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ISSI form 137: Change of status checklist

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There are two ways of changing to a new nonimmigrant status.

Option 1: Leave the U.S., apply for a new visa at a U.S. Consulate in your home country and reenter the U.S. with a new visa and other relevant documents. This option is often referred to as “Consular Processing”

Option 2: Submit a Form I-539, Application to Change Nonimmigrant Status form to the U.S. Citizenship and Immigration Services (USCIS). This option allows you to officially change nonimmigrant status (if approved) while remaining in the U.S. With this option you are able to gain the new status but you will not yet have a new visa; visas can only be issued outside of the U.S.

This instruction sheet will help you better understand the necessary procedures and provide general information of required documentation for Option 2:

CHANGE OF NONIMMIGRANT STATUS IN THE U.S. BY FILING FORM I-539

Staff member at the International Student & Scholar Institute (ISSI) will advise you about the appropriate rationale and eligibility criteria for requesting a change of nonimmigrant status and will assist you throughout the process, if applicable in your situation.

In order to properly submit the Form I-539, Application to Change Nonimmigrant Status, please make sure that the following items are correctly filled out, assembled and mailed to the U.S. Citizenship and Immigration Services (USCIS) Service Center. In addition, please review the Instruction for Completing Form I-539 <http://www.uscis.gov/files/form/i-539instr.pdf>

Required documentation/information:

- An original, fully completed form I-539. The most recent Form I-539 and filing instruction can be found at the www.uscis.gov website. Check the link FORMS on the homepage.
- An original form I-20 or DS-2019 issued by Northeastern University’s ISSI (page # 1 must be signed & dated by the student or exchange visitor and the DSO/Program Sponsor)
- The check or money order payable to the U.S. Department of Homeland Security for the application fee required to file Form I-539.
- Proof of SEVIS I-901 Fee payment for the required amount (only for change of nonimmigrant status to F-1 or J-1). The SEVIS I-901 fee can be paid on-line. For detailed information, please refer to the following website www.fmjfee.com/i901fee . The SEVIS I-901 fee should be paid as soon as you receive the form I-20 or DS-2019 to allow sufficient time for the system to update your SEVIS record. Also make sure to print a copy of the online receipt and use it as temporary proof of SEVIS I-901 fee payment until you receive the Form I-797 receipt.
- Photocopies of financial documents that demonstrate your (or your sponsor’s) ability to pay for your study while you are in the U.S.
- Photocopy of your passport identification page(s). You must be in possession of a valid passport at the time of filing.



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- Photocopies of the Form I- 94 (front and back) and the visa on which you last entered the U.S.
- Photocopy of principal visa holder’s (spouse, mother or father) Form I-94 /both sides (if applicable)
- Photocopy of principal visa holder’s (spouse, parent) __ form I-20 form or __ Form I-797 (if applicable)
- Photocopy of principal visa holder’s (spouse, parent) _____ current visa stamp (if applicable)
- Photocopy of your two-year residency requirement waiver (for “J” visa holders only)
- F-2/J-2 applicant must submit documentary evidence (such as marriage or birth certificate) that would establish his or her relation with principal an F-1 or J-1 visa holder. If any foreign language documents are submitted, the applicant must include an English translation.
- Change of status from **A** or **G**. You must first file Form I-566 www.uscis.gov After the Form I-566 has been endorsed and signed by the proper entity you are eligible to file change of status application Form I-539.
- A cover letter requesting and explaining the need for your request of change of status. This letter also should explain your current nonimmigrant status.

The ISSI recommends that you retain a copy of your application and supporting documents for your records.

Mailing application to correct USCIS Service Center

You must mail your application (certified mail, return receipt requested) to the USCIS Service Center having jurisdiction over the district of your residence. If you live in Massachusetts, New Jersey, Connecticut, or any other state in the Northeast Region (see Form I-539/Instructions, page 6), you must send the application to:

<p>US Postal Service (USPS) regular mail only:</p> <p>USCIS PO Box 660166 Dallas, TX 75266</p>	<p>For Express mail (FedEx or UPS) and courier deliveries:</p> <p>USCIS Attn: I-539 2501 S. State Hwy. 121, Business Suite 400 Lewisville, TX 75067</p>
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When the USCIS receives your application, it will deposit your payment of the fee and mail you a Form I-797 Notice of Receipt with your assigned case number. You can check the status of your application by calling the phone number on the bottom of the Form I-797 or online <https://egov.uscis.gov/cris/jsp/index.jsp> by entering your case number.

USCIS always uses the U.S. address listed on the Form I-539 as an applicant’s mailing address. Please note that if you change your address, the postal service will not forward mail sent to you by USCIS. Therefore while your application for change of status is pending any changes in your address must be promptly reported to the ISSI and the USCIS.



Processing timeline

Processing times vary, so be prepared to wait several months to learn the outcome of your application. USCIS Processing Time Information website provides approximate wait times for a different type of petition. at each USCIS Service Center. For the detailed information please check the following link https://egov.uscis.gov/cris/processTimesDisplay.do;jsessionid=bacsAvjhJPts0gZzgI_As

Restrictions on changing to F-1 status while in the U.S.

Certain nonimmigrants visa holders are not permitted to change status to F-1 while in the United States. They may be eligible to obtain an F-1 visa at the U.S. Embassy /Consulate and to reenter to the United States in such status.

The following are not permitted to change status to F-1 in the United States:

- M-1 students
- C, D, and K nonimmigrants
- J-1 physicians admitted to receive graduate medical education or training
- J nonimmigrants subject to the 212(e) 2-year foreign residence requirement
- Any alien admitted as a visitor under the visa waiver provisions of § 212.1(e)
- WT and WB visitors admitted under the Visa Waiver Program

Applicants in F-2, B-1 or B-2 nonimmigrant status are eligible to apply for a change of status but cannot enroll in classes until the change of status to F-1 is approved by USCIS.

Departure from the U.S. while change of status is pending.

A nonimmigrant who travels abroad while an application for change of status is pending is considered to have **abandoned** the change of status application. DHS will deny the application if they become aware of the departure.

Important:

- The issuance of a form I-20 or DS-2019 does not guarantee approval of your change of status application.
- USCIS officers will determine your eligibility for a change of status and will either approve it, deny it or will issue a Request For Evidence (RFE).
- The RFE will indicate what information is needed to USCIS to fully evaluate your application for a change of status.
- If the application for change of status is approved, the USCIS will notify you with a Form I-797 Notice of Action. This form will be mailed to you along with your original form I-20. The form includes a tear-off I-94 form indicating your approved nonimmigrant status in the U.S. Please remember that with Option 2 you maybe able to gain the new nonimmigrant status but you will not yet have a new visa; visas can only be issued outside of the U.S.
- If the application for change of nonimmigrant status is denied, the applicant is notified of the decision and the reason.
- Please provide the ISSI with any documents you receive from USCIS
- You should report to the ISSI in person as soon as your application has been approved. Please have the original form I-797/Approval Notice and your original form I-20 with you.