

**PLEASE NOTE:** The Student and Exchange Visitor Program (SEVP) ended its COVID-19 guidance on May 11, 2023, consistent with the end of the COVID-19 Public Health Emergency on May 11, 2023. As a result, all related statements, guidance and FAQs previously released by SEVP also terminated on May 11, 2023, and this content may be outdated. <u>Learn more</u>.

# Frequently Asked Questions for SEVP Stakeholders about COVID-19

Last Updated: May 31, 2022

This document provides answers to frequently asked questions from Student and Exchange Visitor Program (SEVP) stakeholders about the impact of the Coronavirus Disease (COVID-19) on SEVP-certified schools and F and M students. This document contains information for the 2022-23 academic year as well as archived information. Unless otherwise explicitly stated, all guidance below that is not archived pertains to the 2022-23 academic year.

Note: SEVP continues to actively monitor COVID-19 and provide up-to-date information to stakeholders, including designated school officials (DSOs) and F and M students. Due to the fluid nature of this situation, the answers in this document may be subject to change. Refer to <a href="ICE.gov/COVID19">ICE.gov/COVID19</a> for the most up-to-date version of this FAQ.

#### **FAO Updates**

**May 31, 2022, update:** Added question and answer number 2 to Clarifying Questions for the 2022-23 Academic Year Based on the March 2020 Guidance section in response to Broadcast Message: ICE Clarifies Continuation of March 2020 Guidance for the 2022-23 Academic Year, issued May 31, 2022.

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# <u>Clarifying Questions for the 2022-23 Academic Year Based on March 2020 Guidance</u>

- 1. Did ICE make any changes to its March 2020 guidance for the 2022-23 academic year?
  - A. No. SEVP will continue to abide by guidance originally issued in March 2020 for the 2022-23 academic year and did not make any changes to the March 2020 guidance. Stakeholders should continue to refer to existing resources at <a href="ICE.gov/Coronavirus">ICE.gov/Coronavirus</a> for information about the original March 2020 guidance.
- 2. Does the March 2020 guidance apply to students who enrolled after March 9, 2020?
  - A. No. The March guidance *only applies* to nonimmigrant students who were actively enrolled at a U.S. school on March 9, 2020, and have continuously complied with the terms of their nonimmigrant status. Students who enrolled after March 9, 2020,



must adhere to SEVP's <u>existing regulations regarding online learning</u>, found at 8 C.F.R. § 214.2(f)(6).

- 3. Can F or M students outside the United States obtain a visa to study in the United States if their program of study will be fully online for the 2022-23 academic year?
  - A. Whether an individual is eligible to receive an F or M visa is a decision that must be made by the U.S. Department of State and is not made by SEVP. Consistent with the SEVP Broadcast Message dated March 9, 2020, DSOs should not issue a Form I-20, "Certificate of Eligibility for Nonimmigrant Student Status," for a student in new or Initial status who is outside of the United States and plans to take classes at an SEVP-certified educational institution that is operating fully online. A new student may be issued a visa to study inside the United States if their program of study is a hybrid program with some in-person learning requirement.

As a result, new or Initial nonimmigrant students who were not previously enrolled in a program of study on March 9, 2020 and intend to pursue a full course of study that will be conducted completely online should not be granted an F-1 or M-1 visa. If a nonimmigrant student was enrolled in a course of study in the United States on March 9, 2020, but subsequently left the country, that student remains eligible for a visa since the March 2020 guidance permitted a full online course of study from inside or outside the United States.

The March 2020 guidance applies to nonimmigrant students who were actively enrolled at a U.S. school on March 9, 2020, and otherwise complying with the terms of their nonimmigrant status.

- 4. Can students apply for a visa to enter the United States for a hybrid program of study with online components beyond the limitations at 8 CFR 214.2(f)(f)(f)?
  - A. Whether an individual is eligible to apply for an F or M visa is a decision that must be made by the U.S. Department of State and is not made by SEVP. However, consistent with the March 2020 guidance and for the 2022-23 academic year, DSOs may issue Forms I-20 to nonimmigrant students seeking to enroll in a program of study inside the United States that includes in-person and online components beyond the limitations at 8 CFR 214.2(f)(6)(i)(G). This includes new or Initial students.



## 5. Can students continue to remain in the United States if they are engaged in a fully online program of study?

A. Yes. Consistent with the March 2020 guidance, for the 2022-23 academic year nonimmigrant students may remain in the United States to engage in a fully online program of study if they have not otherwise violated the terms of their nonimmigrant status. Students will be able to maintain their nonimmigrant status and not be subject to initiation of removal proceedings based on their online studies. If a student violates other U.S. laws or regulations that impact their immigration status, they could be subject to removal.

## 6. Can students remain in the United States if their school switches from traditional in-person or hybrid instruction to fully online instruction?

A. Nonimmigrant students pursuing studies in the United States for the 2022-23 academic year may remain in the United States even if their educational institution switches to a hybrid program or to fully online instruction. The students will maintain their nonimmigrant status in this scenario and would not be subject to initiation of removal proceedings based on their online studies. If a student violates U.S. laws or regulations, they could potentially be subject to removal.

