CHANGE OF STATUS:
B-1/B-2 TOURIST TO F-1 STUDENT

What is a Change of Status?

A change of status is a change in one’s primary purpose for being in the U.S. There are two ways to change one’s immigration status. One way is to travel home or outside the U.S., apply for an F-1 visa at a U.S. Consulate and re-enter the U.S. in the new status. The other way is to submit a change-of-status application to U.S. Citizenship and Immigration Services (“USCIS”) while remaining in the U.S. The USCIS reviews applications for changes of status based on the applicant’s ability to document and justify a change of primary purpose for being in the U.S. since having arrived in the U.S.

How does the USCIS view changes of status from B-1/B-2 to F-1?

Applications for change of status from B-1/B-2 to F-1 made shortly after arrival arouse suspicion that the individual purposely misrepresented his/her intentions in order to obtain a U.S. visa and enter the U.S. The USCIS routinely denies applications for changes of status for tourists who had already applied to schools in the U.S., who carried school records with them or who entered into contact with American universities before, or shortly after, entry to the U.S.

However, if your B-1/B-2 visa is marked “prospective student” or you spent several months in the U.S. before entering into contact with an American university, your change-of-status application has a better chance of being approved. To obtain the “prospective student” notation, you must inform the Consular Officer in the U.S. Consulate and the Immigration Officer at the U.S. Port-of-Entry of your intentions of becoming a student.

If your B-1/B-2 visa is not marked “prospective student”, then you must establish that you did not have the intention of studying in the U.S. before entering as a visitor. The USCIS will generally deny an application for change of status if it determines that the applicant had the intention to study in the U.S. before entering as a B-1/B-2 visitor. For this reason, you should be able to explain how your intentions changed after arriving in the U.S. If you cannot provide a strong argument as to how your intentions changed, then we recommend that you return to your home country and apply for an F-1 visa at a U.S. consulate.

Am I eligible to apply for a change of status from B-1/B-2 to F-1?

To be eligible for a change of status to F-1, you must have maintained and currently be in lawful status as a B-1/B-2, be admitted to a degree program at UB and have received a new I-20. Your current status should also be valid until the program start date on your I-20.
If you are no longer in B-1/B-2 status or your B-1/B-2 status will end more than 30 days before the program start date on your I-20, you cannot apply for a change of status inside the U.S. Instead, you will have to change your status by traveling outside the U.S., applying for an F-1 visa and entering the U.S. as an F-1 student.

How do I obtain an I-20?

At the time of admission to a degree program at UB, the Office of International Admissions will issue your I-20. The documents required will be explained as part of the admissions process.

How do I change my status by traveling?

1. Obtain an “initial” I-20. When you apply to UB, please indicate that you plan to change your status by traveling. You will then be issued an “initial” I-20.
2. Pay the SEVIS Fee. For more information on how to pay the SEVIS Fee, visit www.buffalo.edu/intlservices/f1.html#sevis. Note: You must bring the SEVIS fee payment receipt with you to the U.S. Consulate where you will apply for an F-1 visa.
3. Prepare additional supporting documentation to be used during the visa interview. For more information on these requirements, visit www.buffalo.edu/intlservices/visa2.html.
4. After receiving your F-1 visa stamp, re-enter the U.S. using the I-20 and F-1 visa stamp. Submit copies of these documents to ISSS upon your arrival.

How do I apply for a change of status from B-1/B-2 to F-1 by mail?

1. Obtain a “change of status” I-20.
2. Pay the SEVIS Fee. Please read “The SEVIS Fee Requirement” handout at www.buffalo.edu/intlservices/f1.html#sevis or more information on how to pay the fee.
3. Submit the following to the USCIS:
   - **Application fee of $290.** This should be a check or money order payable to “U.S. Department of Homeland Security”.
   - A **cover letter** from you addressed to the USCIS, requesting a change of status from B-1/B-2 to F-1 and explaining your circumstances. Include the reasons why you entered the U.S. as a B-1/B-2 Tourist, why and how your intentions changed after your arrival in the U.S. and any other information relevant to your reasons for wanting to study in the U.S.
   - **Form I-539** “Application to Extend/Change Nonimmigrant Status” (Please use the fillable form available at www.buffalo.edu/intlservices/documents/i-539_expires2012.0229_001.pdf)
   - A copy of your **SEVIS fee receipt** verifying that you have paid the SEVIS fee.
   - Photocopy of your “change of status I-20”. Please sign your I-20 on Page 1 before making the photocopy.
   - Photocopies of the **financial documentation** you submitted when you requested an I-20.
   - Photocopy of the front and back of your I-94 card with a legible date stamp OR electronic I-94 printed from www.cbp.gov/i94. If you do not have either of these documents, then a photocopy of the admission stamp in your passport is acceptable. (Make sure the date stamp is legible.)
   - Photocopy of your **passport** biographic data / picture page
   - Photocopy of your **U.S. visa** stamp
We recommend that you schedule an appointment with an International Student Advisor to review your completed application before submitting it to the USCIS.

**If I am mailing my application, where do I send it?**

Mail your completed application to the Dallas Lockbox. We recommend using a reliable, express mail/courier service.

For express courier deliveries (e.g. UPS, Fed Ex) use the following address:

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

For regular U.S. Mail use the following address:

USCIS  
P.O. Box 660166  
Dallas, TX 75266

*Please make a photocopy of your entire application and supporting documents for your files before sending them to the USCIS.*

**Is it possible to submit my application online?**

Change of status applications may be submitted online using the USCIS Electronic Immigration System (ELIS). Generally, the same documents listed above are required when you submit the application electronically (with a few exceptions). First, you must create an account. Then, you will be asked to provide information about yourself and your immigration status, and upload copies of your immigration documents and supporting documentation. Last, you will pay the application fee online. You may save your work and return to it later. Processing times are approximately the same as for applications mailed to the USCIS. For more information on ELIS please visit: [website link]

*NOTE: If you plan to submit your application online using the USCIS ELIS system, an International Student Advisor can review your documents before you submit them, but you must follow the steps outlined above and submit the application on your own.*

**How long will processing at the USCIS take?**

Estimated processing time is 3-6 months. After the USCIS receives your application, it will mail you a Form I-797 Notice of Receipt with your assigned case number. You can check the status of your application online by following the directions on the form.
When you receive a response from the USCIS, you must report the outcome to International Student and Scholar Services. If your application is approved, send or bring a photocopy of your I-797 Approval Notice to ISSS, 210 Talbert Hall.

Can I begin attending classes after I’ve submitted my application to the USCIS and while I’m awaiting a response?

You may not attend school while your B-1/B-2 change-of-status application is pending. An IS Hold will remain on your student account preventing course registration until you provide ISSS with a copy of your F-1 Change of Status approval notice. Also, you may not begin an assistantship, or engage in employment of any kind until your change of status to F-1 student has been approved.

If I mail my application to the USCIS, may I travel outside the U.S. while the application is pending?

No, you may not travel outside the U.S. while your application is pending. If you depart the U.S. while your change of status application is pending, your application will be denied.