



International Students and Remote Learning: What You Need To Know

Updated August 8, 2022

On May 31, 2022, ICE's Student and Exchange Visitor Program (SEVP) issued Clarifying [Guidance](#) for the Academic Year 2022-2023 as well as an [FAQ document](#) for universities to follow with respect to international students. This document represents our best reading of the ICE guidance.

Q1: What is the current policy?

- F-1 students who were in valid status on March 9, 2020, and who continuously complied with their status will be permitted to temporarily count online classes toward a full course of study beyond the regulatory limits at 8 CFR 214.2(f)(6)(i)(G).
- F-1 students enrolled after March 9, 2020, must adhere to existing regulations for online learning.

Q2: What immigration laws govern online and in person learning?

One important regulation is 8 CFR 214.2 (f)(6)(G) which states in part: "For F-1 students enrolled in classes for credit or classroom hours, no more than the equivalent of one class or three credits per session, term, semester, trimester, or quarter may be counted toward the full course of study requirement if the class is taken on-line or through distance education and does not require the student's physical attendance for classes, examination or other purposes integral to completion of the class."

Q3: How does Penn State apply the existing regulations?

Existing regulations require that students be enrolled full time every fall and spring semester as well as in the first summer if admitted in summer. Under the regulations, one 3-credit online course can be counted towards full-time enrollment. Below are the minimum enrollment requirements at Penn State.



Minimum enrollment		
Level	No online credits	One 3-credit online course
Undergraduates	12 in-person credits	9 in-person credits + one 3-credit online course
Graduate students	9 in-person credits	6 in-person credits + one 3-credit online course
Law students	12 in-person credits	9 in-person credits + one 3-credit online course
Medical students	10 in-person credits	7 in-person credits + one 3-credit online course

Q4: What are the options for F-1 international students in valid status on March 9, 2020?

F-1 students in valid status on March 9, 2020, and who continued to comply with their status can take classes in various modes: in-person, hybrid, or fully remote from the United States. Our understanding is that there will be no effect on the SEVIS record if the student remains enrolled full time and has no other violations of status such as unauthorized employment or unauthorized drop below full-time enrollment.

Q5: For F-1 students who began their course of study after March 9, 2020: If a student already has one 3 credit online class, what happens if they enroll in another class where the instructor decides to teach remotely in the first two weeks of a semester?

This becomes a problem and may require termination of the student's SEVIS record. If a SEVIS record is terminated, the student will be out-of-status and required to apply to USCIS for reinstatement or correct their immigration record by traveling outside of the country with a new I-20 SEVIS record (possibly causing the student to lose the benefit of practical training). Students in this situation should consult with an international student advisor in ISSA.

Q6: What is meant by 'hybrid?'

Hybrid enrollment is a mix of in-person classes and some online courses.

A hybrid class is one in which there is a required in-person component, and the remaining course is online. ISSA has determined the class must have a 25% required in-person component to be hybrid. Therefore, the following classes will **not** meet the requirement:

- A class that meets in person only on the first day and for the final exam.
- An instructor teaches in person and online, allowing students to choose between coming to class or observing online. This class will be considered a 100% online class and will not be considered an in-person class, even if the student is attending in-person classes.



Q7: Can F-1 students remain in the United States for the next academic year if they start their studies in-person but the school switches to online study?

Possibly. If Penn State moves back to online classes due to the pandemic, ISSA must notify SEVP of the change in mode of instruction due to the pandemic and SEVIS must accept the request.

Q8: Can a new F-1 student take a fully online course load from inside or outside the United States?

No. While in the United States, new international students in F-1 or J-1 status cannot pursue a full online course of study - only one 3-credit online course can count towards full-time enrollment.

While remaining outside the United States, new international students may study full or part-time in online courses - they will not be maintaining F-1 status during this time.

Q9: Can a continuing F-1 student take a fully online course load in fall 2022 at Penn State from inside or outside the United States?

- Yes. If a student was enrolled in a course of study in the United States on March 9, 2020, and maintained status. The SEVIS record will remain active if they maintain full-time enrollment.
- No. If a student was enrolled in a course of study in the United States on March 9, 2020, and did not maintain status, the SEVIS record will be terminated.
- No. If a student was enrolled in a course of study after March 9, 2020, the SEVIS record will be terminated.

Q10: If F-1 students transfer their SEVIS record to Penn State for fall 2022, will they be considered a continuing or new student for enrollment purposes?

- If the transfer student is already in the United States or enters the United States and checks in with ISSA at Penn State, the student will be considered a continuing student for immigration purposes, but a new student for enrollment purposes. However, only students enrolled on March 9, 2020, and having maintained status may take any number of teaching modalities.
- If the transfer student is outside of the United States and does not enter the United States for fall 2022, the SEVIS record will remain in initial status and the student must request a deferred admission from admissions and a new I-20 with the new admission start date. Only students enrolled on March 9, 2020, and maintaining status may take any number of teaching modalities.

The information contained in this FAQ is provided for educational purposes only and not as part of an attorney-client relationship. It is not a substitute for expert legal advice.



PennState Global



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Center for Immigrants' Rights Clinic

VISAS

Q10. If I enroll full time while in the U.S. and my visa expires, do I need to renew my visa?

No. If you remain in the United States, you do not need to renew your visa because your valid stay is governed by your I-94 and your I-20 or DS-2019.

Q11. If I am a continuing student and remain outside the United States, do I need to get a new F-1 visa?

No. If your F-1 visa is still valid, you do not need to apply for a new visa regardless of your SEVIS status.

RESOURCES

International Student and Scholar Advising (ISSA), Penn State Global: 814-865-6348, Option 1. Students can complete Submit a Question in iStart.gp.psu.edu

Center for Immigrants' Rights Clinic, Penn State Law in University Park: ssw11@psu.edu
[Penn State Law Center for Immigrants' Rights Clinic](#)