## 7. Can students remain in the United States in a hybrid program of study with online components beyond the limitations at $8 \, CFR \, 214.2(f)(6)(i)(G)$ ?

A. For the 2022-23 academic year, nonimmigrant students may remain in the United States in a hybrid program of study, which consists of both in-person and online components beyond the limitations at 8 CFR 214.2(f)(6)(i)(G). Students will not face enforcement action or loss of their nonimmigrant status based on engaging in hybrid programs. If a student violates U.S. laws or regulations, they could potentially be subject to removal.

## 8. Our school will be enrolling F or M students in the 2022-23 academic year. What should our school report to SEVP about our plans for the 2022-23 academic year?

A. If an SEVP-certified school has previously submitted a procedural change plan detailing its alternative procedures, it does not need to resubmit the plan for the 2022-23 academic year, unless the school is making substantive changes. Consistent



with the provisions of the March 2020 guidance, substantive changes should be submitted within 10 business days of the decision to implement the change.

SEVP-certified schools that have not yet filed procedural change plans and have active nonimmigrant students enrolled in programs of study for fall 2022 should submit a procedural change plan, detailing any changes to existing procedures necessitated by COVID-19.

## 9. What should a certified school report on F or M students' Forms I-20 for the 2022-23 academic year?

A. Schools should review <u>SEVP's COVID-19 FAQs</u> for information how to issue Forms I-20. As noted in the FAQs, students who will be continuing their studies outside the United States should have the following comment in the remarks field: "Outside the United States due to COVID-19."

Schools issuing Initial Forms I-20 should abide by all regular requirements regarding Form I-20 issuance. Consistent with the SEVP Broadcast Message dated March 9, 2020, DSOs should not issue a Form I-20, "Certificate of Eligibility for Nonimmigrant Student Status," for a student in new or Initial status who is outside of the United States and plans to take fully online classes at an SEVP-certified educational institution.

#### 10. Can a certified school issue Forms I-20 electronically?

A. Yes, <u>SEVP Policy Guidance</u>: <u>Use of Electronic Signatures and Transmission for the Form I-20</u>, published on Nov. 1, 2021, permits DSOs to electronically sign and transmit the Form I-20 to Initial and continuing students and their dependents. Please refer to the policy guidance for additional information.



#### **Nonimmigrant Students**

### Maintaining student records

- 1. Do DSOs have to cancel Forms I-20 if students are taking classes outside of the United States? If their Student and Exchange Visitor Information System (SEVIS) records remain in Active status, will students be subject to the five-month rule?
  - A. If an Active F student is outside the United States, their SEVIS record can remain in Active status and not be terminated. While the temporary measures related to COVID-19 are in place for academic year 2022-23, students are deemed to be maintaining status if they are making normal progress in their course of study. For that reason, the five-month temporary absence provision addressed in 8 CFR 214.2(f)(4) will not apply for students who remain in Active status.

SEVP will allow F and M students to temporarily count online classes toward a full course of study in excess of the limits stated in  $8 \, CFR \, 214.2(f)(6)(i)(G)$  and  $8 \, CFR \, 214.2(m)(9)(v)$ , even if they are outside the United States and are taking the online classes elsewhere. This temporary provision is only in effect due to COVID-19 for academic year 2022-23 and only for schools that comply with the requirement to notify SEVP of any procedural changes within 10 business days.

Schools can find additional information about reporting procedural changes to SEVP in <u>Broadcast Message</u>: <u>COVID-19</u> and <u>Potential Procedural Adaptations for F and M Nonimmigrant Students</u>.

## 2. Does SEVP have any guidance for students who have been asked to move out of their university housing?

A. If students are required to leave campus, they can continue to study online, if possible, either inside or outside of the United States. If students remain in the United States, DSOs should update their address in SEVIS. If there are no online classes and the closure is temporary, students can find a place to live and return to class when the school opens. For scenarios regarding school procedures and online classes, refer to the <a href="COVID-19">COVID-19</a>: Guidance for SEVP Stakeholders.



- 3. How should DSOs manage student records for those who were studying abroad but can no longer maintain a full course of study due to the closure of the overseas institution?
  - A. If a school's overseas study abroad program closes due to COVID-19, students should contact their SEVP-certified school in the United States for guidance. Students may enroll in online or other alternative forms of education offered by the SEVP-certified school, if available. In general, students may remain in Active status in SEVIS as long as they intend to resume their course of study when classes resume.
- 4. Should DSOs mark the "Study Abroad" field in SEVIS for students who are outside the United States and are in Active status, engaging in online studies from their home country?
  - A. Schools should not mark "Study Abroad" in SEVIS for students who are in their home countries unless they are attending an overseas institution as part of a formal study abroad arrangement.
- 5. What address should DSOs put in SEVIS for Active F and M students who have departed the United States? How should DSOs notate these SEVIS records?
  - A. DSOs should update these students' SEVIS records with the following comment in the remarks field: "Outside the United States due to COVID-19." All addresses may remain the same.
- 6. How should DSOs notate SEVIS records for Active F and M students living in the United States during the COVID-19 emergency?
  - A. DSOs should not provide any specific notation on these students' SEVIS records during the COVID-19 emergency, but should update the student's current U.S. address, if there has been a change.
    - As a reminder, per current regulations, students must notify schools within 10 days of an address change. DSOs must update student addresses in SEVIS within 21 days of the date a school is notified of an address change.
- 7. Schools have extended their academic year by a certain number of days due to COVID-19. How should DSOs handle SEVIS records for these students and what



## should be done for students who already applied for optional practical training (OPT)?

A. Student academic calendars and SEVIS records should be consistent. Schools should keep an official record of its academic calendar adjustment to provide to the U.S. Department of Homeland Security (DHS) if a request is made and as documentation for any appropriate changes in a student's SEVIS record.

