

Duration of Status (D/S) Final Rule for F/J Students and Dependents

On August 28, 2025, the Department of Homeland Security (DHS) announced a proposal to change how F-1/F-2 and J-1/J-2 international students and scholars and their families are admitted to the U.S. and the process for extending their stay. This change would eliminate the long-standing "duration of status" (D/S) policy for F and J nonimmigrants, which includes international degree-seeking and exchange students and visiting scholars. There were several other provisions that were included in that proposal.

On Friday, July 17, 2026, DHS published in the Federal Register the final rule "Establishing a Fixed Time Period of Admission and an Extension of Stay Procedure for Nonimmigrant Academic Students, Exchange Visitors, and Representatives of Foreign Information Media." Much of what was included in the proposed rule has remained in the final rule that would take effect on September 15, 2026.

Key Provisions

Maximum Period of Stay : Setting the authorized period of stay for F and J students up to the program length, not to exceed a 4-year period plus a 30 day grace period.

- **F and J students and dependents entering the U.S. on or after September 15, 2026:** Your authorized stay will generally be limited to the end date on your Form I-20 or DS-2019, or 4 years, whichever comes first, followed by the applicable grace/departure period.
- **Transition for those already in the U.S.:** F and J nonimmigrants who are maintaining D/S status in the U.S. on September 15, 2026 will transition to a fixed period of stay. Generally, this will extend through the program end date on the current I-20 or DS-2019 (or applicable EAD expiration date), but no later than 4 years from September 15, 2026, followed by the applicable departure period.
- **The 4-year maximum does not mean you must finish your degree within 4 years.** If your program requires more time, you may continue your program, but you will need to apply to USCIS for an Extension of Stay (EOS) before your authorized stay expires.
- An **Extension of Stay** may also be required for post-completion practical training if the requested training would extend beyond your current authorized period of stay.

Extension of Stay (EOS): Under the new rule, F-1 and J-1 students who need to remain in the United States beyond the expiration date on their I-94 may need to extend their authorized stay. This generally can be done by applying to USCIS for an Extension of Stay (EOS) or, when appropriate, by traveling outside the United States and seeking a new fixed period of admission when re-entering.

- **OPT and STEM OPT:** F-1 students who are subject to the new fixed-period system generally must file both an OPT/STEM OPT employment authorization application (Form I-765) and an Extension of Stay application (Form I-539) when additional time is needed to cover the requested training period.

- **Working while an EOS is pending:** Students who timely file an EOS may, in certain circumstances, continue previously authorized employment while the application is pending. After the transition period, qualifying F-1 and J-1 students may continue authorized employment for up to 240 days after their authorized period of admission expires while USCIS processes a timely filed EOS. This provision does not create a new type of employment authorization; the employment must otherwise be authorized.
- **Special transition rule for OPT/STEM OPT:** Certain F-1 students who are in the United States under D/S on September 15, 2026 and timely file for post-completion OPT or STEM OPT on or before March 18, 2027 do not need to file a separate EOS application. They may file the normal Form I-765 for OPT/STEM OPT. However, a student who travels outside the United States and re-enters under the new fixed-period system before filing the OPT/STEM OPT application will no longer qualify for this exception.

F-1 School Transfers and Changes in Degree Programs: The new rule also places additional restrictions on changing schools, majors, and degree levels:

- **First academic year:** F-1 students generally must complete their first academic year at the school that issued the initial Form I-20 before changing schools or educational objectives.
- **Graduate students:** Students at the graduate level or above may not change their educational objective during their program.
- **Graduate school transfers:** Graduate students generally may not transfer to another school during their program. SEVP may authorize an exception in rare, extenuating circumstances, such as certain school closures or emergencies outside the student's control.
- **Changing degree levels:** After completing a program, an F-1 student may begin another F-1 program only at a higher educational level. Beginning another program at the same or a lower educational level is not permitted under the new rule.

F-1 Grace Period Reduced to 30 Days: Under the new rule, the F-1 grace period following completion of a program or authorized post-completion practical training is reduced from 60 days to 30 days. During this period, students must prepare to depart the United States or take another appropriate action to maintain lawful status.

Important transition exception: Certain F-1 students who remain covered by the D/S transition provisions—including qualifying students who timely apply for OPT or STEM OPT by March 18, 2027—may retain the existing 60-day grace period.

What should I do right now?

If you are currently in F or J status, here are some steps you can take before the new rule is scheduled to take effect on September 15, 2026:

- **If possible, enter the U.S. before September 15, 2026.** If you leave the U.S. on or after September 15 and later re-enter, you will generally be admitted under the new fixed-period rules and will no longer receive the benefits of the transition provisions. If you are currently abroad applying for or waiting for a visa, the new rule does not change the visa application process or current visa processing times.

