



November 17 & 18, 2022

Amy Olson, Fabrizio Ricciardelli, Loren Ringer (in absentia, Gian Franco Borio)

Meeting with EAC – EU Commission

November 17

Bruno Castro – Policy Officer; International Cooperation – Americas

Kinga Szuly, Head of Sector, Higher Education Policy

Lucie Trojanova, Policy Officer – in charge of recognition of qualifications, the Bologna Agreement

Mr. Castro said that he has appreciated our correspondence and would like to continue the dialogue so that he better understands who we are. As he's tried to explain to his EU Commission colleagues the nature of our work, he realizes it's not that obvious in the European framework.

Concerning Higher Education Policy, the two women made it clear they were only interested in working with American programs that offer joint degrees (for example, NYU in Prague, John Cabot U in Rome). EUASA should see if there are more members who offer joint degrees and then reach out to a few of these to see if they would be interested in joining a work group. They specifically designated these universities as being "Universities that offer dual degrees and are accredited by a member state's Education Ministry".

Mr. Castro said that in 2024, there might be a conference on US – Europe educational exchanges that he called "Study in Europe Fairs" in which case we could play a role. Since this is primarily for EU universities to recruit students, he has do think more on how we could participate in this type of event.

He thought that Erasmus + internships might be another area that intersects with our field. In the last 7 years, they have funded 5,000 exchanges. They have also had problems with the internships, but only in certain countries. He is going to look into whether or not our students could participate in Erasmus + trainings.

Erasmus Mundus Master's programs. He thought it would be great if we could promote this to our students and our home institutions. They are very interested in establishing joint programs. The EU has provided grants to set up these programs. Most of these masters are carried out in at least two EU countries so they share the visa challenges.

Mr. Castro also thought that US students could apply for Jean Monnier grants but will get back to us on this.

He has agreed to put us in touch with ACA, IUF and other European University associations.

- European University Foundation (EUF): <https://uni-foundation.eu/>
- European University Association (EUA): <https://eua.eu/>

- Academic Cooperation Association (ACA): <https://aca-secretariat.be/>

He restated that the EU's role is to accompany, advise, recognize member states, to share best practices but that many functions were left up to the member states. They reminded us that the EU commission has no legislative power.

Mr. Castro's office always sends someone to EAIE and often goes to NAFSA. (Mr. Castro himself went this year where he met with our EUASA member, Alexis Phylactopoulos.) He also does study abroad fairs in some countries and promotes other countries as hosts.

In terms of economic impact, Mr. Castro would really like to see our studies. We will send him Barbara's document as well as the Irish study so that he has an example.

Meeting with DG-HOME

November 18, 2022

Georgiana-Maria Plesu (International Cooperation)

Joanna Podapulo (short stay visas)

Maria Inês Coutinho, Legal Assistant, DG Migration and Home Affairs (long-stay visas)

VISA ISSUES

They were very aware of the current visa problems and have a number of ideas in how to help us.

From the directives passed in 2016 and imposed as of 2018, the EU Commission checks up on the member states to see if there are anomalies or evidence of non-compliance. It's great timing because, starting in January 2023, they will be pursuing the list of complaints they have and investigating the practices of each member state.

Amy Olson talked at length about the issues that students are having in the process of attempting to obtain a student visa for Spain: differing requirements at each Consulate (for example one consulate requires medical insurance cover expenses up to 500,000€, another 1 million euros, and a this requires that the student have medical insurance "equal to that of Spanish citizens with no deductible or limit of cost coverage," something that is unrealistic if not impossible). She also spoke about the obstacles some consulates are imposing and which undermine the group application process (for example, the requirement for a single check from each university institution covering all of the student applications for all of the programs going to that country) and announcing appointments with only 5-7 days' notice, giving little time to gather information from students and prepare a payment. In this case, if only one student's application is rejected, the whole process is stalled since the university check sum no longer matches the cost of the number of applications. In short, a logistical nightmare. The announcement in October from one of the main consulates that they were no longer accepting appointments sent the student into a panic and some estimates indicate a loss of up to 15-20% of the students originally destined for Spain who either withdrawn because of the anxiety due to the process or were re-directed to a Spanish speaking program in Latin America.

Ms. Coutinho mentioned two separate avenues for submitting complaints. She talked Amy through the process and Amy will share this with APUNE but also put together an information sheet about how national associations should list the complaints. They can do very little about the appointments issue (but will be sure to include it in their report) and must instead concentrate on evidence showing noncompliance with the EU Directive mentioned above.

