Change of Status to F-1 or J-1 (for Students)
The purpose of this guide is to provide general information about changing to F-1, or J-1, student nonimmigrant status.

This guide does not include information about changing from nonimmigrant to immigrant status ("green card"). Please refer to the USCIS web site to learn about this process.
Changing status is a complex process. The timing is critical and must be done with care to avoid falling out of status during the transition.

**Specific Concerns:**

- If you are currently in **H-1 status** and have been admitted to a study program, do not terminate your employment until you have submitted the change of status application and you have received the receipt notice from USCIS.

- If you are currently in **F-2 or B-1/B-2 status**, you cannot attend school until your change of status to F-1 is approved.

- Applications may be denied if there is more than 30 days between the end of the current status and start date of the F-1 status.

After reading this guide, call *(510) 642-2818* to discuss your situation with an advisor in Berkeley International Office.
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Who Should Change

- F-2s who will study at Berkeley full-time
- Individuals whose purpose for stay in the U.S. has changed
- Individuals with F-2 or B1/B2 admitted to a full-time program of study
- Dependent children (such as F-2, J-2, H-4, E-2, L-2) approaching the age of 21 or whose parents will change status or depart the U.S.
- Dependent spouse whose principal spouse will change status or depart the US
- Individuals who want student status and related employment eligibility
Eligibility

You may be able to change status if:

• You are maintaining your current status.
• You are eligible for the new status.
• Your current status does not prohibit change of status in the U.S.

You generally cannot change status if:

• Your period of authorized stay has already expired.
• You have otherwise violated the conditions of your current status.
• You hold B, C, D, or K status, or entered the U.S. under the ESTA Visa Waiver Program (WB).
• You are subject to the Two-Year Home-Country Physical Presence Requirement.

Other Restrictions

• Individuals in J status who are subject to the Two-Year Home-Country Physical Presence Requirement can change only to A or G status.
• A vocational student in M status cannot change to F status.
There is often confusion about the difference between a person’s **visa stamp** versus **visa status**.

It is important to understand how a change of status request affects both of these.

The following few slides are included to provide some clarification of these concepts.
The Visa Stamp

The visa stamp is the name of the actual document placed inside a person’s passport to permit entry into another country for a specific purpose. All international visitors (except Canadians) are required to have a valid visa stamp in their passport when entering the U.S.

Sample Visa
Visa Status

Visa status is the designation given to a foreign citizen (not a US permanent resident) admitted to the U.S. which allows him or her to be present in the U.S. for a specific length of time. A U.S. Inspections Officer at the port-of-entry decides what your status will be based on the type of visa stamp in your passport and the purpose of your visit. The status is then noted on a paper I-94 card or the passport admission stamp (tied to the electronic I-94 record.) A paper I-94 card is also issued by USCIS when a change of status from within the US is approved.

F-1 visa status noted on I-94 at U.S. port of entry.

D/S means that the I-94 is valid for the “duration of [your] stay” in the U.S. as long as you continue to follow the F-1 regulations and maintain a valid I-20.
<table>
<thead>
<tr>
<th><strong>Visa Stamp</strong></th>
<th><strong>Visa Status</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Obtained at a U.S. embassy or consulate abroad.</td>
<td>Granted at the U.S. port of entry by an U.S. Immigration Inspections Officer (or through a change of status application through the U.S. Citizenship and Immigration Service – USCIS).</td>
</tr>
<tr>
<td>Stamp or sticker in passport</td>
<td>Written on the I-94 Arrival / Departure record by an Immigrations Inspector, or on the change of status Approval Notice by the USCIS.</td>
</tr>
<tr>
<td>Cannot be renewed in the U.S.</td>
<td>Can change status in the U.S. if the purpose of your visit changes.</td>
</tr>
<tr>
<td>Possible to have more than one type of visa stamp in your passport.</td>
<td>Can only have one visa status at a time even if there are multiple visa stamps in the passport.</td>
</tr>
<tr>
<td>Can expire while you are in the U.S. with no penalty as long as status is extended</td>
<td>Cannot expire while you are in the U.S. or you will become “out of status” (illegal).</td>
</tr>
</tbody>
</table>
There are two ways to change status:

