



June 12, 2020

Rachel E. Canty
Director, Student and Exchange Visitor Program
U.S. Immigration and Customs Enforcement
Department of Homeland Security
Washington, D.C. 20536

VIA EMAIL

Dear Director Canty,

I write on behalf of NAFSA: Association of International Educators to express our appreciation for the flexibilities and guidance provided by the Student and Exchange Visitor Program (SEVP) during the initial phase of the COVID-19 emergency, covering the spring and summer 2020 sessions. However, as the emergency continues into its next phase, U.S. schools are grappling with how to safely and gradually reopen to in-person instruction for the fall. As you know, these decisions require a complicated balancing, and will certainly vary across the country.

Admissions decisions for this fall have been completed at most colleges and universities, and schools are in the process of issuing Forms I-20 for newly admitted students and preparing to update the SEVIS records for their continuing students. Therefore, in order to plan and conduct a successful fall 2020 semester, NAFSA urges SEVP to continue and to appropriately adjust the flexibilities communicated through its prior Broadcast Messages and COVID-19 FAQs.

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NAFSA: ASSOCIATION OF INTERNATIONAL EDUCATORS

1307 New York Avenue NW, Eighth Floor, Washington, DC 20005-4715 USA • Telephone: 1.202.737.3699 • Fax: 1.202.737.3657 • E-mail: inbox@nafsa.org • Web: www.nafsa.org

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For example, we note that on May 15, 2020 the Department of Education notified stakeholders that "To provide the necessary flexibility for institutions to make timely decisions, we are expanding the broad approval for the use of distance education as provided in the April 3, 2020, EA to include payment periods that overlap March 5, 2020, or that begin on or between March 5, 2020, and December 31, 2020." We ask that your agency and offices also extend its distance education and other flexibilities for the remainder of 2020.

Although the worldwide suspension of visa services and the five country-specific COVID-19 presidential proclamations remain in effect, U.S. schools need clear COVID-19 flexibility guidance from SEVP as soon as possible. Guidance should continue the important international student and institution flexibilities included in the initial round of COVID-19 policy and guidance while also addressing how underlying variables have evolved and will continue to evolve this fall. These important variables include:

- The student's location (inside the United States or abroad, and in which country),
- The student's SEVIS record status (e.g., Active, Initial, etc.),
- The school's course delivery modality (e.g., fully online, fully in-person, a mixture of online and in-person, etc.), and
- Fall term structure and dates (e.g., whether the school plans to conduct its Fall 2020 term or terms on time, early, late, or on condensed terms).



Additionally, to ensure the success of the fall term, and the continued viability of U.S. schools themselves, SEVP should issue clear guidance that allows standard SEVIS actions for both new and continuing students, such as SEVIS registration, transfers, changes of level, and recommendations for student benefits like Curricular Practical Training and Optional Practical Training, regardless of the student’s location or the modality of instruction the school is using.

Recognizing that the Departments of State and Homeland Security are partners in these matters, we also ask that the agencies continue to coordinate their guidance, and to instruct their respective bureaus and offices to honor their partner agency’s guidance as it is issued.

Thank you for your consideration of this urgent request as SEVP continues to update policies that accommodate and address the current difficult situations caused by the COVID-19 pandemic.

Sincerely,

[signature redacted]

Esther D. Brimmer, DPhil
Executive Director & CEO
NAFSA: Association of International Educators