



**If you have failed to maintain F-1 student status and wish to continue studying at (or transfer to) BSU, you must regain valid status. There are two ways you can be reinstated:**

1. Apply to US Citizenship and Immigration Services for reinstatement.
2. Leave the US and reenter using a new I-20 with a new SEVIS number.

*Either option should be discussed with an advisor at OIES in detail. Those planning to transfer to another institution must apply for reinstatement through the new school using the I-20 from that school.*

#### **Reasons Why A Student May Fall Out Of Status:**

- Failure to extend I-20 before the expiration deadline
- Failure to complete the F-1 transfer procedure in a timely manner
- Failure to take less than a full course of study without prior written authorization from OIES for an excusable academic or medical reason under F-1 regulations
- A student who has worked without authorization is also out of status, but is not eligible for reinstatement.

#### **IMPORTANT:**

**IF YOU THINK YOU MAY BE OUT OF STATUS, PLEASE VISIT OIES IMMEDIATELY.**

The longer you wait to address the problem, the more difficult it can become to fix. Furthermore, only students in valid F-1 status are eligible for F-1 benefits from the USCIS (e.g. on-campus employment or OPT authorization).

**ELIGIBILITY** | Under federal USCIS regulation an F-1 student is only eligible for reinstatement if all of the following conditions apply:

- ✓ You have been out of status for less than 5 months at the time of filing the request for reinstatement
  - *OR* the failure to file within the 5 month period was result of exceptional circumstances and that you filed the request for reinstatement as promptly as possible under these exceptional circumstances
- ✓ You do not have a record of repeated or willful violations of USCIS regulations
- ✓ You are currently pursuing, or intending to pursue, a full course of study in the immediate future at the school which issued the Form I-20
- ✓ You have not engaged in unauthorized employment
- ✓ You are not deportable on any ground other than section 237(a)(1)(B) or (C)(i) of 8 USC 1227
- ✓ You establish, to the satisfaction of USCIS, in detail showing, either that:
  - The violation of status resulted from circumstances beyond the student's control.
    - Such circumstances might include: serious injury or illness, closure of the institution, a natural disaster, or inadvertence, oversight, or neglect on the part of the DSO,
    - But do not include instances where a pattern of violations or where a willful failure on the part of the student resulted in the need for reinstatement
  - *OR* The violation relates to a reduction in the student's course load that would have been within a DSO's power to authorize, and that failure to approve reinstatement would result in extreme hardship to the student

**OIES will assist you with a reinstatement petition only if all of the conditions above apply. If you do not meet the above eligibility requirements you will need to consult an US immigration attorney.**

## REINSTATEMENT CHECKLIST

*Please provide an OIES Advisor with the following:*

### Option #1

*10+ months processing time AND you cannot leave the U.S. prior to approval*

### Option #2

*Requires you to exit the U.S. and re-enter with new SEVIS record/initial I-20*

Completed I-539 form

\$370.00 Filing fee - payable by check or money order made to the U.S. Department of Homeland Security

\$85 .00 Biometric services fee - payable by check or money order made to the U.S. Department of Homeland Security

Proof of SEVIS fee payment (I-901 fee)

Completed I-539 form

Copy of I-94

Copy of F-1 visa

Copy of biographical page in passport

Copy of ALL previously issued I-20s

Transcript from Bowie State University and each previously attended school in the U.S. while in F-1 status

Print out of the courses you are currently enrolled in

Proof of funding (original bank statement(s) with currency conversion – if in a foreign currency or financial guarantee if you are a sponsored student

Typed letter written by you requesting reinstatement and explaining circumstance (*see template*)

Typed letter written by P/DSO supporting reinstatement request (*provided after documents are received*)

New, original “reinstatement reason” I-20 (*provided after documents are received*)

Any other support evidence or letters (if applicable)

Flight/train itinerary OR travel itinerary if traveling by car - must show passenger’s full name and departure date

Proof of Funding

- Bank statement (*must be less than 6 months old*)
- Financial guarantee
- Notarized affidavit of support

#### ONCE RECEIVED:

- The New SEVIS record will be created and SEVIS number will be emailed to your BSU email address

Pay I-901 fee for the SEVIS new record

- The *Original I-20 cannot be released to you until after proof of I-901 payment is provided to the OIES Office*)

- OIES will notify via email that new I-20 is ready to be collected

You are responsible for mailing your change of status packet to:  
**USCIS P.O. BOX 660166  
DALLAS, TX 75266**

## REINSTATEMENT CHECKLIST IMPORTANT REMINDERS (Option 1):

- **Processing Time:** It has been observed that USCIS takes average of 5-7 months processing time for reinstatement. However, this may change depending on their workload, biometrics, and/or additional follow up with you.
- **Biometrics:** USCIS now requires you to complete biometrics as part of reinstatement process if you file for reinstatement through USCIS. You will receive a letter by US mail with your appointment time. Please make sure to show up to complete your biometrics in order to ensure your reinstatement request is processed in a timely manner. You can reschedule this appointment but it may cause delays in processing your request. Failure to complete your biometrics will result in delay in processing and eventual denial.
- **Address:** Make sure your address is up to date with OIES by submitting an address update form. OIES and USCIS are not liable for any lost documents or communication if you have not updated OIES with your address.
- **Dependents:** If you have dependents in the U.S. (F-2), you must also include them in the application (I539A) since a violation of your F-1 status affects your dependents as well.
- **Employment:** You must stop on or off-campus employment immediately after you violate your student status. You are not allowed to engage in any employment while your reinstatement is pending as it will be illegal employment.
- **Travel:** OIES recommend that you do not travel outside U.S. while your reinstatement is pending with USCIS. This will result in automatic denial for your reinstatement application as it is viewed as abandonment of your application. If travel is unavoidable, please speak with OIES advisor before traveling.
- **RFE (Request For Evidence):** You may receive a letter from USCIS asking for more documents or clarification on your situation. You are given a specific number of days from the date the letter has been issued so it is very important you keep a very close eye on your mailbox and respond immediately should you receive RFE. Please call OIES immediately to make an appointment with OIES advisor as soon as possible so we can assist you with this. Not all students receive RFE and RFE doesn't mean denial so please do not panic. However, if you fail to respond to RFE before the given deadline, your reinstatement will be denied.
- **Unlawful Presence:** If you have filed for reinstatement within 5 months of status violation, your unlawful presence clock is stopped. However, if your reinstatement is denied, then it will start accruing again. If you have filed for reinstatement after 5 months of status violation, your unlawful presence will continue to accrue. Individuals who have accrued more than 180 days of unlawful presence may be subject to 3 or 10 year ban from the U.S.