



Change of Status (COS) to F or J

Your non-immigrant status should always accurately reflect your primary purpose for being in the U.S. In most cases, if you wish to study full-time, you will need to apply for F-1 or J-1 status. If you do not wish to study full-time, and are the spouse or child of an F-1 or J-1, you may want to apply for F-2 or J-2 (dependent) status.

If you wish to change your current non-immigrant visa status to either F or J, you may do so in either of two ways: (1) by applying for a change of status from the U.S. Citizenship and Immigration Services (USCIS) Vermont Service Center (VSC) in the United States; or (2) by making application at a U.S. consulate abroad. To find out which option is better for your specific situation, it is very important to see an advisor at the Center for Global Engagement (850-644-1702), or consult an immigration attorney.

Carefully read the following information and refer to the Change of Status Checklist before consulting your advisor.

Option 1: Application to the U.S. Citizen and Immigration Services (USCIS) Vermont Service Center (VSC)

Please refer also to the Change of Status Checklist on page 2 for information on COS application procedures and necessary documents.

- The application for a COS must be made and approved before your current visa status expires. Note that the expiration of your U.S. visa is not the same as the expiration of your visa status. Your visa status could still be valid even if you hold an expired visa. The validity of your status is generally indicated by the ending date on your I-94.
- An approved change of status allows you to stay in the U.S. and pursue the activity allowed by that status, but it is not the same as having a visa in your passport. If you leave the U.S. after receiving approval from USCIS for a change of status, you must apply for a visa for your current status before returning to the U.S.
- If you leave the United States while your change of status application is pending with the Vermont Service Center, the application is considered void. You should then apply for the appropriate visa at a U.S. Consulate or Embassy before re-entering the U.S.
- If your current status does not permit you to study, you cannot take classes until your COS is approved.
- If your current status does not permit employment, you may not begin to work until your new status has been approved. Once your COS is approved, the employment must conform to federal regulations for F-1 or J-1 students.
- If there is a gap between your current status expiring and your new F-1 status being approved, YOU MAY NOT WORK IN THE GAP period.
- If you are currently in J-1/J-2 status and are subject to the two-year home country residency requirement, you cannot change your status to F-1/F-2 in the United States. However, you are eligible to apply for the F-1/F-2 visa at a U.S. Consulate or Embassy abroad. Also be aware that a change of status may be denied if your old status ends more than 30 days before the requested start of your new F-1 status.

Option 2: Travel and Reentry to the US

- If you have left the United States with a change of status pending with USCIS, the application is considered void. You must then obtain the appropriate visa at a U.S. Consulate before re-entering the U.S. using the I-20 or DS-2019 form issued by the IC.
- It is advisable to apply for your visa in your home country. Some embassies do not accept visa applications from third country nationals. If you are not a citizen of the country where the US Consulate or Embassy is located, you may not be able to apply for a U.S. visa. There is also a higher chance of visa denial outside your home country, due to the presumption of immigrant intent.



CHANGE OF STATUS CHECKLIST

Checklist for the Application for Change of Status (COS) to F or J. Please gather the following documents to be submitted with your Change of Status application to the Vermont Service Center.

- A letter, with your signature, explaining why you are requesting the change of status. Be clear about the COS that you are applying for, list the contents of your application package, and provide your contact information.
- Form I-539, you can find this form online at <http://www.uscis.gov> under "Immigration Forms". Be sure to read the instructions carefully. Make sure the form is completely filled out, signed and dated. Be sure to use **BLACK ink only**.
- Photocopies of passport and visa information: Copy of I-94 card (front and back) and those of spouse and children (if any); Copy of passport ID and expiration date page(s); Copy of visa stamps and other visa documentation.
- Documentation to support your current status, such as spouse's or parent's I-20 or DS-2019 if you are currently in F-2 or J-2 status.
- Your complete original form I-20 (for change to F-1 or F-2) or the original form DS-2019 (for change to J-1 or J-2).
- Evidence of financial support such as: A bank statement; A letter from your academic Department stating the amount of funding you will receive; A letter from a sponsor and supporting bank or salary documentation; Proof of employment and payroll information where appropriate (H-1B).
- If you are applying for F-1 or J-1, a receipt for payment of the mandatory \$200 SEVIS fee: For more information and online payment options please go to <http://www.fmjfee.com>. You will need your SEVIS ID number from your I-20 or DS-2019 form and a credit card. Make sure to print a receipt and submit a copy to the Center for Global Engagement.
- Check or money order for \$300 made out to US Department of Homeland Security.

Special Notes on Changing Status:

The USCIS reviews applications for change of status based on the applicant's ability to document and justify a change of intent after arrival in the U.S. It is not recommended that you apply for a change of status immediately after arrival in the U.S.

B (B-1, B-2, B-1/B-2): Applicants changing from the B status must take special care to show that they did not intentionally apply for the wrong visa or intentionally enter the U.S. in the wrong status. Give a detailed explanation on why you entered the U.S. in B-2 status. If your current status is medically related, get a letter from your doctor explaining the treatment you were receiving in the U.S.

H-1B: Be sure to include proof of current employment, a copy of your payroll slip from your employer as well as a copy of the H-1 visa stamp OR a copy of your I-797 Notice of Action.

To Submit the Change of Status Application:

When you have assembled and organized the entire set of materials in the checklist above, make a complete copy for your own files. Be sure that you submit your application before the ending date of your current immigration status.

You may then send the application package to:

USCIS Vermont Service Center
ATTN: I-539
75 Lower Welden Street
St. Albans, VT 05479