



INTERNATIONAL STUDENTS OFFICE

Massachusetts Institute of Technology

VIRTUAL FORUM: Updates on Elimination of D/S Final Rule for F and J Nonimmigrants

September 4, 2026

12:00noon-1:00pm EASTERN US TIME

Welcome

- Please submit your questions in the “Q&A” section of the webinar; they will be used to develop future FAQ once additional guidance is received from government agencies. *Reminder: please do not include any personal information in your questions.*
- Slidedeck will be made available on the Final Rule webpage: <https://iso.mit.edu/ds-elimination-finalrule/>.
- For advice about your individual situation, please contact your [ISO Advisor](#)



General Overview

- **Effective Date: September 15, 2026**
- Students/Scholars will still be able to pursue their program even if expected duration is longer than 4 years (will need extension).
- Does **not** apply to students/scholars in any status other than F or J (H-1B, TN, O-1, etc. are **not** impacted by the Final Rule).

Applies to:

- F-1 students
- J-1 exchange visitors
 - including J-1 students, exchange students, and visiting students and J-1 “scholars” (postdocs, visiting scholars, visiting scientists, visiting engineers, lecturers, and others)
- Family members in F-2 and J-2 status



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General Overview

- **USDHS/SEVP Webinar on Final D/S Rule – August 31, 2026**
 - Link to slidedeck/recording/transcript available on ISO Final Rule webpage: <https://iso.mit.edu/ds-elimination-finalrule/>
- **USDOS/Exchange Visitor Program Webinar on Final Rule – September 1, 2026**
 - Will post link to slidedeck/recording/transcript as soon as they are available
- No major updates from the webinars
- Both indicated additional operational information will be made available ‘in advance of the implementation date’
- Lawsuit filed in U.S. Federal District Court of Massachusetts on August 18, 2026
 - Hearing yesterday (September 4) – no updates yet



Final Rule Summary

Fixed-date Admissions to the U.S.

- “Duration of Status” replaced with fixed end date for legal stay in U.S.
- Maximum initial stay of **4 years** or designated length of F-1 or J-1 program, **whichever is shorter**, plus a 30-day grace period.
 - If program length is less than 4 years, will be granted length of program (ex: Bachelor’s = 4 years, Master’s = 2 years)
 - Students who need more than 4 years to complete degree (ex: PhD students) must apply for Extension of Stay or extend through travel/return to the U.S.
 - Any J-1 scholar (postdoc, visitor, etc.) whose MIT appointment is extended beyond their Form DS-2019 end date, will need to apply for Extension of Stay, or extend through travel/return to U.S.



Final Rule Summary

New Formal Extension of Stay Application Process with USCIS

F-1 and J-1 Students:

- Extension of Stay (more time to complete current degree program)
- School Transfers for new program beyond fixed date of stay
- Change of Education Levels to Higher Education Level Only
 - Final Rule **does not allow** for change of education level to a new program at same degree level or lower degree level
- Post-Completion F-1 Practical Training (in addition to OPT application) or Post-Completion J-1 Academic Training



Final Rule Summary

Restrictions on Transfers and Changes of Educational Objectives for F-1 and J-1 STUDENTS

- Transfer to new degree program, at MIT or another university, will only be granted until end date of current length of authorized stay in U.S.
- F-1 graduate students may **NOT** change “educational objectives” (academic programs, educational level) during the program for which they are admitted to the U.S.
 - May only apply for a Change of Education Level **AFTER** completion of initial degree program
 - Ex.: entered U.S. for Master’s degree program, must complete the Master’s degree program before being eligible to move on to a PhD program
- F-1 students (“below graduate level” = Undergraduate/Bachelor’s degree) may **NOT** transfer between institutions in their first year.



Final Rule Summary

Prohibition on Lateral or Reverse Matriculation for F-1 STUDENTS

- Bars F-1 students from pursuing a new degree program at the same or lower educational level after completion of current degree program.
- J-1 students, under existing J regulations, are **NOT** eligible to change to a new program at the same or lower educational level.
- *More Information Needed* – “Mastering Out” of PhD program



Final Rule Summary

F-1 STUDENT “Grace Period” Reduced from 60 Days to 30 Days

- F-1 grace period reduced from 60 days to 30 days following completion of studies or any authorized practical training. (J-1 grace period remains 30 days)
- Within 30 days after completion of program, a student must:
 - (a) apply for Post-Completion OPT;
 - (b) request transfer to a new degree program at new school;
 - (c) process change of educational level (to a higher educational level) to pursue new program at same school;
 - (d) apply to USCIS for a Change of Status to a new immigration status; or
 - (e) depart the U.S.

