

## SEVIS and SEVP Policy Questions & Answers Submitted by Schools

March 18, 2003

**Q:** What events are considered “reportable events”, meaning events for which a SEVIS approved school would be required to create a SEVIS record for a continuing student that is not already in the system prior to August 1, 2003?

**A:** Reportable events include any event for which a P/DSO would normally issue a student a new form I-20 and/or report to the Service including:

- Program Extension;
- Optional practical training (OPT) application;
- Curricular practical training (CPT) authorization;
- Off-campus employment application;
- Authorization to drop below a full course of study;
  - *(note that undergraduates at colleges and universities dropping below a full course load during the last semester or term is not a reportable event, as they are considered, by definition, to be enrolled in a full course of study during that last semester or term)*
- Reinstatement request;
- Add a dependent;
- Changes to financial information;
- Travel signatures are full and a new I-20 must be issued to authorize subsequent travel;
- Replacement of lost/ damaged form;
- Transfer in
- Change of degree level, for example from BS to MS;
- Known F-1 major or field of study change; and
- Student that is leaving the U.S. and will need a new visa issued prior to re-entry.
  - ( A student who was initially issued a Non-SEVIS I-20 prior to February 15<sup>th</sup>, 2003, and whose I-20 issuance information was entered into ISEAS, can still use that I-20 for visa issuance purposes prior to August 1, 2003.)

Continuing student records do **not** have to be created prior to August 1, 2003 solely for reporting when a student:

- Completes their current program (graduates);
- Terminates their current program;
  - (Early termination or withdrawal of a continuing student not yet in SEVIS can be reported via the #800 number until August 1, 2003.)
- Fails to initially enroll in a program for which they have been issued a Non-SEVIS I-20; or
  - ( a non-SEVIS no-show can be reported via the #800 until August 1, 2003.)
- Transfers out of a SEVIS school prior to be entered into SEVIS.
  - (When a student not yet entered in SEVIS transfers to another school, the transfer-in school will create the SEVIS transfer-in record. Therefore, the transfer-out school does not need to create a SEVIS record for the sole purpose of transferring the student to another school).

While it is not required that a SEVIS record be created at other points, the P/DSO may create the continuing student record at any other point that they choose, and the Service encourages schools to create these records as soon as they are able to, especially as the student's other personal or program information changes, such as a change of address.

**Q:** Several schools were concerned about the sluggishness of the system over the past weeks, both in terms of how and when it would be fixed and what the Service would do to accommodate schools that were unable to update records due to this problem.

**A:** On January 30, 2003, six new servers were added to the SEVIS system enabling it to better handle any user-overload. The Bureau, in part to accommodate schools experiencing problems using the system, extended the deadline for entering any new students or new events to February 15, 2003. Any I-20's or forms issued on paper prior to this date will continue to be accepted by Bureau until August 1, 2003 at which point schools should have all continuing foreign F and M students (ie: those issued an I-20 and registered at their school prior to 2/15/2003) entered into the system with all information being current as of the 8/1/2003 date. Assuming a certain school runs on a regular two semester year (excluding summer school), and with the now increased speed of the system, this school should have an adequate amount of time to complete and update any current student records. However, any new I-20's issued after 2/15/2003 will have to be generated from SEVIS as well as immediately entering into the system any continuing student experiencing a reportable event after said date.

For those schools that were part of the original CIPRIS program, and whose full set of student records were converted to SEVIS, the Service is aware that you face a unique set of circumstances both in terms of completing the required student record updates in the required timeframe, and in correcting the status of certain converted records. The Help Desk should have contacted each of you to discuss the timing of you record updates. However, please continue to notify the SEVIS Help Desk with any problems you have with updating converted CIPRIS records.

**Q:** Users have expressed concern that actions by the District Offices and Service Centers, such as reinstatements, are not entered into SEVIS quickly enough and therefore SEVIS users cannot access this information. Schools claim that this gap in time between the actual event and when it is entered in the system denies valid students benefits to which they are entitled and this is occurring just because the schools are being forced to exclusively use SEVIS for any student event. Wants INS to regularize and expedite data entry.

