



## Impact of SEVP/DHS July 6 Policy Modifications on VT International Students UPDATED JULY 10, 2020

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On July 6, the Student and Exchange Visitor Program (SEVP) within the US Department of Homeland Security (DHS) issued a [news release](#) announcing modifications to temporary exemptions for nonimmigrant students taking online courses during Fall 2020 semester. Additional details were outlined in the related "[Broadcast Message Number 2007-01: COVID-19 and Fall 2020](#)."

In the near future, DHS will be publishing a Temporary Final Rule in the Federal Register codifying the procedures and responsibilities outlined in the Broadcast Message. If the Temporary Final Rule alters any of the information below, Cranwell International Center will update the guidance at that time.

Please review the information below carefully, including the **ACTION(S) REQUIRED** that **must be completed by August 4, 2020**. Failure to complete the required actions in a timely manner may result in serious consequences for your nonimmigrant status in the United States (US).

### BACKGROUND AND CONTEXT

Temporary exemptions to online courses permitted by SEVP/DHS were put in place for Spring 2020 during the initial height of the COVID-19 pandemic. The temporary exemptions allowed international students in F-1 nonimmigrant visa status who were physically present in the US to be enrolled 100% in online courses and still maintain their lawful status in the US. While this specific exemption will no longer be allowed, **it is important to note that SEVP/DHS is still allowing other exemptions in order to provide flexibility to schools and nonimmigrant students, depending on the school's operational plans for Fall 2020** (e.g., schools operating under normal in-person classes, schools operating entirely online, and schools operating under a hybrid model—that is, a mixture of online and in-person classes).

As indicated in President Sands' announcement on June 8 regarding Virginia Tech's operational plans for Fall 2020, and as outlined in detail on the [VTReady website](#), Virginia Tech **will offer a mix of in-person, online, and hybrid courses for Fall 2020**. This means that Virginia Tech falls under the following category outlined in the SEVP/DHS modifications:

**Students attending schools adopting a hybrid model—that is, a mixture of online and in person classes—will be allowed to take more than one class or three credit hours online. These schools must certify to SEVP, through the Form I-20, "Certificate of Eligibility for Nonimmigrant Student Status," that the program is not entirely online, that the student is not taking an entirely online course load for the fall 2020 semester, and that the student is taking the minimum number of online classes required to make normal progress in their degree program.**

### IMPLICATIONS FOR INTERNATIONAL STUDENTS AT VIRGINIA TECH

1. International students who have applied for or are currently engaged in post-completion Optional Practical Training (OPT) or STEM Extension OPT are *not* subject to the modifications outlined in the SEVP/DHS announcement. There are no changes and no action is required.
2. International students who are currently engaged (or plan to be engaged Fall semester) in Curricular Practical Training (CPT) may or may not be impacted by the modifications outlined in the SEVP/DHS announcement. Students should reach out to an International Student Advisor in Cranwell International Center to discuss your specific situation.



3. International students who are *not* physically present in the US are not considered to be in F-1 nonimmigrant visa status and are, therefore, not subject to the new policy that restricts online enrollment. Students outside the US have always had the ability to enroll solely online (with few exceptions for countries subject to comprehensive US sanctions), and this is not changing. Students will need to work with their academic advisor and/or department regarding online options available to them from outside the US.

*NOTE: International students in F-1 nonimmigrant visa status who are not physically present in the US as of the last day to add/drop on August 28 will have their SEVIS records terminated for “Authorized Early Withdrawal” even if they are enrolled full-time in VT online courses from wherever they are outside of the US. Per federal regulations, termination will take place within 21 days following the last day to add/drop. When you are ready to return to the US, please reach out to an International Student Advisor in Cranwell International Center regarding the process. If you are outside of the US for less than five months, the International Student Advisor will work with you and SEVP/DHS to seek to reactivate your current SEVIS record so you may re-enter with your current Form I-20 (reactivation is subject to SEVP/DHS discretion and is not guaranteed). If you are outside of the US for more than five months, or if SEVP/DHS will not reactivate your current SEVIS record, the International Student Advisor will be required to issue you a new “Initial Attendance” Form I-20 to facilitate your re-entry to the US, and you will be required to pay the [I-901 SEVIS Fee](#) again. Please consult with your International Student Advisor at least 45 days prior to your anticipated date of your return to the US. Also, please be aware that your time outside of the US, particularly if it is more than 5 months, may impact your eligibility in the future for various employment authorization types including CPT and OPT.*

4. International students in F-1 nonimmigrant visa status who are physically present in the US and enrolled at Virginia Tech for Fall 2020 are **not allowed to be enrolled 100% online**. Students enrolled 100% online must either update their enrollment to include an in-person and/or hybrid course (see below) or leave the US. Students enrolled 100% online after the last day to add/drop on August 28 will have their record in the Student and Exchange Visitor Information System (SEVIS) terminated for failure to maintain status.
5. International students who are physically present in the US and enrolled at Virginia Tech for Fall 2020 **must be enrolled full-time (12 credits for undergraduate students and 9 credits for graduate students) with at least one course (it can be 1-credit, 3-credit, etc.) being in-person or hybrid course. Students may be enrolled in more than one online course as long as the following certifications are documented in SEVIS and on a new Form I-20 issued by a Designated School Official (DSO) in Cranwell International Center by no later than August 4, 2020:**
  - a. The school is not operating entirely online;
  - b. The student is not taking an entirely online course load for Fall 2020; and
  - c. The student is taking the minimum number of online courses required to make normal progress in their degree program (this means that whenever possible, if an in-person or hybrid course is available, it should be taken rather than an online course, provided that the in-person course fits within your academic progress, your overall course schedule, etc.).

For *graduate* international students, please note that research, thesis, or dissertation credits are considered in-person (they are never coded as online or virtual), so they satisfy the requirement for enrollment in at least one “course” that is in-person or hybrid (while research is not a “course” in the traditional sense where students are sitting in a classroom, hearing lectures, taking exams, etc., and while the federal government often in its language does not overtly reflect these distinctions in the terminology they use, it is not a problem; that is the nature of graduate education and research; when a student enrolls in research credits they are enrolling in a “course”). It is important to note that while research credits do satisfy the requirement for enrollment in an in-person or hybrid course, graduate students must also still comply with federal regulations governing full-time enrollment. For graduate international students who have completed all required formal coursework and are engaged in research only, they



must still be enrolled in at least 9 credit hours (if they are not on an assistantship) and at least 12 credit hours (if they are on an assistantship).

*NOTE: The SEVP/DHS modifications note that “if a school changes its operational stance mid-semester, and as a result a nonimmigrant student switches to only online classes, or a nonimmigrant student changes their course selections, and as a result, ends up taking an entirely online course load, schools are reminded that nonimmigrant students within the United States are not permitted to take a full course of study through online classes...if nonimmigrant students find themselves in this situation, they must leave the country or take alternative steps to maintain their nonimmigrant status such as transfer to a school with in-person instruction.” While the Fall 2020 plan for Virginia Tech indicates that “the fall 2020 academic calendar has not been changed, with the exception of the eight instructional days after Thanksgiving break and final exams, which will be conducted entirely online,” this will not invoke the aforementioned provisions of the SEVP/DHS modifications since our institutional operational stance will still be hybrid, no students will be “switching to only online classes,” and no students will be “changing their course selections” relative to the last eight days of the semester.*

#### **ACTION(S) REQUIRED**

To facilitate the certification referenced in #5 above, which will require the reissuing of Forms I-20 for all international students (undergraduate and graduate) physically present in the US and enrolled at Virginia Tech for Fall 2020 (nearly 4,000 students), Cranwell International Center is developing an E-Form available via our online immigration services portal, [IntlHokies](#) (an abbreviation for International Hokies). *The E-Form will be available sometime the week of July 13, following the finalization of the timetable of classes indicating which classes will be offered in which mode of instruction (e.g., in-person, online, hybrid). Cranwell International Center will send a follow-up email to all international students when this E-Form is available for submission.*

**All international students in F-1 nonimmigrant visa status who are now, or will be, physical present in the US and enrolled at VT for Fall 2020 semester must complete an online E-Form through the IntlHokies immigration services portal confirming your plans for the Fall 2020 semester and attesting to your compliance with the modifications outlined above.**

The E-Form will require you to confirm whether you are currently physically present in the US and intend to remain in the US for Fall 2020 (or not). The E-Form will also require you to attest and confirm that you are enrolled or intend to enroll in at least one in-person or hybrid course for Fall 2020 (i.e., you are not taking an entirely online course load for Fall 2020) and that you are taking the minimum number of online courses required to make normal progress in your degree program (this means that whenever possible, if an in-person or hybrid course is available, it should be taken rather than an online course, provided that the in-person course fits within your academic progress, your overall course schedule, etc.). This information will be checked again following the last day to add/drop on August 28. If you are no longer in compliance with these attestations and certifications, an International Student Advisor will be required to terminate your record in SEVIS.

Once you have completed the E-Form, an International Student Advisor in Cranwell International Center will review the form and issue an updated Form I-20 for you with the following required annotation in the Remarks section:

*Issuance of this Form I-20 certifies that, for the Fall 2020 semester, Virginia Tech will not be operating entirely online, that this student will not be taking an entirely online course load, and that this student will be taking the minimum number of online classes required to make normal progress in their degree program.*

The updated Form I-20 will be issued, signed, and sent to you electronically.



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It is important to note that the information you input into the E-Form will undergo a final review and check following the last day to add/drop on August 28. If anything has changed at that time that renders you no longer in compliance with these attestations and certifications, an International Student Advisor will be required by federal regulations to terminate your record in SEVIS within 21 days.

If you have any questions, please reach out to Cranwell International Center via email ([international@vt.edu](mailto:international@vt.edu)), phone (+1.540.231.6527), or [schedule an online Zoom appointment](#) (undergraduate students can schedule online; graduate students need to call to schedule).