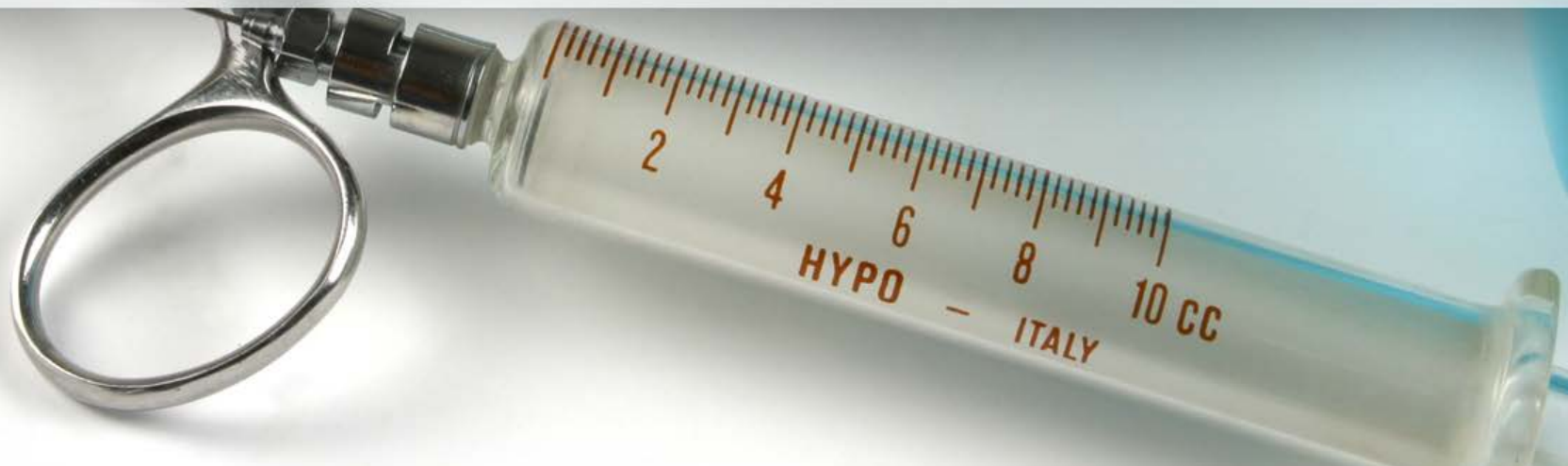




**OUCH!!**

**My IMMIGRATION STATUS HURTS!**

NAVIGATING ILLNESS AND REDUCED  
COURSELOAD REQUESTS





# **STAFF** Presiding





REGINA  
GEORGE

PRESENTER /  
SESSION CHAIR

*Ole Miss*



PATRICIA  
MARRAPESE

PRESENTER



KELLY  
REID

PRESENTER

INTO<sup>®</sup>  
UNIVERSITY OF  
SOUTH FLORIDA

# **REGULATIONS**

## **EPISODE 8, SUB-PARAGRAPH 5: A COMPLICATED HOPE**

**8 C.F.R. § 214.2(f)(6)(i)(A)-(E)**

**(6) Full course of study-- (i) General.**

**Successful completion of the full course of study must lead to the attainment of a specific educational or professional objective. A course of study at an institution not**

**approved for attendance by foreign students as provided in § 214.2(a)(3) does not satisfy this requirement. A "full course of study" means: (A)**

**Postgraduate study or postdoctoral study at a college or university, or undergraduate or postgrad**

# May The Summary Be With You

- Graduate= TBD by institutions *(many schools use 9)*
- Undergraduate = 12 credit hours
- Community Colleges = 12 clock hours/ week  
*or equivalent determined by institution*
- ESL = at least 18 clock hours/week  
*if mostly classroom instruction OR 22 clock hours/week if lab work is large part of program*
- Elementary/ High School = TBD by institution

The background of the slide is a complex, abstract pattern of swirling red and white lines, creating a sense of depth and movement. The pattern resembles a close-up of a flower or a microscopic view of a material. A horizontal band of solid red color runs across the middle of the slide, providing a backdrop for the title text.

