

CHANGE TO F-1 STATUS

This handout is intended to change to F-1 status while in the United States. If you are going back to your home country and entering in F-1 status (**this is the easiest option**) then you only need to follow steps 1,2, and 6. You will also need to obtain an “initial attendance” I-20 from our school. This documentation will need to be provided to the American consulate in your home country.

Change from a dependent status (F-2) to F-1 status

Such person wishing to change to F-1 must establish that he or she has been maintaining valid dependent status. Because dependents status is linked to that of the principal, you must submit proof that the principal has been maintaining status by providing copies of principal’s I-94 card, DS-2019’s or I-20’s in addition to the documentation required below.

Study by F-2 dependents while change of status is pending

While the application is pending you cannot enroll in classes. You must have F-1 status before enrolling in a degree program. A F-2 dependent violates his or her non-immigrant status by engaging in any course of study.

Change from B-2 to F-1

Request of this nature are seriously scrutinized by USCIS. A person who has a B-2 visa bearing the notation “prospective student” on your visa you should routinely be able to change to F-1 status. If occasionally happens that an alien explained intention to study, when requesting the visa, however the consulate did not mark the visa as “prospective student”, in this case the applicant is challenged to convince USCIS of his or her good faith. If USCIS determines that the intention of study arose before entering the United States, it will generally deny an application for change of status, inferring that the student misrepresented his or her purpose when entering the US by failing to reveal the intention to study beforehand.

Study by B visitors while change of status is pending

There is no study allowed while the change of status is pending. A visitor in B-1 or B-2 status is not permitted to begin a course of study until USCIS approves the change of status application.

Restrictions on changing to F-1 status from certain statuses

Certain non-immigrants are not permitted to change to F-1 status while in the United States. According to the regulations they may still be eligible to get F-1 status, however, they must obtain F-1 status by getting F-1 visa and reentering the US. The following list includes non-immigrants who are not permitted to change status in the US: **M-1** students; **C, D,** and **K** non-immigrants, **J-1** physicians admitted to receive graduate medical education or training; **J** non-immigrants subject to the 212 (e) 2-year foreign residence requirement; aliens admitted as visitors under 8 C.F.R. 212.1(e); **WT** and **WB** visitors admitted under the Visa Waiver Program.

Important Information

- A change of status request may take from 60-90 days to be adjudicated by USCIS. In extreme cases it may take up to 10 months to be adjudicated by USCIS. If your case is not adjudicated before the start of next semester, your start date will be deferred to the next available semester. You must also defer your attendance with the admissions office (this applies to B-1, B-2 and F-2 applicants).
- In all change of status cases, no F-1 benefits are available including employment.
- You cannot travel outside of the United States while your application is pending, as this will result in the cancellation of your change of status application.
- If you travel outside of the United States after the F-1 status is approved, you will need to apply for the F-1 visa stamp in order to return to the U.S.

Application Procedure (you must follow these steps in the order provided)

1. Gain admission to the University of Rhode Island. For application materials, please contact the appropriate admissions office:

Undergraduate office at 401-874-7100; or www.uri.edu/admissions/
Graduate office at 401-874-2872; or www.uri.edu/gsadmis/

2. Demonstrate sufficiency of funds to cover educational expenses (for at least 12 months)
Submit the Certificate of Financial Responsibility found at:
<http://www.uri.edu/iss/forms/certificate%20of%20financial%20responsibility.pdf>

Only after completing the steps outlined above you may begin a request to change your status. **Please make an appointment with the International Student Advisor at this point.** You will need to submit the following documents to OISS for verification **first** and then mail to USCIS:

3. Your new original SEVIS “Initial attendance - Change of status requested” I-20.
4. Fill and download form I-539 (application to extend/change status) from the USCIS website at:
<http://uscis.gov/graphics/formsfee/forms/i-539.htm>
5. Letter addressed to USCIS, explaining the reasons for changing from to F-1 status.
6. Evidence of financial ability to meet your educational and living expenses--offer of graduate assistantship, bank statements, affidavit of support from sponsor, etc. (YOUR NAME SHOULD BE INCLUDED IN THE BANK STATEMENT).
 - 6a. Original bank statement for the last 4 months is helpful to include
7. Check made payable to US Citizenship and Immigration Services for \$195.00
8. Proof of payment of the SEVIS fee, once that requirement is instituted (for all I-20’s created on or after 9/1/04).
9. Photocopy of the following documents:
 - 9a. Both sides of I-94 card
 - 9b. I-20 or DS-2019 that you used to enter the country
 - 9c. Biographical pages of unexpired passport
 - 9d. Visa page (especially for B holders whose visa might be marked “prospective student”)

Mail all documents certified mail (return receipt requested) to:

U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
Vermont Service Center
75 Lower Welden St.
Saint Albans, Vermont 05479

After change of status request has been mailed you will receive the following documents:

- Receipt from post office
- Notice of action from USCIS acknowledging the receipt of your payment and I-539 application to extend/change nonimmigrant status
- You might receive a request for additional evidence (blue form). If you receive this let OISS know.
- Notice of action from USCIS with your new I-94 card, which shows your classification as F-1/ “DS”-duration of status
- Your original “change of status requested” I-20 approved with a red stamp

NOTE: USCIS is constantly changing the regulations; therefore you should check with the International Student Advisor at 401-874-2019 or check our website at <http://www.uri.edu/iss> Keep this handout with you for future reference. (REV. 07/04)