## Understanding Recent International Student Visa Revocations and SEVIS Record Terminations: Guidance for Colleges & Universities

#### April 21, 2025

In recent weeks, the federal government has made international students a new focus of immigration enforcement. While some high-profile student arrests have made headlines, many more students are having their visas revoked and/or SEVIS records terminated, often without warning. According to Inside Higher Ed, as of April 18, 2025, the State Department has revoked over 1,500 student visas. Meanwhile, Immigration and Customs Enforcement (ICE) has terminated potentially even more student SEVIS records, raising serious concerns regarding due process. These actions have created a traumatic and destabilizing environment for international students, their families, and the campuses that support them. This FAQ is designed to help colleges and universities understand the legal landscape, prepare for possible enforcement actions, and consider collective advocacy strategies to support international students. Questions discussed include:

- What is the difference between a student visa and a SEVIS record?
- What are the legal and practical consequences of visa revocation for students already in the United States?
- What is the significance of SEVIS termination, and how is it being used in the current enforcement context?
- How can institutions monitor for SEVIS terminations and support affected students?
- How should institutions respond if DHS contacts them about a student?
- What remedies are available if a SEVIS record has been terminated in error?
- What legal remedies are available when a student is detained by ICE?
- How can a student request release from detention, and what is the difference between habeas corpus and immigration bond?
- What happens if a student is placed in removal proceedings?
- What support can institutions offer to international students affected by visa revocations and/or SEVIS record terminations?
- What is "self-deportation?"
- Is a school required to de-enroll a student whose SEVIS record has been terminated and/or who has departed the United States?
- How can institutions guard against scam calls targeting international students?
- How can institutions and communities engage in broader advocacy to support international students?

This resource is intended for information purposes only and does not constitute legal advice.

#### 1. What is the difference between a student visa and a SEVIS record?

A student visa is an entry document issued by the U.S. Department of State and affixed to a student's passport. It authorizes the individual to travel to a U.S. port of entry and request admission to the United States. Upon admission, the student is granted status in line with their visa classification, typically F-1 or J-1. Maintenance of lawful status depends not on the visa itself but on compliance with the conditions of that status while present in the United States. Notably, a student may continue to be in lawful status even if their visa expires or is revoked, as long as they maintain the terms of their immigration status.

By contrast, SEVIS (the Student and Exchange Visitor Information System) is a web-based system used by ICE's Student and Exchange Visitor Program (SEVP) to track nonimmigrant students and exchange visitors. According to a senior <a href="ICE official's declaration">ICE official's declaration</a>, a SEVIS termination does not affect status, though this is an unsettled area of law.

## 2. What are the legal and practical consequences of visa revocation for students already in the United States?

The U.S. Department of State has broad discretion to revoke visas, as authorized under the <u>Foreign Affairs Manual</u> and <u>federal regulations</u>. Grounds for revocation can include criminal convictions, such as Driving Under the Influence (DUI), as well as other discretionary reasons that are often not disclosed to the student.

Recent revocations appear to fall largely into this discretionary category, and affected students may never learn the specific basis for the decision. Importantly, visa revocation does not automatically terminate the student's nonimmigrant status if the student is already present in the United States at the time of revocation. It also does not constitute an order of removal or a requirement to immediately depart. However, once a student's visa has been revoked, the student may be vulnerable to enforcement actions, as discussed in Question 9 below. Visa revocations are not subject to judicial review in federal courts.

Some students have received email notifications from the Department of State informing them of their visa revocation, while others have not. These notices might be sent to the email address the student provided at the time of their visa application, which may no longer be active or may belong to a family member. Such emails may include language encouraging students to depart the country using the CBPOne mobile app. These communications are concerning, as some students may interpret them as a formal order to depart, and in fact, many students have departed the United States after

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receiving such emails. If a student departs after a visa revocation, they will have to apply for a new visa abroad in order to return. Institutions should encourage any student who receives such notice to seek legal counsel before making decisions about travel or departure.

### 3. What is the significance of SEVIS termination, and how is it being used in the current enforcement context?

Additionally, and often concurrently, a student's SEVIS record may be terminated — though in some cases, termination occurs without any corresponding visa revocation. Under ordinary circumstances, a student's SEVIS record is maintained by a Designated School Official (DSO) at their institution, and termination typically occurs when the student fails to maintain their immigration status, often due to enrollment issues. However, recent reports indicate that ICE has begun terminating SEVIS records directly — without the involvement of the DSO — for reasons unrelated to academic status.

