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International Students Face Visa Revocations and Status Terminations – What Does That Mean For Higher Education Institutions and Employers?

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In this article, the authors discuss recent developments impacting institutions of higher education and their international students, observing that employers may expect additional agency and administration developments that could directly impact their workforce and individual immigration status as well.

Over the past few months, institutions of higher education have been faced with the challenges of notifying members of their campus communities about visa revocations and status terminations, and advising affected international students on what to do next. Unlike more high-profile immigration cases that followed student protest activity, the round of visa revocations and status terminations that occurred in early April appeared to be happening because students are "failing to maintain status." But what does that mean and how should institutions react?

To understand the impact, the meaning of key terms like "visa" and "status," have to be understood, because they are distinct concepts in U.S. immigration law. When people speak of how long someone can stay in the United States, they might say "their visa expires in June" or "they have to leave because their visa is expiring"; such statements are technically incorrect, however, because they confuse a visa with status.

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While a visa is a critical immigration document, it does not actually determine how long someone can stay in the United States. A visa is issued by the U.S. government and allows a noncitizen to apply for entry to the country, but does not guarantee that the noncitizen will be actually allowed to enter or remain in the United States. In contrast, a noncitizen's status determines how long and under what conditions they can stay in the United States. Notably, noncitizens can change status, for example from F-1 student status to H-1B specialty occupation status, without ever leaving the United States.

THE F-1 STUDENT VISA

Most higher education students come to study in the United States on an F-1 student visa. F-1 visas are issued by the U.S. Department of State. Once students enter the United States, they are granted F-1 student status, and their F-1 status is tracked by the Department of Homeland Security's Student and Exchange Visitor Program (SEVP). As long as a student continues to maintain their F-1 student status, the requirements of which are set by law, they are permitted to remain in the United States.

While visa revocations have not traditionally been common, they are a tool available to immigration authorities. One of the scenarios that has historically led to visa revocation is an arrest for driving under the influence (DUI) on health-related grounds (on the basis of suspected alcoholism or other substance abuse issues). A visa revocation, while significant, only impacts a person's ability to return to the United States following international travel. It typically does not impact status. An F-1 student can have their F-1 visa revoked, expire or cancelled, but can still remain in the United States with their valid F-1 student status.

Termination of F-1 student status, however, ends a person's permission to stay in the United States. A student's F-1 student status can be terminated if a student "fails to maintain status" or due to an agency "termination of status." Historically, a student's failure to maintain their F-1 status was reported by the colleges and universities themselves if, for example, an international student engaged in unauthorized employment, failed to maintain a full course of study, or was convicted of certain crimes. The agency-initiated termination of status is more limited.

In early April, the U.S. government changed its practices related to visa revocations and status terminations, and began terminating international students' F-1 student status, either in addition to or instead of revoking their F-1 visas.

SEVIS RECORDS

Institutions found out about students' F-1 status terminations by auditing their SEVIS (Student and Exchange Visitor Information System)

records. SEVIS is a web-based system that colleges and the Department of Homeland Security use to maintain information about F-1 students. In some April cases, students reported being unaware that their F-1 status had been terminated until they received outreach from their school after such audits, because they received no communication from the U.S. government about their F-1 status termination.

Following several weeks of lawsuits by students and advocacy organizations alleging that student SEVIS record terminations violated the due process and free speech rights of international students, as well as the Administrative Procedures Act, the federal government reversed course. On April 25, 2025, the U.S. Department of Justice announced in court that the federal government would temporarily restore the previously terminated SEVIS records of thousands of international students.

In subsequent announcements, including a message dated April 26, 2025, and filed in court on April 28, 2025, the federal government has stated that ICE retains the authority to terminate students' SEVIS records for a broad variety of reasons. The listed reasons included those previously viewed as standard as well as three significant additions:

- Exceeded unemployment time;
- Change of status or gap in status; or
- U.S. Department of State visa revocation "effective immediately."

STEPS TO TAKE

These changes have caused stress and uncertainty for institutions of higher education and their international students. In light of concerns expressed by higher education clients, we suggest that clients and higher education institutions work closely with in-house counsel and outside counsel, and recommend international student offices to keep abreast of the latest developments in this area. Specifically, colleges and universities should:

1. Regularly check SEVIS to determine if students' F-1 status has been terminated (or restored to Active if previously determined) and communicate any developments to the affected students as soon as possible.

2. Prepare to refer international students to immigration lawyers for individualized assistance. Many institutions of higher education have referral lists, but legal clinics available on some campuses are also an option.

3. Consider options for international students who may choose to leave the United States as a result of their F-1 status termination, specifically how they can continue their studies or transfer to another college or university in their home country. These considerations may be especially important or acute for graduate-level students engaged in fellowships, research, and TA-ships on campus.

4. Prepare for possible federal immigration enforcement activity on or around campus, including the types of requests for information federal agencies might make, and the institution's obligations under state and federal law.

5. Develop and implement a plan to handle campus community and leadership, local community, and political concerns. In addition to planning for internal and external communications, expect that individual immigration cases and class action lawsuits related to F-1 visa revocations and F-1 status terminations may continue or occur.

CONCLUSION

While these developments largely impact institutions of higher education and their international students, there is a potential impact for employers. Employers may expect additional agency and administration developments that could directly impact their workforce and individual immigration status as well.

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