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## **Change of Non-immigrant Status to F-1 Status**

### **Explanation**

When an individual currently in the US in one non-immigrant status wishes to change to another non-immigrant status he/she can accomplish a change to the new status one of two ways:

1. The individual can leave the US, apply for an entry visa for the new status at a US Consulate abroad and reenter the US with the appropriate documentation for the new status, *or*
2. The individual can file an application for a change of non-immigrant status with US Citizenship and Immigration Services (USCIS). ***Note: during their next trip abroad, individuals who change status within the US will need to obtain an F-1 visa stamp from a US Consulate in order to re-enter the US in F-1 status.***

This handout contains information about how to apply for a change of non-immigrant status with the USCIS without leaving the US.

### **Conditions and Limitations**

Your non-immigrant status should always accurately reflect your primary purpose for being in the US. For most full-time students, that means F-1 student status. If you have any questions about the proper status for your activity, you may make an appointment to speak with a Foreign Student Advisor in the Office of International Education (OIE), even prior to your enrollment at Carnegie Mellon.

#### **Special note for people changing from F-2 to F-1 status**

Non-immigrants in F-2 status (spouses and minor children of F-1 students) are prohibited by law from studying full time towards a degree at the post-secondary (university) level while in F-2 status. F-2s who will study full-time in a degree program at CMU are strongly encouraged to proceed with the change of status process described herein and are discouraged from beginning their studies until the change of status has been approved. Failure to do so in a timely manner may jeopardize legal non-immigrant status. Questions may be directed to a Foreign Student Advisor in OIE.

#### **Special note for people in B-1/B-2 status**

Non-immigrants in B status are prohibited by law from beginning a course of study prior to receiving an approved change of status to a student status. Change of status applications from non-immigrants in B status who do not have "prospective student" notation on their visa are commonly denied. Students without this notation will likely need to leave the US, apply for a student visa at a US Consulate abroad, and re-enter the US in student status prior to beginning their program.

#### **Timing the application**

You may wish to discuss the appropriate time to file the change of status request with your OIE advisor. Applications submitted too early may be returned or rejected. However, applications submitted too late may not be processed prior to the start of classes. Students may begin their studies while the application is pending except for students changing from F-2 to F-1 or B-1/B-2 to F-1 as indicated above. Applicants in H-1B status need to pay particular attention to timing of the application both to insure they are in legal status when they file the application and to be able to work until their preferred employment end date.

## SEVIS Fee Payment Comes First

Before completing the application to change status to F-1 status, you must pay the SEVIS fee of \$100. Read the SEVIS I-901 Fee Frequently Asked Questions at [www.ice.gov/sevis/i901/faq.htm](http://www.ice.gov/sevis/i901/faq.htm).

### Who must pay the SEVIS Fee and when?

You will need to pay the SEVIS fee if you were issued a Form I-20 or DS-2019 on or after September 1, 2004 for the purpose of change of status from another immigration status to F-1 *unless* you are seeking change of classification between F-1 and F-3. F-2 visa holders, the spouse and dependents of the F-1 visa holders, are not required to pay the SEVIS Fee.

The SEVIS fee is paid separately from and in addition to the fee for application to change status. Change of status applications require submission to DHS of Form I-539, Application To Extend/Change Nonimmigrant Status. The fee to file Form I-539 is \$300.

Your SEVIS fee payment must be processed *before* DHS will take action on your application.

## Change of Status Application Process

### Step I. WRITE A COVER LETTER. THE LETTER SHOULD:

- Be addressed “Dear Immigration Services Officer”
- Explain what you are applying for (e.g. change from H-1B to F-1 status)
- Explain why you are applying
- List all of the contents of your application
- Include your contact information and original signature

### Step II. READ INSTRUCTIONS & COMPLETE I-539 FORM:

- Download and complete Form I-539 Application to Change or Extend Non-immigrant Status from the USCIS website at [www.uscis.gov](http://www.uscis.gov)
- OIE recommends that you use a Pittsburgh address on the application. Use your residential address if you are currently living in Pittsburgh or use the OIE address (see the letterhead on page one of this handout for the OIE address) if you are not currently in Pittsburgh
- Complete all questions and attach all required documents (below)

### Step III. INCLUDE WITH THE LETTER and I-539 THE FOLLOWING:

- *Copies* of your I-94 (front & back) and passport ID pages. USCIS instructions for the I-539 advise applicants to send the original I-94, however a copy is acceptable and recommended
- *Copies* of all previous immigration documents (front & back)
- *Original* documents necessary for the new status (e.g. all pages of the SEVIS I-20 if changing to a student or dependent F status signed by F-1)
- *Copies* of financial information in English showing proof of necessary funds to cover all costs of tuition plus expenses. This can include 1) bank statement or letter in your name, 2) a letter from your academic department stating the amount of funding you will receive or 3) a letter from another financial sponsor stating the amount they are giving you, *plus supporting financial documents* such as bank statements or salary statements
- Proof of SEVIS fee payment
- \$300 check made payable to “Department of Homeland Security”

*NOTE:* if you are applying for a change to or from a dependent status (F-2), then you will also need to include *copies* of:

1. your spouse's I-94 (front and back)

2. his/her I-20 (front and back)
3. proof of marriage (in English or translated into English)
4. documentation of financial support

#### **Step IV. SUBMIT APPLICATION**

Prior to the expiration of your current non-immigrant status and when you have completed the entire application, make a complete copy for your files, organize the materials neatly, and if you have indicated a Pennsylvania address on the application, mail them to:

**USCIS Vermont Service Center  
75 Lower Welden Street  
St. Albans, VT 05479 - 0001**

Send the application by an express mail carrier or US registered mail “return-receipt requested” so that you have proof of delivery. Within one month of sending the application to the USCIS, you should get a standard receipt notice stating that USCIS has received the application. The case number in the top left corner of this receipt notice can be used to check on your case by calling the USCIS or visiting their website at [www.uscis.gov](http://www.uscis.gov), but be aware that the system is not updated frequently. If you have a particular problem or need to change the mailing address on your application, you should call the USCIS.

NOTE: If you choose to use a mailing address on the I-539 that is not in Pennsylvania, refer to the USCIS application filing instructions to determine where to mail the application. Also see Step II on page 2 of this handout for OIE’s recommendation regarding the mailing address.

**Once the application has been filed, you cannot leave the US while the application is pending without cancelling the application. If you must travel, please consult with your OIE advisor.**

#### **Step V. PROCESSING**

The change of status will take anywhere from 1 to 5 months to be approved; unfortunately, there is no way to expedite the process. When it has been approved, you will receive an approval notice in the mail and the newly stamped I-20 in a separate mailing. If you do not receive this document within a few weeks after receiving the approval, you will need to call the USCIS to ask where the document is.

#### **Step VI. REQUIRED CHECK IN WITH OIE**

New **students** changing to F or J status must attend an international orientation and immigration check in, *even if the change of status has not yet been approved*. If the change of status is approved after the orientation dates, you will also need to see an OIE advisor as soon as you receive both the approval notice and stamped I-20. To schedule an appointment, call OIE at 412-268-5231.

**Please note:** OIE cannot provide letters for the purpose of applying for a US Social Security number or a Pennsylvania Driver’s license or a state ID to students who have a pending change of status application. Once your change of status has been approved and you have completed the mandatory immigration check-in with OIE, you can complete and submit the “OIE Request for Services” if you wish to apply for a Pennsylvania driver’s license or state ID. If you wish to apply for a Social Security number, consult the OIE handout “Social Security Number (SSN) Application Instructions for International Students, Scholars and Visitors” to determine your eligibility for a Social Security number.