

## CHANGE OF IMMIGRATION STATUS TO F-1

**\*\*\* IMPORTANT NOTICE \*\*\***

International Student & Scholar Services (ISSS) provides support and information related to U.S. immigration laws and regulations related to F and J status at the University of Utah. ISSS staff are not attorneys and any information provided by ISSS should not be construed as legal advice. Individuals are welcome to consult a qualified immigration attorney for specific legal advice, particularly in complicated cases. For a list of local Utah attorneys please visit our [website](#).

**The guide below is meant to be informative. ISSS cannot advise on your change of status. ISSS can answer general questions to the documents and steps outlined below, but ISSS cannot advise on the process. Please contact an experienced immigration attorney. If you are seeking to change status from F-1 to another visa type, please speak with an experienced immigration attorney.**

Applying for a change of status in the US can be complex. ISSS recommends that you follow up with an experienced immigration attorney for legal advice. An individual applying for a change of status to F-1 student status must understand that an F-1 student is a non-immigrant pursuing a full course of study to achieve a specific educational objective. Once the educational objective has been attained, the U.S. government expects the F-1 student to return to his or her residence abroad.

### **How can I change my status to F-1?**

- Option 1:** Seek to obtain F-1 student status through application to a U.S. embassy or consulate in your country of residence. **This option requires a departure and re-entry to the U.S.**
- Option 2:** Seek to obtain F-1 student status through application to U.S. Citizenship and Immigration Services (USCIS). **This option allows you to remain in the U.S. while the case is pending but you may not begin your full-time study until your change of status to F-1 has been approved by USCIS.**

## **Option 1: Seek F-1 status through a U.S. Embassy or Consulate abroad**

If choosing this option, you will seek to obtain F-1 student status through application to a U.S. embassy or consulate in your country of residence. **This option requires a departure and re-entry to the U.S.**

### **General process below:**

1. Request a new “Initial” I-20 from International Admissions:
  - a. If you are a current student at the U on a different visa type and would like to change your visa status to F-1, email: [IAO@sa.utah.edu](mailto:IAO@sa.utah.edu) to request an initial I-20 to apply for an F-1 visa at a U.S. embassy/consulate abroad. You must submit the required proof of funding to International Admissions before an initial I-20 can be issued
  - b. If you are not a current student at the U, you will need to be admitted to the university first and need to submit proof of funding before an I-20 can be issued. You will need an initial I-20 issued from International Admissions Office to apply for an F-1 visa at a U.S. embassy/consulate abroad.
2. Pay the SEVIS I-901 fee using information from the new I-20. Payment is made online at the following website: <https://www.fmjfee.com/> Remember to download or print the receipt for your records.
3. Schedule a visa interview appointment at a U.S. embassy/consulate in your country of residence. Visit the embassy/consulate website for information on preparing documents, forms, and scheduling a visa appointment. Typically you will be asked to show your passport, new I-20, admissions acceptance letter, and financial support documents showing that you have the ability to pay tuition and living expenses during your academic program of study. Please verify the required documents with your specific embassy or consulate, as they can vary based on location.
4. Go to your visa appointment and bring the documents listed above, including any other documents as requested by the embassy/consulate.
5. After obtaining your F-1 visa, travel to a **U.S. port of entry**. Please note that the visa only allows you to arrive at a port of entry and request Customs and Border Protection (CBP) to determine if you are eligible to enter the US in F-1 status. You should arrive in the U.S. no earlier than 30 days before the program start date listed on your I-20. Present your I-20, passport, visa stamp, and I-901 fee receipt to Customs and Border Protection. Please make sure you are entering U.S. on F-1 status.
6. After entering the US, print the I-94 document, which is verification of your entering the US in F-1 status. Follow this link to access the I-94: <https://i94.cbp.dhs.gov/i94/#/home>
7. You must attend **International Student Orientation** at the beginning of the semester you begin F-1 status. *Failure to attend will cause a registration hold to be placed on your student record and may affect your immigration status, including Termination or Cancellation of your record.* For information on International Student Orientation and scheduled dates, please visit: <https://iss.utah.edu/orientation/index.php>

8. You must also do **Post-Arrival Check-In** and submit copies of your passport, visa, I-20, I-94 and current US address to ISSS so that we can report your presence in the US in your new F-1 status to Immigration. This process is typically part of International Student Orientation. Please refer to the link above for more information. *Failure to do document check-in at the beginning of the semester you begin F-1 status may result in the termination or cancellation of your F-1 visa status.*
9. You must be enrolled as a full-time student. Please review our [Full Course of Study for F-1 Students](#) and [Online Classes](#) policy guide.

