

# 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 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 for 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 U.S. CIS regulations;
3. is currently pursuing, or intending to pursue a full course of study in the immediate future;
4. has not engage in unauthorized employment;
5. is not deportable on any other grounds; and
6. establishes to the satisfaction of the U.S. CIS by a detailed application demonstrating either that:
  - i) the violation of status resulted from circumstances beyond the student's control (such as serious injury or illness, closure of Washburn, a natural disaster or a mistake made by an 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.

## Forms

The forms used to apply for reinstatement can be found on-line at the U.S. CIS website:

- I-539 form instructions: <http://www.uscis.gov/files/form/i-539instr.pdf>

- I-539 fillable form: <http://www.uscis.gov/files/form/i-539.pdf>

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## 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 on page 1.
2. Obtain a **letter from your academic advisor** confirming expected completion date and that you are making (or intend to make) normal progress toward your degree.
3. Bring #1 and #2 above to the Office of International Programs (OIP) for an international advisor to review. If the OIP supports your reinstatement request, a **new SEVIS I-20** for reinstatement will be processed.
4. Assemble **supporting documents** for your request to be reinstated. These materials will vary from situation to situation, but could include: your transcript to show your academic record or medical records/letters from a doctor or counselor to confirm a medical condition. You should include any relevant documents to support the letter (#1 above) which you've written.
5. Make an appointment with an international student advisor and bring the documents listed below to make sure the application is complete and ready to submit to the US CIS.

After meeting with the international advisor, **submit the application documents listed below to the following address:**

<b>For regular U.S. Postal Service</b>	<b>For Express Mail (Fed Ex, DHL, etc.)</b>
USCIS P.O. Box 660166 Dallas, TX 75266	USCIS - ATTN: I-539 2501 S. State Highway 121 Business Suite 400 Lewisville, TX 75067

1. **\$370.00 fee** Check or money order made payable to **U.S. Department of Homeland Security**.
2. **Form I-539**, typed, printed out and signed in blue ink (<http://www.uscis.gov/files/form/i-539.pdf>)
3. **Form G-1145** (optional), typed and printed out
4. **Your own letter** explaining the circumstances and request to reinstate your status
5. **Photocopies** of pages 1 & 2 of the **new I-20 issued for "Reinstatement Requested"**, signed by you and an international student advisor on page 1.
6. **Enrollment record** [transcript or print-out from MyWashburn]
7. **Original proof of financial support** (not photocopies)
8. **Photocopy of passport** showing photo, name, date of birth and expiration
9. **Printout of electronic I-94 record** (<https://i94.cbp.dhs.gov/I94/#/home>) or **photocopy** of front and back of I-94 card
10. **Photocopy of visa** used for most recent entry into the US
11. Additional supporting evidence which is relevant to your situation

**\*\*Please note: Reinstatement application must be received by the U.S. CIS within 30 days of the processing date of the new reinstatement I-20\*\***

As always, **it is recommended that you keep copies of all documents** sent to and received from the U.S. CIS. Mail your application in a traceable manner, such as **certified mail or return receipt**.

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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 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.