



Town Hall with ISS & IFSS Immigration Updates and Current Events

Follow-up:

Processing Space with Mental Health Services and Employee Assistance Office

Thursday, June 18: 12 noon – 1:00 p.m.

<https://iss.wisc.edu/event/processing-space-for-international-students-scholars-and-their-families/>



Introductions



Samantha McCabe (she/hers)
**Interim Assistant
Dean/Director**
International Student Services
Division of Student Affairs

ISS serves all international students on an F-1 or J-1 non-immigrant visas.

Jennifer Taylor (she/hers)
Director
**International Faculty & Staff
Services**
Office of Human Resources

IFSS serves all international employees on H-1Bs, TNs, E-3s, and J-1 research scholars.

Town Hall Agenda



1. Current Events
2. COVID-19 Guidance
3. Diplomacy Impact
4. Regulatory Updates
5. Question & Answer

Current Events



Black Lives Matter – Call for Racial and Social Justice

- Requests to Defund Police.

2020 Presidential Election Year



Respect Statement

[COVID-19](#) is not specific to an ethnicity or race—disease does not discriminate. Racist behaviors or stereotyping are not tolerated at UW–Madison. If you experience harassment or discrimination, students are encouraged to file a [bias incident report](#). Employees may [file a complaint with the Office of Compliance](#).

COVID-19 for Students



Spring and Summer 2020 federal guidance

- Allowed current F-1 students to engage in online classes and maintain legal F-1 student visa status, whether the F-1 student remained in the U.S. or departed the U.S.
- New students seeking to enter the U.S. in F-1/J-1 status do not qualify to enter the U.S. on an F-1 or J-1 student visa

Fall 2020 federal guidance

- Clarified on June 4 that no guidance has been issued yet.
- Impacts continuing students and new students alike.

COVID-19 for Students



Lack of Fall 2020 federal guidance

Student Inside the U.S.

- Enroll full-time, per regulations
 - UG: 12 total, 9 'in-person'
 - GR: 8 total, 5 'in-person'
 - Dissertator: 3 total
- Current F-1 and J-1 students may maintain valid U.S. immigration status
- In-person = Face-to-Face

Student Outside the U.S.

- Likely termination of current F-1 student immigration status if they cannot return; chooses to take online courses in U.S.

COVID-19 for Employees



Employees Inside the U.S.

- Follow UW policies on working on campus or remotely
- Continue to maintain immigration status
- Contact IFSS if your status is ending and you are unable to leave the US.

Employees Outside the U.S.

- Contact your hiring unit to get approval to work



U.S. consulate closures, delays

- Visa interviews largely available after Fall 2020 start date
 - Impacts new students and employees and continuing students and employees outside the U.S. with an expired visa

Travel Restrictions to/from U.S.

- Non-immigrant travelers from China, Europe, etc.
- Some countries have closed or restricted borders, airports

Diplomacy



Hong Kong

- U.S. Department of State no longer recognizes HK as autonomous

Restriction of Chinese airlines to/from U.S.

- Limited flights allowed as of June 5

Regulatory

China's Military-Civil Fusion Strategy



When: Effective June 1, 2020

Who: Suspends entry of F-1 and J-1 graduate students and visiting scholars from PRC who

- Currently receive funding, are employed by, study at, or conduct research at or on behalf of "an entity in the PRC that implements or supports the PRC's 'military-civil fusion strategy'"
- Have previously been employed at, studied at, or conducted research at or on behalf of "an entity in the PRC that implements or supports the PRC's 'military-civil fusion strategy'"

Possible Regulatory Date-specific 'duration of status'



When: Not released yet

Who: All current and future F-1 and J-1 students, scholars, researchers, faculty

Details: Not much known at this time

<https://www.nafsa.org/professional-resources/browse-by-interest/proposal-replace-duration-status>

Possible Regulatory Suspend employment authorization



When: Not released yet

Who: Current and future F-1 students; potentially current F-1 students on post-completion OPT or OPT STEM Extension

Details: Not much known at this time

<https://www.fwd.us/news/opt-suspension/>

Possible Regulatory Suspend visas for Chinese graduate students/post-docs in STEM fields



When: Not released yet

Who: All F-1 and J-1 graduate students and post-doctoral research scholars in STEM fields

Details: Not much known at this time

https://www.cotton.senate.gov/?p=press_release&id=1371

Possible Regulatory Suspend Entry of H-1Bs and J-1s into the US



When: Not released yet

Who: H-1Bs and J-1s currently outside the US

Details: <https://www.wsj.com/articles/trump-administration-considers-suspending-h-1b-other-visas-through-the-fall-11591915950>

University Engagement



Chancellor Blank message to Senator Johnson:

<https://federalrelations.wisc.edu/content/uploads/2020/06/06-03-20-Johnson2.pdf>

Steve Ackerman, UW–Madison Vice Chancellor for Research and Graduate Education

<https://research.wisc.edu/uncategorized/2020/06/08/making-research-work-supporting-our-international-students-and-researchers/>

Question & Answer



Chat your questions to our facilitators:

Questions & Answer

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Q: Are U.S. embassies around the world still issuing dependent visas for spouses?