Regarding OPT applications, DHS is evaluating related issues and may issue additional guidance. In the meantime, since <u>U.S. Citizenship and Immigration Services (USCIS)</u> adjudicates OPT employment authorization requests, SEVP recommends reaching out to USCIS for further guidance.

- 8. If students cannot or will not return to school when in-person instruction resumes, should their records be terminated for authorized early withdrawal?
  - A. Once a school returns to normal operations, if students cannot or choose not to return to the United States to study, DSOs should terminate the records. Refer to the <a href="Terminate Student">Terminate Student</a> article in the <a href="SEVIS Help Hub">SEVIS Help Hub</a> on <a href="Study in the States">Study in the States</a> for additional information.
- 9. How should DSOs manage F and M student records for students who do not have the technology resources to meet online or other alternative instruction requirements as provided in a school's procedural change documents to SEVP?
  - A. F and M students unable to participate in online or other alternative instruction requirements due to the lack of available technology resources should notify their DSO. DSOs may keep these student records Active in SEVIS as long as the student intends to resume their course of study when in-person classes resume.

#### Electronic Form I-20 issuance

- 1. Can DSOs electronically send signed Forms I-20 to students instead of physically mailing the forms?
  - A. Yes. On Nov. 1, 2021, SEVP published <u>Policy Guidance</u>: <u>Use of Electronic Signatures</u> and <u>Transmission for the Form I-20</u>, which outlines the procedures for the use of



electronic signatures and transmission of the Form I-20. Please refer to the policy guidance for additional information.

#### 2. What methods can DSOs use to sign and send Forms I-20?

A. Information about electronic signatures and transmission of the Form I-20 is available in <u>SEVP Policy Guidance</u>: <u>Use of Electronic Signatures and Transmission</u> for the Form I-20.

Only approved principal designated school officials (PDSOs) and DSOs may physically sign or input their own digital signature to the Form I-20. Individuals who are not approved on the school's Form I-17, "Petition for Approval of School for Attendance by Nonimmigrant Student," may not input a DSO's signature—either digital or physical—to the Form I-20. Improper issuance of the Form I-20 in this manner may constitute grounds for withdrawal of SEVP certification. By signing the Form I-20 or inputting their digital signature, PDSOs and DSOs attest that they are the approved individual issuing the Form I-20.

- 3. Will schools need to provide students with their original Form I-20 (ink-signed copies) when schools reopen?
  - A. <u>SEVP Policy Guidance: Use of Electronic Signatures and Transmission for the Form I-20</u> permits the use of electronic signatures and transmission beyond the COVID-19 emergency. Please refer to the policy guidance for additional information.
- 4. How long is an electronic or digital travel signature valid on the Form I-20? Is it valid for the same amount of time as an ink signature?
  - A. An electronic or digital travel signature is valid for the same duration as an ink signature (12 months for F students and six months for M students).
- 5. Has SEVP worked with both the U.S. Department of State and U.S. Customs and Border Protection (CBP) in developing the policy to accept the use of electronic signatures during the COVID-19 emergency?
  - A. Prior to publication of SEVP Policy Guidance: Use of Electronic Signatures and Transmission for the Form I-20, SEVP coordinated with its government partners within DHS, the Department of State and U.S. Social Security Administration to



ensure continued acceptance of electronically signed Forms I-20. If a student or school official encounters an issue with a government partner accepting an electronically signed Form I-20 or has questions about this guidance, please contact the SEVP Response Center (SRC). SRC contact information is available at the end of this FAQ.

#### I-901 SEVIS Fee

- 1. Due to COVID-19, if students are unable to enroll in the next session, can they transfer their I-901 SEVIS Fee payment to the next session?
  - A. As long as students maintain the same SEVIS record, there is no need to transfer their I-901 SEVIS Fee payment. Students who are unable to enroll in the next session may defer their enrollment to the next available session.

Fee transfers are available for F and M students who have already paid the I-901 SEVIS Fee and who:

- Reapply for a visa within 12 months of the date of their initial I-901 SEVIS Fee payment or
- Are from a Visa Waiver Program country and reapply for status as a student at the port of entry within 12 months of the date of their initial I-901 SEVIS Fee payment.

Refer to the <u>I-901 SEVIS Fee Frequently Asked Questions</u> on <u>ICE.gov/SEVP</u> for additional information about reapplying fees.

