Procedure to Apply for Change of Status to F-1

Before submitting an application for change of status, it is strongly recommended that you speak to an International Student Advisor to understand the potential risks involved (and processing time) for submitting an application to the U.S. Citizenship and Immigration Services (USCIS) or obtaining an F-1 visa at the US Embassy or Consulate.

When the USCIS receives an application for Change of Status to F-1, they need to verify the following items in order to approve an application:

- The applicant did not commit fraud when entering the U.S.
- The applicant is currently (at the time of submitting the application) in valid non-immigrant status.
  - The student has been admitted properly to a program eligible to enroll F-1 students.
  - The student has provided sufficient financial documents to show that he/she will be able to complete the course of study for which he/she is admitted.
  - The person does not intend to immigrate to the U.S.

Please note the following additional restrictions for change of status to F-1:

- Since April 12, 2002, if you entered in B-1 or B-2 status, you are prohibited from beginning study until after you receive approval for F-1 status.
- F-2 dependents are prohibited from full-time study unless the study is at the elementary or secondary level.

When preparing your application, you need to carefully document your situation and demonstrate your eligibility for a change of status. You will need to write a letter to the USCIS to explain your situation (who you are, why you are currently in the U.S. and why you wish to change to F-1). In your letter, you should address the following issues:

1) You must show that you entered the U.S. lawfully – i.e., that if you came in the U.S. as a tourist (B-2), you came only to travel, not to study. If you intended to mislead US government officials about the purpose of your visit to the U.S., USCIS will deny your application for change of status.

2) You must demonstrate that you are currently in valid status and you must maintain your current status during the duration of the change of status – therefore, those holding H-1B or H-4 status need to demonstrate they the H-1B is still working at the company that sponsored the H-1B. If the applicant is holding F-2 status, then he or she needs to demonstrate that the F-1 student is in valid status.

3) You should explain why you wish to change to F-1 status. If you are here in a dependent status and your spouse is here, but will be leaving the U.S. and you need to stay to complete your degree, be sure to mention that. Also, if your degree program requires some practical work experience or internship (which you are unable to do in your current status), mention that in your letter.

4) Also address how this degree will help you in your future career, keeping in mind that if you have intention to immigrate to the U.S., the USCIS can deny your application.

NOTES OF CAUTION

Change of Status and other applications to the USCIS: If you have (or someone has submitted on your behalf) a separate petition or application to the USCIS, you should consult an attorney before submitting an application for change of status. This is especially important for those in H-4 status whose spouse has an immigrant petition in progress. CIE cannot advise those who have separate applications or petitions pending for other immigration benefits.

Residency tuition and change of status: If you are currently eligible for resident tuition at CSU East Bay, and your application for change to F-1 is approved, you will no longer be eligible for resident tuition.

B-2 Visa Holders: Please note that B-2 visa holders wishing to change status through USCIS will be reviewed on a case-by-case basis due to the processing time and start date of the program.
Obtaining an I-20 from CSU East Bay

To obtain I-20, please bring the following documents to an appointment with an international Student Advisor:

a. Declaration of Finances and I-20 Consent forms (available online and at CIE)
b. Verification of Funds- Evidence includes but is not limited to bank statements, shares and securities, property deeds, and financial loans from a lending institution.
c. Verification of Remaining requirements (Graduate Students only)
d. Copy of your passport Bio Page
e. Copy of current immigration status approval notice/entry stamp

OPTION 1: Changing Status to F-1 by Travel

1. Obtain I-20 from CIE following instructions above
2. Pay SEVIS fee ($200) at www.fmjfee.com
3. Depart the US and Obtain an F-1 visa at a US Embassy or Consulate
   • We recommend you make your application in your home country or country of residence
4. Re-enter the USA in F-1 Status and Report to CIE
   • You may enter the US no earlier than 30 days prior to the program start date listed on your Initial I-20
   • At the port of entry present your I-20 and newly acquired F-1 visa to the inspection officer
   • Review and print your I-94 information from www.cbp.gov/i94. The record must indicate “F-1” and “D/S”.
   • Stop by CIE with your immigration documents (passport, I-20, I-94) to complete Check In Procedure
     • Failure to complete the check in procedure in a timely manner could lead to termination of your F-1 record and cause you to lose your valid immigration status.