A: All U.S. consulates have suspended visa processing in the wake of COVID-19. There are exceptions for emergency visa appointments for medical professionals at some U.S. consular posts.

Additional information about consular offices reopening can be found here: <https://travel.state.gov/content/travel/en/News/visas-news/suspension-of-routine-visa-services.html>

Q: Can students take online classes from outside the U.S.?



A: Yes. The impact this has on a student's U.S. immigration status may be different for new students versus continuing students. Please see Slide 7 for details.

As of 6/16/2020, we do not have federal guidance for Fall 2020 enrollment.

Q: How much of a course needs to be “in-person” for it to qualify as in-person credits?



A: There should be a face-to-face component or physical presence requirement for an in-person or hybrid course to meet the spirit of the regulations. ISS reports each student's full-time enrollment by reviewing SIS course codes.

Q: What if the same class is taken by some people as an online class, but for some students as a hybrid class?



A: Think of this in terms of different sections of the same course being taught during the same semester. If an international student is inside the U.S., it is better for their U.S. immigration status to enroll in a face-to-face (in-person) course. For a student who is not able/willing to return to the U.S. in time for fall instruction to start, an online section may be a better option.

Q: Is Hong Kong still excluded from the travel ban if the Department of State no longer recognizes HK as autonomous?



There has not been an update to travel restrictions to now include Hong Kong.

Travel ban updates: <https://www.nafsa.org/regulatory-information/covid-19-restrictions-us-visas-and-entry#coronaproclamations>

Global travel advisories can be monitored here: <https://www.cdc.gov/coronavirus/2019-ncov/travelers/map-and-travel-notice.html>

Q: Does the 5-Month rule apply to students who left the U.S. during spring semester 2020 but may return for Fall classes?



A: The 5-month rule applies when a student has not been maintaining F-1/J-1 status for 5 or more months.

If you meet the following conditions, then you will not need to apply for a new F-1 or J-1 visa

- You remained enrolled full-time for Spring 2020
- You intend to enroll full-time for Fall 2020
- Your I-20/DS-2019 is valid for Fall 2020
- Your current F-1/J-1 visa is valid at the time you plan to enter the U.S.
- You have not received written notice that your F-1/J-1 visa has been revoked (typically for legal trouble during your time in the U.S.)

You can contact the [U.S. consulate](#) nearest you if you have questions about your visa validity



Q: Should we be telling incoming international students to defer to spring or Fall 2021 because they won't be able to get their visa before the fall and no regulation allows them to take online courses?

- This is not something that ISS or IFSS should determine. We are here to provide information on the current situation and UW-Madison policies and procedures may impact whether students will attempt to come for fall semester.
- We do encourage campus colleagues to consider international students as they create policies and/or adjust their admissions practices to be more inclusive and equitable for all global learners.



Q: Would it be appropriate for academic departments to send notice to everyone with H1B/J1 scholar visas in the department urging them not to leave the US/return to the US as soon as possible?

- Based on information from the UW's federal relations staff and other interested stakeholders, it is IFSS's recommendation that people remain in the US or return as soon as they can.

Q: If someone is switching from OPT to H1-B does the suspension entry of H1B and J-1s impact them?



- Currently, there is no suspension of entry of H-1Bs or J-1s to the United States. US Citizenship and Immigration Services is approving change of status petitions from F-1 to H-1B.

Q: Can a person be hired by the university if they are taking online classes only and are outside of the US? Are they eligible for fellowships?



- The individual needs to speak to their human resources department about working outside the United States. An approved international telecommuting agreement must be in place.
- It depends on the specific fellowship if the person can take classes and is eligible for the fellowship while outside the U.S.

Q: Can we apply for an I-20 extension 1 year before the program end-date (given that duration of status has a possibility of going away)?



- You can apply for an I-20 extension at any time in your program. However, academic/major advisors must recommend you for an I-20 extension and confirm that you have an academic necessity to continue.
- <https://iss.wisc.edu/students/current-students/extend-your-study/>

Q: What happens to dissertators? Will they lose their status if they are outside of the US, even if they are enrolled?



- Dissertators should enroll as dissertators abroad. This will allow ISS to register the SEVIS record enrollment in the same way we do for students studying abroad in an approved UW-Madison study away program.
- Any student conducting research or study outside the U.S. should follow the travel guidelines from international safety and security. <https://internationaltravel.wisc.edu/>



Q1: Could there be an outline of language to send to those that may be out of the country? Q2: In case the government will largely restrict H1-Bs beginning late June and will request enormous amounts of application fees. What can we do in case this happens?