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## **Option 2: Seek F-1 Status by applying for Change of Status through USCIS**

If you choose this option, you will seek to obtain F-1 student status through application to U.S. Citizenship and Immigration Services (USCIS). **This option allows you to remain in the U.S.** while your case is pending.

Note: USCIS processing times will vary from time to time and it can be checked [here](#). Be aware that changing to the F-1 visa can take anywhere from 6 months to more than a year.

Individuals living in the U.S. may apply for a “change of status” from certain non-immigrant categories to F-1 student status. This option does not require a departure from the U.S., but the individual must be “in status” in their current visa category. You must file an I-539 application with USCIS to change status before your current status expires.

After receiving your I-539 application, USCIS will review the change of status request based on your ability to document and justify a **change of intent** after your initial arrival to the United States.

### **Please follow the steps below to apply for the Change of Status in the U.S.:**

1. Request a new “Change of Status” I-20 from International Admissions:
  - a. If you are a current student at the U, email: [IAO@sa.utah.edu](mailto:IAO@sa.utah.edu) to request a Change of Status I-20 to change your status with USCIS here in the US. You must submit the required proof of funding before a Change of Status I-20 can be issued. (When requesting your Change of Status I-20 from Admissions, please keep in mind the expiration date of your current status as well as the USCIS processing time when determining what your program start date should be on the I-20.)  
Note: USCIS processing times can be checked at the link below. Be aware that changing to the F-1 visa can take anywhere from 6 months to more than a year. <https://egov.uscis.gov/processing-times/>

- b. If applying for admissions to the U as a new student, indicate your intent on your admissions application for a change of status through USCIS. You must first be admitted and submit proof of funding before an I-20 can be issued
2. Documents you may have to submit to USCIS (please seek advice from an immigration attorney):
  - a. University of Utah admissions **acceptance letter**
  - b. **Cover letter** – a letter from you requesting the change of status. You will need to explain why you entered the U.S. in your current status and why your intentions changed after you arrived in the U.S. and any other relevant information. Since you are applying for non-immigrant status, we suggest that you demonstrate that you have strong ties to your home country and that your intent is to return when your program of study is complete. You must also sign and date the letter.
  - c. **Form I-539** application (available from <https://www.uscis.gov/i-539>). If you have dependents listed on your I-20, they must fill out the **I-539A**.
  - d. **Check or money order** payable to **U.S. Department of Homeland Security** that includes your application fee and biometrics fee. If you have dependent submitting the I-539A, they will need to pay the biometrics fee. Please speak to an immigration attorney.
  - e. Copy of your **Change of Status I-20** issued by International Admissions Office
  - f. **I-901 SEVIS fee receipt** – To pay the fee and print the receipt, please visit: <https://www.fmjfee.com/>
  - g. Copy of all current and previous **I-20s** (if you were an F-1 student in the past)
  - h. Copy of your **passport** identification page (valid for at least 6 months into the future)
  - i. Copy of your current **visa** stamp (even if the current visa is expired)
  - j. Copy of your **I-94** form. Log into the I-94 website and print it: <https://i94.cbp.dhs.gov/I94/#/home>
  - k. Copy of current **proof of financial support** documentation

*\*\*\* Please speak to an immigration attorney before submitting your request to USCIS to ensure you have prepared your documents accurately\*\*\**

## **Additional Documentation Specific to Current Visa Category**

There are likely additional documents you will need to include in your packet depending on your current visa status. Please speak to an immigration attorney to ensure you include them.

### **FAQs**

**Q. I am currently on working visa. Can I continue to work when my F-1 status is approved?**

A. Please speak with an immigration attorney.

**Q. I am currently attending school on a visa other than F-1. Can I continue to attend?**

A. You may continue to study if your current visa status allow you to study. However, please seek advice from an immigration attorney if your current status will expire before your F-1 status is expected to be approved.

