



F-2 TO F-1 CHANGE OF STATUS APPLICATION PACKET

(For use ONLY by F-2s without a graduate assistantship offer)

Updated August 9, 2007

FREQUENTLY ASKED QUESTIONS (FAQ)

Will this packet help get me an F-1 visa?

No, but it will help you change to F-1 STATUS from inside the U.S. There is often confusion between the terms STATUS and VISA. A VISA is only a stamp in a passport that says you are allowed to ENTER the U.S. Visas can only be obtained by visiting a U.S. consulate abroad, it is not possible to get an F-1 visa from within the U.S. Visas are only for “getting in” and have no bearing on an individual’s right to be here legally.

STATUS refers to the legal classification allowing you to currently be in the U.S., and status can be changed to F-1 by following the procedure in the application packet. Thus you can send in your application material by mail and have your STATUS changed to F-1, but you will not have an F-1 VISA and will not need one unless you leave the U.S. during your program of study to go home, attend a conference abroad, etc. Only then will you need to make arrangements to go to the nearest U.S. consulate to apply for an F-1 visa to allow you to get back into the U.S. The OISS can provide you with information should this situation arise.

It IS possible to take care of changing both STATUS and VISA by traveling outside the U.S. with your new I-20 and applying for an F-1 visa. Then once you enter the U.S. using the F-1 visa, you are automatically considered to be in F-1 STATUS. But you should keep in mind that under this kind of situation, new regulations would prevent you from entering the U.S. until 30 days before the report date on your I-20. There may be other circumstances that would make this option undesirable for certain individuals. Please be sure to consult an OISS adviser if you are considering changing your status by leaving the U.S. to obtain an F-1 visa.

Can I register as a student while I am in F-2 status?

No. USCIS has stated that F-2’s can NOT register until the F-1 status is APPROVED. Due to the length of time a change of status can take, this could mean many F-2 applicants could have to delay enrolling at least a semester. If you are unable to register because your F-1 status has not been approved, you will need to contact the Office of Admissions in Calvin Hall to ask them to defer your admission to the next possible semester.

Please note that a separate requirement of being admitted to the University of Iowa as an F-1 student is mandatory participation in an OISS orientation and immigration regulations session for new students, which are held before each fall, spring and summer semester. You MUST attend an orientation session before you will be able to register for classes. The OISS adviser can provide the date of the next orientation session (mid-August, mid-January, or early June).

When do I need to apply to the USCIS to change to F-1 status?

It may take anywhere between 3-5 months for the USCIS to approve your change to F-1 status. For this reason it is best to apply as far in advance of the start of classes as possible.

Do I need to make an appointment with an OISS adviser in order to apply to change to F-1 status?

Yes. The OISS is now responsible for keeping track of your change of status information. Please bring an email address that you will be using over the next several months; we will use this email address to send you notifications and updates about your change of status request.

If you have received a graduate assistantship offer, you must obtain an “expedite request letter” from an OISS adviser and follow certain other special procedures in order to be sure that the USCIS approves your application to change to F-1 status before the next semester begins. Please see the OISS’s “F-2 to F-1 with a graduate assistantship offer” packet for further details.

IMPORTANT: If you are offered a graduate assistantship AFTER you have submitted your change of status application to the USCIS, you will not be able to receive expedited processing. Thus, if there is a possibility that you may yet be offered a graduate assistantship for the next semester, you may want to wait to submit your application until you are sure.

Under what other circumstances do I need to make an appointment to see an adviser?

You will need to make an appointment with an adviser if:

- you (or your spouse) are out of status for any reason, or have reason to think you (or your spouse) might be out of status.
- you prefer to obtain an F-1 visa outside the United States and then re-enter in F-1 status, thereby eliminating the need to apply to the USCIS to change status.

What documentation do I need to submit to the USCIS in order to change to F-1 status?

