

Change of Status to F-1

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Basic Explanation

If you are intending to study, or already studying at Texas State in a nonimmigrant visa classification other than F-1 Student, it may be possible to apply to U.S. Citizenship and Immigration Services (USCIS) for a change of status to F-1 Student. To apply for a change to F-1 visa status, you will need a Form I-20 (certificate of eligibility) from the Texas State International Office. This process only changes your status, i.e., the classification indicated on your I-94 record. **It does not change the visa stamp in your passport.** If you travel outside the U.S. after having been approved for a change of status to F-1 Student, **you will need to apply for an F-1 Student visa at a U.S. consulate in your home country to be able to return to the U.S. as an F-1 Student.** Alternatively, instead of applying for a change of status in the U.S., you may obtain a Form I-20 from the International Office and return to your home country to apply for an F-1 visa at a U.S. consulate to reenter the U.S. as an F-1 Student.

The following nonimmigrants are not permitted to change status to F-1 in the United States:

- WT and WB visitors admitted under the Visa Waiver Program, M-1 students, C, D, K, and S nonimmigrants
- J-1 physicians admitted to receive graduate medical education or training
- J nonimmigrants subject to the 212(e) 2-year foreign residence requirement.
 - (If you are subject to the two-year home country residency requirement 212 (e), you must first obtain a waiver, which could take up to 9 months.)

Points to consider before applying for a Change of Status:

<ul style="list-style-type: none">• It can take from 3 to 5 months for USCIS to approve a change of status application.
<ul style="list-style-type: none">• If you currently qualify for in-state tuition based on your residency status, changing your status to F-1 may disqualify you from receiving in-state tuition and you will be required to pay out of state tuition since F-1s may not domicile in the U.S.
<ul style="list-style-type: none">• You may attend school while your application is pending unless you are in F-2 Dependent or B-2 Visitor status. F-2 Dependents and B-2 Visitors <u>may not</u> take classes until your change to F-1 status is approved.
<ul style="list-style-type: none">• If you are in a status that does not permit employment, you cannot work on campus nor apply for practical training until the change to F-1 status is approved.
<ul style="list-style-type: none">• USCIS officers must determine eligibility for a change of status. A prospective student could be generally eligible for issuance of an I-20, but if he or she is not eligible for a change of status, <i>a change of status application will not be approved.</i>
<ul style="list-style-type: none">• A nonimmigrant that travels abroad while an application for change of status is pending is considered to have abandoned the change of status application. USCIS will deny the application if they become aware of the departure.
<ul style="list-style-type: none">• Generally, nonimmigrants who have filed a timely application for change of status to a different nonimmigrant status can remain in the U.S. while their application is being adjudicated by USCIS providing:<ul style="list-style-type: none">(a) you are in a valid legal nonimmigrant status at the time you file your application and USCIS receives it; and(b) [IMPORTANT] your current status continues to be valid up until the date your requested F-1 Student status begins.
<ul style="list-style-type: none">• If you are a child in a dependent visa classification (e.g. H-4, L-2, R-2, etc.), your requested start date of your F-1 status must begin before you turn 21 years of age. A-1 and A-2 dependents must change their status before age 25.

Review the steps below; discuss any questions you have with an International Office Advisor by requesting a phone or in-person appointment.

Step 1: Obtain a Form I-20 (you must first be admitted and submit financial documents)

Before a Form I-20 can be created by the International Office; you must first be admitted to Texas State University for a program of study. When you request your I-20 [using the submission page on our website](#), you must submit a copy of your passport and indicate which semester you would like your F-1 Student status to begin (we recommend choosing a semester which begins at least 3-5 months into the future). Additionally, you must submit financial documents that show ability to support yourself for one year. You can find the current Tuition and Fee Estimates, which will be listed on your Form I-20, on our website here:

www.international.txstate.edu/prospective/tuition.html.

**If any family members are changing status with you, you must request an F-2 dependent I-20 for each of them, and provide \$3,600*

more in financials for each dependent. Detailed information and suggestions regarding financials may be found on page 2 of this handout.

