

Change of Status

If your primary purpose for being in the United States has changed, you may need to change your immigration status or depart the U.S. by the end date of your current program. Applying for a change of status can be a complicated procedure. The steps outlined below may help to guide you through the process but the change of status application is **your application**, signed by you. You may wish to consult an immigration attorney to assist you.

Most non-immigrants can change their immigration status in two ways:

- Apply to the United States Citizenship & Immigrations Service (USCIS) for a change of status **within the United States**.
- **Travel out of the U.S.** and re-enter in the new visa status – you may need to return to your country of citizenship or legal permanent residence where you can apply for a new visa at a U.S. consulate or embassy. Some individuals may be able to obtain a visa from a U.S. consulate in a third country.

Please be aware that if you have both a student and a tourist visa in your passport, you are not automatically able to transfer from one status to another. You need to formally apply to change your status with USCIS before your grace period or Form I-94 expires.

Paying the SEVIS Fee

Payment of a SEVIS fee is required for individuals applying for an F-1/J-1 visa to begin a program, and for individuals currently in the United States applying for a change of status to F-1/J-1. This fee must be paid prior to applying for a visa and prior to submitting a change of status application. The SEVIS fee is not refundable. Please see the *SEVIS Fee* handout for more detailed information about the SEVIS Fee.

Change of Status within the United States

Individuals in the U.S. may wish to change their status without departure from the U.S. Nonimmigrants in C, D, K, or M status, J-1 visa holders who are subject to the two-year home country requirement, or those who entered the United States under the Visa Waiver Program cannot change to F-1 status from within the U. S. Full-time students who enter the U.S. with a tourist visa may not begin studies until USCIS has approved their change of status to F-1 status.

If you change your immigration status while in the U. S., the next time you leave the U.S. you will need to apply for a visa to re-enter in your new status.



To Apply

To apply for a change of status **from any non-immigrant status to F-1 or J-1** from within the United States, you will need to submit the documents listed below to USCIS:

- Check or money order for \$300 (*made out to U.S. Department of Homeland Security*)
- Cover letter** written by you explaining why you wish to apply for a change of status, why you did not initially enter the U.S. in the appropriate status, why you are now requesting the change of status, and why your goals/intentions changed after arriving in the U.S. You should also demonstrate strong ties to your home country to show that you do not intend to immigrate to the U.S.
- Original **Form I-539** with your signature (found at www.uscis.gov/forms)
- Form G-1145
- Original Form I-20 or Form DS-2019 from Wellesley College
- Copy of automated Form I-94
- Proof of SEVIS Fee payment
- Proof of financial support (bank/sponsor documentation)
- Photocopy of your previous visa or notice of immigration status
- Photocopy of the page in passport which indicates its validity for at least six months into the into the future & photo page
- Any other documentation indicating you have maintained your current immigration status

Criteria for Specific Non-Immigrant Visa Categories

Individuals in certain immigration categories will need to supply additional documentation with the change of status application and/or meet certain eligibility criteria. Please consult with your International Student & Scholar Advisor (ISSS) with any questions about documents or eligibility requirements.

❖ Changing from H-1 or H-4

In addition to the items in the section above, applicants should include:

- Copies of all previously issues Forms I-797** showing H status
- Evidence that the individual has maintained valid H status** e.g. a letter from the H-1 employer confirming current employment and 2-3 most recent pay stubs
- For H-4: Copies of spouse's or parent's H-1 immigration documents:** passport, copy of automated Form I-94, Forms I-797, and 2-3 recent pay stubs

Once the change of status to F-1 or J-1 student is effective, the individual must cease work for the H-1 employer. It is permissible to begin study while the change of status application is pending.

❖ Changing from J-1 or J-2

In addition to the items in the section above, applicants should include:

- Copies of all previously issued Forms DS-2019**
- For J-2: Copies of spouse's or parent's J-1 immigration documents:** Forms DS-2019, passport information page, visa stamp page and copy of automated Form I-94

It is permissible to begin study while the change of status application is pending.

