

# Change of Immigration Status (COS)

[According to U.S immigration regulations](#) a person holding a nonimmigrant visa status such as A, E, G, H, J, K, L, O, R, TN, or V may study either part-time or full-time while maintaining valid immigration status in United States.

Those who wish to explore changing status to the F-1 student visa category should read this information thoroughly and carefully as there are many pros and cons involved. Also, the F-1 visa category is quite strict and does not guarantee employment authorization.

For specific questions, you may speak with an advisor in the ISSO during [advising hours](#).

## Consider the following before proceeding:

- If you are in H-4 status, you *may* qualify to pay in-state tuition. To learn about eligibility visit [UNC Charlotte Residency Determination Office](#)
- If you are in B-2, F-2 or other similar status, you are not permitted to enroll in class fulltime until your change of status to F-1 has been approved.
- If you are in a status that does not allow employment, you may not accept employment until the change of status to F-1 has been approved.

## If you have not already been admitted to UNC Charlotte:

- Read this document thoroughly and speak with an ISSO advisor during [advising](#) times for specific questions.
  - The ISSO provides advising services ONLY to students who have been admitted to UNC Charlotte.
  - The ISSO does not advise on COS via email.
- Read all instructions and materials at <http://admissions.uncc.edu/> or <http://gradadmissions.uncc.edu/> and submit your application within the required timeframe.

## There are two ways of gaining a new F-1 non-immigrant status:

### Option 1: Travel and Re-Entry to the U.S.

Depart the U.S., apply for a new F-1 visa at a U.S. consulate, and reenter the U.S. with the new visa and other relevant documents. You will gain your new status when you are re-admitted to the U.S.

#### **Advantages:**

- This process is faster than changing status in the U.S.
- You will obtain the visa *and* the status

#### **Disadvantages:**

- Possibility of visa processing delay
- Expense of travel

### **Step 1 – Apply for I-20**

- ✓ Complete the ISSO Connect application [Changing immigration status to F-1 or J-1](#)
  - You will not be able to login to [ISSO Connect](#) with your NinerNet Credentials. Instead, you will need to create an external account using your email address. Your account will work with your NinerNet credentials AFTER you obtain F-1 status.
  - Upload financial documents (no older than 3 months) showing that you can afford [out of state cost of attendance](#)
  - Request an electronic recommendation from your academic advisor. Your academic advisor will confirm your estimated graduation term.
  - Allow 10 business days for I-20 issuance

### **Step 2 – Apply for visa**

- ✓ Pay the [SEVIS I-901](#) fee at [www.FMJfee.com](http://www.FMJfee.com)
- ✓ Apply for an F-1 entry visa at a [U.S Embassy/Consulate](https://travel.state.gov/content/travel/en/us-visas/study/student-visa.html) (<https://travel.state.gov/content/travel/en/us-visas/study/student-visa.html>)

### Step 3 – Complete the Process by Updating the ISSO

- ✓ If changing status by travel and re-entry to the U.S. the student MUST provide the ISSO with proof of re-entry.
  - Print the new I-94 arrival/departure record at <https://i94.cbp.dhs.gov/> after re-entry to the U.S.
  - Without this documentation, the ISSO cannot complete the COS by activating your SEVIS record. Failure to report this could result in negative immigration implications.

### Option 2: Change Status from within the U.S.

Submit an application to U.S. Citizenship and Immigration Services (USCIS) for a change of status. This option allows you to change your nonimmigrant status while remaining in the U.S. With this option, you may gain the new status but you will not receive a new visa; visas are only issued at U.S embassies/consulates outside the U.S.

*Note: This option is available ONLY if your current immigration status is valid at least 15 months into the future. If your current immigration status will expire in less than 15 months, you must work with an experienced immigration attorney and provide the ISSO a written request for a change of status I-20 from that attorney.*

#### **Advantages:**

- Ability to stay in the U.S. during processing if your current status continues to be valid
- Avoid the hassle of a visa application process (for now)

#### **Disadvantages:**

- Processing can be very slow (average 12 months), which may jeopardize your ability to begin your new activity, such as studying or accepting a research or teaching assistantship or other campus employment.
- You must stay in the U.S. during processing; exiting the U.S. while your COS application is pending cancels the application
- You must still obtain a visa stamp to match your status the next time you travel outside the U.S.
- The application may be denied, which could require you to quickly depart the U.S.

**Note: The issuance of a new I-20 for the purpose of change of status does not mean that you have initiated the process with USCIS. We strongly recommend you submit your complete USCIS application within 30 days of the I-20 issuance date.**

### Step 1 – Apply for I-20

- ✓ Complete the ISSO Connect application [Changing immigration status to F-1 or J-1](#)
  - You will not be able to login to [ISSO Connect](#) with your NinerNet Credentials. Instead, you will need to create an external account using your email address. Your account will work with your NinerNet credentials AFTER you obtain F-1 status.
  - Upload financial documents (no older than 3 months) showing that you can afford [out of state cost of attendance](#)
  - Request an electronic recommendation from your academic advisor. Your academic advisor will confirm your estimated graduation term.
  - Allow 10 business days for I-20 issuance