- At this time, there is no federal, state or UW mandate for these individuals to return to the United States, therefore IFSS cannot propose language.
- Until a Presidential Proclamation or Executive Order is issued and the University has the necessary information to make decisions, no action will be taken at this time.

Q: How can students apply for a gap year if they can't get back in the US?



- There is not a "gap year" for F-1 and J-1 visas. If a student decides to take a break from their studies, they would need to request a leave of absence which ISS will process. This will effectively end their F-1/J-1 visa stay and the student will need new immigration documents (and possibly visas) to re-enter the U.S. to continue their programs.
- <https://iss.wisc.edu/students/current-students/leave-of-absence/>

Q: Will the tuition fee remain the same for students who are only taking online classes?



- ISS and IFSS are not responsible for determining the tuition and fee schedule for any students. Please see the Bursar's Office for more information: <https://bursar.wisc.edu>

Q: Will online classes for international students change from synchronic class time in Central Standard Time?



- The Town Hall today was focused on immigration and current event updates and did not discuss specifics of course instruction for fall semester.
- We are aware that students living abroad during COVID-19 are having trouble accessing classes that are held synchronously. We always encourage departments and instructors to consider international students and other students living abroad or in different time zones when they plan for upcoming modes of instruction.

Q: Would a reduced course load for McBurney recognized medical situation affect F-1 status in future semesters?



- The F-1 regulations are very specific. Medical Reduced Course Loads (RCL) must be recommended by a medical doctor, doctor of osteopathy, or licensed clinical psychologist. Currently, there is no one in McBurney who can sign a request for a medical RCL for students. Therefore, students would need to work with an appropriate provider to receive the paperwork to recommend the authorization.
- <https://iss.wisc.edu/students/current-students/reduced-course-load/>

Q: If a F-1 student is transferring in, but their passport is going to expire soon. Is leaving the country a better solution to avoid being out of status?



- Students and employees should always ensure that their passport is valid. There are ways to renew passports, even temporarily, within the United States.
- If students opt to leave the country, we ask that they read through and understand some of the travel advisories and risks before their departure. Ultimately, the students will want to connect to their home country governments for some guidance.
- <https://iss.wisc.edu/students/current-students/travel/renew-or-replace-your-documents/>

Q: If a student finishes their coursework online how does that impact their F-1 status?



- With the lack of current federal regulatory guidance, a student may complete coursework online from outside the U.S. without a U.S. student immigration status. The immigration record will be terminated to reflect that the student is completing program requirements online from outside the U.S.



Q: Registration for graduate students opens in one week; how do departments get guidance for hiring incoming international graduate students?

- ISS offers information to students regarding on-campus employment. <https://iss.wisc.edu/employment/on-campus-employment-locations/>
- ISS is not part of the Office of Human Resources and therefore does not play a role in hiring practices for departments and colleges. A robust campus group is working on this issue now. Once we have more information, we will share it. For now, we encourage departments to seek guidance and support from their Dean's offices.

Q: Will the university put aside or reserve residence hall rooms especially for international students' 14-day quarantine after they arrive in Madison?



- ISS and IFSS are connected to Residence Life at UW-Madison, but we are not responsible for university policy regarding living situations on campus.
- We hope that considerations in residence halls are applied equitably for all students: those coming from abroad and those coming from different regions of the United States where COVID-19 cases are equally dangerous.



Q: What is essential travel considered for Canadian and Mexican borders?

- There are not clearly defined examples of "essential travel". Study and research may be considered essential, but if coursework is online or institutions remain remote it may be deemed by Customs and Border Protection (CBP) to be non-essential.
- <https://www.dhs.gov/news/2020/06/16/fact-sheet-dhs-measures-border-limit-further-spread-coronavirus>



Q: Would the OPT STEM Extension be included in the possible employment authorization ban?

- All employment authorizations applied through USCIS for F-1 and M-1 visas could be part of the employment authorizations ban.
- We do not expect it to affect Curricular Practical Training, which is authorized by International Student Services. However, CPT may be reviewed separately for regulatory review and updates.



Q: What are the options for international telecommuting?

- International telecommuting must be discussed with the hiring unit's HR personnel for further guidance.

Q: Will ISS or IFSS release some language so that departments can send out a department-wide notice alerting those who are out of the country to return to the US?



- ISS and IFSS work to inform international students, scholars, and employees, and their dependents, of their options by updating our websites, sending out targeted messages to our audience, and responding to their direct concerns through our email account.
- We do not create template communications for outside departments and encourage individual colleges and departments to work with their communication staff to utilize resources and information on our website when communicating with international students and employees.
- Always refer international students, scholars, and employees to the source of information, which would be ISS and IFSS websites.