There is a Director General form on their website where you can formally lodge the complaint: https://ec.europa.eu/info/about-european-commission/contact/problems-and-complaints/complaints-about-breaches-eu-law/how-make-complaint-eu-level_en

This should be done by each national association in name of its programs. She even suggests a formal letter from each national association with statistics (if possible) to wage the complaint. Address the letter to Legal Migration and Immigration in DG-Home.

In each of our home countries, we should form work groups with the ministries in order to raise awareness of Consular problems (especially problems with appointments and procedure designed to impede the proper issuance of the visas), such as once the application is submitted, students must receive an answer within 90 days in order to be compliant with the Directive. If they do not, that is non-compliance.

Here, Mr. Castro suggested going through institutions like SEPIE (Spain) or Campus France; in addition, it would also be important to contact the Ministry of Education AND Ministry of Exterior Affairs in each member state.

We learned that member state CANNOT ask for extra documents that are not already listed on the 2016 directive. They should also be harmonized, such as the same medical insurance requirements, proof of sufficient funds, etc. in each Consulate of a member state.

There was talk of allowing tourists to stay longer, up to one year as long as they didn't stay more than 90 days in one country. Instead, it's a maximum of 90 days in any 180-day period.

Multiple country visas: Ms. Coutinho confirmed that the student should apply in the home country and that the country they study in first should be issuing both visas, 1st semester with their country, 2nd with the other country. This is one of the elements that DG-Home will be looking at during their review of the processes. She emphasized again listing the details of the problems to build a stronger case.

For students who extend visas because they decide to stay second semester, the process is quite complex. It requires a lot of paperwork and then limitations on travel, but it is possible and should be facilitated for students who want to continue their studies and are accepted to a program.

OPT – this exists for master's degrees and professional undergrad degrees already. They can stay an additional 9 months after the degree to look for work or start a business. We asked if this could be extended to all undergrads but this, of course, would be up to the EU Parliament to address.

Ms. Coutinho said that we could put her in touch directly with Gian Franco Borio to get his take on the question of how to define a study abroad student. Amy wrote her to thank her for the visit and has already put them in touch.

Meeting with US Mission to the EU

November 18, 2022

Aroosha Z. Rana, Cultural Attaché
US Mission to the EU

Amy Grier, Public Affairs Officer, US Consulate; works directly with the Consular Affairs Bureau in DC.

Elisabeth Bloxam, Fulbright / Schuman, Director of Programs

We began our conversation with the question of visas and they were keenly aware of the problems, in part through Elisabeth and what she had experienced with Fulbright. Aroosha was not very optimistic that the EU could help us but rather that we each needed to lobby our national countries.

She and Amy Grier said that it would be helpful to contact directly the Consular Affairs Bureau as well as the Education and Cultural Affairs Bureaus in DC. She will try to get a contact for us. It was suggested that having a meeting with them (even via Zoom) to raise some of our issues may translate later into them transmitting those concerns in their meetings with European Embassies. It was mentioned that some US Consulates make the visa process difficult for European students and that we, as a community, should also address this as we know there is an issue of political reciprocity (in some cases, even 'tit for tat') amongst countries.

FATCA – it is applied evenly across the board. From her last mission in Asia, Aroosha said the anyone could try to set themselves up as an educational association when in fact they were laundering money. She referred to them as “bad agents” and that it would be hard to distinguish between a legitimate educator or fake. This is certainly having an impact on our study abroad programs in Europe.

GDPR – needs more clarity. Some programs send all personnel files including social security numbers, pay slips, etc. Elisabeth said that they are pursuing SCC (Standard Contractual Clauses) and anyone can find templates on Internet and in various languages. It's precise about what data is shared, how it's shared, how long it is stored, etc. This is the only way to share data legally.

IIE (Institute for International Education) is working with Fulbright on this, and they do not feel that the US is taking it seriously enough. They are hoping for a more precise data privacy legislation / framework.

Title IX – the first concern shared is that it might violate GDPR, unless you put into place an SCC.

When we explained the lack of clear indications on the application of Title IX, but also the contradictions between application of local law and Title IX, they agreed that more clarity was necessary. They also suggested they could help us with this through their direct links to the US Department of State and other offices in DC. I think it would be well worth our time to address a letter to them in which we state our needs for clarity, giving concrete examples that illustrate the complexity of applying Title IX (but also Clery Act, FERPA, etc.) in the European context.

Overall, we were given a warm welcome and made to feel that Aroosha and Amy Grier would sincerely invite further contact and on-going communication.