

# Guide to Expanded OPT Benefits for Suffolk University Students

## Updated 28 April 2008

Several changes in Optional Practical Training went into effect on April 8 for students in F-1 immigration status--

### **Change #1 The 29 Month OPT Rule for STEM Students**

STEM stands for Science, Technology, Engineering and Mathematics. Students who are currently on OPT based on graduation from Suffolk in a STEM major are eligible to apply for an additional 17 months of OPT under certain conditions. Students who graduated from Suffolk with the following majors are eligible to take advantage of Change #1:

#### **Undergraduate:**

Biology  
Biotechnology  
Environmental Technology  
Marine Studies  
Biochemistry  
Chemistry  
Computer Science  
Computer Engineering  
Electrical Engineering  
Environmental Engineering  
Mathematics  
Medical Biophysics  
Radiation Biology  
Physics

#### **Graduate:**

Computer Science

Only students who are currently participating in OPT for one of these majors are eligible for the expanded OPT time. No additional majors are eligible at this time. For example, if a student did an undergraduate degree in Engineering but is now on OPT for an MBA, he or she is NOT eligible for the expanded OPT since the current OPT is for a field of study not covered under the USCIS definition of STEM. If other majors are added to the list for the 29 month OPT, we will update the web site to let you know as soon as the information is released to us.

Students who are eligible for the expanded OPT based on graduation with a STEM major and current OPT employment related to that major must also be working for an employer who is enrolled in the **E-Verify Program** or who is willing to enroll in the E-Verify Program. To find out if your employer is enrolled in the E-Verify program, consult the Human Resources office or manager. If your employer is not enrolled in E-Verify, you can refer the to the E-Verify web site for additional information:

[http://www.dhs.gov/ximgtn/programs/gc\\_1185221678150.shtm](http://www.dhs.gov/ximgtn/programs/gc_1185221678150.shtm)

If you think you are eligible for the expanded OPT based on graduation in a STEM major AND current employment in that field of study with an employer who is enrolled in the E-Verify system, complete the form I-765 to file for the expanded OPT time. The form is available at USCIS.gov; be sure to use the April 8 version of the form and note the new instructions. Contact the OIA using our office email account

[ويا@suffolk.edu](mailto:ويا@suffolk.edu), and we will advise you regarding how to submit the I-765 to us depending on whether you are in Boston or in another U.S. location.

### **Change #2 H1-B Cap-Gap Extension**

Any F-1 student who is currently on OPT AND whose employer filed an H1-B petition on their behalf to begin with the start of the new fiscal year on October 1, 2008 is eligible to continue working until the H petition is adjudicated. If the H petition is successful, the student may continue work under an extension of F-1 OPT until the H status begins on October 1, 2008. If the H petition is denied, employment under the expanded F-1 OPT must stop as soon as the denial notice is received. No additional petitions or I-765 must be filed to take advantage of this great new benefit as long as an H1-B petition has already been filed on your behalf; however, **you do need to contact the OIA so that Suffolk can make a notation in your SEVIS record that you are pursuing the cap-gap extension program.** If you plan to use the cap-gap provision, please **write to our office email account [ويا@suffolk.edu](mailto:ويا@suffolk.edu)** so that we can assist you with the notation. Please note that the notation process varies depending on how your H petition is received. You may want to click on the link at the end of this message to read the SEVP policy guidance hand out on the cap-gap process. **This Cap-Gap Extension is available to all F-1 students working on OPT in any major field of study.**

### **Changes in Reporting and Employment Requirements**

Along with these expanded OPT benefits, USCIS is requiring students to keep in closer contact with Suffolk during the OPT time. To maintain valid F-1 status during OPT, remember to provide us with your **current address** and the **name and address of your employer**. Check back in with Suffolk every six months to verify address and employer information and to receive a new travel signature on your I-20 if you plan to travel outside of the U.S. In addition, report to Suffolk if you stop working while on OPT. Students on 12 months of OPT cannot be unemployed for more than 90 days; students on 29 months of OPT cannot be unemployed for more than 120 days.

For more information about these changes in OPT, you can visit the following web sites:

SEVP Policy Guidance on OPT

[http://www.nafsa.org/regulatory\\_information.sec/regulatory\\_document\\_library.dlib/sevis/sevp\\_policy\\_guidance](http://www.nafsa.org/regulatory_information.sec/regulatory_document_library.dlib/sevis/sevp_policy_guidance)

- This document contains detailed information on the cap-gap process starting on page 25; pay special attention to the responsibility of students to contact the school for the SEVIS notation.

NAFSA: Association of International Educators Resource on the Interim Final Rule, including the Federal Register Notice

[http://nafsa.org/regulatory\\_information.sec/29\\_month\\_opt\\_rule\\_updates](http://nafsa.org/regulatory_information.sec/29_month_opt_rule_updates)

If you have questions about these changes in OPT, please write to us at [ويا@suffolk.edu](mailto:ويا@suffolk.edu).

