
Student and Exchange Visitors Information System (SEVIS)

by

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Table of Contents

Chapter I	What is SEVIS?	1
	A. Introduction	1
	B. Enabling Legislation	2
	C. Immigration Basics	2
Chapter II	SEVIS Roles and Responsibilities.	4
	A. Certification and the Role of the DSO and RO	4
	B. Record Keeping and Reporting Requirements	4
	C. Other Institutional Responsibilities	5
	D. Student and Scholar Responsibilities	6
	E. Implications for FERPA	6
Chapter III	Other Regulations Impacting International Students and Scholars	8
	A. NSEERS	8
	B. I-PASS	8
Chapter IV	Implications on Campus	9
	A. Admissions	9
	B. Advising	10
	C. Enrollment and Student Records	10
	D. Other Policies, Procedures, and Definitions	12
	E. Internal Record Keeping Considerations	12
	F. Student Affairs and Community Issues	13
Chapter V	How SEVIS Works	14
	A. Background	14
	B. Real-Time Interactive (RTI).	14
	C. Batch.	14
	D. Using Batch and RTI	15
	E. Integration with Campus Systems.	16
	F. SEVIS Help Desk	16
Chapter VI	Lingering Issues	17
Chapter VII	Conclusion	19
Appendix	Glossary of Terms	20
Bibliography	22

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Any errors or omissions of fact rest solely with the authors. SEVIS is based on a set of regulations that are expected to change over time. The authors have written this article to paint the broad picture only, and, in the text, refer readers requiring more detailed information to other sources.

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I. What Is SEVIS?

A. Introduction

The Student and Exchange Visitor Information System (SEVIS) is designed as an electronic governmental database to track all international students, exchange visitors, and their dependents in F, M, or J status. A large and complex information technology system, SEVIS is designed to exchange data among multiple governmental units, such as Ports of Entry (POE), US embassies and consulates, and every exchange visitor program and educational institution, including K-12 schools, that enrolls international students in F-1, M-1, or J-1 status and manages the visa documentation for those classifications. The implications of SEVIS on campus are numerous.

To begin with, the data-gathering task SEVIS imposes is enormous. Data must be gathered from admissions, the registrar's office, human resources, and possibly other systems to comply with SEVIS. While student data is usually accessible in a Student Information System (SIS), reportable data for J Exchange Visitors, short-term visiting scholars, and researchers or professors may be stored in a number of places, such as the school's human resources department, academic personnel, the international office, or SIS. Besides, some scholar information may not be in any institutional information system and may be maintained in files in academic records, the provost's office, or any combination of the offices listed above. Furthermore, the system must gather information for international students attending English as a Second Language (ESL) programs on campus if the school issues the F, M, or J documents. These programs may have their own processes and systems, further complicating the challenge.

Additionally, SEVIS complicates the day-to-day roles of numerous campus administrators, since the

system limits access and reporting responsibilities to assigned individuals. One of SEVIS's unique characteristics is the role certain individuals play in the process. By regulation, the data may only be forwarded to SEVIS through one of the institution's Primary and Designated School Officials (PDSO/DSO), in the case of students in F and M status, or Responsible or Alternate Responsible Officer (RO/ARO), in the case of J visa students or scholars. Typically this function will fall on the international student office, though admissions office staff, registrars, and/or ESL teaching staff may also have this function at some institutions.

Furthermore, since SEVIS controls the issuance of immigration and student/scholar access to certain immigration benefits, these are only possible after students are in the SEVIS database. SEVIS requirements make it much more complicated to issue and update such documents. Revised regulations and rigorous edits in the SEVIS software, as well as perceived inconsistencies between the regulations and software, can make it difficult for schools to accurately represent the student's or scholar's circumstances. SEVIS also has a specified set of mandatory reporting requirements that are detailed in Section II.B. The consequences of not adhering to SEVIS regulations can be severe for both the institution and students, including loss of the institution's ability to issue documents and, thus, enroll international students. According to Peter Briggs at Michigan State University, "This is the biggest change in international education in 50 years."

This discussion of SEVIS will give a big-picture overview of SEVIS and related regulations of interest to registrars and leaders of admission offices. It is not designed as a "how-to manual." Those responsible for advising students and/or making decisions

about SEVIS will want to read and become familiar with the regulations and refer to more detailed resources.¹ This article will describe how SEVIS is designed to function and identify processing, policy, and advising issues resulting from these regulations. Finally, it will identify issues that may persist with SEVIS.²

B. Enabling Legislation

The responsibility of higher education to monitor and approve the activities of international students and scholars is not new. For decades institutions have had the responsibility to report data on F-1 students to the Immigration and Naturalization Service (INS) when requested via paper reports. This changed when Congress passed the Illegal Immigration Reform and Immigrant Responsibility Act (IIRAIRA) in 1996 that required higher education to begin reporting international student data electronically. INS spent over five years developing a pilot program, Coordinated Interagency Program Regulating International Students (CIPRIS), intended to provide a smooth transition to electronic reporting for both the INS and schools. With the pilot program completed in August 2001, plans called for a gradual rollout of a final production system to be called

SEVIS. The events of September 11, 2001, however, accelerated that process with the passage of the USA PATRIOT Act of 2001 and the Enhanced Border Security and Visa Entry Reform Act of 2002 (Border Security Act). This legislation placed SEVIS on the fast track for implementation in January 2003.

C. Immigration Basics

SEVIS regulations currently only apply to students and scholars and their dependents in F, M, or J non-immigrant status. The F-1 non-immigrant classification refers to full-time students. Their dependents are classified as F-2. Likewise, the M-1 student must be enrolled in a full-time technical program. Dependents are classified as M-2. International students holding another non-immigrant visa status, such as H-4 or L-2, are also permitted to study in the US, but schools currently have no SEVIS reporting requirements for these individuals.³

