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## Trump administration rescinds rule limiting online instruction for international students

By Jason M. Gerrol

In an apparent bow to pending litigation, the Trump administration announced on July 14, 2020 they would be rescinding the [international student rules announced on July 6, 2020](#), and reverting back to the [temporary international student rules announced on March 13, 2020](#) in response to the COVID-19 pandemic.

The July 6, 2020 rules would have prohibited international students from receiving a student visa (F-1 or M-1), entering the U.S., or lawfully remaining in the U.S. if they were attending a U.S. school operating entirely online for the fall semester as a result of COVID-19. In addition, should the U.S. school begin the fall semester offering “normal in-person classes” or a “hybrid model” of online and in-person classes, but later switch to online-only instruction, international students at that institution would have been required to depart the U.S., change schools, or face the harsh consequences of deportation.

While the July 6, 2020 rules are consistent with existing international student regulations that limit online instruction to a maximum of one online class or three online credit hours per semester, opponents argued the Trump administration issued the guidance without justification and an opportunity to comment, in contravention of the temporary March 13 directive that removed limits on online instruction “for the duration of the emergency,” and after many U.S. schools had already announced plans for continued online-only instruction for the fall semester. Furthermore, opponents argued the rules would put the safety of students at risk if forced to attend in-person classes, and would hurt U.S. schools financially if unable to retain their international student body.

U.S. District Court of Massachusetts Judge Allison Burroughs characterized the return to the March 13, 2020 rules as a “return to the status quo.” Under the March 13, 2020 rules, international students are not restricted in the number of online classes or online credits that can be applied toward the full course of study requirement.

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