

Under certain conditions, a person in a non-resident visa status (such as B2, E2, F1, F2, J1, J2, H1, H4) may apply to the US Citizenship and Immigration Service (USCIS) for a change of immigration status.

The change of status application must be submitted prior to the expiration of the current valid status, as shown on the I-94 arrival/departure record or print out. In the case of H-1B applying for F-1, USCIS MUST receive the change of status application BEFORE the current H-1B status expires.

### **Please consider the following before proceeding:**

- If you are in H-4 status, you *may* qualify to pay in-state tuition. In order to check on your eligibility to pay in-state tuition, please visit UNC Charlotte [Residency Determination Office](#).
- If you are in B-2, F-2 or other similar status, you are not permitted to enroll in class fulltime until your change of status to F-1 has been approved.
- If you are in a status that does not allow employment, you may not accept employment until the change of status to F-1 has been approved.
- There are two ways of gaining a new nonimmigrant status:

**Option 1: Travel and Re-entry** - Leave the U.S., apply for a new visa at a U.S. consulate, and reenter the U.S. with the new visa and other relevant documents. You will gain your new status when you are admitted into the U.S.

#### **Advantages:**

- This process is usually faster than changing status in the U.S.
- You will obtain the visa *and* the status

#### **Disadvantages:**

- Possibility of visa processing delay
- Expense of travel

**Option 2: Change Status in the U.S.** - Submit an application to the U.S. Citizenship and Immigration Services (USCIS) for a change of status. This option allows you to change your nonimmigrant status while remaining in the U.S. With this option you may gain the new status but you will not receive a new visa; visas are only issued outside the U.S.

#### **Advantages:**

- Ability to stay in the U.S. during processing
- Avoid the hassle of a visa application process (for now)

#### **Disadvantages:**

- Processing can be very slow (6 months to a year), which may jeopardize your ability to begin your new activity, such as studying or accepting a research or teaching assistantship or other campus employment.
- You must stay in the U.S. during processing; exiting the U.S. cancels the application
- You must still obtain a visa stamp to match your status the next time you travel outside the U.S. (except for trips under 30 days to Canada or Mexico)
- The application may be denied, which could require you to quickly depart the U.S.

### Step 1

- ✓ Submit your application for ADMISSION TO UNC CHARLOTTE. Visit <http://admissions.uncc.edu/> or <http://gradadmissions.uncc.edu/> for all information. Note: this also includes proof of financial support.
- ✓ Upon admission, attend a workshop lead by an ISSO staff member. This workshop will cover all basic information including options to either *travel and re-enter the U.S.* or *file a petition and remain in the U.S.* Workshop schedules can be found [here](#).
- ✓ If you cannot attend a workshop, read this information thoroughly then speak with an ISSO advisor during walk-in advising. Times located at <http://isso.uncc.edu/>.
- ✓ The ISSO provides advising services ONLY to students who have been admitted to UNC Charlotte and intend to enroll.

### Step 2

- ✓ Once the ISSO has been notified of your admission, you will be asked to submit the following to the ISSO:
  - Verification of financial resources: past 3 months bank statements showing tuition plus living expenses located [here](#).
  - Complete [Academic Advisor Recommendation form](#)

### Step 3

- ✓ ISSO issues new I-20
- ✓ If you decide to gain F-1 status by *traveling and re-entering the U.S.*, you must pay the SEVIS I-901 fee at [www.FMJfee.com](http://www.FMJfee.com) and apply for an F-1 entry visa at <http://travel.state.gov/content/visas/en/study-exchange/student.html>

