

Change of Status Guide: H-1B Visa to F-1 Visa

DISCLAIMER: Since 2016, the change of status process has become increasingly difficult and lengthy. It is recommended that individuals seeking to conduct a change of status obtain information from the KGI OISS *and* consult a qualified immigration attorney. KGI OISS will provide interested parties with information concerning the pros and cons of doing a change of status vs consular processing – it is up to the interested party to determine if filing a change of status is in their best interest, and that individual assumes all liability associated with any decision made. KGI OISS staff will provide regulatory and practice information as it stands at the time of the consult. Due to the fluid nature of governmental interpretation, applicants must understand that US Citizenship and Immigration Services (USCIS) reserves the right to change their interpretation of immigration regulations or eligibility requirements for benefits at any time.

Change of Status Process

Currently, change of status applications are seeing lengthy processing times; current processing times for the I-539 at the California Service and Vermont Service Centers may be viewed [here](#). You can study while the change of status is pending, however you must be able to maintain your H1 status until the change of status application is approved (see page 2).

To apply, you will need to gather the following documents (ensure all copies are single-sided and do not staple items together):

- Check or money order made payable to "U.S. Department of Homeland Security" for \$370
- A completed [Form G-1145](#) found at <http://www.uscis.gov/g-1145>. This will allow you to receive electronic updates.
- A completed [Form I-539](#) found at <http://www.uscis.gov/i-539>. Complete this to the best of your ability in **black ink**. If you are unsure of an answer, leave it blank, and you will complete it at your Change of Status appointment (please see below).
- A letter explaining why you decided to change visa status. This could include how your full-time study in F-1 status will support your academic and career goals.
- Copies of the 1st and 2nd pages of I-20 you will be issued by KGI (see below). Ensure you keep the original for yourself and send one-sided copies only.
- Receipt for \$200 SEVIS I-901 fee payment (see below)
- Admission letter to our program (you need to be accepted before we can file for the change of status)
- Original I-94 or I-94 printout obtained at CBP.gov/I94
- Copies of passport picture page and visa page (including latest entry stamp); do not send your passport
- Financial statements showing the amount in available funds that will be listed on the reinstatement I-20. It is recommended that you submit at least 3 months' worth of statements showing the availability of these funds.

After you have gathered these documents, please email international@kgi.edu to arrange an appointment. We will provide you with an I-20 (a change of status I-20) during your appointment. Please bring a major credit card with you to the appointment as you will need to pay your \$200 SEVIS fee at that time. The appointment will last about 30 minutes. We will help you assemble your packet and provide instructions on mailing your packet to USCIS.

Can I stop working?

You should maintain your H-1 status while the change of status application is pending. If you need to leave your job earlier, please consult with the Office of International Students and Scholars prior to doing so. **Do not** leave your position until your application has been receipted by USCIS first – if your position ends before USCIS receives your application your change of status request will be denied. It is recommended that you apply for a change of status no later than 5 months before the last day of your employment (or according to current timelines posted [here](#)).

If you decide to stop maintaining the H1-B while the change of status is pending, you assume all liability in doing so, and must understand that this may result in denial of your application and a finding that you violated your H1-B status. If it is found that you violated your H1-B status, you may be subject to the accumulation of days of unlawful presence (ULP). If this is determined, ULP may be applied as of the day after your last day of work. If you accrue a total of 180 days of ULP you are subject to a 3 year ban on reentry to the US; if you accrue 1 year or more of ULP, you are subject to a 10 year ban on reentry to the US.

It is highly recommended that you consult with a qualified immigration attorney about the change of status process and discuss any plans to stop maintaining H1-B status while the change of status is in process.