### Full course of study requirements and online learning

- 1. Our school has switched to fully online instruction but not all courses will be offered; some courses will be canceled due to inability to deliver via online means. Will students be excused from meeting full course of study requirements if the classes they need are not being offered?
  - A. Yes, full course of study requirements can be waived as a direct result of the impact from COVID-19. This information should be reported in a school's procedural change documents submitted to SEVP, as described in <a href="mailto:Broadcast Message: COVID-19">Broadcast Message: COVID-19</a> and <a href="Potential Procedural Adaptations for F and M Nonimmigrant Students">Nonimmigrant Students</a>. If this



is a material change to previously submitted documents, schools should resubmit those documents as part of their submission to SEVP.

However, as outlined herein, nonimmigrant students in new or Initial status after March 9, 2020 will not be able to enter the United States to enroll in a U.S. school as a nonimmigrant student to pursue a full course of study that is 100 percent online.

- 2. If students wish to drop courses due to dissatisfaction with online courses not providing the same level of instruction, can a school submit a procedural change plan that allows this and keep the students' SEVIS records Active?
  - A. No, students should maintain a full course of study to the extent possible. If a student is unwilling to take online courses or participate in other alternate forms of study as provided in the school's procedural adaptation plan to SEVP, they should request a temporary absence and be terminated for Authorized Early Withdrawal.

If a school is not offering a full course of study because of COVID-related limitations, it is permissible to have students take whatever courses are being offered or request temporary leave. However, if a student is simply unwilling to take a full course of study because it is only offered online, they should request a temporary absence.

- 3. SEVP has indicated full course of study requirements can be adjusted due to COVID-19. If class cancellations impact any student's ability to maintain a full course load, do DSOs have to authorize a reduced course load in SEVIS?
  - A. No, schools should not use the reduced course load functionality in SEVIS for students taking less than a full course of study due to limitations in providing classes or educational content as a result of COVID-19. Full course of study requirements can be waived as a direct result of the impact from COVID-19. If a student simply chooses not to participate in the alternative learning options available, they should seek a temporary absence.
- 4. Should DSOs authorize F or M students for a medical reduced course load due to impacts from COVID-19?
  - A. A medical reduced course load may be appropriate for students who contract an illness due to COVID-19 or another condition and cannot maintain a full course load



or their school's authorized reduced course load as submitted to SEVP in its operational change plan.

As a reminder, for the duration of the COVID-19 emergency, schools may enroll F or M students at less than a full course load, provided the school has submitted this information to SEVP as part of its operational change plan.

Students may also choose to take a temporary absence if they do not want to participate in their school's alternative educational plans as provided in the school's operational change plan.

#### **Employment**

- 1. Many students' on-campus employment opportunities are now being conducted remotely while campuses are closed or students are able to perform their work duties from home. Can F students engage in remote work for on-campus employment?
  - A. If the current on-campus employment opportunity has transitioned to remote work or the employment can be done through remote means, students may continue to engage in on-campus employment remotely. Schools should be able to explain how the students are providing services associated with the employment while not at the location of the employer.
- 2. Can students engaged in OPT and the science, technology, engineering and mathematics (STEM) OPT extension work remotely when appropriate and permitted by the employer? If so, do they need to submit an updated Form I-983?
  - A. Students currently participating in OPT, including STEM OPT, may work remotely if their employer has an office outside of the United States or the employer can assess student engagement using electronic means. Students participating in STEM OPT do not need to submit an updated Form I-983 to report remote work. However, requirements to submit an updated Form I-983 for other changes remain in effect. See 8 CFR 214.2(f)(10)(ii)(C)(9)(ii) for additional information.
- 3. Can students with proper authorization participate in curricular practical training (CPT) while they are abroad?



- A. Students may engage in CPT during their time abroad, provided:
  - They are enrolled in a program of study in which CPT is integral to the program of study;
  - Their DSO authorized CPT in advance of the CPT start date; and
  - Either the employer has an office outside the United States or the employer can assess student engagement and attainment of learning objectives electronically.

As noted in SEVP's March 13, 2020, <u>COVID-19</u>: <u>Guidance for SEVP Stakeholders</u>, this enrollment may be online. All other requirements at *8 CFR 214.2(f)(10)(i)* still apply.

- 4. Does time spent studying outside of the United States during the COVID-19 emergency count toward the one-year requirement for CPT and OPT?
  - A. An F student accrues eligibility for practical training whether they are inside or outside of the United States during the COVID-19 emergency if the student is in Active status in SEVIS and meets the requirements of their school's procedural change plans submitted to SEVP.
- 5. Universities that moved to online courses have allowed students to travel to their home country to complete their studies. Will this international travel alter the student's OPT/CPT and Social Security number (SSN) status?
  - A. DHS is evaluating these issues and may issue additional guidance. In the meantime, since USCIS adjudicates OPT employment authorization requests, SEVP recommends reaching out to USCIS for further guidance.

Students may engage in CPT during their time abroad, provided they are enrolled in a program of study of which the CPT is an integral component, the DSO has authorized the CPT in advance, and either the employer has an office outside the United States or the employer has a means to assess student engagement and attainment of learning objectives. As noted in SEVP's March 13, 2020, COVID-19: Guidance for SEVP Stakeholders, this enrollment may be online. All other requirements at 8 CFR 214.2(f)(10)(i) still apply.

For questions regarding SSNs, SEVP recommends reaching out to the <u>Social Security</u> Administration.



