Change of Immigration Status (COS)

According to U.S. immigration regulations a person holding a nonimmigrant visa status such as A, E, G, H, J, K, L, O, R, TN, or V may study either part-time or full-time while maintaining valid immigration status in United States.

Those who wish to explore changing status to the F-1 student visa category should read this information thoroughly and carefully as there are many pros and cons involved. Also, the F-1 visa category is quite strict and does not guarantee employment authorization.

For specific questions, you may speak with an advisor in the ISSO during walk-in advising hours.

Consider the following before proceeding:

- If you are in H-4 status, you may qualify to pay in-state tuition. To learn about eligibility 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 full-time 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.

If you have not already been admitted to UNC Charlotte:

- Read this document thoroughly and speak with an ISSO advisor during walk-in advising times for specific questions.
  - The ISSO provides advising services ONLY to students who have been admitted to UNC Charlotte.
  - The ISSO does not advise on COS via email.
- Read all instructions and materials at http://admissions.uncc.edu/ or http://gradadmissions.uncc.edu/ and submit your application within the required timeframe.

There are two ways of gaining a new F-1 non-immigrant status:

Option 1: Travel and Re-Entry to the U.S.
Depart the U.S., apply for a new F-1 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 re-admitted to the U.S.

Advantages:
- This process is 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

Step 1 – Apply for I-20
✓ Complete the ISSO Academic Advisor Recommendation form, and submit it to ISSO with the financial documents (past 3 months bank statements showing tuition plus living expenses located here.)
✓ Allow 10 business days for I-20 issuance

Step 2 – Apply for visa
Pay the SEVIS I-901 fee at www.FMJfee.com
Apply for an F-1 entry visa at a U.S Embassy/Consulate (https://travel.state.gov/content/travel/en/us-visas/study/student-visa.html)

Step 3 – Complete the Process by Updating the ISSO
✓ If changing status by travel and re-entry to the U.S. the student MUST provide the ISSO with proof of re-entry.
  o Print the new I-94 arrival/departure record at https://i94.cbp.dhs.gov after re-entry to the U.S.
  o Without this documentation, the ISSO cannot complete the COS by activating your SEVIS record. Failure to report this could result in negative immigration implications.

Option 2: Change Status from within the U.S.
Submit an application to 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 at U.S embassies/consulates outside the U.S.

Note: This option is available ONLY if your current immigration status is valid at least 15 months into the future. If your current immigration status will expire in less than 15 months, you must work with an experienced immigration attorney and provide the ISSO a written request for a change of status I-20 from that attorney.

Advantages:
- Ability to stay in the U.S. during processing if your current status continues to be valid
- Avoid the hassle of a visa application process (for now)

Disadvantages:
- Processing can be very slow (average 12 months), 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. while your COS application is pending cancels the application
- You must still obtain a visa stamp to match your status the next time you travel outside the U.S.
- The application may be denied, which could require you to quickly depart the U.S.

Note: The issuance of a new I-20 for the purpose of change of status does not mean that you have initiated the process with USCIS. Additionally, the COS I-20 MUST be submitted with the complete application within 30 days of the I-20 issuance date.

Step 1 – Apply for I-20
✓ Complete the ISSO Academic Advisor Recommendation form, and submit it to ISSO with the financial documents (past 3 months bank statements showing tuition plus living expenses located here.)
✓ Allow 10 business days for I-20 issuance

Step 2 – Prepare Application Support Materials
✓ Pay SEVIS I-901 fee at www.FMJfee.com and print receipt
✓ Complete and print form I-539 found at www.uscis.gov/i-539 (use instructions provided).
✓ Include $370 application fee by cashier’s check or money order
✓ Include the following documents:
  - G-1145 (optional) www.uscis.gov/g-1145
  - Copy of new I-20, issued & signed by ISSO advisor within 30 days prior to submission to USCIS
  - Verification of financial resources and statement from sponsor
  - Proof of SEVIS I-901 fee payment
  - Copy of I-94 arrival/departure record (https://i94.cbp.dhs.gov/) 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 arrival/departure record (https://i94.cbp.dhs.gov/) and or I-797
- Copy of primary’s employment offer letter stating salary (H-4 only)
- Copy of previous I-20 listing you as a dependent (F-2 only)
- Copy of marriage certificate (spouse) and/or birth certificates (children)

☑️ The online USCIS ELIS (www.uscis.gov/uscis-elis) application is currently not accepting I-539 applications. Submit your application by mail to USCIS (www.uscis.gov/i-539-addresses)

**Step 3 - Follow-Up**

☑️ You should receive an I-797 receipt notice from the USCIS approximately 4-6 weeks after filing the application. You may check the status of your application at www.uscis.gov using the receipt number on the I-797 receipt notice.

☑️ 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: 1-800-375-5283.

☑️ 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).

☑️ It is your responsibility to communicate with the ISSO and provide the final approval or denial notice. Without this documentation, the ISSO cannot complete the COS by activating your SEVIS record. Failure to report this 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 6-12 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 21st 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 10 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 credit
- 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.