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NOTICE

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ICE Guidance on COVID-19

Introduction

U.S. Immigration and Customs Enforcement (ICE) is working closely with the Department of Homeland Security (DHS) and other federal, state, and local agencies to facilitate a speedy, whole-of-government response in confronting Coronavirus Disease 2019 (COVID-19), keeping everyone safe, and helping detect and slow the spread of the virus. We know that during this time there are a lot of questions about how interactions with ICE officers are being impacted during this public health crisis. The public, media, family members with those in custody, and all other stakeholders are encouraged to revisit this site as often as possible for any updates to this extremely fluid situation.

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GENERAL

IMMIGRATION ENFORCEMENT and CHECK-INS

DETENTION

VISITATION AT DETENTION FACILITIES

REMOVALS

NONIMMIGRANT STUDENTS

What guidance has SEVP issued to nonimmigrant students and schools?

The Student and Exchange Visitor Program (SEVP) has issued the following guidance to stakeholders:

- January 2020: [PDF](#)
- March 2020: [PDF](#)

Can nonimmigrant students participate in online classes?

SEVP is committed to remaining flexible in allowing schools to make temporary procedural adaptations so nonimmigrant students can continue to make normal forward progress in their program of study. They can temporarily engage in distance-learning, either from within the U.S. or outside the country, in light of COVID-19. SEVP will provide updated guidance as additional information concerning the scope and length of this situation becomes clearer.

Do schools need to notify SEVP of procedural adaptations?

Yes, schools need to notify SEVP of these adaptation within 10 days. SEVP included notification instructions with guidance to SEVP-certified schools. That guidance can be found [here](#), [PDF](#)

Can nonimmigrant students participate in online classes from outside the U.S. and still maintain their nonimmigrant status?

Yes, nonimmigrant students can temporarily engage in distance-learning, either from within the U.S. or outside the country, in light of COVID-19. SEVP will provide updated guidance as additional information concerning the scope and length of this situation becomes clearer. More information can be found [here](#), [PDF](#)

Will students be able to return to the United States if they are continuing their studies outside of the country as a result of COVID-19?

Students who continue to make normal progress in their course of study remain eligible for admission into the United States. However, because of the changing array of travel restrictions, nonimmigrant students should refer to their local embassy's website through the [U.S.](#)

Broadcast Message: Coronavirus Disease 2019 (COVID-19) and Potential Procedural Adaptations for F and M nonimmigrant students

To: All SEVIS Users

Date: March 9, 2020

Supersedes: Broadcast Message: 2019 Novel Coronavirus and Potential Procedural Adaptations for F and M nonimmigrant students; Jan. 29, 2020; Number 2001-05

Number: 2003-01

General Information

The Student and Exchange Visitor Program (SEVP) continues to monitor developments with the Coronavirus (COVID-19). Concurrent with other federal agencies, SEVP provides the following information.

SEVP-certified schools should advise students traveling from countries impacted by COVID-19 to refer to guidance from the Centers for Disease Control and Prevention (CDC), U.S. Department of State and U.S. Customs and Border Protection for specific port-of-entry screening processes, as well as any travel restrictions.

SEVP-certified Schools and F and M Students

SEVP-certified schools may need to adapt their procedures and policies to address the significant public health concerns associated with the COVID-19 crisis. To ensure that SEVP is able to continue to meet its oversight responsibilities, attached is a template to be used in reporting COVID-19 procedural adaptations to SEVP. In evaluating these changes, SEVP is focused on ensuring that nonimmigrant students are able to continue to make normal progress in a full course of study as required by federal regulations. SEVP intends to be flexible with temporary adaptations. In all cases, schools and students should document any decisions made and be able provide this information to SEVP upon request. Similarly, changes to workplace requirements may impact nonimmigrant students engaging in practical training. SEVP encourages such students to consult with their employer to seek alternative ways to maintain employment, such as teleworking or other arrangements.

SEVP recognizes that the COVID-19 crisis is fluid and rapidly changing. For that reason, SEVP is not requiring prior notice of procedural adaptations, leaving room for schools to comply with state or local health emergency declarations. However, as noted in the Appendix, SEVP must be notified of procedural adaptations within ten business days of the change.

This guidance applies to students who are currently enrolled in a program of study and is not intended for new or initial students who are outside the United States.

