

**EXH. 34**  
**DECL. OF JENNIFER GRUENEWALD**  
**(UNIVERSITY OF WISCONSIN – MILWAUKEE)**

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

<p>COMMONWEALTH OF MASSACHUSETTS, et. al.,</p> <p style="text-align:center"><i>Plaintiffs,</i></p> <p style="text-align:center">v.</p> <p>UNITED STATES DEPARTMENT OF HOMELAND SECURITY, et. al.,</p> <p style="text-align:center"><i>Defendants.</i></p>	<p>Civil Action No. _____</p>
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**DECLARATION OF JENNIFER GRUENEWALD**

I, Jennifer Gruenewald, pursuant to 28 U.S.C. § 1746, hereby declare and affirm,

1. I am the Director for International Student & Scholar Services in the Center for International Education at the University of Wisconsin – Milwaukee (UWM) located in Milwaukee, Wisconsin.
2. I submit this Declaration to verify publicly available information regarding UWM’s current enrollment statistics and practices and procedures affected by July 6, 2020’s “Broadcast Message” and to be published as a Temporary Final Rule to amend requirements of the Student and Exchange Visitor Program (the “Rule”).
3. I have compiled the information set forth below through personal knowledge and UWM personnel who have assisted me in gathering this information from our institution. Specifically, UWM’s data is from Fall 2019

as reported to the Institute for Higher Education, an NGO that acts as a clearing house for international education data of institutions of higher education. I have also familiarized myself with the Rule in order to understand its immediate impact on the UWM.

### **Background on UWM and International Student Population**

4. UWM is a public comprehensive university with an enrollment of approximately 26,000 students.
5. UWM has 1174 F-1 visa-holding students (529 undergrad and 587 graduate; 58 intensive English). These students are from 84 countries.
6. Approximately 40% of all international students at UWM live in university housing. Applying this percentage to the above numbers equals \$5,126,000 (466 x average housing and meals \$11,000). This is an estimate, not actual data from these specific F-1 students. Approximately 80% of international students pay non-resident tuition, which equals about \$21,436,000 (932 x average tuition \$23,000).
7. UWM has Approximately 935 F-1 visa-holding students currently in the US.
8. As of July 6, 2020, (for UWM's main campus) there were 645 admitted new students reported for fall 2020 with a Visa Permit Type of F-1. This number includes students who were admitted as new freshmen, new transfers, or new graduate students (continuing and re-entry admits are

excluded). Students who canceled their admission are not included in these numbers.

9. According to SEVIS data as of June 27, 2020, there were 228 students who departed the US between March 8 and June 27, of a total of 1232 active F-1 records (this includes students on Optional Practical Training).

Accordingly, approximately 1004 F-1 students remain in the US.

### **Economic Impact to UWM**

10. It is anticipated that the July 6, 2020 "Broadcast Message" may cause up to 50% of F-1 visa-holding students to cease enrollment at UWM. This would represent approximately \$10,718,000 in losses of tuition, and approximately \$2,563,000 losses in housing revenue. UWM considers this loss of primarily non-resident tuition money to be significant.

### **The Rule's Impact on Current Planning Efforts**

11. On March 25, 2020, UWM submitted its completed SEVP forms regarding operational changes due to COVID including the school name and school codes for all physical locations affected by the changes. It reported the mode of instruction was moving to an online environment for all programs, included a description of how the school provides oversight of F-1 students, including virtual advising to ensure regular contact with students, faculty and instructional staff meeting institutional expectations for student oversight. This includes class participation, expectations for assignments to be completed in accordance with syllabi and assessment and grading of

quizzes and exams and a projected length of time for online instruction for the Spring semester. UWM also submitted the same completed SEVP form regarding operational changes for the Summer semester even though international students are not required to enroll in the Summer.

12. As of July 9, 2020, UWM plans to offer a hybrid model of instruction this fall that would allow international students to enroll in some face-to-face classes, meet the requirements of the proposed rule and remain in the United States to make progress towards their degrees. However, UWM may need to adapt, as we did in the spring semester, to changing public health conditions.

13. Reissuing all continuing student (approximately 1065) and initial student I-20s to include the endorsement regarding hybrid instruction will be a significant administrative burden with limited resources to meet the imposed deadline of August 4th.

14. There is an impact on diversity, a financial impact, an impact due to uncertainty, and the Rule could potentially UWM's status as an R-1 research institution with international student researchers contributing to research mission.

15. On July 9, 2020, UWM's Chancellor, Mark Mone, issued a statement, excerpts from which include the following:

We have about 1,200 international students; many are graduate students enrolled in high-demand STEM fields where they make significant contributions to research that improves lives in Wisconsin and beyond. Our international students also contribute to the diversity and vibrancy of our campus culture, helping make UWM a truly world-class university. We will

continue to support and advocate for these valuable members of our community.

The proposed ICE rule takes away our flexibility. If this rule remains, it would cause hardship and havoc for many of our international students. We saw last spring that many of these students were not able to quickly return home for a variety of reasons, and we know that some who leave will not be able to return. This order will halt their studies, harming them and, ultimately, the world that would benefit from their knowledge and contributions. It also would set back UWM's and the United States' ability to attract the world's brightest minds to study here.

In planning for the fall semester, we have kept health and safety at the forefront of our minds. While we are planning for in-person instruction, we are prepared to move to online instruction if public health guidance warrants it. This DHS rule makes our decisions harder by putting health and safety in competition with our students' educational progress, and it places the university in an untenable position. It is my fervent hope that we and the other universities lobbying on this issue will be able to effect a change.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 12th day of July, 2020.



Jennifer Gruenewald  
Director for International Student & Scholar  
Services  
University of Wisconsin – Milwaukee