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# Frequently Asked Questions for SEVP Stakeholders

## Post-COVID-19

*Last Updated: May 11, 2023*

On May 11, 2023, the Student and Exchange Visitor Program (SEVP) terminated its Coronavirus Disease (COVID-19) guidance to coincide with the end of the COVID-19 National Emergency and Public Health Emergency. This document provides answers to frequently asked questions from SEVP stakeholders about the impact of the termination of COVID-19 flexibilities.

### Clarifying Questions Concerning the End of SEVP's COVID-19 Guidance

#### SEVP-certified Schools

#### *Reporting School Changes*

**1. Do schools need to notify SEVP of the rescission of their procedural adaptations if school operations revert to pre-COVID procedures?**

A. No, schools do not need to notify SEVP of the rescission of their COVID-19 procedural adaptations. With the termination of SEVP's COVID-19 flexibilities, schools' COVID-19 procedural adaptations are voided and will no longer meet regulatory requirements beginning with the 2023-24 academic year.

**2. What should schools do if they have permanently adopted any COVID-related or other procedural adaptations?**

A. If there have been any permanent, material changes to the school's programs since the COVID-19 emergency, principal designated school officials (PDSOs) must submit a Form I-17, "Petition for Approval of School for Attendance by Nonimmigrant Student," update in the Student and Exchange Visitor Information System (SEVIS) with supporting evidence for adjudication by SEVP. Federal regulations at *8 CFR 214.3(g)* and *(h)* require schools to report any material changes to their Form I-17 petition within 21 days of the change. Designated school officials (DSOs) should review their school's Form I-17 petition to ensure it reflects the school's most up-to-date information and current operating status.

For more information, please refer to the [Petition Updates](#) section and the [Evidence Guidelines](#) on the Schools page at [ICE.gov/SEVIS/Schools](https://ice.dhs.gov/SEVIS/Schools).



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- 3. If the mode of instructional delivery for a program of study has permanently changed, is that considered a material change that needs to be reported to SEVP?**
- A. Yes, if the mode of instructional delivery for a program has permanently changed since it was approved on the school's Form I-17, it is a material change that must be reported to SEVP. The end of the COVID-19 flexibilities means that all programs of study must comply with the existing regulations, including those related to hybrid courses and regulatory limits regarding online study.
- 4. Can F and M nonimmigrant students enroll in a fully online program of study or a hybrid program of study with online components beyond the limitations of 8 CFR 214.2(f)(6)(i)(G) and 8 CFR 214.2(m)(9)(v)?**
- A. DSOs may not issue Forms I-20, "Certificate of Eligibility for Nonimmigrant Student Status," to F and M nonimmigrant students seeking to enroll in a program of study in the United States that includes online components beyond the limitations at 8 CFR 214.2(f)(6)(i)(G) and 8 CFR 214.2(m)(9)(v). SEVP regulations at 8 CFR 214.2(f)(6)(i)(G) and 8 CFR 214.2(m)(9)(v) limit online instruction to no more than one class or three credits per term for F students and prohibit online instruction for M students.
- 5. Can F and M nonimmigrant students remain in the United States if they are engaged in a fully online program of study?**
- A. No. F and M nonimmigrant students may not remain in the United States and engage in a program of study that is solely online. Students must comply with the limitations set forth in 8 CFR 214.2(f)(6)(i)(G) and 8 CFR 214.2(m)(9)(v).
- 6. Can F and M nonimmigrant students remain enrolled at an SEVP-certified school if the school switches from traditional in-person or hybrid instruction to fully online instruction?**
- A. No, F and M nonimmigrant students pursuing studies in the United States for the 2023-24 academic year and beyond may not remain enrolled at an SEVP-certified school that switches to fully online instruction. Students must comply with the limitations on online study in 8 CFR 214.2(f)(6)(i)(G) and 8 CFR 214.2(m)(9)(v). If their school switches to fully online instruction, the school is ineligible for continued SEVP certification and students must transfer to another SEVP-certified school or depart the United States.



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## **School Policies**

### **1. Our school is considering changing its grading policy 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. This change does not need to be reported 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. What are the requirements for DSO duties after the termination of COVID-19 flexibilities?**

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 consult with them and may provide DSO services to students via email or teleconference.