1. **Travel** outside the U.S. and re-enter in the new status.
2. **Apply** for a change of status through the U.S. Citizenship and Immigration Services (USCIS).
## Travel vs. Application

### Change by Travel

<table>
<thead>
<tr>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Plane ticket to home country</td>
</tr>
<tr>
<td>• Visa application fee at U.S. Consulate (varies)</td>
</tr>
<tr>
<td>• <strong>SEVIS Fee</strong> (varies)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Processing Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>Since traveling requires visiting a U.S. consulate outside the U.S. to obtain the new visa stamp, the length of time is dependent on how long that process will take. Due to delays, long processing times and security checks, we recommend talking with Berkeley International Office before choosing this option. Visa processing without security checks can be from 7-21 days. Security checks can take an additional 3 months.</td>
</tr>
</tbody>
</table>

**NOTE:** The DS-2019 or I-20 start date should be up to thirty days prior to the date of your re-entry into the U.S. If your re-entry date is delayed, notify your department and Berkeley International Office. |

### Change by Application

<table>
<thead>
<tr>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>• USCIS Processing Fee = $290</td>
</tr>
<tr>
<td>• <strong>SEVIS Fee</strong> (varies)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Processing Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>The amount of time needed for processing a change of status at USCIS can vary. Recent Berkeley International Office experience is approximately 3-6 months. This processing period can change at any time and is not guaranteed. Check <a href="#">USCIS Processing Times</a> for the Service Center at which you submit your I-539 request.</td>
</tr>
</tbody>
</table>

**NOTE:** This process does not give you a new visa stamp. The next time you travel outside the U.S. you will need to visit a U.S. consulate or embassy to request a new visa stamp that reflects your changed status. |

While the application is processing, the change of status petitioner cannot leave the U.S. or the application will be considered abandoned. |

### Other Concerns

| It is very difficult to obtain a visa stamp in Canada or Mexico if you are not a national of that country. If denied a visa, you must return to your home country to apply for a visa there. Berkeley International Office does not recommend applying for a visa stamp in either Canada or Mexico unless you are a legal resident of these countries. |

Due to time restraints, change of status in the US may not be the best option for certain students needing to begin full-time study or employment in less than 4 months. **Study or Employment in B-1/B-2 Status:** Visitors in B-1/B-2 status and cannot study or begin employment until the status change to F-1 or J-1 is approved by USCIS. **Study or Employment in F-2 Status:** F-2 dependents cannot begin employment until the status change to F-1 or J-1 is approved by USCIS. Effective May 29, 2015: F-2 spouses and children may enroll in UC Berkeley academic programs for less than a full course of study. F-2 spouses and children cannot enroll full-time in a UC Berkeley program until change of status to F-1 or J-1 is approved by USCIS. |

**Employment Issues:** F-1 or J-1 employment cannot be authorized until the change of status to F-1 or J-1 has been approved by USCIS. Until the F-1 or J-1 change of status has been approved, refer to the employment authorization rules regarding your current visa status. Be aware that if your current visa status expires and your F-1 or J-1 change of status is still pending, no employment authorization is possible. |

**Prior J-1 Status Holders:** Individuals subject to the [J-1 Two Year Home Country Physical Presence Requirement](#) are not eligible for change of status within the US unless they have proof that they have been waived of the requirement. |
Changing your nonimmigrant visa status by application to the USCIS does not change your visa stamp. Since the visa stamp is used only for entering the U.S., you do NOT need to renew it as long as you remain in the U.S. (even if it expires or you change status).

If you change your status while in the U.S. and then decide to travel out of the U.S., you must obtain a new visa stamp to match your new status to re-enter.

