



ENGLISH as a Second Language

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INFORMATION FOR CHANGE OF STATUS APPLICANTS

Do I need a change of status? Individuals in other immigration statuses may wish to change their status to F-1 to be eligible for certain student benefits. Change of status applications are submitted to and adjudicated by the U. S. Citizenship and Immigration Services (previously INS). The success of this application depends on your particular situation as well as your current visa status. You must make an appointment to meet with the School Director to discuss your individual case.

Can anyone apply for a change of status? If your passport stamp date (previously the I-94 form) has expired you cannot apply for a change of status. You must leave the United States to apply for your desired status at the U.S. Embassy. Also, if you are in WT (visa waiver) status or in J status with a two year home residency requirement you may not apply for a change to F-1 student status in the United States. Lastly, if you are in C, D, K or M status, you are not eligible for a change of status to F-1.

What happens if I plan to travel outside of the United States? You can also change your immigration status by traveling to another country (preferably your home country). You will need to get an F-1 visa stamped in your passport from a U.S. Consulate by providing them with an I-20, an unexpired passport, and financial documents. *Even if you get a change of status approved within the U.S., you will need to apply for an F-1 visa the next time you travel outside the United States. Having a change of status approved is no guarantee that you will be granted an F-1 visa the next time you travel outside the United States. It is highly recommended that you seek legal advice to discuss travel plans.*

What should I do while I'm waiting for an answer from USCIS? Individuals in B-1/B-2 or F-2 status must wait to begin full-time classes until their change of status is approved, so as not to violate their current status. Those holding other immigration statuses can attend full-time classes while their application is pending at USCIS. *(You MUST register to be a full-time student once your change of status is approved. You are not eligible for any benefits of F-1 status until your application is approved.)* B-1/B-2 visa holders also need to maintain their status by submitting tourist status extension applications every six months.

Are there any special circumstances I need to know? If you are applying to change from B-1/B-2 status to F-1 status, you will need to prove to USCIS that your intention to become a student happened AFTER you arrived in the United States. **Applications for change of status filed shortly after arrival arouse suspicion that you misrepresented yourself by failing to reveal your intention to study when applying for a visa to enter the United States.** Your cover letter should clearly explain how and when you decided to go to school. USCIS will occasionally ask the school to verify when a student first contacted us.

If you are applying to change from a non-immigrant status with a date-specific expiration on your passport stamp (examples would be a B-1/B-2, H-1B, H-4) you should wait until 4-6 weeks before the program start date to submit your application.

What financial documents are required? You must submit financial documentation in the form of bank statements, letter from a sponsoring agency, or affidavit of support to show that you have enough money for tuition and living expenses for **at least \$1,800 per month** of study in the United States. You must submit 3 recent bank statements (less than 3 months old) as well as a letter of support from your sponsor, if applicable. We cannot accept letters from accountants in place of a bank statement.

Requirements

Before the International Language Institute (ILI) will issue a Form I-20 for a Change of Status, the student must

- schedule a meeting with the School Director to discuss Change of Status procedure and eligibility
- be admitted to the International Language Institute Intensive English Program
- be “in status” and not have stayed beyond the departure date on passport stamp
- make all necessary payments at the time of application
- complete and submit the following documents to the School Director

DOCUMENTS

1. Intensive English Program Application
2. Financial documentation in the form of 3 bank statements, letter from a sponsoring agency, or affidavit of support.
 - a. Bank statements or letters from banks must include the name on the account, the date the account was opened and the current balance.
 - b. You may submit more than one bank statement or letter to document multiple accounts.
 - c. All documents must be translated into English and amounts shown in US dollars.
3. I-539 Form (*Application to Extend/Change Nonimmigrant Status*).
4. Copy of valid passport with expiration date, visa and US admissions passport stamp.
5. Form I-94. Go to www.cbp.gov to print it out. You will need information from your passport.
6. Letter explaining your reason for change of status. Include the following information:
 - a. why you originally entered the US on a B1/B2 visa
 - b. how you will support yourself in the US while studying
 - c. describe your plans for departure from the US after finishing your program

It is important that you prove non-immigrant intent in this letter and that you plan to return home after completing your studies in the US.

PAYMENTS

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| 1. Non-Refundable Application Fee | \$75.00 |
| 2. Personal check/money order payable to:
<u>Department of Homeland Security</u> | \$370.00 (eff. 12/23/2016) |
| 3. SEVIS Fee* | \$200.00 |
| *The SEVIS fee payment may be made to the International Language Institute. We will pay SEVIS and include the receipt with the I-20, or you can make the payment yourself at www.FMJfee.com . | |
| 4. Express Courier Delivery Fee (FedEx): | \$25-35 (depending on service) |

Once you have provided all of the above documents and payments to the International Language Institute, MD, we will make a copy of all documents to keep in your file before sending them together with the I-20 Form issued by the International Language Institute, MD, to USCIS. You will receive an answer in anywhere from 2 to 6 months. If your change of status is approved, USCIS will return your I-20 Form stamped with the approval. USCIS provides a new I-94 or other documentation to reflect the lawful status. The International Language Institute, MD, will also be notified of the outcome of your application. Bring any documents received from USCIS to ILI for photocopying once they arrive.

USCIS rarely denies an application without first asking for additional documentation. **If you get a letter from USCIS you should bring a copy to ILI so that we can advise you on what additional documents need to be submitted.** What happens if your application for a change of status is denied subsequently depends on the immigration status you hold now. If it has not expired by the time your application is denied and you have done nothing to violate it, you simply continue on in that same status as if nothing had happened. If, on the other hand, your immigration status expired while your application was pending, USCIS will send you a Notice of Action with a voluntary departure date. You can choose to leave the U.S. by the date indicated on your Notice of Action and apply for an F-1 entry visa outside the U.S. (preferably in your home country), or you can seek the advice of an immigration lawyer to discuss your options.