



Brandeis University

Reinstatement of F-1 Student Visa Status

INTRODUCTION

Students who believe that they may have violated their F-1 student status (i.e. by not obtaining appropriate employment authorization prior to working, not enrolling full-time in the program of study, forgetting to extend I-20 prior to expiration date, not being eligible for extension but needing additional time to complete program, or otherwise failing to maintain status) should schedule an appointment to meet with Ruth Brigham or Kate Amaral at the ISSO as soon as possible to discuss their situation. If ISSO determines that a student may have indeed violated their student status, students will need to take appropriate measures to regain student status to continue their studies at Brandeis University. There are two main options to regain student status:

1. Students may be eligible to apply for a reinstatement to F-1 student status through an application to the United States Citizenship and Immigration Service (USCIS).

- a. Students may not be eligible for reinstatement if they have worked without authorization, are in deportation proceedings, or have been out of status for more than 5 months.
- b. Reasons USCIS may grant a reinstatement:
 - i. The student has not been out of status for more than five months at the time of filing the request for reinstatement.
 - ii. The student does not have a record of repeated or willful violations of USCIS regulations.
 - iii. The violation results from circumstances beyond the student's control or if failure to receive a reinstatement would result in extreme hardship to the student.
 - iv. The student is pursuing or will pursue a full course of study at the school that issued the I-20 in the next available semester or term.
 - v. The student has not engaged in unauthorized employment.
 - vi. The student is not otherwise deportable.
- c. Approval of an application for reinstatement is at the discretion of the USCIS.
- d. During the application process, the student may not travel outside of the U.S. as this will cause the application to be "abandoned".
- e. During the application process, the student is considered to be "out of legal status" and ineligible to work on campus or to apply for benefits of F-1 status such as Optional Practical Training (OPT), Curricular Practical Training (CPT), invitation of dependents in F-2 status or change of status to a different status such as H-1B.
- f. The processing time for this application varies but typically takes approximately 4 months.
- g. During the reinstatement process, a student's SEVIS record will be marked "Terminated" with a remark that the student is applying for a reinstatement. If USCIS approves the reinstatement, the SEVIS Record will be reset to "Active" and there will be no break in the student's F-1 record. The student's SEVIS ID number (beginning with N000) will remain the same.
- h. Students granted a reinstatement will retain the same eligibility to apply for OPT or CPT as they had prior falling out of status.
- i. Students choosing this option should prepare the list of documents on page 2 of this form. The ISSO will assist students in putting together their application packet. The ISSO must issue a new I-20 and recommendation letter as part of the application.

2. Students may regain status by traveling outside of the U.S. to home country, obtaining a new F-1 entry visa stamp and returning to the U.S. to perform a "New Entry".

- a. This option may be necessary for students who need to travel outside of the U.S. in the near future (within 4 months).
- b. This option may also be necessary for students who have worked without authorization.
- c. Upon re-entering the U.S., students will, in effect, "restart" their F-1 student status and must be enrolled full-time for one academic year following the new entry (fall and spring semesters) before being eligible to apply for CPT or OPT.
- d. Students who chose to travel and "restart" their student status but have less than one academic year to complete their degree will not be eligible for post-completion OPT based on the degree that they are currently pursuing at Brandeis University.
- e. Students choosing this option should prepare updated financial documentation and meet with the ISSO to discuss plans for travel. The ISSO must issue a new "initial attendance" I-20 with new SEVIS ID number.
- f. Once the ISSO issues the new I-20, the student must pay a new \$200 SEVIS fee a minimum of 3 days prior to their visa interview. Additional information regarding SEVIS fee payment is available at the ISSO and on the ISSO website under "incoming students": <http://www.brandeis.edu/acserv/isso>

REMINDER: ALL STUDENTS MUST MEET WITH AN ISSO ADVISOR (RUTH OR KATE) PRIOR TO FILING A REINSTATEMENT APPLICATION OR PERFORMING A "NEW ENTRY". STUDENTS WHO FALL OUT OF LEGAL STATUS MUST COMPLETE OPTION 1 OR 2 LISTED ABOVE BEFORE THE NEXT REGISTRATION PERIOD AT BRANDEIS UNIVERSITY TO BE ELIGIBLE TO ADD OR DROP ANY CLASSES TO THEIR COURSE SCHEDULE. STUDENTS WHO FAIL TO PERFORM A NEW ENTRY OR APPLY FOR REINSTATEMENT PRIOR TO THE END OF ADD/DROP PERIOD AT THE START OF A SEMESTER WILL BE WITHDRAWN FROM THE UNIVERSITY.