- 6. Due to COVID-19, what is SEVP's advice to students who want to apply for OPT? Is there any chance that students would be able to apply for post-completion OPT from outside the United States?
  - A. DHS is evaluating these issues and may issue additional guidance. In the meantime, since USCIS adjudicates OPT employment authorization requests, SEVP recommends reaching out to USCIS for further guidance.
- 7. Can students apply for OPT while outside of the United States by filing a Form I-765, "Application for Employment Authorization," from abroad?
  - A. SEVP understands stakeholder concerns about the need for guidance. As the COVID-19 emergency continues, the program will continue to develop guidance on significant issues and publish it at <a href="ICE.gov/Coronavirus">ICE.gov/Coronavirus</a>. SEVP is collaborating with interagency components on these issues, including USCIS, CBP and the Department of State.

The request presented in this question is primarily for consideration by USCIS, which adjudicates Forms I-765. SEVP is willing to cooperate in implementing such procedures so long as they are reviewed and approved as part of the DHS response to the COVID-19 crisis.

- 8. Must students cease engaging in OPT if they are now working fewer than 20 hours a week due to the economic impacts of COVID-19?
  - A. For the duration of the COVID-19 emergency, SEVP considers students who are working in their OPT opportunities fewer than 20 hours a week as engaged in OPT.
- 9. Should DSOs with students on OPT update the students' employer addresses in SEVIS with their remote work address? For students participating in the STEM extension, do their Forms I-983, "Training Plan for STEM OPT Students," need to be updated with their remote work address?
  - A. No. DSOs should not update the employer address information in SEVIS nor on the Form I-983 for students working remotely.
- 10. Will there be an extension or suspension of the 90-day/150-day allowed period of unemployment for OPT and STEM OPT during the COVID-19 emergency?



- A. DHS is evaluating this issue but has not yet determined whether to implement a specific exemption for exceeding the regulatory limits for unemployment of 90 days for OPT and 150 days for STEM OPT.
- 11. Can F and M students who were previously employed and are now unemployed due to COVID-19 apply for unemployment benefits?
  - A. Students who are unemployed due to COVID-19 should contact their local or state employment agency for more information.

### **Volunteering**

- 1. Do F and M students need employment authorization to volunteer as part of COVID-19 relief efforts?
  - A. No, F and M students who work without wages, taxable compensation or other remuneration are considered volunteers and are not required to obtain an employment authorization document.

#### Student transfer

- 1. How will the five-month rule apply to student transfers?
  - A. The five-month rule related to student transfers will not apply to students affected by COVID-19. For transfer students that exceed the five-month period, DSOs should contact the SRC for a data fix. SRC contact information is available at the end of this FAQ.
- 2. How should DSOs handle the SEVIS records of transfer students? Can DSOs complete a transfer in SEVIS for students who are outside the United States in Initial transfer status and could enroll and begin study at the transfer-in school remotely?
  - A. For students outside the United States who are currently in Initial status in SEVIS with an "I-20 Issue Reason" of transfer, schools should keep their SEVIS records in Initial status and request a data fix when these students are ready to re-enter the United States to begin study.



SEVP's temporary guidance does not permit students in Initial status in SEVIS to begin a new program remotely. SEVP continues to monitor the situation and may update its guidance if school closures and alternative learning procedures remain necessary in fall 2022.

Transfer students inside the United States must report to a DSO at their transfer-in school in person or using electronic means within 15 days of their program start date (8 CFR 214.2(f)(8)(ii)(C)). The DSO must complete the transfer process and register the student as Active in SEVIS. Students should follow the guidelines the school provides to all its F and M students related to COVID-19.

- 3. DSOs are unable to defer the start date for a transfer record in SEVIS. Should DSOs be requesting a data fix for each individual case?
  - A. Yes, DSOs should request a data fix through SRC for each case when a student is ready to re-enter the United States to continue their course of study, including engaging in practical training. SRC contact information is available at the end of the FAQ.

#### **Travel**

- 1. Will F and M students be able to return to the United States if they are continuing their studies outside of the country as a result of COVID-19?
  - A. Students who continue to make normal progress in their course of study remain eligible for admission into the United States. However, because of the changing array of travel restrictions, students should refer to their local U.S. embassy's website through the <u>U.S. Department of State</u> for any updates about visa issuance. Also, the <u>DHS</u> and <u>Centers for Disease Control and Prevention</u> (CDC) websites provide information about current travel restrictions to the United States.
- 2. Is there a time frame for when students are expected to return to the United States once the COVID-19 emergency is over and schools have resumed normal operations?
  - A. Dependent on their school's return to normal operations and any continuing travel restrictions, students should seek to return to the United States within 30 days of the next available session start date. SEVP also anticipates providing additional



guidance after the COVID-19 emergency ends regarding a school's return to normal operations.

