

Reinstatement to F-1 Status

As a student in F-1 status, you are expected to comply with immigration regulations. If you fail to comply with these regulations, you will be "out of status". When you are out of status, you are no longer eligible for on-campus employment, practical training, recertification of your I-20 for re-entry to the US, or any other benefits of F-1 status.

The following are considered violations of your F-1 status:

- Failure to attend the school whose I-20 you used to enter the United States.
- Failure to maintain 12 credit hours for a Fall or Spring term.
- Failure to request a transfer from ESC within 60 days of completion date or OPT end date.
- Failure to apply for a Program Extension **before the completion date on your I-20.**
- Failure to obtain a new I-20 if you change your educational program or degree level.
- Failure to report address change to the Designated School Official within 10 days moving.

Reinstatement allows you the opportunity to regain valid F-1 status and have the mistakes you made corrected by USCIS. You may be eligible for reinstatement only if you:

- Are currently enrolled or intend to enroll for a full-time course load.
- Can establish that the violation of status resulted from circumstances beyond your control.
- Have not engaged in unauthorized employment.
- Have not been out of status for more than 5 months.
- Can document sufficient financial resources to pursue a full-time course load.
- Do not have a history of repeated violations.
- Are not deportable from the US on any other grounds.

Note that working in the US without appropriate authorization from the Designated School Official or the USCIS is a violation of your status that **cannot be corrected through reinstatement**. If you are in violation of your status due to unauthorized employment, you can only regain your status by departing the United States.

Procedure: The application for reinstatement is made by you directly to USCIS. Edison State College does not have a role in approving your application. Only

USCIS can reinstate your status. However, Edison Designated Officials are available to review your application before you submit it if you wish.

Your reinstatement application must include the following documents:

1. A request for reinstatement, written by you, explaining why you fell out of status and why the circumstances were beyond your control
2. A new, original, I-20 created for you by the DSO for the purposes of reinstatement which you have signed and dated. You must send the original I-20 for reinstatement applications
3. A completed [Form I-539](#). Note: Write "REINSTATEMENT" in red ink at the top of the Form I-539. In Part 2, question 1, check "C" and write: "Reinstatement to F-1 status"
4. Financial documentation showing one year of tuition, fees, and living expenses
5. Copies of your passport, visa, and I-94 card
6. Copies of all I-20s previously issued to you
7. Transcripts
8. A bank check or money order payable to Department of Homeland Security in the amount of \$300.

If you have dependents in the US, you must also include them in the application since a violation of your F-1 status affects your dependent family members as well.

We recommend that you copy your application materials for your own records before sending it to USCIS. Send the application by certified mail, return receipt requested to:

US Citizenship and Immigration Services
ATTN: I-539
Vermont Service Center
75 Lower Welden Street
St. Albans, VT 05479

If your request for reinstatement is approved, the USCIS officer will stamp your I-20 to indicate that you have been reinstated and return it. Once the reinstatement is approved, you are once again eligible for the benefits of F-1 status. If the application is denied, you will be notified and required to leave the US.

Special Considerations

Processing times for reinstatement applications vary; however, it may take as long as 6 months for the application to be adjudicated. Although you may continue to study while the application is pending (In fact, you are required to

register full-time during this period.), you will not be eligible for any type of employment until the reinstatement is approved.

Alternative to Reinstatement

You also have the option of traveling to regain status instead of applying for reinstatement. When you travel to regain status, you are issued a new I-20 for "Initial attendance" with a new SEVIS ID number. You then leave the US and re-enter using the new I-20. When you enter the US and receive an I-94 marked "F-1 D/S", you will once again be in valid F-1 status. However, if you choose to travel to regain status, you will forfeit any time you have accrued toward practical training eligibility. You will need to be registered for one academic year in order to qualify for practical training.