

The US will continue with its 2020 student immigration policies. Here's what that means for you

Synopsis

New or Initial F and M students who were not previously enrolled in a program of study on March 9, 2020, will not be able to enter the United States as a nonimmigrant student for the 2021-22 academic year if their course of study is 100 percent online.



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Last year, Covid-19 had necessitated major adjustments in the US policies governing international student status and visas in the USA. In keeping with the largely unchanged domestic infection guidelines, the government has announced on April 26, 2021, that it will carry forward its March 2020 policies into the 2021-2022 academic year applicable to F-1 and M status students.

Here are the key takeaways from the policy announcement and some frequently asked questions...

General Guidance

The government will accept electronic or digital travel signatures on the immigration forms issued by schools (Form I-20). The signatures will be valid for the same duration as an ink signature (12 months for F students and six months for M students).

Guidance for Continuing Students

- The March 2020 guidance, which now continues into 2021-2022, applies to students who were actively enrolled at a U.S. school on March 9, 2020, and are otherwise complying with the terms of their nonimmigrant status, whether from inside the United States or abroad.
- This guidance enables schools and students to engage in distance learning in excess of regulatory limits due to the continuing public health concerns created by COVID-19. Normally, a limited number of classes may be taken online, the rest must be taken in person.
- The students who are already engaged in active study will be permitted to count online classes toward a full course of study. This holds true even if a student is taking classes online from outside the USA.
- Students actively enrolled at a U.S. school on March 9, 2020, who subsequently took courses online while outside of the country can, subject to COVID medical restrictions, re-enter the United States, even if their school is engaged solely in distance learning.
- Students who are already in the USA, may remain and continue to engage in a fully online program of study if they have not otherwise violated the terms of their student status.
- If students in the USA are required to leave campus, they can continue to study online, if

- Continuing students are eligible to receive a visa at the consulate as and when local conditions permit.

Employment for Students

The on-campus employment can continue remotely if it is possible to do so.

- **OPT, STEM OPT:** Students currently participating in OPT, including STEM OPT, may work remotely if their employer has an office outside of the United States or the employer can supervise and assess student engagement using electronic means. Students participating in STEM OPT do NOT need to submit an updated Form I-983 to report remote work. However, requirements to submit an updated Form I-983 for other changes remain in effect.
- DSOs (and presumably students) do NOT need to update the employer address information in SEVIS or on the Form I-983 for students working remotely.
- The US government is still working out whether a student may apply for OPT from outside the USA.
- The government is evaluating whether to implement a specific exemption for exceeding the regulatory limits for unemployment of 90 days for OPT and 150 days for STEM OPT.
- Students on OPT are allowed to work less than 20 hours each week for the duration of the COVID-19 emergency.
- **CPT:** Students may engage in CPT during their time abroad, provided:
 - They are enrolled in a program of study in which CPT is integral to the program of study;
 - Their DSO authorized CPT in advance of the CPT start date; and
 - Either the employer has an office outside the United States or the employer can assess student engagement and attainment of learning objectives electronically.
- An F student's eligibility for practical training remains UNAFFECTED whether they are inside or outside of the United States during the COVID-19 emergency as long as they are in Active status in SEVIS.
- **Volunteering:** F and M students who work without wages, taxable compensation, or other remuneration are considered volunteers and are NOT required to obtain an employment authorization document.

Guidance for new students

- New or Initial F and M students who were not previously enrolled in a program of study on March 9, 2020, will not be able to enter the United States as a nonimmigrant student for the 2021-22 academic year if their course of study is 100 percent online.
- A new student should be allowed to enter the United States if they are engaged in a hybrid program, with some requirements for in-person learning.

While issuing this guidance, the US authorities have noted that because of the unpredictable pandemic situation, this guidance may have to be changed as needed.

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[Decoding the American Education system: A guide for Indian students](#)

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