New F-1 Rule: Simple Overview

A short guide for all Otips students

> **Important:** This guide gives general educational information, not legal advice. The rule may be delayed, challenged, or changed. Confirm your personal case before acting.

Final rule: 91 FR 44976, published July 17, 2026 **Scheduled effective date:** September 15, 2026

What changed?

- The DHS final rule replaces Duration of Status (D/S) with a fixed admission period for many F-1 students starting September 15, 2026.
- After entry, reentry, or an approved Extension of Stay, you will normally have a date-specific I-94.
- Four years is not a lifetime limit. It is the maximum for one admission period.
- You may still enter the U.S. up to 30 days before the program start date on your I-20. That early window does not count against your maximum stay.

Students already in the U.S. under D/S on September 15, 2026

- You generally do not need to file Form I-539 immediately.
- Your transition period generally ends on the earlier of: the program end date on your current I-20, the end date on your OPT EAD card, or four years after September 15, 2026.
- Transition students keep the old 60-day grace period until they travel and reenter, or until USCIS approves an Extension of Stay. After that, the grace period becomes 30 days.

> **Travel warning.** Do not travel casually after September 15, 2026. Reentry can give you a fixed I-94 date and reduce your grace period from 60 days to 30 days.

Main points

- A new I-20 does not always extend your immigration stay by itself. USCIS may also require Form I-539.
- The I-20 program end date now matters much more. Plan early if you may need extra time.
- Delays caused by academic probation, suspension, or repeated failure to progress are generally not good reasons for an extension.
- The normal grace period under the new system is 30 days.

OPT and STEM OPT transition

- A special transition rule may allow some D/S students to file Form I-765 for OPT or STEM OPT without a separate I-539.
- The I-765 must be timely filed on or before the 244th day after publication, approximately March 18, 2027.
- This is technical. Ask your DSO or immigration lawyer to confirm eligibility before filing.

Working while an Extension of Stay is pending

- If you **timely file** Form I-539 before your I-94 expires, on-campus employment, CPT, and severe economic hardship work authorization may continue automatically for up to 240 days.
- At day 240 you must stop working, even if USCIS has not decided your case. You may generally remain in the U.S. and keep studying while it is pending.
- If you file the I-539 **during the 30-day departure grace period** instead, you get no automatic work extension. You must wait for approval before working.
- Plan CPT and on-campus work around these dates. Do not assume a pending case protects your paycheck indefinitely.

> **Could this change?** The rule is classified as a major rule, so Congress has a limited window to pass a resolution of disapproval, and lawsuits are possible. Until something actually changes, plan as if the September 15, 2026 date will hold.

Who should read which guide?

- **Language school:** English or ESL students.
- **Certificate:** Short academic or career certificate students.
- **Bachelor's:** Undergraduate degree students.
- **Master's:** Graduate degree students.

Questions in the Otips group

- Post general questions in the group. We answer there so everyone can learn from the response.
- Read earlier questions first. Someone may have already asked the same thing.
- Do not post private documents, passport numbers, SEVIS numbers, or bank statements in the group.
- Send personal documents privately to the Otips team.

For a personal review, prepare

- Current I-20
- I-94
- Passport and visa
- OPT EAD card, if any
- Highest diploma or degree
- Your planned next program and long-term goal

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Sources: DHS Final Rule, 91 FR 44976; NAFSA final-rule analysis dated July 17, 2026. Otips Inc. (DBA Otips) is not a law firm and does not provide legal advice.