

Change of Status FAQ

Note: GCC ISO provides this guide for general information only. Information in this document does not constitute legal advice. Consulting a qualified immigration attorney is strongly recommended. Because immigration rules and interpretations can change, U.S. Citizenship and Immigration Services (USCIS) and the Department of State (DOS) may modify eligibility requirements or interpretations at any time.

What is a Change of Status?

A change of status is when a nonimmigrant visa holder in the US requests permission from the US Citizenship and Immigration Services (USCIS) to change status to another nonimmigrant category without departing the US.

Who can request a Change of Status?

Anyone who currently holds nonimmigrant visa status in the US can apply for a change of status. Your application must be received by USCIS prior to your current status ending. Tourist visa holders who did not request a “prospective student” notation be recorded by a Customs and Border Protection (CBP) officer at the time of entry to the US are not recommended to apply for a change of status. All applicants requesting a change of status are subject to the 90-Day Rule.

What is the 90-Day Rule?

The 90-day rule refers to an assumption that a nonimmigrant visa holder made a “willful misrepresentation of intent” during their visa application process or at admission into the US when that nonimmigrant enters the US, and within 90 days, engages in conduct that is not allowed under their nonimmigrant status. For example, if you enter the US on a tourist visa and apply for admission or file for a change of status within 90 days, USCIS can assume that you entered the US with the **intent** to change status and **willfully misrepresented** (“knowingly misrepresented”) your intent to visit the US for tourism purposes. If presumed and applied, your application will be denied. Applicants must also understand that DOS is not supportive of change of status for individuals who enter the US on a tourist visa to bypass the consular visa process.

Can I stop maintaining my current status if I file for a change of status?

It is always recommended that you maintain your current status while the change of status application is pending. You may attend school if your [current visa status allows academic study](#) and may work if your current visa status allows work. Alternatively, after your application is received and receipted by USCIS, you may decide to stop maintaining your current status. If you decide to stop maintaining your current status while the change of status is pending, you assume all liability in doing so. If your application is denied, and you did not maintain your underlying status, you will have no option but to depart the US. Similarly, if you do not maintain your current status, you cannot engage in employment. 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 your current status while the change of status is in process.

Applicants in tourist visa status must maintain their status until at least 30 days before the start date of the session. Applicants in tourist visa status are responsible for filing a simultaneous extension of status to ensure their tourist visa status does not expire. Applicants in tourist visa status are not eligible to enroll at GCC while a change of status is pending. GCC will support a change of status from tourist only if the applicant will file using Premium Processing (see below).

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How Long Does the Change of Status Process Take?

Current processing times for the I-539 change of status process at the California Service and Vermont Service Centers may be viewed [here](#).

What are the Pros (Positives) and Cons (Negatives) of a Change of Status?

The Pros are:

- You do not need to leave the US.
- Application fees may be lower than the cost of travel.

The Cons are:

- Lengthy processing times.
- You do not receive a visa. The next time you travel, you must apply for a visa abroad in order to return to the US.
- **For tourist visa applicants, additional “cons” are:**
 - Higher costs – we will only support a change of status from tourist for those who will file using premium processing; see below
 - Increased scrutiny on your application and higher denial rates
 - Applicants who are approved for a change of status from tourist will generally experience higher rates of denial for future visa requests due to DOS presumption of misrepresentation of original intent by the candidate when obtaining the tourist visa
 - You must file an additional extension of status application if your tourist visa status ends more than 30 days before the start of our session. It is your responsibility to file this additional I-539 to extend status. This will require additional fees.

Applicants in tourist status are highly recommended to travel and request a student visa via consular processing in place of change of status.

How do I apply for a Change of Status?

In general, it is recommended that you return home to apply for a student visa, however, if you decide to file a change of status request, you must first be accepted to a US school and receive an I-20 for a change of status. **To indicate that you would like a change of status I-20, indicate your visa type as “Other” on our online application form and indicate that you will not be traveling outside of the US.** You must submit all other application materials for review before an admission decision can be made.

After admission, you must then gather the following:

- Application filing fees:
 - \$420 filing fee for the I-539 (online fee; \$470 if filed via mail)
 - \$1965 [Premium Processing](#) fee (**required for those requesting a change from tourist status**). Premium processing will begin once your required biometric services appointment is completed, and guarantees an application decision within 30 calendar days.



INTERNATIONAL
STUDENT SERVICES

International Student Services
Sierra Vista, 3rd Fl
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Glendale, CA 91208-2894
818-240-1000 x6645
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- A **draft** of your completed [Form I-539](#) online application. Please do not submit your application without having your draft I-539 reviewed by our office.
 - **You must complete the form on your own** – we will suggest changes only after your completed I-539 draft is submitted. GCC ISO staff cannot help you fill out the application.
 - **Note: if you are applying with dependents**, you may not file online at this time. Instead, complete the **paper** Form I-539 and an I-539A for each co-applicant listed. You will send these items to us for review. If applying via paper, make sure that all items you send are single-sided copies.
- A letter explaining why and when you decided to change visa status. This should include how your full-time study in F-1 status will support your academic and career goals in your home country. Send a draft of your letter to us with your draft I-539. We will review it and make any necessary suggestions.
 - If you are applying for a change of status from tourist and **do not** have a "prospective student" notation, you need to be able to show that you decided to attend school *after* you entered the US. Include answers to the following questions in your letter:
 - What did you tell the consular officer was the purpose of your visit to the U.S.?
 - Upon entry to the U.S., what did you tell the immigration officer was the purpose of your visit?
 - How and when did you arrive at your decision to study in the U.S.?
 - How and when did you first contact the College, and when were you informed you had been admitted?
 - If prior to your entry into the U.S. your intention was to attend school, why didn't you apply for an F-1 student visa rather than the B-2 visitor visa?
 - Have you been in the U.S. before? When and for what purpose?
 - Any relatives in the U.S.? If so, what types of visas are they here on?
- Copies of the 1st and 2nd pages of the change of status I-20 issued by GCC. Keep the original.
- Receipt for SEVIS I-901 fee payment (you will be given instructions when you receive your I-20)
- Admission letter to our program
- Original I-94 or I-94 printout obtained at CBP.gov/I94
- Copies of passport picture page and visa page (including latest entry stamp, if provided by CBP); **do not send your original passport**
- Financial statements showing the amount in available funds listed on the I-20. You may submit copies of the same materials you submitted to us for your application, however, it is recommended that you submit at least 3 consecutive months' worth of statements showing the continued availability of these funds.

Send your draft I-539 and applicant statement to gcciso@glendale.edu for review. After this review, you may submit your application online (or via paper; see the Where to File section on the [I-539 page](#)). If filing via paper, we strongly recommend sending your materials with a method that includes tracking (like certified mail). You will receive an application receipt once USCIS receives your materials. **Send a copy of this application receipt notice to our office at gcciso@glendale.edu.** If you are applying for a change of status from tourist, you will also need to submit your [I-907 Request for Premium Processing](#) (check the premium processing option when submitting your online application or file after an application has been submitted). **A copy of the Premium Processing application receipt notice must be sent to our office within 10 days of filing.**



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If you wish to obtain the services of a qualified immigration attorney to assist you in this process, GCC will not review your materials. Instead, work with your attorney to review your documents and file your application. Tourist applicants, you will need to inform your attorney that you need to file using Premium Processing in order to provide this receipt to our office. If you would like referrals to local attorneys, please let us know at gcciso@glendale.edu.