

IMPORTANT INFORMATION ON OPT Reporting Requirements for Students and Employers While Students are on OPT

All students on OPT must report the following to the McCulloch Center at Mount Holyoke College:

- Any change in name or residential/ mailing address
- The name and address of their employer
- Any change to the name and address of the employer
- Any interruption of such employment

In addition, students with an approved 17-month extension must report to the McCulloch Center within ten days:

- Any change in name or residential/ mailing address
- The name and address of their employer
- Any change to the name and address of the employer
- Any interruption of such employment

Students with an approved 17-month extension must also make a validation report to our office every six months starting on the date the extension begins and ending when the OPT ends. The validation is a confirmation that the student's name and address, employer name and address, and /or loss of employment are current and accurate. The employer of a student with an approved 17-month OPT extension must agree to report the termination or departure of the student to the McCulloch Center within 48 hours through "any other means or process identified by the Department of Homeland Security."

IMPORTANT: IF YOU FAIL TO NOTIFY US OF YOUR CURRENT ADDRESS AND EMPLOYER'S NAME AND ADDRESS, YOUR SEVIS RECORD WILL BE TERMINATED AFTER 90 DAYS, EVEN IF YOUR OPT HAS BEEN APPROVED AND YOU HAVE A JOB. WE HAVE A WEB FORM AVAILABLE ON OUR WEBSITE SO THAT YOU CAN UPDATE THIS INFORMATION. PLEASE REMEMBER TO DO THIS, AS WE WOULD NOT WANT YOUR RECORD TO BE AUTOMATICALLY TERMINATED.

Unemployment during OPT

Students on post-completion OPT may not accrue an aggregate of more than 90 days of unemployment under the initial 12-month period of OPT. Students granted a 17-month OPT extension may not accrue an aggregate of more than 120 days of unemployment during the total 29-month OPT period. If you accrue more than 90 days of unemployment, you will be considered out of legal immigration status and your SEVIS record may be terminated by the Immigration Service.

The 17-month Extension

What is STEM? S = Science T = Technology E = Engineering M = Mathematics

STEM Fields include

- Actuarial Science (this does not include Economics)
- Computer Science Applications
- Engineering

- Engineering Technologies
 - Biological and Biomedical Sciences
 - Mathematics and Statistics
 - Military Technologies
 - Physical Sciences
 - Science Technologies
 - Medical Scientist (MS, PhD)
- ✓ Besides having to be enrolled in a “STEM” field of study, there are many additional requirements for the 17-Month Extension of OPT:
 - ✓ The student must have spent the 12 months of currently approved OPT working in the STEM field that they will be applying for the 17 month for.
 - ✓ The student must be currently authorized for a 12-month period of OPT and working for a US employer in a job directly related to the student’s field of study.
 - ✓ The student must have successfully completed a bachelor’s, master’s, or doctoral degree in a field on the DHS STEM-Designated Degree Program list, from a SEVIS-certified US college or university.
 - ✓ At the time of application for the 17-month extension, the student must have a job offer or be employed by an employer registered with the “E-Verify” federal employment verification system. For more information on “E-Verify,” see the next section.
 - ✓ The student must not have previously received a 17-month OPT extension after earning a STEM degree.
 - ✓ The student must apply for the 17-month extension through their former school’s international student office. The school’s Designated School Official (Jenny Medina for Mount Holyoke) must recommend the extension and issue a new I-20 with the recommendation noted.
 - ✓ The student must apply for the extension using Form I-765 with fee (currently \$340.00) to the US Citizenship and Immigration Services Processing Center which has jurisdiction over the student’s current place of residence.
 - ✓ The student must file the extension application in a timely manner, before the current period of OPT expires.
 - ✓ The current OPT is automatically extended for 180 days or until the new EAD card is received. The 17-month extension will begin on the day after the current OPT expires, as long as the student has filed her application in a timely manner.

What Is E-Verify?

E-Verify was formerly known as the Basic Pilot/Employment Eligibility Verification Program. E-Verify is an Internet-based system operated by the Department of Homeland Security in partnership with the Social Security Administration. E-Verify allows participating employers to electronically verify the employment eligibility of their newly hired employees. E-Verify is free and voluntary. However, there are concerns about whether employers will want to join E-Verify. Currently, less than one percent of all US employers are enrolled in E-Verify. If an employer joins, the employer will have to verify ALL new employees, including US citizens, in E-Verify.

Elimination of the H-1B “Cap-Gap”

The H-1B “cap-gap” occurs when a F-1 student’s status and OPT work authorization expires during the current fiscal year and before the student can start approved H-1B employment during the next fiscal year, which begins on October 1. For example, a student whose OPT ending date is July 16, 2009, and whose employer successfully files an H-1B petition for a job that is subject to the H-1B “cap” and starts October 1, currently needs to stop employment as of July 16 and leave the United States on September 15 (the last day of the 60-day grace period following OPT). While outside the United States, the student must then obtain an H-1B visa, and cannot re-enter the United States any sooner than 10 days prior to the H-1B start date.

Under the new rule, a student currently on OPT who is the beneficiary of an H-1B petition (which has been filed in a timely manner and requests an employment start date of October 1 of the following fiscal year) will have her duration of status and OPT employment authorization extended to that date.

Should the pending H-1B petition ultimately be denied, the student will have a sixty day grace period beginning on the notification date of the denial to leave the United States. She must then obtain admission to a new F-1 SEVIS-approved school, or file an application for a change of status.

Travel abroad and re-entry during this time may not be possible. Also, if your employer filed for consular notification for your H-1B approval, the "cap gap" benefit will not apply to you.