- ❑ *Filing fee: \$300 (make personal check payable to “Department of Homeland Security”)*
- ❑ *I-797 Receipt showing payment of \$100 SEVIS fee (See next section for details.)*
- ❑ *Form I-539 (see instructions below)*
- ❑ *A photocopy of your Form I-94 (front and back)*
- ❑ *A photocopy of your passport personal data page(s) (i.e., the page(s) with your photograph and the expiration date of your passport)*
- ❑ *A photocopy of your F-2 visa*
- ❑ *Your complete, original I-20, signed by you*
- ❑ *Three photocopies of page 1 of your I-20*
- ❑ *Evidence of financial support*
- ❑ *A photocopy of your marriage certificate, along with a certified English translation if it is in another language (This is NOT necessary if your spouse’s name is on your F-2 visa.)*
- ❑ *A photocopy of your spouse's I-94 (front and back), a photocopy of his/her current I-20 and any prior I-20(s), and a photocopy of his/her passport personal data page(s)*
- ❑ *An Academic Certification from the UI Registrar, basement of Jessup Hall (or the registrar at the university your spouse is attending, or your spouse’s international student adviser) to verify that your spouse has been enrolled full-time, and a copy of your spouse’s most recent transcript.*

What is the SEVIS fee, and do I have to pay it?

The SEVIS fee is the charge, effective September 1, 2004, assessed by the U.S. Department of Homeland Security, whereby all F-1 and J-1 visitors to the U.S. must pay a fee of **\$100** to supplement federal government expenses involved in the maintenance and administration of the Student and Exchange Visitor Information System (SEVIS).

If you are attempting to change from F-2 to F-1 status, you will be required to pay the SEVIS fee **before** you can mail in your change of status application. There are two ways to pay this fee:

To Pay Online (*highly recommended to pay this way instead of by mail*)

1. Find the Form I-901 at www.FMJfee.com.
2. Complete the form online and supply the necessary Visa, MasterCard or American Express information. Be sure to write your name exactly as it appears on your I-20 form.
3. Print a copy of the online receipt.
4. Be sure to make copies of your receipt, and keep it with your other important immigration documents. You will need to submit a copy of this receipt along with your other change of status application material.

To Pay By Mail

1. Obtain a Form I-901 “Fee Remittance for Certain F, J, and M Nonimmigrants” from www.FMJfee.com or request the form by phone at 1-800-870-3676 (inside the US)
2. Complete the Form I-901. Be sure to write your name exactly as it appears on your I-20 form.
3. Prepare a check, international money order or foreign draft (drawn on US banks only) in the amount of \$100 US Dollars, made payable to “The Department of Homeland Security” (OISS strongly suggests you use a personal check, since it is easy to trace these.)
4. Mail the completed I-901 and payment to the address listed on the Form I-901.
5. A Form I-797 receipt notice should be mailed within 3 days of processing the fee. Be sure to make copies of your receipt, and keep it with your other important immigration documents. You will need to submit a copy of this receipt along with your other change of status application material.

Remember, your change of status application cannot be mailed until the SEVIS fee is paid and you have a receipt proving payment. Should your change of status application be denied, the SEVIS fee is not refundable. However, if you apply for F-1 status again within the 12 months following your denial, you will not have to pay the fee again.

Why do I need to submit copies of my spouse's immigration documents to the USCIS?

You are eligible to change to F-1 status only if you are in F-2 status--and you are in F-2 status only if your spouse has maintained F-1 status by enrolling full-time and not working without proper authorization. If you (or your spouse) might be out of status, ***please see an OISS adviser before you submit your application to the USCIS. You may need to consult an immigration lawyer.***

Where do I send my application?

After making a photocopy of your entire application for you to keep, mail the original application to:

U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
California Service Center
P.O. Box 10539
Laguna Niguel, CA 92607-1053

Send your application via "**certified mail, return receipt**," so that you have a record of the arrival of your application at the USCIS.

In the event that there is a delay in the processing of your application, the OISS will not be able to help you if you do not have a photocopy of your application and a U.S. Postal Service certified mail return receipt.

What happens when the California Service Center receives my application?

