Impacts of Immigration Policy in the U.S.: Supporting your International Students and Campus

As the new school year starts, many campuses may be experiencing another year of declining new international student enrollments, feeling pressure to invest more resources in international recruitment and their international student support services, putting in place new efforts and programs to address the increased concerns and anxiety voiced by their international students and scholars, or otherwise working to prepare their institutions for upcoming immigration policy developments on the horizon.

Today, senior institutional leaders on campuses that enroll international students are finding they have to increase their awareness of and engagement with these topics. The purpose of this article is to provide you with a useful primer on:

1. What has changed with regard to international students and the current context,
2. Immigration policy developments already here and on the horizon, and
3. How have higher education leaders responded so far, along with actions that you may want to consider for you and your campus

What has changed and the current context

Ten years ago, higher education in the U.S. was in the midst of a dramatic growth in international student enrollment. In contrast, in recent years, many campuses have seen troubling declines in international student enrollment (or “in such enrollments”). It is useful to review enrollment trends, and then consider causes and consequences.
According to Open Doors data, the growth in international student enrollment earlier in the decade was evident across institutional types, with the most significant increases in four-year research universities. A number of studies and news articles have reported on how the rise in international student enrollments compensated for decreases in state funding for higher education, and provided vital revenue sources for campuses and communities following the 2008 recession. NAFSA estimates that international students contribute $39 billion to the American economy, which includes not just direct revenues to the institutions but the injection of business and buying power into the surrounding communities.

Europe hosts over half of U.S. study abroad students.

Open Doors is conducted by the Institute of International Education with the support of the Bureau of Educational and Cultural Affairs of the U.S. Department of State. Online at: www.iie.org/opendoors

Data and image courtesy of Open Doors

From 2004/5 to 2014/15, the number of international students enrolled in doctorate-granting universities increased by over 90% (333,041 to 643,707); the number of international students in master's colleges and universities increased by over 65% (100,422 to 169,695); the number of international students in baccalaureate colleges increased by over 30% (from 27,597 to 36,405); and the number of international students in two year colleges by over 10% (81,869 to 91,648).

In contrast, starting in 2016 and accelerating under the new administration, campuses began experiencing declines in new international student enrollment. In 2017-18, U.S. institutions saw a 6.6% decline in new international student enrollments, and the decline continued in 2018-19. However, the decline has not been experienced equally across institutional types, fields of study, or countries of origin. When the Council of Graduate Schools released a survey in spring 2019, it noted that the decline of international student enrollments was more pronounced among institutions classified as master's colleges and universities.

What are the trends on your campus? Who's talking about it? New data on international student enrollments will be released on November 18, 2019

Overall, international student enrollment also has not declined in the same fashion because the number of international students and alumni participating in Optional Practice Training (OPT) has risen significantly in the past decade, with more than 200,000 individuals participating in OPT in 2017-18. International student alumni who are participating in these OPT experiential learning opportunities post-graduation are still considered international students.

There is no doubt that the current Administration's harsh rhetoric against immigrants, and its policies and practices that have increased visa denials, delays, and new administrative hurdles for international students and scholars, have contributed to the decline of new international student enrollments and increased anxiety levels of international students and scholars already on campus. Further, international students and scholars, especially
Chinese students and scholars, are increasingly the targets of government suspicion about international espionage. Campuses are investing in more training and programs on how to provide increased mental health support for international students, turning more frequently to legal counsel on how to resolve visa delays and denials, and reaching out to Congressional offices and administrative agencies as they navigate this new normal. One president’s recent OpEd was titled, “No, I won’t start spying on my foreign-born students.”

At the same time, analysts also underscore that increased global competition for international students, especially as other countries change their policies to make their destinations even more attractive, as well as prospective student concerns about the costs of higher education in the U.S. and public safety, have also been significant factors in the decline of international student enrollment. Last week, the U.K. reintroduced a two-year work-study visa for international students.

Taken together, the causes driving the current trends point to the need for multifaceted approaches by campus leaders. Before turning to how higher education leaders have responded thus far, it is important to understand the various immigration policy developments that affect campuses and students.

**Immigration policy developments already here and on the horizon**

Since January 2017, there has been a constant flow of new immigration policy developments that affect international students as well as undocumented and other immigrant students. This article focuses on international students, and there are two important issues to keep on your radar: Optional Practical Training (OPT), and the continuing array of visa delays and administrative hurdles.