If you are currently on F-2 status, you are allowed to study “less than full-time” while on F-2. You may not begin full-time study until F-1 status has been granted. If your F-2 status will end before the change of status is approved, seek advice from an immigration attorney.

If you are currently on J-1 or J-2 status, please see J visa advisor in ISSS.

If you are currently on B-1 or B-2 status, you may NOT study until your change of status application I approved.

**Q. What do I do when my change of status is not approved by the beginning of the semester on my I-20?**

A. If a change of status to F-1 is not approved on or before your program start date as listed on the I-20, you may be eligible for a deferral to the next available semester. Please contact your academic department and International Admissions Office regarding this situation as soon as possible.

**Q. What do I do if my change of status application to USCIS is denied?**

A. Please speak to an immigration attorney. You can find the list of immigration attorneys [here](#). Please note, ISSS is not affiliated with any of them.

### **If your change of status is approved by USCIS:**

1. You must attend **International Student Orientation** for the semester indicated by your I-20 program of study start date. *Failure to attend will result in a registration hold to be placed on your student record and can affect your visa status.* For information on International Student Orientation and scheduled dates, please visit: <https://iss.utah.edu/orientation/index.php>.
2. If your change of status was approved within in the US by USCIS, next time you depart U.S., you must go to a U.S. embassy or consulate to get your F-1/F-2 visa stamp in your

passport prior to re-entry. This will require a visa appointment at a U.S. embassy or consulate during your travel abroad.

3. **You must report the outcome of your change of status application to International Student and Scholar Services.** Upon receipt of your approval to F-1 status, please report to ISSS and submit your approval notice receipt (I-797), I-20, passport, and I-94 so that we can report your new visa status to Immigration. *Failure to do this may result in the termination or cancelation of your new visa status*

## **Important Considerations for Change of Status in US**

- **Processing time:** It can take anywhere from 6 months to more than a year for USCIS to process a change of visa status to F-1 in the US. However, this time may be subject to their current workload, biometrics processing, and/or additional follow up with you.
- **Biometrics:** USCIS now requires you to complete biometrics as part of the Change of Status process. You will receive a letter in your mailbox with your appointment time. Please make sure to show up to your biometrics appointment in order to ensure your request is processed in a timely manner. You can reschedule this appointment but it may cause delays in processing your request. *Failure to complete your biometrics will result in a delay in processing and ultimately denial.*
- If you have dependents, such as a spouse or minor children (under 21), they must fill out the I-539A form and include the biometric fee; the forms and fees must be submitted with your I-539 application submitted to USCIS.
- Departing the U.S. (for example, vacation) while a change of status is pending will be considered an **abandonment of the application**, and will result in a denial. If you plan to leave the US while the application is pending, please first consult an ISSS advisor or attorney.
- You may NOT engage in on or off campus employment of any kind until the change of status has been approved (if your current visa does not allow employment). Once you are in F-1 status, you must receive authorization from ISSS prior to working.
- If a change of status to F-1 cannot be approved on or before your program start date as listed on the I-20, you may be eligible for a deferral to the next available semester. Please contact International Admissions regarding this situation.
- You will receive an **I-797 receipt notice** in the mail from USCIS about two weeks after your application is filed. You can check the status of your application using the receipt number found on the I-797 document. Visit <https://www.uscis.gov/> and type in the receipt number in the “check your status” link.
- If you receive a **Request for Evidence (RFE)** from USCIS, be aware of the due date and consult with an immigration attorney before responding. Please contact ISSS if any of the document should be issued by ISSS.
- If you are granted a change of status from within in the US and then depart the US with plans to re-enter in that same visa status, you must first go to a US embassy or consulate to get your F-1/F-2 visa stamp in your passport prior to re-entry. This will require a visa appointment at a U.S. embassy or consulate during your travel abroad
- **You must report the outcome of your change of status application to International Student and Scholar Services.** Upon receipt of your approval to F-1 status, please report to ISSS and submit your approval notice receipt (I-797), I-20, passport, and I-94 so that

we can report your new visa status to Immigration (for details see section “If Granted the Change of Status by USCIS” on page 7). *Failure to do this may result in the termination or cancelation of your new visa status*

- Approval of a change of status is at the sole discretion of USCIS
- All documents submitted must be in English

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