Overview

Broadcast Message 2007-02: Follow-up: ICE continues March Guidance for Fall School Term

Broadcast Message: Follow-up: ICE continues March Guidance for Fall School Term
To: All SEVIS Users
Date: July, 24, 2020
Number: 2007-02

General Information
Active F and M students, as well as schools certified by the Student and Exchange Visitor Program (SEVP) should abide by SEVP guidance originally issued in March 2020. The guidance enables schools and students to engage in distance learning in excess of regulatory limits due to the public health emergency generated by COVID-19. The March 2020 guidance applies to nonimmigrant students who were actively enrolled at a U.S. school on March 9, 2020, and are otherwise complying with the terms of their nonimmigrant status, whether from inside the United States or abroad. SEVP will not issue a temporary final rule impacting F and M students for the fall school term.

Summary of March 2020 Guidance for Continuing Students
As stated in the March 2020 guidance, Active F and M students will be permitted to temporarily count online classes towards a full course of study in excess of the regulatory limits stated in 8 C.F.R. § 214.2(f)(6)(i)(G) and 8 C.F.R. § 214.2(m)(9)(v). The March 2020 guidance applies to continuing F and M nonimmigrant students who were in valid F-1 or M-1 nonimmigrant status on March 9, 2020, including those previously enrolled in entirely online classes who are outside of the United States and seeking to re-enter the country this fall. Students actively enrolled at a U.S. school on March 9, 2020, who subsequently took courses online while outside of the country can re-enter the United States, even if their school is engaged solely in distance learning.

Summary of March 2020 Guidance for Initial Students
In accordance with March 2020 guidance, F and M students in new or initial status after March 9, 2020, will not be able to enter the United States to enroll in a U.S. school as a nonimmigrant student for the fall term to pursue a full course of study that is 100 percent online. Also consistent with the SEVP Broadcast Message dated March 9, 2020, designated
school officials should not issue a Form I-20, “Certificate of Eligibility for Nonimmigrant Student Status,” for a student in new or initial status who is outside of the United States and plans to take classes at an SEVP-certified educational institution that is operating 100 percent online.

Additional Information
Stakeholders can refer to SEVP’s current policy guidance and frequently asked questions at ICE.gov/Coronavirus, under the Nonimmigrant Students and SEVP-certified Schools header:


SEVP recently updated its frequently asked questions with information to clarify the application of the March 2020 guidance to the fall 2020 semester and will continue to update these resources with the latest information and guidance for stakeholders. The program will continue to provide updates to the academic community through our communication channels, including Broadcast Messages, SEVP field representatives, Study in the States blog posts and social media. Stakeholders should continue to refer to the Centers for Disease Control and Prevention (CDC), Department of State and U.S. Customs and Border Protection for the latest COVID-19 information, specific port-of-entry screening processes, as well as any travel restrictions.

I. Applicability:

<table>
<thead>
<tr>
<th>Student in valid F-1 status on March 9, 2020</th>
<th>Student Inside or Outside the U.S. by October 8, 2020</th>
<th>SEVIS Record Status before Fall 2020 SEVIS Registration (Active or Initial)</th>
<th>Follow procedure...</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>Inside the U.S.</td>
<td>Active</td>
<td>A</td>
</tr>
<tr>
<td>Yes</td>
<td>Inside the U.S.</td>
<td>Initial</td>
<td>A</td>
</tr>
<tr>
<td>Yes</td>
<td>Outside the U.S.</td>
<td>Active</td>
<td>B</td>
</tr>
<tr>
<td>Yes</td>
<td>Outside the U.S.</td>
<td>Initial</td>
<td>D</td>
</tr>
<tr>
<td>No</td>
<td>Inside the U.S.</td>
<td>Initial</td>
<td>C</td>
</tr>
<tr>
<td>No</td>
<td>Inside the U.S.</td>
<td>Active</td>
<td>C</td>
</tr>
<tr>
<td>No</td>
<td>Outside the U.S.</td>
<td>Initial</td>
<td>D</td>
</tr>
<tr>
<td>No</td>
<td>Outside the U.S.</td>
<td>Active</td>
<td>Follow standard regulatory procedures</td>
</tr>
</tbody>
</table>

II. Procedure: Moderate Alert Protections in Place

A. Procedure A
1. Student will have no in-person course attendance requirements for Fall 2020. They may take as many online courses as they wish.
2. Students will still be required to be enrolled in a full course of study
i. Full course of study: 12 credits undergraduate/9 credits graduate (6 with an assistantship)