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- 1 NAFSA: Association of International Educators (NAFSA) has an excellent Web site at www.nafsa.org that is current on new changes in SEVIS regulations. NAFSA, "NAFSA's SEVIS Practice Resources Download Page," *NAFSA: Association of International Educators*, 4 November 2003, <<http://www.nafsa.org/content/ProfessionalandEducationalResources/ImmigrationAdvisingResources/sevisresources.htm>> (18 January 2004). In addition, the *NAFSA Advisor's Manual* (2003 release) includes a chapter detailing SEVIS reporting procedures. NAFSA, *NAFSA Advisor's Manual of Federal Regulations Affecting Foreign Students and Scholars*, (Washington, DC: NAFSA, 2003).
 - 2 Given the intended audience for this article, the primary focus will be on students. Additional information on scholars and other exchange visitors is available in NAFSA: Association of International Educators, "SEVIS Resource (SR) 2003-d, Orientation to the J SEVIS rule," *NAFSA: Association of International Educators*, 14 March 2003, <<http://www.nafsa.org/content/ProfessionalandEducationalResources/ImmigrationAdvisingResources/sr2003d.pdf>> (18 January 2004).
 - 3 US immigration rules and monitoring processes are being modified, updated and reviewed on a continuing basis. Electronic reporting of arrival and departure, application for benefits such as employment authorizations (I-765), change in status, and temporary employment (e.g. "H" and "O" visa types), just to name a few, are under development. How all the various electronic systems will interface and how the specific reporting requirements for each category of nonimmigrant or even immigrants will be unified for electronic purposes is uncertain at this time. It is key that schools understand that SEVIS is the beginning of increased reporting requirements. SEVIS is figuratively one piece of a large puzzle whose size and scope is still evolving.

exchange visitors.⁴ The exchange visitor is classified as J-1, and dependents are J-2.

When a student is admitted, the school uses SEVIS to issue a Form I-20, Certificate of Eligibility, which the student needs to apply for an F-1 visa from a US consulate. In contrast, exchange visitors are issued a SEVIS form DS-2019, based on the data entered into SEVIS, which the exchange visitor needs to apply for a J-1 visa.⁵ Only SEVIS-issued immigration documents are valid after August 1, 2003.

The visa, if issued, will have an expiration date by which the student/scholar must enter the US. A point that often causes confusion is that the visa expiration date has no relationship to how long the student may remain legally in the US. Instead, the notation on the I-94, Arrival-Departure Record, which all non-immigrants receive at the port of entry, determines the period of time a student may remain in the US. Students, scholars, and their dependents who are classified in F, M, or J status are usually given a notation of Duration of Status (D/S) on their I-94. The validity of the D/S is linked to both the I-20/DS-2019 program end date and the requirement that they “maintain status.”⁶

Maintaining status means that individuals must be in full compliance with the regulations of their specific visa classification. Note that SEVIS is just the reporting tool. Schools have a responsibility to monitor and help each international student and scholar to maintain status. Accurate and timely reporting to SEVIS is essential to a student’s ability to remain in status.

The creation of the Department of Homeland Security (DHS) has brought about many changes that impact international students and scholars. The most visible is that the INS was incorporated into DHS on March 1, 2003. Most of the benefits and service functions of immigration are housed in the Bureau of Citizenship and Immigration Services (BCIS). At the time of this writing, it appears that SEVIS will be housed in the Bureau of Immigration and Customs Enforcement (BICE). In the immediate future, this means that a new corps of DHS personnel must be trained, as those working on SEVIS before this conversion likely will be assigned to BCIS. Throughout this article, future references to immigration issues or regulations previously handled by INS will be referred to as DHS.

4 The DOS interim final rule published on December 12, 2002 can be found at 67 *Federal Register* pages 76307-76316 AMDOC # 200212004. US Department of State, “Exchange Visitor Program: SEVIS Regulations,” in the *Federal Register*, Vol. 67, No. 239 (Washington, DC: GPO, December 12, 2002), 76307, <<http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2002/02-31367.htm>> (18 January 2004), fr12de02R Exchange Visitor Program: SEVIS Regulations, 76307-76316.

5 The SEVIS DS-2019 replaced the IAP-66 in the Fall of 2002.

6 In contrast, non-immigrants in another visa status, such as tourists (B-1, B-2), will normally have a specific date written on their I-94 to indicate the date by which they must leave the US, obtain an extension, or change visa categories.

II. SEVIS Roles and Responsibilities

A. Certification and the Role of the DSO and RO

SEVIS requires every educational institution that desires to continue to enroll F-1 and/or M-1 international students to re-certify with DHS using the on-line Form I-17 and have a site visit by DHS. Exchange Visitor Programs re-certify using the on-line Form DS-3036, but a site visit is not currently required. Schools that were not certified before January 30, 2003 may not issue documents to international students or scholars, as their approval to enroll F or M students automatically expired.

As part of the F-1 certification process, the institution designates a Principal Designated School Official (PDSO) and up to nine Designated School Officials (DSO) who must be US citizens or legal permanent residents (LPR). Exchange Visitor Programs designate a Responsible Officer (RO) and nine Alternate Responsible Officers (ARO), who also must be US citizens or permanent residents.

The Border Security Act requires DHS to conduct periodic reviews of all SEVIS-approved schools. Accordingly, every school that completes the certification process under this rule may be reviewed every two years.

B. Record Keeping and Reporting Requirements

SEVIS record keeping and reporting requirements identify specific data and events that must be retained or reported within defined time frames. Since the data and information on reportable student events are often maintained in different campus units, these units and those that advise students will need to collaborate to report the data. Accuracy is essential, for if a student is erroneously reported (e.g., erroneously terminated), it can be very difficult and time consuming to correct the error.

The regulations (8 CFR 214.3(g)(1)) require that the following information be kept on each F student during the student's attendance and retained for one year after notifying DHS of the student's departure:⁷

1. Name;
2. Date and place of birth;
3. Country of citizenship;
4. Current address where the student and/or dependents physically reside;
5. Current academic status;
6. Date of commencement of studies;
7. Degree program and field of study;
8. If the student has been certified for practical training and the beginning and end dates of certification;
9. Termination date and reason, if known;

7 NAFSA: Association of International Educators, "SEVIS Resource (SR) 2001-d, Release of International Student Information to Government Officials," *NAFSA: Association of International Educators*, 21 November 2001, <http://www.nafsa.org/content/aboutinternationaleducation/resources/pa2001_d.pdf> (18 January 2004).

10. Documents relating to the student's admission to the school (transcripts, application, and financial support);
11. Number of credits completed each semester; and
12. Photocopy of the student's I-20.

SEVIS requires two different reporting types: "event-based" reporting of individual events that occur on an unscheduled basis, and "periodic reporting," which must be done on the whole group of F and M students every term, semester, or session.

