



## SEVP Ask the Experts Webinar: K-12 Spotlight

### Stakeholder Questions and Answers

*June 22, 2016*

*Note: This document provides answers that interpret U.S. government regulation, but does not serve as a replacement for federal regulation or official SEVP policy guidance. Questions have been edited for grammar and style.*

#### Record keeping

**1. What documents should designated school officials (DSOs) collect from a newly registered student upon arrival at a school?**

- A. DSOs should comply with the school's institutional policy for record keeping, which should be in line with federal record keeping regulations located at 8 CFR 214.3(g).

For prospective students, DSOs should collect and retain copies of the following:

- Student's transcripts or other record of courses taken;
- Proof of student's financial ability to pay; and
- Other supporting documents that the school reviewed and evaluated in determining the individual's qualifications for enrollment.

In addition, the school should collect and retain a photocopy of the individual's passport and visa to ensure entry of correct personal information into the Student and Exchange Visitor Information System (SEVIS).

**2. How long should DSOs keep the files on graduating students? On transfer-out students? Does it matter if the files are in paper or digital format?**

- A. Federal regulations at 8 CFR 214.3(g) require DSOs to retain student records for three years after the student is no longer pursuing a course of study at their school (and for post-secondary students, three years after a student's post-completion optional practical training (OPT)). This regulation applies to all student records, including both graduate and transfer student records.

Student information not entered into SEVIS may be kept in the school's system of student records in either electronic or paper form, but must be accessible to DSOs and be made available upon U.S. Department of Homeland Security (DHS) request.



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

**3. On the Form I-20, does the program end date refer to the date the student is scheduled to graduate or the end of the current semester or year?**

- A.** Except for F-1 border commuter students, the program end date refers to the expected date of completion of a student’s academic or vocational program. Therefore, the DSO should enter a student’s expected graduation date as the program end date on the Form I-20. If a student is coming to a school for one year or less before departing the United States, the DSO should enter the expected last day of study at the school.

For border commuter students, the completion date entered in SEVIS and on the Form I-20 must reflect the actual session dates for the border commuter student's current session of study (see 8 CFR 214.2(f)(18)(iii)).

**4. How often should DSOs print a new copy of the Form I-20? In what circumstances should DSOs print the form, aside from cases where the physical copy of the form is destroyed? If the Form Issue Reason is for "initial attendance at this school," should the DSO re-issue the form for reason of "continued attendance"?**

- A.** DSOs are expected to issue an updated Form I-20 for any substantive change to student information, such as to a student’s personal information, program of study, etc.

For situations where the student loses their current Form I-20, DSOs should reprint and sign a new Form I-20, which contains the same information as the lost copy. When issuing a new Form I-20, DSOs should remember to enter signatures for School Attestation and Travel Endorsement.

**5. Can the Student and Exchange Visitor Program (SEVP) clarify the statement that "third parties cannot issue or keep the Form I-20"? Additionally, after sending the Form I-20 to the student or parent, can a DSO send a copy of the Form I-20 to a third party agency?**

- A.** Federal regulation at 8 CFR 214.3(k) states that only a DSO of an SEVP-certified school may issue a Form I-20 to a prospective or continuing nonimmigrant student, or an accompanying dependent. SEVP recommends that parents and students maintain control of all their personal documents, including the Form I-20, I-901 SEVIS Fee payment receipt, passport and/or visa, Form I-94, “Arrival/Departure Record,” receipt and proof of finances.



## U.S. Immigration and Customs Enforcement

DSOs may issue the Form I-20 to the student. However, regulation does not prohibit DSOs from providing third party agencies with an unofficial copy of the student's Form I-20, with the student's or parent or guardian's permission.

- 6. If a third party or agency is holding a student's Form I-20 and the agency will not return the Form to the student, what is the DSO's responsibility in reporting this to SEVP?**
- A.** A third party or agency should not receive a student's Form I-20 with original signatures. If there is a situation in which an agency has obtained and will not provide a student's Form I-20 with original signatures to the school or the student, DSOs should contact the Homeland Security Investigations Tip Line at 866-DHS-2-ICE.