3. **Deadline: October 8 2020**: Students will need to be registered in SEVIS

B. **Procedure B**
1. Student may keep their SEVIS record Active as long as they are enrolled in a full course of study
   i. Full course of study: 12 credits undergraduate/9 credits graduate (6 with an assistantship)
   ii. Student must have this remark in SEVIS: “Outside the United States due to COVID-19”
   iii. **Deadline: October 8 2020**: Students will need to be registered in SEVIS
1. A student who does not wish to enroll in a full course of study will have their SEVIS record terminated. (Although they may continue enrollment at any number of course credits)
   i. **Deadline: October 8 2020**: Students who remain outside the U.S. will have their SEVIS Record terminated for “Authorized Early Withdrawal”
      1. Students may request that the DSO reactivate their record, as long as they plan to start a full course of study before March 8 2020 (5 months).
         a. If a student does not return to the U.S. for this date, they will need to apply for a new I-20 and will have to be present in the U.S. under this new SEVIS record for one full academic year before participating in CPT or OPT.

C. **Procedure C**
1. Student will **not be allowed** to take a 100% online course load and be present in the U.S.
   i. Students will be required to enroll in a minimum of 1 class with an in-person component (This can be a Hyflex, Standard In-Person, Modified Tutorial or Hyflex with Attendance Modulation course).
   ii. It is the students’ responsibility to ensure that they attend class with an in-person component
2. Student will be required to be enrolled in a full course of study
   i. Full course of study: 12 credits undergraduate/9 credits graduate (6 with an assistantship)

3. **Deadline: October 8 2020**: Students need to be registered in SEVIS

D. **Procedure D**
1. Theresa is reissuing initial I-20s with the following remark: “UWO will be adopting a hybrid course delivery model for Fall 2020. Some course sections will be traditional in-person courses while others may be delivered using a HyFlex model, which incorporates a mix of in-person and remote learning.”
2. Student may enroll in university classes while present outside the U.S.
   i. Student may NOT be registered in SEVIS, and the I-20, if already issued, must be deferred
      1. **Deadline: September 30 2020**: I-20 must be deferred within 30 days of Program Start Date or record with auto-complete
2. If student defers until Spring 2021 and does not wish to take online courses for Fall 2020, they will need to contact Admissions and receive a deferred Admit letter. After this letter is issued, the I-20 can be deferred
3. If student defers their I-20 to Spring 2021 but wishes to take online courses for Fall 2020 (no min/max), Theresa will defer their I-20 with the following remark: “Student will be taking online courses through UWO for Fall 2020. Student plans to take in-person classes in the U.S. starting Spring 2021.”
   a. Student should be advised to bring an enrollment verification/transcript for Fall 2020 to the visa interview
   ii. Student may be enrolled in any number of courses while present outside the U.S.

III. Procedure Modifications: Very High Alert
1. If UWO moves to 100% online instruction:
   a. All F-1 students will be considered in-status if UWO moves to 100% online instruction, as long as they maintain their status in all other ways
   b. **Deadline: Within 10 days of Operational Change**: PDSO (Jenna Graff) will complete an operational change plan and submit to SEVP: SEVP@ice.dhs.gov

IV. Procedure Modifications: High Alert
1. See “Very High Alert”

V. Procedure Modifications: Low Alert
1. N/A No change

VI. Guidance Documents/Policy Links:
• Fall 2020 FAQs: [https://www.ice.gov/doclib/coronavirus/covid19faq.pdf](https://www.ice.gov/doclib/coronavirus/covid19faq.pdf)

VII. Templates/Forms:

Definitions
• Online Courses, as defined in *8 CFR 214.2(f)(6)(i)(G)*:

For F-1 students enrolled in classes for credit or classroom hours, no more than the equivalent of one class or three credits per session, term, semester, trimester, or quarter may be counted toward the full course of study requirement if the class is taken on-line or through distance education and does not require the student's physical attendance for classes, examination or other purposes integral to completion of the class. An on-line or distance education course is a course that is offered
principally through the use of television, audio, or computer transmission including open broadcast, closed circuit, cable, microwave, or satellite, audio conferencing, or computer conferencing. If the F-1 student’s course of study is in a language study program, no on-line or distance education classes may be considered to count toward a student’s full course of study requirement.

VIII. Revision History:
Created: 08/14/2020
Revised/Reviewed: