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ISO VIRTUAL FORUM: FALL 2020 DHS GUIDANCE *CONTINUING STUDENTS*

WEDNESDAY, JULY 22, 2020

11:00AM-12:30PM

Agenda

- USDHS Guidance for Fall 2020 – Current Perspectives
- Visa Processing at U.S. Embassies/Consulates
- Travel Bans/Restrictions
- Other Issues
- Additional Pre-Submitted Questions

This ISO Virtual Forum slides will be posted on the ISO website after the session. A recording of the Forum will be posted as soon as available.



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Before or After This Session, Please Review:

- ❑ ISO Update on USDHS Guidance posted on July 18, 2020
 - ❑ <https://iso.mit.edu/news/iso-updates-spring-2020/>
- ❑ Major Immigration Alerts & Updates
 - ❑ <https://iso.mit.edu/news-and-announcements/major-immigration-updates/>



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USDHS Guidance for Fall 2020 – Current Perspectives

- Reflects initial review
- Awaiting additional guidance/clarification from USDHS on certain issues



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J-1 Visa Holders

- USDHS guidance does NOT apply to J-1 visa holders
- U.S. Department of State Exchange Visitor Program, who oversee the J visa program, in June 25, 2020 guidance indicates that J-1 visa holders may NOT pursue fully online coursework in Fall 2020



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USDHS July 6 Guidance Rescinded

- USDHS/USICE rescinds July 6 DHS Guidance on Fall 2020 following MIT-Harvard lawsuit
 - <https://iso.mit.edu/news/usice-rescinds-july-6-guidance-on-international-students-and-online-learning/>
 - Would have required continuing students in F-1 status to depart the U.S. if principally in-person coursework could not be pursued



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DHS Guidance for Fall 2020

- Fall 2020 will be governed by continued March 2020 USDHS Guidance/FAQ for Spring and Summer 2020
- USDHS's guidance on these topics continues to evolve
- Colleges/universities are seeking further clarification, especially related to New/Transfer Students entering from abroad
- USDHS/Student and Exchange Visitor Program (SEVP) may provide new information, in which case, we will update the community once we receive and are able to review it.

The following initial takeaways are subject to update from USDHS



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Continuing Students

- Students who have already been inside the U.S. in F-1 or J-1 status pursuing their current MIT degree program
- Continuing Students whose F-1 or J-1 status (SEVIS record) is “ACTIVE” status may remain in or enter the U.S. and pursue in-person, hybrid, or fully online coursework
- Continuing MIT students in “ACTIVE” SEVIS status may also continue their studies full-time remotely/online from abroad while maintaining SEVIS status



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Student with Change of Visa Status Pending

- students inside the U.S. with pending Change of Status applications with U.S. Citizenship and Immigration Services (USCIS) may remain in the U.S. and pursue studies while their application is pending to F-1
 - ▣ All students with a pending Change of Status application must contact [ISO Advisor](#) to confirm any limitations on study based on current visa status
 - ▣ Employment (on- or off-campus employment) may not be allowed until Change of Status to F-1 is approved



Change of Degree Level

- Students inside the U.S., who have completed an MIT degree program and will be starting a new MIT degree program in Summer 2020 or Fall 2020, may remain in the U.S. and pursue in-person, hybrid, or fully online coursework
- (*Awaiting Clarification*) - Students outside the U.S., who completed an MIT degree and will start a new MIT degree program in Fall 2020, will have an “Change Degree Level” Form I-20 that is an initial status in SEVIS; may require majority coursework with in-person components rather than fully online in Fall 2020



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Transfer Students (New to MIT)

- Transfer Students, currently inside the U.S. in F-1 status who will begin their program of study at MIT in the Fall 2020 term—including those moving from high school or another university degree program to MIT—can remain in the U.S. and pursue in-person, hybrid, or fully online coursework
- (*Awaiting Clarification*) – Transfer Students currently outside the U.S. and would be entering the U.S. to begin their MIT program of study



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New Students

- *(Awaiting clarification)*
 - New Students with “Initial Attendance” Form I-20, who will begin their MIT degree program in Fall 2020, who are currently outside the U.S., may not be permitted to enter the U.S. if their program courseload is fully or mostly online
 - We will update our guidance on this issue as soon as possible.
 - For eligible students, the earliest entry to the U.S. is 30 days prior to the start date for the Fall 2020 semester
 - With current Form I-20, earliest arrival date is August 9, 2020



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Pursuing Fall 2020 from Abroad

- New Students may pursue Fall 2020 semester fully online from abroad
 - ▣ MIT ISO will issue a new Form I-20 with Spring 2021 arrival date
- Continuing Students may pursue Fall 2020 semester fully online from abroad or inside the U.S.
 - ▣ Current guidance appears to allow SEVIS record to remain "Active" while abroad; no break in visa status
 - ▣ F-1 5-month temporary absence rule – awaiting USDHS guidance if will be extended through Fall 2020 semester



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Remote Appointments Outside U.S.

- May a student pursue an RA or TA remotely from outside the U.S.?
 - Formal process, coordinated with your academic department, to review if type of research or payment can be done abroad
 - Process outline from the Office of the Vice Chancellor
 - <https://iso.mit.edu/news/remote-student-appointments-performed-outside-the-u-s/>



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Visa Processing at U.S. Embassies/Consulates



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Visa Processing at U.S. Embassies/Consulates Abroad

- **July 15, 2020 -- [USDOS Provides Details on Phased Resumption of Routine Visa Services](#)**
 - Monitor U.S. Embassy/Consulate website (<http://usembassy.gov>) for confirmation of when services will resume at their particular consular post
 - procedures for scheduling a visa interview appointment,
 - guidance on the ability to apply for an expedited/emergency appointment

Visa Interview Guidance

- ❑ Schedule interview time for whatever time you can reserve, even if after the start date for the Fall 2020 term
- ❑ Procedure to request earlier visa interview time only possible when have an initial time scheduled (no guarantee)
- ❑ Expedited/Emergency appointments available if sufficient staffing, resources, and local conditions allow
- ❑ NOT possible to request expedite of Administrative Processing (security checks)
 - ❑ Embassy/Consulate does NOT have control over Administrative Processing (U.S. State Department and other government agencies in the U.S. responsible for these security check procedures)



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Visa Processing at U.S. Embassies/Consulates Abroad

- Report your scheduled Visa Interview Appointment and Visa Approved/Received in iMIT
 - ▣ login to [iMIT](#)
 - ▣ Click on left-hand menu “Admission”
 - ▣ Select on the “Visa Interview & Approval” button and complete the appropriate eforms

- ISO providing a support letter for visa applicants for entry in Fall 2020
 - ▣ [Download/print](#) a copy of the appropriate letter (versions for new or continuing students)
 - Click on link above, scroll down and click on “Log on with Shibboleth”, and
MIT complete Duo authentication



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Travel Bans / Restrictions

Major Immigration Alerts & Updates

<https://iso.mit.edu/news-and-announcements/major-immigration-updates/>



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Returning to U.S. (Continuing Students)

- Entry to the U.S. up to 30 day prior to the start date of the Fall 2020 semester
 - New MIT Fall 2020 start date: August 31 (Reg Day)
 - Arrival: on or after August 1, 2020



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Returning to U.S.

- If you are currently inside the U.S., recommend you remain in the U.S.
- Travel Ban and Travel Restrictions
 - Subject to a current Travel Restriction (14 days from when last in country before arrival to US):
 - Europe (Schengen countries plus UK and Ireland)
 - [DOS announced on July 16](#) exemption for certain visa holders
 - F-1 visa holders now exempt
 - J-1 (students) may request exemption at U.S. Embassy/Consulate
 - China
 - Iran
 - Brazil



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Returning to the U.S.

□ Travel Ban and Restrictions

□ Syria

- Visa application undergoes additional review for a “waiver” of the Travel Ban restriction

□ US-Canada-Mexico Travel Restriction

- recently extended to 08/21/2020
- “essential travel only” – study is considered “essential”



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Returning to U.S.

- “Essential” Travel
 - ▣ must you be physically inside the US to perform the duties related to your status
 - With MIT fully remote, not “essential”
 - If MIT offers in-person instruction in Fall 2020, continuing students may also only be allowed entry no earlier than 30 days prior to Fall 2020 term start date (enter no earlier than **August 1, 2020**)
 - ▣ Research on campus - need to document must be in US to perform the research and your lab is operational) - No guarantees
 - ▣ CPT/OPT/STEM OPT/AT
 - Proof you must be inside US to perform research/position duties (no guarantees)



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Presidential Proclamation – Graduate Students/Researchers from China

- June 1, 2020 - [Presidential Proclamation – Suspension of Entry of Certain Students and Researchers in F and J status from China](#)
 - ▣ Does NOT apply to undergraduate study
 - ▣ suspends entry if an individual is connected to an entity that “implements or supports” the government of China’s “military-civil fusion strategy.”
 - ▣ An individual is considered to have a connection to such an entity if he or she has been funded by, employed by, studied or researched at, or on behalf of the entity.
 - ▣ No advance determination – notified at time of visa application at U.S. Embassy/Consulate or upon entry to the U.S.



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Other Issues



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Leave of Absence

- If considering a Leave of Absence for Fall 2020:
 - Graduate Students: Office of Graduate Education (OGE)
 - Undergraduate Students: Student Support Services (S3)
- Visa implications, please contact your [ISO Advisor](#)
 - International students are not able to remain inside the U.S. if you take a Leave of Absence (not enrolled as a full-time student)
 - Would need to depart the U.S. within 15 days of LOA effective date or apply for a change of visa status to stay in the U.S.
 - When a student returns to MIT, will need to be in status for at least one full academic year in the U.S. in order to MIT re-earn eligibility for F-1 CPT or OPT



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Additional Pre-Submitted Questions



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Additional Pre-Submitted Questions

I am a Canadian citizen in F-1 status currently in Canada. My travel signature is more than 6 months old. How do I obtain a new travel signature?

For F-1 and J-1 visa holders, the travel signatures on the Form I-20 or Form DS-2019 are generally valid for 12 months for entry from the date of signature (as long as you are returning to the U.S. to continue your status). There are exceptions to travel signature validity:

*Travel/Re-entry from Canada/Mexico/most Caribbean islands: 6 months

*Travel on F-1 OPT/STEM OPT: 6 month

To obtain a new travel signature, you can request a Replacement Form I-20 or Form DS-2019 in iMIT (click on the “Student Services” menu).



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Additional Pre-Submitted Questions

How early may I re-enter the U.S. from abroad for the Fall 2020 semester?

Students may re-enter up to 30 days prior to the start date of the Fall 2020 semester.

With the start date for the MIT Fall 2020 semester changing to one week earlier (August 31, 2020 Reg Day), Continuing students may enter the U.S. up to 30 days prior (August 1, 2020).



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Additional Pre-Submitted Questions

What resources are available to students who have immigration-related questions given that the ISO's position as a compliance authority for enforcing DHS/ICE rules can sometimes not provide advice in the best interests of international students?

The ISO Staff are not employees or agents of the U.S. Government, and we are not enforcement officers. On behalf of our students, we assist students in complying with their reporting requirements in SEVIS, obtaining appropriate visa benefits, and provide guidance on the immigration regulations as they apply to student visa holders and their academic and training activities in the U.S. The ISO is the best place to start with any questions related to their student visa status in the U.S. since we have this expertise. If there are situations that go beyond maintaining student status and related visa regulations, an ISO Advisor may recommend that students consult with a qualified immigration attorney.