As the student needs to have the Form I-20 with original signatures, DSOs can provide the Form I-20 to the student by reprinting and signing the Form. In these situations, the school may want to reconsider the business relationship with the agency withholding the Form I-20. If the relationship is between the agency and student, the school may consider warning the student.

### Form I-20 issuance

- 7. Can a DSO issue a Form I-20 for a student who only wants to enroll at a high school for less than one semester?**
- A.** Yes, a DSO can issue a Form I-20 to a student who wants to enroll at a high school for less than one semester. The DSO should issue the Form I-20 for a defined program of study that is a subset of a whole SEVP-certified program of study. Additionally, the program start and end dates on the student's Form I-20 should reflect the planned dates of study.
- 8. Does a DSO need to issue a Form I-20 if a student is coming to the United States for less than 90 days and is not earning academic credit?**
- A.** If the prospective student's primary purpose for coming to the United States is to engage in learning and/or a course of study, then the DSO should issue the student a Form I-20 for completion of a defined educational objective, regardless of the program's duration. If the student is not coming to engage in learning and/or a course of study, then F-1 status is inappropriate. For additional information, please see question 38.
- 9. Should a DSO at a private kindergarten through grade 12 (K-12) school issue a Form I-20 for just one year and do program extensions if they are not sure how successful the**



**prospective F-1 student will be in the program? In this instance, the student indicated they would like to study at the school for three years.**

- A.** A student should not be accepted for a program of study and issued a Form I-20 if they are not properly qualified. DSOs can work with the student and their parent or guardian to determine an appropriate program end date. The program end date should be based on the amount of time it typically takes to complete the accepted student’s program of study.

**10. Should a DSO issue two original Forms I-20, sign them both and give one to the student and keep one on file? What is the best practice for Form I-20 issuance and record retention?**

- A.** No, this action would cause an unnecessary burden on the DSO. Federal regulation at 8 CFR 214.3(k) requires DSOs to provide a nonimmigrant student with a paper copy of the Form I-20 with original signatures. SEVIS will maintain an electronic record of the Form I-20, which the DSO can refer to. DSOs should refer to their individual school’s record keeping and retention policies for additional information about retaining copies of the Form I-20. For additional information, please see question one.

**11. Can a private pre-kindergarten through grade 12 school issue Forms I-20 for grades pre-kindergarten through grade 12?**

- A.** Eligibility for SEVP certification begins at the kindergarten grade level for private schools. Therefore, DSOs cannot issue a Form I-20 for pre-kindergarten or any grade levels below kindergarten. Additionally, DSOs may only issue Forms I-20 for programs of study certified by SEVP.

If a private K-12 school receives SEVP certification for these grades — that is, if the school’s Form I-17, “Petition for Approval of School for Attendance by Nonimmigrant Student,” lists these programs of study — then DSOs may issue Forms I-20 to prospective students for these certified grade levels.

Public K-12 schools may only be SEVP-certified for grades 9 through 12. Therefore, DSOs may only issue Forms I-20 for these SEVP-certified grade levels.

**12. Can a K-12 school issue the Form I-20 to postgraduate students – students who have earned a high school diploma in their home country – provided the school offers a bona fide postgraduate program?**

- A.** Schools must list all programs that enroll F and/or M students on the Form I-17. Therefore, a K-12 school should only issue Forms I-20 to students for a postgraduate



## U.S. Immigration and Customs Enforcement

program — such as a secondary postgraduate program, or a grade 13 program — if the program is listed on the school’s Form I-17 and has been specifically certified by SEVP.

SEVP released draft policy guidance for public comment discussing the secondary postgraduate programs topic in March 2016. The draft policy guidance provided SEVP’s interpretation of how secondary postgraduate year programs of study may or may not be eligible for SEVP certification. Please note that this guidance is currently in draft form and schools are not yet required to adhere to it. SEVP is currently reviewing public comments about this guidance and will continue to refine the policy in the coming months. Stakeholders can stay informed about when SEVP releases policy guidance for public comment through the Study in the States [Guidance for Comment page](#).

