



## UAlbany CIEGS/ISSS Spring 2021 Policy Guidance for F-1/J-1 Students

*SEVP announced that the March 2020 guidance (the same guidance used during the Fall 2020 term) remains in effect until further notice. Based on this, the online course registration requirements a student followed in Fall continue to be in effect for that student during Spring. In general, students may fall into one of two categories:*

### **100 % ONLINE STUDY ACCEPTABLE FOR:**

- Current F-1 students continuing in current program, if they were engaged in full-time study on March 9, 2020
- Current F-1 students starting new program, if they were engaged in full-time study on March 9, 2020
- F-1 students engaged in full-time study on March 9, 2020 who are transferring from another SEVP-certified U.S. school for Spring 2021
- New international students who intend to remain outside the U.S. for Spring 2021

### **MINIMUM 1 CREDIT IN-PERSON OR BLENDED/HYBRID REQUIRED FOR:**

- New F-1 students who intend to enter the US for Spring 2021
- F-1 students who began their program online outside the U.S. in Fall 2020 and who will enter the U.S. to continue studies in Spring 2021.
- F-1 students who entered the U.S. to begin a new program in summer 2020 or Fall 2020 and were not enrolled in F-1 status on March 9, 2020.
- Former students currently on OPT returning to begin a new degree program (if they were not enrolled on March 9)
- F-1 students currently on OPT transferring from another SEVP-certified U.S. college or university (if they were not enrolled on March 9)
- Current students changing status to F-1 for Spring 2021
- Readmitted students or students returning from a leave of absence who are entering the U.S. using an initial I-20.

*DHS guidance applies to F-1 students. J-1 student guidance is issued by the U.S. Department of State. At this time, the J-1 guidance continues to generally align with the F-1 guidance. J-1 students with questions should reach out to [ISSS@albany.edu](mailto:ISSS@albany.edu) for case by case assistance. We have provided detailed information for students in different situations in the following pages. If you are unsure which category applies to your situation please contact [ISSS@albany.edu](mailto:ISSS@albany.edu).*

Please Click the link below to go to the section for more detailed guidance:

- **Continuing Students in Active F-1 or J-1 Status Enrolled Since March 2020 Who Are Studying Inside the U.S.** (eligible for fully online study)
- **Continuing Students in Active F-1 or J-1 Status Enrolled Since March 2020 Who Are Currently Outside the U.S. and Planning to Return to the U.S. to Study in Spring 2021** (eligible for fully online study)
- **Continuing Students in Active F-1 or J-1 Status Enrolled Since March 2020 Who Are Studying Outside the U.S.** (eligible for fully online study)
- **Continuing F-1 & J-1 Students Who Began Their F-1 or J-1 Program During Summer 2020 or Fall 2020 Inside the U.S.** (not eligible for fully online study)
- **F-1 & J-1 Students in Initial Status Outside the U.S. Planning to Enter the U.S. to Study in Spring 2021** (not eligible for fully online study)
- **Initial F-1 and J-1 Students Studying Outside the U.S. in Spring 2021** (eligible for fully online study)
- **Continuing Students Not Taking Courses in Spring 2021**
- **New Students Not Taking Courses in Spring 2021**

#### **Continuing Students in Active F-1 or J-1 Status Enrolled Since March 2020 Who Are Studying Inside the U.S.**

- Students in the U.S. who have been actively enrolled since March 2020 and have maintained an active F-1 or J-1 status may enroll in any combination of courses, including fully online, blended/hybrid and in-person; they must be registered full-time (12 credits for undergraduate students and 9 credits for graduate students) or have an approved reduced course load authorization; and they must be making normal progress towards graduation.
- This includes currently active F-1 or J-1 students who were actively enrolled students at another U.S. institution in March 2020 and transferred their SEVIS record to UAlbany, as well as former IELP students who were actively enrolled F-1 students in the IELP program in March 2020. It does *not* include any student who was not enrolled in courses in March 2020; or who entered the U.S. on a new, initial I-20 in Summer 2020 or Fall 2021 (those students should see the next section); or a student who has not maintained status since March 2020 (i.e. those who took a semester off).
- F-1 Students with a pending SEVIS transfer record who: are inside the U.S.; have been enrolled and in active F-1 status since March 2020; and are expected to begin courses in Spring 2021 may follow normal transfer-in procedures. SEVIS transfer students must register full-time, which may include courses that are fully online, blended/hybrid and in-person.

