

# Procedure to Change to F-1 Student Status

**Overview** - F-1 student status is appropriate if you intend to pursue full-time studies in the United States. If you are currently in the United States as a temporary worker, diplomat, exchange visitor or any other non-immigrant classification EXCEPT Visitor in WT or WB status and need to change to F-1 student status, follow the procedures indicated below.

**Eligibility** - In general, non-immigrants who are maintaining lawful status may apply for change of status to F-1.

**Exceptions** - Non-immigrants subject to the Section 212 (e) two-year home residency requirement are ineligible to apply. Those in WT or WB are also ineligible. Those in F-2, B-1 or B-2 status are eligible to apply for a change of status but cannot enroll in classes until the change of status has been approved by the US Citizenship and Immigration Services (USCIS).

## Procedure

### 1. Qualify for a Certificate of Visa Eligibility (Form I-20) from FVCC

In order to qualify for F-1 student status, you must be admitted to a full-time program of study at FVCC and obtain a Form I-20 from the International Students Program Coordinator. To obtain an I-20, submit the following:

1. [Application for admission](#) (which will require you to submit your high school transcripts/ or equivalent, college transcripts if applicable, documentation of your immunizations). Contact [greeb@fvcc.edu](mailto:greeb@fvcc.edu) for details.
2. Financial documentation showing funds for you and any accompanying dependents who will be in F-2 status. The documents should show that you have sufficient funds to cover the tuition, living expenses, and fee for at least one year and show a plan for funding subsequent years.

Once the above materials have been submitted, FVCC will prepare a Form I-20 for you within 4 weeks.

### 2. Take one of the following steps to change your status

Once you obtain an I-20 from FVCC, you must change to F-1 student status either by **travel** or by **application** to the U.S. Citizenship and Immigration Services (USCIS).

**FVCC strongly recommends changing your status by travel if it is at all possible for you to depart the U.S. before your studies begin.** A COS application to USCIS can take many months to be approved; a full semester is typical and you will still need to apply for an F-1 entry visa the first time you travel outside the U.S. so that you can return in F-1 status to resume your studies.

#### A. Change by travel

You may change your status by departing the United States and re-entering in F-1 status. In order to re-enter the United States in F-1 status, you must have a valid, unexpired F-1 entry visa.

- If you do not have an F-1 entry visa or need a new one, you must apply for one at a U.S. consulate. Once you have obtained an F-1 entry visa, you would then enter the United States with your visa and the following:
  - Your Form I-20 from FVCC
  - Supporting documents such as copies of your admission letter and your financial documentation
  
- If you were previously in lawful F-1 status at another school in the United States, have an unexpired F-1 entry visa, and have not been out of the U.S. for more than 5 months, you may continue to use that visa, even if it was issued for your previous school.
  
- If you have been out of the U.S. for more than 5 months, you will need to apply for a new F-1 visa even if the one in your passport has not expired.
  
- If you have an F-1 entry visa that was **cancelled** by a consular officer, you must apply for a new F-1 entry visa as described above.

When you are at a port of entry, you will request F-1 status by presenting your passport open to the F-1 visa page and the I-20. If all is in order, the immigration inspector will admit you in F-1 status by issuing you an I-94 card marked "F-1 D/S".

## **B. Change by application to the USCIS**

You may also attempt to change your status by submitting a change of status application to the US Citizenship and Immigration Services. This requires that you assemble the items listed below. Be sure to include ALL documents that establish your lawful status in the U.S. If you are in a dependent status (such as but not limited to F-2, H-4, L-2), you must establish that the principal (F-1, H-1B, L-1, etc.) is in lawful status. USCIS will send you a Request for Evidence (RFE) if you omit any of the documentary requirements. An RFE stops the processing clock and no further action will be taken on your application until the evidence has been received.

1. [Form G-1145](#) - This form should be on the top of your application for USCIS to notify you by email and/or text message that they have accepted your application.
  
2. a completed [Form I-539](#).
  
3. Photocopies of both sides of your current **I-94 card** and photocopies of the I-94 cards of any dependents who are changing with you.

4. Photocopies of all three pages of your new Form I-20 from FVCC, **signed on the bottom of page 1**. Your application will be delayed if you forget to sign the I-20. DO NOT send the original I-20; it will not be returned to you.
5. Copies of **financial documents**.
6. Photocopy of your valid **passport identification page - do not send your passport to the USCIS**.
7. **A bank check, money order, or personal check payable to Department of Homeland Security with "USCIS I-539" noted in the memo line for the required \$290 fee**. The USCIS does not accept cash. This fee includes any dependents who are changing status with you. Those in A-1, A-2 or G-1 through G-4 nonimmigrant status are not required to pay the fee.
8. **Proof of SEVIS fee payment**. This fee can be paid [online](#) by completing Form I-901.
9. **A letter explaining why you are requesting the change of status**. This is extremely important: your letter should clearly explain your current status, your plans for study at FVCC, and your longer-term plans as well. Keep in mind that F-1 status is a NON-IMMIGRANT classification. This means that you must indicate, and in certain cases may be required to document, that you continue to maintain ties to your home country--whether in the form of a residence, an expected job offer, or continuing family ties. It is not unusual for the USCIS to request documentation regarding your ties to your home country, and you should be prepared to provide such documentation.