# Navigating **SEVIS**

# Acceptable RCL Reasons

- Illness or Medical Condition  
*(up to 12 months with appropriate documentation)*
- Initial Difficulty with English Language (1<sup>st</sup> semester)
- Initial Difficulty with Reading Requirements (1<sup>st</sup> semester)
- Unfamiliarity with American Teaching Methods (1<sup>st</sup> semester)
- Improper Course Level Placement
- To Complete Course of Study in Current Term
- Part Time Border Commuter Student



**So an international student enters your office...**

**...and explains that they really need/want to drop a class**

***(It's too hard; they aren't interested in the curriculum, they dislike the professor, etc....any number of options...)***

**What do you do?**

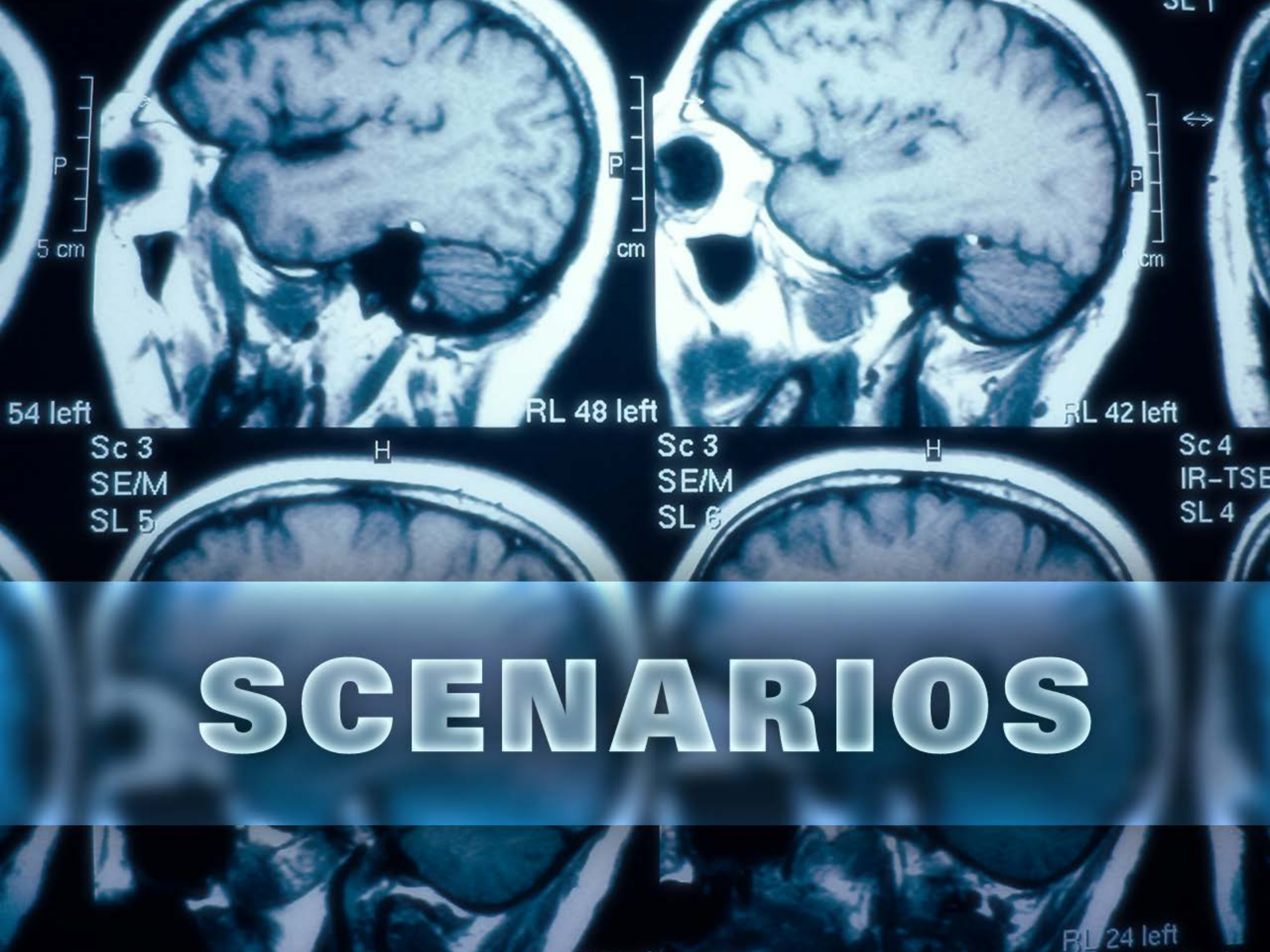
**The first thing you need to be confident about what your options are...**



# Can the student...

- Take the course pass/fail?
- Enroll concurrently at another institution?
- Enroll in online class that starts and end within your semester dates?
- Apply for reduced courseload approval through SEVIS (if applicable)?
- Transfer to another institution?





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# SCENARIOS

RL 24 left

Undergraduate/freshman comes to  
your office for advising.