Applying for a visa stamp after a change of status by application to the USCIS may be risky in some situations.
### Change of Status by Travel

<table>
<thead>
<tr>
<th>Steps Required</th>
<th>Time Required</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1. Seek advice</strong> from a trained professional such as an immigration attorney or international student adviser</td>
<td>At least <strong>one week</strong> to get an appointment</td>
</tr>
<tr>
<td><strong>2. Gather appropriate documents</strong> for re-entry, including an I-20 for F-1 status.</td>
<td>Approximately <strong>one to two weeks.</strong> Getting an I-20 from BIO takes 10 working days (if your request is complete).</td>
</tr>
<tr>
<td><strong>3. Pay</strong> the SEVIS fee and get the receipt</td>
<td><strong>Immediate</strong> if you have access to a computer, internet and printer</td>
</tr>
<tr>
<td><strong>4. Make a visa application</strong> appointment at a U.S. consular office outside the U.S.</td>
<td>Can take <strong>several weeks to several months</strong>, depending on the country and time of year.</td>
</tr>
<tr>
<td><strong>5. Reserve transportation</strong> and living accommodations abroad (you may need to stay a few months if subjected to a security clearance)</td>
<td>Can be done <strong>immediately online</strong> if you are ready to commit to a date and a price.</td>
</tr>
<tr>
<td><strong>6. Travel</strong></td>
<td><strong>One to three days</strong> minimum, depending on your destination.</td>
</tr>
<tr>
<td><strong>7. Submit</strong> visa application and wait for approval or denial</td>
<td>Can take <strong>one day to several months</strong> depending on the country and whether or not you are subjected to a security clearance. See <a href="#">Visa Wait Times</a> for an average wait time for the consulate you are visiting.</td>
</tr>
<tr>
<td><strong>8. Return to U.S.</strong></td>
<td><strong>One to three days</strong> minimum, depending on your destination.</td>
</tr>
</tbody>
</table>
# Change of Status

By Application to USCIS

<table>
<thead>
<tr>
<th>Steps Required:</th>
<th>Time Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Prepare the appropriate documents.</td>
<td>Approximately <strong>one to two weeks</strong></td>
</tr>
<tr>
<td>2. Obtain the I-20, or DS-2019.</td>
<td>Getting an I-20, or DS-2019, from BIO can take up to <strong>10 days</strong> (if your request is complete).</td>
</tr>
<tr>
<td>3. Pay the SEVIS Fee and get the receipt.</td>
<td><strong>Immediate</strong> if you have access to a computer and internet.</td>
</tr>
<tr>
<td>4. Complete Immigration Form I-539.</td>
<td><strong>One hour</strong> (if you don’t have any questions that require seeing an adviser but reviewing the complete application with an advisor is highly recommended)</td>
</tr>
<tr>
<td>5. Mail the application to the USCIS.</td>
<td><strong>½ hour</strong> (to stand in line at the post office if you use certified mail)</td>
</tr>
<tr>
<td>6. Receive the Notice of Action (receipt) from the USCIS.</td>
<td><strong>2-4 weeks</strong></td>
</tr>
<tr>
<td>7. Receive the Approval Notice from the USCIS.</td>
<td><strong>2-4 months</strong> after mailing application</td>
</tr>
<tr>
<td>8. Report your change of status approval to BIO.</td>
<td><strong>One to two weeks</strong> (if you’re organized)</td>
</tr>
</tbody>
</table>

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**Detailed instructions for each step are provided in the following pages.**
Cover Letter that lists all attached documents and a brief explanation of:
- Why you are requesting a change of status
- Why you intend to return to your home country in the future

$290 Application Fee Check payable to “U.S. Department of Homeland Security”

Optional: G-1145 form will provide you with confirmation of receipt and your case number.

Form I-539

Copy of Form I-20, or DS-2019 obtained from the school where you have been admitted.

