

REQUIRED DOCUMENTATION:

- DETAILED** personal statement should start with “Dear USCIS Officer” and specifically state:
 - **If you were TERMINATED:**
 - Explain why you were terminated/the events surrounding your termination
 - State that you are aware of the regulations of your F-1 visa and will follow them
 - Explain why the violation was beyond your control
 - State if/how a denial of your reinstatement would cause extreme hardship for you and how it would affect you now and in the future
 - State in chronological order the period that you were out of status
 - State that you are currently pursuing a full course of study
 - Express your future goals after your current degree and how the degree will help you obtain those goals in your home country
 - Specifically request for USCIS to reinstate you to F-1 student status
 - Date and sign your letter
 - **If you FAILED TO EXTEND your I-20 in time:**
 - Why you absolutely could not request an extension of your I-20 before it expired. What events/situations were happening that were out of your control that blocked/prevented you from being able to request extension? Be specific and detailed.
 - State that you are aware of the regulations of your F-1 visa and will follow them
 - State how a denial of your reinstatement would cause extreme hardship for you and how it would affect you now and in the future
 - State that you are currently pursuing a full course of study
 - Express your future goals after your current degree and how the degree will help you obtain those goals in your home country
 - Specifically request for USCIS to reinstate you to F-1 student status
 - Date and sign your letter
- Any documentation supporting your personal statement and any proof of the extenuating circumstances that kept you from being able to extend your I-20 before it expired (letters, newspaper clippings, medical records, etc.)
- Completed I-539.
 - Optional: You can use ISAO’s address, C/O ISAO, 5000 Holmes St., Room G-04, Kansas City, MO 64110.
- Proof of financial support.
 - Official bank statements from the last 3 months with an account in your name
 - If the bank statements do not have your name on them, you will also need **an affidavit of support** to indicate their willingness to support you financially
 - If you are being sponsored by your government, you must have your official financial guarantee/sponsorship letter
 - All documents must be dated within the last 6 months
 - Amount you are required to show proof for: \$ _____
- Copy of passport photo page, all F-1 visas related to your current I-20, and a copy of your I-94
- Copies of all previous I-20s
- Proof of current, future, and past enrollment (copy of your UMKC transcripts or letters from UMKC Central showing all of the classes you have taken or are enrolled in currently and in the future).
- Letter from academic advisor describing graduation requirements and a list of classes you must take to complete your program.
- Personal Check or Money Order for \$370 payable to U.S. Department of Homeland Security
 - Do not write on the back of the check or money order, they will reject your payment
 - Please write out “U.S. Department of Homeland Security” in the Pay to the Order of area. Do not abbreviate.
 - If paying by credit card, you will need to fill out Form G-1450
- If you were terminated, a letter from DSO explaining why your status was terminated.
- If you were terminated, provide a detailed chronological history of every period of study and every period you were out of status with exact dates.
- If you have been out of status for more than 5 months, **YOU MUST REPAY YOUR I-901 SEVIS FEE (it will be on the same SEVIS ID). Print off your receipt after payment and put it with your packet.**

ELIGIBILITY:

Under federal United States Citizenship and Immigration Services (USCIS) regulation 8 CFR 214.2(f)(16), an F-1 student is only eligible for reinstatement if all of the following conditions apply to the student:

- 1) Has not been out of status for more than five (5) months at the time of filing the request for reinstatement
- 2) Or, 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
- 3) Does not have a record of repeated or willful violations of [USCIS] regulations
- 4) Is currently pursuing, or intending to pursue, a full course of study in the immediate future at the school which issued the Form I-20
- 5) Has not engaged in unauthorized employment
- 6) Is not deportable on any ground other than section 237(a)(1)(B) or (C)(i) of the Immigration and Nationality Act
- 7) **Establishes to the satisfaction of the USCIS, in detailed showing, either that:**
 - **The violation of status resulted from circumstances beyond the student's control; [such circumstances might include serious injury or illness, closure of the institution, a natural disaster, or inadvertence, oversight, or neglect on the part of the DSO, but do not include instances where a pattern of violations or where a willful failure on the part of the student resulted in the need for reinstatement]**
 - OR, the violation relates to a reduction in the student's course load that would have been within a DSO's power to authorize, and that failure to approve reinstatement would result in extreme hardship to the student.

REQUIREMENTS OF REINSTATEMENT APPLICATION:

- 1) You must be enrolled as a full-time student
- 2) If you have any on-campus employment, you may not continue
- 3) If you have any off-campus work, it is automatically cancelled.

CONSEQUENCES OF REINSTATEMENT DENIAL:

INA § 222(g) (overstay and visa cancellation) and § 212(a)(9)(B) (unlawful presence) are two penalty provisions that can be activated if a request for reinstatement is denied. Since reinstatement by definition consists of a finding by USCIS that there has been a status violation, the denial of a reinstatement application would in all likelihood be considered a "formal finding of a status violation... resulting in the termination of the period of stay authorized by the Attorney General." Under the most recent guidance on the applicability of INA 222(g) and § 212(a)(9)(B), the reinstatement denial would have the following effects, as of the date of the denial:

- The visa that the student used to enter the United States is automatically cancelled;
- The student is permanently limited to applying for nonimmigrant visas in the future only in his or her country of citizenship or permanent residence;
- **The student will begin accumulating days of "unlawful presence." If the student remains in the United States after the denial for over 180 days, he or she will be barred from returning to the United States for three years; if he or she remains after the denial for one year or more, he or she will be barred from returning the United States for ten years.**
 - **On May 11, 2018, USCIS proposed a fundamental change to the way it would determine how an immigration status violation might lead to a finding that an F, M, or J nonimmigrant should be subject to the 3- or 10-year reentry bar provisions of INA 212(a)(9)(B). The new USCIS policy, scheduled to go into effect on August 9, 2018, would start counting days of unlawful presence the day after an F, M, or J status violation occurs. Current policy does not count unlawful presence until a USCIS official or immigration judge makes a formal finding of a status violation.**

MAIL VIA UPS OR FEDEX TO:

USCIS, ATTN: I-539
2501 S. State Highway 121 Business, Suite 400
Lewisville, TX 75067

PLEASE BE AWARE:

- Please note that reinstatements may take anywhere from 6 to 12 months or more depending on USCIS.
- A receipt notice will be sent to you with a case number assigned. You may then use the case number to check the status of the application from USCIS website: <https://egov.uscis.gov/casestatus/landing.do>
- If your application is approved, USCIS will send your I-20 and Form I-797A (reinstatement approval notice).
- If you are notified that your Reinstatement to Status has been approved, make an appointment with the DSO that assisted you so that s/he may copy your new I-20 that has been stamped by USCIS and your new I-94 card