The grounds for these terminations have included prior arrests or infractions (including minor traffic violations), pro-Palestine political speech (such as participation in campus protests or social media activity), and more general reasons such as "individual identified in criminal records check and/or has had their visa revoked. SEVIS record has been terminated." Many students affected by these terminations have not engaged in political speech and have no criminal convictions, leaving the reason for the government's action unclear. In cases where students have been politically active, the government has often alleged that the student's presence could have "potentially serious adverse foreign policy consequences for the United States."

In response to several federal lawsuits filed challenging SEVIS record terminations, ICE recently stated that a SEVIS termination does not affect status, leaving an open question as to the government's intent in terminating SEVIS records. Once a student's visa has been revoked and/or SEVIS record has been terminated, the student may be at risk of apprehension, detention, and removal proceedings, as discussed in Question 9 below.

**Note on Unlawful Presence:** "Unlawful presence" refers to the time that a noncitizen is in the United States without authorization, and is distinct from lawful status. Accruing unlawful presence can have significant immigration consequences because it can create <a href="bars">bars</a> to re-enter the United States after departure. According to a longstanding <a href="USCIS policy memo">USCIS policy memo</a> from 2009, unlawful presence begins to accrue only upon an immigration judge's determination that the student is no longer in status, or the student departs the country. However, <a href="USCIS's website">USCIS's website</a> on unlawful presence states that for nonimmigrants admitted for "duration of status," including F-1 and J-1 students, unlawful presence begins to accrue the day after status ends. In addition, given ICE's recent declaration that SEVIS termination does not affect status, it is unclear if the

government will take the position that unlawful presence begins to accrue upon a SEVIS record termination.

For more on visa revocation and SEVIS terminations, see <u>FAQ For International</u> <u>Students and Campus Stakeholders</u>, AILA's <u>Policy Brief</u>, and NAFSA's <u>ICE-Initiated SEVIS Record Terminations</u> (NAFSA members only).

### 4. How can institutions monitor for SEVIS terminations and support affected students?

Students do not have access to SEVIS and may not be aware that their record has been terminated until immigration enforcement actions are underway. Similarly, DSOs often do not receive notification of SEVIS termination. As a result, many DSOs have instituted the practice of proactively checking SEVIS on a regular — often daily — basis.

When a termination is discovered, the DSO should notify the student as soon as possible, share any available information regarding the basis for termination, and advise the student to seek legal counsel immediately. Referrals should include immigration attorneys with experience in detention and removal defense, as well as experience representing international students.

Institutions should consider developing a policy for responding to SEVIS terminations, including guidance for DSOs on proactively checking for terminations, and how to communicate with a student whose SEVIS record has been terminated. This policy should be developed with the institution's legal counsel to ensure responses are consistent, student-centered, and compliant with legal requirements and institutional values.

### 5. How should institutions respond if DHS contacts them about a student?

An institution is not legally obligated to assist the Department of Homeland Security (DHS) in locating a student or encouraging a student to meet with federal immigration authorities.

Some campuses have reported receiving calls from callers claiming to be ICE agents and seeking student records. DSOs should be mindful to follow all federal laws prohibiting disclosure of student records (including <u>FERPA</u>), verify the identity of any agent, and refer any request for student information to the institution's legal counsel. See <u>Immigration Enforcement on Campuses FAQs</u> for more information on responding to ICE presence on campus or requests for student information.

### 6. What remedies are available if a SEVIS record has been terminated in error?

If a DSO believes that a termination was made in error, they can request a correction through SEVIS. However, recent reports indicate that ICE has provided no response to such correction requests. Students can also file for reinstatement through a formal process, though this typically requires an admission of a status violation, which may foreclose future legal strategies. Additionally, the reinstatement process requires that a DSO recommend reinstatement via Form I-20, which may not be possible depending on the circumstances of the termination. If USCIS denies the reinstatement request, the student will be deemed out of status and will begin accruing unlawful presence, so students should consult with an immigration attorney before taking any action. For many students whose SEVIS records have been terminated, their main legal remedy is challenging the government's action in federal court.

For further guidance on the reinstatement process, see <u>NAFSA's Considerations on</u> <u>Reinstatement in the Context of ICE Initiated SEVIS Terminations</u> (for NAFSA members).

#### 7. What legal remedies are available when a student is detained by ICE?

Some students may be vulnerable to immigration enforcement following a visa revocation and/or SEVIS termination. When a student is detained, legal intervention becomes urgent. Recent high-profile reports indicate that, shortly after initial apprehension, ICE has transferred some international students to detention facilities in Louisiana, distancing them from legal counsel and community support, and placing them in a court jurisdiction that may be more favorable to the federal government.