The following events must be reported to SEVIS within 21 days after they occur (8 CFR 214.3 (g)(3)(i)-(ii)):

1. Change of name, address, or curriculum of the school;
2. Student's failure to maintain status or complete program;
3. Change of a student or dependent's legal name;
4. Change of a student or dependent's US address;
5. Student's graduation before the program end date listed on the SEVIS I-20;
6. Disciplinary action taken by the school against the student as a result of the student being convicted of a crime; and
7. Any other notification request made by SEVIS with respect to the current status of a student.

The following must be entered into SEVIS on all F and M students no later than 30 days after the deadline for registering for classes each term or semester (8 CFR 214.3 (g)(3)(iii)):

1. Information on whether the student has enrolled at the school, dropped below full-time course of study without prior authorization by the DSO, or failed to enroll;⁸
2. Current US address of each enrolled student; and

3. Start date of the student's next session, term, semester, trimester, or quarter.

C. Other Institutional Responsibilities

International students have an important role in the educational mission of higher education in the US. It is in the institution's best interests to ensure that students and visiting scholars stay in status. This is best handled by establishing internal procedures and lines of communication among campus units to make sure that the SEVIS mandated processing and reporting work as smoothly as possible

Comparing SEVIS to NCAA regulations may help individuals and institutions that struggle with the dual roles of enforcer and advisor. Both systems involve keeping students in status, are subject to a rather elaborate system of regulations (although SEVIS is less complex than NCAA), and have consequences for non-compliance. Just as schools identify a support team to work with student athletes to keep them in status, an institutional-wide support effort is needed to ensure that requirements for international students and scholars are met. Most schools have used SEVIS as an opportunity to enhance or create systems that will help students and visiting scholars maintain their status with minimal difficulty.

Many schools have presented SEVIS informational sessions to various campus groups, including undergraduate and graduate advisors, department chairs, deans, administrative, and support personnel. Additionally, printed and Web-based materials need to be timely and well maintained to keep the campus community informed about SEVIS regulations and changes.

Although this article refers specifically to SEVIS, it is but one of many issues involved in the

⁸ In a memo dated October 17, 2003, DHS clarified that the deadline for reporting student registration is 30 days after the start of program for new ("initial") students, and 30 days after the start of the term for continuing students. Michael Garcia, "Memorandum for SEVIS Certified Academic Institutions," *US Immigration and Customs Enforcement*, 17 October 2003, <www.ice.gov/graphics/enforce/imm/sevis/30daymemo.pdf> (18 January 2004), Student Exchange Visitor Information System (SEVIS) Reporting Requirements for Academic Institutions at the Start of Each Term or Session.

management and support of the international student and scholar on the US university or college campus. F and J status holders have a wide range of benefits, including employment, available to them under the regulations and which require institutional involvement. This is a specialized area of expertise usually found in the international student office.

D. Student and Scholar Responsibilities

Students and scholars need to be aware of the fact that under current US immigration policy, and specifically within SEVIS, there is virtually zero tolerance for non-compliance with reporting timelines or being out of status. Clearly, students must be aware of their responsibilities under SEVIS and do their best to work with school officials to ensure that their records with SEVIS are current and accurate.

It is a good practice for institutions to tell students about the information required to be reported to DHS. Some institutions have prepared a document that international students sign as an awareness of their responsibilities as non-immigrants.

Besides maintaining full-time enrollment, F-1 students must inform the DSO about the following:

1. Change in address;
2. Intent to drop below a full course of study (prior authorization is required);
3. Departure from school before the expiration date on the I-20 or DS-2019;
4. Intent to change schools for any reason;
5. Proof of concurrent enrollment in another school;
6. Need for an extension (provide documentation);
7. Intent to take a reduced load during the final semester⁹;
8. Request medical leave (provide documentation); and
9. Sources of financial support (provide documentation).

Although not required by SEVIS, students are required by law to keep copies of their I-94s and other immigration related documents in their possession at all times. In practice, many students do not carry these documents daily, but are well advised to carry all their original immigration documents and passports when traveling outside the campus community. Should any students lose their immigration documents, they must immediately report them to the local police and work with the international officials on the campus to request replacements. Additionally, students must avoid any activity that may risk their status in the US, such as unauthorized employment.

New databases and inter-agency cooperation will make monitoring international student activity easier. According to Port of Entry (POE) officials, those entering the US with initial attendance documents may now be subject to computerized background checks at the POE that include taking fingerprints and/or being photographed electronically. If the individual has a record that involves criminal offenses (either in the US or other countries) the student may be inadmissible, unless evidence is presented showing adjudication of these offenses. Similar background checks may become routine at the point of visa issuance as well.

Students who intend to travel outside the US should first consult their school's international office to request the appropriate travel authorization signatures and plan carefully for their re-entry into the US. Even after a brief visit to Canada or Mexico, students may encounter inspection at the border and be subject to a review of their status under SEVIS. In the current environment there may be little flexibility at the border to resolve errors. Students may be held at the POE until documents can be verified, or they may be denied entry into the US and returned to their point of origin or their home country.

⁹ Documentation is not required, but schools may wish to collect documentation.

E. Implications for FERPA

IIRAIRA and subsequent regulations specifically waive the Family Educational Rights and Privacy Act (FERPA) for purposes of complying with the reporting requirements of SEVIS (IIRAIRA § 641 (c) (2); 8 CFR 214.1 (h)). This “waiver” only applies to data *required* by regulation to be reported to the DHS through SEVIS. This is not a “waiver” of the FERPA requirement for other information on students. Staff should be aware of the fact that FERPA protection continues to apply to non-SEVIS information on or about international students. SEVIS provides an opportunity for schools to report “optional” information such as social security numbers or drivers license numbers. Policies about providing this information should be consistent with university policy for all students.

This FERPA waiver applies only to data released to immigration, not other government agencies. If

requests for information exceed these guidelines, institutional legal counsel should be consulted for guidance.¹⁰

Within the FERPA waiver, DHS may request any or all of the data or documentation specified on any individual student or a class of students upon notice. While the school can request that such a notice be in writing, it must respond within three days on a request regarding a specific student and within ten business days for requests involving a class of students. Schools must respond the same day for oral requests on an individual student who may be held in custody. The school may ask for a written request that will be sent after the fact. And, of course, schools must respond to a legitimate subpoena. However, schools should have a system in place to evaluate subpoenas as to their validity in a particular jurisdiction.

