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## REINSTATEMENT OF STATUS TO F-1 STATUS

### OVERVIEW

An F-1 student who is "out of status" may apply for "reinstatement" to regain his or her F-1 legal student status. There are two different options to apply for reinstatement:

1. Travel outside the U.S., apply for an F-1 visa if current visa has expired and re-enter the U.S. with the new visa.
2. Submit a reinstatement application to U.S. Citizenship and Immigration Services (USCIS) within the U.S.

### ELIGIBILITY

#### To apply for reinstatement, the student:

1. Must have not been out of status for more than 5 months at the time of filing reinstatement (or demonstrates that the failure to file within the 5 month period was the result of exceptional circumstances and that the student filed the request for reinstatement as promptly as possible under these exceptional circumstances).
2. Does not have a record of repeated or willful violations of USCIS regulations.
3. Is currently pursuing, or intending to pursue a full course of study in the immediate future.
4. Has not engaged in unauthorized employment;
5. Is not deportable on any other grounds; and
6. Establishes to the satisfaction of USCIS that:
  - The violation of status resulted from circumstances beyond the student's control (such as serious injury or illness, a natural disaster, or a mistake made by the international student advisor.
  - The violation relates to a reduction in course load that would have been in the international student advisor's power to authorize, and that failure to approve reinstatement would result in extreme hardship to the student.

Students are required to continue to study in order to maintain their F-1 status while application is still pending. However, they are not permitted to work on-campus or off-campus after violation of status and while reinstatement application is pending.

### OPTION A: REINSTATEMENT BY TRAVELING OUTSIDE THE U.S.

As an alternative to reinstatement, sometimes it may be advisable for you to depart the U.S., apply for a new F-1 visa if the F-1 visa stamp in your passport has expired and re-enter with an initial attendance I-20. You will need to obtain a new Form I-20 from the Office of International Student and Scholar Services. To obtain the new I-20, you need to:

- Complete the I-20 Request Form,
- Submit copies of your current I-20, passport, visa and I-94 record
- Financial Documents such as bank statement or scholarship letter

Upon your return, please submit copies of your immigration documents to OISSS.

A re-entry to the U.S. after a status violation is viewed as "initial attendance" in F-1 status. Therefore, you are treated like a new F-1 student, and must wait for one academic year before you are eligible for practical training.



521 Lancaster Avenue • Whitlock 455, CPO 69  
Richmond, KY 40475  
Phone: 859-622-1478 • Fax: 859-622-1552  
Email: [international@eku.edu](mailto:international@eku.edu)  
<http://www.international.eku.edu>

**OPTION B: REINSTATEMENT INSIDE THE U.S.**

**CHECKLIST**

Your request to the U.S. Citizenship and Immigration Services (USCIS) for reinstatement of status should consist of the following documents:

- A Personal Statement: You should prepare a signed and dated letter addressed “To Whom It May Concern” at U.S. Citizenship and Immigration Services (USCIS). The letter should include some of the following information:
  - Explanation of the violation of status: What was it? When did it occur? How and why did it occur?
  - That you are now enrolled full-time (or will be enrolled full-time in the next semester)
  - Your program of studies at EKU and expected graduation date (month and year)
  - A statement indicating that the student will follow F-1 regulations if reinstated
  - A statement that the student has not worked without authorization in the U.S.
- Form I-539, Application to Extend/Change Non-Immigrant Status (available from: <http://www.uscis.gov/i-539>)
- Form G-1145, E-Notification of Application/Petition Acceptance (available from: <http://www.uscis.gov/g1145>)
- Official Transcript(s): From EKU and from any other school the student has attended in the U.S. while in F-1 status
- Class schedule/registration showing current and/or intended classes for enrollment
- Proof of financial support document showing you have sufficient fund to pay for your educational expenses and cost of living (such as 3 months bank statement or scholarship letter)
- Application Fee: Check or money order of **\$370** payable to “U.S. Department of Homeland Security”
- Copy of passport page showing photo, name, date of birth and expiration date
- Copy of Student Visa
- I-94, Arrival/Departure Document printout from (<https://i94.cbp.dhs.gov>) or paper card (front & back)
- Copies of all previous Forms I-20 which were issued to you from any school attended in the U.S.
- Reinstatement I-20: OISSS will issue a new I-20 which will be marked for reinstatement
- Proof of payment of the **\$200 SEVIS Fee**: (Only required if you have been out of status for more than five months. Students who have been out of status for less than 5 months do not have to pay a new SEVIS fee.)
- Reinstatement Recommendation Letter: prepared by international student advisor from OISSS

**WHERE TO APPLY?** Send completed paper application to one of the addresses below:

<b>U.S. Postal Service to USCIS Dallas Lockbox</b>  USCIS P.O. Box 660166 Dallas, TX 75266	<b>By USPS Express Mail (and UPS, FedEx, etc.):</b>  USCIS ATTN: I-539 2501 S. State Highway 121 Business, Suite 400 Lewisville, TX 75067
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**REINSTATEMENT I-20 REQUEST FORM**

I have violated my immigration status and I am requesting (check No. 1 or 2 and complete the rest of the form):

- 1.  A new I-20 for my reinstatement to F-1 status application
 I will enroll full-time at EKU in the:  Fall  Spring or  Summer semester; Year: 20\_\_\_\_\_
 I plan to complete my program by:  Fall  Spring or  Summer semester; Year: 20\_\_\_\_\_
- 2.  A new I-20 in order to travel and re-enter the U.S. under a new SEVIS number and new visa.
 I will enroll full-time at EKU in the:  Fall  Spring or  Summer semester; Year: 20\_\_\_\_\_
 I plan to complete my program by:  Fall  Spring or  Summer semester; Year: 20\_\_\_\_\_
 I intend to arrive in the U.S. on\* \_\_\_\_/\_\_\_\_/\_\_\_\_\_

\*Please note: You may not enter the U.S. more than 30 days before the Program Start Date noted on your new I-20.

Name: \_\_\_\_\_
Family/Last First name Middle
EKU ID#: \_\_\_\_\_ SEVIS ID#: \_\_\_\_\_
Phone: \_\_\_\_\_ Email: \_\_\_\_\_
Gender: Male Female Date of Birth: \_\_\_\_\_ City of Birth: \_\_\_\_\_
Country of Birth: \_\_\_\_\_ Country of Citizenship: \_\_\_\_\_
Major: \_\_\_\_\_ Degree Level: Bachelor Master Doctorate
Do you have dependents? Yes No. If yes, how many? \_\_\_\_\_

U.S. Local Address: \_\_\_\_\_
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Foreign Address: \_\_\_\_\_
City: \_\_\_\_\_ Province/State/Region: \_\_\_\_\_
Country: \_\_\_\_\_ Postal Code: \_\_\_\_\_
Phone Number in Home Country: \_\_\_\_\_
Signature: \_\_\_\_\_ Date: \_\_\_\_\_