**If you decide to apply for a change of status and remain in the U.S., please follow the additional steps below:**

### Step 4 – Application Materials

- ✓ Pay SEVIS I-901 fee at [www.FMJfee.com](http://www.FMJfee.com) & print receipt
- ✓ Complete and print I-539 found at <http://www.uscis.gov/i-539> .
- ✓ Include \$370 application fee by cashier's check or money order
- ✓ Include the following documents:
  - [G-1145](http://www.uscis.gov/g-1145) (optional) <http://www.uscis.gov/g-1145>
  - Copy of new I-20, signed by ISSO advisor and student
  - Verification of financial resources and statement from sponsor
  - Proof of SEVIS I-901 fee payment
  - Copy of [I-94](http://i94.cbp.dhs.gov/I94/request.html) arrival/departure record ([i94.cbp.dhs.gov/I94/request.html](http://i94.cbp.dhs.gov/I94/request.html)) and or I-797
  - Copy of bio page and visa page of passport
  - Copy of admission letter
  - Statement explaining why you are requesting a change of status to F1
  - If H1, evidence of current employment (3 most recent paystubs) and offer letter with salary
  - If H4 or F2 to F1, please add the following to the above list:
    - Copy of primary's [I-94](http://i94.cbp.dhs.gov/I94/request.html) arrival/departure record ([i94.cbp.dhs.gov/I94/request.html](http://i94.cbp.dhs.gov/I94/request.html)) and or I-797
    - Copy of primary's employment offer letter stating salary (H4 only)
    - Copy of previous I-20 listing you as a dependent (F2 only)
    - Copy of marriage certificate (spouse) and/or birth certificates (children)
- ✓ The online [USCIS ELIS](http://www.uscis.gov/uscis-elis) (<http://www.uscis.gov/uscis-elis>) application is currently not accepting I-539 applications. Submit your application by mail to USCIS (<http://www.uscis.gov/i-539-addresses>)
- ✓ If you have any questions regarding the status of your application after it has been submitted to USCIS, you must contact them directly at the USCIS National Customer Service Center phone number: 1-800-375-5283

## Step 5 - Follow-Up

- ✓ You should receive an I-797 receipt notice from the USCIS approximately one month after filing the application. You may check the status of your application at [www.uscis.gov](http://www.uscis.gov) using the receipt number found on the I-797 receipt notice.
- ✓ USCIS does not notify the ISSO of change of status approvals, denials or requests for evidence but rather communicates DIRECTLY with the applicant (the student). Therefore, it is your responsibility to provide the ISSO with a copy of any receipts, requests for evidence, and the final approval or denial notice. Without this documentation, the ISSO will not be able to activate your SEVIS record which could result in negative immigration implications.
- ✓ If changing status by travel and re-entry to the U.S. student MUST provide the ISSO with proof of re-entry meaning a new I-94 arrival/departure record which can be obtained at [www.cbp.gov/I94](http://www.cbp.gov/I94) after student has re-entered the U.S. Without this document, the ISSO will not be able to activate your SEVIS record which could result in negative immigration implications.

## Frequently Asked Questions (FAQ):

I am already taking classes on H-4 or L-2 and I want to change my status to F-1. When should I submit my change of status application?

- *Processing time can be between 6-9 months but changes frequently and without warning. Visit <https://egov.uscis.gov/cris/processTimesDisplayInit.do> for the latest estimates of processing time.*
- *If you are a dependent child, USCIS MUST receive your change of immigration status application **before** your 21<sup>st</sup> birthday and while your H-1B and L-1 visa holder maintains legal valid status in the United States.*

How long does it take the ISSO to issue an I-20?

- *Once the ISSO receives a completed change of status application, please allow 5 normal business days for I-20 processing.*

I want to apply for Optional Practical Training (OPT) or Curricular Practical Training (CPT). When will I be eligible?

- *In order to be eligible to apply for either OPT or CPT, you **MUST** first be enrolled full time for two (2) semesters (Fall and spring semesters excluding summer) BEFORE graduation. Students may not apply for CPT or OPT before the change of status is approved.*

What kind of funding can I submit in order to prove sufficient finances?

- *It depends on your source of financial support. If your family is supporting your education, then the ISSO recommends submitting proof of 'liquid assets' that are readily available such as the following:*
  - *Checking or savings account*
  - *Certificates of deposit with a maturity date prior to the start of the student's term of admission*
  - *Money market accounts*
  - *A scholarship through the University, the student's home government, or a non-governmental agency*
  - *Offer letter for a graduate assistantship/fellowship*
  - *Education loans*
- *Unacceptable forms of financial support include:*
  - *Any document that is not written in English*
  - *Stocks*
  - *Bonds*
  - *Mutual funds*
  - *Statements of earned salary or yearly income*
  - *Tax returns*
  - *Credit card statements/lines of cred*
  - *Statements of property ownership*

If I'm already paying in-state tuition, will this change once my change of status is approved to F-1?

- *Yes. In-state tuition is assessed in part based upon eligibility to remain in the U.S. in a permanent capacity. This is not the case for those in F-1 status since holders of this status must show non-immigrant intent.*

What happens if my change of status application is still pending and I complete my program and graduate?

- *You **must** receive an approval notice to F-1 status **BEFORE** you complete your program in order to obtain F-1 benefits, such as applying for OPT. If you graduate while in another status, you are not eligible for any F-1 benefits and will need to contact the ISSO and USCIS for guidance on canceling/withdrawing your change of status application.*