## Continuing Students in Active F-1 or J-1 Status Enrolled Since March 2020 Who Are Currently Outside the U.S. and Planning to Return to the U.S. to Study in Spring 2021

- Students seeking entry into the U.S. who have been actively enrolled since March 2020 and have maintained an active F-1 or J-1 status may enroll in any combination of courses including fully online, blended/hybrid and in-person; they must be registered full-time (12 credits for undergraduate students and 9 credits for graduate students) or have an approved reduced course load authorization; and be making normal progress towards graduation. This includes students with a pending F-1 SEVIS transfer record who are in active F-1 status and will be seeking entry into the U.S.
- However, it is **highly recommended** that students entering the U.S. register for at least one in-person or blended/hybrid course prior to their entry in the event they need to substantiate their need for admission into the country upon request by CBP or other federal officials.
- Before seeking entry to the U.S. students should consider:
  - Currently there are federal executive orders which may prevent entry by individuals who have been present in the following regions/countries in the 14 days preceding their attempted entry: China; Iran; European/Schengen countries; the United Kingdom and Ireland; and Brazil. (U.S. citizens and legal permanent residents are exempted from these bans).
    - U.S. Department of State states that individuals with a valid F-1 visa from the Schengen Region, United Kingdom, and Ireland may seek entry to the United States without requesting a national exemption waiver. Individuals with a J-1 visa from the Schengen Region, United Kingdom and Ireland should contact their local consulate with any questions regarding a national interest exemption waiver: <https://travel.state.gov/content/travel/en/News/visas-news/national-interest-exceptions-from-certain-travelers-from-the-schengen-area-uk-and-ireland.html>
  - Additionally, there are restrictions on land entry at the Canadian and Mexican borders.
  - Even outside of these federal bans, flights and airline travel worldwide are severely limited at this time.
  - Most international (and inter-state) travelers arriving to the U.S. are currently required to quarantine upon arrival to New York State, please read more on NYS's website here: <https://coronavirus.health.ny.gov/covid-19-travel-advisory>
  - Additionally, students must meet any University health requirements prior to coming on campus, which will be made available on the University's website here: <https://www.albany.edu/covid-19>
  - Human Resources requires students to be physically present in the United States to hold an assistantship or other student employment positions, so if you are unable to return to the U.S. unexpectedly it could jeopardize your student employment.
  - Students are required to have a valid I-20/DS-2019 (continuing students must also have a DSO/ARO travel signature from within the past year), valid passport (with at least 6 months validity remaining), and valid F-1/J-1 visa when seeking admission to the United States.

### **Continuing Students in Active F-1 or J-1 Status Enrolled Since March 2020 Who Are Studying Outside the U.S.**

- Students who are studying outside the U.S. and who have been actively enrolled since March 2020 and have maintained an active F-1 or J-1 status may maintain an active SEVIS record through fully online study as long as they are enrolled full-time or have an approved reduced course load authorization.
- Students outside the U.S. who do not maintain a full course load cannot maintain F-1 status and therefore their I-20s will be terminated. When a SEVIS record is terminated a student must obtain a new I-20 before returning to the U.S. If the student's F-1 visa expired while the student was overseas the student must also renew the visa before returning to the U.S. Students returning to the U.S. for a future term should begin discussing their return with an ISSS advisor approximately 3 months before their intended return. J-1 students in this situation should contact [ISSS@albany.edu](mailto:ISSS@albany.edu) for case-by-case assistance.
- University policy states that students cannot work for UAlbany (including assistantships) if they are not physically present at Albany; please contact your employment supervisor and Human Resources for more details.
- It is highly recommended that any student considering applying for post-completion OPT be physically present in the U.S. for their final semester and at the time they file their post-completion OPT application. If you plan to spend your final semester overseas while also applying for post-completion OPT please contact [ISSS@albany.edu](mailto:ISSS@albany.edu) for additional advisement.

### **Continuing Students in Active F-1 or J-1 Status Who Began Their F-1 or J-1 Program During Summer 2020 or Fall 2020 inside the U.S.**

- Students who entered the U.S. to begin study in Summer 2020 or Fall 2020 using an initial I-20 or DS-2019 cannot take a fully online course load in Spring 2021 and maintain F-1 or J-1 status
- These students must enroll in at least one course or one credit of in-person blended/hybrid instruction.
- Should the university need to move to an all remote instruction model due to an outbreak, students will need to complete an in-person component of their in-person or blended/hybrid course prior to transitioning to remote learning in order to remain in the U.S.

### **F-1 & J-1 Students in Initial Status Outside the U.S. Planning to Enter the U.S. to Study in Spring 2021**

- This section is intended for any student who plans to enter the U.S. on an initial I-20 or DS-2019 in Spring 2021 (i.e. using an I-20 or DS-2019 with a SEVIS ID they have not previously entered on). This may include: newly admitted students for the Spring 2021 term; students who began their program online outside the U.S. in Fall and are entering

the U.S. for the first time this Spring 2021; Readmitted students or students returning from a leave of absence and using a new SEVIS ID. If you are unsure if you fall into this category, please contact [ISSS@albany.edu](mailto:ISSS@albany.edu) for more information. Please note: If you are a student with a change of level I-20 from UAlbany (such as an IELP student moving up to degree seeking student, or an undergraduate student continuing with graduate level study) you may be classified as a continuing student. Please contact [ISSS@albany.edu](mailto:ISSS@albany.edu) for case by case assistance.

