



THE UNIVERSITY OF TEXAS AT DALLAS

International Student Services Office (ISSO)

Reinstatement of F-1 Status

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This guide is provided by the UT Dallas International Student Services Office to prospective and current UT Dallas students considering requesting reinstatement of visa status. The information is not intended as legal advice. For legal issues, please consult an immigration attorney.

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. The following is general information regarding reinstatement issues. Please make an appointment with an international student advisor to obtain further details.

WHEN TO APPLY

It is in your best interest to file the petition for reinstatement immediately after the violation. Meet with an international advisor 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.

ELIGIBILITY REQUIREMENTS

To apply for reinstatement of F-1 status, the regulations require that you:

- Be academically eligible to begin/continue study at UT Dallas
- You are enrolled full-time in the semester for which your reinstatement is filed
- The violation:
 - Resulted from circumstances beyond your control OR from failure to apply in a timely fashion for a reduced course load authorization
 - Did not occur more than five months ago
 - Did not involve unauthorized employment

Some students have successfully filed without meeting all the above requirements. Speak to an international student advisor about your specific circumstances.

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.

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 an international student advisor to review the process.
- Submit materials for a Form I-20 to the International Student Services Office (ISSO). The processing time is 5 business days after submission of all required documents.
- When notified by the ISSO, pick up and sign the I-20.

- Pay the SEVIS I-901 fee, if required, and print the receipt. Online payment is possible at www.fmjfee.com. For fee information, see: www.ice.gov/sevis/i901/index.htm.
- Obtain an appointment at a U.S. consulate or embassy.
- Attend the visa appointment with all the necessary documents. (*Canadian students do not require this step.*)
- If approved, re-enter the U.S. in a 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.***

Submit to ISSO:

- 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).

Take to consulate:

- 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
- 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.

Process for Reinstatement of Status by Petition

- Obtain a Reinstatement Guide from the ISSO in person or through ISSOCurrent@utdallas.edu.
- Schedule an appointment with an international student advisor to review the process.
- Submit application materials to the ISSO. *The processing time is 5 business days after submission of all required documents.*
- If the SEVIS I-901 fee is required, pay the fee online at www.fmjfee.com and print the receipt. For fee information, see: www.ice.gov/sevis/i901/index.htm.
- When notified return to the ISSO for the I-20 and mailing instructions.
- Mail the application to USCIS.
- In 2-4 weeks, you will receive a receipt notice from USCIS with your application case number.
- If approved, the I-20 and I-94 will be returned to you stamped "Reinstated".

Submit to ISSO:

- 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).

Assemble to mail to USCIS:

- G-1145 (optional)
- Check
- 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).
- Form I-539
- Copy of I-94 card
- Copy of your passport identification page (with photo and expiration date)
- Copy 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-20s 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

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. 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?

No. USCIS considers this as 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 and will email the decision to the ISSO.
- An international student advisor will notify you of the approval.
- Your reinstatement I-20 and original I-94 card will be mailed to the address used on the I-539.
 - If you used the ISSO address, staff will email you the day the approval documents are received.
 - If you used another address, the documents will be mailed there. **IT IS YOUR RESPONSIBILITY TO BRING A COPY OF THESE DOCUMENTS TO THE ISSO.**

What happens if my reinstatement is denied?

- The adjudicating USCIS officer will update your SEVIS record and will email the decision to the ISSO.
- An international student advisor will notify you of the denial.
- A denial notice, your original I-94 card and an appeal form will be mailed to the address used on the I-539. The denial notice may instruct you to leave the country.
- Your visa would be automatically cancelled.

What happens then?

If you feel you are eligible for an appeal, you can contact an immigration attorney to file for you. If you remain in the U.S. but do not appeal you may start accumulating days of “unlawful presence”

- 180 days of unlawful presence causes you to be barred from the U.S. for three years
- 1 year or more of unlawful presence causes you to be barred from the U.S. for ten years

ISSO CONTACT INFO

- Website: <http://www.utdallas.edu/isso/>
- Email: ISSOcurrent@utdallas.edu
- The ISSO international advisors are available on a walk-in basis or by phone Monday, Tuesday, Thursday 10 a.m. - 5 p.m.