



Form I-515A, “Notice to Student or Exchange Visitor,” Noncompliance Termination Procedure

Part I – Procedure:

Beginning April 1, 2016, the Student and Exchange Visitor Program (SEVP) will send “Intent to Terminate” notices to nonimmigrant students (F-1/M-1), exchange visitors (J-1) and dependents (F-2/M-2/J-2) who failed to comply with the Form I-515A, “Notice to Student or Exchange Visitor,” directive by the specified deadline.

Recipients of the “Intent to Terminate” notices will have 14 days, as of the date the notice is sent, to respond to the Form I-515A. Failure to comply within the 14-day grace period will result in termination of the recipient’s Student and Exchange Visitor Information System (SEVIS) record, which will flag the nonimmigrant as a possible visa violator in official government systems.

Nonimmigrant students, exchange visitors and dependents who lose their valid nonimmigrant status as a result of their SEVIS record being terminated for failure to comply with the requirements of a Form I-515A must file for reinstatement and relevant fees will apply.

F-1 and M-1 students and their dependents must file for reinstatement with U.S. Citizenship and Immigration Services, while J-1 exchange visitors and their dependents must file with the U.S. Department of State. Nonimmigrants that do not comply with the Form I-515A and do not file for reinstatement must depart the United States immediately.

Readmission may be granted on a valid Form I-20, “Certificate of Eligibility for Nonimmigrant Student Status,” or DS-2019, “Certificate of Eligibility for Exchange Visitor Status,” with all previous entry deficiencies resolved, in order to establish nonimmigrant status again.

Notices to Nonimmigrants

Receiving a Form I-515A from a U.S. Customs and Border Protection (CBP) agent at a U.S. point of entry is a nonimmigrant’s first notice of their requirement to correct the entry deficiency determined upon arrival.

Nonimmigrants that do not submit all required documentation by the Form I-94, “Arrival/Departure Record,” expiration date (i.e., 30 days after date of entry) will receive SEVP’s “Intent to Terminate” notice, which is their final notice to comply.

SEVP will send this final notice via email and/or U.S. postal service, depending on the nonimmigrant’s available contact information in SEVIS. Therefore, recipients must have their contact information properly updated in SEVIS to receive the final notice.

Failure to comply with the final notice within 14 days of the date the notice was sent will result in the termination of the nonimmigrant’s SEVIS record and the end of the nonimmigrant’s authorized period of stay in the United States.

Notices to School/Sponsor Officials

School officials and sponsor officials will receive an email notification from SEVP if a nonimmigrant whose SEVIS record they manage has received a Form I-515A upon entry into the United States.

Approximately 20 days after the date of entry, if the nonimmigrant has yet to comply with the Form I-515A, SEVP will send the school official a second notice via email of the nonimmigrant's obligation to comply with the requirements of the Form I-515A.

If the nonimmigrant does not respond to the Form I-515A within the initial 30-day deadline, SEVP will also copy the school official on the "Intent to Terminate" notice it sends to the nonimmigrant.

Failure to comply with the "Intent to Terminate" notice within 14 days of the date the notice was sent will result in the termination of the nonimmigrant's SEVIS record and the end of the nonimmigrant's authorized period of stay in the United States.

Part II – Form I-515A

Any nonimmigrant student, exchange visitor and dependent who receives temporary admission into the United States with a Form I-515A must comply with the Form I-515A directive within 30 days of entry. Compliance entails resolution of the reason for the issuance of the Form I-515A at the port of entry and submittal of all required documentation to the SEVP Form I-515A Processing Team.

It is a school official's or sponsor official's responsibility to ensure the nonimmigrant who received the Form I-515A understands the importance of properly responding and complying with the form. The school/sponsor official should clearly communicate to the nonimmigrant that failing to respond to SEVP by the specified deadline will result in the loss of nonimmigrant status.

Receiving a Form I-515A

CBP officials issue Forms I-515A to nonimmigrant students, exchange visitors and/or dependents when the nonimmigrant lacks proper entry documentation. The most common reasons for issuance include:

- Lack of travel endorsement by a school official or sponsor official on the Form I-20 or DS-2019.
- Lack of evidence of payment of the I-901 SEVIS Fee.
- Lack of a valid SEVIS record associated with the Form I-20 or DS-2019 used on entry (i.e., the SEVIS record is not in Active or Initial status).

Only original, fully signed Forms I-20 and DS-2019 are acceptable for submission to SEVP when responding to the Form I-515A directive. Electronic copies and photocopies of the Forms I-20 and DS-2019 will not be accepted. Original Forms I-20 and DS-2019 are returned to the school or sponsor for return to the student or exchange visitor once the Form I-515A is adjudicated.

All documentation required to comply with the Form I-515A must be submitted to SEVP, in all instances, within 30 days of date of entry.

Complying with a Form I-515A

Compliance is defined as the nonimmigrant and school/sponsor official correcting the entry deficiency, the nonimmigrant mailing the required documents to SEVP within 30 days of entry and SEVP adjudicating the Form I-515A.

As indicated on the Form I-515A instructions, SEVP must receive original documents to render an adjudicative decision. Required documentation includes:

- An updated, original, signed Form I-20 or DS-2019 (exchange visitors must have signatures in blue ink).

- The Form I-94, "Arrival/Departure Record" or a printout from the Form I-94 online system.
- The original Form I-515A that CBP issued to the nonimmigrant at the port of entry.
- Evidence of I-901 SEVIS Fee payment; please note the SEVIS ID number on this receipt must match the SEVIS ID that appears on the nonimmigrant's Form I-20 or DS-2019.

The nonimmigrant student, exchange visitors and their dependent(s) must mail such documents, including any paper Form I-94 issued, to SEVP prior to the Form I-94 expiration deadline.

Special Instructions for Nonimmigrants Who Complied at a Deferred Inspection Site

For nonimmigrants who complied with the Form I-515A at a deferred inspection site, please submit an updated admission stamp or any emails between the nonimmigrant and CBP indicating compliance with the Form I-515A to SEVP at SEVIS.I-515@ice.dhs.gov.

For nonimmigrants who intend to comply with the Form I-515A through departure, please provide the date of departure (or anticipated departure) to SEVP. Failure to depart and submit required documentation to SEVP may result in termination of the SEVIS record.

Timely receipt by SEVP of required documentation (i.e., updated admissions stamps or emails) will allow the nonimmigrant to avoid termination of their SEVIS status.

Validation studies conducted on records for students, exchange visitors and their dependents, indicate that a significant number of nonimmigrants issued a Form I-515A remain in the United States beyond the 30-day authorized period of stay, without submitting the required admission documents to SEVP. In addition, SEVP found data that a significant number of nonimmigrants enter the United States under one SEVIS ID, but attend school or participate in their exchange visitor program on a different SEVIS ID.

Given the results of the validation studies, SEVP will begin the new procedure to terminate SEVIS records for nonimmigrants who fail to comply with the Form I-515A notice on April 1, 2016.