**A:** SEVIS is now electronically connected to the Bureau Service Center system. As such, once the Service adjudicates a benefit request, the results of that adjudication are automatically updated in SEVIS, and the student's record/ status is changed accordingly. In most cases, the results of a Service Center adjudicated event, such as change of status or INS authorized employment, should be reflected in SEVIS even before the mailed results are received by the student.

In the case of reinstatement adjudications, the Bureau district officers should be updating the results in SEVIS as soon as they make their final determination. There was

a point at which not all district officers had access to SEVIS, and this was causing a time delay between the paper adjudication of SEVIS reinstatement requests and the system updates. However, this time delay should no longer exist, and the district officers should be able to make timely updates to SEVIS when adjudicating reinstatements. If a P/DSO believes that a petition has been adjudicated, and the result of that adjudication is not appearing in the system, the P/DSO should report this case to the SEVIS Help Desk for further investigation.

**Q:** Does a student's enrollment, or failure to enroll, in the summer term have to be reported in SEVIS? Will the schools have to change the student's SEVIS status to part-time just for that summer session? Or is their student status based on what their course load is at the next required enrollment period?

**A:** A student's status of full time or part time is based on their course load during required periods of enrollment. The school may report in SEVIS that a student is enrolled during a session that is not required, such as a summer term, but is not required to report this information. Therefore, a student not taking classes during an annual and/or summer break from school does not need to be reported in SEVIS as having failed to enroll.

**Q:** How is summer enrollment, or summer/ annual vacation indicated in SEVIS?

**A:** A student's enrollment each term or session is reported via the registration dates in the student record. Likewise, these registration dates can be used to indicate annual breaks in a student's study. The "next session start date" is simply the date of the next session that you anticipate the student registering for. For example, what would the registration dates be in a typical spring semester? If the student is taking the summer off, and will begin again in the fall, the "next session start date" will be the start of that fall semester. The time between the "current session end date" (spring session in this example) and the "next session start date" (fall session) signifies the summer break. However, if the student plans to be enrolled for that summer session, the P/DSO may enter the "next session start date" as the start of the summer session. If the student's plans change, the registration dates can be updated at any point to reflect the most current information.

**Q:** School wants to know what to do with foreign students who are no longer attending their school. Do they still register them in SEVIS and state they have returned to their home country, do we register any that we don't know what happened to them, or do they not bother registering them at all?

**A:** Continuing student records do not need to be created simply for the purpose of indicating that a student has terminated, completed or failed to enroll for a particular program. However, a school should continue to report no-show information to the Service via the # 800. [See the answer to question on "reportable events" for details.]

**Q:** How does a school transfer a student into their institution using the SEVIS system?

**A:** In general, the transfer process will vary depending on whether the student is in an F program or an M program, and on whether or not the student has a SEVIS record prior to the transfer. All scenarios are outlined in the regulations and addressed in the SEVIS School User Manual, available from the INS website ([www.immigration.gov](http://www.immigration.gov)). The SEVIS Help Desk should also be able to walk users through this process.

Briefly, for students that have a SEVIS record already created at another SEVIS school, the transfer-out school will need to indicate that the student is transferring to the particular school in question, and will need to specify a release date. Upon that release date, in the case of an F student transfer, the transfer-in school will be able to open a partially completed record by clicking on the transfer-in record on the “students in transfer” list. This list is available to the P/DSO and the all of the DSOs at the campus to which the student is transferring. This partially completed transfer record should be completed and submitted to the system by the transfer-in school, and the transfer I-20 can then be issued to the student. Once the student actually registers at the transfer-in school, the F transfer is completed by the DSO registering the student in the system.

For F students that do not already have a SEVIS record at the transfer-out school, the transfer-in school should create a new record with an issuance reason of “transfer”. This will create an initial transfer-in Form I-20 that can be issued to the student. Once the student registers at the transfer-in program, the P/DSO should register the student in the system. The registration event at the transfer-in school will complete the F student transfer.

