

## Information on August 12, 2015 U.S. District Court ruling on STEM OPT

Dear Students,

You may have heard about the recent court case about STEM OPT. We want to reassure you that this has no immediate impact on OPT and STEM OPT. If you are currently on OPT or STEM OPT, you should continue working and continue to maintain status by [reporting employment and address changes](#) to our office. We will continue to process new OPT and STEM OPT applications as usual.

Since the court case just came out, there is much speculation, but we want you to know:

- We understand how important OPT and STEM OPT are to international students.
- We are watching this situation carefully and working with experts to understand how this affects K-State students.

### The Summary

This week a U.S. District Court ruled that the Department of Homeland Security (DHS) did not follow the rules when they enacted the regulation that created the 17 month STEM OPT extension. DHS has been given 6 months to fix this mistake. If DHS does not fix the mistake by February 12, 2016, the regulation allowing for STEM OPT will be cancelled.

### More Information

- [Lexology Legal Blog](#) - detailed analysis
- [Read the full case decision here](#)

### FAQ

#### ***When does this decision go into effect?***

The court decision is effective February 12, 2016. Until that time or until a new regulation is issued, the current regulation is in effect.

#### ***Is it possible for the Department of Homeland Security to fix this by February 12th?***

Yes, it is legally possible for DHS to issue a proper regulation before the February deadline. We are waiting for DHS comment and will update you with new information as it becomes available.

#### ***What will happen after February 12, 2016?***

At this point, we don't know. We are waiting for DHS response and working with experts in the field. We will provide updates on this webpage as soon as we have more information.

#### ***I am currently working on OPT. What does this mean for me?***

You should continue working and continue to maintain F-1 status by [reporting employment updates and changes in your residential address](#) to our office.

#### ***I am currently working on STEM OPT extension. How does this affect me?***

You should continue working and continue to maintain F-1 status by [reporting employment updates and changes to your residential address](#) to our office.

#### ***My application for OPT or STEM OPT extension is pending. How does this decision affect my application?***

OPT and STEM OPT applications are being reviewed and processed as usual.

#### ***My 12 month OPT time is ending soon, and I was planning to apply for the STEM OPT extension. Can I still apply?***

Yes, we will continue to process new STEM OPT applications.

#### ***I am a current student who will be graduating soon. What does this ruling mean for me?***

We will continue to process new OPT applications as usual. If you are interested in OPT, we strongly recommend applying before your last day of classes. You can submit an OPT application to USCIS up to 90 days prior to your degree completion.

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