



THE UNIVERSITY OF TEXAS AT DALLAS

International Student Services Office

Reinstatement of F-1 Status

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For Assistance
Review this guide and then call 972-883-4189 to schedule
an appointment with the ISSO Senior International Advisor

DESCRIPTION

If an F-1 student fails to follow the regulations and requirements set by the U.S. government for F-1 students, the student's F-1 immigration record is terminated and the student is "out of status". Being out of status is a serious matter; all F-1 benefits cease and the student can be subject to deportation.

Students who meet eligibility requirements can request that their F-1 status be restored. This is called "Restoration of Status by Travel" or "Reinstatement by Petition." The following general information is meant only as an introduction to reinstatement issues. Please make an appointment with the Senior International Advisor to obtain further details.

ELIGIBILITY REQUIREMENTS

To apply for reinstatement of F-1 status, you must

- Be academically eligible to begin/continue study at UTD
- You must be enrolled full time in the semester for which your reinstatement is filed
- You must meet the following conditions:
 1. The violation resulted from either:
 - a. Circumstances beyond your control
 - b. Failure to apply in a timely fashion for a reduced course load authorization from your International Student Advisor
 2. The violation did not occur more than five months ago
 3. Have not engaged in unauthorized employment

APPLYING OUTSIDE THE U.S.

You can reinstate your F-1 status by departing the U.S. and applying for an F-1 visa at a U.S. consulate.

Application Process for Restoration of Status by Travel

- Obtain a Reinstatement Guide from the ISSO in person or through ISSOCurrent@utdallas.edu.
- Schedule an appointment with the Senior International Advisor to review the process.
- Submit materials for a Form I-20 to the International Student Services Office (ISSO). *The processing time for the I-20 is 5 business days from submission of all required documents.*
- When notified by ISSO, pick up and sign the I-20.
- Pay SEVIS I-901 fee, if required, and print receipt. Online payment is possible at www.fmjfee.com. *For more information about the I-901 fee see: www.ice.gov/sevis/i901/index.htm.*
- Obtain an appointment at the selected US consulate/embassy.
- Attend the visa appointment with all necessary documents. *(Canadian students do not require this step.)*
- If approved, re-enter US in new F-1 status within 30 days of the program start date. In order to retain your new visa status, you must provide copies of the new stamped I-20, stamped I-94 card and F-1 visa to the ISSO.

Required Documents for Restoration of Status by Travel – submit to ISSO in order to obtain I-20.

- Reinstatement Request Form
- UT Dallas Financial Affidavit
- Bank statement, current within 6 months, with sufficient funds showing minimum amount listed on the Financial Affidavit (review *Bank Statements* section for more info).

Required Documents for Restoration of Status by Travel – take as you travel

- Passport
- Initial Form I-20
- SEVIS I-901 fee receipt, if required
- Proof of financial support
- Proof of maintaining F-1 status prior to termination
- Proof of compliance with NSEERS requirements, if applicable
- Miscellaneous supporting documents (optional)

APPLYING INSIDE THE U.S.

You can remain in the U.S. and apply for reinstatement of F-1 status through USCIS.

Application Process for Reinstatement of Status by Petition

- Meet with an International Advisor in the ISSO or send an email to ISSOcurrent@utdallas.edu to receive the application forms.
- Schedule an appointment with the Senior International Advisor to review the process.
- Submit materials for a Form I-20 to the International Student Services Office (ISSO). *The processing time for the I-20 is 5 business days from submission of all required documents.*
- Return to the ISSO to sign the I-20 and receive mailing instructions.
- Pay the I-901 SEVIS Fee, if required.
- Mail the application to USCIS with a check or money order for the application fee along with a receipt for the I-901 SEVIS fee.
- In 2-4 weeks, you will receive a receipt notice from USCIS with your application case number.
- You will receive the stamped I-20 and your original I-94 stamped if the application is approved.