### New Form I-20

#### **13. Is it true that the new Form I-20 has been required for in-country use since July 1, 2016?**

- A. As of July 1, 2016, the new Form I-20 is required for all F or M nonimmigrant visa applications, entry into the United States and travel. The new form is also required with applications for most nonimmigrant benefits such as reinstatement, M-1 transfers and extensions, and changes of nonimmigrant status, as well as for applications for driver’s licenses and Social Security numbers. The previous version of the Form I-20 is now invalid. DSOs are responsible for providing an updated, hard copy of the Form I-20 with original signatures to all F and M students at their schools.

#### **14. If a DSO issued the Form I-20 prior to July 1, 2016, using the old version of the form, will the student be able to use this version for the entire school year (e.g., until May 2017)? Or does the student need the new version of the Form now?**

- A. F and M students should have received an updated Form I-20 by July 1, 2016. DSOs should print the updated Form I-20 and provide a signed copy to each F and M student and their dependents. Any version of the form that contains a barcode is now invalid. F and M nonimmigrants will not be able to re-enter the country with the previous version of the form. As always, DSOs must provide F and M students with a hard copy of the Form I-20 with original signatures.

### Student travel

#### **15. What documents should a student have in-hand when applying for admission into the United States at the port of entry?**

- A. Necessary travel documents that a student should have in-hand at a port of entry include:



## U.S. Immigration and Customs Enforcement

- An updated, signed copy of their Form I-20;
- A current passport (valid for at least six months);
- A valid U.S. visa;
- Proof of I-901 SEVIS Fee payment on the current SEVIS ID; and
- Documentary evidence of financial support in the amount indicated on the SEVIS Form I-20.

Please note, that for initial admission to the United States, the school identified on the Form I-20 must match the school specified on the student's visa. Additionally, students should expect that they may need to provide evidence of financial support for initial and any subsequent admission to the United States. Students and DSOs can learn more about how to prepare for domestic and international travel on [Study in the States](#).

### **16. Many of our domestic students go on foreign language immersion trips in Spain and France during their junior and senior year. What actions should a DSO take to support our F-1 or M-1 students traveling on those trips?**

- A.** F-1 or M-1 students must receive approval from their DSO prior to international travel. The DSO will then evaluate the student's request and, if approved, will endorse the student's Form I-20 for travel by signing page two. Students must continue to maintain status while away from school, even during a summer holiday.

If the international travel for the purpose of a foreign language immersion trip occurs during the academic session, DSOs should indicate study abroad in the remarks block of the student's SEVIS record. Upon re-entry to the United States, F-1 or M-1 students must pass an inspection by a U.S. Customs and Border Protection (CBP) officer and must have a valid F-1 or M-1 nonimmigrant visa. Also, students and DSOs should look into any visas required for citizens of the student's country of citizenship to enter additional countries. Students and DSOs can learn more about how to prepare for domestic and international travel on [Study in the States](#).

### **17. Can a student travel during the semester for an emergency?**

- A.** F or M students can travel *within* the United States during the semester and can attend to any emergency business, as long as they do not depart the United States and continue to maintain student status by attending school as required.

If an F student needs to leave the United States for a personal emergency during the semester for a period of 30 days or less, they should advise their DSO of their travel,



## U.S. Immigration and Customs Enforcement

whereabouts and arrangements to maintain a full course of study. A short-term absence does not require any action in SEVIS.

If an F student needs to leave the United States for a personal emergency during the semester for more than 30 days but less than five months, they should first talk to their DSO to request a temporary absence. This will allow the student to attend to any emergency or personal issues outside of the United States without maintaining student status. If the DSO allows the student to request a temporary absence, the student has 15 days to leave the United States. Upon departure, the student's SEVIS record will be set to Terminated for Authorized Early Withdrawal.

