

To: All SEVIS Users

Date: May 18, 2011

Re: Notice for English Language Training Schools Seeking to Enroll F Nonimmigrant Students

Number: 1105-05

Background:

On December 14, 2010, President Obama signed the Accreditation of English Language Training Programs Act, Pub. L. No. 111-306, 124 Stat. 3280 (2010) (Pub. L. 111-306), which requires any English language training program seeking to enroll F nonimmigrant students to receive accreditation by a regional or national accrediting agency recognized by the Secretary of the Department of Education.¹ Pub. L. 111-306 becomes effective 180 days after its enactment (i.e., Sunday, June 12, 2011). To access an online copy of PL 111-306, follow the link below:

<http://www.gpo.gov/fdsys/pkg/PLAW-111publ306/pdf/PLAW-111publ306.pdf>

Discussion:

Pub. L. 111-306 provides for important dates as follows:

- December 14, 2010: PL 111-306 signed into law.
 - 180 days from December 14, 2010 (i.e., Sunday, June 12, 2011), the Immigration and Nationality Act is amended to provide that English language training programs be a language training program that is accredited by a regional or national accrediting agency recognized by the Secretary of Education. Pub. L. 111-306 provides for a one-year temporary exception for non-accredited SEVP-certified language training programs.
- June 12, 2011: PL 111-306 takes effect.
 - Because June 12, 2011 falls on a Sunday, by close of business or 5 p.m., EST on June 10, 2011, the Student and Exchange Visitor Program (SEVP) will no longer be able to approve a “Petition for Approval of School for Attendance by Nonimmigrant Student,” Form I-17 petition for initial SEVP certification from an English language training program that is not accredited by a regional or national accrediting agency recognized by the Secretary of Education.
- December 14, 2011: Pub. L. 111-306 requires a non-accredited, SEVP-certified English language training program to submit an application for the accreditation to a regional or national accrediting agency recognized by the Secretary of Education by this date- -one year after the enactment of Pub. L. 111-306- and to comply with the applicable accrediting requirements of the recognized accrediting agency.

¹ See the Department of Education list of accepted accrediting agencies at http://www2.ed.gov/admins/finaid/accred/accreditation_pg5.html#NationallyRecognized

- December 14, 2013: An alien may not be granted a nonimmigrant visa if the sponsoring language training program, a non-accredited, SEVP-certified English language training program, has not obtained or was denied accreditation, as required by Pub. L 111-306, by close of business, 5 P.M., EST, on this date.
 - Because December 14, 2013 falls on a Saturday, by close of business, 5 P.M., EST, on December 13, 2013, the Student and Exchange Visitor Program (SEVP) will no longer be able to approve a petition update or recertification petition for a non-accredited, SEVP-certified English language training program which has not obtained accreditation required by Pub. L 111-306 as of this date.

Questions concerning this announcement may be directed to the SEVP Response Center at (703) 603-3400 between the hours of 8:30 AM and 5 PM ET, except holidays, or via email to SEVP@DHS.gov, ATTN: Policy.