

SEVIS Technical and Policy Teleconference

NAFSA Questions and Summary of Government Responses

August 26, 2009

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1. CLAIMS, H-1B approvals and J-1 Records

Members have reported that upon H-1B approval, SEVIS records for **J-1 Exchange Visitors** are being extended to September 30, 2009 (or according to one report to October 1, 2009).

- Is it currently the case that all SEVIS records with H approvals are being extended through 9/30/09 regardless of the benefit start date, F/J/M status, or cap exempt/cap subject status?

NAFSA summary of government response: CLAIMS 3.1.2 system release should address this issue. In the meantime, continue to report these issues to the SEVIS Help Desk.

2. Minimum Numbers of J-1 Exchange Visitors for New J-1 Programs

When a program is small or new, the program is given a year to host the minimum number of J exchange visitors in order to maintain their program.

- Could the Exchange Visitor Program clarify when the clock starts?

NAFSA summary of government response: The regulations require sponsors to have at least 5 exchange visitors per calendar year, with the clock starting on the date of designation.

3. Correcting and Editing Academic Training for J-1 Students

Members report that when they try to correct or edit an academic training period for a J-1 student, the initial information does not disappear from the updated DS-2019. The SEVIS system indicates that the record was "successfully updated." However, the DS-2019 shows

both of the AT dates one on top of the other instead of eliminating the initial information. This can cause confusion for employers as well as for the exchange visitors.

- Is there a means by which A/ROs can remove the incorrect or edited Academic Training information in order for it not to print on the DS-2019?

NAFSA summary of government response: AT Dates should be updated if incorrect and the DS-2019 reprinted with correct dates. To update a segment of Academic Training, follow guidance in section 2.7.6.3 in vol. 2 of the [DHS J SEVIS RTI User Manual](#) for Form DS-2019, which reads:

"To update a segment of student academic training, perform the following:

1. Access the Exchange Visitor Information screen for the EV whose record is being updated (perform a search for the record or use the EV Lists link).
2. Click the Student Academic Training History link on the Academic Training menu (left side of the screen); the Student Academic Training History screen displays.
3. Click the Update link for the appropriate segment of training. The Update Student Academic Training screen displays.
4. Make the necessary changes to the data.
5. Click the Update Student Academic Training button to complete the process.
6. On the message screen, click the Print Final DS-2019 button to print an updated Form and provide it to the EV and all active dependents. The "Purpose of this Form" section will show, "Amend a previous form: Academic Training Updated."

4. Questions from SEVP/BAH About Possible Date of Birth Anomalies

A member reported that spot-checking names listed in a SEVP/BAH email about possible DOB anomalies revealed that the Date of Birth was the same in SEVIS, the school information system, and on the student's passport. The dates also seemed to be within the normal range of ages for students at that level.

- Could SEVP clarify why these Dates of Birth were flagged as issues?

NAFSA summary of government response: There was an incorrect email sent out by Booz Allen Hamilton (BAH). There was a follow-up email asking for the first email to be ignored. The error occurred because a level of education code had been misinterpreted (a Bachelor's code was read to be high school). SEVP has corrected the query. Other data validation projects are planned, and SEVP will e-mail SEVIS users and post a notice on the SEVIS message board describing this effort.

5. Automatic replacement of STEM OPT extensions with cap-gap extensions after H-1B petition approval

A member reported that a STEM OPT extension had been approved for a student in February, 2009. A company subsequently filed an H-1B petition on behalf of the student, which was approved in June, 2009 with an October 1, 2009 start date.

After the H-1B petition was approved, record of the student's STEM OPT extension was automatically removed in SEVIS, and replaced by a cap-gap extension, which shortened the student's OPT end date to 9/30/2009. In addition, although SEVIS does not show a STEM OPT extension, the student's record still appears on the "Students Requiring OPT Reporting" Alert list.

- Has this happened with other records? If so, has an SCR been made?

NAFSA summary of government response: This is a current problem and should be called in as a Help Desk ticket.

- Can you advise the SEVIS Help Desk to expect and approve requests for data fixes on this issue?
- It is unclear from the facts whether the [Report OPT Participation](#) link still appears in the student's record in these cases. What happens if the record is not corrected, and the DSO does not report OPT participation? Will the record automatically terminate for reason "Failure to Report while on OPT" 32 days after the reporting due date, as described in the SEVIS 6.0 training slides?

NAFSA summary of government response: SEVP will do additional research on this issue.

- What do you advise DSOs and students to do if this occurs in a record?

NAFSA summary of government response: Call the Help Desk and they will determine if a data fix is appropriate. Student will need to pick one option.

6. Clarification of data entry standards

NAFSA asked about differences between the [Data Integrity and Migration Fact Sheet](#) posted to the SEVP Web site on July 16, 2009 and the naming convention guidance used in [9 FAM Appendix F](#) (for example, on the use of hyphens in names), and for clarification on naming guidance for purposes of SEVIS I, and plans for how names will be treated in SEVIS II.

NAFSA summary of government response: It is SEVP's intent to conform with Dept of State naming standards as explained in the FAM as much as possible. SEVP and Booz Allen Hamilton are currently reviewing naming convention questions such as these in planning the SEVIS I to SEVIS II data migration process.

