CHANGE OF STATUS

Eligibility
A person of 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 Pilot Program, can apply for a change to F-1 status if s/he has maintained lawful non-immigrant status up to the time of application.

A person in J status may apply for a change of status only if they are not subject to the 2-year home country physical presence requirement, or if that requirement has been waived. A foreign medical graduate who acquired J status to receive graduate medical training may change to F-1 only if s/he has received a waiver of the home residency requirement based on fear of persecution or interest of U.S. government agency.

A person in F-2 status (spouse or dependent) wishing to engage in degree seeking programs on either a part-time or full-time basis must apply for a Change of Status and be granted the Change of Status prior to their enrollment into the University. F-2 spouses are permitted to engage in part-time “avocational or recreational” study only. F-2 children may attend full-time at the elementary and secondary level of schooling only.

Procedures:
1. Gather the following information and complete all required forms:
   ____ Completed Form I-539. Be sure to explain your answer to 3f in Part 4
   NOTE: Form may be obtained at http://www.uscis.gov/i-539
   ____ Check in the amount of $290.00, payable to "U.S. Department of Homeland Security"
   ____ A letter explaining why you want to change your status. The letter should explain why you did not originally enter the United States in the status for which you are applying. A change of circumstances or intention must be documented or explained to make the application acceptable.
   ____ Copies of your passport (page with photo and expiration date) and all previous immigration documents (I-20 or DS-2019)
   ____ Copy of your waiver
   ____ Copies of I-20 and I-94 card of principal F-1 (if changing from F-2 to F-1)
   ____ Proof of family relationship to F-1 principal (i.e. marriage license)
   ____ Evidence of financial support (i.e. original bank statement)
   ____ Other ______________________________________

2. After you have gathered all materials above, bring all of the materials with you AND your original passport and immigration documents to the Multicultural and International Services Office (MISO). Please note: the new I-20 will not be prepared on the same day, but rather will be prepared and then the MISO will contact you to return and sign documentation.

3. The Director for Multicultural and International Services will review the materials and prepare new documents (if needed) for you. You will be asked to sign the immigration document (I-20) if applicable to your change of status (this will be done when the MISO contacts you to let you know your documents are ready). You will then pay your SEVIS fee if applying for a change of status to F1 at www.fmjfee.com. All materials will be sent by the MISO to the USCIS Service Center responsible for adjudication. If your application is complete, the USCIS office will mail you a receipt notice within 30 days. If your change of status is approved, USCIS will mail you the new immigration document and a new I-94 card indicating your new status. The entire process may take up to four months for processing.

4. After you receive approval, please stop by the Multicultural and International Student Services Office with your new immigration document and I-94 card so that we can copy them for your file. The International Office will keep a complete copy of your application on file.

Adapted from University of Louisville