- **Planning to transfer your F or J program?** Submit your request to Immigration Services through the iStart Portal at least two weeks before September 15 to allow enough time for processing.
- **Check your I-20 or DS-2019 end date.** If your program completion date is later than the program end date on your current I-20 or DS-2019, and your academic advisor states there is a legitimate academic reason to request an extension, submit an I-20 Amendment Form in the iStart Portal at least two weeks before September 15.
- **Eligible for OPT or the STEM OPT Extension?** Apply as early as you can. F-1 students may apply for post-completion OPT up to 90 days before their program completion date and for the STEM OPT Extension up to 90 days before their current OPT EAD expires. Applying promptly may be especially important because of the transition provisions in the new rule.

Stay informed

This is a complex new rule, and Immigration Services is continuing to review how it will affect international students and scholars. More guidance, written updates and detailed instructions will be provided as implementation procedures become clearer.

The rule is currently scheduled to take effect September 15, 2026. Legal challenges or other developments could affect that timeline, so continue to monitor Immigration Services updates before making important immigration or travel decisions.

FAQs for F/J Students

Does the new rule apply to everyone?

The rule applies to: F-1 academic students; F-2 dependents; J-1 exchange visitors; and J-2 dependents.

Does this mean I can only stay in the United States for four years?

No. A common misconception about the new rule is that it creates a four-year limit on F or J status. In the new rule, four years is generally the maximum length of a single period of admission. Meaning, students and scholars can still remain in F or J status beyond four years if they continue to satisfy the applicable immigration requirements and obtain additional periods of authorized stay when necessary (either by filing an I-539 Extension of Stay with USCIS or leaving and re-entering the U.S.).

What is an Extension of Stay (EOS)?

An Extension of Stay (EOS) is a request you file with USCIS called I-539 to extend the amount of time you are allowed to stay in the United States without leaving the country. Most F-1, F-2, J-1, and J-2 applicants apply for an EOS by filing Form I-539, along with the required supporting documents and filing fee. If your application is approved, USCIS will issue a new Form I-94 with an updated Admit Until Date, allowing you to remain in the United States through the approved period, including the grace period.

How will students be able to check their Admit Until Date (AUD)? Known as the fixed period of admission.

By checking their I-94 Admission Record: <https://i94.cbp.dhs.gov/search/recent-search>

Does Immigration Services recommend students/scholars to enter the U.S. before 9/15/2026?

Not necessarily. If entry date to the U.S. is before 9/15/2026, their duration of stay will continue to be noted with Class of Admission as F-1 or J-1 and Admit Until Date (AUD) as D/S. If entry date to the U.S. is on or after 9/15/2026, D/S will be replaced with the specific date that they are allowed to stay in the U.S. for. Students and scholars can check their latest I-94 admission record at <https://i94.cbp.dhs.gov/search/recent-search> for their AUD information.

I am already in the United States on September 15, 2026. Does anything change on that day?

For most cases it does not. If you were lawfully admitted in F-1, F-2, J-1, or J-2 status before September 15, 2026, and your Form I-94 indicates Duration of Status (D/S), your admission does not automatically change when the new rule becomes effective.

Your current Form I-94 remains valid under the transition provisions established by DHS. The government will not automatically issue you a new Form I-94 with an Admit Until Date (AUD), and you do not need to leave the United States or immediately file an Extension of Stay simply because the rule has taken effect. For many individuals, daily life continues exactly as it did before September 15, 2026.

What if I am already in the United States and never travel outside the U.S. during my time at Clemson?

Many students and scholars may remain under the transition provisions for several years without leaving the country. However, the transition provisions are not indefinite.

If you neither travel internationally nor obtain an Extension of Stay, your D/S admission is limited by the transition deadlines established in the regulation: **November 14, 2030** for most F-1 students; and **October 15, 2030** for most J-1 exchange visitors. In practice, many students and scholars will transition to the new system well before these deadlines because they travel internationally, extend their academic programs or appointments, begin practical training, or experience another immigration event requiring a new period of authorized stay.

My entry visa in my passport has expired, but I am maintaining my F-1 or J-1 status. May I remain in the United States?

Yes. An expired visa does not require you to leave the United States if you are otherwise maintaining your immigration status. Your visa is used to request admission to the United States. Once admitted, your ability to remain lawfully in the country depends on your immigration status and your authorized period of admission, not the expiration date printed on your visa. If you later travel internationally, however, you will generally need a new valid visa before returning to the United States, unless you are exempt from the visa requirement.

