

Date: July 28, 2010

TO: All SEVIS Users at SEVP-Certified ESL Schools

FROM: SEVP

SUBJECT: Curricular Practical Training and Optional Practical Training Not Authorized for F Students in English Language Training Programs

NUMBER: 1007-04

Student and Exchange Visitor Program (SEVP) certified schools and programs may not develop, publish or use any form of advertising that states or implies the approval of curricular or practical training in conjunction with any English language training.

Background:

The Department of State (DoS) recently brought to SEVP's attention a number of denied visa applications where the potential F-1 visa applicants with Forms I-20, "Certificate of Eligibility for Nonimmigrant (F-1) Student Status – For Academic and Language Students," issued from SEVP-certified schools alleged to DoS that they would take part in an internship or some form of practical training.

SEVP will not approve courses of study for English language training programs that include curricular practical training or optional practical training components, which regulations specifically prohibit. In our review of the instances DoS brought to our attention, it appears the schools and their overseas agents are advertising these English language programs as internships and are using that term in the promotional material they distribute. SEVP perceives a difference in how officials at certified schools advertise their English language programs to prospective students abroad and the information the schools provide as part of the Form I-17, "Petition for Approval of School for Attendance by Nonimmigrant Student."

It can be confusing for the applicant and the consular officer when an applicant states that he or she is traveling to the United States to participate in combined English as a Second Language (ESL) training and internship. The applicant believes participation in an internship is included because that is how the institution advertised the program.

As a reminder, 8 *CFR* 214.2 (10)(i) defines curricular practical training as alternative work/study, internship or cooperative training.

Regulation 8 *CFR* 214.2 (f)(10) specifically precludes the authorization of curricular or practical training for F-1 students who are pursuing English language training: “Students in English language training programs are ineligible for practical training.”

Actions:

SEVP will review the advertising efforts of those ESL schools and programs that are brought to our attention. Where SEVP identifies such advertising, we will initiate a review of the certified school’s Form I-17 to ensure compliance with regulation.

SEVP reminds certified schools of the limitations of 8 *CFR* 214.3(j) which restrict any advertising copy to the following: “This school is authorized under Federal law to enroll nonimmigrant alien students.”

Certified schools should review all advertising efforts to ensure that they do not imply that practical training can be part of approved English as a Second Language course of study. Eliminate any reference to practical experience, work study or internships to ensure that DoS does not find grounds to deny potential F-1 nonimmigrants visas for study at English language training programs.