An M student transfer, because it is a Service adjudicated event, involves a larger set of instructions, which again are available on-line in the Schools Users Manual, and from the SEVIS Help Desk.

**NOTE:** The Bureau is aware that some schools have experienced difficulties in identifying the correct “transfer-to” school in the transfer menu, because some multi-campus institutions have several campuses with similar names. The Bureau plans to add a list of SEVIS school codes to the transfer menus to allow for easier identification of the transfer-out school in cases where school name is not sufficient. However, until this enhancement is in place, schools that are unsure which “transfer-out” school to choose from the list should call the SEVIS Help Desk for assistance.

**Q:** How does a school report a student violator using the SEVIS system?

**A:** If a student that is already in SEVIS violates the terms of their status, the P/DSO can report this by terminating the student in SEVIS for one of the termination reasons on the drop down menu. A student that was issued a SEVIS I-20 for initial attendance, is reported by the INS to have entered the US to attend that school, and that fails to enroll should be terminated for a reason of “no-show”. However, the school does not need to create a continuing record prior to August 1, 2003 for the sole purpose of reporting a student’s status violation. Termination or no-show of a student that is not already in SEVIS can be reported by calling the Service at the #800 prior to August 1, 2003.

**Q:** What does a school do for the students who have had they’re I-20 taken at the Port of Entry and the school has not received it yet?

**A:** If the school knows that the student arrived and registered for the program, they can register them in the system, and wait for the form to arrive. If the form does not arrive from KY in a timely fashion, the P/DSO can also re-print a SEVIS I-20 for the student following SEVIS registration, for an issuance reason of "lost". The Form printed after registration will indicate an issuance reason of "continuing student", rather than "initial attendance".

Likewise, if the school knows that the student did in fact enter through the POE to attend their school, but the student fails to register, the P/DSO can terminate the SEVIS record for "no-show" even if the mailed form has not yet been received. (The entry notification may appear on the SEVIS alert list of students that entered through the POE before the mailed form arrives at the school).

Having said that, however, schools should also be aware that the Service is phasing out the process of the Ports collecting students' SEVIS Forms I-20, as this information is now being electronically updated. The following is a summary of the new Service port of entry procedures for Forms I-20.

### **STUDENT ENTRIES AT INS POE - SEVIS I-20 PROCESSING**

- **For all SEVIS student initial entries**

- Notification of any student making an *initial* entry on a SEVIS Form I-20 is now being sent electronically to SEVIS. All students entering the U.S. via land borders will be routed to secondary inspections, where their entry information will be updated in SEVIS.
- At this time, students entering at most air and seaports will not be admitted directly through the primary lane. Ports may be establishing separate student lanes, and may also route students through the standard secondary inspections lanes.
- DSOs should make students aware that processing at land, air and seaports may take more time, and should encourage students to plan travel and connecting flights accordingly.
- In all cases, initial student entry information is being entered by the inspector and updated electronically in SEVIS.

Once the entry information is entered at the POE, the student's date and port of entry information is automatically populated in the registration information screen on their student record, and will appear on the alert list of students that have entered through the POE, but that have not yet registered.

- Students that are on this list need to be either registered or terminated for "no-show".
- This SEVIS termination replaces the schools requirement to report no-shows via the #800.
- The system will terminate such students if no action is taken on their initial status records.

- This electronic notification function eliminates the need for the POE to take the student's form SEVIS I-20 and route it through London, KY, and the ports are thus phasing this practice out.
- **All initial entries on Non-SEVIS Forms I-20 prior to August 1, 2003**, will continue to be processed in the same manner as before, meaning that the student will retain their copy and school copy will be sent to the school from London, KY with the cover letter requesting that the school report a no-show via the #800 number.

