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Client Alert: Department of Homeland Security Final Rule Eliminates Duration of Status for F-1 Students and Imposes Severe Academic Mobility Restrictions—Effective September 15, 2026

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Maria del Carmen Ramos
Haley D. Kole

MEDIA CONTACT

Wendy M. Byrne
wbyrne@shumaker.com

The landscape for F-1 students has shifted dramatically. On July 17, 2026, the Department of Homeland Security (DHS) published a final rule that eliminates “duration of status” for F, J, and I nonimmigrants. The rule does far more than replace an open-ended admission period with a fixed date; it imposes sweeping restrictions on academic mobility, reshaping how F-1 students transfer between schools, change majors, and pursue additional degrees.

The rule takes effect on September 15, 2026. All changes apply prospectively to students who complete a course of study on or after that date.

This alert explains what has changed, who is affected, and what you and your students need to do now.

The End of Duration of Status

For decades, F-1 students entered the U.S. for “duration of status,” meaning they could remain as long as they maintained valid student status without a fixed end date.

That era is over.

Under the new rule, every F-1 student will receive a fixed “Admit Until Date” (AUD) on Form I-94. When that date passes, the student’s authorized stay expires, regardless of whether the academic program continues.

This change affects every aspect of a student’s academic journey. Transfers, program changes, and extensions now carry hard deadlines. Miss one, and the student falls out of status.

No Lateral or Reverse Matriculation

The rule draws a bright line: F-1 students may not complete multiple courses of study at the same educational level.

In practice, this means:

- A student who completes one master’s degree cannot pursue a second master’s degree.
- A student who finishes a bachelor’s degree cannot start another bachelor’s program.
- Double majors remain permitted, but the student must enroll in both majors simultaneously from the start.
- Graduate students cannot add or drop a major after entering their program.

The rule also prohibits reverse matriculation. A student who completes a graduate-level program cannot later pursue a lower-level degree, including a bachelor’s, associate’s, or English Language Training program.

Transfer Restrictions: Below Graduate Level

The rule imposes a two-tier system for undergraduate transfers.

First Academic Year: Transfers Prohibited

During the first academic year, transfers are barred unless Student and Exchange Visitor Program (SEVP) grants an exception for “extenuating circumstances.” That exception is narrow. DHS defines extenuating circumstances as rare, exceptional events beyond the control of both the school and the student. Examples include:

- Withdrawal of the school’s SEVP certification
- A school merger that eliminates the student’s program
- A natural disaster or declared emergency

SEVP has not yet published procedures for requesting an exception. Until it does, the exception exists only on paper.

After the First Academic Year: Conditional Transfers

After the first year, transfers are permitted only if the student satisfies two conditions:

- The student has not been placed on academic probation or suspension; and
- The student does not have a “pattern of repeated inability or unwillingness” to complete the course of study.

Critical I-94 complication: If the new school’s program end date exceeds the student’s AUD on Form I-94, the student must either: (1) file Form I-539 (extension of stay) with U.S. Citizenship and Immigration Services

(USCIS) before the AUD expires; or (2) depart and reenter the U.S. with the new school's Form I-20 before the AUD.

Transfer Restrictions: Graduate Level

Graduate students face a near-total ban on transfers. Transfers at the graduate level are prohibited unless SEVP approves an exception for extenuating circumstances under the same narrow standard described above.

DHS has not clarified whether a graduate student may transfer to begin a higher-level program (e.g., from a master's to a doctoral program). This presumably remains permissible, but uncertainty will persist until DHS provides formal guidance.

Changes in Educational Objective

The rule also restricts changes to a student's educational level or major.

Below Graduate Level

First academic year: No changes are permitted unless SEVP approves an extenuating-circumstances exception.

After the first academic year: Changes are permitted only if the student has not been on academic probation or suspension and has no pattern of inability or unwillingness to complete the program.

Graduate Level

No changes to educational objectives are permitted at the graduate level. Period. There are no extenuating-circumstances exception for graduate-level changes. If a graduate student drops out of a program, DHS states in the preamble that the student must immediately depart the U.S.

Read that again. ***A graduate student who leaves a program — for any reason — has no path to pivot; departure is the only option.***

English Language Training: A Lifetime Cap

The rule imposes a 24-month lifetime limit on English Language Training (ELT) programs. This cap is absolute and does not reset after interruptions, whether caused by vacations abroad, illness, or other circumstances. Once a student has spent 24 months in ELT, that door closes permanently.

One exception: pathway programs where ELT is embedded within another academic program are not subject to the cap.

The I-94 Deadline Problem

The shift from duration of status to a fixed AUD creates a recurring administrative burden. If a student's academic trajectory extends beyond the I-94 expiration date because of a transfer, change of major, or program extension, the student must take affirmative action:

- *Option 1:* File Form I-539 (Application to Extend/Change Nonimmigrant Status) with USCIS before the AUD expires.
- *Option 2:* Travel internationally and reenter the United States with a new Form I-20 before the AUD

expires.

Both options require planning. USCIS processing times for I-539 applications are notoriously unpredictable, while international travel carries its own risks, including visa-stamping delays, port-of-entry complications, and the ever-present possibility of a travel ban or consular refusal.

Possible Delayed Implementation

DHS has reserved authority to delay implementation of the academic mobility restrictions for up to two years by Federal Register notice, citing potential Student and Exchange Visitor Information System (SEVIS) technology limitations, but DHS has not indicated whether it will exercise this authority. Plan as though September 15 is the effective date. If DHS delays implementation, treat that as a bonus, not a strategy.

What You Should Do Now

The effective date is barely a month away. We recommend the following:

- *Audit your current F-1 population.* Identify students whose programs extend beyond their likely AUD or who are contemplating transfers or program changes.
- *Accelerate pending transfers.* Any transfer or program change that can be completed before September 15 should be fast-tracked.
- *Counsel graduate students immediately.* Graduate students face the harshest restrictions. Those considering any change — including a different major, a transfer, or even dropping out — must understand the consequences before the rule takes effect.
- *Brief your DSOs.* Designated School Officials need to understand the new framework, including the process (or lack thereof) for extenuating circumstances exceptions.
- *Monitor SEVP guidance.* Communicate any update on extenuating-circumstances procedures to affected students immediately.
- *Track Form I-94 expiration dates.* Build systems to monitor every F-1 student's AUD. A missed deadline means a loss of status with limited recourse.
- *Consider litigation developments.* Legal challenges to this rule are likely. Stay apprised of any injunctions or stays that affect implementation.

This rule demands immediate attention. The window between now and September 15 is short, and the consequences of inaction are severe. We stand ready to help you assess exposure, develop compliance strategies, and counsel affected students.

If you have any questions, please contact Maria del Carmen Ramos or Haley Kole.