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ATHLETIC DEPARTMENT SNAPSHOT: WHAT YOU NEED TO KNOW ABOUT NEW VISA LIMITS FOR INTERNATIONAL STUDENT-ATHLETES

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Athletic Department Snapshot: What You Need to Know About New Visa Limits for International Student-Athletes

The federal government is making a significant change to the student visa framework that directly affects college athletic departments that recruit and rely on international student-athletes. Starting September 15, most student visa holders will now be admitted to the country for a maximum of four years and no longer eligible to stay as long as they are keeping up with their program. What does this mean for your athletic department and your F-1 student and J-1 exchange visitor visa holders? Here's what educational institutions and sponsors need to know, and some steps institutions can take in anticipation of these changes.

What Happened?

You can read a full summary of the new rule here in our July 20 Insight. To recap, the longstanding "duration of status" system had allowed an international student-athlete to generally remain in the US as long as they maintained valid F-1 student status through their continued academic program. That system is being replaced with a far stricter four-year window with few exceptions.

Why This Matters for College Athletics

The flexibility that colleges enjoyed under the "duration of status" system was particularly important because

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international student-athletes often have academic and athletic timelines that extend beyond four years due to redshirts, medical hardship waivers, graduate enrollment, or other NCAA eligibility extensions.

The impact of these student visa changes will be most prominent for NCAA rosters with a substantial portion of international student-athletes. This includes Olympic sports, particularly men's and women's tennis, golf, soccer, track and field, swimming, and volleyball, as well as an increasing presence in basketball.

Key Operational Changes

You can read our full summary of the rule change here, but here are some key operational changes impacting athletic departments.

- **Four-Year Admission Cap**: International student-athletes whose academic or athletic participation extends beyond four years will need to obtain an Extension of Stay with US Citizenship and Immigration Services (USCIS) even though they remain NCAA-eligible.
- **Transfer and Graduate-Program Complications**: The rule tightens the ability of international student-athletes to change academic goals, transfer schools, or begin a new program without additional approval. Specifically, undergraduates can't change majors or transfer within their first academic year without an exception, and graduate-level students can't change majors during their program and generally can't transfer either.
- **Shorter Grace Period**: The grace periods for arrival and departure windows for F-1 visa holders are reduced from 60 days to 30 days. Thus, shortening the timelines for student-athletes to transfer to another institution, seek professional opportunities, wind down any NIL activities, or make travel arrangements after eligibility expires.

Note: Although the federal government implemented significant changes to the F-1 visa program, it did not provide guidance on work authorization rules or clarify when and how international student-athletes can receive compensation under NIL agreements. Therefore, athletic departments should continue to evaluate NIL

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opportunities involving F-1 students on a case-by-case basis in consultation with your immigration counsel.

What Athletic Departments Should Do

In light of this change, here are some steps you should consider in advance of the upcoming academic school year.

1. **Audit Current International Student-Athletes**: You should identify every student-athlete on an F-1 or J-1 visa to determine (1) their projected graduation date; (2) remaining NCAA eligibility; and (3) visa expiration dates or admission end dates. Flag student-athletes whose participation may extend beyond four years and work with your immigration counsel to determine next steps.

2. **Evaluate Academic Plans**: Counsel incoming international, potential fifth-year, or graduate student-athletes to assess individualized academic plans and determine whether visa extensions and additional lead time will be required. Current international student-athletes who have a Form I-94 date are subject to a different transition framework, but review is necessary to confirm if any extensions may be required.

3. **Review Recruiting Communications**: Provide coaches and staff with accurate and institution-approved information for prospective international recruits who may have questions about visa duration, graduate opportunities, and post-completion options.

4. **Coordinate with the International Student Office**: Many athletic departments rely on the campus office for immigration compliance. You should plan to coordinate early regarding extension applications, travel plans, graduate enrollment, and transfer scenarios.

5. **Update Risk Management Protocols**: Add visa admission and expiration tracking to your existing eligibility and compliance monitoring systems. This is especially important given the NCAA's new five-year eligibility model adopted last month. Additionally, avoid assuming current NCAA eligibility timelines and immigration timelines will remain synchronized.

Conclusion

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If you have any questions about these developments or how they make effect your athletic programs, please contact your Fisher Phillips attorney, the authors of this Insight, or any attorney in our Higher Ed Team, Sports Industry Group, or Immigration Team. Make sure you are subscribed to Fisher Phillips' Insights to get the most up-to-date information.

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