**Q:** Should schools enter and maintain a student's admission number information in SEVIS?

**A:** Schools should NOT enter a student's admission number in SEVIS, either when creating or updating the record. Student information on visa issuance, date of entry, port of entry, and admission number will now be automatically populated by system interfaces. Therefore, while these fields are available to the DSOs, it is better that the DSO not enter this information themselves.

Students are now given a new admission number each time they enter. SEVIS will keep an electronic record of all admission numbers and will update the student's record accordingly.

**Q:** What does a school do when they are creating an I-20 and the student's choice of major is not listed on the dropdown menu? The help desk told her to choose as similar major as possible. Will doing this cause any problems in the future for the school or student?

**A:** This table, taken from Department of Education CIP major table, was the best option for a standardized major/ field of study reporting system because the Department of Education can provide schools with a list of "cross-walks" or name equivalencies, allowing a school to merge their program name lists with the CIP table. For a school whose field of study names do not yet match the CIP table, the Service suggests that the school work with their institutional research office to get the Department of Education equivalents for their field of study designations. Until all the field of study names are consistent with those in the Department of Education CIP tables, however, choosing the most similar major or area of study should not pose a problem for the student at a later date. The Service is aware that the major/ field of study codes listed in the CIP table in SEVIS do not offer an exact match for all schools.

**Q:** This school is an International English Program with students often attending for one session only. Program and session dates are usually the same. This being the case, they are required to enter the next session start date as the program end date, even though they don't have another session. This causes them to routinely enter the Monday after the student has already left, which then prompts a registration alert. The

SEVIS help desk said they couldn't help with this problem and for the school to just ignore the alerts.

**A:** The Bureau plans to add a "check box" to the system to allow all schools to indicate that a student is in their last session. This check box will be in used in place of the "next session start date field" for all students in their final session (which would include those students that are enrolled in a single session program such as the one described above).

Until this functionality is added, however, the Help Desk is correct instructing schools to enter the program end date as the "next session start date" in the final session. Regardless of whether or not the student appears on the registration alert list, the student's record will change to "completed" status 60 days following the program end date for a student in an English language program.

The Bureau is aware that students are appearing on the registration alert list even though their program end date has passed. This is a temporary problem in the system that will be fixed with the addition of the "last session" check box if not sooner. While this creates confusion, it poses no threat to the student's status because, once the program end date has passed, the student will not be terminated based on registration dates.

**Q:** A DSO stated that a student issued a non-SEVIS I-20 was initially admitted through an INS port of entry after the start date specified on the Form I-20. As such, the student could not begin classes until the following semester. Can she issue a "continued attendance" I-20 or does the student need to request reinstatement?

**A:** In general, a student should not be admitted through a US port of entry more than 30 days prior to the program start date, and only up until that program start date. If a student arrives at a POE with an I-20 issued for initial attendance in a program that has already begun, the inspector may choose to try and contact the school and/ or deny entry.

However, in the case stated above, if a student is lawfully admitted through an DHS or Bureau POE, they are in status and therefore do not need to apply for reinstatement, even if admitted after the start of their program. If the student is admitted past the program start date, and cannot therefore begin the program in the expected term or session, the Bureau requests that the school call the Help Desk so that the Bureau can assist the school in changing the students program start date, and can track the status of this student in the interim period. Further, the Bureau requests that the school either make sure that the student starts at the next available term or session, ask the student to leave the US and re-enter, or, failing those, inform the Bureau of the student's failure to enroll.

In the specific case in question, if the student was admitted on a non-SEVIS Form I-20, and has since begun the program, the student can be entered as a "continuing student" in SEVIS. However, if the student has not already begun the program, the Bureau requests that the school contact the SEVIS Help Desk and be assisted in creating an appropriate SEVIS record for the student, indicating commencement of studies at the next available term or session.

**Q:** What do I do in cases where SEVIS does not allow me to reflect a student's current circumstances when creating a continuing student record?

