

# Kaul joins federal lawsuit challenging international student rule

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Dem AG Josh Kaul has joined a multi-state lawsuit seeking to block a new Trump administration rule that would prevent international students from studying in the U.S. this fall if their classes are totally online.

U.S. Immigration and Customs Enforcement last week amended its rules so that nonimmigrant F-1 students wouldn't be eligible for student visas if their fall course load is entirely virtual.

The coalition, made up of 17 states plus Washington, D.C., calls the change a "cruel, abrupt, and unlawful action to expel international students amidst the pandemic that wrought death and disruption across the United States." The group in a Massachusetts federal court seeks an injunction to prevent the rules from going into effect.

Kaul in a statement argued the change could pressure universities to maintain in-person classes, no matter how the COVID-19 pandemic is playing out or what local health guidelines are.

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"While it's been clear for months that we can't count on the Trump administration to effectively lead the fight against the pandemic, the administration at least shouldn't interfere with the hard work that others are doing to slow the transmission of the coronavirus and protect public health," Kaul said.

Nearly 40 institutions — including UW-Madison, UW-Milwaukee, UW-Stevens Point and UW-Stout — have issued declarations in support of the lawsuit or provided information on how they would be affected.

DOJ said hundreds of F-1 visa students are spread throughout the UW System, contributing tens-of-millions of dollars in tuition and housing.

The agency added UW-Madison international students in total last year paid \$161.8 million in tuition and \$18.8 million in housing. And it said 26.5 percent of the flagship campus' courses were taught by international students.

UW System interim-President Tommy Thompson on Monday said he believed Wisconsin schools' in-person/online hybrid instruction models for the fall semester should be enough for international students to keep their visas even if the courts uphold the measure.

He suggested the system will "fully support" the coalition's challenge of the rule, saying "international students are welcomed here at the UW System."

"The value of our international students to our universities extends beyond the financial and research support they provide Wisconsin," added Regent President Andrew Petersen in a statement. "Their presence on UW System universities contributes to the learning opportunities and cultural enrichment provided to all of our students."

Monday's filing comes after Harvard and M.I.T. universities last week issued their own suit attempting to block the administration's rule.

Thompson on Thursday told reporters that, while the system supports efforts to block the rule, it's "in a money crunch" and intends to stay out of such litigation so long as it believes its students won't be affected. He did say the system would reconsider joining ongoing suits if circumstances were to change.

Madison Chancellor Rebecca Blank said she applauds the Dem AG's decision to join the coalition against the Trump administration. She called international students "valued members of the community," and argued the uncertainty of the policy only adds to the hardships they already face through the pandemic.

"Since the start of the pandemic, they have faced numerous difficulties and hardships, including travel restrictions, closed consulates, required and recommended quarantine periods, as well as acts of bias and hate," she said in a [statement](#). "We will continue to work alongside UW System, Attorney General Kaul and state and federal legislators to support international students and advocate for

them.”

Blank also said she believes her hybrid policy will be enough for international students to maintain their visas. But she warned “it’s vitally important that universities have flexibility in how they deliver instruction” as the coronavirus remains unchecked.

White House Press Secretary Kayleigh McEnany last week defended the administration’s decision, asking reporters why students should maintain their visas for solely virtual classes in the fall when “you don’t get a visa for taking online classes from, let’s say, University of Phoenix.”

A Trump campaign spokeswoman declined to comment on the filing and instead deferred to the administration.

See more [here](#).

See ICE’s plan [here](#).