



As a student in F-1 status, you are expected to comply with immigration regulations. If you fail to comply with these regulations, you will be "out of status". When you are out of status, you are no longer eligible for on-campus employment, practical training, recertification of your I-20 for re-entry to the US, or any other benefits of F-1 status.

The following information is meant to serve you as a checklist for assembling the documents you will need to file for reinstatement. OISS will support your application with a reinstatement I-20 and cover letter, if requested, but you must seek the assistance of a qualified immigration attorney to file the reinstatement appeal.

**The following are considered violations of your F-1 status:**

- Failure to attend the school whose I-20 you used to enter the United States
- Failure to report to IUSB's OISS for initial registration in SEVIS upon arrival
- Failure to maintain full-time registration.
- Failure to request a transfer from IUSB within 60 days of completion date or OPT end date from the previous school
- Failure to apply for a Program Extension **before the completion date on your I-20**, if you need more time to complete your current program
- Failure to obtain a new I-20 if you change your educational program or degree level
- Failure to report address change to the OISS within 10 days moving

**Reinstatement allows you the opportunity to regain valid F-1 status and have the mistakes you made corrected by USCIS. You may be eligible for reinstatement only if you:**

- Are currently enrolled or intend to enroll for a full-time course load
- Can establish that the violation of status resulted from circumstances beyond your control
- Have not engaged in unauthorized employment
- Have not been out of status for more than 5 months
- Can document sufficient financial resources to pursue a full-time course load
- Do not have a history of repeated violations
- Are not deportable from the US on any other grounds

**Note:** Working in the US without appropriate authorization from the OISS or the USCIS is a violation of your status that cannot be corrected through reinstatement. If you are in violation of your status due to unauthorized employment, you can only regain your status by departing the United States.

**Important Notes. Please read.**

- The application for reinstatement is made by you directly to USCIS. The OISS does not have a role in approving your application. Only USCIS can reinstate your status.
- **You are encouraged to engage an attorney to assist you with your application.** The OISS is unable to provide support for this process outside of issuing a reinstatement I-20 and letter of support, if requested.
- If you have dependents in the US, you must also include them in the application since a violation of your F-1 status affects your dependent family members as well.
- We recommend that you copy your application materials for your own records before sending it to the USCIS.
- Processing times for reinstatement applications vary; however, it may take as long as 6 months for the application to be adjudicated. Although you may continue to study while the application is pending (in fact, you are required to register full-time during this period), you will not be eligible for any type of employment until the

**Alternative to Reinstatement**

You also have the option of traveling to regain status instead of applying for reinstatement. When you travel to regain status, you are issued a new I-20 for "Initial attendance" with a new SEVIS ID number. You then leave the US and re-enter using the new I-20. When you enter the US and receive an I-94 marked "F-1 D/S",



you will once again be in valid F-1 status. However, if you choose to travel to regain status, you will forfeit any time you have accrued toward practical training eligibility. You will need to be registered for one academic year in order to qualify for practical training.

### Procedure to Apply for Reinstatement to F-1 Status

- 1) Gather all required documents.
- 2) Copy all application materials for your records.
- 3) Send original application and supporting documents to the appropriate USCIS Lockbox by certified mail, return receipt requested.

### Checklist of Required Documents.

These documents and an explanation of them are listed on the USCIS site: <https://www.uscis.gov/i-539Checklist>.

- A request for reinstatement, written by you, explaining why you fell out of status and why the circumstances were beyond your control. Documentation that support your statements.
- A new, original, I-20 created for you by the OISS for the purposes of reinstatement which you have signed and dated. You must send the original I-20 for reinstatement applications. YOU WILL SEND A COPY ONCE YOU SIGN IT.
- A completed Form I-539 on the [USCIS](https://www.uscis.gov) site. Write "REINSTATEMENT" in red ink at the top of the Form I-539.
  - In Part 2, question 1, check "C".
  - In Part 3, question 1, write "D/S".
  - In part 4, question 3e, check "yes".
- Application Fee for the I-539 listed on the [USCIS](https://www.uscis.gov) site.
- Financial documentation showing one year of tuition, fees, and living expenses.
- Original I-94 (copy of electronic I-94).
- Copies of your passport and visa.
- Copies of all I-20s previously issued to you.
- Transcripts (official recommended).
- All of the above immigration documents for any dependents.
- Send your completed application by **Certified Mail, Return Receipt Requested or by express mail with tracking**. Information about where to send your application is listed on the USCIS site: <https://www.uscis.gov/i-539-addresses>.

### Final Reminders

- You are **NOT eligible for any F-1 student benefits**, such as OPT authorization or working on campus, unless the USCIS reinstates you to F-1 student status.
- **You should not travel outside the US while a reinstatement application is pending.** It may be considered an abandonment of the application. If you need to leave the US, please consult the attorney assisting you with reinstatement.
- If **approved**, USCIS will endorse your new I-20 form and return it to the **mailing address listed on the I-539**. OISS will contact you if we receive any updates on your behalf.
- If **denied**, you will begin to accrue days of unlawful presence in the US (accrual of more than 180 days of *unlawful presence* could subject a person to a 3-year or 10-year bar from reentering the US.). Students who are denied reinstatement have the option to file and appeal with the USCIS, but we strongly encourage these students to **work with an immigration attorney**.