**Completely overwhelmed.**

**Wants to drop a class because they don't like it.**

After additional discussion, it becomes clear that the student  
is having difficulties expressing themselves  
*(possible language issues?)*

**What are their options?**



# Regulation

## ACADEMIC DIFFICULTY 8 C.F.R. § 214.2(f)(6)(iii)(A)

The DSO may authorize a reduced course load on account of a student's **initial difficulty with the English language** or reading requirements, unfamiliarity with U.S. teaching methods, or improper course level placement. The **student must resume a full course of study at the next available term**, session, or semester, excluding a summer session, in order to maintain student status. A student previously authorized to drop below a full course of study due to academic difficulties is not eligible for a second authorization by the DSO due to academic difficulties while pursuing a course of study at that program level. A student authorized to drop below a full course of study for academic difficulties while pursuing a course of study at a particular program level may still be authorized for a reduced course load due to an illness medical condition as provided for in paragraph (B) of this section.



# Key Considerations

- How does your institution define “first semester”?
  - First semester in the US?
  - First semester at your school?
- Speak with student. Are the problems only with this class or are they dealing with other issues?
- Could Academic Support Services help? Tutoring?



You are advising a student who isn't able to get into a course that they need in order to reach full-time enrollment.

**It's a very popular class,**  
and unfortunately, the waitlist is long.

The same class is being offered at a local community college.

**Can the student take the class?**



# Regulation

## CONCURRENT ENROLLMENT 8 C.F.R. § 214.2(f)(6)(iv)

An F-1 student may be enrolled in two different Service-approved schools at one time as long as the combined enrollment amounts to a full time course of study. In cases where a student is concurrently enrolled, the school from which the student will earn his or her degree or certification should issue the Form I-20, and conduct subsequent certifications and updates to the Form I-20. The DSO from this school is also responsible for all of the reporting requirements to the Service. In instances where a student is enrolled in programs with different full course of study requirements (e.g., clock hours vs. credit hours), the DSO is permitted to determine what constitutes a full time course of study.



# Key Considerations

## Institutional Considerations:

- Will the credits taken at the other school fall within your semester start and end date?
- How will you monitor completion of the course if the student elects not to transfer the credits?
- Is there a specific date by which you need to be informed of this concurrent enrollment status? (i.e. end of add/drop?)

Once you determine the answers to these questions, it will determine “institutional policy.” The key is being consistent.





Student witnesses someone stealing a case of beer from a convenient store.

**He runs after the criminal**

and tries to stop the car from taking off.

He gets caught by the car and is drug for over a mile. Student is in critical condition at a hospital near the campus he attends (not the one you work at).

He spends several months in the hospital recovering and having surgeries.

**What would you do?**



# Regulation

## MEDICAL CONDITION 8 C.F.R. § 214.2(f)(6)(iii)(B)

The DSO may authorize a reduced course load (or, if necessary, no course load) due to a student's temporary illness or medical condition for a period of time not to exceed an aggregate of 12 months while the student is pursuing a course of study at a particular program level. In order to authorize a reduced course load based upon a medical condition, the student must provide medical documentation from a **licensed medical doctor, doctor of osteopathy, or licensed clinical psychologist**, to the DSO to substantiate the illness or medical condition. ...A student may be authorized to reduce course load for a reason of illness or medical condition on more than one occasion while pursuing a course of study, so long as the aggregate period of that authorization does not exceed 12 months.



# Key Steps

- Contact colleague or DSO at that campus
- Call hospital and ask to speak with the patient representative
- See if student is member of an international organization and speak to the organization president
- Contact insurance agent/agency
- Call emergency contacts on student information sheet
- Go see the student in person and see if there is anything you can do
- Contact health department on campus to know options for updates.
- Contact Dean of Students office.
- Talk to academic advisor (and/or Graduate School) to see if student can be given special circumstances courses or can drop to one course.



Classes have not yet begun, but graduate students are setting up their labs in preparation for the semester.

You receive an email from a new international student's supervising professor, reporting that the student has been **disruptive**, running through the lab, and using **“threatening language.”**

You send the student an email, asking them to come in the next day.

**That night you receive a call from campus police,**

notifying you that the same student has been detained after **disrobing** and **running through the lab while screaming.**



# Regulation

## MEDICAL CONDITION 8 C.F.R. § 214.2(f)(6)(iii)(B)

The DSO may authorize a reduced course load (or, if necessary, no course load) due to a student's temporary illness or medical condition for a period of time not to exceed an aggregate of 12 months while the student is pursuing a course of study at a particular program level. In order to authorize a reduced course load based upon a medical condition, the student must provide medical documentation from a **licensed medical doctor, doctor of osteopathy, or licensed clinical psychologist**, to the DSO to substantiate the illness or medical condition. ...A student may be authorized to reduce course load for a reason of illness or medical condition on more than one occasion while pursuing a course of study, so long as the aggregate period of that authorization does not exceed 12 months.