SEVIS Fee Receipt (photocopy—do not send original)

Copy of the front and back of your paper Form I-94 or a copy of the passport admission stamp and a print out of the electronic I-94 record.

Copies of passport biographical and visa information. If you are currently in “dependent” status, include copies of your spouse or parent’s information along with copies of their paper I-94 card or passport admission stamp. Provide proof of the dependent relationship such as a marriage certificate or birth certificate.

Proof of financial support. Use a current scholarship award letter, bank letter or balance statements from the last four months.

Additional Documents. There may be additional documents required depending on the status from which you are changing.

~Detailed instructions about the items above are given in following slides~
To complete the application for a change of status to F-1, you will need an I-20 that shows “Change of Status Pending” in section 3.

If you have been admitted to UC Berkeley, complete the Nonimmigrant Information Form (NIF) to apply for your I-20. After you have submitted the Statement of Intent to Register (SIR) to the university, you will have access to the NIF.

For more information, see The NIF.

If you are a current student at UC Berkeley, meet with a BIO advisor to obtain a paper NIF request form.
Step 3: Pay the SEVIS Fee

The Student and Exchange Visitor Information System (SEVIS) is a U.S. government system that manages data and application processes for international students and scholars studying in the United States. When beginning a new F-1 program of study in the U.S., you are required to pay a one-time SEVIS fee before you can apply for an change of status to F-1. F-2 dependent family members are not required to pay the fee. This fee is not a University fee and provides no funds or services to the University.

Online (Internet) Payment
Online payment can be made at [www.fmjfee.com](http://www.fmjfee.com) Payment can be made by credit card.

1. Complete the online form (I-901) as instructed. You will need your new I-20 to complete this form.
2. Enter your name exactly as it appears on your I-20.
3. Print the online receipt after completing the payment form.

Payment Receipts

- Make and keep extra copies of your SEVIS fee payment receipt. You should keep your original receipt for your entire period of study in the U.S.
- Include a copy of the receipt with your change of status application. You will also need the receipt when you apply for a visa at a U.S. consulate and when entering the U.S. during any future travel.
- F-2 dependent family members should present a copy of the receipt when applying for F-2 visas and when traveling into the U.S.
Step 4: Complete Form I-539

Download the most current version of the I-539 Application Form from the USCIS.

(You do not need to download the I-539 instructions since they are provided in this guide).
Step 4: Complete Form I-539

The **I-539** is the application form used for a change of status.

In the next few slides, helpful tips for completing this form are presented.
Part 1. Information About You

1. **Alien Registration Number (A-Number)**
   - Leave this blank.

2. **USCIS ELIS Account Number (if any)**
   - Leave this blank.

3. **Family Name (Last Name)**
   - Leave this blank.

4. **Given Name (First Name)**
   - Leave this blank.

5. **Middle Name**
   - Leave this blank.

**Mailing Address**

4.a. **In Care Of Name**
4.b. **Street Number and Name**
4.c. **Apt.**
4.d. **City or Town**
4.e. **State**
4.f. **ZIP Code**

**Physical Address**

5.a. **Street Number and Name**
5.b. **Apt.**
5.c. **City or Town**
5.d. **State**
5.e. **ZIP Code**

**Other Information**

6. **Country of Birth**
7. **Country of Citizenship or Nationality**
8. **Date of Birth (mm/dd/yyyy)**
9. **U.S. Social Security Number (if any)**
10. **Date of Last Arrival Into the United States (mm/dd/yyyy)**
11.a. **I-94 Arrival-Departure Record Number**
11.b. **Passport Number**
11.c. **Travel Document Number**
11.d. **Country of issuance for Passport or Travel Document**
11.e. **Expiration Date for Passport or Travel Document (mm/dd/yyyy)**
12.a. **Current Nonimmigrant Status**
12.b. **Expiration Date (mm/dd/yyyy)**
12.c. **Check this box if you were granted Duration of Status (D/S).**

An A-Number is given to people who have applied for immigrant status or permanent residency (green card). Leave this blank.

