

What is SEVIS?

Answer: The Illegal Immigration Reform and Immigrant Responsibility Act (i.e., IIRIRA) of 1996 has required U.S. educational institutions to maintain information (e.g., name, biographical data, address, enrollment date, field of study, requirement fulfillment, disciplinary actions, etc.) used to process and track all foreign students and exchange visitors during their stay in the United States. In the past, this was a decentralized and paper-driven system. SEVIS was created to automate and centralize this data. The Immigration and Naturalization Service was required by the USA PATRIOT Act of 2001 to implement SEVIS by January 1, 2003. Additionally The Enhanced Border Security and Visa Entry Reform Act of 2002 adds to and clarifies the requirement to collect information on all foreign students and exchange visitors. Congress mandated August 1, 2003 as the deadline for all new and continuing students and exchange visitors to be entered in SEVIS.

Responsibility for SEVIS was officially transferred from the former INS to the new Department of Homeland Security (i.e., DHS), where it specifically resides in the Bureau of Investigations and Customs Enforcement (i.e., ICE).

Note that although the Family Educational Rights and Privacy Act (i.e., FERPA) restricts the ability of an educational institution that accepts certain Federal funding to disclose personal information contained in a student's educational record, section 641 of IIRIRA permits ICE to waive FERPA to the extent necessary to implement SEVIS and therefore FERPA will not apply to the information collected under SEVIS.

Institutions must use SEVIS to allow foreign students and exchange visitors to enroll at their institution. Penalties for not complying with SEVIS requirements impact the student and exchange visitor in the following ways:

SEVIS requires the institution **to terminate** a foreign student's or exchange visitor's legal status in the USA for the following reasons:

- Failure to register as a full-time student by the end of the add/drop period
- Failure to request permission **IN ADVANCE**:
 - To change your program of study
 - For any type of employment off campus
 - To drop below full-time enrollment
- Failure to meet timely obligations:
 - Requesting Optional Practical Training

- Requesting a program extension, if necessary
 - Reporting completion of studies earlier than date stated on I-20
 - Reporting new local address within 10 days of change
 - Failing to enroll for the Fall or Spring semester
- **Termination** will also occur for the following reasons:
 - Unauthorized withdrawal from the University or failure to attend classes
 - Suspension, expulsion or other University disciplinary action as warranted
 - Inappropriate transfer from another institution
 - Authorized withdrawal from the University
 - Illegal and/or unauthorized employment
 - Absence from the USA for more than 5 months