Students must talk with their DSO prior to returning to the United States and have their SEVIS record set to Active status through a correction request, submitted in SEVIS by the DSO up to 60 days before the student's next session start date. Please see question 41 for additional information.

When preparing to return to the United States, students can choose a date that meets two criteria:

- Within five months from the date the DSO placed the student's record in Terminated status for Authorized Early Withdrawal, and
- At a time when the student can begin studying again, such as the beginning of a new semester.

A student's primary reason for returning to the United States must be to enroll in school. Students and DSOs can learn more about the temporary absence process and options during a personal emergency through the [What Should I Do If I Need to Leave the United States Due to a Personal Emergency](#) blog post on Study in the States.

### **18. Is there a location in SEVIS that informs DSOs whether or not a student has received a Form I-515A, "Notice to Student or Exchange Visitor?"**

- A.** No. At this time, SEVIS does not indicate whether or not a student received a Form I-515A at a U.S. port of entry. Upon issuance of a Form I-515A, the SEVP Form I-515A team will email DSOs at the email addresses provided in SEVIS with information about how DSOs can assist the student with responding to the Form I-515A. For additional information on the Form I-515A, please visit the [What is a Form I-515A? page](#) on Study in the States.



## Student registration

**19. Are DSOs at K-12 schools required to register students twice each year? How should a DSO handle registration for a school that offers three trimesters?**

- A. DSOs should register their F or M students for every school session they are in the United States and engaged in a full course of study, including trimesters. K-12 schools on a fall and spring semester calendar must report student enrollment at the start of the fall and spring sessions.

**20. Do DSOs need to change session end dates from a full school year to less than 183 days?**

- A. Yes.

**21. If a transfer student checks in with a DSO prior to the start of the session, should the DSO register the student right away, or wait until closer to the start of school?**

- A. DSOs may register students who arrive prior to the program start date and are enrolling as a full-time student in a full course of study as long as the student's SEVIS record contains a physical address in the United States.

On the transfer-release date, reporting responsibility for the student passes from the transfer-out school to the transfer-in school. The student must report to the transfer-in school within 15 days of the program start date. A student who wishes to engage in on-campus employment at the transfer-in school must report to a DSO at the transfer-in school after the transfer release date, and the DSO must set the student's SEVIS record to Active.

In general, it is in the student's best interest to report to a DSO at the transfer-in school as soon as possible after the transfer release date so the DSO can update the student's record to Active.

**22. If an F-1 student in Initial status arrives in the country earlier than the allowed 30 days and checks in with their DSO, should the DSO register them right away, or should they wait until closer to the start of school?**

- A. An F-1 student should not be admitted into the United States more than 30 days before the program start date. Any student arriving more than 30 days prior to the program start date should anticipate denial of admission into the United States and would need to return to the place of initial departure after denial.

Sometimes, CBP will admit a student in these circumstances with a Form I-515A. If CBP allows a student into the country more than 30 days prior to the program start date



## U.S. Immigration and Customs Enforcement

without a Form I-515A, DSOs should immediately register the student for accountability. However, the DSO should also contact the SEVP Response Center (SRC) by phone at 703-603-3400 or 800-892-4829 or via email at [SEVP@ice.dhs.gov](mailto:SEVP@ice.dhs.gov) to advise SEVP of this departure from regulation, so the program can clarify this procedure with the admitting port of entry. The SRC is open Monday through Friday 8 a.m. to 6 p.m. ET, except holidays. The SRC is closed every Wednesday from 12:50 to 1:20 p.m. ET for system maintenance and testing.

### Student transfer

**23. When a student graduates from high school and moves to a post-secondary opportunity in the United States, should the DSO first complete the student's program and then transfer the student out, or can the DSO just transfer the student out?**

- A.** An F-1 high school student who would like to continue studying in the United States after graduation should apply to an SEVP-certified college or university. There is no need to complete the student's SEVIS record prior to transfer. However, the high school DSO should make sure the program end date is correct in SEVIS prior to the record transfer.

