

Reinstatement of F-1 Immigration Status

General Information

Reinstatement is the process by which a terminated F-1 student may apply to regain their student status without having to leave the United States. A terminated student is an F-1 visa holder who failed to maintain his/her immigration status for one reason or another.

Depending on the student's specific case, reinstatement may or may not be the best option. For instance, traveling outside the US and re-entering with a new Initial I-20 and US visa to regain F-1 status may be a better option. Please consult with an international student advisor on which options is best for a given situation.

NOTE: An F-1 student must be maintaining status to be eligible for any F-1 status benefits, such as, work permission (on-campus employment, Optional Practical Training), program extension, and change/adjustment of status. A student who has failed to maintain status and does not correct his/her status is not eligible.

Eligibility

To apply for reinstatement, the student:

- has not been out of status for more than 5 months at the time of filing for reinstatement (unless the student can demonstrate that due to exceptional circumstances s/he is filing as promptly as possible);
 - does not have a record of repeated or willful violations of USCIS regulations;
 - is currently pursuing, or intending to pursue a full course of study in the immediate future;
 - has not engaged in unauthorized employment;
 - is not deportable on any other grounds; and
 - can establish in writing one of the following conditions to USCIS:
 - The violation of status resulted from circumstances beyond the student's control (such as serious injury or illness, closure of WOU, a natural disaster, a mistake made by the international student advisor, or other)
- OR
- Despite the student's failure to request a Reduced Course Load authorization (RCL) with the international student advisor in a timely fashion, **(a)** the request for RCL would have been approved by the advisor under normal circumstances and **(b)** the student would experience extreme hardship if the application for reinstatement was not approved by USCIS.

Form and Information

The application form and information can be found on the USCIS.gov website.

Form I-539 Information and Instructions: <http://www.uscis.gov/i-539>

How to Apply for Reinstatement

- Complete USCIS **Form I-539**. *This form may also be completed online.* Write "REINSTATEMENT" and your name in bold letters using a pen on all papers included in the application and make sure you sign the application and your I-20.
- Write a **letter addressed to USCIS** explaining the circumstances surrounding your immigration termination. Explain the violation that caused you to lose status and state why you are eligible for reinstatement based on the criteria above.
- Gather **documents** (in English or with translations) that support the claims you make in your personal letter to USCIS and are relevant to your applications. For example you might include your academic transcript (indicating continued enrollment in a full course of study), medical records or letters from a doctor or counselor (to confirm a medical condition that may have caused you to lose F-1 status).
- Submit your **ORIGINAL Form I-94 card**, as well as the original I-94 form of each F-2 dependent whose name is on the I-539 application.
- Submit a photocopy of a **valid passport**. Include your biographic information page, visa stamp page, and any passport extension pages. Your passport needs to be valid for at least 6 or more months at the time of applying.
- Obtain a **letter from your academic advisor** that confirms your expected completion date (graduation date) and describes how you are making normal progress toward a degree.
- Submit **original financial documents** that demonstrate your ability to pay for your studies and living expenses while you are in the United States. The recent financial statements should be no more than 6 months old, and equal to or more than the estimated university expenses for one academic year. At this time it should be over \$38,600. Financial support documents may be personal or family original bank statements, scholarship letters, or a Financial Guarantee.
- Write a personal **check or money order** for the amount of **\$410** (four hundred and ten dollars) made payable to "U.S. Department of Homeland Security".
- Make an appointment with an international student advisor in order to obtain the **reinstatement I-20** and **recommendation letter** to finalize the application. Bring all of the documents listed above to the meeting for review.

After receiving the final recommendation from an international student advisor, make a copy of all documents (for your records) and mail your application with tracking to:

USCIS
P.O. Box 660166
Dallas, TX 75266

Within two weeks you should receive a receipt with confirmation they received your paperwork. The status of your application can be checked online and any correspondence or additional requests for your application will be sent through the mail.

If USCIS reinstates you, the I-94 card and I-20 will be returned and will be marked "Reinstatement Approved" and dated. If you are not reinstated, you may receive notice of the date you will need to voluntarily depart from the US which is usually within 30 days of notification. The denial cannot be appealed.

Office of International Education and Development

345 N. Monmouth Avenue • Monmouth, Oregon 97361 • Phone: 503-838-8425 • Fax: 503-838-8338 • Email: global@wou.edu

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