**A:** The Bureau is aware that, in certain instances, SEVIS does not allow for the current circumstances of a student's status or program to be reflected when creating a continuing student record. In many such cases, the Bureau has already issued detailed instruction for entering these students directly to NAFSA. This information can also be e-mailed to schools from the SEVIS Help Desk. These cases include:

- students with OPT that was applied for and/ or approved prior to creation of the student's SEVIS record;
- M students in programs that exceed 12 months in length; and
- M students who have applied for and/ or been approved for a program extension prior to creation of the SEVIS record.

P/DSOs that are attempting to create records for students in the circumstances described above should contact the SEVIS Help Desk or the NAFSA website to obtain instruction.

P/DSOs that are attempting to create records that they believe cannot be accurately reflected in SEVIS, but for which there is not yet guidance available, should contact the Help Desk and provide a detailed explanation of the circumstance. It is via escalation of this type of Help Desk report that the Bureau can be made aware, and thus develop guidance on, such unforeseen circumstances.

**Q:** If a student filed a paper reinstatement request that has not yet been adjudicated, how can this record be created in SEVIS? Should I create a record for "reinstatement", and if so do I need to send a new reinstatement application?

**A:** This is largely determined by the local District Officer, as she or he is the individual responsible for adjudication of the reinstatement application. A school that finds themselves in this circumstance should first contact the local District Student School Officer to check on the status of the case and determine what course of action is best. Because the student does not necessarily need a new Form I-20, and the reinstatement application was already filed on a non-SEVIS I-20, the DO may adjudicate the non-SEVIS application. Upon approval of this application, a school official could then create a continuing student record in SEVIS. The DO may also request that the school create a SEVIS record with an issuance reason of "reinstatement", send the DO the SEVIS issued form, and allow for electronic adjudication of the previously filed application. Adjudication of this electronic record will then automatically change the student's status in the appropriate manner.

**Q:** What should I do if a student that has a reinstatement that is still pending is nearing their program end date and wants to transfer or change program levels?

**A:** A school official should contact the local District Student School Officer as soon as possible to determine the status of this student's case. Until that student's reinstatement application has been approved, the student is not eligible to transfer or change programs. In order to begin a new program without approval of the original

reinstatement request, the student will have to leave the U.S. and re-enter with an I-20 issued for initial attendance from the new school or for the new program level. .

**Q:** If a student that is transferring into my school wants to defer the start of the new program, and the total time spent between programs will still be less than 5 months, how can I reflect this in SEVIS?

**A:** At this time, SEVIS does not allow for a deferred program start for a student that is already in the U.S.. In cases where a student that is supposed to transfer to a new program within the U.S., and wishes to defer the start of the transfer-in program for a period not to exceed 5 months from the end of transfer-out program, the transfer-in program school official should contact the SEVIS Help Desk so that the Bureau can assist the school in changing the program start date on the transfer record.

**Q:** Can the Bureau clarify the DSO's responsibility for reporting to the Service on students that are in post-completion OPT? [Answers follow questions below]

- When can a DSO recommend or choose not to recommend OPT authorization? Can a school set their own procedures and standards for these recommendations?
  - The Service has some specific terms of eligibility for a student to be authorized for post-completion training, one of which is the recommendation of an official of the school from which the student graduated. A school official's recommendation that a student be authorized post-completion practical training, however, is left to the discretion of that institution, and should be based upon the standards or requirements of the institution.
- Is the student required to notify the Service of a change of address via the DSO, rather than filing an AR-11, or is the DSO only to report known changes when the student reports to them rather than filing the AR-11?
  - A student should report a change of address via one of the DSOs, who is in turn required to report this change of address in SEVIS, even during periods of post-completion OPT. However, the school will not be held responsible for failure to report a change of address that a student filed on an AR-11, so long as the school did not have knowledge of the address change or the AR-11 filing. In general, schools are encouraged to make it clear to their nonimmigrant students that all changes of address should be reported to the Bureau via the DSO and SEVIS.
- Is the DSO required to know that each student has obtained a job, and that each student maintains that job for the length of their period of authorized OPT, or is the DSO only required to report known instances of a student failing to secure or failing to maintain employment?

