

REINSTATEMENT TO F-1 STATUS

A student who has failed to maintain status and wishes to regain legal F-1 status may do so by either petitioning the United States Citizenship and Immigration Services (USCIS) for reinstatement of the terminated I-20 (**Reinstatement by Application**) **OR** by traveling outside the US and re-entering with a new “initial attendance” I-20 (**Reinstatement by Travel**).

Reinstatement by Application

Eligibility for reinstatement by application:

Reinstatement is only granted under limited conditions and at the discretion of USCIS. If you have failed to maintain F-1 status resulting in the termination of your I-20, you may be eligible to apply for reinstatement if:

- 1) You are filing within five months of the termination of your I-20
- 2) You do not have a record of willful or repeated violations
- 3) You are currently pursuing or intend to pursue a full course of study
- 4) You have not engaged in unauthorized employment
- 5) You are not removable on any other grounds (i.e. criminal activity)
- 6) You can substantiate that:
 - A) The status violation resulted from circumstances beyond your control
 - B) The status violation is related to a reduced course load that would have been within the power of International Student Services to authorize
 - C) Failure to approve reinstatement would result in extreme hardship

Application Procedure:

To apply for reinstatement to F-1 student status, the student must complete application Form I-539. You may file a paper application: <https://www.uscis.gov/i-539> or file the application online: <https://www.uscis.gov/i539online> . In addition to the I-539 application, the student must also submit documents and evidence to USCIS as follows:

- 1) Check or money order payable to U.S. Department of Homeland Security in the amount of \$455. (\$370 application filing fee plus \$85 biometrics fee)
- 2) Most recent I-94. <https://i94.cbp.dhs.gov/I94/request.html>
- 3) Copy of passport and F-1 Visa
- 4) Recent financial/bank statement (less than three months old)
- 5) New “reinstatement” I-20. (requested from the International Student Services office)
- 6) Explanation letter containing the following information:
 - A) Reason for falling out of status
 - B) How status violation was beyond your control
 - C) Request of reinstatement to F-1 student status
 - D) Personal declaration of commitment to all F-1 regulations upon reinstatement
 - E) How failure to obtain reinstatement would negatively impact you
 - F) Current academic situation and plans for graduation
- 7) Any additional documents supporting claims made in the explanation letter.

Students are encouraged to apply for reinstatement as soon as possible after I-20 termination to avoid any possibility of accruing unlawful presence in the U.S. Make a copy of all reinstatement documentation for your personal records prior to mailing.

Mail the paper I-539 application packet to ONE of the following addresses:

<u>via US postal service:</u> USCIS P.O. Box 660166 Dallas, TX 75266	<u>via FedEx/DHL/UPS:</u> USCIS ATTN: I-539 2501 S. State Highway 121 Business Suite 400 Lewisville, TX 75067
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The student will be required to maintain a full-time course of study while reinstatement is pending and will be ineligible for any kind of work benefits (on-campus employment and CPT) until reinstatement is approved. Students are also discouraged from traveling outside the US while the reinstatement is still pending.

Reinstatement by Travel

Eligibility for reinstatement by travel:

If you have failed to maintain F-1 status resulting in the termination of your I-20, you may be eligible to leave the U.S. and re-enter with a new I-20. This is usually a good option for students who hold an F-1 visa that has not yet expired.

Reinstatement by travel Procedures:

- 1) Submit a current financial/bank statement (less than three months old) to the International Student Services office to receive a new “initial attendance” I-20
- 2) Pay the \$350.00 SEVIS fee prior to re-entering the U.S. www.fmjfee.com
- 3) Provide your new I-94 to International Student Services within 15 days of re-entering the U.S.
- 4) Pick up your new “continued attendance” I-20

Additional Information:

You must re-enter the U.S. with your new I-20 and new SEVIS number, however your re-admission to the U.S. is not guaranteed as all entry decisions are at the discretion of Customs and Border officials. You do not need to renew your student visa unless it has expired. If you have F-2 dependents, they also must travel and re-enter to regain lawful status. After re-entry to the U.S. you will be eligible to work on campus. You will not, however be eligible for off-campus employment such as Curricular Practical Training (CPT) or Optional Practical Training (OPT) until after you have attended school again for at least one academic year.

For additional information about reinstatement please meet with an International Student Services advisor.

International Student Services
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4600 South Redwood Road
Taylorsville, UT 84123
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Email: international.affairs@slcc.edu
Website: www.slcc.edu/iss