



## Change of Status from H4 to F-1

*Employment Authorization for Certain H-4 Dependent Spouses* became available May 26, 2015. Check with your spouse's employer's immigration specialist to see if you should obtain F1 status or if you are eligible for work authorization in your current H4 status. USCIS provides additional \_\_\_\_\_ about the new benefit.

### There are two ways of gaining a new nonimmigrant status:

#### Option 1: Travel and Reentry

Leave the U.S., apply for a new visa at a U.S. consulate, and reenter the U.S. with the new visa. You will gain your new status when you are admitted into the U.S. This process is usually faster than changing status in the U.S. and requires less paper work. Also, you will obtain the visa *and* the status. However, it has two **drawbacks** which are the possibility of delay of visa processing time and the expense of travel and ticket.

#### Option 2: Change Status in the U.S.

Submit an application to the 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 outside the U.S. when you travel back to your home country. This will allow you to stay in the U.S. during processing. However, this process can be very slow (three to six months). Also, you must stay in the U.S. during processing; exiting the U.S. cancels the application. In addition, you must still obtain a visa stamp to match your status the next time you travel outside the U.S. (except for trips under 30 days to Canada or Mexico). The major disadvantage is the fact that application may be denied, which could require you to quickly depart the U.S.

### IMPORTANT NOTES:

- This change of status application is to change your immigration status: IT DOES NOT GRANT YOU A VISA. The next time you travel outside the U.S. you will be required to go to a U.S. consulate or embassy abroad to apply for an F-1 visa.
- If your change of status is not approved by the program start date printed on the I-20 form, you **MUST** contact your international student adviser immediately to discuss deferral of the program start date.
- While H-4 status allows full-time study, employment may be restricted. Certain H-4 dependents may be eligible for \_\_\_\_\_. 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.
- F-1 status cannot begin earlier than 30 days before the start date on your I-20. You should submit your application several months in advance, and you must be able to maintain your current H-4 status until 30 days before the I-20 start date. If your H-4 status will expire prior to 30 days before your I-20 start date, your application will most likely be denied. Even though you are allowed to stay in the U.S. while the application is pending, if your application is likely to be denied, it will be better for you to travel, obtain an F-1 visa abroad, and reenter the U.S. in F-1 status
- Processing times vary, so be prepared to wait three to six months to learn the outcome of your application. To review current processing times and your pending case status, visit the \_\_\_\_\_
- USCIS will notify you of their decision with Form I-797 Notice of Action. The I-797 is an important document and should be kept with your passport and I-94 card. The denial letter or approval notice will be mailed to the address listed on Form I-539 in your application. Note that if you change your address, the postal service will not forward mail sent to you by USCIS. Please provide the International Center with a copy of your I-797/Notice of Action and approval notice.
- You may remain in the U.S. while your application is pending, even if your original status expires during the application processing.

- Do not travel outside of the U.S. while your change of status case is pending. If you leave the country, USCIS will consider your application abandoned.

### Required Steps after getting accepted at Rowan:

- Contact the Center to set up an initial appointment with the advisor to discuss the procedure.
- Fill Rowan I-20 Form and provide the advisor with the list of required financial documents. If you qualify for an I-20, the advisor will issue a new I-20 requesting a change of status in SEVIS.

### After receiving the new I-20, gather the below required documents:

- Form G-1145 : This is an E-Notification that your application has been received. The E-Notification is NOT the official USCIS receipt notice
- Please review Instructions to fill Form I-539
- Photocopies of both sides of your current I-94 card and photocopies of the I-94 card of H-1 dependent. You can also [print your I-94 online](#).
- Photocopy of the H-1's Approval Notice (I-797)
- A letter from the H-1 employer verifying that the H-1 is in status
- The new Form I-20 from Rowan signed on the bottom of page 1.
- Copies of financial documents. If your sponsor is a U.S. citizen, he/she will need to complete a form I-134, Affidavit of Support: [www.uscis.gov/i-134](http://www.uscis.gov/i-134)
- Photocopy of your valid passport identification page and visa. Include photocopy of passport and visa of H-1 dependent.
- Copy of official admission letter from Rowan
- A bank check, money order, or personal check payable to Department of Homeland Security with "USCIS I-539" noted in the memo line for the required \$290 fee. The USCIS does not accept cash. Note: If the check is from someone other than the person applying for change of status, on the bottom left corner of the check include the name and SEVIS ID number of the person who is applying for the change of status. More information about the filing fee can be found on the USCIS website at: [www.uscis.gov/i-539](http://www.uscis.gov/i-539)
- Proof of SEVIS fee payment. This fee is paid online by completing Form I-901. Retain the receipt to mail with your change of status application
- A letter explaining why you are requesting the change of status. This is extremely important: your letter should clearly explain your current status, your plans for study at Rowan, and your longer-term plans as well. Keep in mind that F-1 status is a NON-IMMIGRANT classification. This means that you must indicate, and in certain cases may be required 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. Please find below a sample letter :

*Dear U.S. 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 Rowan 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/PhD) 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 the completion of my program of study I expect to return to my home country and apply the knowledge gained towards. Your assistance and prompt attention to this matter is appreciated.*

**Mailing your application:**

Submit your application by mail to the USCIS Dallas Lockbox facility:

*For U.S. Postal Service*

USCIS  
P.O. Box 660166  
Dallas, TX 75266

*For Express Mail and Courier Deliveries*

USCIS  
ATTN: I-539  
2501 S. State Highway 121 Business  
Suite 400  
Lewisville, TX 75067

Verify the mailing address listed on the [USCIS website](#) prior to mailing your application.

<b>To Be Completed By The Applicant</b>
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Name: \_\_\_\_\_ Date: \_\_\_\_\_

Local address: \_\_\_\_\_

\_\_\_\_\_

Cell Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

Major: \_\_\_\_\_ Degree Program: \_\_\_\_\_

I have decided that I will apply for a Change of Status to F-1 student with the assistance of The International Center. The International Center will review my application. Once the application has been reviewed, my Form I-20 will be issued and the application will be returned to me for filing at the USCIS. I understand that The International Center's assistance does not guarantee the success of my Change of Status application. I am completely responsible for properly filing my Change of Status application with USCIS. The International Center does not assume responsibility for proper filing.

\_\_\_\_\_

Student's signature

Date