

# Reinstatement Packet

This packet is intended to provide you with resources about the reinstatement process.

## **What is reinstatement?**

Reinstatement is the process of gaining back your F-1 status after you fall out of status and your SEVIS record terminates.

## **Why do I need reinstatement?**

You require reinstatement because you fell out of status by failing to comply with the immigration regulations of your F-1 visa. If you fell out of status while attending another school, it is important that you ask why you fell out of status. If you fell out of status while at Schoolcraft College, the reason will be listed on your SEVIS termination letter.

## **Am I eligible to apply for reinstatement?**

You may be eligible for reinstatement if you:

- Have not been out of status for more than 5 months prior to filing the reinstatement request.
- Have not engaged in unauthorized employment.
- Do not have a history of repeated violations.
- Are not deportable from the U.S on any other grounds.
- Can document sufficient financial resources to pursue a full-time course load
- Can establish that the violation of your F-1 status resulted from circumstances beyond your control.

## **If I file for reinstatement, what do I do while I await a decision from USCIS?**

You will be unable to utilize any employment benefits of F-1 status. However, you are expected to continue attending school as a full-time student. If you apply for reinstatement from within the United States, you will also be unable to leave the country while your case is pending.

## **What if I decide I do not want to complete the reinstatement process?**

If you do not reinstate, you should leave the United States. If you choose to stay in the United States and do not reinstate, your record will remain terminated and you will be in the country illegally. If you do not take action to reinstate within 5 months of falling out of status, you could create serious immigration problems for yourself.

This may include deportation, the inability to gain another U.S visa, a ten year ban from the U.S or various other serious consequences.

**Should I use the assistance of a lawyer?**

If you do not feel comfortable with completing the process independently or your reinstatement application is complex, it may be a good idea to consult with an immigration lawyer. Our office can recommend reinstatement for you by preparing a new I-20 for you. We can also assist in writing a letter of support for your reinstatement application when it is applicable. However, we cannot complete or submit the application for you. If you want that type of support, you should consider a lawyer. When selecting a lawyer, make sure they have experience with reinstatements.

**What if I have F-2 dependents?**

You will also have to include them in your application for reinstatement. Any violation of status on your F-1 visa affects your dependents.

## Reinstatement Application Steps

1. Fill out the *Reinstatement Request Form* on page 3
2. Sign the *Statement of Reinstatement Understanding* on page 4
3. Schedule an appointment with the international office to determine reinstatement eligibility (*bring both the forms from step 1 and 2 with you*)
4. Decide how you will be reapplying for reinstatement, you have two options:
  - In country through USCIS (see page 5 & 6)
  - Through travel and re-entry (see page 7)
5. Follow the steps listed in this packet for the reinstatement option you select.

Date:    /    /

# Reinstatement Request Form

Use this form to request a reinstatement recommendation from Schoolcraft College.

## Required Information

Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_

Student #: \_\_\_\_\_ Email: \_\_\_\_\_

Phone #: \_\_\_\_\_

What is the last school you were enrolled at? \_\_\_\_\_

## How and why did you fall out of status?

When was your SEVIS record terminated? \_\_\_\_\_

What school terminated your SEVIS record? \_\_\_\_\_

Have you ever applied for reinstatement before? \_\_\_\_\_

Have you ever utilized an F-1 status employment benefit (CPT or OPT)? \_\_\_\_\_

Have you ever taken a reduced course load? \_\_\_\_\_ If yes, why? \_\_\_\_\_

I understand that by submitting this form I am only requesting reinstatement recommendation from Schoolcraft College. I understand that Schoolcraft College is assisting with my application based on the information I have submitted, and cannot guarantee that my application will be approved. It is my responsibility to maintain my F-1 status in the United States, and it is also my responsibility to apply in a timely and accurate manner for reinstatement to F-1 status if I am not currently in status. If my reinstatement request is denied, I know that I must leave the United States immediately.

Student Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## Statement of Reinstatement Understanding

I understand that in order to pursue reinstatement I must meet eligibility criteria. Reinstatement is not guaranteed and the denial of the application may result in an immediate need to leave the United States. While the reinstatement application is pending I must be enrolled as a full-time student. Additionally, I will be unable to utilize employment benefits of the F-1 visa. Although the international department at Schoolcraft College will aid and support students in their applications for reinstatement, it is ultimately the student's responsibility. These responsibilities include but are not limited to, ensuring the application is complete, accurate, and submitted in a timely matter. Additionally, it is the student's responsibility to understand the reinstatement restrictions, reporting requirements, and procedure.

**I have read and understand the above "Statement of Reinstatement Understanding".**

**Student Printed Name:** \_\_\_\_\_

**Student Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

## In Country Reinstatement Through USCIS

If certain requirements are met, you may apply for reinstatement by submitting a packet to USCIS. You will be notified of the decision by USCIS. This process takes approximately 2-4 months from the date you submit the reinstatement application. Remember, if you have dependents on F-2 visas you must include them in your application.

