



Ask the Experts:

What the End of Duration of Status Means for Universities

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Agenda

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 - 4-year transition
 - I-94 Controls
 - Unlawful presence (ULP)
 - Shift in Operational Control
- Getting More Time
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 - Readmission (Travel) Processes
 - Addressing Expected Completion Dates
- F-1 Specifics
 - Grace Period
 - OPT/STEM OPT Timing & Transfers
- Putting It Into Practice
- What to Do Now



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What Changed: *A Fixed Admission Date*



OLD SYSTEM

Duration of Status (D/S)

- Admitted as long as the program is maintained
- I-94 simply read "D/S" — no fixed expiration date
- Status ended when the program ended

NEW SYSTEM

Fixed Admission Period

- I-94 shows a specific "Admit Until Date"
- AUD = program end date, capped at 4 years, plus a short grace period
- After that date: file an Extension of Stay (EOS) or travel and re-enter



"How will this change impact students or program participants starting this fall?"

If a student or program participant is admitted on or after Sept 15, 2026, they will be admitted pursuant to the new fixed-admission system from day one. Those who enter prior to Sept 15 will be admitted for D/S.

Myth-Busting: *The 4-Year Cap*



MYTH

"I can only stay in the U.S. for 4 years total on F-1 or J-1 status."

FACT

- 4 years is the max length of a single admission period, not a lifetime cap
- Programs longer than 4 years (F-1 PhD programs; J-1 Research Scholars or Professors) are fine
- An Extension of Stay (EOS), or international travel, will be required before the I-94 expires



"How does the change affect PhD students whose program runs 5+ years?"

The 4-year cap is on a single admission, not the program. Students in longer programs will need to file need an extension of stay, or pursue a new admission to the United States via travel, before the 4-year mark, not before the program end date.

Other Major Changes

Four-year transition period

I-94 Controls and students/program participants must be aware

Unlawful presence will accrue upon status expiration if no action taken

Shift in operational control for F-1/J-1 programs from DSO/RO to USCIS

Key Dates on Your Calendar

Jul 17, 2026

Final rule published

Sep 15, 2026

Effective date

Oct 15, 2030

Latest possible transition date: **J-1**

Sep 3, 2026

Preliminary injunction hearing

12 days

Mar 18, 2027

F-1 OPT/STEM OPT safe-harbor deadline

Nov 14, 2030

Latest possible transition date: **F-1**



This rule is being litigated. NAFSA et al. v. DHS was filed August 18, 2026; a preliminary-injunction hearing was held September 3, 2026. As of today, there is no ruling, so plan as though these dates apply and monitor your school's official communications for updates.

Anticipate a Filing Bottleneck



High Filing Volume Expected

USCIS is expecting a significant volume of EOS filings on top of existing caseload.



No Premium Processing

There are currently no premium processing options. Standard processing times can be long!



Expedites Are Not a Backup Plan

Expedites are discretionary, not guaranteed. USCIS' system is already strained.



What This Means for Advising

File as early as allowed, generally up to 6 months before the program end date, and build timelines around standard processing.

Four-Year Transition



Students and program participants with a D/S admission as of September 15, 2026, continue to hold that D/S until the earlier of (a) the program end date or (b) the latest transition deadline: November 14, 2030 (F-1) or October 15, 2030 (J-1).



International Travel

Traveling and being readmitted on or after 9/15/26 moves you onto the new fixed-date system immediately.



An Approved EOS

Getting an Extension of Stay approved also moves you onto the new fixed-date system going forward.



“Does the new rule affect ongoing students/program participants, or only those admitted after 9/15 and those who travel?”

Both, but differently. Continuing students/program participants get automatic transition protection. New admissions and anyone re-entering on or after 9/15/26 go straight onto the new fixed-date system.

Three Documents, Three Purposes

Students and program participants must check the I-94 after every entry.



Visa

- Issued by a U.S. embassy or consulate.

Gets you to the border



I-20 / DS-2019

- Program record for SEVIS purposes.

The eligibility document



I-94

- Issued by CBP at entry and shows controlling Admit Until Date.

