

## Overview

All students must apply and be admitted to Florida Tech in order to study. International students must be in F-1 or J-1 student status if you intend to pursue full-time studies in the United States. For persons currently in the US in another nonimmigrant status, there are two ways to obtain F-1 or J-1 student status:

- You may attain F-1 or J-1 status via travel abroad; OR
- You may attain F-1 or J-1\* student status by applying to the US Citizenship and Immigration Services (USCIS) for a change of status without departing the US. *\*if eligible; see J-1 section*

## To Obtain F-1 or J-1 Status by Travel

You may attain F-1 or J-1 status by leaving the US before commencing your academic program, obtaining an F-1 or J-1 student entry visa stamp and reentering the US. *NOTE: Canadian citizens and Bermudan passport holders are exempt from obtaining a visa stamp.*

First, apply for an I-20 (F-1) or DS-2019 (J-1) Certificate of Eligibility from the appropriate Admissions Office. Pay the SEVIS fee as instructed when you receive your I-20 or DS-2019. Use the I-20 or DS-2019 to apply for an F-1 or J-1 visa stamp at a US embassy or consulate abroad. The Office of International Student & Scholar Services recommends you apply for the visa stamp in your country of citizenship or permanent residence. Upon entry to the US, present your I-20 or DS-2019, passport, visa stamp, and SEVIS fee receipt to the immigration inspector. You will receive an I-94 card indicating F-1 or J-1 status.

*Upon arrival in the US, you must report to the Office of International Student & Scholar Services to register your immigration status in the SEVIS system.*

## To Change of Status while in the United States

Individuals currently in the US may apply for a change of status from certain nonimmigrant classifications to F-1 or J-1 student status. This process does not require a departure from the US. The USCIS reviews applications for change of status based on the applicant's ability to document and justify a change of intent after arrival to the US. Applications are approved at the discretion of the USCIS adjudicator.

Please note the applicant must be in valid status at the time the application is received and there cannot be a gap of more than 30 days before the program start date as indicated on the I-20 or DS-2019 and the end of your current status. If USCIS determines that the change would be approved more than 30 days in advance of the program start date, the application could be denied. If there is a question of when you should file your change of status, we suggest you contact the ISSS Office to discuss the timing of your application.

To apply for a change of immigration status to F-1 or J-1 within the United States, the following items must be submitted to the USCIS. You will also need to include additional documents depending on the visa you currently hold (please see appropriate section below). If you have any questions about your eligibility to apply for a change of status or the process, we recommend you consult with the ISSS Office.

***NOTE: The Office of International Student & Scholar Services (ISSS) reminds students that a change of status application is the responsibility of the applicant. ISSS has provided this information as a courtesy and recommends that persons with complex applications consult a competent immigration attorney before proceeding.***

***Mailing Your Application: The Office of International Student & Scholar Services will go over your application packet with you, photocopy appropriate documents and mail the completed application packet to the Vermont Service Center.***

**Section 1** - When you have gathered all of the required information outlined below, please come into the ISSS Office where copies of your change of status application and appropriate documents will be made.

- **A cover letter** from you requesting the change of status and explaining your reasons why you want to change to a different status, and any other relevant information. It is advisable that you demonstrate strong ties to your home country and that you do not have intentions to immigrate to the US.
- **Form I-539**, available from ISSS or the USCIS web site: <http://www.uscis.gov/forms>. List any dependent family members changing their dependent status (to F-2 or J-2) in Supplement 1 on Form I-539.
- **Your new, original SEVIS I-20 or DS-2019** prepared by the appropriate Florida Tech admissions office
- **Copies of any other I-20's and/or DS-2019's that may have been issued to you**
- **Receipt confirming payment of the SEVIS fee (Form I-901)**, if applicable. For payment instructions, please visit: <https://www.fmjfee.com/index.jhtml> (if you pay the SEVIS fee online, you can print the receipt immediately).
- **Your passport identification page and visa stamp** (Canadian citizens and Bermudan passport holders do not have a visa stamp)
- **Your original I-94 card** (small white card, usually stapled in your passport)
- **Copies of your financial documentation**
- **\$300.00\* check or money order** payable to Department of Homeland Security. \*Current fee – subject to change; check with ISSS Office.

**Issues Specific to Original Visa Type:** In addition to the items required of all change of status applicants, it is also necessary to include the following information:

**Changing from F-2:** In addition to the items in Section 1, please include:

- **Copies of your spouse's (F-1) immigration documents:** I-20 forms, passport information page, visa stamp page and I-94 card (front and back). If your spouse is currently on post-completion Optional Practical Training, also include a copy of his or her employment authorization card.