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Additional Pre-Submitted Questions

By when do continuing students need to be on campus at the latest, to be eligible for OPT?

Continuing students who have been abroad since the Spring 2020 term are maintaining their F-1 status while abroad. Students will continue to maintain status if enrolling and pursuing full-time study online from abroad.

We are awaiting further clarification from USDHS on the suspension of the 5 month temporary absence rule, to see if it will be extended through the Fall term. Initial review would be that if the 5 month temporary absence rule is not extended, students would need to return to the U.S. by mid-January 2021 not outside the U.S. for 5 months from the start of the Fall 2020 semester.

We will provide updates on this as soon as confirmation is received.



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Additional Pre-Submitted Questions

Can I apply for a U.S. Social Security Number (SSN) from abroad (I am currently pursuing an internship remotely on CPT)?

The Social Security Administration suspended in-person applications for an SSN in March and has not resumed in-person services. It is possible to apply for an SSN by mail when inside the U.S., but requires mailing in the original passport (which is risky). It is not feasible to apply for the SSN from abroad at this time. Upon return to the U.S., please contact your ISO Advisor and we can advise on updated procedures with SSA at that time.



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Additional Pre-Submitted Questions

Can I apply for a U.S. Social Security Number (SSN) in another state or is it mandatory to visit the office in Cambridge?

Students can apply for an SSN in another state as long as they can show proof they are living in that state and/or will be working in that state.



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Additional Pre-Submitted Questions

My US visa will expire before my program ends. I hope to do post-completion work permission (F-1 OPT / J-1 Academic Training). Do I need to renew my visa?

The entry visa issued by the U.S. Embassy/Consulate abroad is like a ticket to get into the U.S. Once you are inside the U.S., the visa can expire and you can remain in the U.S. as long as you are maintain your visa status as an enrolled full-time student or have authorized for post-degree-completion training. It is not possible to apply for/obtain a new visa from inside the U.S. You would apply for a new visa at the U.S. Embassy/Consulate the next time you travel abroad and need to re-enter the U.S. in student visa status (even on OPT or AT).



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Additional Pre-Submitted Questions

I'm a second year Grad student currently outside of the US since this March. I plan to back to Boston on Aug. 2. I have valid F-1 (or J-1) VISA and I20 (or DS-2019). Is there anything I have to submit my travel plan beforehand?

There is no documentation you need to submit to the ISO in advance of your return. You will want to check that you have a valid travel signature on your Form I-20 (or Form DS-2019).

In addition you should carry with you copies of your financial support documentation, copy of your letter of admission, copy of your SEVIS fee receipt, and may want to print out a copy of your registration history at MIT.

Details on entering the U.S. is available on the ISO webpage [“Entering U.S. Borders”](#).

The ISO also makes available a [letter to download/print](#) for students about the Fall 2020 semester on the ISO website.



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Additional Pre-Submitted Questions

As continuing students now can take online classes and still be in the US does that mean I can be in another state?

Under the current guidance, and pending any additional updates from USDHS, it is possible for a Continuing Student to take coursework fully online and would not be required to be in Cambridge/Massachusetts.

We will be sure to update students if we receive any new information.

Students will need to be sure to update their "SEVIS U.S. Address" in WebSIS to be sure that iMIT is updated and SEVIS is updated with your U.S. address within 10 days of any move.



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Additional Pre-Submitted Questions

I want to apply for F-1 Optional Practical Training for after completion of my degree at the end of the Fall 2020 term, can I apply for OPT from abroad?

Under the current guidance from USCIS, a student must be physically present inside the U.S. when USCIS receives an OPT (or STEM OPT) application. It is NOT possible to apply for OPT (or STEM OPT) from abroad.

In order to apply for OPT, a student would need to physically inside the U.S. BEFORE a student's program completion date.



