

## 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).

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 applicant is eligible for F-1 status. In other words:
  - 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.
- Since January 1, 2003, 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 – 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. The Center for International Education 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.

**Change of Status and Travel:** If you submit a change of status application, you CANNOT leave the U.S. while the application is in process. The application will be considered ‘abandoned’ if you leave the U.S. If an application is abandoned, and you do not have another valid status when you leave the U.S. (i.e., if you were in B-2 status when you filed, but that has since expired), you could be subject to severe penalties including voiding of your visa stamps and/or a bar from re-entry to the U.S. Therefore, do NOT plan to travel while awaiting your application.

Furthermore, if your change of status to F-1 is approved, and you decide to travel outside the U.S. in the future, you will STILL need to obtain an F-1 visa from a U.S. Consulate or Embassy before returning to the U.S. The change to F-1 status is only valid as long as you remain here, but does not assist you in securing an F-1 visa at a later date.

### **Obtaining an I-20 from CSU East Bay**

To obtain I-20, please submit the following to CIE:

- a. Declaration of Finances and I-20 Consent forms (available online and at CIE)
- b. Verification of Funds (bank statement or letter)
- c. Verification of Remaining requirements (Graduate Students only)

### **Submitting the Application**

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

1. Photocopy I-20 A-B issued by CSU East Bay.
2. Photocopy of current I-94
3. Evidence of financial support (you must show sufficient support to meet the expenses listed in item #7 on the I-20, as well as documentation to show that support will continue for the duration of your academic program)
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 **\$290.00** made payable to the Department of Homeland Security
9. SEVIS Fee Receipt ([www.FMJFee.com](http://www.FMJFee.com))

### **Mailing the Documents**

Send the documents to USCIS by “certified mail, return receipt”. \*This will require additional expense. 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 and courier deliveries:**

**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/files/form/i-539instr.pdf>

#### **Filing Online**

USCIS has online filing for Form I-539 available through ELIS. ELIS is available on [www.uscis.gov](http://www.uscis.gov). You will need to create a username and password to use the system. You will also need to scan and upload the documents to ELIS.

**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/cris/Dashboard/CaseStatus.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 one 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 Center for International Education.

**Center for International Education  
California State University, East Bay**

**Request for Form I-20 to Change to F-1 Status**

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.

Please read the following statement and sign below if you agree to the terms for requesting a Form I-20. "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

**CIE OFFICE ONLY**

Received by:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name and Title