



SEVP Policy Guidance S13.1: Conditional Admission

Issue Date: July 13, 2016

Effective Date: July 13, 2016

Supersedes: N/A

Status: Final

Applicable to: *8 CFR 214.3(k)*

Purpose/Background: This guidance interprets the Form I-20, “Certificate of Eligibility for Nonimmigrant Status,” issuance regulation for prospective F-1 and M-1 students¹ (*8 CFR 214.3(k)*) to guide SEVP adjudicators.

Attachments: None.

Definitions:

1. **Conditional admission.** An agreement between a school and a student to tentatively admit the student into a program of study for which the student does not meet all standards for admission. This agreement is contingent upon the student successfully meeting a school-specified set of supplemental conditions intended to fully qualify the student for the program.
2. **Standards for admission.** A set of established criteria that a prospective student must meet in order to gain admittance unconditionally to a program of study at a school.²

Acronyms:

1. **CFR.** Code of Federal Regulations
2. **DSO.** Designated school official
3. **SEVIS.** Student and Exchange Visitor Information System
4. **SEVP.** Student and Exchange Visitor Program

Policy:

1. **Prohibition of Form I-20 issuance.** SEVP regulation prohibits the issuance of a Form I-20 based on conditional admission. DSOs can only issue a Form I-20 when students have met all

¹ This guidance pertains only to F-1 and M-1 students, not F-2 or M-2 dependents. All use of the term “student(s)” in the guidance refers to F-1 and M-1 student(s).

² School officials must report admission requirements on the school’s Form I-17, “Petition for Approval of School for Attendance by Nonimmigrant Student.”

standards for admission for the program of study listed on the Form I-20.³ These standards for admission include any English proficiency requirements.

2. **Form I-20 issuance.** DSOs must correctly issue a Form I-20, including completion of the English proficiency field, with the DSO's signature under the "School Attestation" section (see footnote 3). By doing so, the DSO certifies the following (see footnote 3):
 - All information is accurate
 - The student has submitted a written application to the school
 - The school has received, reviewed and evaluated the following student documents:
 - Written application
 - Transcripts or other records of course taken
 - Proof of financial responsibility
 - Other supporting documents
 - All information reflects the program for which the student gained admittance. The student's qualifications meet all standards for admission
 - The official responsible for admissions has accepted the student for enrollment into the program of study
3. **Recordkeeping and reporting.** The student's record must contain evidence that the student has met all standards for admission, including English proficiency requirements.⁴ SEVP may request these records at any time. A school must report its admissions policies and requirements, including any English language proficiency requirements on the Form I-17⁵ and when submitting a program update.⁶
4. **Adverse action.** SEVP may deny a school's recertification or withdraw a school's SEVP certification on notice for failure to comply with applicable statutes and regulations related to SEVP certification, or with the admissions policies stated on the school's Form I-17.

References:

1. *8 CFR 214.3(g)(1)(x)*
2. *8 CFR 214.3(h)(3)(ii)*

³ *8 CFR 214.3(k)*

⁴ *8 CFR 214.3(g)(1)(x)*

⁵ See SEVIS field 16.

⁶ *8 CFR 214.3(h)(3)(ii)*

3. *8 CFR 214.3(k)*

4. *8 CFR 214.3(k)(3)-(4)*

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Signed by Rachel Canty on July 13, 2016
Deputy Director, External Operations
Student and Exchange Visitor Program