Controls length of stay

New Risk: Automatic Unlawful Presence



BAR CONSEQUENCE

180-day triggers

3

**YEAR REENTRY
BAR**

1-year triggers

10

**YEAR REENTRY
BAR**

*Possible consequences of
accruing unlawful presence*



Formal Finding Required

Under Duration of Status, unlawful presence generally required a formal finding that a student had violated status.



Overstaying Your I-94 Is Now Automatic

Under the new fixed-date system, overstaying an I-94 can trigger unlawful presence automatically, aligning F/J/I nonimmigrants with H-1B/B-1/B-2-style tracking.

Reminder: Grace period is now 30 days.



The Admit Until Date Matters

A student or scholar's Admit Until Date is now as important as their I-20, DS-2019, or visa expiration date. An active SEVIS record no longer means their stay is authorized.



What This Means for Your Office

Track Admit Until dates separately from I-20 program end dates, and flag students and scholars approaching theirs well before they arrive.

The New Extension of Stay (EOS) Process



Old way: DSO or RO extended I-20/DS-2019 and that alone kept a student or program participant in lawful status.

1

School or Sponsor Updates the Record

- DSO/RO extends I-20 or DS-2019.
- This is a recommendation, not a decision.

2

Student Files For Their Own Extension of Stay

- USCIS adjudicates I-539 and issues a new I-94 if approved.
- USCIS alone decides.



EOS decisions are discretionary and not appealable. A denial means immediate departure – there is no grace period –and unlawful presence can start accruing the next day. File early as biometrics and processing time can take months.

Readmission (Travel) Process



Travel has consequences. Readmission on or after September 15, 2026, forfeits transition protections and will place students/program participants on a new fixed I-94.

1

School or Sponsor Updates the Record

- DSO/RO extends I-20 or DS-2019.
- This is a recommendation, not a decision.

2

International Travel & Application for Readmission

- CBP determines whether to admit and issues a new I-94.
- The CBP officer alone decides.

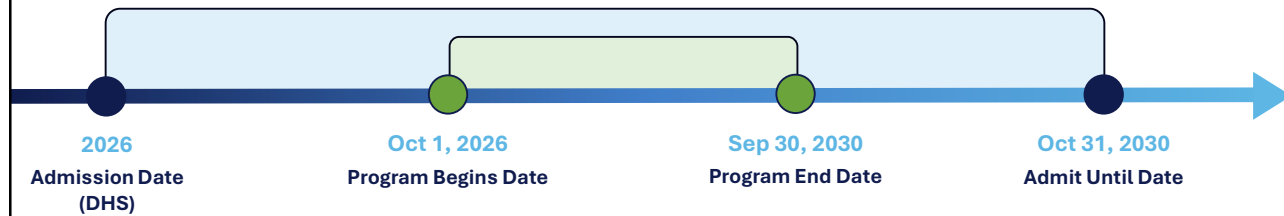


Whether to travel or file an EOS instead is a case-by-case call. The decision depends on visa validity, visa appointment wait times, and pending applications with USCIS. Participants should be reminded to check with their DSO/RO before booking travel near a program milestone.

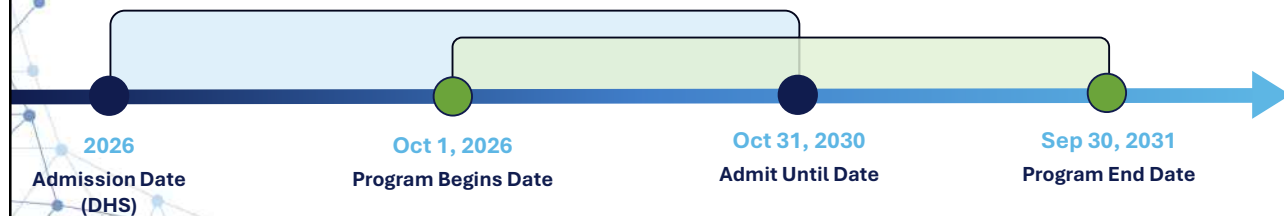
Addressing Expected Completion Date:



Within 4 Years



Beyond 4 Years



DS-2019 Box 4



Longer J-1 programs can be managed via this data capture on the DS-2019.

