
Summary: Supplementary Guidance on COVID-19 and Fall 2020 for F-1 Students from the Student and Exchange Visitor Program (SEVP)

On July 24, 2020, the Department of Homeland Security's Immigration and Customs Enforcement (ICE) issued further guidance regarding Fall 2020 enrollment requirements for F-1 students, with particular focus on clarifying options for new students in Initial SEVIS status. Following the court ruling on July 14, ICE rescinded its previous guidance of July 6 and related FAQs of July 7, and reverted to its previous guidance surrounding the COVID-19 crisis from March 9, 2020. However, that document did not address some key operational needs for schools and F-1 students beginning a new academic program, so the current announcement provides further clarification on such issues.

While we are still seeking clarification on specific nuances of the announcement, below are key points from the July 24th release. It is important to remember the University of Rochester will deliver multiple modes of instruction for Fall 2020, including a combination of in-person and online, which places the university within the framework of this guidance.

F-1 regulation distinguishes between new/initial and continuing students. In student visa terms, new students on an Initial I-20 are those who don't currently have immigration status. Continuing students include those currently at our institution, those who are transferring from another institution in the US, as well as those outside the US who are still in status.

For new F-1 students with 'Initial' records in SEVIS

- DHS/ICE guidance will allow academic institutions to issue Initial I-20s to newly admitted students who plan to enter the US to enroll in a program of study at an institution that offers in-person and online courses. Academic institutions are not allowed to issue Initial I-20s to newly admitted students who plan to enter the US to study fully online.
- New F-1 students who are able to arrive in the US and pursue their academic program via both in-person and online study are able to exceed the standard limitations on distance education, meaning they can count more than 1 fully online course toward their full-time enrollment threshold (provided some study is still in-person).
- After arrival to the US in F-1 status and the SEVIS record is reported in Active status, new students may remain in the US if the academic institution transitions to a fully online delivery model later in Fall 2020. If that becomes necessary, students in Initial status may not enter the US after instruction has transitioned to a fully online format.
- No remark is necessary on the Form I-20 to designate the student's program of study as a combination of in-person and online components, and such documents can continue to be issued electronically.

For continuing F-1 students with 'Active' records in SEVIS

- As was the case in Spring/Summer 2020, continuing F-1 students with an Active SEVIS record may take courses fully online in Fall 2020 and maintain their F-1 status by enrolling full-time from within the US or from abroad. They may remain in the US if the academic institution transitions to a fully online delivery model later in the term.
- Continuing F-1 students who enroll fully online from outside the US should have the following notation added to their SEVIS record: "Outside the U.S. due to COVID-19." This remark does not need to be printed on the I-20.
- Current F-1 students beginning a new program of study within the US (SEVIS Transfer or Change of Level) may enroll fully online, provided they comply with school requirements to report their SEVIS record in Active status.
- No enrollment remark is necessary on the Form I-20 and they can continue to be issued electronically.

NOTE: Eligibility for a US visa (F-1 or other) is determined by the US Department of State (DOS) and not the US Department of Homeland Security (DHS) or ICE's Student and Exchange Visitor Program (SEVP). While DHS and SEVP set the guidelines around the issuance of Forms I-20, which documents eligibility for the F-1 student category, it is ultimately the decision of a DOS official working at a U.S. Embassy or Consulate abroad whether or not to grant a visa for entry to the US.

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The Office for Global Engagement and the International Services Office (ISO) is monitoring developments and liaising with the appropriate units within the university, federal agencies, and associations to bring you the latest information promptly. Please visit the ISO website at <https://www.iso.rochester.edu/covid19info.html> for updated information on this issue and other developments for Fall 2020. If you have any concerns or questions, please contact Ravi Shankar, Assistant Vice Provost and Director International Services Office, at ravi.shankar@rochester.edu, or Stephanie Krause, Associate Director of Student Services, at stephanie.krause@rochester.edu.