

# Change of Status Guide: J-1 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**

Individuals changing from a J-1 to an F-1 cannot study while the change of status is pending unless your J-1 category allows study (i.e. J-1 student to F-1 student). You must also be able to remain in the US and maintain the J-1 status while the application is pending. 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](#). If your J-1 visa status will expire 30 days before the start date on your I-20/DS-2019, your application will most likely be denied. It is therefore not recommended that a change of status be filed from J-1 to F1 unless you are able to maintain your J-1 status throughout the entire possible processing period.

In general, it is recommended that you return home to apply for a student visa, however, if you decide to file a COS request, you will need to gather the following:

- Check or money order made payable to "U.S. Department of Homeland Security" for \$370
- A completed [Form G-1145](http://www.uscis.gov/g-1145) found at <http://www.uscis.gov/g-1145>. This will allow you to receive electronic updates.
- A completed [Form I-539](http://www.uscis.gov/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 1<sup>st</sup> and 2<sup>nd</sup> 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](http://CBP.gov/I94)
- Copies of passport picture page and visa page (including latest entry stamp); do not send your passport. **See note on 212e Home Residency Requirement below.**
- 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](mailto:international@kgi.edu) to arrange an appointment. We will provide you with 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.

If you choose to assemble the packet yourself and will not come to the office for an appointment, ensure that you order the materials in the order listed above. It is highly recommended that you send a copy of your I-539 application to us for review before mailing your application.

It is also highly recommended that you consult with a qualified immigration attorney about the change of status process and discuss any plans to stop maintaining J-1 status while the change of status is in process.

### **212e Home Residency Requirement**

If you are subject to the 212e Home Residency Requirement (will be listed in your passport) it is not recommended that you apply for a COS as you will first need to [apply for a waiver](#). The waiver process can take more than a year. If you are subject to the 212e it is recommended that you return to your home country to apply for an initial visa. If you are unsure, you can request an Advisory Opinion from the [Department of State](#) (please see their website for instructions on how to request an Advisory Opinion). This process will take 4-6 weeks. If it is determined that you are not subject, you can file for the COS and should include a copy of the Advisory Opinion along with the application materials listed above. Applicants interested in this process are highly recommended to seek legal counsel from a qualified immigration attorney prior to filing for a waiver.