As with graduating high school students who are U.S. citizens, it is in the student's best interest to initiate the application and approval for college in the United States well in advance of high school graduation.

**24. We require transfer students to provide our school with copies of their visa, transfer verification form and all previously issued Forms I-20. Do we also need to send or upload a copy of these documents to SEVIS? I understand students also need these documents on hand when arriving at the U.S. port of entry. Is this correct?**

- A.** These record keeping requirements reflect a best practice that other schools may wish to consider. It is important that schools maintain copies of a student's immigration documents, such as a passport or visa, Form I-94 receipt, most recent I-901 SEVIS fee receipt, etc. However, SEVIS retains all previous Form I-20 information from the transfer-out school with the transfer-out student record. DSOs do not need to upload this information in SEVIS again. School officials should make it clear to the student that ultimate responsibility for nonimmigrant records rests on the student, not the school.

Additionally, a transfer verification form or other proof that the student has been accepted to an SEVP-certified school should be provided to the transfer-out school



**25. When does a transfer Form I-20 change from pending to final/approved?**

- A.** The transfer release date is the date that the transfer-in school, the transfer-out school and the student agree on to transfer the student's SEVIS record to the transfer-in school. A student's record will remain in draft status at the transfer-in school until the transfer release date passes. At that point, the DSO at the transfer-in school may set the student's record to Initial, ensuring the program start date is entered correctly. The student's transfer will be complete once the student reports to the DSO at the transfer-in school. The DSO must confirm student enrollment and then set the student's SEVIS record to Active.

**26. I accidentally created a new SEVIS record for a student as a new Initial student, but they are actually a transfer-in student. How can I fix the student's record?**

- A.** DSOs can make fixes to student SEVIS records by contacting the SRC, either by phone at 703-603-3400 or 800-892-4829 or via email at [SEVISHelpDesk@ice.dhs.gov](mailto:SEVISHelpDesk@ice.dhs.gov). The SRC is open Monday through Friday 8 a.m. to 6 p.m. ET, except holidays. The SRC is closed every Wednesday from 12:50 to 1:20 p.m. ET for system maintenance and testing.

It will be helpful to the student if you make this correction. Maintaining a single SEVIS student record for the duration of the student's period of F-1 status simplifies administration of the student's nonimmigrant record and can facilitate future travel to the United States.

## **Student finances**

**27. Can SEVP provide additional clarification about the price of a program that a DSO should include on the Form I-20? Should the Form I-20 only reflect the cost of tuition? How should DSOs determine living expenses?**

- A.** The cost information on the Form I-20 should include: the average school tuition, school fees and living expenses for the length of the student's academic session, up to 12 months. It should also include expenses for dependents and any other costs, if known.

In the personal funding section, DSOs can list the different financial sources allowing the student to meet these costs. For example, a student living with a relative can include that in the funding section.

Determination of the living expenses figure is an institutional decision. In general, it should be a realistic and standardized estimate of living (lodging and food) expenses for the geographic area, not including tuition and fees.



**28. How accurately should a DSO report a student’s “personal income” (based on the submitted bank statements) on an Initial Form I-20?**

**A.** DSOs are required to report a student’s personal income on the Form I-20 based on the proof of financial support the student provides. Evidence of financial support includes, but is not limited to:

- Family bank statements,
- Documentation from a sponsor,
- Financial aid letters, or
- Scholarship letters.

Certain schools may have specific requirements for acceptable documentation. Information included on the Form I-20 is limited to costs for a single academic session. However, in the school’s best interest, DSOs should ensure that a student has sufficient finances to cover the cost of their entire program of study.

**29. Are DSOs required to maintain financial documentation in student records?**

**A.** Yes, schools must maintain copies of financial documentation in student records. DSOs must receive proof of financial ability to pay for the student’s course of study prior to issuing the Form I-20; therefore, schools must be able to prove they have met this requirement upon DHS request (see 8 CFR 214.3(k)).