**Step 1:** Speak with an international advisor at Schoolcraft College to determine if you are eligible to apply for reinstatement through USCIS.

**Step 2:** Submit the required financial documentation to an international advisor at Schoolcraft College. You will need to show proof of finances to support your full-time study.

**Step 3:** Gather the following required documents for your reinstatement packet:

USCIS Form I-539

- Located on the USCIS website: <https://www.uscis.gov/i-539>

Check payable to “Department of Homeland Security” for the I-539 application

- Current fee amount is listed on <https://www.uscis.gov/i-539>

I-94 Card

- Print from <https://i94.cbp.dhs.gov/I94/#/recent-search>
- Canadians with hard copies of the I-94 card must copy the front and the back

Copy of valid passport and F-1 visa page

Copy of your old I-20's

Proof of full-time enrollment for current semester (copy of transcript or current class schedule)

A letter (one page) written to USCIS from you explaining why you are requesting reinstatement and how you fell out of status. If you hired an immigration lawyer, they should be able to assist you with this. We recommend that the letter include the following:

- A brief history of your stay in the United States as an F-1 student.
- That you are currently enrolled as a full time student or will be for the upcoming semester.
- That your failure to maintain your student status was due to circumstances beyond your control and that failure to receive reinstatement will result in hardship.
- That you have not violated any other F-1 regulations and that you did not work without authorization off campus.

- Supporting documentation and proof of any reasons that you've stated for why the circumstances were beyond your control, such as a notice from your school describing closure after a natural disaster, or a letter from your doctor and hospital records if you were sick or injured.

**Step 4:** Set up an appointment with an international advisor at Schoolcraft. Email them a few days before your appointment to let them know you have completed the reinstatement packet and you will be coming to pick up the reinstatement I-20 at your upcoming appointment. At the appointment you will need to sign and date the new I-20 in blue ink. You will add the original reinstatement I-20 to your reinstatement packet.

**Step 5:** Mail the entire reinstatement packet to the address listed in the form's instructions. We highly recommend sending the packet certified mail so that you are able to track it and have proof that it was sent and received.

**Step 6:** WAIT! While your reinstatement application is pending it is important you follow all other F-1 regulations. You must be attending classes and enrolled full-time. Do not travel outside the United States while your application is pending. Do not work! If you change your address or phone number, let the international office know immediately. You will receive a receipt notice from USCIS with a case number. Let the international advisor know what your case number is when you receive it. You can use that case number to check your application status online at: <https://egov.uscis.gov/casestatus/landing.do> .

Once you receive notice on whether your case was approved or denied, make an appointment with an international advisor immediately to determine next steps.

## Travel and Re-entry Reinstatement Process

- Step 1:** Speak with an international advisor at Schoolcraft College to determine if you are eligible to apply for reinstatement the travel and re-entry process.
- Step 2:** Submit the required financial documentation to an international advisor at Schoolcraft College. You will need to show proof of finances to support your full-time study.
- Step 3:** Schedule an appointment to pick up your new reinstatement I-20 from the international advisor. At this appointment, you can discuss your travel and re-entry plans.
- Step 4:** Pay the SEVIS fee prior to re-entering the U.S at [www.fmjfee.com](http://www.fmjfee.com)  
Make sure you print your receipt as proof!
- Step 5:** Travel outside of the U.S. and return using your new I-20. Before you travel, please remember check:
- The expiration date on your passport (should be valid for 6 months past your re-entry date into U.S.)
  - The expiration date on your visa (if expired, you will need to renew before re-entering)
  - Sign and date your new I-20
- Step 6:** Report to the international advisor after your re-entry to complete your reinstatement process.

### Important Reminders:

- You must re-enter the U.S. on your new reinstatement I-20.
- You do not need to renew your visa unless it is expired.
- It is not advisable for you to travel to Canada, Mexico, or the Caribbean to try to make a legal entry by travel into the U.S. unless one of these countries is your home country. Please keep in mind that your re-entry is not guaranteed and you travel at your own risk.
- You are entering with a new I-20, so you are viewed as an initial student. After your re-entry you will be eligible for on-campus employment but you must maintain full time student status for two semesters again to be eligible for vacation semester, CPT, or OPT.
- If you have F-2 dependents, they fall out of status if you fall out of status. If you are traveling to return to lawful status, your dependents must also travel with you to have their status restored to valid F-2.
- After re-entry, you will be eligible for on-campus employment immediately, however, you are not eligible for CPT or OPT until you have accrued two semesters of full-time study.
- You may enter the U.S. no earlier than 30 days prior to the program start date listed in section 5 of the new I-20.