

Reinstatement for F-1 Students

Definition

Reinstatement is an option for an F-1 student who fails to maintain status and wishes to regain status without leaving the U.S. An F-1 student must be in status to be eligible for any benefits, such as work permission (including practical training), program extension, school transfer and adjustment of status. Depending on the circumstances of the individual's case, reinstatement may or may not be the best option. Traveling outside the U.S. and re-entering with an Initial Attendance I-20 to regain status may be a better option. Please consult with an international student advisor.

Eligibility

To apply for reinstatement, the student:

1. cannot have been out of status for more than 5 months at the time of filing for reinstatement (unless the student can demonstrate exceptional circumstances and he/she is filing as promptly as possible);
2. does not have a record of repeated or willful violations of U.S. CIS regulations;
3. is currently pursuing, or intending to pursue a full course of study in the immediate future;
4. has not engage in unauthorized employment;
5. is not deportable on any other grounds; and
6. establishes to the satisfaction of the U.S. CIS by a detailed application demonstrating either that:
 - i) the violation of status resulted from circumstances beyond the student's control (such as serious injury or illness, closure of Washburn, a natural disaster or a mistake made by an international student advisor); OR
 - ii) the violation relates to a reduction in course load that would have been in the international student advisor's power to authorize, and failure to approve reinstatement would result in extreme hardship to the student.

Forms

The forms used to apply for reinstatement can be found on-line at the U.S. CIS website:

- I-539 form instructions: <http://www.uscis.gov/files/form/i-539instr.pdf>
- I-539 fillable form: <http://www.uscis.gov/files/form/i-539.pdf>

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How To Apply

1. Write **your own letter** explaining the circumstances. You will need to briefly explain the violation and outline how you are eligible according to the criteria on page 1.
2. Obtain a **letter from your academic advisor** confirming expected completion date and that you are making (or intend to make) normal progress toward your degree.
3. Bring #1 and #2 above to the Office of International Programs (OIP) for an international advisor to review. If the OIP supports your reinstatement request, a **new SEVIS I-20** for reinstatement will be processed.
4. Assemble **supporting documents** for your request to be reinstated. These materials will vary from situation to situation, but may include: your transcript to show your academic record or medical records/letters from a doctor or counselor to confirm a medical condition. You should include any relevant documents to support the letter (#1 above) which you've written.
6. Make an appointment with an international student advisor and bring the documents listed below to make sure the application is complete and ready to submit to the US CIS.
7. After meeting with the international advisor, submit the application documents listed below to the following address:

**USCIS California Service Center
P.O. Box 10539
Laguna Niguel, CA 92607-1053**

1. A personal check or money order for **\$290.00** made payable to the **Department of Homeland Security**
2. Your original current **I-94 card** (i.e. not a photocopy) or **copy of electronic I-94**
3. A completed and signed Form **I-539**. **Note:** A fill-able Form I-539 is available at <http://www.uscis.gov/files/form/i-539.pdf>
4. **Your own letter** explaining your circumstances
5. A **new, original SEVIS I-20** (both pages) with the **Reinstatement** recommendation
6. A **letter from your academic advisor**
7. All **transcripts** to verify continued full-time enrollment
8. **Original evidence of financial support** (photocopies and faxes are not acceptable)
9. Photocopies of passport photo/identity page (including expiration date) and current visa
10. Any additional supporting evidence which is relevant to your case

****Please note: Reinstatement application must be received by the U.S. CIS within 30 days of the processing date of the new reinstatement I-20**.**

As always, **it is recommended that you keep copies of all documents** sent to and received from the U.S. CIS. Mail your application in a traceable manner, such as **certified mail or return receipt**.

If the U.S. CIS reinstates you, the I-20 and I-94 will be marked "Reinstatement Approved" and dated. The I-94 and I-20 will be returned to you by mail. If you are not reinstated, you will most likely be given a date of voluntary departure by which to leave the U.S. (usually within 30 days of notification) and you may not appeal the decision.