10 NAFSA: Association of International Educators, “SEVIS Resource (SR) 2001-d, Release of International Student Information to Government Officials,” *NAFSA: Association of International Educators*, 21 November 2001 <http://www.nafsa.org/content/aboutinternationaleducation/resources/pa2001_d.pdf> (18 January 2004). See also NAFSA: Association of International Educators, “NAFSA Practice Advisory 2001-D, Release of International Information to Government Officials,” *NAFSA: Association of International Educators*, 21 November 2001, <http://www.nafsa.org/content/aboutinternationaleducation/resources/pa2001_d.pdf> (18 January 2004) for a detailed presentation on the interface of FERPA and government requests for information on students.

III. Other Regulations Impacting International Students and Scholars

A. NSEERS

Although not directly related to SEVIS, the National Security Entry-Exit Registration System (NSEERS) registration requires international students and scholars from 26 countries to appear in person at a local DHS office to register.¹¹ Note that reporting data to SEVIS does not fulfill NSEERS requirements; students and scholars subject to NSEERS must independently fulfill NSEERS regulations. By 2004 it is expected that NSEERS will be replaced by the US-VISIT system that will apply to nationals of all countries.

B. I-PASS

Interagency Program to Advance Science and Security (I-PASS) requires that every federal security

agency and every federal science agency review visa applications of students whose field of study is on the Technology Alert List¹² or identified as a “sensitive” area to ensure their field of study will not compromise or jeopardize American national security. This process has significantly delayed the processing of visas of some students and scholars from certain areas of the world. New regulations and procedures are anticipated.

Campuses that are active in the research environment are encouraged to coordinate immigration issues with their research security officers who often are located in the Division of Sponsored Research or similar offices. These officials monitor national security and technology transfer components of federal regulations.

11 See US Immigration and Customs Enforcement, “Special Registration,” *US Immigration and Customs Enforcement*, 9 December 2003, <http://www.ice.gov/graphics/enforce/imm/imm_sr.htm> (18 January 2004) for informational materials on special registration, including address and contact information for DHS offices designated for the registration program.

12 See US Department of State, “Technology Alert List,” *Freedom of Information Act*, 22 May 2000, <<http://foia.state.gov/masterdocs/09fam/0940031X1.pdf>> (18 January 2004).

IV. Implications On Campus

The new SEVIS regulations and process have many impacts on the campus. This section notes how certain of the changes and regulations impact key areas of international student support.

A. Admissions

As noted above, SEVIS and other security regulations and policies are in many situations lengthening the time required to get a visa to study in the US. College admissions processing needs to factor in this lead-time by making admissions decisions and sending I-20s to students as early as possible. Graduate students in majors that may fall under I-PASS are the most likely to be impacted and need a timely admission decision.¹³ The total review process for visa issuance, however, is also taking longer due to increasing security checks for all individuals, especially at consulates in certain countries. International admissions professionals should stay abreast of current timelines and trends through listservs and news reports. It can also be helpful to establish contacts with consular officials in those countries from which they admit large numbers of students.

Additionally, institutions can lessen chances of delay by being as accurate and complete as possible when entering data into SEVIS. Small inconsistencies, such as a misspelled name or an incorrect birth

date, can lead to problems for students, as consulates and Ports of Entry will also see SEVIS data. Some institutions require international applicants to send copies of their passport page as a part of the admission process to ensure that the name entered into SEVIS is exactly as it appears on the passport. Good procedures up front are important, as correcting discrepancies under SEVIS is extremely difficult.

Another change is the manner in which international students who are already studying in the US and wish to start a new degree program are handled in SEVIS. SEVIS considers these students as “transfers.” It is important to note that the SEVIS definition of “transfer” refers to any student who is currently in SEVIS through another institution, whatever the level. This is not equivalent to the usual campus definition of transfer as students entering the institution having begun their program elsewhere. SEVIS allows only one institution to view and update a student’s records at a time. Thus, the “transfer to” school cannot issue an I-20 for the student until the current institution has released the student’s record, typically upon program completion. Institutions will need special processes to handle such students, as well as contact with the students’ current institutions to coordinate this hand-off.¹⁴

The regulations limit students on F and J visas to arriving no more than 30 days before their programs

13 Participants in the J scholar (professors, research scholars, and short-term visitors) and temporary workers (those holding H-1 status) are also impacted by I-PASS.

14 See 8 CFR 214.2 (f) (8) and the SEVIS user manual (US Immigration and Naturalization Service, *User Manual for School Users of the Student and Exchange Visitor Information System, US Immigration and Customs Enforcement*, 31 January 2003, <<http://www.ice.gov/graphics/enforce/imm/sevis/schoolu3.pdf>> [18 January 2004]) for more information on handling SEVIS transfers. A manual updated as of December 19, 2003 can be found at http://exchanges.state.gov/education/jexchanges/UMPS1_48_update_121903.pdf.

start.¹⁵ Admissions officials, or others who complete the initial I-20 form, need to be aware of how this limitation may impact attendance at orientation programs, training programs for graduate assistants, or other early-start programs. Program start and end dates need to align with university published policies and be consistently applied to all immigration documents.

Finally, institutions within 75 miles of the US border should be aware of regulations for Canadian and Mexican nationals who commute across the border. As a result of the “Border Commuter Student Act of 2002” (November 2, 2002), a new classification (F-3) was created for such students. As of this writing, however, regulations have not been approved to fully implement this new visa classification. Meanwhile, special exceptions apply to border commuter students within the F-1 classification (8 CFR 214.2(f)(18)). For example, a new I-20 must be issued each semester with a notation in the Remarks section, “Part-time Border Commuter Student.” Also, border commuter students are not required to maintain a US residence.

