We are happy that you’ve asked about “reinstatement” and how to regain your F-1 student status. Our next meeting will go smoothly if you read this important information and prepare in advance.

WHAT IS “REINSTATEMENT”?

Reinstatement is a procedure that allows you to explain the circumstances that caused you to violate the terms of your F-1 student status by filing an application with the U.S. Citizenship and Immigration Services (USCIS).

USCIS recognizes that students experience problems while pursuing their education in the U.S. You must be able to convince Immigration that either your violation of status resulted from circumstances beyond your control, or that it relates to a reduction in course load that your international student advisor would have been able to authorize due to qualifying academic or medical reasons.

WHAT ARE THE RULES FOR GETTING REINSTATED?

1. You may not have been in violation of your F-1 status for more than five months. If you have, you are considered to be ineligible for reinstatement unless you can prove that your failure to file a timely reinstatement application was the result of exceptional circumstances and that you have filed as promptly as possible considering them.

2. You may not have a record of repeated or willful violations of F-1 status.

3. You must be enrolled in school now or planning to enroll in the next semester.

4. You cannot have worked without authorization.

5. You must not be in removal proceedings from the U.S.

6. You must complete an application and write a convincing explanation of what happened and why the violation was not your fault, or demonstrate that you would have qualified for an authorized reduced course load due to a qualifying academic or medical reason had you applied in time. Saying that you did not know that you were violating your status will not convince the Immigration officer. You are responsible for knowing the rules for maintaining your status and obeying them.

7. Evidence is crucial to a successful reinstatement. If you can think of any kind of evidence such as a letter from your academic advisor or former designated school official, newspaper clippings about conditions at home, or an affidavit from someone who is familiar with the circumstances that caused the violation, it would be very helpful to your application.

8. A new Form I-20 is required for your reinstatement application. If your I-20 was issued a year ago or if your violation of status had anything to do with finances, you will need to complete a new application for a Form I-20 and present new evidence of your financial ability to support the costs of studying and living in the U.S. for a year of study.

9. If your violation of status occurred more than five months ago, you are required to pay a new SEVIS Fee even if you paid it previously and provide evidence of its payment with your reinstatement application.
THE TRAVEL OPTION

Students sometimes prefer to travel outside the U.S. and reenter to return to F-1 status rather than file an application. There are serious “pros” and “cons” to travel as an option that must be carefully discussed with your international student advisor before making any travel plans.

HOW DOES A VIOLATION OF STATUS AFFECT YOU?

- Your F-1 status has been terminated in Immigration’s Student and Exchange Visitor Information System (SEVIS) and you need to take action to regain lawful status. You may continue your full-time studies as usual while your application is being processed by Immigration.
- Your privileges and benefits as an F-1 student are terminated until you are reinstated, including employment.
- It may take up to three months for Immigration to answer your application. You may continue your studies while you are waiting.

INFORMATION ABOUT APPLICATION PROCESSING

- The Office of International Programs will require you to send your application to USCIS by certified mail, return receipt requested.
- USCIS may take up to three months to review your application and reply to us. We will contact you as soon as we hear from them. YOU MAY CONTINUE YOUR STUDIES WHILE THE APPLICATION IS BEING PRECESSED BUT NOT WORK.
- If you decide to travel before you receive an answer to your application, consult with your International Student Advisor first!

PLEASE CONTACT US IF THERE IS ANYTHING YOU DON’T UNDERSTAND OR THAT WE CAN HELP YOU WITH!

ISS@felician.edu
HOW TO APPLY FOR REINSTATEMENT TO F-1 STUDENT STATUS

1. COMPLETE THE FOLLOWING APPLICATION FORMS:

✓ Application to Extend/Change Nonimmigrant Status (Form I-539).
   o If you complete this form electronically at the USCIS website (www.uscis.gov):
     ● In Part 1 “Expires on” override system default for entering a date and enter “F-1 D/S”
     ● In Part 3, Item 1, so the same as above.
     ● Print form out and sign it in blue ink in Part 5.

✓ Attachment to Form I-539- REQUEST FOR REINSTATEMENT TO F-1 STUDENT STATUS.
   You are appealing to Immigration to permit you to continue your studies at Outstanding College! You must write your request with that in mind. It is up to you convince the Immigration Officer who will review your application that you merit having your F-1 status returned to you to continue your studies.

2. ATTACH THE FOLLOWING DOCUMENTS TO YOUR APPLICATION:

✓ Evidence. Attach documents that prove your case.

✓ Your new I-20 Form from Felician College. If we are preparing your I-20 Form for you now, you can sign it when you bring your Reinstatement Application into the office.

✓ Photocopies of all previous Forms I-20 you have been issued by Felician College and former schools.

✓ Transcripts (photocopies) from all schools you have attended including Felician College.

✓ Original Form I-94 Departure Record. If you entered the USA after May 2013 and do not have a paper I-94 card, please go to http://www.cbp.gov/i94 to print out a copy of your admission information.

✓ Payment for Form I-539 fee in the form of a check or a money order. Make it payable to U.S. Department of Homeland Security.

✓ Photocopy of your SEVIS Fee payment receipt if you paid it prior to violating your status, or were required to repay it because you violated your status more than five months before filing this application for reinstatement.
ATTACHMENT TO FORM I-539
Request for Reinstatement to F-1 Student Status
Student’s Explanation of Circumstances

Dear Immigration Officer:

☐ The violation of status was beyond my control
☐ I would have qualified for an authorized reduced course load but I didn’t apply in time

Because ____________________________________________________________________________________________
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I deserve reinstatement to F-1 student status because:
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If I am not reinstated,
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Student’s Signature                                       Date