Required Documents for Reinstatement of Status by Petition

- Reinstatement Request Form
- UT Dallas Financial Affidavit
- Bank statement, current within 6 months, with sufficient funds showing minimum amount listed on the Financial Affidavit (review *Bank Statements* section for more info).
- Dependent information, if any
- Form I-539
- Your original I-94 card
- Photocopy of passport identification page (copy must show the photo and the expiration date)
- Photocopy of your current F-1 visa or F-1 I-797 Change of Status Approval Notice
- Copy of all academic transcripts from your studies in the United States

- Copy of all I-20's (front and back) from all institutions you have attended in the United States
- A letter of explanation. The letter should include the following:
 - The reason that you are asking for reinstatement
 - That the violation resulted from circumstances beyond your control or failure to apply in a timely fashion for a reduced course load authorization
 - An explanation of why failure to receive reinstatement would result in extreme hardship
 - A statement that you have never been employed without USCIS authorization
 - That you are currently pursuing or intend to pursue a full course of study in the next long semester
- Any other documentation that might help establish the nature of the violation

WHEN TO APPLY

It is in your best interest to file the petition for reinstatement immediately after the violation. Meet with an international advisor in ISSO or send an email to issocurrent@utdallas.edu to request a reinstatement application packet. Then meet with the Senior Immigration Advisor to review the process. USCIS processing times are highly variable and approval of a reinstatement of F-1 status can take six months or more.

BANK STATEMENTS

- Funds must be liquid assets, not investments.
- USCIS has indicated that bank statements from your home country are acceptable if translated into English and bank statements (even if obtained electronically) are preferred over Internet printouts.
- If funds are not in U.S. dollars, include an Internet printout of the value in U.S. dollars after calculating the rate of exchange.

FAQs

Can I depart the United States while my reinstatement is pending?

You cannot leave the United States while your reinstatement application is pending. Departing the United States while a reinstatement application is pending with the USCIS is considered an abandonment of the application.

What happens if my reinstatement is approved?

The adjudicating USCIS officer will update your SEVIS record to indicate that your reinstatement has been approved. The ISSO will receive an e-mail from the USCIS stating that you have been reinstated. The ISSO will inform you when they have received notification that you have been reinstated. Your reinstatement I-20 and original I-94 card will be returned to the address that you used on page one, part one of the I-539. The ISSO will inform you if your I-20 and I-94 card are mailed to our office. If the I-20 and I-94 card are mailed to your home address **IT IS YOUR RESPONSIBILITY TO BRING A COPY OF THESE DOCUMENTS TO THE ISSO.**

What happens if my reinstatement is denied?

If the adjudicating USCIS officer denies your application for reinstatement, the ISSO will receive e-mail notification of the denial, and your SEVIS record will revert to the TERMINATED or COMPLETED status. THE ISSO will inform you of the denial. A denial notice, your original I-94

card and form I-290B, Notice of Approval or Motion, will be mailed to the address that you used on page one part one of the I-539.

What are the consequences of a reinstatement denial?

I.N.A. 222G (overstay and visa cancellation) and 212(a)(9)(B) (unlawful presence) are two penalty provisions that can be activated if your request for reinstatement is denied. Your reinstatement denial would have the following effects, as of the date of your denial:

- Your visa that you used to enter the United States would automatically be cancelled
- You would be permanently limited to applying for US nonimmigrant visas in the future only in your country of citizenship or permanent residency
- You will begin accumulating days of “unlawful presence.” If you remain in the United States after the denial for over 180 days, you will be barred from returning to the United States for three years; if you remain in the United States after the denial for one year or more, you will be barred from returning to the United States for ten years.

ISSO CONTACT INFO

- Website: <http://www.utdallas.edu/student/international/>
- Email: ISSOcurrent@utdallas.edu
- The ISSO international advisors are available on a walk-in basis Mon-Thu 10:30-5:00 and Fri 10:30-4:00 or you can call 972-883-4189 to schedule an appointment.