Use this line only if you want your change of status approval sent to a friend or family member's address instead of your own.

The address must be in California. If you do not have an address in CA, speak to an advisor at BIO.

Found on your passport admission stamp

Found at: www.cbp.gov/i94

Found on your passport admission stamp
Step 4: Complete Form I-539

Parts 2 and 3. Application Type and Processing Information

Part 2. Application Type (See instructions for fee)
I am applying for: (Select one)
1. ☐ An extension of stay in my current status.
2.a. ☐ A change of status. The new status and effective date of change. (mm/dd/yyyy) ►
2.b. The change of status I am requesting is:
   F-1 or J-1
3. ☐ Reinstatement to student status.
4. ☐ I am the only applicant.
5.a. ☐ Members of my family are filing this application with me.
5.b. The total number of people (including me) in the application is: (Complete the supplement for each co-applicant.)

Part 3. Processing Information
1.a. ☐ We request that my/our current or requested status be extended until (mm/dd/yyyy) ►
1.b. ☑ Check this box if you were granted, or are seeking, Duration of Status (D/S).
2.a. Is this application based on an extension or change of status already granted to your spouse, child, or parent?
   ☐ Yes ☐ No
2.b. If "Yes," provide USCIS Receipt Number. ►
3.a. Is this application based on a separate petition or application to give your spouse, child, or parent an extension or change of status?
   ☐ Yes, filed with this I-539. ☐ No
   ☐ Yes, filed previously and pending with USCIS.
3.b. If pending with USCIS, provide USCIS Receipt Number ►
If the petition or application is pending with USCIS, also give the following data:
3.c. First and last name of petitioner or applicant
3.d. City or Town
3.e. State
3.f. Date Filed (mm/dd/yyyy) ►

List end date on I-20 or DS-2019

Start date on I-20 or DS-2019
Step 4:
Complete Form I-539

Part 4. Additional Information

If you are the Principal Applicant, provide your current Passport information:

1.a. Country of Issuance for Passport

1.b. Expiration Date for Passport

(\text{mm/dd/yyyy})

\text{Foreign Home Address}

2.a. Street Number and Name

2.b. Apt. \quad \square \quad \text{Ste.} \quad \square \quad \text{Flr.} \quad \square

2.c. City or Town

2.d. Province

2.e. Postal Code

2.f. Country

\text{Address in home country}

Part 4 continues on next page.
Step 4: Complete Form I-539

Part 4, continued

Answer the questions honestly on pages 2 & 3. For questions 18-20, responses can be made on page 6. Speak to a BIO advisor if you are concerned.

Answer the following questions. If you answer "Yes" to any question, describe the circumstances in detail and explain on a separate sheet of paper.

3. Are you, or any other person included on the application, an applicant for an immigrant visa? □ Yes □ No

4. Has an immigrant petition EVER been filed for you or for any other person included in this application? □ Yes □ No

5. Has Form I-485, Application to Register Permanent Residence or Adjust Status, EVER been filed by you or by any other person included in this application? □ Yes □ No

6. Have you, or any other person included in this application, EVER been arrested or convicted of any criminal offense since last entering the United States? □ Yes □ No

Have you, or any other person included on the application, EVER ordered, arrested, admitted, assisted, helped with, or otherwise participated in any of the following:

7. Acts involving torture or genocide? □ Yes □ No

8. Killing any person? □ Yes □ No

9. Intentionally and severely injuring any person? □ Yes □ No

10. Engaging in any kind of sexual contact or relations with any person who was being forced or threatened? □ Yes □ No

11. Limiting or denying any person's ability to exercise religious beliefs? □ Yes □ No

12. Have you, or any other person included on the application, EVER served in, been a member of, assisted in, or participated in any military unit, paramilitary unit, police unit, self-defense unit, vigilante unit, rebel group, guerrilla group, militia, or insurgent organization? □ Yes □ No