Your letter must include the following information if you are requesting a change of status from:

**H-1 or L-1** - You should give your dates of employment under H-1 or L-1 and request the date on which you want the F-1 status to be effective. For example, if your last day of employment is August 25, you should request your F-1 status be effective on August 26. Be aware that the F-1 effective date **MUST** be within 30 days of the program start date in item 5 on your I-20. If you plan to leave your employment more than 30 days before the program start date, you must depart the U.S. and apply for an F-1 entry visa at a U.S. Consulate.

Any request for an effective date for F-1 status must be prominently stated in your letter of explanation for the change of status. You may also annotate the I-539 with your effective date request by clearly printing "Effective [date]" in Part 2. Application Type 1.b. under "The new status I am requesting is: \_\_\_\_\_"

Also include a copy of the I-797 approval notice, your 3 most recent pay stubs, and other documentation establishing that you were in and maintained valid H-1 or L-1 status. The USCIS must receive your change of status application no later than the day you terminate your H-1 or L-1 employment, as there is no "grace period" for those in H-1 or L-1 status: your status as an H-1 or L-1 terminates the day you leave your H-1 or L-1 employer.

**H-4 or L-2 dependents** - need to submit the evidence listed above of the H-1's or L-1's status at the time the H-4 or L-2 files the application with USCIS along with evidence of the relationship such as a birth or marriage certificate.

**Do not forget to include the H-1B or L-1 principal's 3 most recent pay stubs.** If they are not included with your other application materials, USCIS will send you a "Request for Evidence" (RFE) and review of your application will be delayed until USCIS receives the missing evidence.

**A or G** - Before filing for a change of status, you must first file [Form I-566](#) with either the Department of State or the Office of Host Country Affairs at the U.S. Mission to the United Nations within 10 days of the completion of your A or G employment. The I-566 approval can take many weeks and only after the I-566 has been approved and returned to you are you eligible to file a change of status application with the USCIS. However, you **do not need** the signed I-566 form if you change your status by travel.

**J-1 or J-2** - You cannot change to F-1 in the U.S. if you are subject to Section 212(e), also known as the "two-year home residency requirement", unless you have received a recommendation for a waiver of the requirement from the Department of State.

You must also include your DS-2019 form and the DS-2019 forms for any dependents also changing status from J-2 to F-2.

10. **Once completed, mail your application to the USCIS.** Photocopy your application and send it by certified mail with a return receipt requested or by courier service to the USCIS Dallas Lockbox facility.

**U.S. Postal Service (USPS) only**

USCIS

PO Box 660166

Dallas, TX 75266

**Courier service (FedEx or UPS)**

USCIS

Attn: I-539

2501 S. State Hwy. 121, Business  
Suite 400

Lewisville, TX 75067

11. When the USCIS receives your application, it will deposit your payment of the fee and mail you a Form I-797 Notice of Receipt with your assigned case number. You can check the status of your application by calling the phone number on the bottom of the I-797 or [online](#) and entering your case number.

12. **After you submit your change of status application to the USCIS, please inform the ISSO immediately** in order for us to update your record in SEVIS.

**Your obligations while a change of status is being adjudicated are as follows:**

1. Report to the International Student Office at FVCC
2. Provide FVCC with any documents you receive from USCIS, including the notice of receipt of your application and notice of approval of your change of status when it has been adjudicated
3. Maintain full time enrollment
4. Report any change of address within 10 days.

13. **If you leave the U.S. after you have obtained the change of status, you must obtain an F-1 visa before your return to the U.S.**

**Special Considerations:**

If you are in lawful status and decide to change to F-1 status by applying to the USCIS, you remain in lawful status until you receive your reply from the USCIS. However, you **do not** have the privileges of student status (working on campus, applying for practical training, etc.) until the change is approved. When USCIS has made a decision, they will send you a Form I-797 Notice of Action.

**Note that the USCIS can take up to 6 months to process a change of status application.**

If you attempt to change your status by travel, but overstayed your previous visa, you must apply for a new F-1 visa in your home country; you cannot apply for an F-1 visa in a third country (such as Canada). If you overstayed your visa for more than 180 days, you may be prevented from returning to the United States for 3 years or more.

If you have applied for permanent residency or are included in someone else's application for permanent residence, you may be considered ineligible for F-1 status. You should contact an immigration lawyer to discuss this situation.