If your application is incomplete, the California Service Center will send it back to the OISS with a "Request for Evidence." You will need to furnish whatever information or documentation is missing.

If your application is complete, the OISS will receive a Form I-797 Notice of Action/Receipt Notice from the California Service Center within two to four weeks, and we will then notify you by email that the Notice of Action arrived. Your Notice of Action is very important, both because it proves that you filed your application and because it provides the "WAC number" which you must use if you need to track your application's progress. **If you do not receive a Notice of Action within five weeks, please notify the OISS immediately.**

What happens when the California Service Center approves my application?

The California Service Center will return your I-20 to the OISS, with a notation in the upper right corner of your I-20 indicating approval of your change of status application. You will also receive a second Notice of Action/Approval Notice, with your new I-94 printed in the lower right-hand corner. You will want to cut out and staple your new I-94 into your passport, after making a copy of your entire Notice of Action/Approval Notice and I-20 to keep separately in a safe place.

SAMPLE I-539 Form – Follow these instructions carefully:

1. Go to <http://www.uscis.gov/files/form/i-539.pdf>
2. Fill out the form using OISS instructions below, **not** the instructions found on the USCIS website.
3. Print and bring the completed form to your meeting with an OISS adviser.

START HERE - Please Type or Print.				FOR INS USE ONLY																																															
Part 1. Information about you.				<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Returned</td> <td style="width: 50%;">Receipt</td> </tr> <tr> <td>Date</td> <td></td> </tr> <tr> <td>Resu</td> <td></td> </tr> <tr> <td>Date</td> <td></td> </tr> <tr> <td>Reloc Sent</td> <td></td> </tr> <tr> <td>Date</td> <td></td> </tr> <tr> <td>Reloc Rec'd</td> <td></td> </tr> <tr> <td>Date</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Applicant Interviewed on</td> <td></td> </tr> <tr> <td>Date</td> <td></td> </tr> <tr> <td colspan="2"><input type="checkbox"/> Extension Granted to (Date): _____</td> </tr> <tr> <td colspan="2" style="text-align: center;">Change of Status/Extension Granted</td> </tr> <tr> <td colspan="2">New Class: From (Date): _____</td> </tr> <tr> <td colspan="2">To (Date): _____</td> </tr> <tr> <td colspan="2">If Denied:</td> </tr> <tr> <td colspan="2"><input type="checkbox"/> Still within period of stay</td> </tr> <tr> <td colspan="2"><input type="checkbox"/> S/D to: _____</td> </tr> <tr> <td colspan="2"><input type="checkbox"/> Place under docket control</td> </tr> <tr> <td colspan="2">Remarks:</td> </tr> <tr> <td colspan="2">Action Block</td> </tr> <tr> <td colspan="2" style="text-align: center;">To be Completed by Attorney or Representative, if any</td> </tr> <tr> <td colspan="2"><input type="checkbox"/> Fill in box if G-28 is attached to represent the applicant.</td> </tr> <tr> <td colspan="2">ATTY State License #</td> </tr> </table>		Returned	Receipt	Date		Resu		Date		Reloc Sent		Date		Reloc Rec'd		Date		<input type="checkbox"/> Applicant Interviewed on		Date		<input type="checkbox"/> Extension Granted to (Date): _____		Change of Status/Extension Granted		New Class: From (Date): _____		To (Date): _____		If Denied:		<input type="checkbox"/> Still within period of stay		<input type="checkbox"/> S/D to: _____		<input type="checkbox"/> Place under docket control		Remarks:		Action Block		To be Completed by Attorney or Representative, if any		<input type="checkbox"/> Fill in box if G-28 is attached to represent the applicant.		ATTY State License #	
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Family Name LAST/Family Name	Given Name First Name	Middle Initial Middle																																																	
Address - In care of - c/o OISS Adviser, International Programs				<div style="border: 1px solid red; padding: 5px; color: red; font-weight: bold;"> You must use the OISS address as shown here, not your own address. </div>																																															
Street Number and Name		Apt. #																																																	
City	State	Zip Code	Daytime Phone #																																																
Country of Birth		Country of Citizenship																																																	
Date of Birth (MM/DD/YYYY)	Social Security # (if any)	A # (if any)																																																	
Date of Last Arrival Into the U.S. Check red stamp on I-94 card		I-94 # Number from I-94 card																																																	
Current Nonimmigrant Status		Expires on (MM/DD/YYYY)																																																	
Part 2. Application type. (See instructions for fee.)																																																			
1. I am applying for: (Check one.)																																																			
a. <input type="checkbox"/> An extension of stay in my current status.																																																			
b. <input checked="" type="checkbox"/> A change of status. The new status I am requesting is: F-1																																																			
c. <input type="checkbox"/> Other: (Describe grounds of eligibility.) _____																																																			
2. Number of people included in this application: (Check one.)																																																			
a. <input checked="" type="checkbox"/> I am the only applicant. Check "b" if your spouse/children want to apply for F-2 status																																																			
b. <input type="checkbox"/> Members of my family are filing this application with me. The total number of people (including me) in the application is: _____ (Complete the supplement for each co-applicant.)																																																			
Part 3. Processing information.																																																			
1. I/We request that my/our current or requested status be extended until (MM/DD/YYYY): D/S																																																			
2. Is this application based on an extension or change of status already granted to your spouse, child or parent? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes, Receipt # _____																																																			
3. Is this application based on a separate petition or application to give your spouse, child or parent an extension or change of status? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes, filed with this I-539. <input type="checkbox"/> Yes, filed previously and pending with INS. INS receipt number: _____																																																			
4. If you answered "Yes" to Question 3, give the name of the petitioner or applicant: _____ If the petition or application is pending with INS, also give the following information: Office filed at _____ Filed on (MM/DD/YYYY) _____																																																			
Part 4. Additional information.																																																			
1. For applicant #1, provide passport information:		Valid to: (MM/DD/YYYY)																																																	
Country of Issuance		India		05/31/2009																																															
2. Foreign Address: Street Number and Name		Apt. #																																																	
1487 Chanakyapuri																																																			
City or Town		State or Province																																																	
Bangalore																																																			
Country		Zip/Postal Code																																																	
India		12345																																																	

