



Stakeholder Issues Response Report



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From the Desk of SEVP Director Lou Farrell



*Student and Exchange Visitor Program
Director Lou Farrell*

A message from Louis M. Farrell, Director of the Student and Exchange Visitor Program

Members of the academic community,

I am pleased to provide you with this first report that responds to the excellent feedback many of you gave directly to my colleague, Katie Westerlund, and me during the Open Meeting, a Discussion with Student and Exchange Visitor Program (SEVP) Director Lou Farrell, at the 2015 NAFSA Annual Conference and Expo. The following report outlines how SEVP is addressing or plans to address each item raised during that meeting. As we move forward, I will continue to provide you with updates on how we are delivering on the topics mentioned within this report. Additionally, where possible, we have established tentative deadlines for accomplishing these actions, and will share those deadlines with you so you can track our progress.

It is my privilege to engage with the academic community — whether virtually or in-person — and listen to your questions, insights and concerns. In that light, I am fully committed to ensuring that SEVP maintains a high level of engagement with our stakeholders. This year, SEVP is on track to attend more than 165 conferences and events, a more than 130 percent increase from 2014. Through our field representatives and expanded virtual capabilities, we are now able to reach more audiences than ever before, even in an age of government sequestration and budget cuts.

In addition to engaging with you, SEVP listens to your feedback and takes your concerns seriously. We strive to provide multiple ways for you to engage with SEVP officials, whether through conferences and webinars, draft policy guidance for comment, the Stakeholder Satisfaction Survey or other feedback tools. We carefully review all feedback to improve our existing processes and better serve you, our stakeholders.

Sometimes, the demands of our operating environment dictate the speed at which we can address policy-related

items. I am sure many of you are familiar with the science, technology, engineering and mathematics (STEM) optional practical training (OPT) regulation and the 2014 Government Accountability Office audit of student employment. The STEM OPT draft regulation received nearly 50,000 public comments — the most in the history of the U.S. Department of Homeland Security. This incredible response from the public, together with the extremely tight timeframe we face in publishing the rule, has required us to pull every available resource to ensure minimal negative impacts on the academic and international student community.

However, SEVP remains committed to developing guidance on all items discussed in this report. While we may not provide a specific deadline for a certain policy guidance or regulatory change, we continuously discuss numerous topics at an internal level through working groups and meetings with our government partners.

In the end, SEVP will strive to address each topic identified in this report and provide our stakeholders with regular updates on our progress through our established outreach efforts. We hope this report answers many of your questions about where the program stands with certain items, including guidance, regulation and Student and Exchange Visitor Information System functionality.

I thank you for your patience and support, and I look forward to more opportunities for engagement with the academic community. I encourage everyone to provide feedback on this report by sending an email to SEVP@ice.dhs.gov or completing the [Stakeholder Satisfaction Survey](#) on [Study in the States](#). As we approach this glorious holiday season, I wish only the best for you and your loved ones.

Respectfully,
Lou

Stakeholder Issues Response Report

Background

NAFSA: Association of International Educators invited Student and Exchange Visitor Program (SEVP) Director Lou Farrell and Acting School Certification and Policy Unit Chief Katie Westerlund to participate in an open meeting with NAFSA members during the 2015 NAFSA Annual Conference and Expo. During this meeting, more than 180 attendees — primarily designated school officials — brainstormed

trends and issues in international education and discussed potential solutions to their concerns. Attendees presented their feedback to SEVP and NAFSA leadership, who collected, summarized and provided the information to SEVP in July 2015.

After the event, SEVP leadership reviewed and discussed this feedback, and identified ways that

the program plans to address each stakeholder-identified topic through policy guidance, Student and Exchange Visitor Information System functionality, process changes and enhanced communications. This document summarizes the feedback received from the 2015 NAFSA Open Meeting, and outlines how SEVP is currently addressing or plans to address each topic identified by NAFSA members.

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Processing Times for Form I-17, “Petition for Approval of School for Attendance by Nonimmigrant Student,” Updates

Issue

Primary feedback from NAFSA stakeholders focused on processing times for Form I-17, “Petition for Approval of School for Attendance by Nonimmigrant Student,” updates. Attendees noted processing delays might cause issues for schools and affect a school’s ability to properly function and serve students. Stakeholders explained processing delays can place a school’s Student and Exchange Visitor Information System (SEVIS) records at risk — such as situations when a terminated designated school official (DSO) has access to the school’s SEVIS records, but a newly hired DSO does not — and often bring schools close to their certification expiration date (CED).

SEVP Response

One of the Student and Exchange Visitor Program’s (SEVP) top priorities is to reduce processing times and the current backlog for Form I-17 updates. The program recognizes stakeholder concerns with extended processing times and is committed to implementing solutions that will build the foundations of a sustainable and efficient update processing system. SEVP is in the process of developing short, middle and long-term goals to ensure timely processing of Form I-17 updates. The program’s current focus is to reduce and eliminate the backlog for principal designated school official (PDSO) and DSO updates.