- 3. If students remain in the United States due to COVID-19 and their passports expire, what do they need to do to renew them?
  - A. Students in this situation should contact their country's embassy or consulate to identify options for passport extension or renewal. If students decide to depart the United States, they will not be eligible to apply for readmission until they renew their passport.
- 4. Is there any flexibility in extending grace periods for students who have been unable to depart the United States after completing their programs due to travel restrictions? Will there be any changes to SEVIS to allow for such extensions?
  - A. This is a complex issue that SEVP is addressing within the larger context of the DHS response to the COVID-19 emergency. Amending SEVIS database functionality is a complex undertaking and would have to be prioritized among the many other scheduled improvements that SEVP is making to the system to enhance efficiency and functionality.
- 5. What should students do if they need to return home within 60 days after completing their program of study, but their travel plans are complicated by a lack of commercially available flights or their country currently prohibits all inbound travel?
  - A. SEVP recognizes that some students may find it difficult to return home during the COVID-19 emergency because of diminished travel options. Students in this situation are encouraged to communicate with their DSO for guidance and to assess options for alternative study arrangements such as online classes during this time. DSOs should document in the student's record any material information related to a student's inability to leave the country due to COVID-19.

#### **Form I-515A**

1. Our school submitted the information requested on a Form I-515A, "Notice to Student or Exchange Visitor," to SEVP. However, the school has since temporarily



## closed and school officials are unable to access their offices to receive responses from SEVP via mail. Does this jeopardize our students' nonimmigrant status?

A. F or M students who receive Forms I-515A will not be adversely affected by delays resulting from COVID-19. SEVP will provide flexibility on any subsequently delayed processing deadlines.

#### **M** students

- 1. What should M students do in cases where most of their classes are hands-on and cannot be done remotely?
  - A. M students may take online or remote classes as determined by their school. However, if the classes cannot be done remotely, students' records may remain in Active status and they may remain in the United States until the next session start date or until school operations return to normal, whichever occurs first.

Students should seek guidance from USCIS on extending their status if the program cannot be completed before the student's Admit Until Date as listed on their Form I-94. Students may remain in the United States with a timely and properly filed Form I-539, "Application to Extend/Change Nonimmigrant Status," while the application is pending with USCIS. Refer to USCIS' website on COVID-19 Delays in Extension/Change of Status Filings for additional information.

Students may also choose to seek termination of their SEVIS record for authorized early withdrawal and return to their program of study on a new, Initial Form I-20 after the COVID-19 emergency ends.

- 2. An M school has had to cancel several weeks of school, which will push the term end date to a date still to be determined. What are the options for extending student visas?
  - A. Students who have departed the United States or are currently outside the country with an expired visa or a visa that will expire prior to a return to their program of study should contact the Department of State for guidance.



### 3. How should schools process M-1 program extensions during the COVID-19 emergency?

- A. DSOs should continue to follow the standard process of having students apply for M-1 program extensions with USCIS using the Form I-539. An M student with a pending extension application submitted to USCIS at least 15 days but not more than 60 days prior to the program end date may remain in the United States until USCIS adjudicates the application.
- 4. During the COVID-19 emergency, are M students eligible for a 15-day grace period after being terminated for Authorized Early Withdrawal?
  - A. Yes, M students may have a 15-day grace period upon termination for Authorized Early Withdrawal during the COVID-19 emergency.

#### **SEVP-certified Schools**

#### Reporting school changes

- 1. Do schools need to notify SEVP of procedural adaptations?
  - A. Yes, schools need to notify SEVP of any procedural changes due to COVID-19 within 10 business days of the change. SEVP included notification instructions with guidance to SEVP-certified schools in <a href="mailto:Broadcast Message">Broadcast Message</a>: COVID-19 and Potential Procedural Adaptations for F and M Nonimmigrant Students. The program also posted an <a href="mailto:Optional COVID-19 School Reporting Template">Optional COVID-19 School Reporting Template</a> that schools can use to report temporary procedural adaptations.
- 2. How should schools report temporary procedural adaptations to SEVP?
  - A. SEVP included notification instructions with guidance to SEVP-certified schools in Broadcast Message: COVID-19 and Potential Procedural Adaptations for F and M Nonimmigrant Students. The program also posted an Optional COVID-19 School Reporting Template that schools can use to report temporary procedural adaptations.
- 3. When must schools submit procedural adaptation documents to report on changes made in response to COVID-19?



A. Schools must provide SEVP notice of procedural changes made in response to COVID-19 within 10 business days of the date of the decision to initiate the procedural change(s). SEVP requests this information as of the date of the decision to initiate the changes to ensure it maintains current and accurate information on how schools are adapting to COVID-19. Schools must report this information within 10 business days in accordance with 8 CFR 214.3(g)(1) and 8 CFR 214.3(g)(2)(ii)(E).

If schools subsequently have material changes to previously submitted documents, they should resubmit those documents, following the instructions outlined in <a href="mailto:Broadcast Message">Broadcast Message</a>: COVID-19 and Potential Procedural Adaptations for F and M <a href="Monimmigrant Students">Nonimmigrant Students</a>.

- 4. Are schools required to list all courses and majors that will be offered online or just the ones listed on the school's Form 1-17 as part of their report to SEVP?
  - A. Schools should only list the programs of study that F and/or M students are enrolled in as part of their report to SEVP. This information will most likely be the same as the approved programs of study on the school's Form I-17 unless the school has identified certain programs that cannot be offered online.

For example, if a school is offering all courses that enroll F and/or M students—that is, all courses listed on the school's Form I-17—online, they should state this in their report to SEVP. Schools should refer to the <a href="Optional COVID-19 Reporting Template">Optional COVID-19 Reporting Template</a> for additional information.

