

## Reinstatement to F-1 Student Status

A student who fails to maintain F-1 student status but wishes to continue studying at California State University, Chico has two options:

The student must apply to United States Citizenship and Immigration Services (USCIS) in order to be reinstated to status

or

The student may leave the United States and apply at the US border to be readmitted using a new I-20 with a new SEVIS ID.

Those planning to transfer to another school must apply to that school and process their reinstatement application using a new I-20 from that school.

### A. You may fall out of immigration status for one or more of the reasons:

1. Failure to extend an I-20 before the current expiration date
2. Failure to complete the school transfer process in a timely manner
3. Failure to enroll in full course of study each semester (8-9 units for graduate students and 12 units for undergraduate students). Enrolling in less than a full course must first be approved by an International Student Advisor.
4. Working (employment) when DHS regulations prohibit doing so.  
Note: A student who has worked without authorization is out of status and not eligible for reinstatement.

### B. Eligibility for reinstatement

Under Federal Regulation 8 CFR 214.2(f)(16), an F-1 student is only eligible for reinstatement if all of the following conditions apply to the student:

1. Has not been out of status for more than 5 months at the time of filing the request for reinstatement (or the failure to file within the 5 month period was the result of exceptional circumstances and that the student filed the request for reinstatement as promptly as possible under these exceptional circumstances)
2. Does not have a record of repeated or willful violations of USCIS regulations
3. Is currently pursuing, or intending to pursue, a full course of study in the immediate future at the school which issued the Form I-20
4. Has not engaged in unauthorized employment
5. Is not deportable on any ground other than section 237(a)(1)(B) or (C)(i) of the Act
6. Establishes to the satisfaction of the USCIS 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 an inadvertent oversight or neglect on the part of the DSO. This does not include

instances where a pattern of violations or willful failure on the part of the student resulted in the need for reinstatement.

7. The violation relates to a reduction in the student's course load that was within a DSO's power to authorize, and this failure would result in extreme hardship to the student.

International Student Advisors will assist students with a reinstatement petition **only if all of the conditions (B. 1-7) apply**. Students who do not meet the above eligibility requirements will need to consult with a US immigration attorney.

### C. Procedure for Reinstatement of F-1 Student Status

1. Meet with an International Student Advisor to assess your eligibility for reinstatement.
2. Prepare the following documents:
  - a. 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**
  - b. I-539 Application Fee (<http://www.uscis.gov/forms>) in the form of a check or money order payable to "US Department of Homeland Security"
  - c. **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.
  - d. **Evidence of funding, \$28,600 per year for undergraduates and \$27,600 per year for graduate students.** Additional funding will be required for each dependent.
  - e. A new SEVIS I-20 will be issued by California State University, Chico for purposes of reinstatement.
  - f. A photocopy of your previous I-20 form(s)
  - g. A photocopy of your financial support documents to show evidence of continued funding. Documents should be no more than 12 months old.
  - h. 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.
  - i. A photocopy of your most recent visa (stamp), used to enter the US
  - j. Your I-94 card retrievable at: <https://i94.cbp.dhs.gov/I94/consent.html>

- k. **Receipt of Payment for the I-901 SEVIS** fee at: <https://fmjfee.com>
  - l. A photocopy of your transcript and course registration from Penn InTouch
3. Meet again with your International Student Advisor to review final application for reinstatement.

#### **D. 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>.

The following addresses are current as of November 2015. Check for appropriateness at the time of application submission.

##### **USPS Express Mail/Courier:**

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

##### **U.S. Postal Service:**

USCIS  
P.O. Box 660166  
Dallas, TX 75266

International Student Advising  
Office of International Education  
Student Service Center, 440  
California State University Chico

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