

## Out of Status: Reinstatement Process

**Disclaimer:** GCC ISO provides this guide for general information only. Information in this document does not constitute legal advice. Because immigration rules and interpretations can change, U.S. Citizenship and Immigration Services (USCIS) and the Department of State (DOS) may modify eligibility requirements or interpretations at any time. It is recommended that individuals who are out of status obtain information from GCC's ISO *and* consult a qualified immigration attorney.

### What is reinstatement?

Reinstatement is used by students who have lost their immigration status. This process asks the US government to give back (or reinstate) your immigration status. We also advise that you consider the option of [re-entry](#) in place of applying for reinstatement.

### Who can apply for reinstatement?

You may apply for reinstatement if you have been out of status for less than 180 days. You may apply for reinstatement **only** if you lost your status due to circumstances beyond your control. You may not apply for reinstatement if you knowingly violated the rules of your visa (for example, if you simply decided not to attend class knowing that your visa requires you to study full time or decided to work without authorization). If you have been out of status for more than 180 days please contact a qualified immigration attorney to discuss your options.

### What happens after I apply for reinstatement?

You must study full time while the application is pending. You do not have any work benefits – including on campus employment – during this time. If approved, your status will be reinstated. In other words, it will appear as if no violation was made, and you will lose no time spent in status. If your application is denied, you will be given a date by which to leave the US. You must comply with this date. Please note that if this date is past GCC's tuition refund deadline, you will forfeit any and all fees paid to the school.

### I do not believe I am eligible for reinstatement. What can I do?

Contact GCC ISO and a qualified immigration attorney for guidance. Depending on the details of your case, it may be suggested that you use the process of [re-entry](#) to enter on an initial (new) I-20/DS-2019. Your status will start over in this case. NOTE: If you have been out of status for more than 180 days, you may be subject to a finding of unlawful presence (ULP) by the Department of Homeland Security and/or an immigration judge. If ULP is applied this carries a 3-year ban on visiting the US; if you accrue more than one year of ULP, you will be subject to a 10-year ban on re-entry.

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### I am eligible for reinstatement. How do I apply?

Contact GCC ISO and a qualified immigration attorney for guidance. Depending on the details of your case, it may be suggested that you use the process of re-entry to enter on an initial (new) I-20/DS-2019. After consulting with the proper parties, you can decide to apply for reinstatement. To apply, you will need to make an appointment and bring the following documents:

- Application fee of \$420 (submitted online)
- Online Form I-539 found at <http://www.uscis.gov/i-539>. Complete a **draft** to the best of your ability. You will send your draft to us for review before your reinstatement appointment (please see below). **Do not submit the application until you have met with our immigration advisor.**
  - As part of your application, you will have to ask for a new status end date. Please enter a date 10 years into the future (this is the maximum the system will allow). In the “Additional Information” section of the application, please reference the Processing Information section, status date question, and write the following: “I am requesting a reinstatement to F-1 student. The online form does not allow me to enter D/S so I have stated [ENTER THE DATE YOU ENTERED] as the status end date. Please issue the I-94 with D/S.”
- A letter requesting reinstatement which explains your situation and truthfully states why you failed to maintain your visa status. You need to explain why losing your status was beyond your control.
- Photocopies of all previously-issued I-20/DS-2019s
- Original I-94 or I-94 printout obtained at [CBP.gov/194](http://CBP.gov/194)
- Photocopy of passport identification and visa pages; do not send your passport
- Financial statements showing the amount in available funds that will be listed on the reinstatement I-20/DS-2019. It is recommended that you submit at least 3 months’ worth of statements showing the availability of these funds.
- Current transcript and transcripts from all U.S. schools attended
- Supporting documentation (for example, a letter of support from a faculty adviser familiar with the circumstances of your case, doctor’s notes, etc.)

When you have gathered all materials, email your **draft I-539** and letter of explanation to [gcciso@glendale.edu](mailto:gcciso@glendale.edu) to be cleared for an appointment. Current students applying for reinstatement must also attach **page 2** of the I-20 Request Form and appropriate financial statements. At the appointment, you will be given a new reinstatement I-20. A copy must be submitted with the application materials listed above.