### Step 2 – Prepare Application Support Materials

- ✓ Pay [SEVIS I-901 fee](#) at [www.FMJfee.com](http://www.FMJfee.com) and print receipt
- ✓ Complete the online [I-539](#) found at [www.uscis.gov/i-539](http://www.uscis.gov/i-539) (use instructions provided).
- ✓ Pay the application fee as noted under the “Filing Fee” section of the USCIS webpage
- ✓ Include the following documents:
  - Copy of new I-20, issued & signed by ISSO advisor
    - We strongly recommend that you submit the I-539 within 30 days of receiving your Change of Status I-20
  - Verification of financial resources and statement from sponsor
  - Proof of [SEVIS I-901 fee](#) payment
  - Copy of [I-94](#) arrival/departure record (<https://i94.cbp.dhs.gov/>) and or I-797
  - Copy of bio page and visa page of passport
    - Copy of admission letter
    - Statement explaining why you are requesting a change of status to F1
    - If H1, evidence of current employment (3 most recent paystubs) and offer letter with salary
    - If H4 or F2 to F1, please add the following to the above list:
      - Copy of primary’s [I-94](#) arrival/departure record (<https://i94.cbp.dhs.gov/>) and or I-797
      - Copy of primary’s employment offer letter stating salary (H-4 only)
      - Copy of previous I-20 listing you as a dependent (F-2 only)
      - Copy of marriage certificate (spouse) and/or birth certificates (children)

### Step 3 - Follow-Up

- ✓ You should receive a paper I-797 receipt notice from the USCIS approximately 4-6 weeks after filing the application; you may receive this number in your online USCIS account very quickly after filing online as well. You may check the status of your application at [www.uscis.gov](http://www.uscis.gov) using the receipt number.
- ✓ If you have any questions regarding the status of your application after it has been submitted to USCIS, you must contact them directly at the USCIS National Customer Service Center: 1-800-375-5283.
- ✓ USCIS does not notify the ISSO of change of status approvals, denials or requests for evidence but rather communicates *directly* with the applicant (the student).
- ✓ It is your responsibility to update your ISSO Connect application [Changing immigration status to F-1 or J-1](#) and upload your final approval or denial notice. If you have trouble accessing your application, email [intlssso@uncc.edu](mailto:intlssso@uncc.edu) Without this documentation, the ISSO cannot complete the COS by activating your SEVIS record. Failure to report this could result in negative immigration implications.

### **Frequently Asked Questions (FAQ):**

I am already taking classes on H-4 or L-2 and I want to change my status to F-1. When should I submit my change of status application?

- *Processing time can be between 6-12 months but changes frequently and without warning. Visit <https://egov.uscis.gov/cris/processTimesDisplayInit.do> for the latest estimates of processing time.*
- *If you are a dependent child, USCIS MUST receive your change of immigration status application **before** your 21<sup>st</sup> birthday and while your H-1B and L-1 visa holder maintains legal valid status in the United States.*

How long does it take the ISSO to issue an I-20?

- *Once the ISSO receives a completed change of status application, please allow 10 business days for I-20 processing.*

I want to apply for Optional Practical Training (OPT) or Curricular Practical Training (CPT). When will I be eligible?

- *In order to be eligible to apply for either OPT or CPT, you **MUST** first be enrolled full time for two (2) semesters (Fall and spring semesters excluding summer) **BEFORE** graduation. Students may not apply for CPT or OPT before the change of status is approved.*

What kind of funding can I submit in order to prove sufficient finances?

- *It depends on your source of financial support. If your family is supporting your education, then the ISSO recommends submitting proof of 'liquid assets' that are readily available such as the following:*
  - *Checking or savings account*
  - *Certificates of deposit with a maturity date prior to the start of the student's term of admission*
  - *Money market accounts*
  - *A scholarship through the University, the student's home government, or a non-governmental agency*
  - *Offer letter for a graduate assistantship/fellowship*
  - *Education loans*
- *Unacceptable forms of financial support include:*
  - *Any document that is not written in English*
  - *Stocks*
  - *Bonds*
  - *Mutual funds*
  - *Statements of earned salary or yearly income*
  - *Tax returns*
  - *Credit card statements/lines of credit*
  - *Statements of property ownership*

If I'm already paying in-state tuition, will this change once my change of status is approved to F-1?

- *Yes. In-state tuition is assessed in part based upon eligibility to remain in the U.S. in a permanent capacity. This is not the case for those in F-1 status since holders of this status must show non-immigrant intent.*

What happens if my change of status application is still pending and I complete my program and graduate?

- You **must** receive an approval notice to F-1 status **BEFORE** you complete your program in order to obtain F-1 benefits, such as applying for OPT. If you graduate while in another status, you are not eligible for any F-1 benefits and will need to contact the ISSO and USCIS for guidance on canceling/withdrawing your change of status application.

*Disclaimer: The ISSO staff serve as student/scholar services professionals and are trained to advise on F-1 and J-1 immigration regulations for UNC Charlotte students and other relevant visa categories for UNC Charlotte foreign-born faculty members.*

*While the ISSO advisors are highly knowledgeable in these areas, they are not immigration attorneys and therefore cannot assist petitioners with some complex immigration forms or processes. Furthermore, the content on the ISSO's website is informational only and does not constitute official legal advice.*