

CHANGING TO F-1 STUDENT STATUS

Q: What is F-1 student status?

A: F-1 student status is the nonimmigrant classification granted to individuals whose primary purpose for residing temporarily in the U.S. is to pursue FULL-TIME academic study. One of the most important obligations of maintaining F-1 status is enrolling in and completing a full-time course load (minimum 12 credits for Undergraduate students and 9 credits for Graduate students) each semester. F-1 students are also eligible employment opportunities on campus, CPT Employment and OPT Employment.

Q: Do I have to change my status to F-1 student?

A: It depends on what type of visa you are currently on. Most visa statuses allow you to study part-time or full-time in a degree program *except* F-2 (F1 dependent) or B-1/B2 (Business Visitor/Tourist) status. However, some people choose to change to F-1 status to take advantage of the employment benefits for F-1 students. For example, someone in H-4 status can study full-time for a degree but is not eligible to work on campus. If s/he changes to F-1 status, s/he will be eligible to work on-campus immediately once F1 status is approved.

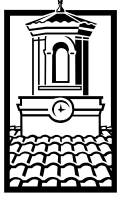
Some individuals are required to change their status. If you are currently holding F-2 or B-1/B-2 status, you are **required** to obtain F-1 status to study at a U.S. institution. For both F-2 and B-1/B-2 visa holders, the change of status must be **approved prior to the first day of classes**.

Q: How can I obtain F-1 student status?

A: There are two ways you can become an F-1 student. One way is to obtain an I-20 from Texas A&M University-Kingsville, exit the U.S., obtain an F-1 visa in a U.S. embassy/consulate and re-enter the U.S. 30 days before the program start date on the I-20. The second way is to apply for a change of status with the United States Citizenship and Immigration Services (USCIS). This involves sending an application for a change of status to the USCIS. The application generally takes 2-3 months to be processed.

Q: Is a change to F-1 status the same as the F-1 visa?

A: No. F-1 status only permits you to remain in the U.S. in order to study full-time and get the benefits of F-1 status. If you change to F-1 status and travel outside the U.S., you will be required to apply for an F-1 visa at a U.S. embassy or consulate before you travel back to the U.S. to resume studies. Approval for a change of status within the U.S. *does not guarantee* that the embassy will issue an F-1 visa. The USCIS and the Department of State function separately and both agencies make decisions independent of one another.



Q: Is it better to apply directly for the F-1 student visa at home or apply for a change to F-1 status here?

A: Every case is different. If you are planning on traveling frequently, you may want to apply for a visa when you are outside the U.S. If you do not plan on leaving the U.S. anytime soon or if you are subject to deadlines for requesting the change of status (F-2, B-1/B-2) and will not be traveling, you should apply for a change of status as soon as possible.

In some countries, the visa issuance process is extremely difficult. In those countries, the American Embassy may view a change to F-1 status in the U.S. as an attempt to avoid that process and will want to know why you did not apply for the F-1 visa there instead. This does not mean the visa will automatically be denied, but you should be prepared to show documentation or answer questions as to why you did not originally apply for the visa at the U.S. embassy.

Q: Am I eligible for a change to F-1 student status?

A: You are eligible to change to F-1 status if you have been accepted to Texas A&M University-Kingsville and are eligible to receive an I-20. You must also be currently maintaining your present nonimmigrant status and present an unexpired Form I-94 to USCIS.

Q: What if my authorized stay in the U.S. has expired?

A: If your authorized stay in the U.S. has expired, you are *not* eligible to file for a change of status. You must be in one legal status to be approved to change to another status.

Q: Should I hire a lawyer or immigration attorney to help me?

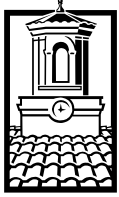
A: It is not necessary to hire an immigration attorney, although some people find it helpful as the process of changing to F-1 status can be long and daunting. If you do choose to hire an attorney, our office will work with you to provide the necessary documentations.

Q: Can I start school before I change my status?

A: The answer is yes with only two exceptions: F-2 and B-1/B-2. Applicants who are applying for a change of status from F-2 or B-1/B-2 to F-1 **must** receive the approval notice granting F-1 status **before** beginning to study. These individuals should apply for a change of status **no later than 3 months prior** to the beginning of the semester to allow enough time for the application to be approved.

Q: If I decide to file an application with the USCIS to change my status, when should I apply?

A: It depends on what visa status you are currently in and when your current status is going to expire. As soon as you decide to change status, please contact the ISS Office for an appointment so we can assist you with your specific case.



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Q: What happens to my status while I am waiting to receive an answer from the USCIS?

A: You will still be in *pending* status. You must make sure you are maintaining your present nonimmigrant status when your application is approved, which will be at least three months after your filing date.

Q: What documents are required for the change of status application?

A: Please see our [Change of Status Checklist](#) for a complete list of documents to be submitted with the application.

Q: How do I file my application?

A: Make an appointment with the ISS Office, and bring your application, completed to the best of your ability to the appointment. We will answer any outstanding questions you have and help you to file your application to the USCIS. You will send the application to the USCIS Service Center. All correspondence after your filing will go through ISS so we will be kept updated and give you advices accordingly.

Q: What do I do once I am granted F1 status?

A: When USCIS approves your application the Form I-20 will be stamped and a new form I-94 will be issued to you. The documents will be mailed to the TAMUK International Student Services Office. ISS staff will update your student records and SEVIS, and will then contact you to collect your documents. You then must attend International Student Orientation and understand the basics of maintaining your F1 status.