Based on an analysis of stakeholder feedback, SEVP identified processing times for PDSO and DSO updates and the addition of new programs as top stakeholder concerns. To address the PDSO and DSO update backlog, the SEVP School Certification Unit (SCU) amended its internal processes to require all adjudicators to process an established number of PDSO and DSO updates per week. The program is currently training additional adjudicators on the updates process and bringing in support from the SEVP Field Representative Unit, which will allow SCU to process the maximum amount of updates needed to eliminate the PDSO and DSO update backlog by close of business on March 25, 2016.

SEVP has already cleared the update backlog for schools without PDSOs. Simultaneously, the program is rapidly clearing the backlog of all PDSO and DSO updates submitted as a single or stand-alone update. The program’s goal is to render decisions for all PDSO and DSO backlog stand-alone updates that have complete and accurate supporting documentation by close of business on Dec. 31, 2015. Finally, SEVP has devised a process to identify and adjudicate all backlogged PDSO and DSO updates that are part of a package of multiple updates, or mixed updates, no later than close of business on March 25, 2016.

Additionally, SEVP will strive to provide schools with an adjudication decision within 10 business days of receipt for any PDSO or DSO update request that includes complete and accurate

supporting documentation. The program will implement this new standard processing time in stages. Starting on March 31, 2016, SEVP’s goal is to adjudicate all complete, stand-alone or mixed PDSO or DSO-related updates within 10 business days. Please reference Broadcast Message 1512-11: SEVIS NOTICE - Updates regarding PDSO/DSO Adjudications for additional information about these changes.

To help school officials correctly file a Form I-17 update and provide required documentation, SEVP is in the process of developing an updated PDSO and DSO job aid that outlines the specific documentation schools must submit. This job aid will contain the exact information schools must include with a PDSO or DSO Form I-17 update and help reduce the number of requests for evidence that SEVP sends to schools to obtain additional information.

SCU also worked with the SEVP Systems Management Unit to develop and deploy SEVIS functionality that allows for the rapid identification of pending PDSO and DSO updates. As of December 2015, SCU adjudicators can now view and adjudicate PDSO and DSO updates independently of other Form I-17 updates. The program also streamlined the adjudicator’s role to remove unnecessary steps or delays in the adjudication process. Combined, SEVP expects these changes to improve internal processing for PDSO and DSO updates.

SEVP will continue to investigate ways to improve the process for all Form I-17 updates. As many stakeholders are aware, SEVP employs contractors to assist with case management. However, since the adjudication process requires decision-making on behalf of the U.S. government, only a federal employee can adjudicate Form I-17 updates. SEVP adjudicators are working overtime to ensure efficient processing for SEVP certification, recertification and updates. Additionally, the program is moving quickly to increase its spending authority to hire additional SCU adjudicators, which, until recently, it has been unable to accomplish due to funding restrictions.

SEVP continues to develop new SEVIS features and tools on [Study in the States](#) to assist DSOs with Form I-17 updates. [Study in the States](#) regularly features blog posts with tips and best practices for school officials. In the coming months, SEVP will explore the development of a tutorial that outlines the process and evidence required for Form I-17 updates. Stakeholders can follow [Study in the States](#) and associated social media channels for additional information on this subject. The program is also working internally to develop a tool that allows DSOs to view a timeline for updates and the status of their petition in SEVIS.

SEVP regularly engages with the academic community to answer questions concerning the Form I-17 update process. For example, in August 2015, SEVP participated in a NAFSA-hosted webinar with more than 500 DSOs to discuss Form I-17 updates and recertification, as well as answer stakeholder questions. Additionally, SEVP field representatives receive training on SCU processes to provide guidance to school officials and assist with finding resources on [Study in the States](#) and [ICE.gov/SEVP](#).

Lastly, the program will continue to inform stakeholders about progress made on reducing backlogs and enhancing the updates process through webinars, conferences and [Study in the States](#). On Feb. 9, 2016, SEVP will host an Ask the Experts webinar with SCU adjudicators to provide an overview of the improved PDSO and DSO updates process and report on where the program stands with reducing the backlog. This webinar will allow stakeholders the opportunity to ask questions about the process directly to SEVP adjudicators. Stay tuned to [Study in the States](#) and social media for additional information about this webinar and how stakeholders can submit their questions on the PDSO and DSO updates process to SEVP.

In the meantime, SEVP appreciates our stakeholders’ patience as the program works towards more predictable processing times and considers possible solutions to reduce the impact of this situation on stakeholders.

Denials of Form I-17, “Petition for Approval of School for Attendance by Nonimmigrant Student,” Updates to Add New Programs



Issue

Stakeholders noted that the Student and Exchange Visitor Program (SEVP) denied some, but not all, Form I-17, “Petition for Approval of School for Attendance by Nonimmigrant Student,” updates filed by well-established universities to add a new instructional program, citing the program’s future start date as a cause for denial. Session participants explained that most universities request a Form I-17 update to add a new program once they finalize the program’s necessary arrangements, but before actual instruction begins. Although many schools re-file and receive SEVP approval, the program’s implementation may be delayed by up to an entire academic year due to its inability to offer instruction to international students.