NAFSA will continue to follow up on this issue.

7. SEVIS II Digital Certificate Requirements

Schools planning to use batch processing will need to have a digital certificate that is a "non-federal Shared Service Provider certificate with medium assurance." However, members who contacted VeriSign to inquire about the cost of these certificates were told that more specific information was required. Can SEVP provide the additional information needed so that batch schools can accurately estimate costs for the digital certificates needed?

NAFSA summary of government response: This type of certificate is not currently available through VeriSign as a stand-alone item; it is currently bundled with other products that will not be needed for SEVIS purposes. SEVP has met with VeriSign regarding offering this certificate on its own instead of with a bundle. Pricing on a stand-alone product is not yet available. SEVP will post updates on the Yahoo groups batch listserv [<http://groups.yahoo.com/group/sevisiibatch/>] when available. SEVP also said that they are exploring the use of a single certificate by schools related through common ownership or school system. NAFSA also asked if they would also consider use of a single certificate for vendors who use multiple servers for testing batch products.

8. SEVIS Chargeback fees

Issue 1. Members have reported that the letters students receive regarding the chargeback fee tells them that they may pay via Western Union, but as was discussed in the [July SEVP conference call](#), Western Union cannot be used to submit payment of the old fee amount anymore.

- Can the letter be updated to reflect this?

NAFSA summaries do not constitute legal advice.

NAFSA summary of government response: Reference to Western Union is being taken out of new letters.

Issue 2. Members have noted that several of their students who are receiving the chargeback letters are from countries other than Ghana, Nigeria, Cameroon and Kenya.

- Can SEVP discuss this?
- Could SEVP confirm that chargeback letters are sent to all students in this situation, regardless of the student's country of citizenship?

NAFSA summary of government response: Although these countries represent the vast majority of countries affected, it is not limited to these countries.

Issue 3. There have been some reports that students who have paid the I-901 fee with their own credit card have received charge-back letters, but when they check with their bank, there is no record that a refund had been made to their card.

- How are refunds made?
- If a student believes that he or she received a charge-back letter in error, what can he or she do?

NAFSA summary of government response: The process must be initiated by the credit card holder, who must submit an inquiry via email to SEVP.

9. CLAIMS/SEVIS interface (M-1)

A member reported an apparent problem with the interface between CLAIMS and SEVIS for M-1 records. When an I-539 or I-765 is submitted for an M-1 student, SEVIS does not update from "requested" to "pending" to "approved" based on data from CLAIMS. Instead, the DSO must request a correction, which generally requires a letter of explanation in addition to documentation of receipt of the approval.

- Is this a widespread problem and should DSO's at M-1 schools expect to continue to have to follow this process of requesting corrections?

NAFSA summary of government response: This is a known problem that affects such cases. SEVP receives updates from CLAIMS only in a couple of cases. When CLAIMS System 3.1.2 is released in October, this issue should be resolved. Until this update, P/DSOs must open a SEVIS Help Desk ticket to fix the record.

- If so, is there any way to streamline the process, perhaps by eliminating the need for a letter of support from the school if the school is already providing documentation of approval?

NAFSA summary of government response: A letter from the school is a necessary part of the process.

10. Handling of some SEVIS Help Desk tickets

Members have reported changes to the way that some SEVIS Help Desk tickets are being handled. Resolution email messages are sent, but the issue has not been resolved in SEVIS. When calling the SEVIS Help Desk to inquire, one member was told that the case was still being "tracked" in the system, but that the DSO would not be notified when the case was resolved. Instead, the DSO should call the Help Desk and select the option for a ticket status update in order to know the status of the case. The Help Desk noted that the case was still being worked by Tier 2. This is a change from the previous policy, where resolution email messages were only sent in the case that the ticket was truly resolved.

- Could SEVP provide clarification on this change in the handling of Help Desk tickets?

NAFSA summary of government response: Resolution emails should only be sent out if the issue is resolved. If the member received a resolution email, this was incorrect. SEVP has made the Tiers aware of this issue and it should be corrected.

- Will Tier 2 notify DSOs when the ticket has been resolved or will DSOs be required to phone the Help Desk to know if a ticket has been resolved?

NAFSA summary of government response: The DSO should receive an official email stating issue is resolved.

11. Confusing language on OPT checklist

The March, 2009 [OPT Checklist](#) posted on the SEVP Web site contains a reminder that “F-1 status is dependent upon full-time employment or volunteer service while on post-completion OPT.” Members have reported that use of the term “full-time” is confusing, because the common understanding of that term is a 35-40 hour work week. Neither the regulation nor SEVP policy guidance use the term “full-time.” 8 CFR [214.2\(f\)\(10\)\(ii\)\(E\)](#) states, “During post-completion OPT, F-1 status is dependent upon employment,” and SEVP Policy Guidance [7.2.1] states that “Students may work part time (at least 20 hours per week when on post-completion OPT) or full time.”

- Can the word “full-time” on the OPT Checklist be removed? A possible alternative phrase could be “adequate employment.”

NAFSA summary of government response: This is a good suggestion. SEVP will consider making this edit.