OPTIONS FOR CHANGING YOUR STATUS TO F-1

CHANGING TO F-1 OUTSIDE THE U.S. – APPLICATION TO USCIS NOT NEEDED

<table>
<thead>
<tr>
<th>PROS</th>
<th>CONS</th>
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<tbody>
<tr>
<td>Faster process.</td>
<td>Travel costs.</td>
</tr>
<tr>
<td>Can make changes closer to semester start date.</td>
<td>Security checks can cause delays and there is more emphasis on overcoming immigrant intent.</td>
</tr>
<tr>
<td>Provides F-1 visa stamp on the passport for future travel.</td>
<td>Denial could prevent return to the U.S.</td>
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<tr>
<td></td>
<td>Cannot re-enter the U.S. more than 30 days prior to the program start date.</td>
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- If you are not a citizen of Canada or Mexico, changing status in those countries can be problematic. Some consulates do not process visas for Third Country Nationals (TCNs).
- Time for visa appointments vary from country to country. Check the U.S. Consulate website at: http://www.usembassy.gov

CHANGING TO F-1 INSIDE THE U.S. – APPLICATION TO USCIS NEEDED

<table>
<thead>
<tr>
<th>PROS</th>
<th>CONS</th>
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<tbody>
<tr>
<td>No travel costs.</td>
<td>USCIS processing times vary</td>
</tr>
<tr>
<td>File individually or through an immigration attorney.</td>
<td>Filing fee payment required by U.S. Department of Homeland Security</td>
</tr>
<tr>
<td>While the application is pending, it allows you to:</td>
<td>International travel will cancel the application if it is still pending.</td>
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<tr>
<td>• Remain in the U.S.</td>
<td>• An F-1 visa will not be stamped on the passport. You will have to apply for one.</td>
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<tr>
<td>• Continue classes if your current status allows it.</td>
<td></td>
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STEPS TO APPLY FOR A CHANGE OF STATUS TO F-1

STEP 1. VERIFY YOUR ELIGIBILITY:

To be eligible to apply for a change of status to F-1, you must:

- Be admitted to a degree seeking program at UT Dallas that allows you to maintain full time enrollment. See specific details on full time enrollment at: http://www.utdallas.edu/ isso/enroll-reg/
- Be in a valid non-immigrant status.
- Hold a non-immigrant status other than C, D, K, M, WT / WB visitor or 212(e) subject J-1.
- Submit your request for the Change of Status to USCIS prior to the start date of the semester you intend to assume F-1 status.
- Be prepared to be full time enrolled at UT Dallas for each fall and spring semester of F-1 status. If summer will be your first semester in F-1 status you will be required to enroll full-time. *

STEP 2. DECIDE:

- **Whether you should apply for a Change of Status to F-1:**
  - Will you be able to meet the full-time enrollment requirement?
  - Will you be able to pay out-of-state tuition if required?
  - Will you be able to maintain the F-1 status requirements?
  - Will this application conflict with your current immigration status or any pending applications with USCIS?

- **When should you apply for a Change of Status to F-1:**
  - Which semester to you want to be in F-1 status?
  - If approved, will you be eligible to apply for CPT or OPT?
  - How long is the current USCIS Processing Time for this application?
• How should you apply for a Change of Status to F-1:
  o Do I want to stay in the U.S. while the application is pending?
  o How soon do I need my status to be changed to F-1?
  o Can I afford the cost of a change of status in the U.S. or by travel?
  o What are the implications if my change of status is denied in the U.S.?
  o What are the implications if my F-1 visa is denied abroad?

STEP 3. OBTAIN THE UT DALLAS I-20 AND APPLY FOR F-1 STATUS:
Prior to the start date of the semester you intend to assume F-1 status. 3-5 months prior is recommended.
1. Determine if you will apply for change of status to F-1 in the U.S. or outside the U.S. at a U.S. consulate.
2. Obtain the UT Dallas I-20. The I-20 will be processed within 5 business days after you submit to the ISSO copies of all the documents listed below:
   a. Change of Status to F-1 request form. Download at: http://www.utdallas.edu/isso/forms/
   c. Supplemental funding documents, if applicable. See details at http://www.utdallas.edu/isso/i20-docs/
   d. Passport ID page: Yours and your dependents if you will sponsor a spouse or children for an F-2 visa.
3. If applying in the U.S. assemble your application to USCIS. A list of necessary documents for your application will be attached to the I-20. If applying at a U.S. consulate abroad visit our website for visa application requirements

STEP 4. ACTIVATE YOUR SEVIS RECORD AFTER YOUR F-1 STATUS IS APPROVED:
1. If you have not yet attended an International Student Orientation register online at: http://www.utdallas.edu/isso/orientation/
2. Enroll full time to meet enrollment requirements: http://www.utdallas.edu/isso/enroll-req/
3. Submit to the ISSO copies of your F-1 immigration documents at ISSODocuments@utdallas.edu.
   If this step does not occur, your new F-1 status will expire 60 days after your F-1 status starts!
   o If changed outside the U.S., submit copies of I-20, Visa and I-94.
   o If changed inside the U.S. and used your own address, submit copies of the change of status to F-1 approval notice.