SEVP Response

To address this situation, SEVP released new, internal draft guidance for adjudicators that discusses the limited circumstances in which an accredited school can receive SEVP certification without prior student enrollment. Adjudicators

are currently operating under this guidance, which SEVP intends to release for public comment under the title, “Engaged in Instruction.” SEVP will continue to provide the academic community with information about this guidance through [Study in](#)

[the States](#) and associated social media channels. Stakeholders can register to receive notices when SEVP posts new draft guidance on the Study in the States [Guidance for Comment](#) page.

Student and Exchange Visitor Information System (SEVIS) Functionality

Issue

Many SEVIS users expressed a desire for functionality to address input errors along with the ability to cancel Form I-17, “Petition for Approval of School for Attendance by Nonimmigrant Student,” update requests — features that could help reduce the Student and Exchange Visitor Program’s (SEVP) workload. Stakeholders requested additional functionalities, including the ability to export SEVIS data to a spreadsheet and a records/data search function. In the future, the academic community hopes to see more data available to designated school officials (DSOs) in SEVIS, such as a student’s reduced course load history. Users also requested to receive more advance notice for planned SEVIS outages and updates to a school’s batching capabilities (specific to batch vendors). Finally, DSOs alerted SEVP to slowed server responsiveness during peak reporting times.

SEVP Response

SEVP recognizes stakeholder desire for SEVIS functionalities that will assist DSOs with reporting requirements and improve user experience. Many of the functionalities suggested by stakeholders during the 2015 NAFSA Open Meeting included in future SEVIS release plans and expected to deploy in the coming years. At the same time, SEVP remains committed to fully modernizing SEVIS and deploying functionality that addresses concerns outlined in a 2014 Government Accountability Office audit on student employment.

Since the beginning of 2014, SEVP developed and deployed seven SEVIS releases to address vulnerabilities and modernize the existing system. SEVIS Release 6.21, deployed in June 2015, was the largest and most comprehensive release in SEVIS history. Through each release, SEVP seeks to address existing issues and improve the operating environment. Past enhancements introduced new features and functionality, including:

- Accreditations and recognitions.
- Search functionality.
- Name, address and email standardization.
- Student employment records.
- School official verification.
- Mass reprint.
- SEVIS downloads, with the ability to export information into an Excel or CSV format.
- Optional practical training employer information.
- Detailed student history, including details of all reduced course loads authorized by the current institution.

Additionally, SEVIS updates prompted SEVP to make significant changes to the Form I-20, “Certificate of Eligibility for Nonimmigrant Student Status.” The U.S. Department of State also revised the Form DS-2019, “Certificate of Eligibility for Exchange Visitor (J-1) Status,” to

remove unused areas and allow additional space for pertinent information.

SEVP will continue to make substantial changes to fully modernize and improve SEVIS, with enhancements scheduled to deploy throughout 2016. Current enhancements planned for a June 2016 SEVIS release include:

- Updates to the Form I-17 to assist users in identifying errors before they submit information to SEVP.
- New address validation, instructional text and field behavior to assist users in identifying input errors immediately.
- Improved navigation to include a final screen where DSOs can review all changes to the Form I-17 before submission, and can cancel and return to the petition to change their updates, if needed.

SEVIS has been in production and under operations and maintenance for more than 10 years. Significant effort is placed on upgrading and modernizing SEVIS in a modular fashion to maximize the improvements for the users in the least amount of time. Each and every SEVIS release is aimed at simplifying the experience for the user and increasing the performance of the system for all of its many stakeholders.

In the past year, SEVP has made significant changes to increase SEVIS capacity and speed. SEVP recently upgraded its infrastructure and software components during the Dec. 6, 2015, SEVIS Release 6.23. During the next calendar year, SEVIS development teams will work on alternatives to modernize the existing technology stack, potentially streamlining the code base, to increase system efficiency and speed.

SEVP values the engagement of school and sponsor officials as the program makes needed changes to SEVIS. In June 2014, the program established a batch working group for all batch users and associated vendors. SEVP holds these meetings on a regular basis and uses them to

discuss upcoming changes to batch functionality, including outages. Based on feedback from this group, SEVP recently changed the meeting format to a shorter weekly meeting to provide these users with near real-time access to information about changes.

SEVP welcomes the academic community’s continued feedback as the program implements SEVIS enhancements. However, given the scale of modernization, there are always elements of change beyond SEVP’s control. SEVP closely monitors SEVIS to identify issues and slowed server responsiveness, and makes every effort to address any items that hinder a DSO’s reporting abilities.

While the conditions that necessitate a SEVIS outage vary, SEVP strives to provide its stakeholders and government partners with notice well in advance of the outage. However, emergency outages are often unexpected and in these cases, the program is unable to notify users as early as desired. To keep the academic community informed of upcoming outages, SEVP adjusted its internal processes for SEVIS Broadcast Message distribution to improve the speed of communicating unforeseen outages to SEVIS users.

