

I-20 Reinstatement – Information and Process

Definition:

Failure to maintain proper F-1 status results in the termination of your I-20. International students in this situation should apply for reinstatement with the U.S. Department of Homeland Security (DHS).

Examples

A student may fall “out of status” by:

- Failure to maintain full-time enrollment during required terms (without a valid exception as defined by DHS regulations)
- 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 the I-20 expires

Who Qualifies?

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 by federal regulations. An application for reinstatement may be considered if the following can be documented:

- You have not been out of status for more than 5 months
- You do not have a record of repeat violations
- You are pursuing, or will be pursuing in the next available term, a full course of study
- You are not engaged in unauthorized employment
- You are not deportable on any grounds other than the status violation
- The status violation was beyond your control
- You failed to submit a Program Extension before your I-20 expiration
- You failed to seek approval for below full-time enrollment

Pending Reinstatement

You are not in legal F-1 status again until your application for reinstatement is approved. Until then, you are in “pending status” once your petition for reinstatement has been filed and received by USCIS. Pending status is better than out of status. Filing for reinstatement does not imply or guarantee approval.

- **School attendance:** An applicant for reinstatement to F-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.
- **Drivers License:** The Dept. of Driver Services (DDS) conducts a secondary verification process when non-U.S. citizens apply for or renew their driver’s licenses. If an individual is out of status (such as a terminated I-20), this process will result in a denial. Approval is possible again when normal status is approved.

Travel

An alternative to applying for reinstatement in the U.S., is to depart and re-enter the U.S. using a new “initial attendance” I-20. Please note that this type of travel will restrict your eligibility for practical training. Please consult with PDSO to discuss this option.

How to Apply

Please make an appointment with the PDSO and bring the following documents with you to your appointment:

1. \$290* check or money order; payable to U.S. Department of Homeland Security (*current; subject to change)
2. Form I-539 <http://www.uscis.gov/files/form/i-539.pdf>
3. All previously issued I-20s
4. I-94 card
5. passport, with visa
6. proof of financial support
7. dependent's documentation: passport, I-94, I-20 (if applicable)
8. personal letter explaining your situation and the basis of your request for reinstatement
9. copy of academic transcripts (unofficial copies are acceptable)
10. If you have been out of status more than 5 months, a receipt for the payment of a new SEVIS Fee (\$200) is required. www.ice.gov/sevis/i901/ Copies of your original documents will be made at your appointment and a new I-20 for Reinstatement will be issued.

Suggestions for Personal Letter

A strong persuasive letter but succinct letter should clearly establish why you are out of status by stating the specific violation and the reason(s). 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 "active" F-1 status. Be sure to state that you have not violated any other immigration regulations and have not been employed without proper authorization. If that is not the case, leave this out; don't lie about it.

Processing the Reinstatement

Once your application is complete and has been reviewed by PDSO, it will be submitted to the California Service Center for adjudication. In a few weeks you will receive a "Notice of Receipt/Action" from the Service Center. This notice informs and documents for you that the Service Center has received your application; it does not mean that the application has been approved.

Read it carefully. If the Service Center is requesting further information, gather what is asked for and contact PDSO IMMEDIATELY. Processing time is unpredictable and may take a few months to reach completion. You must be attending school full time and stay in compliance with all F-1 student regulations. Failure to do so can result in denial of your reinstatement. When you receive your final adjudication (outcome) letter, you must inform the PDSO so that your immigration (SEVIS) records can be adjusted accordingly.

F-1 Reinstatement Checklist

- Personal letter of explanation addressed to USCIS including the following:
 - ✓ Specifics of the violation
 - ✓ Explanation of the circumstances beyond the student's control.
 - ✓ Statement that the student is currently pursuing or will pursue a full course of study. You MUST register and complete (12 units) in the following required term.
 - ✓ Request to USCIS for reinstatement
- Provide proof of financial support
 - ✓ A current official bank letter on bank letterhead with official signature. (see sponsor form for requirements)
 - ✓ If you have a sponsor your sponsor needs to complete the Financial Sponsor Affidavit Form.
 - ✓ Copies of U.S. checking/savings account bank statement for the last 3 months.
- Official transcripts from all U.S. institutions you have attended.
- Complete Form I-539. the form can be downloaded at website: <http://www.uscis.gov/files/form/i-539.pdf> (please complete the form in black ink only)
- Write a check or money order of **\$290.00** payable to the order of **U.S. Department of Homeland Security**.
- Photocopies of passport picture page, information page
- Photocopies of F1 visa page
- Photocopy of all I-20s (Including I-20's from other schools)
- All change of status records and extension notices issued by Immigration.
- Original I-94 Card front/back
- Make an appointment with a PDSO at haeri.chee@cu.edu. We will issue an I-20 Reinstatement Request and letters from the PDSO after all documents are acquired
"All documents must be complete BEFORE issuing the I-20 Reinstatement Request.
- Make a copy of all documents for your records before mailing.*
Send via: **United States Postal Service**
Service: **Certified and Return Receipt**
Mailing Address:
USCIS California Service Center
P.O. Box 10539
Laguna Niguel, CA 92607-1053

What Happens Next

Once you receive your Receipt Notice from USCIS called "I-797 Receipt Notice" please submit a copy to your PDSO in ADMIN 120C.

Student - If you get approved by USCIS for reinstatement of your F-1 status you must do the following:

1. Copy I-20 with approval stamp (first and last pages)
2. Copy I-94 (front and back)
3. Submit copies to your PDSO

NOTE: Should you receive a letter from USCIS titled RFE (Request for Evidence) please bring the letter to your PDSO immediately. You will only have 30 days to respond, if you do not respond, your application will be automatically denied. Please come to ADMIN 120C with the letter. You do not need an appointment.

While your reinstatement request is processing you cannot leave the U.S. as you will not be allowed back in. Do not move, as notices/documents from USCIS will be mailed to the address on the I-539.

Important Note: All paper work requests have a 10-business day turn-around period