

OVERVIEW

This guide is for international students currently enrolled at Florida Poly seeking to change their nonimmigrant status to the F-1 student visa so they may study full-time. Please be aware that Florida Poly employees cannot advise students on changing nonimmigrant status; all students seeking to change their status are recommended to consult with an immigration law professional regarding processes and regulations. This guide is for informational purposes only and not intended as legal advice. Please select the blue underlined hyperlinks to access forms and other helpful resources.

HOW TO APPLY TO CHANGE TO F-1

There are two ways of gaining a new nonimmigrant status:

Option 1: Travel and Re-entry

You may leave the US to apply for a new visa at a US Embassy or Consulate, then re-enter the US with the new visa.

If you select this option:

- You must depart the US to apply for your visa at the embassy or consulate.
- This process is usually faster than changing status in the US and requires less paperwork.
- You will also obtain the visa and the status but should keep in mind the possibility of a delay in your visa processing time and the expense of travel and ticket.

Option 2: Change Status in the US

You may choose to stay in the US and apply to the US Citizenship and Immigration Services (USCIS) for a status change.

If you select this option:

- You may submit your application to change your status while remaining in the US; however, you will still need to return to your home country to obtain the visa due to visas only being issued outside of the US.
- This will allow you to stay in the US during processing; however, this process can be prolonged (three to six months).
- You must stay in the US during processing; exiting the US before USCIS approval cancels the application

IMPORTANT TO REMEMBER

- If your current nonimmigrant status will expire 30 days before your I-20 start date, your application will likely be denied by USCIS.
- The change of status application is to change your immigration status; it does not grant a visa.
- If your change of status is not approved by the program start date printed on Form I-20, you must contact the Designated School Official (DSO) at your school to discuss a deferral of the program start date.
- Your current status may have study and employment restrictions. You are responsible for being aware of any restrictions for your current status, and you must continue to adhere to them until USCIS has awarded you F-1 status. This means:
 - If you are not eligible for work authorization, then you are not permitted to begin working on campus until the change to F-1 status is approved, and you are within 30 days of your I-20 start date.
 - If you are not permitted to study full-time, then you may not enroll full-time until your F-1 status is approved.
- Processing times vary, so be prepared to wait three to six months to learn the outcome of your application if you file the [I-539, Application to Extend/Change Nonimmigrant Status](#).
 - View current processing times and your pending case status at: [USICS Processing Times](#).
- USCIS will notify you of their decision with [Form I-797 Notice of Action](#).
 - The denial letter or approval notice will be mailed to the address you listed on your [I-539](#) application.
 - If you change this address, the postal service will not forward mail sent to you by USCIS.
 - **Please provide ISS with a copy of your I-797/Notice of Action and approval notice once it is received (at ISS@floridapoly.edu).**
- If you choose Option 2, you may remain in the US while your application is pending, even if your original status expires during the application processing.
 - The next time you travel outside of the US, you will be required to go to a US Embassy or Consulate abroad to apply for the F-1 visa or to obtain your visa (if you applied and were approved while in the US).
 - **Filing under this option means you cannot travel outside of the US while your change of status case is pending; if you leave the country, USCIS will consider your application abandoned.**

HOW TO APPLY TO CHANGE YOUR STATUS TO F-1

1. Complete the [Change of Status to F-1 Visa online learning module \(OLM\)](#), pass the quiz with 100% (10 questions with unlimited attempts), to gain access to the [Initial I-20 Request Form](#); complete and submit this form and return to: ISS@floridapoly.edu along with all additional required items.
2. Once you are issued the Form I-20 file, complete the [online application](#) for the [I-539](#) and include the following:
 - o Signed copy of Form I-20 and your valid passport identification page
 - o Copy of your current [I-94 Arrival and Departure Record](#)
 - o Copy of the current nonimmigrant status (e.g., color copy of visa) and your approval notice (I-797)
 - o If you are a nonimmigrant dependent; send a copy of the primary visa holder's status (if operating under an employment visa, provide a copy of employment letter)
 - o Copies of financial documents (same documents submitted with Initial I-20 Request form)
 - If your sponsor is a US citizen, they will need to complete [Form I-134 Affidavit of Support](#)
 - o Copy of admission letter from Florida Polytechnic University
 - o Fee payment for the I-539 (\$370 USD) and (\$85 USD) biometric fee (can pay when filing I-539 online)
 - o Proof of the [I-901 SEVIS fee payment](#) (pay online and save receipt)
 - o A letter explaining why you are requesting the change of status.
 - **Important:** Your letter should clearly explain your current status, your plans for study at Florida Poly, and your longer-term plans as well. Keep in mind that F-1 status is a "nonimmigrant" classification. This means that you must indicate, and in some instances may require to document, that you continue to maintain ties to your home country--whether in the form of a residence, an expected job offer, or continuing family ties. It is not unusual for the USCIS to request documentation regarding your ties to your home country, and you should be prepared to provide such documentation.

Sample Letter (provided solely as an example of what can be written)

Dear US Department of Homeland Security Official:

I am currently in the U.S. holding a visa and would like permission to change my visa to F-1 student. I entered the U.S. in a non-student status in order to _____ (describe your activity/intention at the time of entry.) I decided to apply for admission to Florida Polytechnic University in _____ (month/year) and was admitted for graduate/undergraduate study in _____ (month/year). I intend to enroll full-time and would like to complete my (BA/MS) degree in _____ I do not wish to leave the US at the present time to change my status because I would suffer the following hardship: _____ . Please find my I-539 application, I-20, I-94, and supporting materials. I fully intend to abide by all regulations governing the F-1 status. After completing my program of study, I expect to return to my home country and apply the knowledge I gained. Your assistance and prompt attention to this matter are appreciated.