SEVP is monitoring this situation closely. The program will supplement this guidance with additional information and will adjust guidance as needed.

Comments

To comment on this Broadcast Message, please email SEVP@ice.dhs.gov with “Broadcast Message 2003-01 Comment” entered in the subject line.

Disclaimer

This Broadcast Message is not a substitute for applicable legal requirements, nor is it itself a rule or a final action by SEVP. It is not intended to, does not, and may not be relied upon to create any right or benefit, substantive or procedural, enforceable at law by any party in any administrative, civil or criminal matter.



Appendix 1: COVID-19 Impact on School Operations

Instruction:

SEVP recognizes that schools are updating their emergency operations plans to minimize the potential impact of COVID-19 on the school. If a school determines that it will exercise temporary closure or make other significant operational or curricular changes, the school must advise SEVP of accommodations it is making for its F and M nonimmigrant population.

Schools must provide SEVP notice of the requested information below within 10 business days of the date of the decision to initiate the operational change.

Please send the required information detailed below to the SEVP Response Center at SEVP@ice.dhs.gov. In the subject line, please include "COVID-19 School Operations [School code]."

Submissions to SEVP should include the following information:

- School name and all physical locations affected by the changes
- School code

If planning to provide online instruction:

- Mode and classroom setting (i.e., computer lab, students with laptops in a classroom connected to Wi-Fi, etc.)
- How the school will seek to provide oversight of these students
- The names of programs of study and classes that will be taught online
- Projected length of time for online instruction

If planning to provide instruction at an alternate physical location:

- Addresses of physical locations where students will be studying
- How the school will:
 - Offer instruction
 - Provide student oversight
 - Adequately offer DSO services to students
 - Seek to ensure students maintain a full course of study
 - Projected length of time for alternate instruction

SEVP maintains the right to conduct out-of-cycle reviews to ensure compliance with all recordkeeping and reporting requirements consistent with implementation of any approved plan.



COVID-19: Guidance for SEVP Stakeholders

March 13, 2020

As follow up to the guidance issued by SEVP on Monday, March 9, 2020, concerning the COVID-19 situation, there have been inquiries concerning the proper status for students in SEVIS who may have face slightly different scenarios related to emergency procedures implemented by SEVP-certified learning institutions:

Scenario 1: A school completely closes and does not have online courses or other alternate learning procedures.

Response: If a school closes temporarily without online instruction or other alternative learning procedures, the students should remain in active status in SEVIS so long as the students intend to resume their course of study when classes resume. This is similar to short-term breaks in the school calendar when classes are not in session. Schools must notify SEVP of COVID-19 procedural changes within 10 business days.

Scenario 2: A school temporarily stops in-person classes but implements online or other alternate learning procedures and the nonimmigrant student remains in the United States

Response: If a school closes temporarily but offers online instruction or another alternative learning procedure, nonimmigrant students should participate in online or other alternate learning procedures and remain in active status in SEVIS. Schools must notify SEVP of COVID-19 procedural changes within 10 business days. Given the extraordinary nature of the COVID-19 emergency, SEVP will allow F-1 and/or M-1 students to temporarily count online classes towards a full course of study in excess of the limits stated in 8 CFR 214.2(f)(6)(i)(G) and 8 CFR 214.2(m)(9)(v). This temporary provision is only in effect for the duration of the emergency and in accordance with the procedural change documents filed in a timely manner to SEVP.

Scenario 3: A school temporarily stops in-person classes but implements online or other alternate learning procedures and the nonimmigrant student departs the United States

Response: If a school closes temporarily but offers online instruction or another alternative learning procedure, nonimmigrant students should participate in online or other alternate learning procedures and remain in active status in SEVIS. Schools must notify SEVP of COVID-19 procedural changes within 10 business days. Given the extraordinary nature of the COVID-19 emergency, SEVP will allow F-1 and/or M-1 students to temporarily count online classes towards a full course of study in excess of the limits stated in 8 CFR 214.2(f)(6)(i)(G) and 8 CFR 214.2(m)(9)(v), even if they have left the



United States and are taking the online classes from elsewhere. This temporary provision is only in effect for the duration of the emergency and in accordance with the procedural change documents filed in a timely manner to SEVP.

NOTE: Due to the fluid nature of this difficult situation, this guidance may be subject to change. SEVP will continue to monitor the COVID-19 situation and will adjust its guidance as needed.