In addition to outage communication, SEVP is committed to providing stakeholders with information on SEVIS enhancements before, during and after each release. SEVP launched the [SEVIS Help Hub](#) to provide stakeholders with access to all SEVIS resources in one location, including the SEVIS webinar series, frequently asked question guides, job aids and fact sheets. Additionally, SEVP Director Lou Farrell [provides video updates](#) to the academic community on the way forward for SEVIS enhancements. Stakeholders should contact their assigned SEVP field representative with general questions about past and upcoming SEVIS enhancements, and utilize the many resources available on [Study in the States](#) to assist with reporting requirements in SEVIS.

Student and Exchange Visitor Program (SEVP) Response Center (SRC) Support

Issue

Conference participants provided feedback on the quality of assistance received through the SRC, with stakeholders noting that they sometimes receive inconsistent information or responses from SEVP customer service representatives.

SEVP Response

SEVP strives to provide consistent and quality information to stakeholders, whether through the SRC, field representatives, conference presentations or [Study in the States](#). The program is committed to engaging with stakeholders to address their questions and concerns. However, given the different avenues available to receive answers, it is sometimes difficult to ensure that SEVP provides consistent responses to questions.

To ensure that SEVP speaks with one voice, the SRC developed an internal interactive working group that shares and vets information through all units prior to distribution. Additionally, the SRC plans to increase the frequency of refresher trainings that cover program updates and seasonal trends for customer service representatives, which will ensure that the program continues to deliver consistent guidance to stakeholders.

The SRC is dedicated to addressing stakeholder questions about the international student process, school certification, policy and Student and Exchange Visitor Information System (SEVIS) functionality. To reduce wait times and streamline stakeholder interactions with customer service representatives, SEVP plans to develop a checklist in the coming months to assist stakeholders calling the SRC. Upon completion, the checklist will be available to stakeholders through [Study in the States](#).

Additionally, to improve stakeholder experience, SEVP plans to implement new enhancements to provide additional avenues for stakeholders to contact the SRC. In the future, stakeholders can look forward to the addition of an online chat feature, a hold in place (i.e., callback feature) and a first-level password reset option. These

enhancements will foster better communication and provide more efficient stakeholder support.

SEVP customer service representatives are an excellent resource for designated school officials and can provide answers to both frequently asked and in-depth questions. Customer service representatives must complete comprehensive training on SEVP operations and policies prior to answering stakeholder questions. To assist with stakeholder inquiries, customer service representatives must complete regular trainings on the latest guidance, policies, SEVIS enhancements and program updates. Additionally, school certification analysts often sit with customer service representatives to assist with frequently asked certification, Form I-17, “Petition for Approval of School for Attendance by Nonimmigrant Student,” updates and recertification-related questions.

Nontraditional Programs

Issue

Stakeholders cited a desire for regulations that recognize the many forms of higher education. Participants claimed dated regulations hinder an institution’s ability to innovate and compete. Many participants expressed concern that technological advances have changed the mediums for providing education, noting the rise of online courses. Additionally, attendees noted social changes and the evolving needs of international students should be reflected in regulation.

SEVP Response

The Student and Exchange Visitor Program (SEVP) hopes to develop and release guidance that addresses recent advances in education. Undoubtedly, allowing certain types of programs for international students or addressing the variations in educational programs today will require changes to existing federal regulation. However, such regulatory changes require SEVP, U.S. Immigration and Customs Enforcement, and the U.S. Department of Homeland Security (DHS) to undergo an extensive review and approval process.

Although SEVP does not have immediate plans to make major changes to its governing regulations due to other current priorities, the program is aware of its regulatory limitations. To address these items, SEVP developed internal working groups

that regularly discuss ideas on what can feasibly be done to better align with ongoing changes in the academic community. SEVP working groups are consistently discussing guidance at an internal level on topics such as online courses, distance learning and grade 13.

SEVP plans to release guidance addressing specific areas or types of nontraditional programs individually over time. The release of this guidance will depend on items of importance to our adjudicators. For example, the program is currently developing grade 13 guidance, which has become a topic of concern to SEVP adjudicators and members of the academic community. Additionally, beginning next quarter, policy analysts will work with School Certification Unit adjudicators to discuss requirements for online

and blended learning.

SEVP actively seeks input from stakeholders to address what the academic community would like to see in regulation or policy guidance. In the past, SEVP asked leading international educator associations, as well as members of the U.S. Department of Homeland Security’s Homeland Security Academic Advisory Council, for recommendations to address nontraditional or changing school programs. SEVP encourages stakeholders to contact us with observations from the field and with items to include in any future regulation addressing nontraditional programs. The program will take all insights into consideration when developing guidance.

