

Reinstatement

For F-1 Students

Definition

Reinstatement is an option for an F-1 student who fails to maintain status and wishes to regain status without leaving the U.S. An F-1 student must be in status to be eligible for any benefits such as work permission including practical training, program extension, school transfer, and adjustment of status. Depending on the circumstances of the individual's case, reinstatement may or may not be the best option. Traveling outside the U.S. and re-entering with an Initial Attendance I-20 to regain your status may be a better option. Please consult with an international student advisor.

Eligibility

To apply for reinstatement, the student:

- 1) cannot have been out of status for more than 5 months at the time of filing reinstatement (unless the student can demonstrate exceptional circumstances and he/she is filing as promptly as possible)
- 2) does not have a record of repeated or willful violations of USCIS regulations;
- 3) is currently pursuing, or intending to pursue a full course of study in the immediate future;
- 4) has not engaged in unauthorized employment;
- 5) is not deportable on any other grounds; and
- 6) establishes to the satisfaction of USCIS by a detailed explanation showing either that
 - i) the violation of status resulted from circumstances beyond the student's control (such as serious injury or illness, a natural disaster, or a mistake made by the international student advisor)
 - OR
 - ii) the violation relates to a reduction in course load that would have been in the international student advisor's power to authorize, and failure to approve reinstatement would result in extreme hardship to the student.

How To Apply

1. Write **your own letter** explaining the circumstances. You will need to briefly explain the violation and outline how you are eligible according to the criteria above.
2. Complete USCIS Form I-539, (<http://www.uscis.gov/files/form/i-539.pdf>) optional Forms G-1145 (for email and text notification of receipt of application) and G-1450 (if paying by credit card) (<http://www.uscis.gov/>; Forms tab) Type responses in fillable PDF and print out. Also save a digital copy to bring to the reinstatement appointment at ISS.
3. Complete and submit documents needed to request a new **I-20**.
4. Obtain updated **original proof of finances**. (Example of sufficient proof: past 4-6 months of bank statements. A letter from the bank alone is insufficient.)
5. If appropriate, obtain a **letter from your academic adviser** confirming expected completion date and that you are making normal progress toward a degree.

6. Assemble **supporting documents** for your request to be reinstated. These materials will vary from situation to situation but might include such things as your transcript to show your academic record or medical records/letters from a doctor to confirm a medical condition. Send documents that support what you claim in your personal letter.
7. Make an appointment with an international student advisor. Bring **your letter**, the completed **I-539**, the completed **I-20 Request form** accompanied with **proof of finances**, all your **travel documents** and any **supporting documents**, including **your academic advisor's letter**, if applicable.
8. **Mail the reinstatement application to USCIS. See "List of Documents to Mail" section.** Which address to mail your application to will depend on the postal carrier you choose:

For US Postal Service
UPS, etc):
USCIS/USCIS P.O. Box 660166
Dallas, TX 75266

For non-US Postal Service (such as FedEx,
ATTN: I-539
2501 S. State Highway 121 Business, Suite 400
Lewisville, TX 75067

List of Documents to Mail

Documents should be in this order and paper clipped together.

1. **\$85 biometric services fee** (per person included as an applicant or co-applicant) + **\$370 application filing fee**; Submit Form G-1450 to pay by credit card OR submit a check or money order made payable to U.S. Department of Homeland Security.
2. **Form G-1145** (optional), typed and printed out
3. **Form I-539**, typed, printed out and signed in blue ink
4. **Your own letter** explaining the circumstances and request to reinstate your status
5. **Photocopies** of pages 1 & 2 of the **new Reinstatement Requested I-20**, signed by you and by an ISS advisor on page 1.
6. **Enrollment record** [transcript]
7. **Original proof of financial support**
8. **Photocopy of passport** showing photo, name, date of birth and expiration
9. **Printout of electronic I-94 record** (<https://i94.cbp.dhs.gov>) or photocopy of front and back of I-94 card
10. **Photocopy of visa** used for most recent entry
11. **Additional supportive evidence** (if applicable)
12. *If SEVIS record terminated more than 5 months ago.* receipt showing \$350 SEVIS (I-901) fee re-paid (<http://www.fmjfee.com>)
13. If you have any dependents, be sure to include them on the I-539 application AND include copies of their I-94(s), passport(s), I-20(s), & visa(s).

As always, it is recommended that you retain copies of all documents sent to and received from the United States Citizenship and Immigration Services. Mail your application in a verifiable manner (e.g. certified mail and return receipts).

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Application Receipt and Online Status Check

Text and Email Receipts: Although you can now fill out Form G-1145 to request a receipt number by text message or email, please note that such notifications are not considered official. The USCIS Service Center that receives the application will send an official paper receipt by mail.

Online Status Check: USCIS sends a receipt which may take up to 4 weeks to receive. The status of your application can be checked online with your receipt number at <http://www.uscis.gov/>. Look for the CHECK YOUR CASE STATUS link. Enter Receipt Number (ex. WACxx-xxx-xxxxx) without hyphens to check on the status of your application. The receipt is NOT an approval of your reinstatement.

Upon Receiving the Results of the Reinstatement Application

If USCIS reinstates you, you will receive an “I-797C Approval Notice” in the mail – the only proof that you have been reinstated. Bring the notice and meet with an ISS advisor so that we can scan it and properly update your record. At that time we can issue you an I-20 for “Continued Attendance”.

If you are not reinstated, you will probably be given a date of voluntary departure by which to leave the United States (usually within 30 days of notification) and you may not appeal the decision.

Reference: 8 CFR 214.2 (f) (16)