F-1 STUDENTS HAVE THE FOLLOWING EMPLOYMENT AND PRACTICAL TRAINING BENEFITS:
Remember you are not eligible for these benefits until your F-1 status is approved
• On Campus employment eligibility - http://www.utdallas.edu/isso/on-campus/
• Practical training eligibility- http://www.utdallas.edu/isso/off-campus/

Visa Specific Issues

B1/B2
• This visa type does not allow employment or enrollment in credit bearing, degree seeking courses. It is a violation to do so, and can negatively impact your application to change status to F-1.
• There is a high risk of denial if you apply for a change of status less than 60 days after entering the U.S.

F-2
• This visa type does not allow employment or full-time enrollment in credit bearing, degree seeking courses. It allows enrollment less than full-time in credit bearing, degree seeking courses. It is a violation to do so, and can negatively impact your application to change status to F-1.
• If your F-1 spouse or parent is your financial sponsor, it is recommended you show evidence of sufficient funds to support two F-1 statuses (your spouse’s or parent’s F-1 and your F-1). It is also recommended that your name appear on the bank statement.

H-4, E-3, ETC.
• This visa type does not allow employment. It is a violation to engage in any type of employment, and can impact negatively your application to change status to F-1. This visa type does allow enrollment in credit bearing, degree seeking courses.

H-1B AND L-1
• Your H-1/L-1 status ends immediately upon termination of your employment. There is no grace period.
• To avoid a gap in status, it is safest to have the USCIS receipt before terminating employment.
• If you are already unemployed, it will be up to the USCIS adjudicator to determine if you are eligible for a change of status. The longer the gap in employment, the higher the risk of denial.
FREQUENTLY ASKED QUESTIONS

I AM PENDING PERMANENT RESIDENCY. CAN I APPLY FOR A CHANGE OF STATUS TO F-1 IN THE U.S.?
Yes, if you are in a non-immigrant visa category that is allowed to change to F-1 you may apply for a change of status to F-1 while you are pending permanent residency. This may impact your permanent residency application. Consult an immigration attorney to make this determination.

I AM PENDING AN EXTENSION OF MY CURRENT STATUS. CAN I APPLY FOR A CHANGE OF STATUS TO F-1 IN THE U.S.?
Yes, you can apply for a change of status to F-1 while you are currently pending an extension of your current status. In this case, include a copy of your I-797 extension receipt along with your application. The USCIS adjudicator will decide how this affects your F-1 application.

WHAT HAPPENS IF MY CHANGE OF STATUS IS DENIED?
• If you are changing status by travel, you will not be issued an F-1 visa. If the consulate officer does not cancel your current visa and it is unexpired you may return to the U.S. in your present status.
• If you are changing status by submitting an application to USCIS, a denial notice will be sent. If you want to appeal the decision you can file a Motion to Reconsider with the help of an immigration attorney. Unless otherwise indicated by the adjudicator, your current status remains valid if it has not expired.

I APPLIED OUTSIDE THE U.S. AND IT WAS APPROVED, WHEN CAN I ENTER THE U.S.?
• You cannot enter earlier than 30 days prior to the program start date.
• You cannot enter after the program start date. If you attempt to enter the U.S. after the program start date listed on your I-20, port of entry officials may deny you entry. If you experience a major delay while outside the U.S. we recommend that you defer UTD admission to a later semester.

I APPLIED INSIDE THE U.S. AND IT WAS APPROVED AFTER THE PROGRAM START DATE. DO I NEED A NEW I-20?
Verify the date in which your F-1 status starts. It will be noted in the approval receipt notice in the VALID FROM field. If your F-1 status started after the program start date on your I-20, request an updated UT Dallas I-20 to the ISSO at ISSOCurrent@utdallas.edu.

MY APPLICATION WAS APPROVED, WHEN CAN I ENROLL AND/OR WORK ON CAMPUS?
Federal regulations allow you to enroll for classes and work on-campus after receiving F-1 approval.
• B-1/B-2 – If late registration has ended prior to receiving approval, you will need to defer admission to the next semester.
• F-2 – If your application is approved prior to the program start date, you should register full-time for that semester. If it is not approved by the program start date, you should register less than full-time for that semester and register full-time in the semester following your change of status approval.
• H-4, E-3, etc. – If you are currently in a study-allowed status you may enroll prior to approval.
• If approved you may work on campus up to 30 days prior to your program start date. You may begin CPT on your program start date.

ISSO CONTACT INFO

Immigration advisors are available to speak with you about AEW during walk in and phone advising hours:
• Monday, Tuesday, Thursday: 10 a.m. – 5 p.m.

You can also email immigration advisors questions and your documents at ISSOCurrent@utdallas.edu.