- Students seeking entry into the U.S. to begin study on a new I-20 or DS-2019 must enroll full-time, including at least one course or one credit of in-person blended/hybrid instruction. Initial status students cannot take a fully online course load in Spring 2021 if they intend to enter the U.S. to study.
- Before seeking entry to the U.S., students should consider:
  - Currently there are federal executive orders which may prevent entry by individuals who have been present in the following regions/countries in the 14 days preceding their attempted entry: China; Iran; European/Schengen countries; the United Kingdom and Ireland; and Brazil. (U.S. citizens and legal permanent residents are exempted from these bans).
    - U.S. Department of State states that individuals with a valid F-1 visa from the Schengen Region, United Kingdom, and Ireland may seek entry to the United States without requesting a national exemption waiver. Individuals with a J-1 visa from the Schengen Region, United Kingdom and Ireland should contact their local consulate with any questions regarding a national interest exemption waiver: <https://travel.state.gov/content/travel/en/News/visas-news/national-interest-exceptions-from-certain-travelers-from-the-schengen-area-uk-and-ireland.html>
  - Additionally, there are restrictions on land entry at the Canadian and Mexican borders.
  - Even outside of these federal bans, flights and airline travel worldwide are severely limited at this time.
  - Most international (and inter-state) travelers arriving to the U.S. are currently required to quarantine upon arrival to New York State, please read more on NYS's website here: <https://coronavirus.health.ny.gov/covid-19-travel-advisory>
  - Additionally, students must meet any University health requirements prior to coming on campus, which will be made available on the University's website here: <https://www.albany.edu/covid-19>
  - Human Resources requires students to be physically present in the United States to hold an assistantship or other student employment positions, so if you are unable to return to the U.S. unexpectedly it could jeopardize your student employment.
  - Students are required to have a valid I-20/DS-2019 (continuing students must also have a DSO/ARO travel signature from within the past year), valid passport (with at least 6 months validity remaining), and valid F-1/J-1 visa when seeking admission to the United States.
- Should the university need to move to an all remote instruction model due to an outbreak, new international students will need to complete an in-person component of their in-person or blended/hybrid course prior to transitioning to remote learning in order to remain in the U.S.

- F-1 Students with a pending SEVIS transfer record who are in active F-1 status and are inside the U.S. are expected to begin courses in Spring 2021 and follow normal transfer-in procedures. SEVIS transfer students must register full-time, which may include courses that are fully online, blended/hybrid and in-person.

### **Initial F-1 and J-1 Students Studying Outside the U.S. in Spring 2021**

- New Undergraduate/Bachelor's students planning to begin study fully online from outside the U.S. should notify ISSS so that other offices may be notified as well (including Orientation, Academic Advising, and Residential Life).
- New Graduate (Master's/PhD) students planning to begin study fully online from outside the U.S. should notify ISSS and consult their academic department about beginning fully online.
- If you are a F-1 SEVIS transfer student who is planning to take online classes outside the U.S. in Spring 2021, please contact the ISSS office for case by case assistance.
- If you are a student with a change of level I-20 from UAlbany (such as an IELP student moving up to degree seeking student, or an undergraduate student continuing on with graduate level study) you may be classified as a continuing student. Please contact [ISSS@albany.edu](mailto:ISSS@albany.edu) for case by case assistance.
- Students should also notify Undergraduate Admissions or Graduate Admissions to obtain a new I-20 or DS-2019 with a Fall 2021 or other start date, as that will be the new intended term for which the student plans to enter the U.S. for non-fully online study.
- Students must obtain a F-1 or J-1 student visa prior to being able to enter the U.S. Visas are issued by the U.S. Department of State. There is never a guarantee that a visa will be issued, as the discretion lies with federal officials.
- Students cannot work for UAlbany (including assistantships) if they are not physically present at Albany; please contact your employment supervisor and Human Resources for more details.
- Pending any further DHS guidance contradicting this issue, students who intend to enter to the U.S. for in-person study in Fall 2021 or possibly another future term will be able to have their time spent studying full-time overseas count toward the academic year requirement for practical training while studying full-time from outside the U.S. All other CPT/OPT eligibility requirements must continue to be met, including that the student is in an active F-1 status at the time of the practical training. Please note that DHS/USCIS is the agency that approves the OPT application, not UAlbany ISSS.

### **Continuing Students Not Taking Courses in Spring 2021**

- If a student will not take any courses in Spring 2021 the student's F-1 or J-1 SEVIS record will be terminated and the student must depart the U.S. within 15 days of SEVIS termination.
- Undergraduate students should withdraw through Undergraduate Education and will be required to apply for readmission through Undergraduate Education before returning for future study.

- Master's and PhD level students should notify their department and Graduate Education for further guidance on the withdrawal, leave of absence, and return process.
- When a SEVIS record is terminated a student must obtain a new I-20 before returning to the U.S. If the student's F-1/J-1 visa expired while the student was overseas, the student must also renew the visa before returning to the U.S. Students returning to the U.S. for a future term should begin discussing their return with an ISSS advisor approximately 3 months before their intended return.
- When a F-1 student takes a break from full-time study (i.e. when a student doesn't take classes during the regular fall or spring term), the academic year requirement for practical training eligibility restarts from the semester the student resumes study. This means that the student would need to complete two more semesters full-time (a fall and a spring term) after resuming study before being eligible for CPT/OPT.

### **New Students Not Taking Courses in Spring 2021**

- If a student chooses to defer admission to a future term the student should contact ISSS and Undergraduate/Graduate Admissions.