For a fuller array of policies and issues impacting international students, check out the Presidents’ Alliance Spring 2019 Higher Education and Immigration Policy and Action Guide and NAFSA’s May 2019 overview, Losing Talent: An Economic and Foreign Policy Risk America Can’t Ignore.

**The threat to Optional Practical Training**

If you are not already familiar with OPT, talk with your Director of International Student Services to understand what the trends and any concerns are for your campus, including how many students and alumni participate in OPT. What follows are a few toplines about OPT:

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**International Student Enrollment in the United States Has Stagnated** (Figure 1)

The number of foreign students attending college or graduate school in the U.S. grew by about 60 percent between 2001 and 2016 but has leveled off since.

![International Student Enrollment in the United States Has Stagnated](image)

Data and image courtesy of Education Next

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OPT/STEM OPT is the opportunity for international students (in F foreign student status or J exchange visitor status) and recent alumni to participate in experiential or applied learning that builds on the educational experiences that they received in the classroom or campus lab. Eligible students can participate in regular OPT or STEM OPT while in school or post-graduation, provided that the opportunity aligns with the student’s major field of study.

OPT is often the capstone to an education, and indeed considered in many institutions as an integral part of the learning life cycle.

Students need to be authorized by their school’s designated school official (DSO) in their SEVIS record and apply for a work permit from the U.S. Citizenship and Immigration Services (USCIS).

Regular OPT is available for 12 months. In 2008, the Bush administration extended the length of OPT for STEM fields so that eligible international students could work for another 17 months (creating STEM OPT). In 2016, the Obama administration extended STEM OPT to 24 months, giving eligible students a total of 36 months of work authorization to engage in experiential/applied learning experiences.

The availability and opportunity for OPT and STEM OPT is critical to our campuses’ recruitment of international students. As noted above, we are in a global competition for students. In making choices of where to go, most international students want to be able to apply their learning and improve their ability to work in their major field.

This past summer, numerous international students and campuses started reporting significant delays in USCIS processing work permit authorizations for OPT, causing the students and new alumni to miss the start of internships or new positions. Even prior to these delays, higher education leaders and international student advocates were concerned by the continuing, if mixed, signals from the Administration that it intended to change administrative regulations to substantially reduce the opportunity for OPT.

Attacks on OPT have come from within the Administration and from anti-immigrant groups who argue that international students participating in OPT take jobs from American workers. However, economic analyses show the opposite. In the spring, a Niskanen Center report showed that OPT leads to increased innovation and higher average earnings, while not costing U.S. workers their jobs; and a National Foundation for American Policy analysis found that unemployment rates are lower in areas “with larger numbers of foreign students doing OPT as a share of workers in STEM occupations.”

Finally, in July, a long-running lawsuit (known as the Washtech case) challenging the authority of the government to even authorize STEM OPT and OPT was allowed to proceed by a district court judge. Colleges and universities now have the opportunity to join a higher education focused amicus brief (“friend of the court” brief) to defend OPT and its importance to international students and campuses. (To find out more about the case, check out this NAFSA chronology and the Presidents’ Alliance backgrounder on the case and amicus brief).

This academic year is a critical time for all campuses that enroll international students to pay attention to OPT. While the government’s intentions are still not known with regard to OPT, the delays that were seen over the summer can happen again and the Washtech case is now proceeding.

**Visa delays, visa denials, administrative hurdles**

Since 2017, international student recruiters, admissions officers, directors of international student services, Designated School Officials (DSOs), faculty, federal relations officers, human resource professionals, legal counsels,
deans, provosts, and presidents have been hearing and sharing stories (or even grappling personally) with the increased incidence of visa delays, denials, or requests for evidence. These are impacting incoming and continuing international students, continuing students, and international faculty, postdoctoral scholars, and other staff on campus. Beyond the delays of OPT authorization noted above, and the daily work of DSOs and international student service directors in supporting students as they seek to comply with regulations and new interpretations, examples of visa issues abound:

- Recently, scrutiny of social media posts led an incoming Harvard international Palestinian student from Jordan to be denied entry at the airport and deported back to Jordan. Only with the concerted efforts of numerous individuals and organizations, including the personal engagement of Harvard president, Larry Bacow, was the student finally allowed to enter the U.S. to start classes at Harvard.
- Also in August, after nine international undergraduate students from China returning to Arizona State University to continue their studies were denied entry to the U.S. at LAX, and sent back (at their own expense) to China, ASU President Michael Crow wrote to Secretary of State Pompeo and other officials, expressing “serious concern.” ASU has been actively engaged in trying to resolve the situation.