**30. If a student plans to live with their parent, is it necessary to list cost of living expenses on the student’s Form I-20?**

**A.** For an F or M student, cost information on the Form I-20 is always the average school tuition, school fees and living expenses. In the personal funding section, DSOs can list the different financial sources allowing the student to meet these costs. Therefore, if a student is living with a parent, this information should be reflected on the Form I-20.

DSOs may wish to ask and consider whether F-1 or M-1 status is suitable for the student. If the student is living with a parent, it might be more appropriate for the student to be admitted in a dependent status derivative of the parent’s admission status.

## **Student housing**

**31. Do DSOs have a legal responsibility to ensure F-1 minors are housed in a safe and healthy manner?**

**A.** Regulations on a school’s responsibility to house F-1 minors vary by state and depend on if the school or a homestay arrangement provides housing. However, boarding



schools are required to provide housing for students. At the same time, it is a best practice to look into the student's living situation and to encourage parents to do the same. For additional information, please refer to the [Best Practices for K-12 Schools: Five Student Housing Guidelines to Follow](#) blog post on Study in the States.

## English as a Second Language (ESL)

### **32. Could SEVP discuss English language requirements for K-12 schools only offering intermediate ESL programs?**

- A. Schools are responsible for determining if a student meets the standards for admission into a program, including English language proficiency. Schools may require a student to pass an English test or prove their ability to speak, read and write in English. Examples of common English language tests include the Test of English as a Foreign Language (TOEFL) or the International English Language Test System (IELTS).

If a student is fully accepted to a K-12 school and records indicate that the student meets all acceptance requirements, but upon arrival in the United States, it is determined that the student requires remedial ESL, the student may take English courses in addition to general study requirements. Additionally, DSOs may authorize a reduced course load for academic difficulties for one academic session, enabling the student to offset the reduced academic load with language study (see 8 CFR 214.2(f)(6)(iii)(A)).

### **33. It is my understanding that an ESL summer program would need accreditation — is this statement true even if the program does not offer academic credit?**

- A. The Accreditation of English Language Training Programs Act requires all schools that issue the Form I-20 for English language training be accredited by a U.S. Department of Education-recognized accreditor. To issue Forms I-20 for a summer ESL program, the school's program must first receive accreditation and SEVP-certification.

### **34. If a private SEVP-certified K-12 school offers a summer ESL program that F and/or M students attend before attending our school during the academic year, do these students need a different Form I-20 for the ESL program? Or, can the school issue a Form I-20 and just use the summer ESL program start date?**

- A. A private SEVP-certified K-12 school may offer an English language training program or course to Initial F-1 students as preparation (e.g., orientation or remedial ESL course) if the training is conducted within 30 days of the start of classes and it is given to students who will enroll in the K-12 curriculum at the Form I-20-issuing school. In this case, the school should only issue the student a Form I-20 for the K-12 program of study. DSOs



## U.S. Immigration and Customs Enforcement

must indicate on the Form I-20 that the student will be engaged in the English language training program in the "remarks" field.

If the English language training program cannot be completed within 30 days of the start of classes or if the student will transfer to another school upon completion of the English language training program, the school should issue a Form I-20 for the English language training program. Upon completion of the program, the DSO should update the student's Form I-20 with a change of educational level for the regular academic curriculum or a transfer to the new school. In these cases, the English language training program must be SEVP-certified and accredited by a U.S. Department of Education-recognized accreditor.

For additional information about summer ESL courses, please visit the [Kindergarten to Grade 12 Private Schools page](#) on Study in the States.

### **35. Can a DSO issue a Form I-20 for earlier than the program start date so a student can attend an English language program at another institution?**

- A.** No, a DSO must not issue the Form I-20 for earlier than the Initial Session Start Date so a student can attend an English language program at another institution.

In this situation, the school offering the English language program must issue the Form I-20 to the student for the duration of the English language program. Once the student completes the English language program, the school providing English language instruction must transfer the student's record to the school offering the academic or vocational program of study, or the student must depart the United States.

