Petition for Reinstatement to Student Status for F-1 Students (Via USCIS)

A student who has violated their immigration status and whose status was terminated as a result of that violation may be reinstated to lawful F-1 status at the discretion of an USCIS official, but only under the limited conditions specified at 8 CFR 214.2(f)(16). The USCIS official may consider granting the request if the student:

- Has not been out of status for more than 5 months at the time of filing the request for reinstatement.
  - Students out of status for more than 5 months must show exceptional circumstances (8CFR 214.2(f)(16)(i))
- Does not have a record of repeated or willful violations of F-1 regulations;
- Is currently pursuing a full course of study at the school which issued the form I-20;
- Has not engaged in unauthorized employment; and
- Is not deportable on any ground other than section 237(a)(1)(B) or (C)(i)

Please consult with an International Student Advisor before considering reinstatement to student status.

Obtaining a Reinstatement Request I-20

To obtain an I-20, please submit the following to CIE:

a. Declaration of Finances form (available online and at CIE)
b. Verification of Funds (bank statement or letter)
c. Verification of Remaining Requirements. This requires an email from major advisor and GE advisor (undergraduate students only) stating your remaining degree requirements.

Application Requirements

You will need to submit the following documents to apply for reinstatement to F-1 status:

- A single sided copy of the new I-20 form (for reinstatement purposes) prepared by the Center for International Education (remember to sign the I-20 on page 1)
- A printout of your electronic I-94 or a copy of front and back of your I-94 arrival/departure record
- A completed USCIS Form I-539 Application to Extend/Change Nonimmigrant Status
- A check or money order in the amount of $370.00 made payable to The Department of Homeland Security.
- An official copy of your university transcripts (in a sealed envelope)
- Copy of passport identity page(s), visa page, and any I-20s you have held in the past.
- Proof of registration for the current term (if applicable)- printout from your MyCSUEB
- A recent letter of financial support from your sponsor
- A Letter of Explanation addressed to USCIS which should include at least the following:
  - Your full name
  - Quarter you started your studies and quarter you expect to graduate
  - Your major
  - The reason you are currently out of status
  - Request to be reinstated to F-1 status
  - You should type your letter, print and hand sign your letter
- SEVIS Fee Receipt (www.FMJFee.com) - Only if you are out of status more than five months.
Mailing the Application

When applying for reinstatement mail Form I-539 and supporting documents to the USCIS at the following address*:

For U.S. Postal Service (including US Postal Service Express mail):

    USCIS
    P.O. Box 660166
    Dallas, TX 75266

For express mail and courier deliveries (e.g., UPS, FedEx, DHL, etc):

    USCIS
    ATTN: I-539
    2501 S. State Highway 121 Business
    Suite 400
    Lewisville, TX 75067

*USCIS processing locations may change. To verify current processing location, please visit:
https://www.uscis.gov/i-539

We recommend that you submit your request for reinstatement via UPS or FEDEX to the Express Mail address. If you choose to use the USPS, we recommend you use “certified mail – return receipt requested.”

Keep a copy of all documentation sent to USCIS for your records.

USCIS Response

- A receipt notice will be sent to you from California Service Center with a case number assigned. You may then use the case number to check the status of the application from USCIS web site.
- If your application is denied, you may not appeal that decision and you must depart the U.S. immediately. The F-1 visa stamp in your passport becomes invalid immediately, even if the dates remain valid.
- If your application is approved, USCIS will send you Form I-797A. I-797A is your reinstatement approval notice.
- Once you receive a response from USCIS approving or denying your request, bring your I-797 Approval Notice to the Center for International Education so that we may make a photocopy for our files and adjust your records accordingly.