

*June 12, 2020*

Many students are understandably asking how fall 2020 will look. Will classes be online or in person? When will visa processing resume? When will travel bans be lifted? Will I need to self-quarantine once I return? These are all excellent questions. We understand that you need to make plans, book flights, and secure a place to live. The University is currently planning different scenarios which should be announced within the next few weeks. I had hoped to have more government information to share by now but do not want to delay any longer. So, in this message, I will separate my comments into four sections: General, Initial Students, Current Students, and Alumni/OPT.

## **GENERAL**

### **Latest FAQ for SEVP Regarding COVID-19 as of June 4, 2020**

There is no difference between the SEVP FAQ issued on May 14 and the most recent, June 4, except a new section was introduced “Developing Issues” in which, the Service stated in writing that “SEVP has not issued guidance to international students and schools for the Fall semester.” The Service is working on that issue and many others, and stakeholders will be notified if and when new guidance is ready to be shared.

### **Travel Signatures**

You should not be concerned about this issue. DHS/ICE/SEVP have recently loosened their regulation about scanning I-20s to you – if needed. Please be aware that CBP and the U.S. State Department may or may not recognize or accept this process. Therefore, the OISS continues to encourage the use and issuance of I-20 original documents whenever possible.

### **Visas**

We are aware that all U.S. consulates have suspended routine visa services, but our students are notifying us that some consulates are starting to accept visa appointments. Link:

<https://travel.state.gov/content/travel/en/News/visas-news/suspension-of-routine-visa-services.html>

### **Presidential Proclamations and U.S. Entry Restrictions**

Due to four Presidential Proclamations made between the end of January and mid-March, no foreign national can enter the U.S. if they were present in Iran, China (excluding Hong Kong and Macau), Schengen Area countries, Ireland and the United Kingdom within 14 days of requesting admission to the U.S. This includes foreign nationals with connecting flights through any of these countries.

On May 24, 2020, another Presidential Proclamation was issued, imposing the same restrictions on those seeking to enter the U.S. from Brazil. This Proclamation took effect on May 29, 2020. These travel restrictions remain in effect until terminated by the President.

### **Canada-Mexico "Essential Travel" Restrictions**

Two Federal Register notices published on March 24, 2020 announced the decision to limit entry to the U.S. through land ports of entry along the U.S.-Canada and U.S. Mexico borders to "essential travel" only. The restrictions have been extended twice and are currently in effect until June 22, 2020.

Travel to study in the U.S. is listed as essential travel. However, it is unclear whether "traveling to attend educational institutions" also covers students who are studying online under their school's COVID-19 policy.

**Therefore, we still strongly recommend student currently in the US, to remain in the US, if you can.**

### **Shift to Distance Learning Model at Yeshiva University**

I would reassure you that we do not anticipate any negative impact on your immigration status due to the shift to a distance learning model recently mandated by the University. Your F and J SEVIS status will remain ACTIVE up to the beginning of the Fall 2020 term. Your Deans will update you when our University decides about the details of instructions for Fall 2020 term.

### **Five Month Rule**

To support this guidance, please be aware that SEVP clarifies that the "Five Month Rule" is not applicable during the COVID-19 Crisis.

*It has stated: "Under current conditions, if an active F student leaves the United States to complete the Spring term online, their SEVIS record should remain in Active status and not be terminated. While the temporary measures related to COVID-19 are in place, students are deemed to be maintaining status if they are making normal progress in their course of study. For that reason, the five-month temporary absence provision addressed in 8 C.F.R. 214.2(f)(4) will not apply for students who remain in Active status."*

### **INITIAL - FIRST YEAR STUDENTS**

Those students who will enroll in 100% virtual courses should not enter the U.S. This includes students who are currently outside of the U.S. and transferring to YU from another institution. Students may begin their study online, from abroad.

The OISS continues to issue original I-20s for the Fall term. If you are unable to arrive for the fall term your I-20 start date will be deferred to the start of spring 2021.

## **CURRENT STUDENTS**

There is nothing to update except to restate best practices: please keep in contact with your Dean, the Yeshiva University Website and OISS for any new information about returning to campus for the Fall 2020 term.

On June 8, 2020, New York City began “reopening.” While this is a positive step towards resuming business, the reopening does not mean everything will immediately open back up – it just means that right now, employees of construction jobs, wholesale, manufacturing, agriculture and retail companies (with safety procedures in place) can go back to work.

## **ALUMNI- OPT Pending**

By this time, I expected I would be able to notify you that DHS, ICE, SEVP and CIS would have issued guidance for our students who completed their studies in May, are abroad, are not able to return to the US, but would like to apply for OPT. Such guidance was not issued. I believe it is time to offer you some guidance in absence of any other:

### ***OPT Application Review and Preparation***

#### **Filing within the U.S.:**

If you are still in the U.S., completing your studies in May or August 2020, and wish to apply for OPT, we strongly encourage you to apply now. You will find application instructions on the OISS website <https://www.yu.edu/student-life/resources/international/employment/f-1-optional-practical-training>. Ready to apply? Go to <https://international.oiss.yu.edu/>

#### **Filing OPT from outside the U.S.:**

If you are abroad and your completion date has been passed or will pass, I see three options for you to consider:

(1) Wait until our U.S. Federal Government offers more concise guidance on this matter. Below is the most recent guidance from SEVP:

#### ***Regarding the latest FAQ – Question: Filing an OPT from abroad?***

*Answer: DHS is evaluating these issues and may issue additional guidance. In the meantime, since USCIS adjudicates OPT employment authorization requests, SEVP recommends reaching out to USCIS for further guidance.*

The above means that those who are currently maintaining ACTIVE status in SEVIS, those F1s might be allowed to file from abroad. We will notify you immediately if we are notified.

(2) Being aware of all risks, attempt to enter the U.S. with an expired I-20. Then, if successful and given F1 D/S, contact OISS immediately to submit your OPT.

(3) Submit your OPT abroad, being aware that on the Form I-765, p.4, Part 3, states:  
**NOTE: Read the Penalties section of the Form I-765 Instructions before completing this section.** You must file Form I-765 while in the United States.  
(Bold and size is my emphasis.)

We are here to guide you through any process you choose.

The OISS continues to work remotely, assisting many students everyday with questions and immigration application. Please keep in contact with OISS via our website and [oiss@yu.edu](mailto:oiss@yu.edu) and with all other pertinent officials at Yeshiva University. We are here to serve you.

Sincerely,  
Jennifer Golden  
Director, Office of International Services  
Yeshiva University