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Additional Pre-Submitted Questions

What is MIT/ISO recommendation regarding international travel (e.g. for family visit) during end of summer/beginning of fall for graduate (PhD) students?

We completely understand that students will want to visit family before the start of the Fall 2020 semester.

There are risks in travel given current travel restrictions due to COVID-19 and the unpredictability that the U.S., or other countries, may impose new travel restrictions.

If a student would need to apply for a new visa at a U.S. Embassy/Consulate to re-enter the U.S., we do not recommend traveling at this time.

If you do not need a new visa, then we recommend that you contact your ISO Advisor with any questions.

You will also want to speak with your academic department or faculty advisor to be sure you have their support and a plan in the event there are delays in return to the U.S.



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Additional Pre-Submitted Questions

Are there any potential pitfalls (CPT/UROP work authorization / otherwise) a rising junior should be aware of, if they are able to leave emergency housing right now and go home for the Fall?

Under current guidance, if a Continuing Student decides to go home and pursue the Fall 2020 semester enrolled full-time remotely from abroad, they will be able to maintain their F-1 visa status (Active SEVIS record) throughout the Fall term. This would maintain eligibility for CPT/OPT.

We still await guidance on the 5 month temporary absence rule, so if the rule is not suspended for the Fall, then the student would need to re-enter the U.S. within 5 months of the start of the Fall term (by mid-January 2021). We will be sure to update students once we have confirmation on the 5 month temporary absence rule.



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Additional Pre-Submitted Questions

What is the course of action for an MIT international student / scholar with valid paperwork who is denied entry by a CBP officer at the port of entry?

The ISO does have an emergency phone number to call if you have any issues while with U.S. Customs and Border Protection (USCBP) at the U.S. port-of-entry.

Please call 617-258-5480 and you will be connected with an ISO Advisor.

This number should be called if there are problems with entry to the U.S., not to report a successful entry to the U.S.



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Additional Pre-Submitted Questions

What will happen if we are approved for post-completion OPT and we are not able to find employment within the 90 day unemployment time while outside the U.S. Will it affect future F1 visa applications (i.e. getting a new F1 visa for a new degree program)?

If a student is not able to find a position for OPT within the allowed 90 days of unemployment:

If inside the U.S., student would need to transfer to a new degree program, apply for a change of visa status, or depart the U.S. by the 90th day.

If the student is outside the U.S., then the current F-1 status ends (and should notify their ISO Advisor).

Not finding an OPT employer within the 90 days does not have a negative impact on future visa applications, but the student would not be eligible for OPT at the same degree level (since the 12 months was already authorized at that degree level).



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Additional Pre-Submitted Questions

How can we renew the signature on our I20 (or get a new one if the signature lines are full) this summer?

- Please login to iMIT
- Select the menu “F-1 Student Services” (or “J-1 Student Services” for J-1 visa holders)
- Click on “Request Replacement Form I-20” (or DS-2019)
- Select replacement reason as “Travel Signature”
- Complete the eform and upload requested documentation
- Include mailing address and phone number where you want your new Form I-20/DS-2019 express mailed to you



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Important Links

MIT International Students Office – <http://iso.mit.edu>

- ISO Updates – Spring/Summer 2020
<http://iso.mit.edu/news/iso-updates-spring-2020/>
- Major Immigration Alerts & Updates
<http://iso.mit.edu/news-and-announcements/major-immigration-updates/>
- Visas and Travel
<http://iso.mit.edu/visas-and-travel/>
- Employment
<http://iso.mit.edu/employment/>
- Contact your ISO Advisor
<http://iso.mit.edu/about/student-advisor.shtml>

MIT



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Additional Questions?

Please submit any additional questions to the ISO Virtual Forum online form:

<https://tinyurl.com/y59g8orn>

For answers to common questions, please see the [ISO Knowledge Base](#). Submissions to the Virtual Forums will be incorporated to the Knowledge Base.



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