



U.S. Citizenship
and Immigration
Services

March 1, 2017

Swapan Chattopadhyay
Chancery
Embassy of India
2107 Massachusetts Avenue, NW
Washington, DC 20008

Dear Mr. Chattopadhyay:

Thank you for your January 25th letter regarding the December 12, 2016 decision by the U.S. Department of Education to cease recognition of the Accrediting Council for Independent Colleges and Schools (ACICS) as an accrediting agency and the effects that determination has on F-1 students who wish to participate in the Science, Technology, Engineering and Mathematics (STEM) Optional Practical Training (OPT) extension program.

The ACICS de-accreditation determination immediately impacts two immigration-related programs which legally require schools/institutions to be accredited:

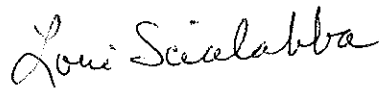
- English as a Second Language programs are required to be accredited under the Accreditation of English Language Training Programs Act.
- F-1 students applying for a 24-month STEM OPT extension must use a degree from an accredited, Student and Exchange Visitor Program (SEVP)-certified school as the basis of their STEM OPT extension. The school must be accredited at the time of the application; this is the date of the designated school official's (DSO) recommendation on the Form I-20.

U.S. Citizenship and Immigration Services (USCIS) will issue a denial to any applicant applying for a STEM OPT extension and employment authorization if, at the time of filing the Form I-765, Application for Employment Authorization: (1) the student is attending a school that was accredited by ACICS; and (2) the student's Form I-20 has a DSO recommendation date after December 12, 2016. Because there is a regulatory requirement that students use a degree from an accredited, SEVP-certified school at the time of application, the ACICS de-accreditation precludes these applicants from qualifying for a STEM OPT extension. Students receiving a denial will have 60 days to prepare for departure from the United States, transfer to a different school, or begin a new course of study at an accredited, SEVP-certified school.

Students whose Forms I-20 have a DSO recommendation date prior to December 12, 2016, are not affected; this includes students currently participating in a STEM OPT program. Likewise, the ACICS de-accreditation does not affect pre- or post-completion OPT programs; it only affects the STEM OPT extension program. Finally, we note that the de-accreditation determination is not retroactive. For example, if an H-1B petition is filed on behalf of an F-1 student, USCIS will look at the date the degree was conferred and whether the school was accredited at that time to determine whether the degree meets the requirements of the H-1B classification.

Thank you again for your letter and interest in this important issue. Should you have any further questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Lori Scialabba".

Lori Scialabba
Acting Director