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Cc: acadhr <acadhr@umich.edu>; David Muusz <muusz@umich.edu>; Scott Manley <smmanley@umich.edu>

Subject: International Faculty and GSIs - remote work and immigration status - update

Dear colleagues –

Academic HR has received several inquiries regarding international faculty and GSIs and their ability to work remotely and maintain their immigration status. Academic HR and the International Center in Ann Arbor provide the following update on this issue.

On Monday 7/6/2020, the Student and Exchange Visitor Program unit (SEVP) of ICE (Immigration and Customs Enforcement) announced that it would amend its earlier guidance regarding the permissible modes of instruction for international students in F and M status. Partially in response to the Harvard and MIT lawsuit, which was joined by the University of Michigan, SEVP announced on Tuesday 7/14/2020, that it would [rescind its guidance](#). Note that the now-rescinded guidance would not have affected individuals in other immigration statuses.

The International Center in Ann Arbor has confirmed that, in general, existing international faculty and GSIs with teaching duties may teach their courses in person or remotely without jeopardizing their immigration status. As the rules and regulations for each immigration status are different, action on the part of the employee and/or their unit may be required before an individual may teach remotely, as outlined below.

- Existing employees in the J-1 Professor, Research Scholar and/or Short-Term Scholar categories are not restricted in their ability to teach remotely, as long as they are continuing to work towards meeting their original J-1 program objectives. As the University of Michigan must report the employment locations of individuals in these J-1 categories, if an individual in these categories will be (permitted to) work remotely, the International Center on the relevant campus should be alerted so that the employee's record can be amended to reflect this.
 - o New, incoming J-1 scholars do not have this flexibility and, generally, may not exclusively teach remotely.
- International Faculty and Staff in E-3, H-1B or TN status have employment authorization for a discrete position at a specific work location. A change to or addition of an employment location may result in the need to update the individual's immigration record or the filing of an amendment petition with the U.S. Citizenship and Immigration Service (USCIS). For individuals in H-1B, TN and E-3 status who have teaching duties, a change in the mode of instruction alone is generally not a consideration; they may teach virtually or in-person. However, if their employment takes place at a location other than their normal employment location or their home that is within regular commuting distance from that employment location, their immigration record may need to be amended. Please see the [FSIS website for additional information](#).
- International employees who hold valid Optional Practical Training (OPT) or Academic Training (AT) employment authorization may teach courses remotely or in-person without affecting their status.

- o International employees who are sponsored by a third party (e.g. Fulbright Scholars) or who hold OPT/AT sponsored by an institution other than the University of Michigan will need to consult with their sponsor should they have any questions about their status or the activities they may engage in.
- International student-employees, such as Graduate Student Instructors, who are sponsored by the University of Michigan, may teach courses remotely without jeopardizing their immigration status as long as they are otherwise maintaining their immigration status.

Should individual employees or their units have questions or concerns about this, please reach out to the International Center directly.

Sincerely,

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