Both J-1 and J-2 visa holders who are subject to INA Section 212(e), also known as the “two-year home residency requirement,” may not apply to change of status within the U.S. unless they have received a waiver from USCIS, a waiver recommendation from the U.S. Department of State (DOS), or have fulfilled the requirement. Changing J category, e.g. from J-1 research scholar to J-1 student, requires an application to DOS, not to USCIS. Change-of-category requests are rarely granted. Please consult with an International Student Advisor for details.

❖ **Changing from F-2**

In addition to the items in the section above, applicants should include:

- Copies of all previously issued F-2 Forms I-20**
- Copies of spouse’s or parent’s F-1 immigration documents:** Forms I-20, Passport information page, visa stamp page and copy of automated Form I-94. If the spouse or parent is on post-completion Optional Practical Training (OPT), the application should also include a copy of the spouse’s or parent’s Employment Authorization Document.

The F-1 status must be approved before commencement of study is permitted.

❖ **Changing from B-1 or B-2**

Applications for change of status from B-1 or B-2 to F-1 made by persons who have either already applied to US schools from abroad or who apply for a change of status shortly after entry to the U.S. are routinely denied. However, if the B-2 visa is marked “prospective student,” the change of status may be approved. The F-1 status must be approved before commencement of study is permitted.

Mailing Your Change of Status Application

It is recommended that you work with the ISSS to prepare and review your final application packet. You must photocopy your complete application for your personal records and for your school file. In general, applications should be filed with the **Dallas Lockbox**. More guidance and additional exceptions can be found in the Form I-539 instructions.

Applicants filing a Form I-539 at a USCIS Lockbox facility may also elect to receive an e-mail and/or text message notifying them that their application has been accepted, by completing an E-Notification of Application/Petition Acceptance (Form G-1145), and attaching it to the first page of their application.

Dallas Lockbox filing addresses:

For U.S. Postal Service (including US Postal Service Express mail):

USCIS
P.O. Box 660166
Dallas, TX 75266

For Express mail and courier deliveries
(e.g. UPS, Fed Ex, DHL, etc):

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

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

1. Report to the Slater International Center when you arrive at Wellesley College
2. Provide Slater International Center 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 to the Slater International Center at kpabon@wellesley.edu

It can take from 3 weeks to 3 months to process a change of status application. If your application is approved, you will receive a Form I-797 which will note the change of status. You will also receive a Form I-94 and your original Form I-20 or Form DS-2019, both of which will have USCIS approval marked on them. The Slater International Center will need to make photocopies of these documents to complete your record; please bring them in at your earliest convenience or send us a photocopy by mail. If your application is denied, you will be required by law to leave the U.S.

Change of Status by Travel

If you decide to change your status by traveling, you must leave the United States by the date your current status expires. You can re-enter the U.S. with new immigration documentation (i.e. Form I-20 for F-1 status or Form DS-2019 for J-1 status) once you have paid the SEVIS fee, and obtained a new entry visa from the U.S. consulate in your home country. Upon re-entry you will be in your new status. You will not be allowed to re-enter the U.S. more than 30 days before the start date on your immigration document. *Please remember that a change of status by travel usually requires a visit to the U.S. consulate or embassy to obtain a new visa.*

Please contact the Slater International Center at 781-283-2084 if you have any questions about change of your status.

Personal Letter Sample for Change of Status

[Name]
[Address]
[Date]

USCIS Vermont Service Center
Attn: I-539
75 Lower Welden Street
St. Albans, VT 05479

Dear Examiner:

Please change my status from **[enter your current status, F-2, B-2, etc.]** to F-1 or J-1 student.

[Explain why you did not enter the U.S. in the status you now seek.]

[Explain how you have been engaging in the activities for which you were admitted to the United States by Citizenship and Immigration Services.]

[After you entered the U.S., you decided to attend school. What information or other factors led you to make that decision. If you are in B status and you told the consular officer that you intended to attend school, or you wrote about the intention on the visa application, explain that in this paragraph.]

[Explain where you intend to live outside the U.S. after you have completed your studies in the United States.]

[Explain how your course of study will help you academically or professionally after you leave the United States.]

Thank you for your kind consideration of my application.

Sincerely

[Signature]
[Name]