



Office of International Education
UNIVERSITY OF GEORGIA

Office of International Education
Immigration Services (IS)
1324 S. Lumpkin Street, Athens, GA 30602-5407
Ph: 706-542-2900 * www.international.uga.edu * immigration@uga.edu

Changing Immigration Status Within the U.S.

Information on Change of Status Applications vs. Consular Applications

U.S. regulations generally require a student who will be studying full-time in the U.S. to hold a visa that allows study. Some visa types allow study, even though the purpose of the visa is not specifically for study. These include dependent visas, such as J-2, TD, O-3, and H-4. A dependent visa is valid only until the dependent turns 21 years of age; then he or she must have their own independent visa.

If a student wishes to have an immigration status that is specifically for full-time study, then the F-1 student visa, or the J-1 exchange student visa is appropriate. These visa types require the payment of a SEVIS/I-901 fee to the government (\$200.00 for F-1 students and \$180.00 for J-1 students).

These student visa types will allow the student to receive additional employment and study benefits, including work authorization on-campus, extension of stay to complete a program, transfer of program to a new U.S. school, etc...

For persons currently in the US in another nonimmigrant status, there are two ways to obtain the appropriate student visa status:

- 1) **Visa Application Abroad:** Obtain an F-1 or J-1 status by departing the U.S. with the I-20 form (F-1 students) or DS-2019 form (J-1 students) issued by the IS office, and applying for the F-1 or J-1 student visa at a U.S. Embassy. If the visa is approved, you then use the Form and visa to re-enter the U.S. in the new student status. This is usually faster than applying for a change of status from within the U.S. There is no guarantee, however, that the visa will be approved quickly, though most are approved within a month. This requires that the student pay both the SEVIS fee and the visa application fee.
- 2) **Change of Status Application within the U.S.:** Obtain F-1 or J-1 "status" without departing the US. This does not give you a new "visa" from an embassy – only the status of "student" within the U.S. This requires you to apply to the US Citizenship and Immigration Services (USCIS) for a change of immigration status (COS). This application can take 8-9 months to approve. This requires that the student pay both the SEVIS/I-901 fee and the change of status USCIS application fee.
 - a. **Eligibility:**
 - i. You must be eligible to apply for a change of status (CoS). There are reasons why some people are ineligible for a CoS. For example, if you have held J-1 status and you are subject to the 212(e) home residency requirement, you are not eligible to file for a change of status in the US until you receive a waiver of the 212(e) requirement, or the 2 year home-residency is met. It is very important to know if you are eligible to apply for your CoS in the US. You may need to consult with an immigration attorney to determine your eligibility for a CoS application.
 - ii. You must be able to maintain your current immigration status to within 30 days of the academic program start date, as it is listed on your I-20 form or DS-2019 form. If your current status expires more than 30 days in advance of the academic program start date listed on your I-20 form or DS-2019 form, then your CoS application will be denied.

Procedures

To obtain the I-20 or DS-2019 and gain your new visa status through **travel and visa application**:

1. Request I-20 or DS-2019 via istart.uga.edu. You will need to update the following documents:
 - Your financial documents. This can be a UGA Assistantship Letter, personal bank statement, or, if sponsored by an outside organization or person, the bank statement and / or an original notarized letter of support. All financial evidence must be less than 3 months old.
 - Copy of your passport, including any extension pages.
 - Most recent I-94 document - <https://i94.cbp.dhs.gov/I94/consent.html>
2. Once you have obtained the initial I-20 or DS-2019, you will pay SEVIS fee at <https://www.fmjfee.com/index.jhtml> (If you pay the SEVIS fee online, you can print the receipt immediately). Retain the receipt for your records, as you will need it when you apply for the visa abroad.
3. You will use the SEVIS number, found on your initial I-20 or DS-2019, to schedule your visa appointment.
4. See the list of U.S. embassies here: <http://www.usembassy.gov/>

To obtain the I-20 or DS-2019 and gain your new status via **filing a Change of Status application with USCIS**

1. Assemble the following items to mail to USCIS:

The complete, dated, and signed USCIS I-539: <http://www.uscis.gov/i-539>

USCIS I-539 Fee - \$370.00. Check or money order made out to the 'Department of Homeland Security'.

A cover letter explaining your desire to change your status.

UGA newly issued I-20/DS-2019 requesting change of status signed by applicant and IS advisor

I-901 fee receipt (this is paid after I-20 is issued here: <https://www.fmjfee.com/index.jhtml>)

Proof of Admission to UGA. This can be your admission letter or a 'letter of enrollment' from the Registrar's Office.

- Your original financial documents (no faxes, bank, or internet print-outs will be accepted). This can be a UGA Assistantship Letter, personal bank statement, or, if sponsored by someone, an organization, etc., the original statement and an original notarized letter of support. All financials must be less than 3 months old.
- Copy of your valid passport, including any extension pages.
- Copy of your I-94 - <https://i94.cbp.dhs.gov/I94/consent.html>
- Copy of your current visa stamp in passport
- Copy of your current or previous immigration documentation.
- J-1 applicants only:** Proof of 212(e) waiver approval or completion of two years in home country

2. Mail your application to the following address by a trackable mailing service to:

USCIS Dallas Lockbox

P.O. Box 660166

Dallas, TX 75266

Important notes

- It is recommended that you schedule an appointment with an IS Advisor to review your completed application before filing it with the USCIS.
- Estimated processing time for USCIS is approximately 9 months (as of spring 2016). These times change regularly and without notice. Please check the USCIS web site for [current processing times at the Vermont Service Center](#).

- A week or two after filing your application, you will receive an I-797 Notice of Receipt from the government. You are responsible for providing IS a copy of your receipt notice, any request for evidences you may receive, proof of your change of status approval and I-94.
- You may [check the status of your application](#) on-line using the receipt number found in the top left corner of the I-797 receipt notice.
- If you receive a Request for Evidence (RFE) from the USCIS, consult with IS and/or your immigration attorney before responding.
- You may attend school while your change of status application is pending at USCIS unless your current status is F-2 or B-2 tourist. Furthermore, you may not begin an assistantship, or engage in on-campus or off-campus employment of any kind until your change of status has been approved by the USCIS.
- After a change of status from within in the US, you may need to obtain a new visa stamp for your new status on your next trip abroad. This will involve a visit to a US embassy or consulate during that trip. Consult with IS about this process well before your trip.
- Once your CoS is approved, you will need to contact our office immediately so we can issue a new form and advise on the check in process.
- IS reminds students that a change of status application is the responsibility of the applicant. IS has provided the above information as a courtesy and recommends that persons with complex applications consult a competent immigration attorney before proceeding.

