



**AS Resolution #20-05**

**DATE APPROVED: 7/24/2020**

**Sponsored by: Jasmine Jaspreet Bhardwaj, AS President**

**RESOLUTION IN SUPPORT OF INTERNATIONAL STUDENTS**

Author(s): Associated Students of CSUMB

**WHEREAS**, the Associated Students (AS) of California State University, Monterey Bay (CSUMB) is the official voice for over 6,800 students in the California State University (CSU), including approximately 120 international students for this upcoming fall semester at CSUMB<sup>1</sup>; and

**WHEREAS**, the purpose of Associated Students of CSUMB is to “seek to empower and represent students in all areas of concern by upholding our University’s commitment to its Vision Statement, while sustaining an active role in the decisions, actions, and affairs of our university through advocacy and equitable governance”<sup>2</sup>; and

**WHEREAS**, international students’ rights to equitable education through California State University Monterey Bay is just as important as any and all other students across the CSU and our nation; and

**WHEREAS**, CSU Chancellor Timothy P. White announced that all 23 CSU campuses will be offering courses in the Fall 2020 semester primarily in a virtual instructional format<sup>3</sup>; and

**WHEREAS**, the US Department of Homeland Security (DHS) and the Immigration and Customs Enforcement (ICE) agency released modifications on July 6th, 2020, regarding the Student and Exchange Visitor Program (SEVP) exemptions for nonimmigrant students taking online classes for the Fall 2020 semester, and planned to publish the procedures and responsibilities in the Federal Register as a Temporary Final Rule<sup>4</sup>; and

**WHEREAS**, these modifications stated that nonimmigrant F-1 and M-1 students attending schools operating entirely online, would not have been allowed to take a fully online course load and remain living in the United States, as the US Department of State would have refused to issue visas to students enrolled in these fully online schools <sup>4</sup>; and

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<sup>1</sup> CSUMB International Students Office

<sup>2</sup> [AS CSUMB Mission statement](#)

<sup>3</sup> [CSU announcement on Fall 2020 virtuality](#)

<sup>4</sup> [DHS / ICE policy modification](#)

**WHEREAS**, the CSUMB AS President announced “The timing associated with launching these modifications on federal policy by the government seem unreasonable, senseless, and cruel. These sudden changes and departure of our international students’ in less than a month’s notice can gravely endanger our students’ lives, experiences, and educational opportunities.”<sup>5</sup>; and

**WHEREAS**, international students of CSUMB pay per full academic year \$16,647 (at 12 units/semester\*) in tuition and fees, Health Insurance (required) \$1,100, Housing and reservation deposit \$6,210 – \$13,372, thus international students may have already paid their lease, prepaid insurance, license, or registration;<sup>6</sup> and

**WHEREAS**, international students pay fees for on-campus services such as; Materials, Services and Facilities Fee, Health Services Fee & Health Facilities Fee, Instructionally Related Activities Fee, and under the directives released by the Department of Homeland Security, access to such resources would have been hindered and inaccessible<sup>7</sup>; and

**WHEREAS**, according to the Center for Disease Control and Prevention (CDC), “Some healthcare systems are overwhelmed and there may be limited access to adequate medical care in affected areas. If you choose to travel internationally, your travel plans may be disrupted, and you may have to remain outside the United States for an indefinite length of time”<sup>8</sup>, and

**WHEREAS**, current traveling restrictions cause undue harm and difficulty to students due to travel bans<sup>9</sup>; and

**WHEREAS**, according to the Pew Research Center, “Most countries in the world have imposed partial or complete border closures to foreign nationals due to [the] Coronavirus outbreak”<sup>10</sup>; thus, leaving students rendered with no place to legally reside; and

**WHEREAS**, the likelihood of contracting COVID-19 may be higher in countries that the students were returning to; and

**WHEREAS**, the stress of the journey to another country during this current pandemic would have caused undue stress and damage to students’ mental and physical health; and

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<sup>5</sup> [ICE SEVP Modifications: Statement by AS](#)

<sup>6</sup> [Total CSUMB tuition / fee contributions from international students](#)

<sup>7</sup> [Student Fee Advisory Committee \(SFAC\)](#)

<sup>8</sup> [Travel: Frequently Asked Questions and Answers](#)

<sup>9</sup> [Most countries in the world have imposed partial or complete border closures to foreign nationals due to coronavirus outbreak](#)

<sup>10</sup> [Most countries in the world have imposed partial or complete border closures to foreign nationals due to coronavirus outbreak](#)

