

This document has been updated to reflect that the final rule was published on April 8, 2008.

New Optional Practical Training (OPT) Rules for F-1 Students

On April 3, 2008, The Department of Homeland Security announced the publication of an Interim Final Rule that makes significant changes to Post-Completion Optional Practical Training for F-1 students.

This rule took effect upon publication of the rule in the U.S. Government's Federal Register of April 8, 2008.

Major OPT Changes:

17-Month OPT Extension for Qualified Students

Students who have completed an Stevens Institute of Technology bachelor's, master's, or doctoral degree in the areas of science, technology, engineering, or mathematics will be eligible to apply for a one-time extension of 17 months of OPT if they meet the criteria. The criteria includes having an employer who is enrolled in the government's "E-Verify" program and complying with enhanced reporting requirements to the Department of Homeland Security through the OISS. The authorization for this additional OPT is through the Department of Homeland Security.

H-1B "Cap Gap" Extension

Students on post-completion OPT in any field who have filed a timely H-1B petition with a start date of October 1 of the following fiscal year and a change of status will receive an automatic extension of their OPT. This extension terminates upon rejection, denial, or revocation of the H-1B petition.

OPT Application Deadline

The period to file for post-completion OPT has been amended. Students will be able to file no more than 90 days prior to the completion date and the application may be received no later than 60 days following the completion date.