3. Form Covers Period: From (mm-dd-yyyy): 07-01-2026 To (mm-dd-yyyy): 06-30-2027	4. Exchange Visitor Category: ALIEN PHYSICIAN <table border="1"> <tr> <td data-bbox="597 1476 771 1596"> Subject/Field Code: 51.1201 </td> <td data-bbox="771 1476 1401 1596"> Subject/Field Code Remarks: Expected Completion Date: 6/30/2030 Obstetrics and Gynecology Residency - 4 years </td> </tr> </table>		Subject/Field Code: 51.1201	Subject/Field Code Remarks: Expected Completion Date: 6/30/2030 Obstetrics and Gynecology Residency - 4 years
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F-1: Grace Period & OPT/STEM OPT Timing



Grace period cut from 60 to 30 days. The same 30 days compresses your OPT/STEM OPT filing deadline.

The Rule Change

60 → 30 days post-completion grace period



Overstaying your I-94 now triggers unlawful presence automatically, no formal finding required.



J-1 Note: Your 30-day departure grace period is not changing. It is already 30 days.

EFFECTIVE 9/15/26

Safe Harbor

In D/S before 9/15/26 + file I-765 by Mar 18, 2027



No separate EOS needed

You do not need a separate extension of stay just for that OPT/STEM OPT filing.



Travel voids the harbor

International travel and readmission before filing under the new system cancels this safe harbor protection.



"How will the new D/S rule affect Spring 2027 graduates applying for post-completion OPT?"

If you were in D/S before 9/15/26 and file your OPT I-765 by the March 18, 2027 safe harbor, you generally won't need a separate extension of stay for that filing.

F-1: Transfers & Changing Your Major



New concept "educational objective" means your major or degree level. The rule restricts changing it.

Undergraduate

- No transfers, major changes, or degree-level changes during your first academic year (absent a SEVP-approved exception)
- Flexibility returns after year one, subject to academic standing

Graduate (Master's & Phd)

- No change in major, degree program, or level at any point in the program
- School transfers are similarly restricted – narrow SEVP exceptions only
- Academic probation or suspension does not qualify for an exception



"Will transfers be possible for PhD students?"

Only through a narrow SEVP-approved exception for extenuating circumstances. Otherwise, PhD students can't transfer schools or change programs at any point.

What This Looks Like in Practice

1-Year Master's Student

I-94 will likely cover the whole program but OPT afterward needs its own new period of stay (EOS or travel).

6-Year PhD Student

Initial admission is capped at 4 years even though I-20 reflects 6 years. EOS or travel-based readmission will be required partway through.

J-1 Research Scholar / Physician

Multi-year (5–7 year) programs hit the 4-year cap before finishing. Expect at least one EOS on top of normal program renewal.

F-2 / J-2 Dependents

Dependents' stay is capped at F-1/J-1 principal's authorized period. Dependents must also file EOS or seek a new admission.

What to Do Now

01

Determine transition status and communicate deadlines.

02

Track Admit Until Dates from the I-94, separately from I-20/DS-2019 dates.

03

Flag 4+ year programs who'll need an EOS or travel

04

Educate students and J-1s: overstaying the I-94 now triggers unlawful presence automatically.

05

Confirm graduating students know their OPT/STEM OPT deadline and the March 18, 2027 safe harbor.

06

Require DSO/RO check-in before travel. Readmission forfeits transition protections.



Questions?

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For Further Information

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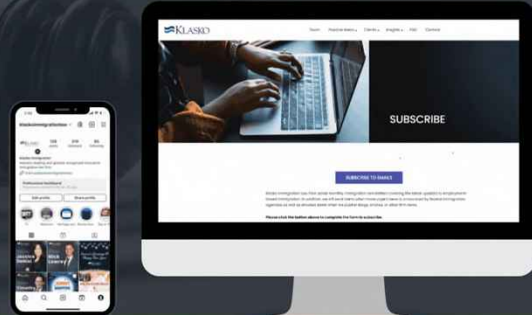
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