

## Applying for a Change to F-1 Status from Within the United States

In general nonimmigrants, who have been admitted to a degree program for full-time studies, and have maintained lawful immigration status during the entire period of their stay in the United States, may apply for a “change of status” to the F-1 student immigration status from within the U.S. However, there are a few restrictions to the change of status benefit and certain nonimmigrants are not permitted to apply for a change to F-1 status from within the U.S. The following nonimmigrants are **not** permitted to change to F-1 status from within the U.S.: C, D, and K nonimmigrants, M-1 students, J-1 physicians admitted to receive graduate medical education or training (and their J-2 dependents), J nonimmigrants who are subject to INA §212(e)--2-year physical presence requirement, and those admitted to the United States as WT or WB visitors under the Visa Waiver Pilot Program. In addition, those whose current immigration status will expire prior to 30 days before the I-20 report date will not be able to apply for a change of status from within the United States.

Applicants should note that a change of status application may take about 3-5 months to process from within the U.S. and that a delay or denial of the application could interfere with or prevent one’s enrollment at Regent University. In addition, depending on your current immigration status, you may not be able to work on campus until the F-1 status is approved. Another alternative to the change of status application would be to depart the U.S. and apply for an F-1 visa from one’s home country with a Regent I-20 (see our “F-1 & J-1 Visa” information on our website for details). **The departure and reentry tends to be a much quicker way to obtain the F-1 status.**

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### How to Obtain the Regent I-20 for your Change of Status Application:

If your current immigration status is not one of the excluded categories listed above, and you would like to apply for a change to F-1 status from within the U.S., you will need to submit the following information to the Central Enrollment Management (CEM) Office if you are a newly admitted student, and to the Office of International Student Services (OISS) if you are a currently enrolled student. The following documents must be submitted at least 2 months prior to the expiration date of the current immigration status, which includes those who are “aging-out” of their dependent status:

1. **Submit a Financial Affidavit/Certification with Supporting Documents** for the appropriate terms you will be studying at Regent University with U.S. dollar amounts shown after you consult with the CEM Office/OISS Director for details.
2. **The following information:**
  - PHOTOCOPY of the FRONT and BACK your I-94 Arrival/Departure Record;
  - PHOTOCOPY of your current/latest visa; and
  - PHOTOCOPY of the essential pages of your passport (Including: date & place of issuance, expiration date, & photo).
3. **If you are currently in one of the following statuses, you will also need to submit the following information:**
  - ▶ **For H-1B status holders:** PHOTOCOPY of your I-797B “Approval Notice” (H-1B applicants may NOT work for their H-1B employer once the F-1 status is approved. Continued employment for the H-1B sponsor after the F-1 approval date is a serious violation of the F-1 student immigration status.)
  - ▶ **For F-2 dependents of F-1 students:** PHOTOCOPIES of all I-20s ever issued to the F-1 student, photocopy of the F-1 student’s passport, visa, I-94 Arrival/Departure Record, and evidence from the F-1 student’s DSO that he/she has been maintaining lawful immigration status.
  - ▶ **For J-2 dependents of J-1 visitors:** PHOTOCOPIES of all DS-2019s ever issued to the J-1 visitor, photocopy of the J-1 visitor’s passport, visa, & I-94 Arrival/Departure Record.
  - ▶ **For dependents of E, H, L, O, P, Q, or R employees:** PHOTOCOPIES of your spouse’s or parent’s passport, visa, I-94 Arrival/Departure Record, AND a PHOTOCOPY of the employee’s I-797B “Approval Notice”; OR A PHOTOCOPY of the petition filed for that employee or evidence that it is pending with USCIS.
4. **If you are a Current Student at Regent:** You will also need to submit a “Certificate of Enrollment” from the Registrar’s Office (SC 235) showing your enrollment for each semester and expected graduation date.

▶ **See the back of this page for information about what you will need to send to USCIS once your change of status I-20 has been issued by Regent.**

## I-901/SEVIS Fee:

Effective October 27, 2008, all applicants who apply for a change of status to F-1 status will need to pay an increased I-901/SEVIS fee of \$200 before they can apply for a change of status. You will need to include a copy of the SEVIS fee receipt with your change of status application. SEVIS stands for the Student Exchange Visitor Information System. Details about the SEVIS fee can be found on the USCIS website at: <http://www.ice.gov/sevis/i901/index.htm> and on the OISS website at: [www.regent.edu/oiss](http://www.regent.edu/oiss) (under the link entitled "Immigration & Employment Information").

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## How to Prepare your Change of Status Application:

Once all of the required paperwork has been submitted, you will receive an I-20, which is needed for your change of status application. For the change of status application, you will need to send the following information to USCIS (U.S. Citizenship and Immigration Services) at least 45 days before your current status expires, or as soon as possible:

1. A check made payable to USCIS for \$300 (for the principle applicant) for the I-539 application \_\_\_\_
2. A cover letter for the front of your application, which lists ALL items included in the application (check for \$300, completed I-539 application, SEVIS fee receipt, I-20 form, etc.) The cover letter should also explain when you entered the U.S. under your current status, when you applied to Regent and expressed your interest in studying in the U.S. as a full-time student, and whether or not you ever worked in the U.S. without authorization \_\_\_\_
3. Copy of the receipt for your I-901/SEVIS fee payment \_\_\_\_
4. The completed I-539 (Application to Extend/Change Nonimmigrant Status) \_\_\_\_  
<http://uscis.gov> (Click on the "Immigration Forms" tab.)
5. The entire and ORIGINAL Regent I-20 issued for change of status (and any Dependent I-20s) AFTER you have read the "Instructions to Students" on page 2 carefully and have completed Section 11 on Page 1 of the I-20(s) \_\_\_\_
6. Photocopies of the financial documentation you used for your I-20 to be issued \_\_\_\_  
(including any bank statements or award letters from your academic department or government)
7. Photocopies of all documents listed in items #2 and #3 on the front of this handout for the F-1 applicant and all Dependents included in the change of status application \_\_\_\_
8. Proof of intent to return home/depart the U.S. after your studies \_\_\_\_  
(Including proof of employment in home country, continued membership in organizations, land/business/home ownership, proof of spouse/children in home country, personal letters of intent to return home after your studies, etc.)

► **It is strongly recommended that you have the Office of International Student Services at Regent review all of these documents BEFORE you mail them to USCIS.** For your records, you should also make a photocopy of ALL documents you plan to mail with your application before you mail it to USCIS, and keep the copies for your records.

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## Where to Send your Change of Status Application:

Students who are currently residing/living in the state of Virginia should send their application to the following address:

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

All other students should check the section titled, "Where to File," in the on-line instructions of the I-539 for the USCIS address where you should mail your change of status application.

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► **IMPORTANT NOTE:** All applicants who change to F-1 status from within the U.S. MUST apply for an F-1 visa (at a U.S. Consulate/Embassy) for reentry purposes the next time they leave the United States. An F-1 visa CANNOT be issued in the U.S. and a new F-1 visa will be REQUIRED to match your new F-1 status for reentry purposes (See "F-1 & J-1 Visa" handout for more details: <http://www.regent.edu/admin/stusrv/iss/visas.cfm>).

(Revised: 05/20/09)