

Change of Status to F-1

Introduction

A student acquires F-1 status using the Form I-20, issued by the school they plan to attend, in one of two ways:

1. By entering the United States with the I-20 and an F-1 visa obtained at a U.S. consulate abroad (Canadian citizens are exempt from the visa requirement); or
2. By applying to USCIS for change of nonimmigrant status (if the student is already in the United States and cannot travel). In choosing the latter, you will not receive an F-1 visa, only F-1 status. This means that the first time you travel outside the U.S. while in F-1 status, you will have to apply for an F-1 visa at a U.S. consulate in order to be able to return to the U.S.

A person in any non-immigrant status except C, D, K, or M (and in some cases J), and except those who entered the United States under the terms of the Visa Waiver Program, can apply for a change to F-1 status if they have maintained lawful non-immigrant status up to the time of application. Those with J status who are subject to 212(e) two-year home country physical requirement cannot change status in the U.S. unless a waiver has been granted. Non-immigrants in A, G, or NATO status must first complete Form I-566, and have it properly endorsed by the foreign mission to the U.S. and the Department of State.

Work With Your Adviser

Newly admitted students considering an application for a change of status must consult with their [OISS Adviser](#) [1] before submitting the application. Your I-20 must be issued for change of status not initial entry. Change of Status is a complicated process which can take 11-13 months to process and in some cases can result in requests for further evidence or a denial. Note that not all visa statuses will allow you to start your studies while the application is pending. You will also be unable to begin on-campus employment, receive assistantships, or other funding until your F-1 status is approved. In order to submit the best possible application it is critical that you work with your OISS Adviser.

Documentation Needed to Apply for Change of Status to F-1

- A cover letter (one page or less) requesting the change of status from your current status to F-1. This letter should include a brief explanation as why you wish to change to F-1 status. You should also provide a checklist of the documentation you are including in your application.
- [USCIS Form I-539 Application to Extend/Change Nonimmigrant Status](#) [2]: Read all instructions carefully as they differ if you choose to file with a paper application or use the e-filing option. The application form will include a application fee of \$420 for online, or \$470 for paper filing.
- Evidence of financial support (i.e., bank statement, assistantship letter, etc.). If you have been offered an assistantship from the department and therefore will need to start your on-campus job under approved F-1 employment authorization, you may want to include additional funding evidence that you can support your living expenses until you are approved.
- Admission letter from the University.
- Scan of the three pages of your Form I-20. Before scanning the I-20 be sure you sign in "Student Attestation" section on page 1 .
- Receipt indicating payment of the [SEVIS fee](#) [3]. Please note that the \$350 SEVIS fee is separate from the application fees noted above.
- Documents showing that you are currently in lawful non-immigrant status. Examples depending on your current status can include [Form I-94](#) [4], visa stamp, DS-2019, Form I-20 for F-2 status, I-797, EAD

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card, etc.

- Biographical page of your passport, including the expiration date of your passport, and an explanation if the passport is expiring soon.
- If changing status from an employment based visa, such as J-1 Researcher or H-1B you should include three recent paystubs, or other evidence of employment.
- If previously in J status and subject to the 212(e) Two-Year Foreign Residency Requirement, include the I-612 proof of waiver approval.

We recommend that you save a copy of the application materials for your own record.

How to File

There are two ways to submit this application to USCIS, online or by mail, and the process is different depending on the option you choose. OISS recommends that you apply online using the specific [USCIS instructions on how to file electronically \(e-file\) found here](#). [5] E-filing will allow you to pay the fees with a credit card, change your address as needed, upload updated documents, respond to requests for additional evidence, and receive your approval more quickly than by mail. If you choose to file by mail instead, please request additional details from your OISS Adviser.

If your change of status is pending with USCIS and you later decide to leave the U.S., your change of status request will be abandoned. You will need to get a new I-20 from OISS for your travel and visa application outside the U.S. so please let your OISS adviser know at least two weeks in advance of changing of your plans.

Important Things to Remember

The I-539 application is your personal application. While OISS Advisers may give general guidance on how to prepare a successful application, we are not permitted to give detailed legal advice. In rare cases that are very complex in nature you may need to pay an immigration attorney for a consultation. Please coordinate use of any attorney before making payments or commitments.

If you are currently in B1/B2 status:

Source: 8 CFR § 214.2(b)(7) and §248.1(c)

- Individuals in B1/B2 status are prohibited from “enrolling in a course of study” until after USCIS approves their change of status application.

If you are currently in F-2 status:

Source: 8 CFR (Code of Federal Register) § 214.2(f)(15)(ii)

- Individuals in F-2 status are eligible for part time study. Refer to F-2 Dependents for details. However, once your change of status to F-1 is approved, you are required to be enrolled full time. If your change of status has not been approved by the deadline for adding/dropping classes, your I-20 start date will be deferred until the start of the next semester and you must stay enrolled part time until the end of the current semester in order to maintain your F-2 status.

If you are currently in any other status (e.g., H, J, L, E, etc.):

- If your current status allows full-time studies in the U.S., you may start classes before your change of status application is approved. However, you are not allowed employment under F-1 status until after your application is approved. For example, if you have an assistantship, you won't be able to start it until after you receive your F-1 status.

Program Start Date

If the I-539 application is not adjudicated by the original start date on the I-20, the program start date will have to be amended to a later date. This may result in receiving multiple updated I-20s depending on how long your application is pending, and each will have to be attached to your application as an update.

Traveling and Reentering the U.S. after Approval

If you acquire your F-1 status through a change of status process, remember that you will only receive F-1 status, not an F-1 visa. This means that the first time you travel outside the U.S. while in F-1 status, you will have to apply for F-1 visa at a U.S. consulate in order to be able to return to the U.S.

For further information about travel and re-entry and/or visa applications, refer to the [U.S. Department of State](#) [6] website and [OISS Travel Guidance](#) [7].

If you would like to discuss the risks and benefits of your strategy for change of status, or have questions about your options, please [contact your OISS adviser](#) [8].

Source

URL:<https://oiss.yale.edu/getting-started/new-students/applying-for-your-us-visa/applying-for-an-f-1-visa/change-of-status-to-f-1>

Links

[1] <https://oiss.yale.edu/node/1286> [2] <https://www.uscis.gov/i-539> [3] <https://oiss.yale.edu/immigration/f-1-students/applying-for-a-visa/paying-the-sevis-fee> [4] <https://oiss.yale.edu/travel-visas/for-students/traveling-to-the-us/i-94-record> [5] <https://www.uscis.gov/file-online/tips-filing-forms-online> [6] <https://travel.state.gov/content/travel/en/us-visas.html> [7] <https://oiss.yale.edu/travel-visas> [8] <https://oiss.yale.edu/about/connect-with-oiss>