Recommendations
Based on the Guidelines, Procedures and Best Practices on F-1 & J-1
International Students

Policy

Mandatory Orientation (subject to approval of higher authorities)

Recommendation - Each semester, International Student Advisors must conduct orientations for new students to assist them in their transition to a new culture, U.S. higher education system, campus environment, and academic requirements of the university. Orientations should include valuable information for students about understanding the applicable immigration regulations, available support services on campus and cultural enrichment programs relevant to their interests.

Rationale – International students encounter unique challenges when transitioning to a new educational system and cultural environment. Orientations are critical retention tools because they facilitate students’ assimilation, helping them meet their educational objectives in a timely manner.

Impeccable Best Practices

Health Insurance Coverage

Recommendation – Although not mandated by CUNY, international students in F-1 status should be encouraged to purchase legitimate health insurance plans that cover medical evacuation and repatriation to their home countries.

Rationale – Students’ health and well-being are critical to their academic success and the university’s retention efforts. Mandatory health insurance coverage promotes a healthy campus environment because students are afforded complete and easy access to quality health care, referrals to specialists and hospitals, private health counseling; hence, increasing retention.

Issuance of Certificate of Eligibility – Financial Documentation

Recommendation - Designated School Officials/Responsible Officers should ensure that an international student’s financial documentation and declaration of finances are authentic and consistent with CUNY’s estimated educational and living expenses before issuing the SEVIS Certificates of Eligibility (I-20 or DS-2019).

Rationale – Designated School Officials and Responsible Officers/Alternate Responsible Officers may be personally legally liable when certifying incorrect information on the SEVIS Certificates of Eligibility (I-20 or DS-2019). The culture of admitting international students without adequate financial sponsoring documentation can potentially jeopardize CUNY’s standing with the U.S. Department of Homeland Security and compromise the University’s continued eligibility to admit international students under the SEVIS program.

Federal Reporting Requirements and SEVIS Records

Recommendation – Pursuant to 8CFR 214.3(g)(3)(iii), Designated School Officials and Responsible Officers are required by law to update and activate the immigration records of international students (F-1, J-1) in SEVIS within 30 days of program start date. If an F-1 or J-1 student fails to enroll in a full-time program in the fall or spring semester, the Designated School Official or Responsible Officer must terminate the students’ records manually in SEVIS.

Rationale – Failure of the Designated School Official and/or Responsible Officer to activate enrolled students’ records in SEVIS each semester and report changes is a violation of the federal government reporting requirements and regulations. This is a non-compliance action that can have potential legal and financial ramifications for the University and further, adversely impact CUNY’s certification to continue enrolling international student in F-1 and J-1 immigration status.

Reduced Course Load of Study

Recommendation – Reduced Course Load of study for an international student must be authorized by Designated School Officials and/or Responsible Officers only under the following circumstances:
- Academic - initial difficulty with the English language or reading requirements, unfamiliarity with U.S. teaching methods, improper course level placement),
- Medical - illness or medical condition (Note: student must provide medical documentation from a licensed medical doctor or clinical psychologist with a specified period of time.) or
- Completion of studies (students in their final/last semester).

Rationale – The 8 CFR 214.2(f)(6)(iii) Reduced Course Load of study regulations do not give any discretion to the schools, Designated School Officials or Responsible Officers to create new exceptions.

Automatic Terminated SEVIS Records
Recommendation - Whenever an international student’s SEVIS record is automatically terminated by the system, the Designated School Official/Responsible Officer office must:
- Inform the student(s) via email and official letter on a school letterhead.
- Provide the Chief of Student Affairs and the head of the department (if the area is not the Student Affairs, e.g. Provost) a copy of the notification.
- Place a copy of the notification in the student’s immigration file.

Rationale – International students whose records are terminated in SEVIS may be in violation of their international student immigration status. Therefore, any encounters with U.S. law enforcement officials can lead to an arrest and possibly deportation.

On-Campus Employment & Verification
Recommendation – Though on-campus employment is incidental to an international students’ immigration status, Designated School Official and Responsible Officers upon request, should verify a student’s current immigration status and semester registration for the purpose of I-9 completion and on-campus employment eligibility.

Rationale – Although not a regulatory requirement, verification of students’ immigration lawful status is strongly recommended because of the CUNY students’ ability to work concurrently at different CUNY campuses.

Federal Student Records Law Disclosures
Recommendation – If and when a federal, state, or city agency seeks education records on F-1 or J-1 students, other than the data elements reported in SEVIS pursuant to 8 CFR 214.3(g), such disclosures must be made only with the consent of the Legal Office at the individual campus or the CUNY Office of the General Counsel

Rationale – The Family Educational rights and Privacy Act (FERPA), which provides for the confidentiality of personally identifiable information from all student education records, apply to International students as well.

Retention of International Student Records
The retention period of students’ records as stated in 8 CFR 214.3(g) is 3 years, while CUNY’s retention policy is 6 years.

Recommendation – International Student Advisors must follow the CUNY retention schedule of student records, which is provided in Appendix J of the CUNY Guide and Procedures for international Students in F-1 and J-1 Immigration Status.

Rationale – Adopting the CUNY-wide policy for preserving student information provides for more consistent record keeping.