

Florida Atlantic University ~ Division of Student Affairs ~ International Student and Scholar Services

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F-1 OUT OF STATUS – REINSTATEMENT OR RESTART INFORMATION

Students who violate any of the federal regulations under the F-1 nonimmigrant visa classification are considered **OUT OF STATUS**. They may regain F-1 status through (1) **Reinstatement** or (2) **Travel and Re-entry**. All students who are out of status must make an appointment with an ISSS Advisor immediately to discuss their case and fully understand the violation of status.

OPTION (1): Reinstatement Application in the U.S. (USCIS – Vermont Service Center)

ELIGIBILITY CRITERIA (Federal Regulations 8 CFR 214.2(f)(16)(i))

- Have been out of status less than five months at the time when the application is received at USCIS – VSC
- Do not have a record of repeat or willful violation of F-1 status
- Are pursuing a full course of study
- Have not engaged in unauthorized employment
- Are not deportable on any grounds other than section 237(a)(1)(B) or (C)(i) of the Act

REINSTATEMENT APPLICATION CHECKLIST

- ___ 1. Completed **ISSS Document Request Form** (to request the I-20 for reinstatement)
- ___ 2. Completed **ISSS Academic Certification Form** (to confirm the expected program completion date)
- ___ 3. **Proof of Funds** (to show sufficient funds for tuition, fees, and all other expenses for at least one academic year). Funding documents **MUST (1) be in English, (2) be addressed to the U.S. Citizenship and Immigration Service (USCIS), and (3) specify the total amount available for your education (in US dollars). Acceptable sources of funding include:**
 - (1) **current bank letter** in student's name or stating that account holder is your sponsor
 - (2) **original & current assistantship letter** from academic department confirming total funds awarded to you (tuition waiver and stipend)
 - (3) **current scholarship letter** from sponsoring agency or organization
 - (4) **official and current letter** verifying government loan awarded to you.
- ___ 4. **Form I-539** – Download at <http://www.uscis.gov/files/form/i-539.pdf>, complete, and sign.
- ___ 5. **\$290 Application Fee** – Money Order or Cashier's Check payable to "U.S. Citizenship and Immigration Services"
- ___ 6. **Request letter** (addressed to U.S. Citizenship and Immigration Service – Vermont Service Center) explaining why the violation of status occurred.
- ___ 7. **Academic transcripts** from FAU and previous colleges/universities attended in the U.S.
- ___ 8. **Copies of all I-20s** from FAU and previous schools (if applicable)
- ___ 9. **Copies of passport** identification page and expiration/validity page
- ___ 10. **Copy of F-1 visa stamp** or **Change of Status approval notice**
- ___ 11. **Original I-94 card** (will be submitted with the application packet)
- ___ 12. **Final appointment with an ISSS Advisor to review your application packet.** The application will be mailed by ISSS via regular mail. Students may choose to express mail their application. The mailing address will be provided during the final appointment.

REMINDERS:

- Students remain out of status until the application is approved by USCIS.
- Students are not eligible for any form of employment until the reinstatement is approved.
- Traveling outside the U.S. while the Reinstatement Application is pending will cancel the application and will require a new I-20 for Travel and Re-Entry.

OPTION (2): Restart F-1 Status through Travel and Re-Entry

Students who are not eligible for reinstatement within the U.S. or otherwise choose not to file for reinstatement may travel abroad and seek readmission to the U.S. with an initial F-1 status entry. At re-entry, students must process a new Form I-20 and receive a new I-94.

- ___ 1. Completed **ISSS Document Request Form** (to request the I-20 for restart)
- ___ 2. Completed **ISSS Academic Certification Form** (to confirm the expected program completion date)
- ___ 3. **Proof of Funds** (to show sufficient funds for tuition, fees, and all other expenses for at least one academic year). Funding documents **MUST (1) be in English, (2) be addressed to the U.S. Citizenship and Immigration Service (USCIS), and (3) specify the total amount available for your education (in US dollars). Acceptable sources of funding include:**
 - (1) **current original bank letter** in student's name or stating that account holder is your sponsor
 - (2) **current original assistantship letter** from academic department confirming total funds awarded to you (tuition waiver and stipend)
 - (3) **current scholarship letter** from sponsoring agency or organization
 - (4) **official and current letter** verifying government loan awarded to you.
- ___ 4. **Valid F-1 visa:** If the current F-1 visa stamp is expired, students will have to apply for a new F-1 visa at a U.S. Consulate abroad (preferably in their home country).
- ___ 5. **SEVIS Fee (\$200):** Payment will have to be completed upon receiving the new I-20 from ISSS. Payment information is available at www.fmjfee.com.

IMPORTANT REMINDERS:

- Regaining status through Travel Abroad and Re-entry is similar to an initial F-1 entry to the U.S.
- On-campus employment may begin upon successful re-entry to the U.S. and subject to continued full-time enrollment and compliance with all other F-1 regulations.
- Eligibility for Curricular/Optional Practical Training begins only after completing a full academic year (two consecutive semesters of full-time enrollment) and compliance with all other F-1 regulations.
- Upon returning to the U.S., students must report to ISSS to provide copies of (1) their new visa (if applicable), (2) I-94 (front and back), and (3) stamped I-20.

Which is better – Reinstatement or Restart?

It depends on the individual's own circumstances!

Reinstatement/Restart requests will NOT be processed until the student makes an appointment with an ISSS Advisor.