If there is concern that ICE is planning to transfer the student to another facility—particularly one far from legal or community support—a preliminary injunction or **temporary restraining order (TRO)** may be filed with a federal court to stop the transfer. A TRO is an emergency, short-term court order issued to prevent immediate and irreparable harm before a full hearing can take place. It usually lasts a few days to a few weeks and can be issued without a hearing. For example, if ICE is about to transfer a student to a detention center in another state or remove a student from the country within 24 hours, a TRO could be requested to pause that action until a court can consider the case more fully.

A **preliminary injunction** is a longer-term order meant to maintain the status quo while the case is ongoing. It stays in place until the case is resolved or the court modifies it, and requires a hearing.

For a sample motion for TRO and expedited preliminary injunction, see AILA's student visa revocations <u>issue page</u>.

## 8. How can a student request release from detention, and what is the difference between habeas corpus and immigration bond?

If a student is detained, they can seek release through **immigration bond proceedings**. A bond hearing is an immigration court process where a detained noncitizen asks to be released from custody while their immigration case is pending. Bond proceedings occur before an <u>immigration court</u>, which is an executive branch administrative court responsible for adjudicating immigration cases in the United States. Immigration courts are distinct from federal district and circuit courts, which are part of the independent judicial branch of government and hear cases involving constitutional rights and challenges to the legality of government actions. During immigration bond proceedings, rather than challenging the legality of the underlying detention, the noncitizen must demonstrate they are not a danger to the community or a flight risk. If granted, the person can pay a bond (like bail) and be released. Unlike bail in criminal proceedings, the bond must be paid in full, and can often exceed \$10,000. If bond is denied or the student is unable to pay the bond, the student will remain in detention unless they can later appeal or file a habeas petition. Some noncitizens are not eligible for bond under immigration laws on <u>mandatory detention</u>.

On the other hand, a **habeas corpus** petition is a federal district court petition that challenges the legality of someone's detention and seeks their release. Habeas is used when the noncitizen is not eligible for bond, ICE refuses to provide a bond hearing, or ICE is delaying or violating the person's constitutional rights by detaining them. If the habeas petition is successful, the federal judge may order the government to release the person or provide them a bond hearing. For recent international student detentions, habeas has been utilized to challenge the legality of the student's detention based on constitutional grounds, such as a violation of the person's First Amendment right to freedom of speech for cases where the government has revoked the person's visa due to pro-Palestine speech, and Fifth Amendment right to due process where the government has failed to articulate a basis for removal or provide any support for its allegations. For more on habeas corpus, including template petitions, see materials from NILA and AILA (for AILA members only).

#### 9. What happens if a student is placed in removal proceedings?

Once a visa is revoked, ICE can choose to initiate removal proceedings under Immigration and Nationality Act (INA) § 237(a)(1)(B) (present in violation of law or whose visa has been revoked) or another ground of deportability, such as INA § 237(a)(4)(C)(i), "a [noncitizen] whose presence or activities in the United States the Secretary of State has a reasonable ground to believe would have potentially serious adverse foreign policy consequences for the United States is deportable." While ICE can make this allegation, it does not automatically authorize removal.

The removal process officially begins when a Notice to Appear (NTA) containing the allegation(s) and charge(s) of removability against the student is filed with the immigration court. At that point, the student has the opportunity to contest the charges against them, and ICE must establish that the student is removable by "clear and convincing evidence." If the government fails to establish removability, the student's removal proceedings should be terminated. In Mahmoud Khalil's <u>immigration court case</u>, the immigration judge found that the government had met its burden of establishing removability under the "adverse foreign policy consequences" ground due to his participation in pro-Palestine demonstrations on campus and other related speech. Once the government establishes removability, the student can apply for any relief from removal for which they may be eligible. If the student is ineligible for relief, or relief is denied, the student may be ordered removed.

These proceedings can move quickly, especially if the student is in detention, and legal representation is critical. Without legal advocacy, many students may not be aware of the defenses or relief options available to them under immigration law. For more on removal proceedings, see ILRC's <u>Overview of the Deportation Process</u>.

## 10. What support can institutions offer to international students affected by visa revocations and/or SEVIS record terminations?

Institutions should begin by affirming their commitment to international and immigrant students and upholding students' rights. This can include sending campus-wide <u>communications</u> and, where appropriate, issuing public <u>statements</u> in support of international students. In addition, institutions should ensure that campus community members, including international students and scholars, have access to <u>Know Your Rights</u> materials and FAQs, such as those developed by <u>Tufts</u>, <u>Arizona State University</u>, and <u>Penn State University</u>.