SAMPLE I-539 Page 2

Part 4. Additional information.

If answer is "yes" to any question below, see OISS immediately ↓

3. Answer the following questions. If you answer "Yes" to any question, explain on separate sheet of paper.	Yes	No
a. Are you, or any other person included on the application, an applicant for an immigrant visa?	?	✓
b. Has an immigrant petition ever been filed for you or for any other person included in this application?	?	✓
c. Has a 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?	?	✓
d. Have you, or any other person included in this application, ever been arrested or convicted of any criminal offense since last entering the U.S.?	?	✓
e. Have you, or any other person included in this application, done anything that violated the terms of the nonimmigrant status you now hold?	?	✓
f. Are you, or any other person included in this application, now in removal proceedings?	?	✓
g. Have you, or any other person included in this application, been employed in the U.S. since last admitted or granted an extension or change of status?	?	✓

- If you answered "Yes" to Question 3f, give the following information concerning the removal proceedings on the attached page entitled "Part 4. Additional information. Page for answers to 3f and 3g." Include the name of the person in removal proceedings and information on jurisdiction, date proceedings began and status of proceedings.
- If you answered "No" to Question 3g, fully describe how you are supporting yourself on the attached page entitled "Part 4. Additional information. Page for answers to 3f and 3g." Include the source, amount and basis for any income.
- If you answered "Yes" to Question 3g, fully describe the employment on the attached page entitled "Part 4. Additional information. Page for answers to 3f and 3g." Include the name of the person employed, name and address of the employer, weekly income and whether the employment was specifically authorized by INS.

Part 5. Signature. (Read the information on penalties in the instructions before completing this section. You must file this application while in the United States.)