## Student Status

### **36. Can an F-1 student stay more than one year at a public high school if the student is also taking at least one class through a community or local college?**

- A.** A nonimmigrant in F-1, M-1 or J-1 status may only enroll in a public high school or high schools for an aggregate period of up to one academic year. Students can transfer from a public to a private high school if they wish to continue pursuing a high school degree.

### **37. Can a student attend a public high school for one year on a J-1 visa and then return to the same public high school for another year on an F-1 visa?**

- A.** A nonimmigrant student on an F-1, M-1 or J-1 visa may enroll in a public high school for an aggregate period of up to one academic year. Such students would not be able to attend a public high school for one complete academic year on a J-1 visa then re-enroll



## U.S. Immigration and Customs Enforcement

at the same school on an F-1 visa. Students can transfer from a public to a private high school if they wish to continue pursuing a high school degree.

**38. If a school wishes to host incoming international students for a short-term (one to two weeks) homestay and cultural exchange program where the students do not receive academic credit, do they need an F-1 visa?**

- A. If the individual the school wishes to host will not enroll in a full course of study, F-1 status is inappropriate. School officials can visit the [Directory of Visa Classifications](#) or [contact](#) the Department of State's Bureau of Consular Affairs to learn more.

**39. Can the children of B-1 or B-2 visa holders enroll in school, or do they need to apply for an F-1 visa and pay the per capita rate?**

- B. In some limited cases the children of a B-1 or B-2 visa holder can enroll in school. For additional information on the types of nonimmigrants allowed to study in the United States, please visit the [Who Can Study PDF](#) at [ICE.gov/SEVP](#) or contact the Department of State's Bureau of Consular Affairs.

**40. Is short-term study (less than a normal session) more appropriate for a J-1 visa and if not, should the school list the short-term program on their Form I-17?**

- A. An individual who is not a U.S. citizen or lawful permanent resident and wishes to enroll in a full course of study should visit [Study in the States](#) and the Department of State's [Exchange Visitor Program](#) website to determine which visa classification best suits their needs – F, M or J.

SEVP certifies programs of study for F or M student enrollment with durations as short as a single day to program durations that last years; program duration is not a valid basis for deciding appropriate visa classification.

Any program that enrolls F-1 students must be listed on the school's Form I-17, including any short-duration programs. For example, a school may enroll F or M students in a short-duration certificate program which is a subset of a longer-duration SEVP-certified program.

### SEVIS

**41. Can SEVP provide information about the DSO's reporting responsibility for students requesting an extended temporary absence during the school year?**

- A. If an F-1 student requests a temporary absence during the academic year, DSOs should set the student's SEVIS record to Terminated for Authorized Early Withdrawal. This



## U.S. Immigration and Customs Enforcement

situation occurs while an F-1 student's program of study is in session and when the F-1 student is not on a school break, annual vacation or a reduced course load for medical reasons. With a Terminated for Authorized Early Withdrawal SEVIS record, the student must spend the temporary absence outside the United States.

When the student is ready to return to the United States and re-enroll, they should first contact their SEVP-certified school for approval. The DSO must go into the student's SEVIS record and request a Correction to Student Status back to Active status. DSOs can make this request up to 60 days before the student's next session start date in SEVIS. The student should not apply for readmission to the United States at a port of entry until their DSO sets the student's SEVIS record to Active status.

A temporary absence must be shorter than five months and the purpose for the student's return must be to enroll in school. DSOs can learn more about the temporary absence process through the [Schools: New Time Frame to Request Corrections to Student Statuses in SEVIS](#) blog post on Study in the States.

If a student absence exceeds five months, the student wishes to return to the United States to resume study and the school accepts the return, the DSO must issue another Initial Form I-20.

### **42. What is the difference between a program start date and session start date?**

- A. The *current session start date* is the date the current session begins. The *initial session start date* pertains to Initial students; it may be the same as the current session start date or it may be as much as 30 days prior, to allow for activities such as research projects or orientation sessions (see 8 CFR 214.3(g)(2)(iii)(C)).

