WHAT IS REINSTATEMENT

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 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. Students who are out of status:

- Are not eligible to work.
- May be contacted by Homeland Security agents.
- May be subject to deportation.
- Are not prohibited from enrolling due to their immigration status.

The two methods are listed below. You may also want to consult with an immigration attorney.

STEPS TO APPLY FOR REINSTATEMENT

STEP 1. VERIFY YOUR ELIGIBILITY

- 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.

STEP 2. DECIDE HOW TO APPLY

You can reinstate your F-1 status by departing the U.S. and applying for an F-1 visa at a U.S. consulate or you can remain in the U.S. and apply for reinstatement of F-1 status through USCIS. Reinstating your F-1 status by travel can be more costly due to travel fees, however it may also be quicker. Reinstatement by petition allows you to remain in the U.S., however it may take up to one year for approval.

- Process for Restoration of Status by Travel
  - Submit the following documents for a Form I-20 to the International Student Services Office (ISSO) through iComet at: https://icomet.utdallas.edu. The processing time is 3 - 5 business days after submission of all required documents.
    - Reinstatement Request Form
    - UT Dallas Financial Affidavit
    - Bank statement, current within 6 months, with sufficient funds showing minimum amount listed on the UT
• Dallas Financial Affidavit (review Bank Statements section for more info).

  ❖ 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.)
    • 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)

➢ Process for Reinstatement of Status by Petition
  ❖ Submit the following documents for a Form I-20 to the International Student Services Office (ISSO) through iComet at: https://icomet.utdallas.edu. The processing time is 3 - 5 business days after submission of all required documents.
    • Reinstatement Request Form
    • UT Dallas Financial Affidavit
    • Bank statement, current within 6 months, with sufficient funds showing minimum amount listed on the UT Dallas Financial Affidavit (review Bank Statements section for more info).

  ❖ When notified by the ISSO, pick up and sign the I-20.
  ❖ 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.
  ❖ Mail the application to USCIS.
    • G-1145 (optional)
    • Check or money order for $370 made payable to the Department of Homeland Security. Or use Form G-1450, Authorization for Credit Card Transactions.
    • 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 available semester.

• Any other documentation that might help establish the nature of the violation

  ➢ In 2-4 weeks, you will receive a receipt notice from USCIS with your application case number.
  ➢ If approved, you will receive an approval notice from USCIS verifying your F-1 status has been reinstated.

➢ 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.

STEP 3. IF APPROVED.

➢ Approval for Restoration of Status by Travel
  ➢ 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.

➢ Approved for Reinstatement of Status by Petition
  ➢ You will receive an approval notice from USCIS verifying your F-1 status has been reinstated. In order to retain your reinstated F-1 status, you must provide a copy of your USCIS approval notice to the ISSO.

FREQUENTLY ASKED QUESTIONS

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. Your reinstatement approval notice will be mailed to the address used on the I-539. In order to retain your reinstated F-1 status, you must provide a copy of your USCIS approval notice 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. A denial notice 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 canceled. Please submit a copy of the denial notice to the ISSO. If your request is denied, you may be subject to unlawful presence and removal proceedings.

Can I appeal the denial?
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 file an 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 INFORMATION

ISSO appointment advising is available:

- **Walk-In Advising:** Monday and Friday 1pm - 4:45pm (in person; no appointment necessary)

- **Appointment Advising:** Tuesday and Thursday 9am – 11:45am, Thursday 1pm – 4:45pm (to schedule an appointment, visit https://www.utdallas.edu/ic/schedule-appointment)

- **5 Minute Express Advising:** Monday, Thursday, and Friday 1pm – 4:45, Tuesday and Thursday 9am – 11:45am (in person; no appointment necessary)

You may also email the ISSO at ISSOCurrent@utdallas.edu.