

SEVP Spotlight

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SEVP Responds to GAO Audit

DIRECTOR'S CORNER



*A message from
Louis M. Farrell,
Director of ICE's
Student and Exchange
Visitor Program*

Earlier this year, the Government Accountability Office (GAO) conducted an audit of the Student and Exchange Visitor Program (SEVP) as a follow-up to the Homeland Security Investigations visa fraud investigation of Tri-Valley University in 2011. GAO's audit examined both the processes through which SEVP certifies academic institutions and those it uses to monitor compliance of SEVP-certified schools. In summer 2012, GAO released the official report and included recommendations for SEVP. Since the release of the report, SEVP has worked to increase efficiencies and improve the strength of the program and its ability to protect national security by securing the student visa system.

Based on eight recommendations from the GAO report, SEVP is working to improve operations in several areas:

- Developing risk assessment activities
- Implementing consistent procedures to confirm schools' eligibility
- Establishing a process to identify and address missing school case files

- Developing and implementing a process to record both state licensing and accreditation status of all SEVP-certified schools
- Establishing timeframes to ensure all flight schools meet appropriate requirements
- Improving coordination with other U.S. Immigration and Customs Enforcement (ICE) entities

SEVP's efforts to improve in these areas of focus will help strengthen the integrity of the program and further validate the way we certify schools to enroll nonimmigrant students.

For example, SEVP is designing and implementing a compliance methodology that better utilizes the subject matter expertise of school certification adjudicators, as well as trends to better identify and assess high-risk schools. The compliance methodology incorporates qualitative and quantitative analyses such as a risk scorecard, red flag analysis, and a risk assessment tool the Homeland Infrastructure Threat and Risk Analysis Center is developing. Once this process is in place, we will conduct analysis on how to best allocate resources to maintain these processes.

SEVP continues to improve coordination with other ICE entities through our collaboration with the Counterterrorism and Criminal Exploitation Unit (CTCEU). We now refer all high-risk schools

to the CTCEU for review. SEVP and CTCEU are establishing criteria for information sharing and referring criminal leads between the two groups.

SEVP is also finalizing guidance on flight schools, reiterating that schools must be FAA Part 141 or Part 142 certified while also ensuring that officials at these schools have time to obtain this certification. The SEVP Analysis and Operations Center is currently coordinating with the Federal Aviation Administration to enhance information sharing.

SEVP is diligently working to develop policies to ensure that all external stakeholders receive notice of changes, thereby increasing our transparency.

All of these changes will increase efficiencies and combine efforts to benefit SEVP, allowing us to better serve the needs of our stakeholders while carrying out our mission to protect national security. On behalf of SEVP, I sincerely thank you for your continued dedication and support to the F and M nonimmigrant education mission.

Take Care,

Lou



**U.S. Immigration
and Customs
Enforcement**

New Features on *Study in the States*



The Student and Exchange Visitor Program (SEVP) recently launched several new features on *Study in the States* to increase accessibility of the site and continue to enhance content for stakeholders.

Study in the States now features Google Translate capabilities, translating the content into 64 languages. This encourages more F and M students to share information from *Study in the States* with family and friends in their home country. This function will help students better understand

Department of Homeland Security rules and requirements when read in their own language.

SEVP now uses *Study in the States* to seek stakeholder feedback on SEVP draft guidance. Stakeholders can download the draft guidance from the [guidance page](#) and submit feedback via e-mail during the designated feedback periods. Additionally, stakeholders have the option to sign up for e-mail updates each time new draft guidance is posted to *Study in the States*.

Study in the States has a new weekly blog series titled "Questions from Designated School Officials." This feature provides designated school officials (DSOs) with answers to commonly asked questions. The series allows DSOs to submit questions via e-mail and the appropriate subject matter experts to publish a response. The series features a new question each week on the *Study in the States* blog. To submit a question, e-mail SEVPCommunications@ice.dhs.gov with the subject line: "Questions from DSOs."

More Students are Studying in the States

In November 2012, the Institute of International Education reported that more than 760,000 international students studied in the United States during the 2011-2012 academic year – a six percent increase from the previous year. Additionally, international students and their families contributed more than \$22.7 billion to the U.S. economy in the past year.

We also want to hear from school officials about the impact F and M students have made on your campuses and communities. Please share your thoughts on the *Study in the States* [Twitter](#) or [Facebook](#).

HSAAC UPDATE

Increasing Engagement with the International Student Community

Over the past year, the Department of Homeland Security (DHS) has worked closely with academic leaders to increase our engagement with the international student community and to examine the policies and processes that affect them. One part of that effort is the Homeland Security Academic Advisory Council (HSAAC), created by DHS Secretary Janet Napolitano in March 2012. HSAAC is a federal advisory committee that advises Secretary Napolitano and senior leadership at DHS on several key issues. Prominent university and academic association presidents make up this committee.

HSAAC has five subcommittees, with one dedicated solely to international student issues. Dr. Hunter Rawlings III, president of the Association of American Universities, and Dr. John Sexton, president of New York University, chair the subcommittee on international students. Throughout 2012 this subcommittee met several times and submitted over 23 recommendations. HSAAC adopted all of the recommendations at the July and October meetings. DHS already has implemented a number of these recommendations, including increasing its engagement with the academic community on international student policies and draft guidance. Also, DHS is expediting key regulatory reforms to assist U.S. schools in recruiting and supporting international students.

HSAAC will continue to meet throughout 2013. For more information visit <http://www.dhs.gov/homeland-security-academic-advisory-council-hsaac>.