Optional Practical Training (OPT) Application Window

Issue

Stakeholders requested a longer period for OPT applications. Current policy requires U.S. Citizenship and Immigration Services (USCIS) to process the Form I-765, "Application for Employment Authorization," within 90 days. However, participants noted delayed USCIS processing times often penalize students who do not receive their employment documents in a timely manner. Participants also noted that their students are penalized, usually through the forfeiture of post-completion OPT, if they fail to file the Form I-765 within 60 days of program completion or within 30 days of the date the designated school official (DSO) enters an OPT recommendation into the Student and Exchange Visitor Information System.

SEVP Response

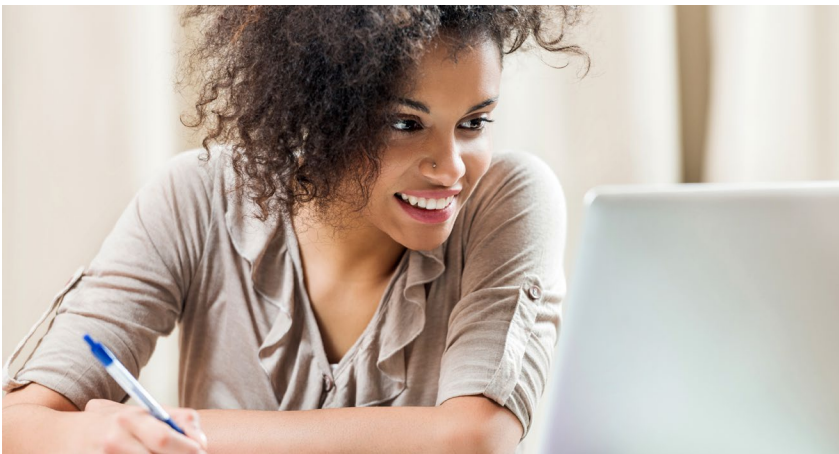
The Student and Exchange Visitor Program (SEVP) recognizes stakeholder concerns related to the OPT application window length and will communicate these concerns to USCIS via an internal working group meeting. While SEVP manages regulation concerning student employment, USCIS is responsible for processing and adjudicating OPT applications. In early 2016, SEVP will send a formal letter to USCIS leadership that proposes a change in the OPT application window and requests a longer application period. Even though the OPT application window is of importance to SEVP and the program's stakeholders, it is important to note that USCIS may have different agency priorities. To assist DSOs, and ensure students are aware of the current filing deadline and OPT requirements, SEVP will continue to promote best practices and reminders for timely OPT filing through [Study in the States](#) and its social media channels.



Curricular Practical Training (CPT) Guidance

Issue

As the demand for experiential learning from students and employers increases, participants noted that the academic community lacks clear agency guidance to facilitate CPT in accordance with the existing regulations.



SEVP Response

In late 2016, the Student and Exchange Visitor Program (SEVP) will release draft guidance that clarifies previous CPT-focused guidance documents. The program encourages stakeholders to read all practical training-related guidance documents and provide feedback to SEVP. Program representatives read and review all stakeholder comments, and use this insight to inform future guidance. Additionally, SEVP encourages stakeholders to submit comments on how experiential learning and changes in higher education have affected their experience with CPT in recent years. SEVP works best when it has robust feedback from the stakeholder community. Stakeholders can stay in the know about upcoming guidance and register to receive notices of new draft guidance on the Study in the States [Guidance for Comment](#) page.

Science, Technology, Engineering and Mathematics (STEM) Classification of Instructional Programs (CIP) Code List

Issue

Participants noted the existing CIP codes/degree list that serve as the basis for STEM optional practical training (OPT) extension appear to be out of date when put in the context of the degrees that could support a student pursuing STEM OPT.

SEVP Response

On Oct. 19, 2015, the U.S. Department of Homeland Security (DHS) released a notice of proposed rulemaking that recommended changes to strengthen and enhance the process for F-1 students with STEM degrees from a U.S. university to receive practical training in the United States. The proposed rule better defines the fields of study that serve as a basis for a STEM OPT extension and proposes the distribution of a federal register notice when DHS makes changes to the STEM CIP code list. However, elements of the rule may change in response to public comments received on the proposed rule.

The 2008 interim final resolution (IFR), which set forth the terms of the original STEM OPT

extension, introduced the STEM Designated Degree Program list, which includes all U.S. Department of Education CIP codes eligible for a 17-month extension. The 2008 IFR noted that the Student and Exchange Visitor Program's (SEVP) website at ICE.gov/SEVP will contain any changes to the list.

Under the October 2015 proposed rule, DHS would continue to produce a list identifying Department of Education-recognized programs that qualify as appropriate categories for the STEM OPT extension. SEVP will continue to communicate information to stakeholders via its regular communication channels. DHS recognizes the dynamic nature of STEM fields, and has the

ability to revise the Designated Degree Program list to account for any future developments in education. The list of STEM CIP codes will remain at ICE.gov/SEVP.

SEVP will continue to promote information about STEM CIP codes through [Study in the States](#). SEVP strongly encourages the stakeholder community to take the time to submit their CIP code requests through the established process. DHS will continue to accept suggested additions to the STEM Designated Degree Program list via email at SEVP@ice.dhs.gov.