### **43. How do DSOs notify SEVP about students who graduate through SEVIS?**

- A. DSOs can notify SEVP of a student's graduation by listing an accurate program end date on the student's record that matches the student's graduation date. If needed, the DSOs can transfer a student's SEVIS record to another school upon graduation. SEVIS will automatically complete the student's record after the program end date if the record is not transferred to another school.



## General Policy

### **44. Our K-12 school offers online and on campus classes. How many online classes can a student take?**

- A.** Federal regulations at 8 CFR 214.2(f)(6) require a student to be engaged in a full course of study. Subparagraph (i)(G) allows up to one online class per semester that can count toward an F-1 student’s full course of study requirement, if a school official or instructor does not have physical oversight of the student while instruction takes place, such as if the instruction takes place at a distance. However, if a student is engaged in an online class that is physically overseen (e.g., proctored) by a school official and the student has a physical presence at the school (e.g., is not distant), then there is no limit on the number of such courses a student may count toward the full course of study requirement.

No online or distance education as a part of a full course of study is permitted for M-1 students.

An F-1 or an M-1 student may take an unlimited number of online classes that do not count toward the full course of study.

### **45. Can SEVP please explain the difference between online classes (one online class per period) and dual enrollment in another SEVP-certified school or program?**

- A.** Dual or concurrent enrollment refers to an F-1 student enrolled simultaneously at two SEVP-certified schools, with the study at both schools contributing to the student’s single program of study. The school that will issue the certificate or degree upon completion of the program should issue the student’s Form I-20 and provide required updates to the student’s SEVIS record. The DSO at the school issuing the Form I-20 determines that the student’s aggregate enrollment comprises a full course of study (see 8 CFR 214.2(f)(6)(iv)).

“Online” refers to the use of an electronic means of delivering instruction, as opposed to the traditional classroom format. Since necessary oversight of F and M students is contingent on the physical presence of the student, regulations limit the amount of online instruction that may qualify toward the full course of study if physical presence is not monitored (i.e., is distant).



**46. Can F or M students play on a school sports team while studying in the United States?**

- A. An F or M student’s ability to play on a school sports team varies by state and depends on the laws where the school is located. Any athletic team commitments cannot interfere with a student’s ability to maintain nonimmigrant status, such as enrolling in a full course of study and attending classes. A student’s primary reason for coming to the United States must be to study at an SEVP-certified school and to complete an academic or vocational program.

**47. Can F or M students at the K-12 level be employed while in the United States?**

- A. F or M students at the K-12 level cannot be authorized for an internship with an international organization or any practical training while in the United States. However, if of legal working age, an F or M student may be eligible to engage in on-campus employment or off-campus employment for cases of economic hardship. A student who is eligible for and accepts employment must also obtain a Social Security number.

**48. Is it permissible for a private K-12 school to award financial aid to an F-1 student?**

- A. Yes. A school’s ability to award institutional financial aid to an F-1 student is dependent on the school’s financial aid policies and governing regulations. Schools are free to offer scholarships to any student. Prospective international students can use government resources, such as EducationUSA’s [Find Financial Aid tool](#), to access financial aid resources designed specifically for international students.

If the student’s ability to qualify financially for a program of study is contingent on such financial aid, DSOs must enter the financial aid information as a component of the financial calculations in the student’s Initial SEVIS record.

**49. One school recently told us they now require the Form I-134, “Affidavit of Support,” from U.S. Citizenship and Immigration Services (USCIS). Is there a version or form that is more appropriate for a student whose parent is located in their home country and serves as the student’s ‘sponsor’ (i.e., pays the student’s support)?**

- A. For questions related to USCIS collection of evidence through the Form I-134, please see the USCIS website [I-134, Affidavit of Support](#). For schools concerned with obtaining necessary information for the sponsorship of students enrolled at a school, the Form I-134 is a good template.