B. Advising

Academic advisers need to take special care in advising international students about full course of study and full-time status. Full-time definitions may vary based on level and program. Full course of study is often equated with full-time enrollment. Regulations explicitly define undergraduate full-time enrollment as 12 semester or quarter hours (8 CFR 214.2(f)(6)). Campuses must clearly define what a full course of study/full-time enrollment is for all students at the graduate level, for professional schools, intensive English programs, exchange programs, and any other programs for which the institution issues immigration documents. The regulations tightly limit students’ ability to pursue less than a full course of study. While at a given program or degree level, an international student may, with *prior*

PDSO/DSO/RO/ARO authorization, study at less than full-time in the following cases only:

1. One semester per degree for reasons of academic difficulty, which may include teaching methods, language difficulties, or improper course placement. Undergraduate students must take a minimum of six credits or half the normal full-time load.
2. Twelve months per degree due to medical or psychological illness. Students may take a reduced load or no courses, but certification from a doctor or mental health professional is required.
3. A student may also enroll in less than full-time load in the final semester of study if fewer courses are needed to complete the course of study (214.2(f)(6)(i)(B)). In this case, prior authorization is not required from SEVIS, but schools may wish to maintain supporting documentation.

C. Enrollment and Student Records

As stated above, it is essential under SEVIS that international students maintain full-time enrollment unless they have prior authorization. Several aspects of enrollment require special attention (and are worth repeating) in assessing full-time status. Students may qualify as full-time for immigration purposes by combining credits at the primary institution with those at another location, such as a local community college. Students should notify and provide documentation to the registrar or international office if they are concurrently enrolled at another institution. Again, institutional processes should ensure that students for whom they have issued F, M, or J documents who are concurrently enrolled are not inadvertently reported as below full-time. Where such practice is common, institutions may wish to create more formal written procedures and communication between the institutions. Only one institution or

15 According to POE officers, they are enforcing the 30-day window for new arrivals; if they arrive 31 days before the start of their program, they will in all likelihood be returned to their home country at their expense.

Exchange Visitor Program has reporting responsibilities for the F, M, or J students.

Several other provisions of SEVIS also have direct implications for registration processing and reporting. First, as noted in the advising section, international students must secure *prior* approval to drop below full-time. The registrar (if also the DSO/PDSO/ARO/RO) may handle or be involved in such an approval. In other cases, the registrar may help set up systems to ensure students have approval in advance. For example, some institutions have hard-wired their enrollment systems so that at certain times in the semester international students cannot drop classes without clearing a hold or going to an advisor.

Institutions are required to report all international students who are enrolled each semester within 30 days of the end of the registration period.¹⁶ Each institution must define what constitutes the end of the registration period on its campus. The registrar may also be involved in this reporting. In some cases, the reporting may be automated and sent to SEVIS via a batch interface (see section V-B). On smaller campuses, this may require pulling lists of students together and manually entering data into SEVIS.

In addition, the SEVIS transaction for reporting registration requires the institution to report the end of the current registration period and the start date for the next semester. The registrar may be involved in determining which dates to use for an individual student or for categories of students. The next semester start date should be the next semester in which the student is expected and required to enroll, taking into account vacation periods, etc. Under SEVIS, students who do not register in a semester they were expected to will be out of status. It is extremely important that registration of students be reported accurately and on time.

Another area that requires special monitoring is the enrollment of international students in distance

education courses. The regulations limit international students to three credits or one course of virtual coursework per quarter or semester that would count toward their full-time enrollment status. Distance education includes a class, whether on-line or using other forms of distance learning, that does not require the student's physical presence for classes, exams, or other purposes integral to program completion. Institutions should evaluate how such courses are identified in their systems and how they will monitor full-time load calculation for SEVIS purposes.

In the past, F-2 and M-2 dependents were able to pursue educational opportunities on a part-time basis if they wished. Under the revised regulations, dependents may only enroll in avocational or recreational courses; they may not seek degrees without changing to F-1 or M-1 status before enrolling in the full-time program. Institutions should assess their admission and enrollment policies in light of this change.

While the regulations require that students pursue full-time study, they do not require that students pass their courses. A student who is reported full-time but later fails one or more classes that semester is not out of status per DHS regulations, even though students who fail too many courses may fall into academic difficulty per institutional policy. Students who withdraw for academic reasons must be reported, but grades themselves are not relevant for SEVIS.

Finally, the registrar is often the office responsible for student address information. Under SEVIS, students must report changes of US address to the DSO within 10 days, and the institution then has 21 days to enter this information into SEVIS. Most institutions find it useful to tie such reporting to their student information system, so that students are not required to report this information multiple times or to multiple offices. The registrar can help facilitate

16 In a memo dated October 17, 2003, DHS clarified that the deadline for reporting student registration is 30 days after the start of program for new ("initial") students, and 30 days after the start of the term for continuing students. Michael Garcia, "Memorandum for SEVIS Certified Academic Institutions," *US Immigration and Customs Enforcement*, 17 October 2003, <www.ice.gov/graphics/enforce/imm/sevis/30daymemo.pdf> (18 January 2004), Student Exchange Visitor Information System (SEVIS) Reporting Requirements for Academic Institutions at the Start of Each Term or Session.

the timely reporting of address changes to SEVIS. Further, since SEVIS generally requires a residence address in this field, the registrar may help scan addresses to ensure that PO boxes and campus offices are not submitted for SEVIS purposes.

D. Other Policies, Procedures, and Definitions

In moving from a paper-based to an electronic reporting system, SEVIS processing has forced many pieces of information that once were free-form into defined categories. Where data is derived and reported electronically from campus information systems, the need for clear definitions of students and their status has increased significantly. In some cases, this forces campuses to re-evaluate policies, procedures, and definitions.

Following are a few examples:

1. Definition of “full-time” for students: SEVIS defines full-time for undergraduates as 12 credits. The definition for graduate students is left to the institution. At some institutions, PhD students working on their dissertations may pose a special challenge. If these students are not required to enroll, or may enroll for minimal credits, they may appear in reports and interfaces from the enrollment system as out of status.
2. Students in valid internship programs: New policies, coding, or processes may be required to ensure differentiation between students who are validly not enrolled in the usual number of courses or credits, yet who are considered by academic departments as full-time, from those who are truly out of status.
3. Coding of majors: In the past, institutions merely wrote the name of a student’s major on the I-20. SEVIS, however, has codified the major field of study, and a DSO must now pick from a list that SEVIS recognizes. This list (CIP2000 codes) is the same coding used for annual reporting of data to the Integrated Postsecondary Education Data System (IPEDS), a program of the National Center for Education Statistics (NCES).

Many institutions have crosswalks already in place to tie their major codes to this structure; in some cases CIP 2000 codes are already in the institution’s SIS or tables used by the Office of Institutional Research. Whether manual or automated, the institution needs a way to identify which code in SEVIS is most appropriate for the specific major codes used on campus.