Temporary Absence Process

Issue

Session participants discussed the temporary absence process, noting that the process designated school officials (DSOs) must undertake when a student takes a temporary absence of at least five months could be more efficient for the school, student, and Student and Exchange Visitor Program (SEVP). Participants believe the process regularly affects students who travel abroad, often to further their education in the United States.

SEVP Response

In June 2015, SEVP notified the stakeholder community about an improvement to the process for corrections to student records with a temporary absence of less than five months. DSOs can now request corrections to a student's Student and Exchange Visitor Information System (SEVIS) record in advance of the student's return from a temporary absence. For additional details on the recent process change, stakeholders can visit the blog post, "[Schools: New Time Frame to Request Corrections to Student Status in SEVIS](#)," on [Study in the States](#). The program hopes this change made the existing process smoother for DSOs and students, and encourages stakeholders to provide feedback on their experience with the new process to SEVP.

In addition to these changes, the SEVP Response Center (SRC) no longer requires a copy of the student's flight itinerary to be submitted with a correction request. The SRC sets a high priority for temporary absence requests and, for most cases, will process the data fix within 30 days of the correction request submission.

SEVP is also in the process of introducing SEVIS functionality to reflect temporary absences and streamline the temporary absence process. This functionality will deploy in SEVIS releases planned for the next year.

Currently, F-1 students that take a leave of absence for at least five months from school and do not remain enrolled in the Form I-20, "Certificate

of Approval for Nonimmigrant Student Status," issuing university, and/or participate in a study abroad program, must have their SEVIS record terminated for Authorized Early Withdrawal. The only way for such students to return to school is to apply as a new Initial student with a new SEVIS ID and pay the I-901 SEVIS Fee again.

Allowing students to undertake a temporary absence of five months or more and continuously maintain status would require a change to the existing regulation. Although SEVP is internally discussing the issue, as previously mentioned, government priorities dictate SEVP's policy and regulatory plans. SEVP encourages stakeholders to continue to provide suggestions for temporary absence process improvements to SEVP.

Reduced Course Load Regulatory Provisions

Issue

Stakeholders also discussed current reduced course load regulations. Many participants noted that reduced course load regulations should recognize the professionals that consult with students about health-related issues, allow for long-term conditions and disabilities, and provide designated school officials greater discretion in authorizing a reduced course load for students.

SEVP Response

The Student and Exchange Visitor Program (SEVP) plans to issue guidance on full course of study requirements and reduced course load in 2016. The program will provide updates on the status of this guidance and notify stakeholders when it is available for public comment via [Study in the States](#) and associated social media channels. Stakeholders can register to receive notices when SEVP posts new draft guidance on the Study in the States [Guidance for Comment](#) page.

Federal regulation 8 CFR 214.2(f)(6)(H)(iii)(B) states that a reduced course load for medical reasons must be supported by documentation “from a licensed medical doctor, doctor of osteopathy, or licensed clinical psychologist.” Regulation limits medical reduced course load to an aggregate of 12 months — a period that may not account for students with long-term disabilities that require a permanent reduction in course load. Current regulation is designed to

accommodate short-term, temporary conditions that limit a student’s ability to enroll in a full course of study. As such, long-term and/or permanent disabilities do not fit into these provisions.

SEVP recognizes limitations in current regulations and stakeholders’ desire to see these items reflected in guidance or regulation. Ultimately, federal regulation may require modification to allow the definition of a student’s requirements to match their capabilities. While the program hopes to pursue such a change, U.S. Immigrations and Customs Enforcement does not have the staffing resources to undertake the regulatory development process at this time. For the time being, SEVP will continue to evaluate reduced course load requests on a case-by-case basis. Stakeholders should direct any reduced course load requests to the SEVP Response Center.

SEVP will continue to communicate information about current reduced course load provisions

via conference presentations, [SEVIS Help Hub](#) updates and new [Study in the States](#) resource pages addressing full course of study requirements.



Pathway Programs Guidance

Issue

Attendees, particularly those from schools with English language training programs, reflected upon the Student and Exchange Visitor Program’s (SEVP) Sept. 26, 2014, [Draft Policy Guidance for Adjudicators 1210-03: Pathway Programs](#), and noted that they look forward to the final version. Many noted that their institution has been complying with the draft guidance, but are awaiting the final guidance and hope it is issued soon.

SEVP Response

SEVP considers policy guidance on pathway programs a priority to our stakeholders. The pathway programs guidance series allows SEVP the opportunity to engage in a dialogue with stakeholders to develop policy that acknowledges both the program’s priorities and facilitates advances in international education. In light of stakeholder interest on pathway programs, SEVP released three draft guidance documents for public comment in 2014:

- Pathway Programs.
- English Proficiency.
- Conditional Admission.

In total, draft guidance on these topics received 100

public comments. The 2014 pathway programs draft guidance series incorporated stakeholder feedback from the original 2013 draft policy guidance, “Bridge Programs and Conditional Admission.” SEVP appreciates stakeholder feedback on this guidance series and the insight provided into the administration of pathway programs.