**Your F-1 status must be approved before beginning full-time study.**

**Changing from an F-1 to F-2:** In addition to the items in Section 1, and the items listed in "Changing from F-2" please include:

- **Copy of marriage certificate** (or official "family record")

**REMINDER: F-2's are not allowed to work and may not be enrolled in a degree program**

**Changing from J-1 or J-2:** In addition to the items in Section 1, please include:

- **Copies of all previously issued DS-2019 Forms** showing J status
- **For J-2s: Copies of your spouse's (J-1) immigration documents:** DS-2019 forms, passport information page, visa stamp page and I-94 card (front and back)

**You may begin your studies while the change of status application is pending**

**NOTE:** Both J-1 and J-2 visa holders who are subject to INA Section 212(e), also known as the "two-year home residency requirement," may not change status within the US, unless they have received a waiver of the requirement from the US Department of State. Information regarding this process can be found at [http://travel.state.gov/visa/temp/info/info\\_1296.html](http://travel.state.gov/visa/temp/info/info_1296.html). Acquiring J-1 status via travel abroad is permitted. Changing J category, i.e. from J-1 research scholar to J-1 student, requires advance approval from the State Department.

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**Changing from B-1 or B-2:** Applications for change of status from B-1 or B-2 to F-1 made by persons who either have already applied to US schools from abroad or who apply for a change of status shortly after entry to the US are routinely denied. However, if your B-2 visa is marked "prospective student", the change of status may be approved.

**Your F-1 status must be approved before beginning full-time study.**

**Changing from H-1 or H-4:** In addition to the items in Section 1, please include:

- *Copies of all previously issued I-797 forms* showing H status
- *Evidence that you are in valid H status* as of the date that you send your change of status application to the USCIS (e.g. a letter from the H-1 employer confirming current employment and most recent pay stubs).

**You may not work at your H-1 employment after the change of status to F-1 or J-1 student is effective.**

**You may begin your studies while the change of status application is pending.**

**You may not work on campus in F-1 status until your change of status has been approved.**

### **Important Considerations**

- Think carefully as to how you want to obtain F-1 status. If you file with the USCIS, you cannot travel abroad while a change of status application is pending. This is seen as an abandonment of the application and will affect your student SEVIS status.
- Filing with the USCIS can be a lengthy process. If you are changing from an F-2, B1 or B2 status, and your request for a change of status to F-1 or J-1 has not been approved by the program start date on your I-20, you have to notify the appropriate admissions office so that they can defer your admission start date. **REMEMBER: F-2's, B-1's and B-2's CANNOT STUDY UNTIL THE CHANGE OF STATUS HAS BEEN APPROVED.**
- You may not begin an assistantship, or engage in approved on or off campus student employment of any kind until your change of status has been approved.
- Processing times vary at each service center. Check the USCIS web site for current processing times: <https://egov.immigration.gov/cris/jsps/ptimes.jsp>.
- You will receive an I-797 receipt notice from the USCIS approximately one month after filing your application. This does not mean that your application has been approved. It only means that the processing center has received your application. You may check the status of your application on-line using the receipt number found on the I-797 receipt notice: <https://egov.immigration.gov/cris/caseStatusSearchDisplay.do>.
- If you are approved a Change of Status from within in the US, you will need to obtain a new visa stamp for your new status on your next trip abroad. This will necessitate a visit to a US embassy or consulate during that trip. Consult with ISSS about this process well before your trip. *Please note that Canadian citizens and Bermudan passport holders are exempt from the visa stamp requirement.*
- If you receive a Request for Further Evidence (RFE) from the USCIS, consult with ISSS before responding. There will be a deadline by which you must return any requested information; pay close attention to that date.
- Denial of a Change of Status to F-1 or J-1 may lead to legal problems for an individual and, in some cases, could result in being barred from reentering the US for several years. *We strongly recommend that you consult a qualified immigration attorney if your application will not be adjudicated by the expiration date on your current I-94 card.*
- **You must report the outcome of your application to the Office of International Student & Scholar Services.** Upon receipt of your approval to F-1 or J-1 status, please report to ISSS and bring your approval notice (for changes of status within the US), passport, I-20 or DS-2019, and I-94. The ISSS Office will register your immigration status in SEVIS.