180 DAY AUTOMATIC EXTENSIONS FOR EMPLOYMENT AUTHORIZATION DOCUMENT (EAD) CARDS BASED UPON A QUALIFYING OPTIONAL PRACTICAL TRAINING (OPT) EXTENSION FOR CERTAIN STUDENTS

HOW TO DOCUMENT AN OPT STEM EAD EXTENSION IN TRACKER

This guide shows how to create or update an I-9 that qualifies for an automatic 180-day work authorization extension based upon timely filed 24-month EAD extension application Form I-765 for an F-1 academic student who received a bachelor’s, master’s, or doctoral degree in science, technology, engineering, or mathematics (STEM).

It is important to note that the way the I-9 is updated depends on certain factors:

- Whether the employee is a new hire completing a new I-9 or an existing employee needing to update their existing I-9;
- Whether the I-9 was created within Tracker I-9 Complete or whether it is a historical record imported into Tracker; and,
- The section in which the previous work authorization was documented for the employee.

NOTE: This guide does NOT describe Temporary Protected (TPS) Status EAD extensions. Please see the TPS & DED Auto Extension guide for how to process these extension types.

**To update the I-9 for an existing employee when the previous I-9 was created within Tracker I-9 Complete, take the following steps.**
1. Click on the Additional Documents dropdown in List A.

2. In the selector that appears, choose "EAD OPT STEM Extension" and click the continue button.
3. The employee must present their EAD and Form I-20 in order to qualify for the extension. Click Yes to confirm that you received these documents.

4. Ensure the EAD document information is entered correctly. As a reminder, EAD renewal application must be filed before the employee's EAD card expiration date in order to be considered timely filed. The Additional Document fields will expand and the I-9 Manager will now be able to view the Reverification Due Date.
   a. The Reverification Due Date will automatically calculate to 180 days from the date the EAD card expires.
   b. The Additional Information text field in Section 2 auto-populates with the text "Section 2 EAD EXT [Reverification Due Date]".
When the I-9 Manager updates Section 3, the Additional Information text field will auto-populate with the text "Section 3 EAD EXT [Reverification Due Date]".

5. The I-9 Manager should click save and sign off on the changes.

6. The employer must reverify the employee’s employment authorization in Section 3 once they receive a decision from USCIS.

**When creating a new I-9, take the following steps.**
1. After the employee completes Section 1, select the List A document type Employment Authorization Document (Form I-766) and continue.

   ![List A Document Type Image]

   **List A (Documents Both Identity & Employment Eligibility)**
   - Employment Authorization Document (I-766)
   - Foreign Passport with I-94 or I-94A
   - Marshall Island Passport with Form I-94 or I-94A
   - Micronesia Passport with I-94 or I-94A
   - Receipt: Form I-94/I-94A with refugee stamp (or RE class of admission)
   - U.S. Passport
   - U.S. Passport Card
   - Permanent Resident Card (Form I-551)
   - Alien Registration Receipt Card (Form I-551)
   - Foreign Passport with Temporary I-551 Stamp
   - I-551 Stamp on a Form I-94 with a Photograph (No foreign passport)
   - Temporary I-551 Printed Notation on a Machine-Readable Immigrant Visa (MRIV)

2. Click Yes on the Additional Documents Confirmation alert.

   ![Additional Documents Confirmation Image]

   **Additional Documents Confirmation**
   You have indicated that the employee presented a Employment Authorization Document (Form I-766). Some foreign national employees may present additional documents to establish employment authorization in combination with their EAD, such as a Form I-20 or Form I-797 Receipt Notice.

   Did the employee present additional documents?
   - [Yes]
   - [No]

3. Follow the set of instructions in this guide that describe updating an existing I-9 creating in Tracker I-9 starting at Step 2.

   To update the I-9 when the previous I-9 was imported into Tracker, please take the following steps.

   1. Navigate to Historical I-9 Section 2 or Section 3 of the employee that qualifies for the extension.
2. Update the Additional Information textbox with the text “Section 2 EAD EXT [Reverification Due Date]”, being sure to enter the correct Reverification Due Date (the EAD Card expiration date + 180 Days). As a reminder, EAD renewal application must be filed before the employee’s EAD card expiration date in order to be considered timely filed.

3. The I-9 Manager should click Save and sign off on the changes.

4. Navigate to the Summary tab and update the Reverification Status module. Be sure to enter a Reverification Due Date that is 180 days after the EAD expiration date.
5. The employer must reverify the employee’s employment authorization in Section 3 once the employee receives a decision from USCIS.

BACKGROUND INFORMATION

If you participate in E-Verify, an F-1 academic student who received a degree included in the DHS STEM Designated Degree Program List found on ICE’s website at www.ice.gov/sevis/stemlist.htm may apply for a one-time 24-month extension of his or her OPT EAD. Employers who do not participate in E-Verify do not qualify for the OPT STEM extension option.

If the student's Employment Authorization Document (Form I-766) expires while his or her STEM extension application is pending, he or she is authorized to work until USCIS makes a decision on his or her application, but not more than 180 days from the date the student's initial OPT Employment Authorization Document (Form I-766) expires.

The student’s expired Employment Authorization Document (Form I-766), together with his or her Form I-20 endorsed by the designated school official recommending the STEM extension are acceptable proof of identity and employment authorization for Form I-9 purposes. Enter these documents in Section 2 under List A of Form I-9. You should reverify employment authorization no later than 180 days from the expiration date of the previous Employment Authorization Document (Form I-766).

You must reverify employees when their automatic extension ends, no later than the date their work authorization expires. You can reverify them before the automatic extension ends if they present any document that shows current employment authorization, such as any document from List A or C.

DOCUMENTS

The employee must present their endorsed Form I-20 in order to qualify for the OPT STEM extension.
Note: Form I-20 is updated with minor revisions periodically. Your actual I-20 may differ slightly from the sample above, but the main sections should be the same.

SAMPLE Form I-20

Page 1

Page 2
NAME: Student Sample

<table>
<thead>
<tr>
<th>SEVIS ID: N0004720633 (F-1)</th>
<th>TYPE</th>
<th>FULL/PART-TIME</th>
<th>STATUS</th>
<th>START DATE</th>
<th>END DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**EMPLOYMENT AUTHORIZATIONS**

<table>
<thead>
<tr>
<th>TYPE</th>
<th>FULL/PART-TIME</th>
<th>STATUS</th>
<th>START DATE</th>
<th>END DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**EMPLOYER INFORMATION**

<table>
<thead>
<tr>
<th>TYPE</th>
<th>AUTHORIZATION DATES</th>
<th>EMPLOYER NAME</th>
<th>START DATE</th>
<th>END DATE</th>
<th>CITY &amp; STATE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>01 JUL 2018 - 15 JUL 2018</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**CHANGE OF STATUS/CAP-GAP EXTENSION**

**AUTHORIZED REDUCED COURSE LOAD**

**CURRENT SESSION DATES**

<table>
<thead>
<tr>
<th>CURRENT SESSION START DATE</th>
<th>CURRENT SESSION END DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**TRAVEL ENDORSEMENT**

This page allows the student to travel to any country where they are enrolled in school. The school or program must issue travel endorsement to the student, and the student must meet the requirements of the school or program where they are enrolled.

<table>
<thead>
<tr>
<th>SCHOOL</th>
<th>TITLE</th>
<th>SIGNATURE</th>
<th>DATE ISSUED</th>
<th>PLACE ISSUED</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>