## **Electronic Signatures and Forms**

### **Form I-17**

#### **1. Can schools continue to submit electronic signatures for school petitions that require a signed Form I-17, including DSO updates?**

A. Yes. On Dec. 12, 2022, the U.S. Department of Homeland Security (DHS) published the interim final rule, Removal of Obsolete Procedures and Requirements Related to F, J, and M Nonimmigrants (87 FR 75891), which removed the original signatures requirement for the Form I-17.

Schools may submit a digitally signed Form I-17 that contains a digitally reproduced copy of a wet signature or uses electronic signature software to generate a signature. DSOs may also continue to scan a Form I-17 that contains an original wet signature and submit the form electronically.

### **Form I-20**

#### **1. Can DSOs continue to electronically send signed Forms I-20 to students instead of mailing the forms?**

A. Yes. For more information, please refer to SEVP's [Policy Guidance: Use of Electronic Signatures and Transmission for the Form I-20](#), published on Oct. 12, 2021, which outlines the procedures for the use of electronic signatures and transmission of the



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Form I-20, “Certificate of Eligibility for Nonimmigrant Student Status.”

Additionally, on Dec. 12, 2022, DHS published the interim final rule, “Removal of Obsolete Procedures and Requirements Related to F, J, and M Nonimmigrants” (87 FR 75891), which clarified SEVP’s regulations to allow the use of electronic means to sign and transmit the Form I-20.

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

- A. For information about acceptable methods for signing and transmitting the Form I-20, please see [SEVP Policy Guidance: Use of Electronic Signatures and Transmission for the Form I-20](#).

Only approved PDSOs and DSOs may physically sign the Form I-20 or input their own digital signature to the form. Individuals who are not approved on the school’s Form I-17 may not input a DSO’s signature—either digital or wet—to the Form I-20. Improper issuance of the Form I-20 in this manner may constitute grounds for withdrawal of the school’s 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 (wet signature copies) now that the COVID-19 emergency has ended?**

- A. No. The adjustment made during the COVID-19 emergency allowing for electronic signatures and electronic transmission of forms has been ratified through regulation and is now a permanent and authorized process. [SEVP Policy Guidance: Use of Electronic Signatures and Transmission for the Form I-20](#) 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 a wet signature?**

- A. An electronic or digital travel signature is valid for the same duration as a wet 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 after termination of the COVID-19 emergency?**

- A. Yes, SEVP has collaborated with both its internal DHS partners and external partners to assure acceptance of electronically signed and transmitted documents. Prior to publication of [SEVP Policy Guidance: Use of Electronic Signatures and Transmission for the Form I-20](#), SEVP coordinated with its government partners



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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 the policy guidance, please contact the SEVP Response Center (SRC). SRC contact information is available at the end of this FAQ document.

## **Nonimmigrant Students**

### ***Maintaining Student Records***

#### **1. Do DSOs have to cancel the Forms I-20 of students who are taking classes outside of the United States?**

- A. Yes, an Active F or M student's SEVIS record must be terminated if they are still engaged in their program of study outside of the United States and do not plan to re-enter the United States. Students may no longer take classes online while outside of the United States and remain in Active status as an F-1 or M-1 nonimmigrant. Students who wish to continue their studies in F-1 or M-1 status must re-enter the United States.

If an Active F or M student is still engaged in their program of study outside of the United States and does not plan to re-enter the United States, their SEVIS record must be terminated for authorized early withdrawal.

#### **2. Should DSOs mark the "Study Abroad" field in SEVIS for students who are outside of the United States in Active status, engaging in online studies from their home country?**

- A. No, DSOs should not mark the "Study Abroad" field in SEVIS. Students may no longer remain in Active F-1 nonimmigrant status and engage in online studies from their home country. Students must re-enter the United States for the 2023-24 academic year to remain in F-1 status.

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.

