REINSTATEMENT FOR F-1 STUDENTS

What is Reinstatement?

F-1 students who have failed to maintain their immigration status may request reinstatement from the U.S. Citizenship and Immigration Services (USCIS). The USCIS has the discretion to reinstate F-1 students to lawful immigration status. Alternatively, students may decide to return home, pay the SEVIS Fee, apply for a new F-1 visa (if needed) and reinstate their F-1 status by re-entering the U.S. using a new initial I-20.

There are positives and negatives to either option (filing a reinstatement application with the USCIS or returning home and reinstating one’s F-1 status through re-entry) so it is best to discuss your situation with an International Student Advisor so you can make an informed decision.

Normally, the USCIS will reinstate a student to F-1 student status if the following criteria are proven to the satisfaction of the USCIS:

- The violation of status was due to circumstances beyond the student's control OR failure to be reinstated would result in extreme hardship to the student AND
- The student is currently pursuing a full-time course of study AND
- The student has not engaged in unauthorized employment AND
- The student has not been out-of-status for more than 5 months.

Who should apply for Reinstatement?

An F-1 student should apply for Reinstatement in the following situations:

- The student failed to maintain a full-time course of study (12 credits or 9 credits plus an assistantship or 1+ credit plus Full-time Certification from the Graduate School) during one semester.
- The student did not have Designated School Official (DSO) approval for a Reduced Course Load during one semester.
- The student failed to apply for an I-20 extension prior to the expected completion date in section 5 of the I-20.
- The student failed to complete a SEVIS transfer from one school to another in a timely manner.

Note: There are other situations in which reinstatement is necessary. Please consult with an International Student Advisor to discuss whether reinstatement is an option for your case.
How do I apply for Reinstatement?

Due to the complex nature of reinstatement applications, you will work directly with an International Student Advisor on your application. You should not attempt to prepare this application on your own.

If you are filing a reinstatement application with the USCIS, you should submit the following documents to the International Student Advisor who is assisting you:

- A cover letter from you addressed to the USCIS requesting Reinstatement to Student Status and explaining your circumstances. Be sure to address the above criteria as they pertain to your situation and include any other relevant information.
- Official transcripts. Transcripts must be requested from the Student Response Center www.registrar.buffalo.edu/transcripts/index.php
- International Student Information Form www.buffalo.edu/intlservices/documents/StudentInformationForm.pdf
- Completed Form I-539: www.uscis.gov/i-539
- Academic Advisor’s Recommendation for F-1 Student’s Extension of Stay form (If needed) www.buffalo.edu/intlservices/pdf_files/rstay.pdf
- Photocopy of all previous I-20’s (page 1 and 3)
- New financial documentation
  For a description of acceptable financial documentation, please visit: www.buffalo.edu/intlservices/f1.html#financial.
- Form I-901 (proof that you paid the SEVIS fee) Note: This is only required for students who were out-of-status for more than five months.
- Original I-94 card or electronic I-94 printed from www.cbp.gov/i94
- Check or Money Order in the amount of $370 payable to the “US Department of Homeland Security”
- Photocopy of your passport (biographic page) and U.S. visa stamp
- Pre-paid shipping label from UPS or Fedex. This label can be purchased online on the UPS or Fedex websites www.fedex.com/us/

Note: The shipping address is:
  USCIS
  Attn: I-539
  2501 S. State Highway 121
  Business Suite 400
  Lewisville, TX 75067

What happens after I submit my application to ISSS?

An International Student Advisor will review your reinstatement application and advise you if additional documentation, explanation or revisions are needed.
The International Student Advisor will use the documents you provided to create a new I-20 for you. This I-20 will state that you are applying for reinstatement. A copy of this I-20 will be mailed to the USCIS along with the documents listed above. You will be given the original reinstatement I-20.

**Who will send the application to the USCIS?**

When your reinstatement application is complete, the International Student Advisor will use the shipping label you purchased to mail your application to the USCIS.

**How long is the Reinstatement process?**

The estimated processing time is 3-8 months. After your application has been reviewed by the USCIS, they will inform ISSS of their decision. ISSS will then notify you by e-mail. After that, you can pick up your reinstatement application approval notice in ISSS, Talbert Hall 210, North Campus.

**Do I have any restrictions while my Reinstatement application is pending?**

You must attend school as a full-time student while your application is pending, but you may not begin an assistantship or engage in any on- or off-campus employment until you are reinstated to F-1 status. You also may not travel outside the U.S. while your application is pending. If you do, your application will be considered abandoned by the USCIS.

**How does Reinstatement affect my dependents?**

If your I-20 has expired or you fail to complete a transfer to another school in a timely manner, your SEVIS record will become inactive. If your SEVIS record is inactive, your dependents’ records will also be inactive and we will not be able to issue I-20’s for your dependents. Therefore, neither you nor your dependents should travel outside the U.S. until you have been reinstated to F-1 status.

**What happens if my reinstatement application is denied?**

If your reinstatement application is denied, you will be required to leave the U.S. immediately.