4. Other coding issues: Similar coding issues exist for other codes used in SEVIS. Country Codes are another case where there needs to be correlation between the country codes in the SIS and those used in SEVIS. Other examples include mapping suffixes (e.g., “Jr”); tying program level codes used in campus systems to those allowed under SEVIS; and handling alternative full-time coursework, such as distance learning or study abroad that count toward degree requirements but may not be adequately differentiated in the current systems. These kinds of issues are especially important where automated interfaces are used to share data between the campus SIS and SEVIS (see section on “How SEVIS Works” below).

E. Internal Record-Keeping Considerations

Institutions may organize in different ways to support SEVIS. On some campuses, SEVIS reporting may be highly centralized. In others, multiple units may issue I-20s. Regardless of the organizational model, the institution should have clear policies about how information sent to SEVIS is recorded in electronic or manual systems on campus.

During its construction, SEVIS project staff indicated that the SEVIS database could serve as the institution’s database for immigration-related information on international students. This is not a good idea for several reasons. Institutions should maintain their own records of information sent to SEVIS in order to have backup if there are discrepancies with SEVIS. Second, institutions may only view SEVIS for new applicants and current students; once

students transfer, their records may no longer be visible. Finally, SEVIS currently provides no method of downloading data once it is entered into SEVIS.

In many cases, all the data sent to SEVIS will also reside in the institution's SIS or special database used by the international office. Smaller schools, however, may not have such automation and should ensure that they keep appropriate records, even if these are merely copies of I-20s and reports used to enter updates into SEVIS. Note that even if institutions keep copies of previous I-20s, SEVIS requires that when replacing a copy for a student (e.g., due to loss or destruction) that institutions record this in SEVIS and get a new copy from SEVIS directly.

F. Student Affairs and Community Issues

The current climate of increasing regulation and zero-tolerance creates anxiety in many international students. In addition to the reporting requirements listed, some F-1 and M-1 students may be here with spouses who may not work during their stay in the US, and are now also very limited in what studies they may pursue.¹⁷ This can add pressure at home as well.

Furthermore, some communities have, unfortunately, reported examples of hostile behavior toward people of some nationalities. In times like these, good advising services and strong community programs to support international students or scholars and their families can make a significant difference in their success at the institution.

¹⁷ Dependents of J-1 Exchange Visitors can apply to DHS for work permission to support themselves.

V. How SEVIS Works

A. Background

SEVIS provides two methods to update records: a Real-Time Interface (RTI) and a batch option. The primary data entry method for institutions with smaller numbers of international students is RTI. In RTI, users update individual records in the SEVIS database through a secured, web-based application developed by DHS through its contractor Electronic Data Systems (EDS). The SEVIS batch-processing component, on the other hand, allows larger institutions to upload most SEVIS transactions to SEVIS directly from their internal systems using a format called External Mark-up Language (XML). RTI and the batch process are described in more detail below, including considerations on when each method might be appropriate.

B. Real-Time Interactive (RTI)

As a web application, SEVIS RTI is available to any eligible institution with access to an Internet computer using a standard up-to-date web browser and Adobe Acrobat Reader^{®18}. Under the final SEVIS regulations, only PDSO/DSOs or RO/AROs are authorized to access SEVIS.

Authorized users may then use RTI to enter and update individual student and exchange visitor data using an assigned SEVIS user ID and password.

Once the user completes entry or update of data for an I-20 or DS-2019, SEVIS validates the information entered. No background checks occur on the individual in this process; the software merely checks for valid coding, data consistency, etc. If valid, SEVIS returns the requested form I-20 or DS-2019 in PDF format, similar to printing an airline boarding pass or Internal Revenue Service form from the web. The user may then print and sign the form as usual.

SEVIS RTI also provides a variety of reports and lists of the institution's records in SEVIS. This includes "alerts" to identify students who have arrived in the country or other alerts, such as for those who may be at risk of falling out of status, like those approaching the end date of their program per SEVIS. Institutions should monitor alerts closely to help their students stay in status.

Unfortunately, there is currently no provision to download information from SEVIS to local computers. Especially during this early period of software use, it is important that campuses maintain their own records on their international students. To accomplish this, institutions using RTI will need to use

18 More explicit technical requirements and user instructions are identified in the *Interface Control Document for the Student and Exchange Visitor Information System Batch Interface*, available at the DHS SEVIS website <http://www.ice.gov/graphics/enforce/imm/sevis/SEVIS-ICD.pdf> (US Immigration and Naturalization Service, *Interface Control Document for the Student and Exchange Visitor Information System Batch Interface, US Immigration and Customs Enforcement*, 20 December 2002, <<http://www.ice.gov/graphics/enforce/imm/sevis/SEVIS-ICD.pdf>> [18 January 2004]). See also *US Immigration and Naturalization Service, User Manual for School Users of the Student and Exchange Visitor Information System, US Immigration and Customs Enforcement*, 31 January 2003, <<http://www.ice.gov/graphics/enforce/imm/sevis/schoolu3.pdf>> (18 January 2004).

some form of dual data entry of SEVIS data (see Internal Record-Keeping Considerations IV.E.).

C. Batch

Institutions with large numbers of international students and/or scholars will find the RTI process unwieldy. Entry of initial forms may be manageable in RTI, but monitoring and reporting changes in data on hundreds or thousands of students using RTI will be very difficult, especially while attempting to maintain an institutional database in parallel with SEVIS. While there is no concrete rule, schools with more than a few hundred international students should consider whether batch processing is more efficient for their campus. To use batch, institutions must have the data required by SEVIS in electronic format, whether in a system used only by the International Office, in the campus Student Information System, or elsewhere.

With batch SEVIS, institutions enter data on international students into their own databases. On a frequent basis (usually daily or weekly), institutions' systems create batches of certain transactions in XML format as specified by SEVIS.¹⁹ Typically, however, the user office has no need to get into the intricacies of the transaction formats and XML; rather, vendor and/or campus IT staff will manage these details.

Before transmitting these batches of transactions to SEVIS, a PDSO or DSO (RO or ARO for J) must approve them; their SEVIS user ID will accompany the batch as an electronic signature. The batch is sent via secure, Internet-based protocols, using digital certificates.

