

F-1/M-1 Reinstatement Fact Sheet

A student who fails to maintain F-1 or M-1 student status has two options as to how to regain their legal immigration status; application through USCIS/DHS or travel. Each option is explained below.

Some examples of how a student may fail to maintain status include:

- Failure to complete the I-20 transfer procedure on time when changing schools or degree programs
- Failure to apply for an extension of program before I-20 expires
- Failure to complete a full course of study during a given semester (without a valid exception per DHS regulations)

Option 1: Apply to the US Department of Homeland Security (DHS): A non-immigrant alien who has failed to maintain status may apply for reinstatement to lawful status at the discretion of DHS, but only under limited conditions specified in immigration regulations.

An application for reinstatement *may be considered* if the following can be proved:

- You have not been out of status for more than five (5) months
- You do not have a record of repeat violations
- You are pursuing a full course of study
- You are not (or have not been) engaged in unauthorized employment
- You are not deportable on any grounds other than the status violation
- The status violation was beyond your control, or failure to timely submit a Program Extension

PENDING REINSTATEMENT – You are not in legal F-1/M-1 status until your application for reinstatement is approved.

School Attendance: An applicant for reinstatement to F-1/M-1 status **must** maintain full-time academic enrollment while the application is pending.

Employment Benefits: No F-1 employment benefits are available until the reinstatement is approved; M-1 students are not allowed to work at all.

HOW TO APPLY – **Make an appointment** with the ISSS Office and bring the following documents with you to your appointment:

- Check or money order, payable to Department of Homeland Security ([check current fee here](#))
 - I-94 card (print at: <http://www.fit.edu/iss/announcements/1530>)
 - Personal letter explaining your situation and requesting reinstatement (original; **be sure to sign the letter**)
 - Completed Form I-539: <http://www.uscis.gov/files/form/i-539.pdf>
(on Part 2, Application Type, be sure to select #3 – “Reinstatement to Student Status”;
Part 3. Processing Information: check-mark the box at 1.b.)
- NOTE:** if you do not know the answer to a question, leave it blank; we will go over the form at your appointment
- photocopy of passport statistics page
 - photocopy of visa
 - proof of financial support (original or photocopy)
 - copy of academic transcripts (this can be an unofficial copy)
 - All previously issued I-20's (photocopies)
 - Credit Card (*for use in paying SEVIS fee after new I-20 issuance, if out of status for more than 5 months)

AT THE APPOINTMENT:

- a new, original F-1 I-20 will be issued indicating your application for reinstatement
- payment of SEVIS Fee and printing of Payment Receipt* www.fmjfee.com

The word "**REINSTATEMENT**" should be written at the top of the I-539 form to further distinguish it from other uses of Form I-539.

SUGGESTIONS FOR PERSONAL LETTER – A strong letter should establish convincingly why you are out of status by specifically stating the violation, and the reason(s) you are in violation. State how failure to receive reinstatement approval will affect you; state that you are currently pursuing or intending to pursue a full course of study and specifically request that the Department of Homeland Security reinstate you to student status. Be sure to state that you have not violated any other immigration regulations and have not been employed without proper authorization; and finally reaffirm your intention that you intend to return to your home country when your F1 status is completed.

PROCESSING THE REINSTATEMENT – Once your application is complete and has been reviewed by the ISSS Office, we will mail the reinstatement application yourself to one of the addresses below, or you can mail it yourself. If you mail it yourself, the ISSS Office recommends that you send your packet “certified mail; return receipt requested”. This allows you to track your application during the mail process and ensures proof that you sent your application and that it was received. It is important that the Reinstatement application packet be assembled in order as shown above in the “How To Apply” section and sent to:

“Regular” mail:

USCIS – Texas Service Center
ATTN: I-539 – REINSTATEMENT
PO Box 660166
Dallas, TX 75266

Certified Mail or Overnight Mail:

USCIS – Texas Service Center
ATTN: I-539 - Reinstatement
2501 S State Highway 121 Business Suite 400
Lewisville, TX 75067

In a few weeks you will receive a Notice of Action from the Service Center; please give a copy of this notice to the ISSS Office. This notice lets you know that the Service Center has received your application; it does not mean that your application has been approved. Read this notice carefully. If at any time the Service Center requests further information, gather what is asked and see the ISSS Office; **pay strict attention to given deadlines.**

The reinstatement process can take several months to be acted upon. You must be attending school full-time and stay in compliance with all F-1/M-1 student regulations. Failure to do so can result in the denial of your application. When you receive your final adjudication Notice of Action, bring your notice to the ISSS Office so that your immigration records can be adjusted accordingly and a copy made for your student file.

Option 2: TRAVEL – As an alternative to applying for reinstatement while in the U.S., you may opt to travel and re-enter the U.S. using a new “initial attendance” I-20; you will also need to pay the SEVIS fee for the new I-20, and possibly secure a new visa (only an Embassy/Consulate can make that determination). Please note that this type of travel can restrict your eligibility for practical training. Please consult with the International Student & Scholar Services Office to discuss this option further.