For students directly affected by visa revocations and/or SEVIS terminations, institutions should prioritize providing resources that can assist them in navigating the situation. This includes connecting students to qualified legal service providers,

ensuring access to mental health counseling, and offering academic advising to help students assess their options and manage disruptions to their studies.

Institutions should consider establishing referral networks for experienced immigration legal service providers, particularly those with expertise in removal defense and detention-related matters. The <a href="American Immigration Lawyers Association">American Immigration Lawyers Association</a> (AILA) directory allows users to search for attorneys by location and specialization, including categories such as "deportation - removal." The <a href="National Immigration Legal Services">National Immigration Legal Services</a> <a href="Directory">Directory</a> also offers listings for nonprofit immigration legal providers, though nonprofit capacity is often limited, and not all organizations have experience representing international students. While both directories can serve as a useful starting point, direct referrals to attorneys who are familiar with both removal defense and the unique legal needs of international students are often the most effective.

International students facing visa revocations and/or SEVIS terminations are often navigating significant uncertainty and stress. Institutions should ensure that affected students are aware of and have access to mental health counseling resources. In addition, because students may be at varying stages of their academic programs, institutions should consider offering academic counseling to help students understand the practical implications of the decisions they face.

Institutions can also assist detained students by submitting letters of support, detailing the student's academic standing, good character, and institutional commitment. Such letters can be persuasive in both bond and removal proceedings. For students who have been charged with removability under the "adverse foreign policy consequences" ground, but who have never participated in any political speech on campus, institutions may consider submitting a letter stating that the student has no known involvement in campus protests.

### 11. What is "self-deportation?"

"Self-deportation" is not a legal term but has been used by DHS to describe situations in which a noncitizen departs the United States on their own, rather than as the result of a formal removal order. Some students may wish to depart the country immediately upon learning of visa revocation and/or SEVIS termination to avoid potential ICE apprehension and detention, as in the case of <a href="Ranjani Srinavasan">Ranjani Srinavasan</a>. DHS has described these departures as "self-deportations." We do not recommend this term's use and instead refer to these situations as "departures."

# 12. Is a school required to de-enroll a student whose SEVIS record has been terminated and/or who has departed the United States?

Not necessarily. If an institution does not impose lawful immigration status as a condition of enrollment, there is no legal obligation to de-enroll the student or remove them from classes solely due to SEVIS termination. However, institutions will have to evaluate whether certain types of stipends, health insurance, and other benefits can continue. Additionally, per the <u>ICE Study in the States website</u>, employment authorization for on-campus employment and Curricular Practical Training (CPT) ends upon SEVIS termination, though this an unsettled area of law, especially now that ICE has stated that a SEVIS record termination does not affect status.

For students who depart the United States, either voluntarily or under removal orders, many institutions have found ways to support continued learning from abroad. A student does not need an F-1 or J-1 visa to take classes online from another country. Colleges and universities should consider allowing international students to continue their studies remotely, including access to course materials, advising, and institutional support systems.

### 13. How can institutions guard against scam calls targeting international students?

Students and staff should be aware of scam calls, emails, and text messages impersonating ICE and other federal government agents, demanding money or sensitive information under the false threat of deportation. These <a href="scams">scams</a> have become increasingly sophisticated, and campuses should proactively <a href="educate">educate</a> students on how to recognize and <a href="report">report</a> them.

## 14. How can institutions and communities engage in broader advocacy to support international students?

While it is important for campuses to prepare for visa revocations and potential student apprehensions, campuses and partner organizations should also consider broader collective strategies, particularly where the federal government appears to be violating students' constitutional rights and circumventing due process procedures.

Legal challenges — both on behalf of individuals and as broader impact litigation — can be an important tool to challenge recent enforcement actions. Institutions and higher education associations can consider supporting or joining lawsuits, or submitting <u>amicus curiae</u> briefs that describe the educational and human impact of these policies and practices. In the past two weeks, several <u>lawsuits</u> have been filed to challenge the SEVIS record terminations of individual students.

Congressional advocacy is another powerful tool. Reaching out to members of Congress to elevate cases, request intervention, or push for oversight can make a tangible difference.

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Meanwhile, media advocacy should be approached strategically, with attention to student privacy and safety. Telling these stories — when students are willing — can galvanize public support and pressure agencies to act with accountability.

Ultimately, defending international students means defending the integrity of educational access and the values of global engagement. By preparing for these scenarios, responding with care and clarity, and advocating together, campuses can help ensure that international students are not left to navigate these crises alone.

This is a rapidly evolving situation, and campuses should monitor new developments closely. We will share information with our members as it becomes available (sign up for our weekly updates <a href="here">here</a>).