Institutions report having to cancel or change classes when a faculty member could not return to campus in time for the start of the semester, or an H-1B visa application was not processed in a timely fashion or there are more requests for evidence in the visa process.

Admissions officers report that more students’ visa applications are being denied, though the reasons are not clear.

Federal relations officers, legal counsels, and human resource professional report spikes in their work since 2017 as they engage with congressional offices and agencies on these immigration issues.

What issues have emerged on your campus? How has your campus responded? Are you dedicating more resources to address these issues? What are the concerns of international students on your campus? Read about two first-hand experiences of international students in our article here.

How campuses have responded and actions that you may want to consider

When I talk with presidents and chancellors about the immigration challenges they face, they emphasize the importance of being proactive, prepared to support students and lead their institutions for the future, and not simply reactive to the immediate crisis at hand. They stress the need to operate on multiple levels and demonstrate responsiveness to on-campus and off-campus constituencies, as they affirm institutional values and mission and speak to the moral and educational imperative of being open to immigrant and international students.
From an operational perspective, these priorities translate into at least three approaches. On some campuses you may be able to pursue all three, while in other contexts, you and your campus will remain focused on one or two.

Get Prepared

The first and most important actions that campus leaders have taken are to:

- Listen to and talk with international students regarding their experiences and concerns.
- Build their own knowledge base about immigration issues that affect their campuses.
- Empower administrators, faculty, and students to come together in campus-wide immigration taskforces or working groups as needed.
- Designate individuals who can act as point people.
- Ensure that your international student services offices are adequately resourced and supported.

These steps can lead to other kinds of actions, ideas, reallocation, or investment in new resources. For example, there is a growing awareness that collecting information and stories about how international students, faculty, staff, and others have contributed to your campus and communities can be invaluable.

Has participation in OPT made a difference for your students and campus? Have you engaged your international alumni in these questions and issues? Do you know how many foreign-born faculty, scholars, and staff are on your campus, or if they came to the United States as international students, refugees, part of family migration, or had been undocumented before being able to adjust their status?

Every campus has many compelling stories to share. Being prepared with the right information, data, and case studies can be invaluable when a critical incident arises.

Take Action

Institutions have more opportunities than ever to engage proactively in support of international students. These include:

- Join the OPT amicus brief that the Presidents' Alliance and NAFSA are coordinating (Click here for information); more than 50 private and public institutions have joined thus far.
- Join with others in your state to draft a collective letter to your congressional delegation in support of international students and scholars (see for example, letters from Michigan and New Jersey).
- Join the NAFSA welcome campaign for international students and campus advocacy efforts; or ask your president or chancellor to join the Presidents' Alliance.

For a brief overview on getting prepared for this academic year and actions to take, immigration legal experts Dan Berger and Professor Stephen Yale-Loehr, members of the Presidents' Alliance's Legal Advisory Council, created
a summary of major immigration issues affecting campuses this year. The document also provides a bird's-eye-view of various opportunities and immigration-related matters for senior leadership on campus.

Speak out

Immigrant and international students are vital members of our campus communities. Over the past few years, an increasing number of presidents, chancellors, deans, and other administrators are speaking out in support of their international students—these can be internal campus messages, formal and informal remarks, or Op-Eds and public statements. The start of the school year, and the upcoming international week in November, are good opportunities for proactive statements, messaging, and opinion pieces.

What kinds of actions make sense for your campus? What is your story? What was the last message sent in support of international students?

Finally, simply take some time to listen and learn from your international students and alumni. They will appreciate your engagement and you will gain valuable insights.

About the author

Miriam Feldblum is co-founder and executive director of the Presidents’ Alliance. She previously served as vice president for student affairs and professor of politics at Pomona College (2007-2018) and as special assistant to the president, faculty research associate, and senior director at Caltech (1995-2007), and is a non-resident fellow at the Migration Policy Institute. She is the author of Reconstructing Citizenship: The Politics of Nationality Reform and Immigration in Contemporary France, has written articles and delivered presentations on immigration and higher education, highly skilled labor in the United States, and has written articles and conducted workshops on supporting undocumented students.

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