I certify, under penalty of perjury under the laws of the United States of America, that this application and the evidence submitted with it is all true and correct. I authorize the release of any information from my records which the Immigration and Naturalization Service needs to determine eligibility for the benefit I am seeking.

Signature <i>Your Signature Here</i>	Print your Name First Name LAST NAME	Date 12/09/2004
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Please note: If you do not completely fill out this form, or fail to submit required documents listed in the instructions, you may not be found eligible for the requested benefit and this application will have to be denied.

Part 6. Signature of person preparing form, if other than above. (Sign below.)

I declare that I prepared this application at the request of the above person and it is based on all information of which I have knowledge.

Signature	Print your Name	Date
Firm Name and Address	Daytime Phone Number <i>(Area Code and Number)</i>	
	Fax Number <i>(Area Code and Number)</i>	

(Please remember to enclose the mailing label with your application.)

Part 4. Additional information. Page for answers to 3f and 3g.

If you answered "Yes" to Question 3f in Part 4 on page 3 of this form, give the following information concerning the removal proceedings. Include the name of the person in removal proceedings and information on jurisdiction, date proceedings began and status of proceedings.

If you answered "yes" to this question, please consult an OISS adviser immediately.

If you answered "No" to Question 3g in Part 4 on page 3 of this form, fully describe how you are supporting yourself. Include the source, amount and basis for any income.

As an F-2 dependent I have been fully supported financially by my F-1 spouse/parent.

If you answered "Yes" to Question 3g in Part 4 on page 3 of this form, fully describe the employment. Include the name of the person employed, name and address of the employer, weekly income and whether the employment was specifically authorized by INS.

If you answered "yes" to this question, please consult an OISS adviser immediately.

Use this form only if your spouse and/or children are planning to apply for F-2 status at the same time you apply for F-1.

Supplement -1

Attach to Form I-539 when more than one person is included in the petition or application.
(List each person separately. Do not include the person named in the form.)

Family Name	Given Name	Middle Name	Date of Birth (MM/DD/YYYY)
Country of Birth	Country of Citizenship	Social Security # (if any)	A # (if any)
Date of Arrival (MM/DD/YYYY)		I-94 #	
Current Nonimmigrant Status:		Expires On (MM/DD/YYYY)	
Country Where Passport Issued		Expiration Date (MM/DD/YYYY)	
Family Name	Given Name	Middle Name	Date of Birth (MM/DD/YYYY)
Country of Birth	Country of Citizenship	Social Security # (if any)	A # (if any)
Date of Arrival (MM/DD/YYYY)		I-94 #	
Current Nonimmigrant Status:		Expires On (MM/DD/YYYY)	
Country Where Passport Issued		Expiration Date (MM/DD/YYYY)	
Family Name	Given Name	Middle Name	Date of Birth (MM/DD/YYYY)
Country of Birth	Country of Citizenship	Social Security # (if any)	A # (if any)
Date of Arrival (MM/DD/YYYY)		I-94 #	
Current Nonimmigrant Status:		Expires On (MM/DD/YYYY)	
Country Where Passport Issued		Expiration Date (MM/DD/YYYY)	
Family Name	Given Name	Middle Name	Date of Birth (MM/DD/YYYY)
Country of Birth	Country of Citizenship	Social Security # (if any)	A # (if any)
Date of Arrival (MM/DD/YYYY)		I-94 #	
Current Nonimmigrant Status:		Expires On (MM/DD/YYYY)	
Country Where Passport Issued		Expiration Date (MM/DD/YYYY)	
Family Name	Given Name	Middle Name	Date of Birth (MM/DD/YYYY)
Country of Birth	Country of Citizenship	Social Security # (if any)	A # (if any)
Date of Arrival (MM/DD/YYYY)		I-94 #	
Current Nonimmigrant Status:		Expires On (MM/DD/YYYY)	
Country Where Passport Issued		Expiration Date (MM/DD/YYYY)	

If you need additional space, attach a separate sheet(s) of paper.

Place your name, A # if any, date of birth, form number and application date at the top of the sheet(s) of paper.