A Partnership to Protect America



As part of U.S. Immigration and Customs Enforcement (ICE), Homeland Security Investigations (HSI) investigates, deters and interdicts threats arising from the movement of people and goods into and out of the United States. In regards to foreign students, HSI's goal is to make sure that those who seek to harm the country are turned away, while legitimate students are welcome in the United States. The Counterterrorism and Criminal Exploitation Unit (CTCEU) investigates nonimmigrant visa holders who violate their

immigration status and places high priority on combatting the criminal exploitation of the student visa system.

The Student and Exchange Visitor Program (SEVP) and CTCEU work closely to proactively identify and prevent exploitation at the school and student level. In 2012 CTCEU initiated an outreach program directed at academic and vocational institutions that are SEVP-certified to enroll F and M students and J exchange visitors. This initiative

focuses on opening communication channels directly between designated schools officials (DSOs) and HSI special agents in our field offices. This outreach serves to build partnerships between ICE field offices and SEVP-certified schools in order to detect and proactively combat school fraud.

Partnerships benefit all:

- By sharing information with school officials, HSI may help improve the school's management system of their programs and help prevent their students from falling out of nonimmigrant status.
- Information sharing between HSI, DSOs and students results in improved strategies for identifying and prosecuting unlawful activity.
- HSI's investigation of schools that do not comply with SEVP requirements helps uphold the integrity of legitimate schools and programs.

DSOs have the responsibility to ensure that the foreign students invited to the United States intend to be productive students. A foreign national may view a student visa as a means of immigrating to the United States rather than achieving an academic goal. It is important to identify a situation before it becomes a national security concern.

Suspicious activity may be reported via the [HSI tip form](#) or e-mail tips directly to CTCEU at ctceu@dhs.gov.

SEVP Spring Conference Season

This spring, the Student and Exchange Visitor Program (SEVP) will participate in conferences across the United States to provide information to stakeholders. In the spring 2013 presentation entitled "Upcoming Changes in SEVP," SEVP representatives will present information on operational changes that will affect stakeholders. Topics to be discussed in the sessions will include the following:

- Revised initial certification process
- Updates to the Form I-17, "Petition for Approval of School for Attendance by Nonimmigrant Student"
- Upcoming guidance for stakeholders, among other significant process changes, to increase efficiency in SEVP's operations



Anticipated SEVIS Release 6.12

The Student and Exchange Visitor Program (SEVP) is developing SEVIS Release 6.12 with an anticipated release in Spring 2013. SEVIS Release 6.12 will allow two Department of Homeland Security (DHS) systems to share additional information on visa overstays. The release will allow the Arrival Departure Information System (ADIS), operated by United States Visitor and Immigrant Status Indicator Technology (US-VISIT), and the Student and Exchange Visitor Information System (SEVIS) to increase the frequency of data sharing between the two systems. ADIS will provide SEVIS with the Form I-94, "Arrival/Departure Record," number and passport information of the students in overstay status.

This release is part of our support of a larger DHS initiative on this topic. DHS Secretary Janet Napolitano created a visa overstay working group consisting of relevant DHS components to address the overstay of F and M students and J exchange visitors and their status within the United States. The visa overstay working group must identify a solution that will facilitate the identification, location and deportation of F, M and J nonimmigrant students that overstay their status.

GUIDANCE UPDATE

Progress on Draft Guidance for Stakeholders

The Student and Exchange Visitor Program (SEVP) Policy Unit has been working diligently with the School Certification Unit and the SEVP Analysis and Operations Center on guidance documents to provide greater clarity to stakeholders. Thus far, we have finalized guidance on the Accreditation of English Language Training Programs Act, flight training. Final guidance on instructional sites and governance are forthcoming.

Additionally, we have the following drafts currently in queue:

- **Contractual Relationships Policy Guidance:** This guidance clarifies our policies regarding contractual relationships between schools. It will discuss the necessity of SEVP certification for schools enrolling F or M students, including issuing the Form I-20, "Certificate of Eligibility for Nonimmigrant Student Status," in instances where an F or M student completes an entire program of study at a contracted school. The guidance also contains requirements for English as a Second Language students and flight training providers.
- **Conditional Admission/Bridge Programs:** This guidance defines conditional admission and bridge programs, discusses what is and is not permissible and explains that designated school officials at bridge programs should issue the Form I-20 to students.
- **Change of Ownership:** This guidance explains what constitutes a change of ownership of a school and when the date of that change of ownership occurs.

After each stakeholder comment period, SEVP collects all of the submitted comments for consideration and final guidance is produced and made available on *Study in the States*.

Contact Us

SEVP Contacts

The Student and Exchange Visitor Program (SEVP) is dedicated to maintaining open communication with international students and academic officials in an effort to provide necessary support while studying in the United States. SEVP has multiple contact options:

- Our offices are open Monday through Friday, 7:00 a.m. to 5:00 p.m. Eastern Time, except holidays
- If you need assistance with passwords or Student and Exchange Visitor Information System (SEVIS) technical help, call the SEVIS Help Desk at 800-892-4829 between 8:00 a.m. and 8:00 p.m. Eastern Time or e-mail SEVIShelpdesk@hp.com

Phone: 703-603-3400

E-mail: SEVP@ice.dhs.gov

Find us on the Web:

www.ice.gov/sevis

<http://studyinthestates.dhs.gov>

Follow us on Twitter @StudyinStates

Like *Study in the States* on Facebook

ICE Contacts

To report national vulnerabilities or national security concerns:

Contact ICE's **Counterterrorism and Criminal Exploitation Unit** at CTCEU@dhs.gov

To report exploitation of student visa programs:

Contact your local **HSI Special Agent** or call 1-866-DHS-2ICE (1-866-347-2423) or visit www.ice.gov