

Instructions

If you fail to maintain your F-1 student status, you are ineligible for any of the benefits of F-1 status (for example, employment authorization). There are two ways to regain status: apply for reinstatement or depart the U.S. and re-enter with a new SEVIS I-20 to seek a new admission to the U.S. in F-1 status.

The process to regain valid F-1 status can be challenging. We want to discuss your options with your OISSS advisor. We also encourage you to contact [an immigration attorney](#) so you can make an informed decision and consider the risks with both options.

Eligibility Criteria

Under federal USCIS regulation 8 CFR 214.2(f)(16), an F-1 student is only eligible for reinstatement if **all of the following conditions** apply:

- Have not been out of status more than 5 months at the time of filing the request for reinstatement (or demonstrate that the failure to file within the 5-month period was the result of exceptional circumstances and that you filed for reinstatement as soon as possible under these circumstances).
- Do not have a record of repeated or willful violations of immigration regulations.
- Are currently pursuing, or intending to pursue, a full course of study in the immediate future at the school that issued the Form I-20.
- Have not engaged in unauthorized employment.
- Are not deportable on any ground other than overstaying or failing to maintain status.
- The violation of status resulted from circumstances beyond your control. Such circumstances might include serious injury or illness, a natural disaster, or inadvertence, oversight, or neglect on the part of your OISSS adviser, but do not include instances where a pattern of repeated violations or a willful failure on your part resulted in the need for reinstatement. or
- The violation relates to a reduction in your course load that would have been within the international student adviser's authority to authorize, and that failure to approve reinstatement would result in extreme hardship to you.

Procedures

1. Speak to your ISSS advisor at CIE to discuss your situation and review the reinstatement eligibility and the application process. Email iss@siu.edu to schedule this appointment.
2. Obtain a new reinstatement I-20 from the ISSS (signed by you and an ISSS advisor).
3. Prepare your reinstatement application following the list of documents below. You may submit your reinstatement application to USCIS either online or by mail (DO NOT FILE BOTH). We recommend filing online if you have no dependents or legal representation assisting you in the filing.
 - Copy of your entire new Form I-20 issued for the purpose of applying for reinstatement (sign and date the I-20 in the Student Attestation box at the bottom of page 1 before making a copy)
 - Copy of paper or print-out of electronic Most Recent [Form I-94](#) and copy of your dependent(s)'s I-94 if applicable
 - Complete USCIS Form I-539 [Application to Extend/Change Nonimmigrant Status](#) and submit the [appropriate fee](#). *For paper-filing* - If you write a personal check, your address and phone number should appear on the check. You may also pay the fee with a money order or a cashier's check.
 - Copy of your [SEVIS I-901 Fee Confirmation Notice](#).
 - Copies of all of your immigration documents including valid passport, all U.S. visa stamps, and previous I-20s.
 - A cover letter explaining the circumstances that led to the violation and listing schools you have attended in the U.S. in chronological order. The letter should include that you are requesting a reinstatement to F-1 student status and explain the circumstances around your status violation. 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. Include that you have not engaged in unauthorized employment, if applicable. Include that you are not subject to deportation proceedings, if applicable. Attach any additional supporting documents.
 - Provide an official transcript and a letter from your academic advisor to verify that you are in good academic standing and confirmation of your expected date of program completion.
 - Submit documentation that demonstrates your ability to pay for your studies and support yourself while you are in the United States, such as a bank statement, or an offer letter from SIU with offer of a GA/RA/TA.



Online Filing & Paper Filing Options

USCIS allows for online or paper-filing of Form I-539 to change status to F-1. DO NOT FILE BOTH online and by paper.

Online Filing Option:

Online filing is available to single filers (only you) with no co-applicants (dependents); and if you will not require legal or accredited representation at any point. The online filing option has are many benefits to online filing including:

- Immediate filing of I-539 application with USCIS and issuance of I-539 receipt notice;
- Direct access to USCIS notices including, but not limited to receipt notice, requests for evidence, approval notice, etc.
- Ability to communicate with USCIS through a secure inbox
- Option to provide additional unsolicited evidence/updates to your application if necessary
- Minimizes risk of rejection of the application by vetting common reasons for rejection such as applicant's signature and proper fee payment
- Ability to pay application fee through your bank account (ACH), debit, or credit card.
- If you have dependents, they have an option to file online individually and pay a fee for each application. If you wish to file together and pay a single fee, please follow the instructions below for paper-filing. DO NOT FILE BOTH the online and paper-filing options.

Paper Filing Option:

Gather your documents and prepare a check for the application fee, and mail them to USCIS. The mailing address on your I-539 will dictate to which USCIS Service Center you should mail your application. Please refer to the '[Nonimmigrants and Their Dependents' section of Filing Addresses for Form I-539](#) on the USCIS website to locate the appropriate mailing address.

Please note that the U.S. Postal Service is the only service that delivers to a P.O. Box address. We recommend that you use a trackable mailing method so that you have delivery confirmation of your application. If you send your application with a method that requires a signature upon delivery, use the express mail and courier deliveries address (e.g., UPS, FedEx, DHL, etc).

What Happens After Filing?

A I-797 Notice of Action (receipt notice) will be sent to you with a case number assigned. You may then use the case number to check the status of the application from [USCIS](#) website.

While the Application is Pending:

- You cannot work or travel outside the U.S.
- If you receive a Request for Evidence (RFE), contact ISSS immediately for guidance.

If Your Application Is Approved:

- If your application is approved, USCIS will send you your I-539 reinstatement Approval Notice. You will receive a new Most Recent I-94 in the bottom-left section of page 1 of the Approval Notice. Please email the ISSS (iss@siu.edu) ASAP with a copy of your Approval Notice right away so that we may update your SEVIS record accordingly and issue you an updated Form I-20.

If Your Application Is Denied:

- If an application for F-1 Reinstatement is denied by USCIS, please notify ISSS, you must depart the US. A denial of an application for reinstatement cannot be appealed, although a motion to reopen or reconsider may be filed, if warranted. Other effects of reinstatement denial may include, but are not limited to:
 - The visa that you used to enter the US may be automatically canceled;
 - You may be permanently limited to applying for nonimmigrant visas in the future only in your country of citizenship or permanent residence;
 - You may begin (or resume) accumulating days of "unlawful presence".