- 5. Will schools receive confirmation or acknowledgment when SEVP receives their procedural adaptation documents? Is there any possibility that SEVP would deny or disapprove of a reported change by a school? If so, what happens in that instance?
  - A. SEVP will send an email acknowledging receipt to each school that submits procedural change documents and add the submitted information to the school's file. However, given the significant number of changes being requested, SEVP is not going to respond to every submission in detail. If SEVP has concerns that the changes exceed permissible accommodations for COVID-19, it will contact the school for clarification or revision.



Remember, schools need to notify SEVP of any procedural changes due to COVID-19 within 10 business days of the change. SEVP included notification instructions with guidance to SEVP-certified schools in <u>Broadcast Message: COVID-19 and Potential Procedural Adaptations for F and M Nonimmigrant Students</u>. The program also posted an <u>Optional COVID-19 School Reporting Template</u> that schools can use to report temporary procedural adaptations.

- 6. Do schools that currently have no F or M students enrolled need to send procedural adaptation documents to SEVP?
  - A. No, only schools with F or M students currently enrolled need to submit procedural adaptation documents to SEVP.
- 7. Do schools that submitted procedural change plans for a previous session indicating alternative instruction procedures (including online-only classes) need to re-submit or re-affirm that they will be keeping the same alternative procedures during the 2022-23 academic year?
  - A. No, if an SEVP-certified school has submitted an operational procedural plan detailing its alternative procedures, it does not need to resubmit the plan for the 2022-23 academic year unless the school has made substantive changes.

However, SEVP-certified schools that have not yet filed procedural change plans and will have active F or M students in programs for the 2022-23 academic year will need to submit a procedural change plan if there will be any substantive changes to existing procedures necessitated by COVID-19.

- 8. How should schools handle PDSOs or DSOs who are furloughed? Must schools report this information to SEVP?
  - A. An SEVP-certified school must have at least one PDSO assigned to each campus to enroll F and M students, maintain SEVP certification, respond to SEVP communications and provide recommendations to F and M students enrolled at the school regarding maintenance of nonimmigrant status (see 8 CFR 214.3(l)(1)(ii) and (iii)).



When an SEVP-certified school furloughs any of its DSOs, it must report that personnel change to SEVP within 21 days of the change (8 CFR 214.3(f)(1) and (g)(2)(i); 8 CFR 214.3(l)(2)).

If a certified school furloughs all its DSOs, the action is grounds for withdrawal of the school's SEVP certification (8 CFR 214.4(a)(2)(xiii)). The absence of DSOs also makes it impossible for schools to respond to SEVP requests and update records in SEVIS. Federal regulations state that failure to respond to an SEVP request constitutes a voluntary withdrawal of certification (8 CFR 214.3(h)(3)(vii)).

### **School policies**

- 1. As a result of COVID-19, our school is considering changing its grading policy for this term to pass/fail. Does this change impact our school's F or M students?
  - A. No, this change should have no impact. Schools may change their grading policies as a direct result of COVID-19. This change does not need to be reported as part of a school's procedural adaptation plan to SEVP. However, schools should document any changes to their grading policies and be able to provide them to SEVP upon request, and schools should be able to verify that a student is making normal academic progress.
- 2. May schools amend their admissions practices if they can no longer receive hard copies of transcripts from temporarily closed schools?
  - A. Yes. If not in contradiction with directives of the school's state board of education, verifiable electronic submissions or copies of transcripts from schools are acceptable to SEVP. Such a modification to the school's admissions process does not need to be reported on the school's procedural adaptation plan. However, schools must be able to report these changes to SEVP upon request. Schools must have relevant student transcripts prior to issuing a student an initial Form I-20.
- 3. What are the requirements for DSO duties during the COVID-19 emergency, particularly for closed schools?
  - A. DSOs are expected to meet the regulatory requirements to continue to "provide recommendations to F and/or M students enrolled at the school regarding maintenance of nonimmigrant status and to support timely and complete



recordkeeping and reporting to DHS" (8 CFR 214.3(l)(1)(iii)). DSOs should have regular working hours during which students can access them and may provide DSO services to students via email or teleconference.

#### **Form I-17**

- 1. Can schools submit electronic signatures for school petitions requiring a signed Form I-17, including DSO updates?
  - A. Yes, due to COVID-19, schools may email a digitally signed Form I-17 that contains a digitally reproduced copy of a physical signature or uses electronic signature software. DSOs may also continue to scan a Form I-17 containing an original wet signature and send it as an email attachment to SRC.

#### **M** schools

- 1. An M school has suspended classes until later in the session. The school cannot offer classes online and has provided a procedural adaptation plan to SEVP. Is there anything else the school should be doing?
  - A. Schools do not need to take additional actions regarding operational change plan reporting as long as they provide updated plans to SEVP if there are any material changes to report. Remember, schools must continue to fulfill all student and school record keeping requirements during this time.

