensure that the Form I-765, the supporting evidence and the fee payment reach the proper USCIS Service Center before his or her current OPT expires. USCIS recommends that students file within 90 and 120 days of the expiration date of the current OPT.

8.2.3. Can a student apply for the STEM extension when he or she is within a period of cap-gap OPT extension? *(New or Revised)*

Yes. A student can apply for the STEM extension during the cap-gap extension of OPT. The student will need to have his or her employer request withdrawal of the approved or pending H-1B petition in time for USCIS to effectively accept the withdrawal prior to the October 1 start date in order to avoid changing status to H-1B on that date.

To avoid a denial based on the scheduled expiration of post-completion OPT, a student should include mention (and supporting evidence) of his/her cap-gap OPT extension when filing during the cap-gap period.

8.2.4. What are a DSO's responsibilities for assisting a student who is filing for a STEM extension?

The DSO must [verify the student's eligibility for the extension](#), make the recommendation in SEVIS if the school supports the student's request and print a Form I-20 showing the recommendation.

8.2.5. How and where does a student file for the extension?

The student should follow the directions published on the USCIS Web site for [filing a Form I-765, Application for Employment Authorization](#). The student should file with the USCIS Service Center serving the area of the student's current residence.

8.2.6. What is the fee for the application for the STEM extension?

The fee is the current amount for [filing a Form I-765, Application for Employment Authorization](#), as listed on the USCIS Web site. At the time this guidance was published, the fee was \$340.

8.2.7. What if a DSO believes a student is eligible for the extension but SEVIS does not show the link needed to request the extension?

The DSO should contact the SEVIS Help Desk at (800) 892-4829 and request a data fix.

8.2.8. If a student requests a recommendation from a DSO for the STEM extension, and it requires a data fix due to the fact that the student originally applied for pre-completion OPT prior to the April 2008 rule, will SEVP still process the data fix if it has not been completed by the time the original 12-month OPT authorization ends? *(New or Revised)*

Yes. SEVP will process the data fix. We recommend that the student file the Form I-765 with USCIS before the end of the original OPT with an explanation of the circumstances if the data fix has not been completed. When the data fix is completed, the DSO can make the recommendation for the STEM extension and provide the student with the updated Form I-20. The student can submit the updated Form I-20 with a copy of the USCIS receipt notice for the Form I-765 so that the USCIS Service Center can add the Form I-20 to the pending application.

8.2.9. If the extension link shows in SEVIS, does this indicate a student is eligible for the extension?

No. The link should be available for all students currently participating in post-completion OPT. The DSO must verify the [individual student's eligibility](#) for the STEM extension.

8.2.10. What documents will meet the USCIS requirement on the Form I-765 for a copy of a student's degree?

The student may provide one of the following documents in order to meet the requirement:

- Official transcripts
- Unofficial transcripts
- Copy of the diploma showing the level and program of study

8.2.11. In Item 17 of the Form I-765, what should a student list as the degree?

The student should list the name of the degree as it is shown on his or her Form I-20. In addition, the [CIP Code](#) for the student's degree will be printed on page 3 of the Form I-20. The USCIS adjudicator will verify that the student's degree is on the STEM Designated Degree Programs List by using the CIP Code.

If a student with a dual major has the STEM degree listed as the secondary major in SEVIS, the DSO must annotate this on the Form I-20 the student submits to USCIS. The student should provide the CIP Code for the secondary major on the Form I-765.

8.3. E-Verify

8.3.1. Is there a resource list of employers who are enrolled in the E-Verify program?

No. There is no public list of employers enrolled in E-Verify.

8.3.2. How do employers enroll in E-Verify?

The USCIS Web site has information on E-Verify and the enrollment procedures at www.uscis.gov/everify.

8.3.3. What does a student need to know about an employer in order to complete the Form I-765 when applying for the STEM extension?

The student must have the employer's name as listed in E-Verify and the employer's E-Verify company identification number or a valid E-Verify client company identification number. This information must be listed in Item 17 of the Form I-765.

8.3.4. Is a DSO responsible for verifying that a student is working for an E-Verify employer?

No. A USCIS adjudicator will make this determination by verifying the information in Item 17 of the student's Form I-765.

8.4. Employment authorization while the STEM Extension Application is pending

8.4.1. When does a student's period of STEM extension OPT start?

If the student has properly filed for a STEM extension, the student's period of STEM extension OPT starts the day after the expiration of the student's original period of optional practical training.

The student must comply with all the [requirements for students with a STEM extension](#).

8.4.2. Can a student work with an expired employment authorization document while a STEM extension is pending?

Yes. 8 CFR 214.2(f)(11)(i)(C) and 8 CFR 274a.12(b)(6)(iv) automatically extend a student's work authorization for up to 180 days while the student's STEM extension application is pending.