**WHEREAS**, the CSU Graduation Initiative 2025 aims “to increase graduation rates” while “eliminating opportunity and achievement gaps” for students.<sup>11</sup> ICE’s policy change hindered academic, professional development and success due to the limiting of opportunities and resources available; and

**WHEREAS**, the admission application deadline for other universities has passed and CSUMB students would not have an opportunity to transfer to other universities in compliance with ICE’s initial directives; and

**WHEREAS**, the time difference for online classes would result in students in different countries having to attend online classes at unhealthy, unreasonable hours and further disconnect to resources; and

**WHEREAS**, a country’s regulations regarding the sharing of information may hinder the student’s access to resources. Some students would not have been able to attend classes in their home countries due to censorship, being locked out of technology, or subjected to hostility when studying subjects sensitive to their home countries<sup>12</sup>; and

**WHEREAS**, at the District Court of Massachusetts, Honorable Judge Allison Burroughs stated that “The government has agreed to rescind the July 6 2020 policy directive and the frequently asked questions, the FAQs, that were released the next day on July 7. They also agreed to rescind any implementation of the directive. They will return to the status quo as established by the March 9, 2020 policy directive and the addendum issued on March 13, 2020.”<sup>13</sup>; and

**WHEREAS**, Executive Director of the Presidents’ Alliance on Higher Education and Immigration, Miriam Feldblum, stated, “First, we recommend that ICE clarify in the March (now July) FAQs that the guidance applies to all schools in making adjustments in instructional delivery, including hybrid model schools.”<sup>14</sup>; and

**WHEREAS**, Executive Director Miriam Feldblum also stated, “the SEVP guidance does not allow Initial Status students to become ‘Active’ status in SEVIS until they enter the United States. If Initial Status students do not enter the US until the Spring 2021 semester, technically, they will lose the Fall 2020 semester as time counted toward their one year CPT/OPT eligibility.”<sup>15</sup> and now therefore be it

**RESOLVED**, Associated Students of CSUMB encourages ICE to take into consideration the COVID-19 pandemic and ensure that international students enrolled in U.S. universities but studying remotely [outside of the United States] for the 2020-2021 academic year are able to maintain their eligibility time for CPT/OPT; and be it further

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<sup>11</sup> [Graduation Initiative 2025, HOW WE'RE IMPLEMENTING CHANGE](#)

<sup>12</sup> [Countries or regions where G Suite is available \(or not\) \(Link to number of international students by country origin\), Concerns raised about zoom being banned](#)

<sup>13</sup> [Rescindment of Policy](#)

<sup>14</sup> [Statement by Feldblum](#)

<sup>15</sup> [Statement by Feldblum](#)

**RESOLVED**, Associated Students of CSUMB supports the use of CSU's and CSUMB legal resources to reassess what legal flexibility we have in supporting our students in preventing any current or future deportations for CSUMB students; and be it further

**RESOLVED**, Associated Students of CSUMB supports the use of CSU's and CSUMB legal resources to look for legal precedence to challenge any future ICE's orders in District Courts to protect our CSUMB students; and be it further

**RESOLVED**, Associated Students of CSUMB encourages CSUMB to extend the tuition payment deadline beyond July 31, 2020 to allow international students to make financial accommodations due to the additional stress and challenges caused by ICE policy changes; and be it further

**RESOLVED**, Associated Students of CSUMB supports the streamlining of accessible and flexible counseling services for international students' needs [adjustable times, utilizing a variety of communication services] as a result of this crisis; and be it further

**RESOLVED**, if similar circumstances such as the July 6 ICE policy modifications arise in the future, Associated Students of CSUMB would encourage the U.S. Department of Education and CSU Chancellor Timothy White to mandate all 23 CSU campuses to submit academic plans that fulfill said F-1 visa requirements in order to ensure the access to education, personal well-being, safety of international students; and be it further

**RESOLVED**, Associated Students of CSUMB supports the creation of a system-wide policy for fulfilling the F-1 visa requirements for international students to stay in the country in the case of ICE rescinding its July 14th decision; and be it finally

**RESOLVED**, that this resolution shall be distributed to Donald Trump, Thomas Homan, Chancellor Timothy P. White, the CSUMB President Eduardo Ochoa, CSUMB Academic Senate Chair Michael Scott, Vice Chancellor Leo Van Cleve, U.S. House Judiciary Committee, U.S. Senate Judiciary Committee, U.S. House Immigration and Border Security Subcommittee, U.S. Senate Border Security and Immigration Subcommittee, Senator Kamala Harris, Senator Diane Feinstein, Speaker of the House Nancy Pelosi, Governor Gavin Newsom, U.S. Immigration and Customs Enforcement.

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