At this time, the Service has not developed or issued specific regulations on the school's responsibility to verify that students in OPT obtain and maintain jobs. However, schools are required to maintain sufficient contact with the student to make the required address and status reports in SEVIS.

**Q:** During the SEVIS certification process, the District Office asked that my school apply for M-1 student, vocational program approval in addition to the F-1 academic program approval we had in the past, and that my institution begin issuing M, rather than F, Forms I-20 for students being admitted to certain programs.

- We believe that some of the programs that we are now being asked to issue M student I-20s for are in fact academic and not vocational programs. What if any recourse do we have as an institution to appeal the claim on the part of the Bureau that these programs are vocational rather than academic in nature?
  - The Bureau retains the authority to determine a school's eligibility to issue Forms I-20 for either F-1 nonimmigrants in academic programs or M-1 nonimmigrants in vocational programs. This includes the authority to determine which of these classes of admission is most appropriate for that program or institution seeking Service approval. As part of the SEVIS school review and certification process, it is possible that the local district office determined that a different class of admission than the one originally authorized is in fact more appropriate. However, the school does have the option to appeal this decision in accordance with the appeal processes defined at 8 CFR 103.3.
- If we are required to begin issuing M Forms I-20 for programs in which we have already admitted F students, under our previous approval, do the F students in those programs need to change status to M-1?
  - Students admitted as F-1 students into a program that was authorized for F-1 students at the time that they were admitted, but that has since been changed by the Service to an M-1 authorized program, will have to change status to M-1. However, if the school chooses to appeal the Bureau decision to change the class of admission for the program, students already admitted to that program will not have to change status until such time as that appeal is finalized, and then only in accordance with the decision of that appeal.

**Q:** How does the Bureau plan to notify schools of:

- Known system problems
  - In the case of known system "bugs", the Bureau identifies and priorities fixes, but does not necessarily inform schools of all known problems. If the problem is such that a school's normal business processes will be significantly impeded, the fix will be given first priority. Until the change can be made, however, the SEVIS Help Desk will be able to walk users through any interim processes and/ or assist users in having individual records fixed. In some cases, the Bureau will also send guidance directly to all schools via e-mail and/ or communicate the problem and resolution plan to NAFSA.
  - In cases where the system is inaccessible or is running slow for a period short enough that the Bureau does not believe users will be adversely affected, the Bureau will not make direct contact with each SEVIS school. In those cases, the Help Desk will be aware of any temporary system slowness or inaccessibility and can advise individual schools that may have a particular need to report something in the system in that short period. The Bureau does not anticipate the system being inaccessible for

any significant period of time. However, in the case that there are unforeseen circumstances, and the system is inaccessible or abnormally slow for a period that may impact the business process of schools, the Bureau is developing a contingency plan to allow schools to carry out their normal processes despite system problems. While the details of this plan have not yet been finalized, the Bureau would contact each school in such circumstances and advise them of any temporary processes. This contact would most likely be via e-mail.

- Implemented system changes
  - All major changes made to the system are implemented as part of specified system releases. At this time, the Bureau sends e-mail notifications of each release to each SEVIS approved school. Notifications include detailed explanations of the real-time changes that impact the school's use of the system. The Bureau is looking at adding SEVIS system alerts of these changes and will consider sending the alert e-mail further in advance of the release. At this time, however, schools should continue to expect these e-mail notifications with each system release.
  - Batch system changes will generally be specified in ICD changes prior to the actual SEVIS system change.

**Q:** How should a school handle countries in the address section not listed in the country of citizenship drop down list, such as Palestinian Authority Serbia?

**A:** The country of citizenship and country of birth tables in SEVIS come from lists of recognized countries, and are updated as those lists change. These lists are available on-line from the Consular Affairs travel information website. If a student is the citizen of a country listed by the Department of State Consular Affairs, and the school official cannot find that country on the drop down menu in SEVIS, the school official should call the Help Desk and specify this so that the Bureau can look into the discrepancy. The Help Desk should then be able to assist the school in creating a record for that student.

