The Obscure Rules Change That Could Drive More Foreign Students Away

International enrollments were already hurting. Now for the next blow.

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ANOTHER CLOSED DOOR?

By Karin Fischer

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A seemingly arcane change to visa rules could be the next blow to the enrollment of foreign students in the United States.

The Trump administration wants to impose fixed deadlines for international students to leave the United States. Colleges fear the new regulation could cause havoc at the height of visa season — and discourage students from coming in the first place.

The guidance, which is expected to be released any day, would make visas valid for four years or the anticipated length of a student's degree — whichever is shorter. Students in longer programs like doctorates would have to apply for an extension to finish their studies.

It's a shift from longstanding policy that allows, with few exceptions, visa holders to remain in the United States as long as they continue to be full-time students. Under the current system, known as "duration of status," students can take as long as they need to graduate or even start another degree program — say, a master's after earning a B.A. — without applying for a new visa.

The U.S. Department of Homeland Security argues that the current system is a national-security risk and "subject to fraud, exploitation, and abuse." A draft of the rule, published in the *Federal Register* last summer, notes the existence of sham colleges and pay-to-stay schemes in which people working illegally are falsely reported as active students.

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During a press conference on Tuesday, Homeland Security officials announced that a yearlong investigation had uncovered wrongdoing in optional practical training, a program that allows students to stay and work for an extra one to three years while still on their original visas. Officials called OPT "a magnet for abuse." Colleges themselves have complained about students who get visas but never enroll in courses. Still, higher-education groups question whether a few bad actors justify changing a policy that affects all students.

The department said that requiring students to apply to extend their stays would allow immigration officers to verify that they are truly students. Doing so is also "inherently likely to deter exploitation of perceived vulnerabilities" in the visa system, officials wrote in the initial proposal. (A Homeland Security spokesperson did not respond to a list of questions submitted by *The Chronicle*.)

Adding an expiration date would also bring visas for students and scholars in line with those issued to businessmen, vacationers, and other foreign visitors. But unlike those groups, there is already a mandatory federal database tracking foreign students, created after the September 11 terror attacks.

Observers expect the rule to be published soon so it can apply to students now seeking visas to begin classes this fall. Colleges worry the timing, smack in the middle of the busiest period, could disrupt visa issuances — a potentially unwelcome repeat of last summer, when applicant interviews were halted for nearly a month to add social-media screening. Those delays are blamed for a 36-percent drop in student-visa issuances.

Summer is also when recent graduates become eligible to start jobs through OPT, and the new rule could affect students' transition.

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"It's likely to inject chaos" into the student-visa system, said Robin Catmur-Smith, managing director of the International Student Resource Center, which provides immigration information and expert support to international students.

Admissions documents required by the federal government to start the visa process have already gone out under the current system. Advising and record-keeping will need to change midstream. Will there be coordination with other government agencies — such as the State Department, which is responsible for issuing visas — and with units within the Department of Homeland Security, like customs officials who screen travelers at the border?

"It could be a nightmare," said Catmur-Smith, who estimates it could add hours of staff time per student for colleges. The rule could also exacerbate current monthslong delays in government processing of work authorizations and other immigrant benefits.

An Injection of Uncertainty

In fact, the current system was put in place because of the heavy administrative costs and workload of approving extensions. In 1979, when duration of status was adopted, there were about 285,000 foreign students in the United States. Today, there are more than 1.1 million.

Even supporters of the new rule are concerned about administrative strain. Still, Elizabeth Jacobs, director of regulatory affairs and policy at the Center for Immigration Studies, said immigration officials have "the responsibility to comply with the law, not to do things quickly." The center, which supports stricter regulation of immigration, has argued that the duration-of-status policy conflicts with laws passed by Congress setting penalties for visa overstays.

While it is easy to get bogged down in the sheer wonkiness of it all, advocates for international students said this is more than a debate about paperwork: It injects uncertainty into one of the weightiest decisions for students and their families.

Less than half of first-time undergraduates receive their degrees in four years, according to U.S. Department of Education data, meaning that many foreign students would need an extension. It's unclear how the rules would apply to programs that jointly award bachelor's and master's degrees or to students who start at a community college or English-language program hoping to transfer.

Doctoral admissions would become a gamble — places and funding would have to be offered and accepted with no assurances that foreign Ph.D. candidates would be able to stay to complete their dissertations or research. That could be especially disruptive in STEM fields, in which 43 percent of doctoral students are visa holders.

The rule would impose other restrictions: Undergraduates wouldn't be able to transfer or change their majors during their first year. Graduate students would be locked into their programs with no option to change.

No guidelines for determining academic progress have been released, but critics said the measure turns the work of educators over to immigration officers. "It is intruding in a really unacceptable way on academic decision making," said Miriam Feldblum, executive director of the Presidents' Alliance on Higher Education and Immigration.

One of the most disruptive potential bottlenecks is OPT. In 2024, one of four visa holders participated in the training program. The new regulations would effectively decouple OPT from students' studies, requiring those who want work experience to file for an extension.

The lack of a guarantee of hands-on training could chill student interest in an American degree. Nearly half of international students in a recent survey said they would not study in the United States without OPT; a third were unsure.

The rules change — on top of visa delays, denials, and restrictions under the current administration — could act as one more closed door for students from overseas, said Fanta Aw, executive director of NAFSA: Association of International Educators. "What's the message — pack your bags and leave?"

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