SEVIS receives batches until 11:59 P.M. Eastern time on business days, processes them during the

night and makes the results available the following business day. SEVIS doesn't automatically send information back to the school; the school must execute another XML-based process to go to the secured SEVIS site and pick up the processed files. For each batch sent, SEVIS sends a transaction log with information on any failed batches or transactions, along with a file of PDF documents (I-20, DS-2019) for any transactions where printing was requested. Users then print, sign, and distribute the PDF documents on their campus, and update their own internal databases as appropriate.

Most of the major student information system vendors have added or are in the process of adding SEVIS batch capability to their systems. Check with vendors and/or campus information technology staff to find out the availability of such software for the institution. Several vendors also offer solutions that not only address SEVIS batch requirements, but also address the broader needs of the international office. To be effective, those systems generally require interfaces with existing campus systems to share basic international student and scholar demographic and enrollment information.

Finally, a few campuses have built their own SEVIS interface systems. The best approach varies depending on the campus, its needs, staffing, and financial resources.

D. Using Both Batch and RTI

Institutions that use batch as their primary SEVIS input mechanism will also use RTI in certain cases. In fact, several transactions may only be done

19 The formats of these transactions are described in a technical document called the *SEVIS Interface Control Document (ICD)*, which is available at <http://www.ice.gov/graphics/enforce/imm/sevis/SEVIS-ICD.pdf>. The SEVIS ICD also specifies how institutions may register to use SEVIS batch, including acquisition and registration of digital certificates that are required as part of SEVIS' security scheme for batch, the forms that need to be signed as part of the authorization, and the details of the "schema" used in the transmission. Immigration and Naturalization Services, *Interface Control Document for the Student and Exchange Visitor Information System Batch Interface*, US Immigration and Customs Enforcement, 20 December 2002, <<http://www.ice.gov/graphics/enforce/imm/sevis/SEVIS-ICD.pdf>> (18 January 2004).

in RTI at this time.²⁰ There will also be times when students need to leave the country on emergencies and cannot wait overnight for I-20 documents. In such cases, the DSO or RO may update information and print SEVIS documents immediately from RTI. Institutional records must also be updated.

In situations where SEVIS data is updated on an individual in both RTI and batch during the same reporting period, care must be taken that the entries are handled appropriately so that transactions are both recorded in the institutional database, and are still reported in the appropriate sequence through SEVIS batch.

E. Integration with Campus Systems

Whether using RTI or batch, it is important to carefully map campus data to that required by SEVIS. Many coding structures, such as country codes and major codes will need to be translated into SEVIS acceptable formats. Some institutions use the same coding definitions SEVIS does. Others have created crosswalk tables in automated interfaces. In some cases, the institution relies on the DSO who uses RTI to make a good choice in mapping, for instance, the school's major code to the correct SEVIS CIP2000 code (see Policies, Procedures, and Definitions IV.D.), preferably using a predefined mapping table to ensure consistency in selection.

SEVIS also requires that changes in data such as major, local address, or unauthorized withdrawal be reported to SEVIS within 21 days of the institution's knowledge of the event. Typically, this data is first recorded in the school's SIS. Thus, institutions must

have methods of triggering SEVIS transactions based on certain activity in the SIS. Many SIS vendors are building such capability into their software. Institutions should look carefully at the vendor's implementation to be sure that it meets the campus' needs.

Processing rules vary widely on campuses, and need to be examined carefully, using knowledge of both the campus and the regulations to ensure smooth implementation. For example, local address updates for SEVIS get complicated when considering issues such as interfaces with other systems beyond student records (e.g., housing), handling student addresses during break periods, sorting through the many address types a campus may define, and ensuring that PO boxes are not used.

Schools that use departmental software for SEVIS must similarly ensure that transactions originating from the central SIS are noted in the departmental system. This function may be done in the vendor software, as part of the school's custom code that populates the vendor software, or a combination of both. Even schools that are using RTI only may need reports from their school's SIS to be sure that those responsible for updating SEVIS are aware of data changes on a timely basis.

F. SEVIS Help Desk

In addition to the resources available on-line, DHS/EDS supports a SEVIS Help Desk to answer questions on both RTI and batch.²¹ Reporting errors and discrepancies to the Help Desk is extremely important, as this allows SEVIS project staff to identify and resolve urgent issues in the software.

20 All adjudicated updates to student and exchange visitor records, transfer updates, updates to site of activity address for exchange visitors and updating of curricular practical training information (CPT) require use of RTI.

21 The Help Desk phone number (1-800-892-4829 as of January 2004) is listed on the DHS SEVIS website. US Citizenship and Immigration Services, "Student and Exchange Visitor Program: Technical Guidance and SEVIS User Manuals," *US Immigration and Customs Enforcement*, 9 January 2004, <<http://www.ice.gov/graphics/enforce/imm/sevis/sevis.htm>> (18 January 2004).

V. Lingerin Issues

As of July 2003, several open issues leave some uncertainty in the future of SEVIS. First, bugs and irregularities have plagued the system in its initial start-up period.

The March 2003 report of SEVIS progress by the Department of Justice Office of the Inspector General (#I-2003-003) also suggests that SEVIS is not yet fully implemented. Glenn Fine, Inspector General, testified before the House Judiciary immigration subcommittee in April 2003 on this topic. *The New York Times* website (www.nytimes.com) reported on the hearing on April 3, 2003: "...SEVIS, was supposed to be running at the start of the year, but it continues to have software glitches and other problems. (Fine stated) 'We believe SEVIS has potential to improve monitoring of foreign students in the United States... However, additional steps have to be taken to ensure it is reliable, usable and effective.'" DHS will undoubtedly address these problems over time through regular updates to the RTI and Batch software systems, much as any software vendor does.

Some campuses may also have bugs or deficiencies in the software they are using in house to handle SEVIS. These problems should eventually subside; however, everyone should plan for ongoing immigration regulation changes and the resultant SEVIS and in-house system changes that may be needed. In the interim, institutions must be very detailed in reviewing records, forms, and systems to be sure they accurately reflect their students' data and status.

Second, it is unclear what will happen should SEVIS experience an extended outage for any reason, such as natural disaster, Internet attack, or

software failure. The DHS is working on business continuity plans to address such potential issues for SEVIS. Institutions should monitor results from these efforts and make their own business continuity plans to address system outages on their end that might impact the ability to comply with SEVIS.