**Q:** What should be done in terms of SEVIS with a student who has been sick for 3-4 weeks? His I-20 is almost expired and he wants to enroll in another Intensive English Program, but needs several more weeks to recuperate before starting?

**A:** A student can be authorized to drop below a full course of study for a medical condition or illness for up to 12 months aggregate in an academic program and up to 5 months aggregate in a vocational program. When authorized to drop below a full course of study for an illness or medical condition, the student may refrain from taking any classes, if warranted by the severity of the illness. In this case, the school official can extend the student's program, authorize this student for a reduced course load for the period of time required for recuperation, and then indicate that the student has regained a full course of study once the student has recuperated.

**Q:** When does the SEVIS I-20 change from "transfer pending" to "transfer complete?" Should we issue one or two I-20's? When issuing a transfer I-20, SEVIS will not accept a program start date before today's date?

**A:** For an F-1 student transfer, the record at the transfer-in school will appear on the students in transfer status list as soon as the transfer out school updates that student's record to show that a transfer will take place. However, the transfer-in school will not actually be able to access and create the transfer-in I-20 until the release date determined by the transfer-out school has been reached.

Once the release date has been reached, the transfer-in school can access the partially completed transfer record from the transfer-in list, complete the rest of the form with information pertaining to that program, and issue this transfer form to the student. At that point, the transfer form will indicate that the transfer is pending. Once the student is registered at the transfer-in school, however, the transfer is complete and the record will print with "continued attendance" as the issuance reason, rather than "transfer".

The school need only print the transfer I-20, but may re-print the I-20 once the student registers, indicating that the student is now a continuing student of that school, if they wish to.

For an M-1 program transfer, the transfer-in school can access a partially completed transfer record from the transfer-in list as soon as the transfer-out school indicates that the student wishes to transfer. The I-20 created by the transfer-in school will indicate that the transfer is pending. The I-20 showing this pending transfer request should be sent with the I-539 to the INS Service Center for adjudication.

If this application is still pending as of the program start date, the student can effect the transfer and begin the new program. However, even after the student registers at the transfer-in school, the student record will continue to show the transfer as pending until the Service Center adjudicates the case. Upon approval from the Service Center, SEVIS will be automatically updated to reflect that the transfer is complete.

**Q:** How do we cancel a recommendation for CPT/OPT or an OPT still pending which the student did not mail in?

**A;** For CPT, the Service is adding the option to cancel the employment indication prior to it's begin date. However, until this functionality is added, users are being asked to change the CPT end date to match the CPT start date, or the next possible date in caes where the start date has already passed, when attempting to cancel a submitted CPT session. The SEVIS Help Desk should be able to assist a caller in making this update should she/ he have any questions.

For OPT, if the form has been mailed, the only way to cancel the pending request is to contact the Service Center and have the application withdrawn. This withdrawal will automatically cancel the pending request in SEVIS.

For OPT, if the form has NOT been mailed to the Service Center, the user should call the Help Desk and request that the Service change the record via an administrative correction. The Help Desk may ask that the user fax certain documentation to track this requested change.

**Q:** A student receives some sort of disciplinary sanction. Are all incidents reportable events to the INS or only those that require loss of housing or expulsion from the college/ university?

**A:** The only disciplinary action against a student that a school is required to report in SEVIS is action taken against a student as a result of a crime conviction, in accordance with the requirements of IIRIRA. Updating SEVIS to indicate that disciplinary action has been taken as a result of a crime conviction does not change a student's status. However, if a student is expelled from a program, and is therefore no longer engaged in a full-time course of study, a school official needs to terminate this student with a termination reason of "expulsion". Termination of a student record is a separate SEVIS update from indication that disciplinary action has been taken as a result of a crime conviction.

**Q:** We are an approved private high school that accepts students from other institutions for short summer periods, after which the students resume their program at the original school. Are these students considered transfer students, or can this summer enrollment be treated as concurrent enrollment?

