REINSTATEMENT OF F-1 STATUS

As an F-1 student, you are required to abide by all rules and regulations pertaining to that status. Failure to properly maintain your status will result in a loss of legal immigration status in this country. Depending upon the precise reason for the status violation, you may be eligible to file an application with the United States Citizenship and Immigration Services (USCIS) to have your F-1 status reinstated. Unfortunately, many students violate their immigration status through a lack of understanding of F-1 regulations. The USCIS does not accept ignorance as a justifiable reason for violating status.

MOST COMMON REASONS WHY STUDENTS VIOLATE THEIR F-1 STATUS

- engaging in unauthorized employment
- being registered for less than a full course load (Undergraduates - 12 credits, graduates - 9 credits)
- failing to receive a USCIS extension of program prior to the expiration of the I-20 if the student will continue studying beyond that date
- failing to have F-1 status properly transferred from one institution to another as a transfer student
- remaining in the U.S. while failing to register for one or more semester(s)

USCIS CRITERIA FOR EVALUATING REINSTATEMENT APPLICATIONS:

- the violation of status resulted from circumstances beyond the student’s control or that failure to receive reinstatement to lawful F-1 status would result in extreme hardship to the student
- student is currently pursuing, or intending to pursue, a full course of study at Howard University
- student has not engaged in unauthorized employment
- student is not deportable on any ground other than remaining in the U.S. with an expired I-20 or otherwise failing to maintain F-1 status

REINSTATEMENT APPLICATION PROCEDURE

Schedule an appointment with an International Student Advisor in the Office of International Student Services. You will be asked to assemble the following documents if you choose to apply for reinstatement. Reinstatement, if granted, can take as long as one year, during which time you will not be allowed to accept many of the benefits afforded to legal F-1 students such as on campus employment and scholarships.

- letter of explanation for the USCIS (see sample on the back of this sheet)
- a new Howard University I-20 form
- current financial documentation to cover all of your tuition and living expenses for one year
- USCIS form I-539
- filing fee of $300.00
a copy of your most recent I-20
I-94 (original)
Additional documentation may include transcripts, letters from financial sponsors, or other such documents as may substantiate your request for reinstatement

Sample Letter 1

Student’s Name
Street Address
City, State, Zip code
Date

USCIS District Office

Dear District Director,

I am writing to request that I be reinstated to F-1 student status. Due to no fault of my own, I was unable to properly maintain my student status while enrolled at Howard University. I am a citizen of Country “A” and I receive my educational funds from my parents who reside in that Country. Although I registered for last semester, I was unable to obtain tuition and fees from my parents by the late payment deadline established by Howard University. Unfortunately, my parents were not able to obtain foreign exchange from the central bank on time for me to pay my tuition and fees. I have attached a letter from my parents in which they describe the efforts they undertook to send my tuition and fees on time. Based on this information I hope that you will reinstate my F-1 status and allow me to continue my education in the United States.

Sincerely
Dear District Director,

I am writing to respectfully request that I be reinstated to F-1 student status. Unfortunately, I was not fully aware of all the rules and regulations pertaining to my immigration status. As a result, I did not apply for a new I-20 form when I began my graduate program at Howard University. I had completed my undergraduate degree from Howard in May of 2004 and began my graduate program in August of 2004. I had what I believed to be a valid I-20 form from my undergraduate program which listed an expiration date of May 2004. I assumed that I could continue studying for my graduate degree using the I-20 issued for my undergraduate degree since it would be valid until May of 2004.

I accept that I made a mistake. However, I am a citizen and resident of Country “B”. My country is currently in the midst of severe political disturbances including outbreaks of civil unrest and rebellion. I do not feel that it would be safe for me to return to that country at this time. I have included in this application a letter from my father in which he describes the dangerous situation back home and tells me that it would not be safe for me to return at this time. It would be an extreme hardship for me to return home at this time given the unsafe conditions. As such, I would be extremely grateful if you would reinstate my status and allow me to continue my studies at Howard University rather than forcing me to my country of origin.

Sincerely