8.4.3. Can a student change employers while the STEM extension application is pending with USCIS? *(New or Revised)*

Yes. However, if the STEM extension period has started, the employer must also be an E-Verify employer. The student must [report the change in employment](#) to his or her DSO. The DSO must update the student's employer information in SEVIS and the student should submit an amended Form I-765 to the appropriate USCIS Service Center, providing the new employer's E-Verify number and a copy of the USCIS receipt notice for the first Form I-765. A brief letter explaining the submission should also be included. There is no fee associated with submitting the amended Form I-765.

8.4.4. Can a student travel outside of the United States if his or her employment authorization document expires and the STEM extension request is pending with USCIS?

No. The student must wait to receive the new employment authorization document.

8.5. Can a student change employers during the STEM extension? *(New or Revised)*

Yes. However, the employer must also be an E-Verify employer. The student must [report the change in employment](#) to his or her DSO.

8.6. How do employers report to a DSO that a STEM extension OPT student is no longer employed?

The school may provide the student with information on how to report the end of the student's employment. The student must provide this information to the employer. If the school does not provide instructions, the employer may send the report to the school address listed on the student's Form I-20.

The employer should provide the student's name, SEVIS ID number (if available) and the date that the student's employment ended.

8.7. Student responsibilities while on STEM extension OPT

A student pursuing a period of STEM extension OPT must:

- Work in a paid position for an E-Verify employer at least 20 hours per week
- Work in a position related to the STEM degree
- Report to the DSO within 10 days of:
 - Legal name change
 - Change in residential or mailing address
 - Change in employer, providing the employer name and employer address
 - Loss of employment
- Send the DSO a validation report every six months starting from the date the STEM extension starts and ending when the student's F-1 status ends or the STEM extension ends, whichever is first. The validation report is due to the DSO within 10 days of each reporting date and must include the student's:
 - Full legal name
 - SEVIS identification number (if requested by the school)
 - Current mailing and residential address
 - Name and address of the current employer
 - Date the student began working for the current employer

A student pursuing a period of STEM extension OPT must **not**:

- Work for any employer that is not an E-Verify employer
- Accrue more than 120 days of unemployment time during the entire period of post-completion OPT (regular post-completion OPT and STEM extension OPT)

8.8. What are a DSO's responsibilities to a student who is granted STEM extension OPT?

The DSO must update SEVIS with information on changes to the student's name and address, and changes in the student's employer's name and address.

This chart shows how to enter the reported information into SEVIS.

Situation	Employer Name Field	Employer Address Field
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Situation	Employer Name Field	Employer Address Field
New job	Name of the employer [start date mm/dd/yyyy] Example: ABC Inc. [04/15/2008]	Employer address supplied by student
Change to a new job (less than 10 days between jobs)	Name of the new employer [start date mm/dd/yyyy] Example: A New Job, Inc. [06/15/2008]	New employer's address supplied by student
More than 10 days of unemployment	Unemployed [ending date of last job mm/dd/yyyy] Example: Unemployed [07/12/2008]	Leave blank

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9. CAP GAP AUTOMATIC EXTENSION FOR F-1 STUDENTS WHO ARE THE SUBJECT OF AN H-1B PETITION

9.1. Basic provisions

The eligibility date is the date a USCIS Service Center receives a properly filed Form I-129, Petition for a Nonimmigrant Worker, from the prospective employer naming the student as a beneficiary of the petition.

The cap-gap extension starts when the student's current period of F-1 status ends, regardless of whether the student was in a period of OPT. However, if the student was not in a period of authorized post-completion OPT on the eligibility date, the extension of status starts on the day after the student's initial grace period expires.

9.1.1. What determines the length of the cap-gap extension? *(New or Revised)*

The following chart shows how the length of the cap-gap extension is determined.

Events Impacting the Length of the Cap-Gap Extension

The Petition Naming the Student:	Impact on Cap-Gap OPT	Impact on F-1 Status	Extension Request Needed	Action Required by Student	Action Required by DSO

SEVP Policy Guidance 0801-02
Updates to Post-Completion Optional Practical Training

The Petition Naming the Student:	Impact on Cap-Gap OPT	Impact on F-1 Status	Extension Request Needed	Action Required by Student	Action Required by DSO
Is properly filed	OPT extended to the June 1, 2009, (the date announced by USCIS as the likely date for the end of the receipting period)	F-1 status extended to July 31, 2009	Yes	Must send a request for the extension to DSO with proof of proper filing (see note 1)	Request a data fix from the SEVIS Help Desk in response to student's request (see note 1)
Is not selected for receipting	No additional extension	No additional extension	N/A	None	None
Is selected for wait-listing	OPT authorization is extended to July 27, 2009 (allowing the 8 weeks USCIS expects to need before receipting or returning the application)	F-1 status is extended to September 26, 2009	Yes	Must send a request for the extension to DSO with proof that the petition was wait-listed (see note 2)	Request a data fix from the SEVIS Help Desk (see note 2)
Is selected for receipting	OPT authorization is extended to September 30	The student's record completes on September 30, ending the student's F-1 status	No, SEVIS will use the data from CLAIMS	Student may request the DSO print a Form I-20 showing the extension	Print updated Form I-20 as requested
Is withdrawn or denied	OPT authorization ends 10 days after the date of the withdrawal or denial	Grace period ends 60 days after the date of the withdrawal or denial	No, SEVIS will use the data from CLAIMS	Student must terminate OPT on the proper date and either the leave the United States upon expiration of the grace period or take other steps to maintain status	None