These may require filing Form I-539 *Application to Extend/Change Nonimmigrant Status* with USCIS (with fee, biometrics, and possible interview) if period of stay will be beyond current Admit Until Date (AUD)

More Information Needed: How will this impact start date requests for Post-Completion OPT (will that also be reduced to 30 days)



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Final Rule Summary

Impact on F-1 and J-1 employment with pending Extension of Stay applications

- Under certain circumstances, an F-1 or J-1 student/scholar will be allowed to continue working beyond “admit until date” on I-94 record, for up to 240 days, if a timely filed Extension of Stay (Form I-539) application is pending with USCIS.
- *Awaiting Confirmation:* We expect Form I-9/E-Verify will be completed with current proof of status and employment eligibility plus Receipt Notice of pending Extension of Stay application.



Final Rule Summary

- Not filing a timely application for Extension of Stay or departing the U.S. within designated grace period (for those with an AUD), will begin to accrue period of “unlawful presence” in the U.S.
 - Accruing 5 months of unlawful presence creates a bar of admissibility to the U.S. for at least 3 years
 - Accruing 365 days or more of unlawful presence creates a bar of admissibility to the U.S. for at least 10 years
- It may be possible to file an Extension of Stay within the 30-day grace period after the AUD, but employment authorization is **NOT** extended
- crucial to file Extension of Stay application prior to Program End Date on I-20/DS-2019



Pending Questions

(Awaiting Guidance from DHS/DOS)

- Will departure from the U.S. and entry on new Form I-20/DS-2019 to extend stay also allow for other provisions deemed ineligible by the Final Rule?
 - **(Students)**: Begin a new program at the same or lower educational level?
 - **(Students)**: Will travel/re-entry re-start the period needed to complete before being eligible for off-campus employment authorization?



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Pending Questions

(Awaiting Guidance from DHS/DOS)

Students:

- ❑ Applying for F-1 Post-Completion OPT/F-1 STEM OPT Extension/J-1 Academic Training
 - For F-1 students who must submit both an OPT application and an Extension of Stay application, how will processing be monitored on USCIS Case Status Online for the two applications?
 - Will USCIS be able to link both applications upon receipt to process concurrently?



Pending Questions

(Awaiting Guidance from DHS/DOS)

Students:

- Will Form I-539 Applications for Extension of Stay be eligible for Premium Processing?
- Dual Degree program documentation – can students add a dual program after entry as long as program end date is not extended beyond AUD?
- “Move Down” when not completing higher degree (not completing PhD, but graduating with Masters instead) – how to report?



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Final Rule Resources

- Elimination of “Duration of Status (D/S) Final Rule”
 - <https://iso.mit.edu/ds-elimination-finalrule/>
- MIT Summary of Final Rule – July 24, 2026
 - <https://iso.mit.edu/mit-summary-of-usdhs-final-rule-eliminating-d-s-for-f-and-j-statuses/>



New SEVP Guidance on F-1 CPT

- SEVP issued a guidance message on August 24, 2026
- Changes long-standing interpretation of “integral part of established curriculum”
- Makes CPT unavailable for experiences that are “optional”
 - Includes experiences as part of Professional Practice/Development Requirements where there are multiple options of activities that can fulfill the requirements
- Experiences eligible for CPT authorization must:
 - Be **required** of **ALL** students (American and International) in the degree program
 - Be established by a “cooperative agreement” between the school and the sponsoring/host employer or organization
- A previous SEVP Broadcast Message on August 12, 2026 did not include a change in regulatory interpretation



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New SEVP Guidance on F-1 CPT

- After consultation with campus leaders and outside experts, MIT has taken the following actions until clarifying information from SEVP becomes available:
 - Temporary pause all new CPT authorization requests that were pending or received on/after August 24, 2026
 - Contact all international students who had already been issued CPT authorization for the Fall 2026 to discuss options
- MIT peer institutions have enacted similar pauses as we await more information from USDHS/SEVP
- Questions on CPT
 - See notice on [ISO CPT webpage](#)
 - Contact your [ISO Advisor](#)



ISO Resources

- ❑ ISO Website: <https://iso.mit.edu>
- ❑ ISO New Students: <https://iso.mit.edu/getting-started/>
- ❑ ISO Visas and Travel: <https://iso.mit.edu/visas-and-travel/>
- ❑ ISO Employment: <https://iso.mit.edu/employment/>
- ❑ MIT Immigration Alerts & Updates:
<https://iso.mit.edu/news-and-announcements/major-immigration-updates/>
- ❑ ISO Common Questions: <https://iso.mit.edu/knowledge-base/>
- ❑ ISO Advisor Point-of-Contact:
<http://iso.mit.edu/about/student-advisor.shtml>



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Thank you for attending.

We appreciate any questions you have placed in the "Q&A"

Please visit the Final Rule webpage for updates (<https://iso.mit.edu/ds-elimination-finalrule/>)



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