### **General Questions**

- 1. How is SEVP coordinating with other government agencies on emerging issues related to COVID-19?
  - A. SEVP understands stakeholder concerns about the need for guidance. As the COVID 19 emergency continues, the program will develop guidance for its stakeholders and will publish it at <a href="ICE.gov/Coronavirus">ICE.gov/Coronavirus</a>. However, SEVP is unable to address questions that are within the authorities of other agencies.

The international student life cycle consists of specific functions that are handled by those federal agencies with the authority to do so. During the life cycle process, some questions are more appropriately answered by the authorizing agency. In some cases, it may require input and collaboration from multiple agencies. SEVP is



in contact with our government partners, including USCIS, CBP and the Department of State.

For those questions that are solely within the jurisdiction of our government partners, SEVP encourages stakeholders to contact the most appropriate government agency on specific issues.

#### **Additional Resources**

- 1. Where can I find COVID-19 information for J exchange visitors?
  - A. Guidance for J exchange visitors is available on the Department of State's website, Exchange Visitor Program Information on COVID-19.
- 2. Where can I find guidance distributed by SEVP in response to COVID-19?
  - A. All COVID-19 guidance for SEVP stakeholders is located at <a href="ICE.gov/Coronavirus">ICE.gov/Coronavirus</a>. Stakeholders should regularly visit this page for the latest guidance and frequently asked questions from SEVP.

Additionally, SEVP regularly shares updates and resources from government partners—including the Department of State and CDC—through our social media channels, including <a href="Twitter">Twitter</a>, <a href="Facebook">Facebook</a> and <a href="LinkedIn">LinkedIn</a>.

### **SEVP Response Center Contact Information**

For general SEVP questions, case-specific questions and SEVIS technical help, contact the SRC. SRC offices are open Monday through Friday, 8 a.m. to 6 p.m. ET, except federal holidays.

- Telephone:
  - o 703-603-3400 or 1-800-892-4829 for general and case-specific questions.
- Email:
  - o <u>SEVP@ice.dhs.gov</u> for general questions.
  - o <u>SEVISHelpDesk@ice.dhs.gov</u> for SEVIS technical questions.

#### **Archived Ouestions**

Questions in this section refer to information specific to previous semesters. The answers to these questions are considered rescinded.



### Nonimmigrant students

- 1. Due to COVID-19, what is the requirement for Initial status students who have already arrived in the United States for the spring 2020 semester?
  - A. Initial students currently in the United States that have reported to their school should be made Active in SEVIS and follow the guidelines the school provides to all its F and M students related to COVID-19. If Initial students have not arrived in the United States, they should remain in their home country.
- 2. Based on SEVP's guidance from January 2020 and March 2020, are schools encouraged to cancel admission for new students?
  - A. SEVP is not encouraging any specific action regarding new students. If a school has accepted F and/or M students but will not maintain standard operations because of COVID-19, deferment is an alternative. For additional information about deferring enrollment, refer to the <a href="How Do I Defer My Enrollment">How Do I Defer My Enrollment</a>? blog post on <a href="Study in the States">Study in the States</a>.
- 3. How should DSOs handle records for graduating high school seniors who have returned to their home country to take online classes, but plan to return to start postsecondary studies at a U.S. college or university?
  - A. If the school is offering online classes and students can access those courses from outside of the United States and continue to make normal progress in their course of study, they may continue in Active status in SEVIS.

If students cannot engage in online study due to insufficient online access or if the school is not offering enough online courses to meet a full course load, students may enroll in less than a full course of study. Schools must provide this information to SEVP as part of the required procedural change documents outlined in <a href="mailto:Broadcast">Broadcast</a> <a href="Message: COVID-19">Message: COVID-19</a> and Potential Procedural Adaptations for F and M</a> <a href="Monimmigrant Students">Nonimmigrant Students</a>.

Remember, once students are accepted for enrollment at an SEVP-certified college or university, the high school should initiate a transfer in SEVIS.



- 4. What are the instructions for students who have traveled to their home country for spring break and whose classes have now moved online and have a return ticket to the United States in the coming days? Is it advisable that these students should travel at this time or should they remain in their home country? Will their student visa status change if they choose to remain in their home country?
  - A. SEVP advises students currently outside of the United States and looking to enter the country to check on any travel restrictions their country might have regarding international travel, including restrictions applicable to countries they may travel through. Students should also check with their DSOs to confirm the school's operational status, or procedures for out-of-country students as some schools may not currently allow new or returning students on campus for an extended period of time.

Regarding options for maintaining student status while outside of the United States, students should check with their DSOs for alternate study arrangements. Additionally, refer to <a href="COVID-19">COVID-19</a>: Guidance for SEVP Stakeholders for information about online courses.

- 5. Our school switched to fully online instruction for the remainder of the spring semester and some students will return to their home countries to complete their programs online. Can DSOs extend students' program end dates so seniors can return to the United States at the end of the school year (e.g., May or June) for graduation ceremonies on their current Forms I-20?
  - A. DSOs should not extend students' programs to accommodate graduation ceremonies. Students wishing to return to the United States to attend graduation have the following options:
    - Students can return to the United States prior to the program end date on the Form I-20 and attend their graduation during the 60-day grace period.
    - Students who intend to continue their study in the United States can return with a pending change of educational level or transfer Form I-20.
    - Students can return to the United States on another visa classification (i.e., B-2 visitor visa).