



Reinstatement Information Sheet

A student who has failed to maintain status may be reinstated to lawful F-1 status at the discretion of USCIS, but only under the limited conditions.

Conditions and Limitations

1. You have not been out of status for more than 5 months prior to filing for reinstatement (unless you can show that there were exceptional circumstances that prevented you from filing during the 5-month period)
2. You do not have a record of repeated violations
3. You are pursuing, or will in the next available term be pursuing, a full course of study
4. You have not engaged in unauthorized employment
5. You are not deportable on any grounds other than the status violation for which reinstatement is being requested
6. The status violation result from either:
 - Circumstances beyond your control; or
 - Failure to apply in time for a reduced course load authorization from the DSO, but only if the violation related to something that would have been within the DSO's authority to have approved, if it had been timely done, and that the student would experience extreme hardship if the application were not approved.

Application Process

Step I: The student should first discuss his or her situation in detail with a DSO, who will assess the case; if the DSO recommends that the student applies for reinstatement.

Step II: Compile all of the necessary documents to apply for reinstatement:

- Complete and sign Form I-539 (www.uscis.gov)
- Complete Form G-1145 (www.uscis.gov)
- Issue personal check to "Department of Homeland Security" in the amount of the fee for Form I-539
- Copy of all Form I-20's, including I-20 for reinstatement
- Copy of Form I-94 (<https://i94.cbp.dhs.gov/i94/>)
- Copy of passport page and visa stamp
- Copy of financial support documentation that supported issuance of reinstatement Form I-20
- Letter of explanation addressed to USCIS, stating the following; why you are out of status (specify the violation); the effect on you of failure to receive reinstatement; a statement that you are currently pursuing or intending to pursue a full course of study; and specifically request that USCIS reinstates you to F-1 student status
- Letter from AAU International Office recommending you for reinstatement and confirming full-time enrollment for current or next available term
- Any other documentation that might help establish the nature of the violation



Step III: AAU will mail your application via UPS Express Mail. Within one month of submitting your application to USCIS, you should get a standard receipt notice stating that USCIS has received your application and accepted it for processing. The case number in the top left corner of this receipt notice can be used to check on your case by calling the USCIS or visiting their website at www.uscis.gov.

Step IV: The reinstatement will take anywhere approximately 3 months to be processed; unfortunately, there is no way to expedite the process. You may receive a Request For Evidence (RFE) asking you for more documents to support your request. In the event you receive an RFE, please contact the International Office immediately.

Pending Reinstatement Applications

While the reinstatement application is pending you should not travel outside the United States, as doing so will be considered an abandonment of the application. In this case the pending application will be automatically denied, which may cause problems in the future when applying for a US visa. Also, you cannot work on or off campus.

If Reinstatement is Approved

You will receive an Approval Notice and a new I-94. You must report to school and provide copies of the Approval Notice and new I-94.

If Reinstatement is Denied

You will receive a notice of denial from USCIS and must depart the United States immediately. The reinstatement denial will have the following effects, as of the date of the denial:

- Your visa used to enter the United States is automatically cancelled
- You will be permanently limited to applying for nonimmigrant visas only in your country of citizenship or permanent residency
- You will begin accumulating days of “unlawful presence”. If you remain in the United States after the denial for over 180 days, you will be barred from returning to the United States for three years, if you remain in the US after the denial for one year or more, you will be barred from returning to the United States for ten years
- You must depart the United States, and may have to risk forfeiture of tuition already paid to the school

There is no appeal process for the decision. However, the student can file a motion to reopen the case, if sufficient grounds exist. If a motion to reopen is filed, the student’s SEVIS record continues to indicate that the student has been terminated, and that the request for reinstatement has been denied.