How to change from H-4/L-2 to F-1

Application Checklist:

A Gather documents and prepare your application

☐ Review your new I-20 and sign it.

☐ Pay the SEVIS fee at fmjfee.com and print a receipt of your payment.

☐ Get a check or money order for $370 and make it out to US Department of Homeland Security.

☐ Complete both the USCIS Form I-539 and G-1145.

☐ Photocopy your documents:

- Passport identification page / Current I-94 record / Current visa / Admission letter from NYU / Financial documents

☐ Gather evidence that you have maintained lawful status while in the US prior to submitting your application for change of status (This would include a letter verifying your H-1 or L-1 spouse’s or parent’s current employer AND his/her most recent three pay stubs.), including how you will maintain your current status while your change of status application is pending.

☐ Gather evidence of relationship to the H-1 or L-1 spouse or parent:

- Form of a marriage or birth certificate
- Photocopy of H-1’s or L-1’s passport / visa / I-94 record

☐ Write a letter explaining why you would like to change your status to F-1. This letter should clearly explain (see attached sample letter):

- Your current status
- Your plan for study at NYU
- Your long-term plan
- Your ties to your home country---whether in the form of a residence, an expected job offer, or continuing family ties
- Your spouse’s or parent’s dates of employment under H-1/L-1
- The date you want the F-1 status to be effective
- The reason you want to change to F-1 status

(1) Your financial documents showing that you have sufficient financial resources to meet the tuition, living expenses, and fees for your program. For more information, bit.ly/NYU-estimated-expenses

(2) Be aware that the F-1 effective date MUST be within 30 days of the program start date as listed on your I-20 / of the end of your spouse’s or parent’s H-1/L-1 status (if his or her employment is ending).
B Review application with an OGS advisor

☐ Make an appointment with an OGS advisor or an immigration attorney to review your documents, the process, and risks of your application being denied.

☐ Your complete application includes:

- Your letter explaining why you would like to change to F-1 status
- Your new I-20 from the OGS
- A copy of your SEVIS fee receipt
- A check or money order for $370 made payable to the US Department of Homeland Security
- A copy of your passport identification page
- A copy of your most current / recent visa
- A copy of your current I-94 record
- A copy of your admission letter from NYU
- A copy of your financial documents
- Evidence that you have maintained lawful status while in the US prior to submitting your application for change of status

C Find legal help if you are unable to maintain current status

Meet with an experienced immigration lawyer if you are unable to maintain your current nonimmigrant status while your change of status application is pending. A helpful place to start is by contacting the NYU Immigrant Defense Initiative for an initial screening: www.law.nyu.edu/immigrantrightsclinic/idi.

D Send application to US government

☐ A copy of your entire application for your records.

☐ If your H-1 or L-1 spouse or parent is leaving his or her job, the United States Citizenship and Immigration Services (USCIS) must receive and date the receipt of your change of status application no later than the day your H-1 or L-1 spouse or parent terminates his or her H-1 or L-1 employment.

☐ Send your application to the United States Citizenship and Immigration Services (USCIS) using UPS or FedEx to:

USCIS
ATTN: I-539
2501 S. State Highway 121 Business Ste 400
Lewisville, TX 75067
After you submit your application

You will receive a receipt notice with a case number. Check the status of your case at www.uscis.gov. While your application is pending, you cannot travel outside of the US. If you have an emergent situation, notify the OGS before making any travel plans.

Within one year:

If your application is approved

- Come to the OGS during walk-in advising hours within 2 weeks with your approval notice, I-20, and passport to speak with an advisor.

- When you travel outside of the US, in order to reenter the US in F-1 status, you will need to first apply for a valid F-1 visa outside the US.

- To get an F-1 visa, you will need a new I-20.

If your application is denied, you get a request to send more information, or you decide to withdraw your application

- Notify the OGS immediately.

- Do not travel outside of the US. If you have an emergent situation, speak to an OGS advisor prior to departing the US.
Sample Letter:

[Your name]
[Your street address]
[Your city, state, and ZIP code]

United States Citizenship and Immigration Services
Attention: I-539 Unit
2501 S. State Hwy 121
Business Suite 400
Lewisville, TX 75067

[Today’s date] (DD/MM/YYYY)
Subject: I-539 application change of status from H-4 to F-1
[Your full name as listed in your passport]

Dear Madam or Sir:

I am currently in H-4 status, accompanying my spouse who is in H-1B status. I entered the US on DD/MM/YYYY and have been maintaining valid H-4 status. I now request my non-immigrant status be changed to F-1 because [state the reason]

After completion of my studies, I plan to [state your plan. Note: This portion is extremely important. You need to explain your current status, your plans for study at NYU, and your longer-term educational and career goals. As an F-1 non-immigrant applicant, you must indicate you continue to maintain strong ties to your home country.]

Attached to this cover letter, please find:

- A photocopy of my NYU I-20
- A photocopy of my SEVIS fee receipt
- A check or money order for $370 made out to US Department of Homeland Security
- A completed USCIS Form I-539
- A completed USCIS Form G-1145
- A photocopy of my passport identification page
- A photocopy of my current I-94 record
- A photocopy of my current visa
- A photocopy of my admission letter from NYU
- A photocopy of my financial documents
- Evidence that I have maintained and can continue to maintain lawful status while in the US

If you have any questions or concerns, please feel free to contact me at [list your contact information].

Sincerely,

[Your signature]
[Your name]