**Students who chose to depart the U.S. and re-enter the U.S. as an F-1 student will not be eligible for CPT or OPT until they are enrolled for one academic year of study in F-1 status**

OPTION 2: Change of Status to F-1 via USCIS (Submitting the Application)

The following documents must be submitted to the USCIS address below:

1. Photocopy I-20 issued by CSU East Bay. Make sure the copy is single-sided
2. Printout or photocopy of current I-94 (Printout available at www.cbp.gov/I94)
3. Evidence of financial support – Evidence includes but is not limited to bank statements, shares and securities, property deeds, and financial loans from a lending institution. Bank letters are not sufficient evidence of financial support.
4. Copy of your passport identity page(s) showing your name, birthdate, photo, and expiration date
5. Letter of explanation for change written by applicant
6. Documentation to demonstrate current valid status
7. USCIS form I-539
8. Check or money order in the amount of $370.00 made payable to the U.S. Department of Homeland Security
9. SEVIS Fee Receipt [www.FMJFee.com ($200)]

Mailing the Documents

Be sure to retain a photocopy of all materials mailed. Mail the documents to:

For U.S. Postal Service: USCIS
P.O. Box 660166
Dallas, TX 75266

For Express mail (FEDEX/UPS):
USCIS
ATTN: I-539
2501 S. State Highway 121 Business
Suite 400
Lewisville, TX 75067

*USCIS processing locations may change. To verify current processing locations, please visit: http://www.uscis.gov/i-539
*Processing times vary- can range between 5-10 months and subject to change at any time

Tracking your application: Once you receive the Notice of Action from USCIS, you can check the status of your pending application at: https://egov.uscis.gov/casestatus/landing.do. Please make sure to retain a copy of this notice.

Notice of Approval: After approval, the California Service Center will send a new I-94 arrival document. The new I-94 will note “D/S” (duration of status) which means the F-1 status is valid for degree program plus any authorized periods of practical training, plus 60 days. Please make sure to bring a copy of your approval documents to the CIE.

Updated on Jan 2018
Request for Form I-20 to Change to F-1 Status

Please check one of the following boxes:

☐ I wish to obtain an I-20 to file for a change of status through USCIS. This I-20 is not valid for travel.

☐ I wish to obtain an I-20 to apply for an F-1 visa at the US Embassy or Consulate. This I-20 is not valid to mail to USCIS.

**Students who chose to depart the U.S. and re-enter the U.S. as an F-1 student will not be eligible for CPT or OPT until they are enrolled for one academic year of study in F-1 status**

Check In Upon Approval or Arrival in U.S.

☐ I understand I must complete the Check In procedure within 10 days of receiving approval notice or upon arrival into the U.S. in F-1 status.

- Approval via USCIS- Check-In procedure requires a copy of your approval notice and US address/phone/email
- Entry into the US in F-1 status- Check In procedure requires a copy of your I-20, F-1 visa, passport entry stamp and printout of your I-94

Tuition Fees & Health Insurance Requirement

If you are approved for F-1 (Student) status, you are jeopardizing any right that you may have to be considered a resident for tuition and fees purposes at California State University, East Bay.

“I understand that gaining F-1 Status will prohibit me from being considered a resident for tuition purposes at California State University, East Bay. I will also be subject to the University’s mandatory insurance requirement for international students (F-1 and J-1s). Furthermore, I agree that once I obtain F-1 status, I will immediately notify the Center for International Education of such change”.

________________________________________  _____________________
Signature                                                                                                      Date

________________________________________  _____________________
Name (Print clearly)                                                                                    NetID