#### **3. If students cannot or will not return to school when in-person instruction resumes, should their SEVIS records be terminated for authorized early withdrawal?**

- A. Yes, beginning with the 2023-24 academic year, DSOs should terminate the SEVIS records of students who cannot or will not return to the United States to study. Refer to the [Terminate Student](#) article in the [SEVIS Help Hub](#) on [Study in the States](#) for additional information.



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## ***I-901 SEVIS Fee***

### **1. Can students transfer their I-901 SEVIS Fee payment to the next available session if they are unable to enroll in the next term?**

- A. For those students who 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 exempt 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 [I-901 SEVIS Fee Frequently Asked Questions](#) on [ICE.gov/SEVP](https://ice.dhs.gov/SEVP) for additional information about fee transfers.

## ***Full Course of Study Requirements and Online Learning***

### **1. May DSOs authorize F or M students for a medical reduced course load due to residual impacts from COVID-19?**

- A. Yes. A medical reduced course load may be appropriate for students who experience a residual illness due to COVID-19 or another condition and cannot maintain a full course load. Students may also choose to take a temporary absence. See *8 CFR 214.2(f)(6)(iii)(B)* and *8 CFR 214.2(m)(9)(vi)* for information on what medical documentation is required and for additional eligibility information.”

## ***Employment and Practical Training***

### **1. Many students are engaging in remote work as part of their on-campus employment opportunities. May F students continue to engage in remote work for on-campus employment?**

- A. Yes, if the 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.



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- 2. Can students engaged in optional practical training (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 participating in OPT and STEM OPT may work remotely as long as they continue to comply with the regulatory requirements regarding practical training at *8 CFR 214.2(f)(10)(ii)* and continue the training's mentoring relationship, including completion of the Form I-983, "Training Plan for STEM OPT Students," for STEM OPT participants. DSOs should update the employer address in SEVIS and students and employers should update the site address on the Form I-983 to reflect the remote location.
- 3. Can students apply for OPT while outside of the United States by filing a Form I-765, "Application for Employment Authorization," from abroad?**
- A. No. U.S. Citizenship and Immigration Services (USCIS) [instructions](#) for filing a Form I-765 require applicants "to be in the United States" and have a valid U.S. mailing address for USCIS to send the Form I-766, "Employment Authorization Document" (EAD). Providing a foreign address will result in denial of the application as USCIS will not mail a secure document such as an EAD to an address outside of the United States.

## ***Student Transfer***

- 1. Will the five-month rule apply to student transfers beginning with the 2023-24 academic year?**
- A. Yes, the five-month rule will apply to student transfers beginning with the 2023-24 academic year. Students who are transferring must begin classes at the transfer-in school or program within five months of transferring out of their current school or within five months of the program completion date on their current Form I-20, whichever is earlier. Additionally, beginning with the 2023-24 academic year, students who have been outside of the United States for more than five months will require a new Form I-20 to enter the United States.

## ***Travel***

- 1. Is there a time frame for when students are expected to return to the United States now that the COVID-19 emergency is over?**
- A. Yes, students should return to the United States within 30 days of the next available session start date to begin the 2023-24 academic year.



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## ***M Students***

**1. Are M students eligible for a 15-day grace period after their SEVIS record is terminated for Authorized Early Withdrawal?**

- A. No, M students must depart the United States immediately after their SEVIS record is terminated for Authorized Early Withdrawal.

## **Additional Resources**

**1. Where can I find guidance that SEVP previously distributed in response to COVID-19?**

- A. All previously published COVID-19 guidance for SEVP stakeholders has been archived at [ICE.gov/Coronavirus](https://ice.gov/coronavirus).

**2. Where can I find guidance for J exchange visitors that the Department of State previously distributed in response to COVID-19?**

- A. All guidance for J exchange visitors is available on the Department of State's website at [j1visa.state.gov/COVID-19](https://j1visa.state.gov/COVID-19).

## **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 for federal holidays.

- **Telephone:**
  - 703-603-3400 or 1-800-892-4829 for general and case-specific questions.
- **Email:**
  - [SEVP@ice.dhs.gov](mailto:SEVP@ice.dhs.gov) for general questions.
  - [SEVISHelpDesk@ice.dhs.gov](mailto:SEVISHelpDesk@ice.dhs.gov) for SEVIS technical questions.