**A:** These students can be treated as concurrently enrolled. The program that originally issued the student their I-20, and the program to which the student intends to return, is responsible for continuing to maintain that student's record. The school at which the student is concurrently enrolled, in this case the private high school, should NOT create a separate SEVIS record nor issue the student an I-20 from their institution.

**Q:** Do the I-20 forms need to be signed by the school official each and every time a student leaves the USA ( ex: vacations or school breaks)?

**A:** No. The SEVIS Form I-20 is authorized for travel by the signature on page three. Each signature on an F-1 SEVIS I-20 authorizes travel for a year following the signature date. Each signature on the M-1 SEVIS I-20 authorizes travel for six months following the signature date. Once that year or six month period has passed, the same SEVIS I-20 can be re-authorized for travel by having an official sign the next available line on the form. Only once all of the signature lines have been used for travel authorization will page three of the form have to be re-printed for travel.

**Q:** Our school just issued a SEVIS I-20 to a student at our school who's starting a second degree. Do we need to write anything on the student's printed I-20, and/or send it in to the INS Service Center?

**A:** In the case of an F-1 student, a change in program level at the same school and a transfer to another program or program level at another school can be authorized by a school official. As such, these changes do not require that anything be sent to the Service Center or District Office. A SEVIS approved school may simply indicate the program level or institution change in SEVIS to meet their reporting requirement.

**Q:** Is it legal for a student to work on-campus during the 60 days after completion of studies?

**A:** Yes. A student is still a valid F-1 nonimmigrant in this 60 day grace period, and as such may engage in on-campus employment if allowed by the school.

**Q:** Can a student stay in the U.S. for the 60 days after OPT? What if they are transferring schools or starting a new program?

**A:** An F-1 student that is maintaining status may stay in the U.S. for up to 60 days following either the OPT end date or the program end date, whichever is later. Any M-1 student that is maintaining status may stay in the U.S. for up to 30 days following the OPT end date or the program end date, whichever is later.

An F-1 student that is going to transfer or change program level must so initiate the transfer no more than 2 months after the end of their program or after the end of OPT, whichever is later. Further, a transfer or change in program level may be initiated in the 60 days following the end of the authorized OPT period, in the same manner that such an action can be initiated in the 60 days following completion of a program.

**Q:** For each reportable event, is a student entered into SEVIS as a continuing student? Does the student receive a new I-20 for each reportable event so that the student may have multiple I-20's?

**A:** No. A student that is currently enrolled at a school, but has not yet had a SEVIS record created for them, will need to be entered into SEVIS as a "continuing student" either at the next instance of a reportable event, or prior to August 1, 2003, whichever is sooner. However, once a student record has been created in SEVIS, this is the only SEVIS record that the school should be maintaining for that student. All subsequent reportable events and registration events will need to be updated in this single SEVIS record. The SEVIS I-20 will only need to be re-printed in instances where the update is one that requires that the form be sent to the Service Center or District Office, or if the student has some other need for the updated information to appear on their current Form.

**Q:** Our batch system is not up yet. Can we use RTI before going to batch? Can we use both RTI and batch together?

**A:** Using RTI in no way precludes a school from transition to use of batch at a later date. In fact, all schools are now required to begin using SEVIS, and therefore any school not yet using batch is required to use RTI at this time. Further, even once a school is using batch, there are certain updates and SEVIS functions that will still only be available via RTI.

**Q:** Is a student that has received a failing grade considered to be out of status?

**A:** The regulations require students to be enrolled in full time studies and working toward an education goal. A failing grade is not inconsistent with these requirements. If the school places the student on academic probation and suspends the student for a term or longer due to the failing grade, so that the student is no longer enrolled in full time study

or pursuing an educational objective, it is possible to view the student as not maintaining status. Additionally, if students continue to fail courses in consecutive terms, the DSO should question whether or not the student is making normal progress and maintaining status. However, as long as the school allows the student to continue enrollment and that enrollment is on a full time basis, we have no requirements for the maintenance of a particular GPA or pass/fail ratio.