Should I avoid international travel to preserve my transition provision and (D/S)?

The regulation does not recommend avoiding international travel, and Immigration Services does not recommend making travel decisions solely to remain under the transition provisions. International travel remains an important part of academic and professional life. However, because international travel after September 15, 2026, will generally result in admission under the

new fixed-period admission AUD system, students and scholars need to make informed decisions in their travel plans, and should understand how travel may affect their individual circumstances before making travel plans.

What is the period of stay for F-2 and J-2 dependents?

The authorized period of stay for F-2 and J-2 dependents cannot exceed the duration of the principal F-1 or J-1's status. If the principal F-1 or J-1 requires an extension of stay, the dependent(s) will also need to file an I-539 (and I-539A for accompanying family members) to extend their stay accordingly.

F/J Students FAQs

Will the new rule change my eligibility for employment?

No. The final rule does not change the eligibility requirements for employment benefits already available under the F-1 or J-1 regulations. Students will still need to continue to satisfy all existing eligibility requirements for employment authorization, including enrollment, academic progress, reporting requirements, and any applicable USCIS approval requirements.

How does the new rule affect undergraduate students?

For most undergraduate students, the new rule will have little practical impact. Generally, most Clemson students will complete their degree requirements within four years. In many cases, students will receive a Form I-94 that is valid through the expected end of their academic program and will not need to apply for an Extension of Stay (EOS) while completing their degree. However, for some students, they may need additional time to finish their program because of: changes to their academic plans, medical leave, approved reduced course load, and others.

What if I need an extra semester or year to graduate?

Many students need additional time to complete their degree, and doing so does not automatically affect their eligibility for F-1 or J-1 status. However, under the new rule, extending your Form I-20 or DS-2019 generally does not extend your authorized period of admission in the United States. If your academic program will continue beyond the AUD on your Form I-94, you will also need a valid period of authorized stay. This may be obtained by: applying for and receiving an approved **Extension of Stay (EOS)** from USCIS; or traveling outside the United States and being readmitted with your updated Form I-20 or DS-2019.

Because obtaining an updated Form I-20 and DS-2019 and, if needed, applying for an Extension of Stay can take time, you should begin planning well before your current period of admission expires.

How does the rule affect Master's students?

For most master's students, the new rule will have little impact. The majority of master's degree programs are completed within one or two years, so many students will finish their degree before their initial period of admission expires. However, students who plan to remain in the United States after graduation should pay close attention to the Admit Until Date on their Form I-94.

Can I continue from my Master's program into a Ph.D. program?

Yes. In most cases, students may continue directly from a master's program to a Ph.D. program if they remain eligible for F-1 or J-1 status and meet all academic and immigration requirements. Before completing your master's degree, we recommend consulting with Immigration Services to

ensure your immigration documents and authorized period of admission are updated for your new program.

How does the rule affect Ph.D. students?

Ph.D. students are more likely to be affected by the new rule because many doctoral programs last longer than four years. This does **not** mean there is a four-year limit on F-1 or J-1 student status. However, many Ph.D. students will need to obtain a new period of authorized stay before completing their degree, either by: receiving an approved **Extension of Stay (EOS)** from USCIS; or traveling outside the United States and being readmitted.

What if my dissertation or research takes longer than expected?

It is common for Ph.D. research to take longer than originally planned because of research, fieldwork, funding, or other legitimate academic reasons. If you need additional time, Immigration Services may be able to extend your Form I-20 or DS-2019. However, if your AUD will expire before you complete your program, you will also need a new period of authorized stay, either through an approved I-539 Extension of Stay (EOS) or by traveling abroad and being readmitted.

Can I change my major or educational objective?

It depends on your academic level and the type of change. Undergraduate students cannot change their major during their first year of study, unless it is authorized as an exception for extenuating circumstances. Students enrolled in programs at the graduate level or above cannot change their majors at any point during their program of study.

What should F-1 students do now?

Under the new rule, early planning will be especially important to help avoid interruptions to your academic progress. Immigration Services recommends students to continue to:

- Consult with Immigration Services before extending programs, changing educational objectives, taking a leave of absence.
- We encourage students to still make informed decisions when planning international travel.
- Understand the expiration date on their **Form I-94**.
- Review their immigration documents after international travel, and keep copies of important immigration documents.

Other Resources

NAFSA: Association of International Educators

- [Duration of Status Rule Web Page & Resources](#)
- [NAFSA Analysis](#)

Study in the States

- [Elimination of Duration of Status Quick Facts](#)

- [Elimination of Duration of Status Frequently Asked Questions](#)