Third, IIRAIRA originally legislated that SEVIS be self-funded through fees paid by the student/scholar. On October 27, 2003, DHS issued a proposed rule suggesting a \$100 fee for most F-1, F-3, M-1, M-3, or J-1 applicants.²² After an I-20 or DS-2019 is issued for the applicant, the applicant must pay the fee over the Internet using a credit card or through a paper process in US dollars drawn on a US bank. Once the transaction is completed, the applicant receives a payment advice that the applicant then brings with the I-20/DS-2019 to the consulate at time of visa application. It is not known at the time of publishing just how this will play out, but one can expect a process similar to that described above will be in effect by 2004. This will add additional steps, time and expense to the visa application process.

Finally, the Social Security Administration (SSA) has implemented 100 percent status checks on international students who apply for social security numbers (SSN). The SSA is checking records of international students and scholars against government and, specifically, immigration databases before issuing SSNs, thus increasing the time it takes to procure a number. This can be detrimental to graduate assistants and others who need to begin work as soon as possible. Since the SSN is often required to establish credit, get an apartment, etc., this may further

22 J-1 applicants sponsored by the Federal Government are exempt from the fee; certain J-1 visitors (camp counselors, au pairs, summer work/travel participants) pay a reduced fee of \$35.

impact international students' ability to get settled in the community.

In January 2003, the SSA indicated that they are proposing to issue a SSN to only those who actually have employment offers and not to those who are

eligible to work, as is the current policy. More recent indications imply this is not possible in the short term. In any case, we can expect further process and regulatory changes in this area. Possibly, these processes will be tied into SEVIS at some later date as well.

VII. Conclusion

SEVIS and other new regulations pose challenges for registrars, admissions professionals, foreign student advisors, faculty, and others on campus. While international offices and schools have been required to report a vast majority of the required information and data for many years, there was little change, and the forms were virtually all paper based. SEVIS brought a dramatic change with electronic systems and modified regulations that address both the new systems and current national political realities.

In the current climate, we can expect even more regulation as well as heightened enforcement. Both regulatory and technology changes are part of the future of international education, and campuses must adapt. Successful campuses will stay abreast of the issues and continue to make on-going process changes and improvements to serve international students and scholars as accurately and efficiently as possible while complying with laws and regulations.

APPENDIX: A Glossary of SEVIS-Related Terminology

Abbreviations for School Officials:

INS program (F/M) Designated School Officials:

PDSO: Principal Designated School Official. One of the DSOs is the PDSO, who may request changes to Form I-17.

DSO: Designated School Official. SEVIS provides for nine DSOs per campus, regardless of school size. Only DSOs may transmit data to DHS and sign I-20s.

Exchange Visitor Program (J) Designated School Officials:

RO: Responsible Official. The RO acts as the primary official for the Exchange Visitor Program, may request program changes with the Department of State, assign new AROs, and has authority to sign DS 2019.

ARO: Alternate Responsible Official. The ARO has authority to sign the DS-2019 and transmit SEVIS data to DHS.

Other Terminology:

BCIS: Bureau of Citizenship and Immigration Services

BICE: Bureau of Immigration and Customs Enforcement

CFR: Code of Federal Regulations

CIP2000: Classification of Instructional Programs: 2002 Edition. This is a coding scheme for areas of study developed for reporting by the Integrated Postsecondary Education Data System (IPEDS), a program of the National Center for Education Statistics (NCES).

CIPRIS: Coordinated Interagency Program Regulating International Students. CIPRIS was a pilot program in the Southeast that preceded SEVIS.

CPT: Curricular Practical Training. CPT allows F-1 international students to apply for internship programs and training related to their studies for a limited period during the summer or in lieu of taking full-time class loads.

DHS: Department of Homeland Security

DOS: Department of State. The DOS administers The Exchange Visitor Program (J visa). DOS establishes policy for embassies and consulates to follow in issuing visas.

DS-2019: Form DS-2019 is issued to exchange visitors to apply for a J-1 or J-2 (if dependent) visa for initial entry to the US,

STUDENT AND EXCHANGE VISITORS INFORMATION SYSTEM (SEVIS)

	to apply for an extension, or to bring dependents.		DS-2019 in the SEVIS system after January 30, 2003.
EDS:	Electronic Data Systems, the primary contractor for the SEVIS system software development.	I-20:	Form I-20, Certificate of Eligibility, is issued to students admitted by SEVIS approved institutions. The student takes the I-20 to an embassy or consulate to apply for a F-1 student visa.
EV:	Exchange Visitor. Those who enter on a J visa are called exchange visitors. These include visiting scholars, short-term researchers or lecturers, and students.	LPR:	Landed Permanent Resident.
FERPA:	Family Education Rights and Privacy Act	NCES:	National Center for Education Statistics (NCES).
IIRAIRA:	Illegal Immigration Reform and Immigrant Responsibility Act of 1996.	NSEERS:	National Security Entry-Exit Registration System, also known as the “Special Registration” system. This system requires males from certain countries to report to DHS to be interviewed, photographed, and fingerprinted.
INS:	Immigration and Naturalization Service is now divided into two bureaus (BCIS and BICE) within the Department of Homeland Security.	OPT:	Optional Practical Training. Students in F-1 status who have completed their academic degree program may apply for up to one year of OPT to gain practical work experience in their area of study.
I-PASS:	Interagency Program to Advance Science and Security	POE:	Port of Entry
IPEDS:	Integrated Postsecondary Education Data System (IPEDS), a program of the National Center for Education Statistics (NCES)	RTI:	Real-time Interface. This is the on-line version of SEVIS.
I-17:	Form I-17 is used to apply to DHS to enroll international students in F-1 status. It must be submitted on-line in SEVIS and identify the individuals who will be the school’s PDSOs and DSOs.	SEVIS:	Student and Exchange Visitor Information System
I-94:	A card known as the Arrival/Departure Document. This document identifies the date entered the US, the visa classification, and the expected date of departure for individuals admitted to the US as nonimmigrants.	SSA:	Social Security Administration
DS-3036:	Form DS-3036 is used to apply for an Exchange Visitor Program with the Department of State. The form must be submitted online in SEVIS for institutions to be certified to issue forms	SSN:	Social Security Number
		US-VISIT :	U.S. Visitor and Immigration Status Indication Technology System, a new entry/exit record keeping system for all foreign nationals. This system will eventually replace NSEERS.

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