# Key Considerations

- Where is the student now? Still with the police? If not, where?
- Does the student have proof of health insurance on them?
- Has the student signed a release, allowing you to be involved in medical situations as they arise?
- Has the student checked in with your office yet? Do you have their emergency contact information on file?
- Does the student have roommates? Do others need to be contacted?



# As fate would have it....

- The student has been admitted to a mental health facility *(there are 4 in the area, and they are not sure which one)*
- The student doesn't yet have a copy of their health insurance card, however they will be automatically enrolled in insurance, and you have a copy of the temporary card
- The student is not yet enrolled in classes *(but NEEDS to be, in order for insurance coverage to be activated)*



# Key Considerations

- In an extreme case such as this, the student was authorized for a RCL down to zero in SEVIS
- The student qualified for Medical Evacuation under his insurance, to seek medical treatment and counseling back in his home country
- Insurance also covered the cost of his mother to come to the US to accompany her son home
- The student's roommate was also a new international student who now faced financial issues due to the loss of his roommate and his lease



# Key Steps

- Locate the student at the correct institution *and be prepared to provide a copy of the student's temporary insurance card*
- Work with the academic department to get the student enrolled
- If it is determined that the condition is severe enough to warrant Medical Evacuation, contact the insurance provider to get guidance on the keys steps that need to take place
- Contact the student's family to ensure that they are aware of the situation

You are a new DSO at an  
English Language Institute  
You have had six pregnant students come  
to you saying they cannot attend class.

What do you do?



# Regulation

## MEDICAL CONDITION

### 214.2(f)(6)(iii)(B)

The DSO may authorize a reduced course load (or, if necessary, no course load) due to a student's temporary illness or medical condition for a period of time not to exceed an aggregate of 12 months while the student is pursuing a course of study at a particular program level. In order to authorize a reduced course load based upon a medical condition, the student must provide medical documentation from a licensed medical doctor, doctor of osteopathy, or licensed clinical psychologist, to the DSO to substantiate the illness or medical condition. The student must provide current medical documentation and the DSO must reauthorize the drop below full course of study each new term, session, or semester. A student previously authorized to drop below a full course of study due to illness or medical condition for an aggregate of 12 months may not be authorized by a DSO to reduce his or her course load on subsequent occasions while pursuing a course of study at the same program level. A student may be authorized to reduce course load for a reason of illness or medical condition on more than one occasion while pursuing a course of study, so long as the aggregate period of that authorization does not exceed 12 months.



# Key Considerations

- What is your absence policy?
  - October 27, 2010 Policy Guidance 1004-07 – DSO Reporting Tips
- Is there a hospitalization policy?
- Are these students on bed rest as authorized by their physician?



**TRIAGE**

# Finding Balance

Institutional Policy/  
Immigration  
Regulations

**Vs.**

Students best interest  
& wellbeing



# Institutional Policies to Consider

- **Medical RCL:**
  - What dates do you use? (Do you back date to the beginning of the semester or do you authorize beginning on the date that you receive the medically endorsed letter?)
- **Academic Difficulty:**
  - Who do you allow to attest to this and in what form? Academic Advisor? Class Professor? A letter on letterhead? An email?
- **Final Semester of study:**
  - How does a student report this? Via email? Do you run a report? Will you accept a verbal endorsement? What if student fails to graduate?
- **Eligibility for employment while on Medical RCL?**
  - Speak with health care practitioner?

# Know Your Campus Resources

- Student Health Center/ Clinic
- Counseling Center
- Student Disability Services
- Wellness Education Programs
- University Police
- Dean of Students Office
- Student Intervention Team



# Know Your Community Resources

- Hospitals (Medical/ Mental)
  - Phone numbers, names of hospital administrators, copy of patient's bill of rights, patient representatives
- Urgent Care Clinics
  - Locations, hours of operation, insurance coverage
- City Police/ Sherriff's Office
- Funeral Homes
- DOS Contacts
- Local ICE Officers



# Unique Circumstances

- Special Student Relief
  - Syrian: 77 Fed. Reg. 20038 (April 3, 2012)  
"Approved for more than 20 hours per week of on-campus employment and reduced course load, under the Special Student Relief authorization from [DSO must insert the beginning date of employment] until [DSO must insert the student's program end date or October 3, 2013, whichever date comes first]."



# SSR RCL

- Only for students who are granted SSR work authorization
- Students who receive employment authorization under the Syrian F-1 student notice of suspension are authorized to reduce their courseload, so long as they maintain the following minimum levels of enrollment as specified in the Syrian SSR Federal Register notice:
  - 6 semester or quarter hours for students studying at the **undergraduate** level
  - 3 semester or quarter hours for students studying at the **graduate** level
  - **ESL** students: NAFSA in process of inquiry for Syria. Libyan students were eligible based on the 2011 guidance
- Unemployed students are not eligible for the RCL benefit





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