International Students and Scholars Office
415 South Street | Kutz Hall 215 | MS 040 | Waltham, MA 02454-9110
781-738-3480 | 781-736-3484 Fax | isso@brandeis.edu | www.brandeis.edu/acserv/isso

REINSTATEMENT APPLICATION MATERIALS

Students should prepare the following materials before meeting with the ISSO to discuss the reinstatement application. These materials should be submitted with a reinstatement application to USCIS. STUDENTS SHOULD NOT SUBMIT THEIR APPLICATION TO USCIS UNTIL ISSO INFORMS THEM THAT IT IS COMPLETE AND READY FOR MAILING.

1. **Personal Statement:** Students should prepare a signed and dated letter addressed “To Whom It May Concern” at US Citizenship and Immigration Services. The letter should include the following information:
 - Student’s full passport name (as listed on Form I-20) and date of birth.
 - Student’s program information at Brandeis and expected graduation date (month and year).
 - If student is currently enrolled, this should be stated in the letter. If not currently enrolled, the start date of the next semester in which the student will enroll at Brandeis should be included in the letter.
 - An explanation of any semesters where the student was not registered full-time.
 - An explanation of the violation of status: What was it? How and why did it occur?
 - A statement requesting a reinstatement of the student’s F-1 student status.
 - 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. or a full explanation of any unauthorized employment including the name of the employer, the dates of employment and reasons for working. (Note that unauthorized employment can be a cause for denial of a reinstatement application.)
2. **Completed Form I-539:** (available to download from www.uscis.gov in the Forms section)
3. **Application Fee:** Students should prepare a money order or certified bank check for **\$290.00** made payable to “U.S. Department of Homeland Security”.
4. **Advisor Recommendation Letter:** The student’s academic advisor should write a letter on Brandeis letterhead which includes the following information:
 - The date that the student started his or her academic program.
 - The student’s major(s) (undergraduates) or degree program (graduates)
 - The requirements remaining to complete the program (i.e. number of credits, research, thesis/dissertation, etc.)
 - The expected completion date of the program (month/year)
 - A statement verifying that the student is in good academic standing, or for students on probation, a statement indicating that the student is on probation but is allowed to continue his or her full-time studies at Brandeis University.
 - For undergraduates – this letter should be written by Brian Koslowski in Academic Services. For graduate students, this letter should be written by the academic advisor for your degree program in your academic department.
 - All letters should be dated and contain an original signature from the advisor.
5. **Official Transcript(s):** From Brandeis University and any other school the student has attended in the U.S. while in F-1 status. Brandeis University transcripts may be requested through Sage and picked up from the Registrar’s Office.
6. **Original I-94 Card:** (small white card in the passport) Students should make a photocopy of the front and back of their I-94 card for their records prior to submitting the original to the ISSO.
7. **Copy of Passport:** This should include the identification page with date of birth, issued date and expiration date, photo, and passport number. Extension pages should also be included.
8. **Copy of ALL Forms I-20:** which were issued to the student from any school attended in the U.S.
9. **Copy of F-1 Entry Visa Stamp**
10. **Updated Financial Support Documentation:** bank statements, financial aid or award letter from Brandeis, sponsorship letters, loan etc.

Once students have prepared items 1-10, they should meet with an ISSO advisor to prepare the final 2-3 items needed for their reinstatement application:

11. **ISSO Reinstatement Letter:** prepared by the ISSO
12. **Reinstatement I-20:** ISSO will prepare a new I-20 which will be marked for reinstatement in item number 3. Students will need to sign the new I-20 before it can be submitted with the reinstatement application.
13. **SEVIS Fee:** Students who have been out of status for more than 5 months will also have to pay a new \$200 SEVIS I-901 fee and include proof of payment with their reinstatement application. Students who have been out of status for less than 5 months do not have to pay a new SEVIS fee. Students should first meet with the ISSO before paying the SEVIS fee for a reinstatement application.

Once all items are prepared, ISSO will assist the student with putting together their reinstatement application and will then give the completed application to the student for mailing.

MAILING INSTRUCTIONS:

Students using one of the services from the U.S. Post Office, Should mail their applications certified/return receipt mail to the following address:

USCIS
PO Box 660867
Dallas, TX 75266

Students sending reinstatement applications by courier delivery such as Fedex or UPS, should mail their applications to the following address:

USCIS
Attn: AOS
2501 S. State Hwy. 121,
Business Suite 400
Lewisville, TX 75067

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