



South Dakota
State University

Reinstatement Procedures

Office of International Affairs,
Briggs Library, Suite 119 (605)-688-4122
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Reinstatement to Student Status

If an F1 student falls out of status with USCIS, he or she has the option to apply for reinstatement within 5 months of the termination date. A J-1 student will need to meet with an advisor in Office of International Affairs to discuss their options.

Procedures to Apply for F-1 Reinstatement

Step One -- Meet with the Office of International Affairs

Step Two -- Prepare the following documents:

- USCIS form I-539, available on the USCIS web site at: <http://www.uscis.gov/forms> .
 - In Part 2, question 1, check "C". In Part 3, question 1, write "D/S"
 - In part 4, question 3e, check "yes". PRINT REINSTATEMENT IN RED INK AT THE TOP
- I-539 Application Fee (<http://www.uscis.gov/forms>), payable to the US Department of Homeland Security
- A cover letter from you requesting reinstatement to F-1 status and explaining your circumstances. You should explain that the violation of F-1 status resulted from circumstances beyond your control and/or that the failure to be reinstated would result in extreme hardship. Attach any additional supporting documents.
- A new SEVIS I-20 issued by SDSU for purposes of reinstatement (signed by you and an OIA advisor)
- A photocopy of your previous I-20 form(s).
- A photocopy of your financial support documents to show evidence of continued funding—documents should be recent (no more than 12 months old).
- A photocopy of your passport photo page—include any other pages that contain the expiration date, extensions, or any biographical information. Your passport should be valid for at least 6 months into the future.

- A photocopy of your most recent visa (stamp), used to enter the US.
- Your original I-94 card (be sure to copy front and back clearly showing the red USCIS stamp for your records).
- A photocopy of your transcript and course registration for current semester.

Step Three -- Meet with advisor to review final application for reinstatement

Step Four -- Mailing Your Application

- Photocopy your complete application for your personal records. We advise that you send your completed application by Certified Mail, Return Receipt Requested or by express mail with tracking. For the mailing address and instructions, refer to the I-539 application at <http://www.uscis.gov/forms>.

Note: Be sure to address the envelope with a reference to F-1 Reinstatement. The USCIS National Customer Service Center telephone number (800) 375-5283 is needed if you will be sending your application by courier service

Final Considerations

- A decision to reinstate an individual to F-1 student status is at the discretion of the USCIS.
- Processing times at USCIS vary greatly. Expect to wait 2-4 months before receiving a response.
- Travel outside the US while a reinstatement application is pending may be considered an abandonment of the application.
- If the reinstatement is **approved**, USCIS will endorse the new I-20 form to indicate that the student has been reinstated and return the I-20 to the mailing address listed on the I-539 form.
- If the application is **not approved**, the student will be given a “notice to appear” in immigration court to receive their deportation orders or can voluntarily depart the U.S. After this appearance in court, the student 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 an appeal with the USCIS, but we strongly encourage these students to hire a competent immigration attorney.

Returning to F-1 status by Re-Entering the United States

An F-1 student who has failed to maintain status may not be reinstated to student status by leaving the U.S. and re-entering with a new Form I-20 that is marked "reinstatement". However, a student may depart the U.S. and return using a new Form I-20 marked "Initial Attendance" in Sect. 3(a).

Students may not regain status by taking part in the "automatic revalidation process" when returning to the U.S. after a visit of no more than thirty days to Canada, Mexico, or adjacent islands. The entry visa of a student who has fallen out of status is no longer valid.

USCIS' interpretation is that a student who re-enters as an initial entry must complete 1 academic year of full-time study prior to obtaining optional practical training or off-campus employment.