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

On July 6, 2020, the Department of Homeland Security’s Immigration and Customs Enforcement (ICE) issued new guidance modifying the temporary exceptions previously released in March of this year. Due to COVID-19, the Student and Exchange Visitor Program (SEVP) had instituted a policy allowing schools to modify their academic operations as needed for this spring and summer, especially in regards to distance education limits. The policy permitted nonimmigrant students to take more online courses than normally allowed for purposes of pursuing a full course of study from a variety of locations and maintaining their F-1 and M-1 status during the onset of the pandemic.

However, according to the revised guidance effective for Fall 2020, ICE/SEVP have determined that:
- International students will not be allowed to maintain their F-1 or M-1 status within the US while enrolled only in an online course load,
- US Department of State will not issue student visas for study that is fully online, and
- US Customs and Border Protection will not permit entry to the country for online study.

Instead, student permissions and requirements are based on the institution’s mode(s) of instructional delivery for Fall term. Detailed recordkeeping and individualized SEVIS reporting will be essential to this effort.

At the University of Rochester, institutional plans for a mix of online and in-person instruction indicates that F-1 students physically present in the US must engage in study that is not entirely online but may exceed the standard limit of only 1 class or 3 credits online, as needed. This is true both for current F-1 students returning to UR and those F-1 students who are new to UR and are able to travel physically to Rochester for the fall term. The International Services Office will need to update SEVIS and issue a new Form I-20 for such students, certifying that:
- The program as listed on the F-1 student’s Form I-20 is not entirely online, and
- The student is not taking an entirely online course load for the Fall 2020 semester, and
- The student is taking the minimum number of online classes required to make normal progress in their program

NOTE: After the Fall 2020 semester begins, if an F-1 student in the US switches to an entirely online course load, they cannot remain in the US in valid F-1 status and must immediately make arrangements to depart the country.

For current F-1 students who will remain full-time enrolled from abroad for the Fall 2020 semester, some uncertainty remains based on the guidance and SEVP’s initial clarifying language. ISO will continue to monitor this issue to determine whether our office can maintain SEVIS records for such students, with appropriate notation regarding study from outside the US. Similarly, for new F-1 students who will not be able to arrive in Rochester in time to begin their studies in August, ISO is monitoring implications for remote study, late arrival, and/or deferral to the spring 2021 semester. These options will likely carry different individual reporting requirements and potential benefits.

As new information and FAQs are published from SEVP, the ISO will provide updates. We are working to analyze this information and develop tools that will assist our F-1 students and UR departments in making appropriate academic plans for Fall 2020.

Please look for more on the University’s response to this guidance, as well as details about our next Virtual Town Hall to cover this topic: https://iso.rochester.edu/covid19info.html.