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## Changing Immigration Status to F-1 or J-1

If you are presently in the United States in a nonimmigrant status and intend to enroll in an academic program, you should determine your eligibility to study in the U.S. Given the parameters of your current status (F-2, H-1b, H-4, etc.), your ability to begin a program of study may be limited or undesirable. Many incoming international students find that they need or want to change to F-1 or J-1 student status in order to pursue their degree at UR.

**There are two ways to obtain a new nonimmigrant status:** (1) by traveling outside the U.S., obtaining the necessary visa stamp, and establishing that status upon re-entry, or (2) by application to the U.S. Citizenship and Immigration Services (USCIS). Both methods have associated advantages and disadvantages, including immigration, timing, and financial ramifications. Depending on the details of your situation, the ISO may advise that one of these options is preferable. Please contact an International Student Advisor to discuss your individual circumstances.

### 1) Changing Your Immigration Status by Travel

Once you have been admitted to a University of Rochester program and have completed the necessary paperwork, the ISO will issue a Certificate of Eligibility (Form I-20 or Form DS-2019). Prior to your program start date, you will need to travel outside the U.S. and apply for the appropriate visa stamp at a U.S. Consulate or Embassy overseas. It is generally preferred that students return to their home country when applying for a visa. For more information on the visa application process and necessary documents, please refer to our Pre-arrival Information booklet.

After the visa stamp is issued, you may return to the U.S. with the new visa, your I-20 or DS-2019, and other travel documents. Upon clearing immigration inspection, you should be admitted to the U.S. in F-1 or J-1 student status, with a new I-94 card marked accordingly. You are thus eligible to begin your academic program as scheduled.

### 2) Changing Your Immigration Status by Application to USCIS

Submitting a Change of Status request to the U.S. government allows the petitioner to remain in the U.S. while the decision is pending provided the application is filed in a timely manner. This means that your current nonimmigrant status must still be valid when the government receives your Change of Status application. *Please note that individuals in B-2 and J-2 status may encounter special consideration and should contact an advisor in the ISO for further guidance.*

#### **Application procedures:**

Once you have been admitted to the University and your I-20 or DS-2019 has been issued, you will need to compile the necessary documentation and mail the application to the appropriate U.S. Citizenship and Immigration Services (USCIS) office. Mail these materials by registered mail (Fedex, DHL) to:

**USCIS Vermont Service Center  
ATTN: I-539  
75 Lower Welden St.  
St. Albans, VT 05479-9765**

The specific materials needed for a Change of Status request often vary based on your current nonimmigrant status. The general components of all such applications are included here. **All Change of Status applicants are encouraged to contact a student advisor in the ISO to discuss their application and address any questions.**

### **General Change of Status Application Materials:**

- ❑ Form I-539, completed and signed <http://www.uscis.gov/files/form/i-539.pdf>
- ❑ Application fee of \$300, payable to “USCIS” by check or money order
- ❑ SEVIS Fee Receipt for payment of \$200, payable online at [www.fmjfee.com](http://www.fmjfee.com)
- ❑ Personal statement or letter of request: This is the opportunity to present your case for a Change of Status; the officer reviewing your application will refer to this letter to address any questions of intent. Your letter should specifically request the change to F-1 or J-1 status and briefly explain your reasons for doing so. It is important that this letter also indicate your plans for departure from the U.S. upon the completion of your program to satisfy the requirement for nonimmigrant intent. If your application will be filed shortly after entering the U.S. in your current status, you should also explain the circumstances that led to the timing of your application and that you did not misrepresent yourself when obtaining the visa stamp or entering the U.S.
- ❑ Maintenance of lawful status: You must provide evidence that you have maintained lawful status in the U.S. prior to submitting the Change of Status application. If you are a dependent then submit evidence that your spouse has maintained status. If they are a student include transcripts, copies of their immigration documents and a letter from their department. If they are an employee include pay stubs, their immigration documents and a letter from their employer.
- ❑ Proof of Eligibility for F-1 or J-1 status: You must also include the following documentation to prove your eligibility for a student visa.
  - I-20 or DS-2019 (original document), marked “Change of status requested”
  - Receipt for paid SEVIS fee (copy)
  - Admission letter from University department (copy)
  - Supporting financial documents (copies), as listed on Certificate of Eligibility

### **Beginning full-time study:**

The timing of your application is critical to your ability to begin a full course of study on schedule. While the Change of Status application is pending, the regulations pertaining to your existing status will dictate whether you can begin classes prior to approval. Some non-immigrant classifications permit full-time study (H-4, G-4, L-2, etc.), even if the change to student status has not yet been approved. Other classifications have strict provisions against pursuing an academic program. Specifically, all F-2 dependents and B-2 visitors are not permitted to enroll as a full-time student or take any coursework towards a degree. **Consequently, students in F-2 or B-2 status should not plan on beginning their studies at the University until they have successfully changed to F-1 or J-1 status.** Students in other visa categories are advised to contact the ISO to determine whether they are eligible to begin their studies while a change to student status is being processed.

### **Traveling outside the U.S.:**

Any travel outside the U.S. while a Change of Status application is pending will automatically be considered as an abandonment of the application. Therefore, if you must travel after submitting the application to the U.S. government, be sure to allow enough time abroad (preferably in your home country) to apply for the F-1 or J-1 student visa stamp. Please contact the ISO to review your particular travel needs.

Please note that successfully changing your status to F-1 or J-1 will *not* eliminate the need for a relevant visa stamp if you travel outside the U.S. at any point during your academic program. In such a case, you will need to allow ample time to apply for the F-1 or J-1 visa stamp before you may re-enter the U.S. and resume your program of study (except for travel to Canada or Mexico for 30 days or less).