

Reinstatement to F-1 Student Status

Nonimmigrant students fall out of status if they do not comply with the conditions of their respective visa statuses. Students can lose status for a variety of violations such as failing to enroll for a required session or working without authorization. Students who are currently out-of-status may apply for reinstatement to F-1 student status.

You may be eligible for reinstatement only if:

- The student has not been out of status for more than 5 months prior to filing for reinstatement (unless he or she can show that there were exceptional circumstances that prevented the student from filing during the 5-month period)
 - The student does not have a record of repeated or willful violations
 - The need for reinstatement did not result from "a willful failure on the part of the student"
 - The student is pursuing, or will in the next available term be pursuing, a full course of study
 - The student has not engaged in unauthorized employment
 - The student is not deportable on any grounds other than the status violation for which reinstatement is being requested
 - The status violation resulted from either:
 - Circumstances beyond the student's control; The regulations give a non-exclusive list of examples of what might constitute such circumstances, including: "serious injury or illness, closure of the institution, a natural disaster, or inadvertence, oversight, or neglect on the part of the DSO"
 - "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"

Students, who are eligible to apply for reinstatement to F-1 status, must do the following:

Step 1: Meet with Designated School Official to discuss reinstatement eligibility

Step 2: Complete Original Form I-539 and submit all required information from the USCIS website

Step 3: Mail your application to US Citizenship and Immigration Services (USCIS)

Step 4: Receive an **I-797 Receipt Notice** from USCIS within 7 - 10 business days of submitting your application

Step 5: Obtain a decision from USCIS regarding your reinstatement application within **90 days** of submitting your application

Document Requirements

Before starting the Reinstatement Process, please gather the following materials listed below. **Be sure to keep a copy of all of your documents.**

- Reinstatement I-20 Request Form
- Original personal/cashier's check for \$290
 - Make checks payable to the "US Department of Homeland Security".
- Completed original Form I-539 (available at www.uscis.gov)
- Original personal statement (typed not handwritten) from student
This statement must include:
 - Chronological account of student's history of education in the United States including every school ever attended with all dates of attendance, and detailing every time the student was previously out of status and why and the number of times the student was reinstated in the past.
 - Full explanation of why the student is currently out of status and why being out of status was beyond the student's control.
- Official transcripts
 - One set of official transcripts from all schools attended in sealed envelope/s.

NOTE: Unofficial transcripts will not be accepted.

- Original financial statement from student or sponsor
- Copy of visa stamp page in passport
- Copy of biographical information page in passport
 - Passport page must include expiration date
 - I-94
 - Copies of all Form I-20s issued to student from all schools attended

Meet with Designated School Official (DSO)

After gathering all items listed above, please contact the Designated School Official to schedule an appointment to pick up the following:

- Reinstatement Form I-20

Pending Approval

Please follow the instructions for Form I-539 to mail your original copy of the reinstatement application package to the appropriate lockbox facility. Within 30 days of submitting your application to the USCIS, you will receive an I-797 Receipt Notice. Bring the original receipt to your DSO so that a copy can be placed in your file. Please keep the receipt in a safe place. If you receive a Request for Evidence (blue letter), please contact the Designated School Official immediately.

It is not in your best interest to travel during this period. You may encounter problems reentering the

USA. Travel outside the US while a reinstatement application is pending may be considered an abandonment of the application. If you need to leave the US while your application is pending, you must meet with the Designated School Official prior to travel.

Approval of Reinstatement

Applications are typically adjudicated within 90 days of submission. Once approved, you will receive an Approval Notice and your original I-20. Bring these original documents to the Designated School Official so that copies can be placed in your file and reactivate your SEVIS record.