

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 U.S. 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 U.S. Citizenship and Immigration Services (USCIS) for a change of status without departing the U.S. *if eligible; see J-1 section

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.

TO OBTAIN F-1 OR J-1 STATUS BY TRAVEL

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

First, make an appointment with the ISSS Office to apply for an I-20 (F-1) or DS-2019 (J-1) Certificate of Eligibility from the ISSS Office. Pay the SEVIS fee as instructed when you receive your I-20 or DS-2019; you must print out the payment receipt. Use the I-20 or DS-2019 to apply for an F-1 or J-1 visa stamp at a U.S. embassy or consulate abroad; the ISSS Office recommends you apply for the visa stamp in your country of citizenship or permanent residence. Upon entry to the U.S., present your I-20 or DS-2019, passport, visa stamp and SEVIS fee receipt to the immigration inspector. An Electronic Travel Record will be created with the U.S. Customs & Border Patrol (CBP) Services.

Upon arrival in the U.S., 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 U.S. 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 U.S. 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 U.S. 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 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, **in the order listed**. You will also need to include additional documents depending on the visa you currently hold (please see *Issues Specific to Original Visa Type* section below).

When you have gathered/completed all of the required information outlined below, the ISSS Office will be glad to go over your application packet before you mail it to USCIS; **please contact the ISSS Office to make an appointment**.

SECTION 1

At your appointment, bring the following documents with you:

- **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 U.S.
- **Check or money order** payable to Department of Homeland Security (<https://www.uscis.gov/i-539>).
- **Form I-539**, available on the USCIS web site: <https://www.uscis.gov/i-539> List any dependent family members changing their dependent status (to F-2 or J-2) in Supplement 1 on Form I-539.
- **Copies of any other I-20s and/or DS-2019s that may have been issued to you.**
- **Copy of your passport identification page and visa stamp** (Canadian citizens and Bermudan passport holders do not have a visa stamp).
- **Print out of your electronic I-94 Travel Document** (<https://i94.cbp.dhs.gov/i94/consent.html>).
- **Copies of your financial documentation.**
- **Credit Card** (for use in paying SEVIS fee after new I-20 issuance).

AT YOUR APPOINTMENT, a new SEVIS I-20 or DS-2019 will be prepared for you to include in your application package. If applicable, you will also pay the required SEVIS fee at your appointment so the receipt can be printed and submitted with your Change of Status application.

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.

REMINDER: 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-2s are not allowed to work but may be enrolled in a degree program PART TIME.

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 U.S., unless they have received a waiver of the requirement from the U.S. Department of State. Information regarding this process can be found at <https://travel.state.gov/content/visas/en/study-exchange/student/residency-waiver.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 U.S. State Department.

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 U.S. schools from abroad or who apply for a change of status shortly after entry to the U.S. 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.

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

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, B-1 or B-2 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: B-1s and B-2s CANNOT STUDY UNTIL THE CHANGE OF STATUS HAS BEEN APPROVED; F-2s may study PART-TIME.
- 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 and any time restrictions have been met.
- Processing times vary at each service center. Check the USCIS website for current processing times: <https://egov.uscis.gov/cris/processTimesDisplayInit.do>
- 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 for a Change of Status from within in the U.S., 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.

MAILING ADDRESS:

USPS:	USCIS	Express Mail, FedEx, DHL:	USCIS
	P.O. Box 660166		ATTN: I-539
	Dallas, TX 75266		2501 S State Highway 121 Business
			Suite 400
			Lewisville, TX 75067

LINKS:

- I-539 Application & Filing Fee information <https://www.uscis.gov/i-539>
- SEVIS Fee Payment: <https://fmjfee.com/i901fee/>
- I-94 Travel Record: <https://i94.cbp.dhs.gov/i94/consent.html>
- USCIS Processing Times <https://egov.uscis.gov/cris/processTimesDisplayInit.do>
- USCIS Case Status Search: <https://egov.immigration.gov/cris/caseStatusSearchDisplay.do>
- "J" Visa Holder Residency Waiver: <https://travel.state.gov/content/visas/en/study-exchange/student/residency-waiver.html>