Note 1: If a student's regular period of OPT extends to June 1, the student does not need to make the request.

Note 2: If a student's regular period of OPT extends to July 27, the student does not need to make the request.

9.1.2. If a student was not in an authorized period of OPT on the eligibility date, can the student work during the cap-gap extension?

No. In order for a student to have employment authorization during the cap-gap extension, the student must be in an approved period of OPT on the eligibility date.

9.1.3. Does a student need to file an application or pay a fee to receive a cap-gap extension?

No. The extension is granted automatically at no cost. However, as noted on the [chart of events impacting the length of the cap-gap extension](#), a student may need to notify the DSO of his or her eligibility for the extension prior to the date USCIS issues a receipt for the H-1B petition listing the student as a beneficiary.

However, it is important to note that although the extension is automatically granted, SEVIS may not be automatically updated to show the extension. A student is responsible for checking with the DSO and verifying that his or her SEVIS record has been updated with the extension. See the [section on how students know they have a cap-gap extension](#).

9.1.4. What is the length of the cap-gap extension?

For a student with active post-completion OPT, the cap-gap extension for both employment and F-1 status starts on the date the student's original OPT expires and ends September 30 unless the H-1B petition for the student is rejected, denied, or withdrawn. In those cases, the employment authorization ends and the grace period begins.

For a student whose post-completion OPT expired prior to the filing date of the H-1B petition, the cap-gap extension starts at the end of the student's grace period and ends September 30 unless the H-1B petition for the student is rejected, denied, or withdrawn. However, the student will not have work authorization.

Due to the complexities involved, students will receive cap-gap extensions in increments, as the petitions go through the steps of filing, receipting and adjudication.

9.1.5. Can the cap-gap extension of OPT be extended beyond September 30 if the H-1B petition filed on the student's behalf has not been adjudicated by USCIS? *(New or Revised)*

No. Pursuant to 8 CFR 214.2(f)(5)(vi)(A), the duration of status, and any employment authorization granted under 8 CFR 274a.12(c)(3)(i)(B) and (C), of an F-1 student who is the beneficiary of an H-1B petition and request for change of status can only be extended until October 1.

If the H-1B petition is pending beyond October 1, a student can remain in the United States based on the pending change of status petition. However, a student with OPT employment authorization extended through the cap-gap period must stop working until the H-1B petition is approved.

9.1.6. Will students receive personal notification when they have a cap-gap extension?

Students will not automatically receive notification when they have a cap-gap extension. Students must request a Form I-20 from their DSOs showing the period of the extension. In some cases, students may need to notify their DSOs that they are eligible for the extension.

9.1.7. How will students know they have a cap-gap extension?

A student must remain in contact with the employer that filed the Form I-129, Petition for a Nonimmigrant Worker, on the student's behalf and with the DSO.

Until USCIS issues receipt notices, only USCIS and the petitioning employer will know when an application is properly filed or wait-listed. The student may obtain evidence from the employer for either of these two events and ask the DSO to request a data fix from SEVP. When USCIS has receipted an H-1B petition, the information is entered into the USCIS Service Center database and used to update SEVIS. However, there are some cases where the data from the database interface does not properly update SEVIS. Students are responsible for checking with their DSOs and verifying that their SEVIS records have been updated with the extension.

9.1.8. How will students know if their cap-gap extension is terminated before September 30 due to a withdrawn or denied H-1B petition?

Students will not be personally notified by DHS of a withdrawn or denied H-1B petition, so they must remain in contact with their sponsoring employer and their DSOs. It is the student's responsibility to check regularly on his or her status.

9.2. Proof of the extension of status and work authorization

9.2.1. What proof will students have that they are entitled to the extension of employment authorization and status? *(New or Revised)*

Using SEVIS, DSOs can print a Form I-20, which shows the dates of continued F-1 status and employment authorization.

This functionality was introduced in SEVIS 5.10, which SEVP released in August 2008. This upgrade allows the system to automatically update a student's SEVIS record with the F-1 status and employment authorization information.