13. Have you, or any other person included in this application, EVER served in any prison, jail, prison camp, detention facility, labor camp, or any other situation that involved detaining persons? □ Yes □ No

14. Have you, or any other person included in this application, EVER been a member of, assisted in, or participated in any group, unit, or organization of any kind in which you or other persons used any type of weapon against any person or threatened to do so? □ Yes □ No

15. Have you, or any other person included in this application, EVER assisted or participated in selling, providing, or transporting weapons to any person who to your knowledge, used them against another person? □ Yes □ No

16. Have you, or any other person included in this application, EVER received any type of military, paramilitary, or weapons training? □ Yes □ No

17. Have you, or any other person included in this application, done anything that violated the terms of the nonimmigrant status you now held? □ Yes □ No

18. Are you, or any other person included in this application, now in removal proceedings? □ Yes □ No

If "Yes," provide the following information concerning the removal proceedings in Part 4, Additional Information for Answers to Item Numbers 18, 19, and 20. Include the name of the person in removal proceedings and information on jurisdiction, date proceedings began, and status of proceedings.

19. Have you, or any other person included in this application, been employed in the United States since last admitted or granted an extension or change of status? □ Yes □ No

If "Yes," fully describe how you are supporting yourself in Part 4, Additional Information for Answers to Item Numbers 18, 19, and 20. Include documentary evidence of the source, amount, and basis for any income.

If "Yes," fully describe the employment in Part 4, Additional Information for Answers to Item Numbers 18, 19, and 20. Include the name of the person employed, name and address of the employer, weekly income, and whether the employment was specifically authorized by USCIS.
Step 4: Complete Form I-539

Part 5. Applicant’s Statement and Signature on page 3 & 4

Don’t forget to sign and date this section.

Completed on page 4
Step 4: Complete Form I-539

I-539 Supplement

This page is for dependent family members who will become F-2, or J-2, when your change of status to F-1, or J-1, is approved. You must include this page with your form I-539.
Mail your application to one of the following addresses. If you send it by regular mail, we recommend using “Certified Mail- Return Receipt” service available at any U.S. Postal Service office.

**Via first class and certified mail:**

USCIS  
P.O. Box 660166  
Dallas, TX 75266

**Via courier mail FedEx, etc.:**

USCIS  
ATTN: I-539  
2501 S. State Highway 121  
Business  
Suite 400  
Lewisville, TX 75067  
1-800-375-5283
Step 6: Receive the Notice of Action

The USCIS Notice of Action will be sent to you approximately 30-40 days after receiving your application.

The Notice of Action contains your **receipt number** (also obtained by filing a [G-1145](#) with your I-539 application), which you can use to track the progress of your case on the USCIS web site, under [Case Status Online](#).

The Notice of Action is a very important document. If you do not receive it after waiting two months, contact Berkeley International Office.
If the USCIS considers your application incomplete, a Request for Evidence (RFE) notice will be sent to you. It is important to follow the instructions on the RFE carefully and by the noted deadline. If a RFE is not filed correctly, it may be grounds for denial of your change of status.

If you receive an RFE, notify the Berkeley International Office Advisor who signed your I-20, or DS-2019, with the date and reason for the RFE. This will help us answer any questions you or the USCIS may have later.

If you listed a friend’s address on the application, be certain that your friend is checking the mail and forwarding it to you in a timely manner.
Step 7: Receive the Approval Notice

- If your application is approved, you will receive an I-797 Approval Notice in the mail approximately 3-4 months after submitting your application. [USCIS processing times table](https://www.uscis.gov/)

- A new Form I-94 is attached to the bottom of the Approval Notice.

- The I-797 Approval Notice and I-94 are important documents. Make copies and keep them in a safe place.
Step 8.
Report your change of status

Report your change of status approval to the Berkeley International Office by submitting copies of the approval notice and I-94.

Once BIO activates your I-20, or DS-2019, record, you may begin working on campus and studying full time.