While SEVP’s ability to issue additional guidance is dependent on the program’s operational environment, including responding to Government Accountability Office recommendations and President Barack Obama’s Executive Order on Immigration, the program remains committed to developing and releasing guidance on this subject to the academic community. SEVP is in the process of developing a new final guidance document on

pathway programs. The guidance is currently in development with an SEVP policy working group and the program hopes to release it in early 2016.

Through conference presentations to English as a Second Language (ESL) school officials, SEVP will incorporate explanations of pathway programs, as well as provide insight and updates on upcoming policy guidance. Additionally, SEVP will host a dedicated webinar on this topic by summer 2016 to provide information to ESL schools unable to engage with SEVP through conferences and other events. SEVP will further enhance Web and social media content on pathway programs and continue to promote any upcoming policy guidance on these topics on [Study in the States](#).

Field Representative Knowledge and Utilization

Issue

Overall, participants reported positive interactions with well-trained and well-informed Student and Exchange Visitor Program (SEVP) field representatives who understand Student and Exchange Visitor Information System (SEVIS) processes and the higher education environment. Others also noted interacting with less experienced field representatives. Additionally, participants suggested it might be more efficient for field representatives to visit some schools less than twice a year, giving them the time to have more interaction with schools that may benefit from frequent visits.

SEVP Response

As observed by stakeholders, many SEVP field representatives have years of experience as designated school officials (DSOs), while others have intimate internal knowledge of SEVP operations from prior work experience with the program. Regardless of their background and previous work experience, field representatives must complete a comprehensive eight-week training program at SEVP headquarters and pass a final exam before deployment. The SEVP field representative training course includes the following key elements:

- Legislative and regulatory training.
- SEVP processes, policies and procedures.
- Frequently asked questions.
- Educational visits to other government organizations such as the U.S. Department of State and U.S. Customs and Border Protection.

SEVP recognizes that field representative training may need adjustment over time to account for changes within the academic community. For

example, additional field representative training topics may be added or updated to the current curriculum based upon stakeholder feedback. Therefore, it is important DSOs complete the [Field Representative Feedback Form](#) after a visit from a field representative so SEVP can continually improve the field representative program and capture stakeholder feedback.

In addition to training courses, SEVP field representatives have readily accessible tools to enhance their knowledge and skills. Field representatives regularly share experiences, information, trends and knowledge with their colleagues through internal SEVP SharePoint sites. Even though SEVP field representatives are located across the country, all field representatives use this internal collaboration tool to ensure consistent communication and to discuss trends and concerns. To further increase their knowledge, SEVP field representatives receive emails about new content on [Study in the States](#), upcoming Student and Exchange Visitor Information System Broadcast Messages and program priorities to ensure they are up-to-date on the latest program

news and initiatives. All SEVP field representatives have access to internal policy guidance, which they can use to assist school officials.

In addition, SEVP field representatives receive regular evaluations based on feedback from their direct supervisor and stakeholders to ensure they provide quality information and support. SEVP field representatives receive semi-annual reviews based on a Performance Work Plan (PWP) agreed upon between the field representative and supervisor. This review rates an SEVP field representative across several categories, and identifies any areas requiring improvement. SEVP incorporates areas of improvement into the SEVP field representative's PWP for the upcoming year.

SEVP field representatives are committed to working with schools that need additional assistance, and will often visit these schools more than twice per year. SEVP field representative leadership reviews field representative requirements based on feedback and the program's national security interests.



F-3 Regulations

Issue

Stakeholders noted concerns surrounding the lack of F-3 regulations for border-commuting students. Despite the lack of regulations to define this category, students are reportedly admitted into the United States on F-3 visas.

SEVP Response

Although the Student and Exchange Visitor Program (SEVP) is unable to respond directly to visa issuance or the nonimmigrants admitted to the United States at a port of entry, the program will coordinate with partners at the U.S. Department of State, and U.S. Customs and Border Protection to discuss F-3 visa issuance and admission. Currently, the U.S. Department of Homeland Security does not have regulations classifying border commuters as F-3 nonimmigrants. While SEVP realizes the importance of developing regulation, the program does not have the staffing resources to undertake the regulatory development process to address the issue at this time. Any proposed changes to add F-3 regulations would be outlined in the Uniform

Agenda of Federal Regulations, which discusses the program's proposed regulatory changes for the upcoming year.

SEVP is committed to increasing stakeholder awareness of border commuter students and providing resources to designated school officials (DSOs) to assist with the management of these students. The program is in the process of developing interim final guidance to clarify border commuter address requirements and discuss how these requirements differ from those of other F-1 and M-1 students. SEVP expects the release of this guidance for public comment in the near future and hopes this guidance will assist DSOs with entering border commuter addresses

into the Student and Exchange Visitor Information System. Additionally, SEVP will continue to communicate existing border commuter policies through the development of additional Web and social media content.