9.2.2. What information appears on the Form I-20 if an F-1 student is eligible for the cap-gap extension of F-1 status and OPT? (New or Revised)

If the F-1 student has an approved current or future post-completion OPT on the date the pending or approved change of status request to H-1B is received from CLAIMS, SEVIS will be updated with the following:

F-1 status and employment authorization for this student have been automatically extended to September 30, [current year]. The student is authorized to remain in the United States and continue employment with an expired employment authorization document. This is pursuant to 8 CFR 214.2(f)(5)(iv) and 8 CFR 274a.12(b)(6)(iv), as updated April 8, 2008, in a rule published in the Federal Register (73 FR 18944). Additional information about the automatic extension can be found on the Student and Exchange Visitor Program Web site at www.ice.gov/sevis.

Also, the Employment End Date of the approved current or future post-completion OPT will be updated to September 30, [current year].

9.2.3. What appears on the Form I-20 if an F-1 student is eligible for the cap-gap extension of F-1 status but not OPT? (New or Revised)

If an F-1 student does not have an Approved current or future post-completion OPT on the date the pending or approved change of status request to H-1B is received from CLAIMS, SEVIS will be updated with the following:

F-1 status for this student has been automatically extended to September 30, [current year]. The student is authorized to remain in the United States. This is pursuant to 8 CFR 214.2(f)(5)(iv) and 8 CFR 274a.12(b)(6)(iv), as updated April 8, 2008, in a rule published in the Federal Register (73 FR 18944). Additional information about the automatic extension can be found on the Student and Exchange Visitor Program Web site at www.ice.gov/sevis.

9.3. Issues with SEVIS and the cap-gap extension

9.3.1. What if SEVIS does not show that an eligible student's work authorization and status have been extended?

Students are responsible for checking with their DSOs and verifying that their SEVIS records have been updated with the extension. If a student's SEVIS record does not properly reflect his or her status, the student should ask the DSO to request a data fix and provide the DSO with evidence that he or she is entitled to the extension.

The evidence needed to support a data fix is:

- For a properly filed H-1B petition

- A statement from the employer that the student is the beneficiary listed on a properly filed H-1B petition
- Proof of delivery to a USCIS Service Center showing the date of receipt
- For a wait-listed H-1B petition
 - A copy of the wait-list letter from USCIS to the employer
- For a receipted or approved H-1B application
 - A copy of the receipt (Form I-797) and/or the receipt number

9.3.2. What are the responsibilities of the DSOs for ensuring that SEVIS properly shows a student has a cap-gap extension?

DSOs are responsible for:

- Providing status information in response to a student's request
- Requesting a data fix by calling SEVIS Help Desk at (800) 892-4829 and forwarding evidence provided by the student

DSOs are not responsible for initiating any additional actions in connection with the cap-gap extension.

9.4. Student responsibilities during the cap-gap extension

9.4.1. If a student is eligible for the cap-gap extension, can he or she continue to work while SEVP is updating the student's SEVIS record with the extension? *(New or Revised)*

Yes. If a student is eligible for the cap-gap extension, he or she can continue to work while the update is being processed by SEVP. The updated Form I-20 is only intended to provide a student with proof of the cap-gap extension. The extension itself is automatic, based on the pending or approved H-1B petition.

9.4.2. May students travel outside the United States during a cap-gap extension period and return in F-1 status? *(New or Revised)*

SEVP strongly recommends that students do not travel outside the United States during the cap-gap extension, if possible, as USCIS will consider a change-of-status application to be abandoned if the applicant leaves the country while the application remains pending. Thus, a change-of-status petition from F-1 to H-1B filed on behalf of a student with a cap-gap extension who departs the U.S. before the application is adjudicated could be denied.

9.4.3. Do the limits on unemployment time apply to students with a cap-gap extension?

Yes. The 90-day limitation on unemployment continues during the cap-gap extension.

9.4.4. What do students on a cap-gap extension need to report to their DSOs?

As with all students on post-completion OPT, a student must report any change of address within 10 days, any legal name change and interruptions of employment. See [8 CFR 214.2\(f\)\(12\),\(17\)](#).

In addition, a student should follow the directions in the [section on what a student should report](#) to ensure that his or her status is not affected by excessive unemployment time.

9.4.5. What are the restrictions on the type of employment for a student with a cap-gap OPT?

See the section on [acceptable post-completion OPT employment](#).

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10. REPORTING FOR STUDENTS ON POST-COMPLETION OPT

Students on all types of post-completion OPT — regular, cap-gap extension OPT or STEM extension — have reporting obligations.

All must report any change of address within 10 days, any legal name change and interruptions of employment.

Students with regular OPT or a cap-gap extension should see directions in the [section on what students should report](#) to ensure that their status does not expire due to excessive unemployment time.

Students with STEM-extension OPT should follow the directions in the section on [responsibilities for students with a STEM extension](#).