Step 2: Submit the I-539 and all supporting documents to USCIS

The Texas State International Office strongly suggests including all the following documents with your I-539:

- Form I-539 Change of Status Application** (can be found here: <http://www.uscis.gov/i-539>)
(*After completing it to the best of your ability, if you wish to have your I-539 reviewed by an advisor, please submit it by e-mail to international@txstate.edu. Wait at least 3 business days for suggestions or corrections to be e-mailed back)
- Personal check or money order** payable to "U.S. Department of Homeland Security" for \$370.00.
- A Letter of Request to USCIS** addressed to "Dear USCIS Officer": It is optional to send a letter explaining why you want to change status to F-1. However, a strong letter can help convince USCIS of your temporary intent.

Examples:

- "I have been admitted as a full-time regular degree seeking student and the eligibility to accept practical training related to my field of study would be beneficial..."
- "My spouse or parent will soon complete his/her program or have status expire and leave the U.S..."
- "I will soon turn 21 and my current visa status will expire..."

- A copy of your acceptance letter from Texas State or an unofficial transcript**
 - If you don't have a copy of your acceptance letter, an unofficial transcript can be printed from Catsweb
- Evidence of financial support & affidavits of support if other than self-supported**

Evidence of financial support should prove how you are paying for your education, and cover the amount stated on the Form I-20. Documentation should show funding available to cover at least one year of study and that, barring unforeseen circumstances, adequate funding will be available from the same or equally dependable sources for subsequent years. Financial documents must be current and in English or have a certified English translation.

- If you are supporting yourself, then you must provide copies of three months of your most recent bank account statements with an amount covering at least one year of study as indicated on the Form I-20.
- If the support is from a **sponsor currently in the U.S.**, a Form I-134, Affidavit of Support should be completed by the sponsor along with a letter of employment and copies of three months of most recent bank account statements. See <http://www.uscis.gov/i-134>
- If the support is from a **sponsor outside the U.S.**, an affidavit of financial support from the admissions office should be completed by the sponsor along with a letter from a bank or other financial institution which certifies the sponsor's ability to provide the stated support.
- Documentation of scholarships and fellowships may be in the form of an official award letter from the school or sponsoring agency. Examples:
 - RA's, TA's, & Fellowships: Complete a GA/RA/TA Verification form.
 - Scholarships: Verify with a letter from your college or supplying agency. It should also state if you are eligible for resident tuition.
- Copies of your immigration documents (and any dependents who will be included with you on the application)**
 - Passport ID page(s), Visa Stamp, I-94 (copy of card or electronic printout), any I-20s or I-797s related to your status
- A Copy of your Texas State Form I-20**
 - You will receive your I-20 approximately 2-3 business days after submitting financials to International Office
- Receipt Showing Proof of Payment of SEVIS I-901 Fee of \$200**
 - After receiving your Form I-20, you must pay the SEVIS fee to obtain the receipt; you must pay the fee online: www.fmiffee.com/i901fee and print the receipt at the end.
- If changing from a dependent classification (such as E-2, L-2, H-4, F-2...) you should include**
 - Copies of primary visa holder's immigration documents (Passport ID page(s), Visa Stamp, I-94, any I-797s)
 - Marriage certificate for spouses in dependent statuses or birth certificate (if applicable)
 - Proof that primary visa holder is in valid legal status
 - If you are in F-2 status, then I-20s and a transcript of the F-1 or letter of good standing from university
 - If you are in H-4, L-2, TD status, then paystubs for the last 3 months of employment of the H-1B, L1, TN
 - If you are in E2 status, proof of business ownership of the primary visa holder

Mailing Instructions:

(This information has been taken from the USCIS website: <http://www.uscis.gov/i-539-addresses>)

Mail the completed I-539 Application to the USCIS Dallas Lockbox using the addresses below:

If using U.S. Postal Service:

USCIS
P.O. Box 660166
Dallas, TX 75266

If using USPS Express Mail/Courier:

USCIS
ATTN: I-539
2501 S. State Highway 121 Business
Suite 400
Lewisville, TX 75067