“SEVP is committed to increasing stakeholder awareness of border commuter students and providing resources to designated school officials (DSOs) to assist with the management of these students.”

F-2 / M-2 Part-time Study Guidance

Issue

Many participants expressed a positive response to the recent regulatory change, “Adjustments to Limitations on Designated School Official Assignment and Part-time Study by F-2 and M-2 Nonimmigrants.” However, following the regulation, designated school officials (DSOs) received questions concerning F-2 study requirements.

SEVP Response

Under the amended regulations, an F-2 or M-2 dependent may now study part-time in an approved program at a Student and Exchange Visitor Program (SEVP)-certified school at the postsecondary level. Previously, an adult dependent who studied in an academic or vocational curriculum, such as an English as a Second Language or a graduate-level course, may have been noncompliant with the conditions of their nonimmigrant status. However, postsecondary F-2 and M-2 dependents can now engage in a course of study that does not amount to what regulations define as full time for an F-1 or M-1 student.

To assist stakeholders with questions concerning this regulatory change, SEVP posted a [Frequently Asked Questions \(FAQ\) guide](#) at ICE.gov/SEVP in spring 2015. The program encourages DSOs to reference this document for answers to questions about F-2/M-2 part-time study. SEVP will continue to promote the FAQ guide as a resource for DSOs through its communications channels, including [Study in the States](#).



Student Transfer Process

Issue

Participants expressed frustration with elements of the F and M student transfer process, noting the process of transferring a new student's record, who, before school starts, decides to attend another school, is cumbersome and time consuming.

SEVP Response

There may be situations in which a new Initial student may arrive in the United States and immediately request to transfer schools. As long as the student can begin a course of study at the transfer-in school within 30 days of their arrival date, this transfer is allowable. The Student and Exchange Visitor Program (SEVP) is aware of stakeholder concerns about students that arrive on campus and transfer to another school, as well as the associated costs a school may incur for admitting students that do not enroll in a program of study. The program is committed to implementing a process that recognizes the needs of all our stakeholders, including the academic community, international students and law enforcement agencies.

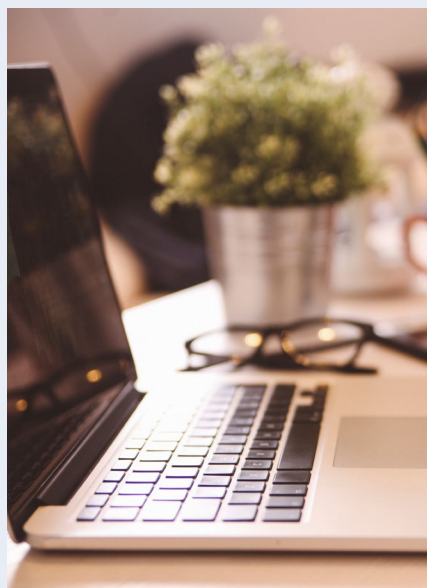
Student and Exchange Visitor Information System (SEVIS) records are government property and must reflect the school where the student is currently located. Designated school officials cannot refuse to transfer a student's SEVIS record for financial or business reasons. If a student owes the transfer-out school additional fees or is noncompliant with school policies, the dispute is a civil matter between the school and student,

and must be separate from SEVIS. Schools are able to amend their administrative and business practices to address these situations; however, it is up to the school to make such changes. Since academic records, such as student transcripts, are not government property, the decision to transfer academic information is strictly a matter of school policy.

In cases where a school refuses to transfer a student's SEVIS record and the transfer-in school contacts SEVP about the situation, SEVP is required to follow a process that could delay the record transfer. The SEVP Response Center must gather appropriate documentation and refer the case to SEVP's compliance unit. An SEVP representative then contacts the transfer-out school to provide notification that the school has two weeks to transfer the SEVIS record. If the school refuses to transfer the record following the two-week period, SEVP will force the record transfer, as well as note that the school refused a request from the U.S. Department of Homeland Security, and is thus under compliance scrutiny. While this process may be time consuming, it allows schools to take the correct course of action

and provide their perspective to SEVP.

SEVP is discussing ways to improve the transfer process through SEVIS. However, the program's current priorities are determined by the need to close vulnerabilities and keep up with regulatory changes and requirements. Until a more permanent solution is made, SEVP will continue to promote best transfer practices to designated school officials through conference presentations and [Study in the States](#).



Contact Information

SEVP Response Center

By phone:

- 703-603-3400, or
- 800-892-4892.

By email:

- For case-specific questions, email SEVP@ice.dhs.gov.
- For SEVIS technical issues, email SEVISHelpDesk@ice.dhs.gov.

*Monday through Friday,
8 a.m. to 6 p.m ET, except holidays.*

Additional contact information:

For additional contact information, visit StudyintheStates.dhs.gov/Contact-Us.

Connect on social media:

- Follow Study in the States on Twitter.
- "Like" us on Facebook.
- Connect with SEVP on LinkedIn.
- Visit Study in the States.