



What happens when an F-1 student falls “Out of Compliance/Status”?

A student in F-1 status who has been informed verbally or by email that he or she may be “out of compliance/status” **MUST** schedule an appointment with an OGS advisor responsible for reinstatement by calling 617.373.2310.

An F-1 student may fall “out of status/compliance” for violation of federal government regulations governing students in F-1 visa classification.-

Examples of why a student may fall “out of status/compliance:”

- letting the program end date on the I-20 expire without requesting a program extension in a timely manner;
- taking too many online courses and not enough on ground classes;
- working without authorization;
- taking a leave from school without permission from his or her college and the OGS;
- not registering for a Summer term that is required by the program;
- not making continuous progress towards the degree.

The OGS must terminate the SEVIS record of a student who is “out of compliance/status” in order to comply with Federal government regulations.

During the first weeks of the discovery of the violation, the OGS and the Academic Advisor or SEVIS Contact will work with the student to attempt to remedy the violation if possible. If there is no possible remedy, the student’s SEVIS record will be terminated. The student may seek to regain F-1 status provided that he or she is academically and financially qualified to continue and/or complete the degree program to which he or she was accepted. A student who is dismissed from his or her program is not eligible for reinstatement. A student who has violated employment related regulations may have limited options.

When the student meets an OGS advisor regarding the reasons for falling “out of compliance/status,” the OGS Advisor will determine if reinstatement and/or readmission is possible and provide further information about the process. If you wish to consult with an attorney, please see [Immigration Attorneys](#) and [Pro-Bono Legal Services](#) for information.

Two Ways to Regain Status

In order to resume studies in proper F-1 status, a student must seek to regain status in one of the following ways:

- Depart the U.S. and regain status through readmission to the U.S. with a new initial I-20 (Readmission)
- If eligible, seek reinstatement while remaining in the U.S. by filing an application for reinstatement with U.S. Citizenship and Immigration Services (USCIS).

OPTION 1: Readmission/Travel

A student must leave the U.S. immediately or as soon as possible after termination of the SEVIS record and will need to regain F-1 status through readmission to the U.S. A new initial I-20 will be issued by the OGS for this purpose once the I-20 request, evidence of sufficient financial support and confirmation that the student is allowed to continue in her/his program and the expected date of program completion are provided to the OGS by the student. The student will leave the U.S., obtain a new visa from a U.S. Embassy in their home country if needed, pay the SEVIS fee again, and re-enter the U.S. for the next available term (or for the current term if the student is enrolled) to be decided in advance of the student’s departure.

Visa Validity: If you regain status through travel, you may or may not need to apply for a new F-1 visa even if the current F-1 visa is valid and bears “Northeastern University” as the school of attendance. To determine whether you need a new visa or not, you should ask the U.S. Embassy or Consulate nearest to you. If your current visa is expired OR is valid but indicates the name of another university, you will need a new visa.



Post-OPT/CPT Eligibility: It is important to remember that any student seeking to regain F-1 student status by readmission **may lose** eligibility to apply for Post-Completion Optional Practical Training (OPT) and Curricular Practical Training (CPT).

For readmission, please follow the steps below:

STEP 1. Be sure that your passport and F-1 visa are still valid for travel and re-entry.

STEP 2. Complete the [OGS Academic Advisor/SEVIS Contact Confirmation of Program End Date Form](#).

STEP 3. Prepare financial support documentation.

STEP 4. Fill out the form:

I have access to MyNEU [I-20 request for reinstatement/readmission](#). OGS will email you when a new I-20 is ready.

I do not have access to MyNEU: [I-20 request for reinstatement/readmission](#).

STEP 5. After you receive the new I-20, pay the SEVIS fee <https://www.ice.gov/sevis/i901>

STEP 6. Depart and re-enter the U.S. in order to regain F-1 status through readmissions.

- **You may enter up to 30 days before** the start date indicated on the new initial I-20
- Immediately after arrival at the University, complete the OGS Check-in Process (you will receive the instructions via email). Failure to do so in timely manner may result in cancellation of your SEVIS record.
- Immediately register for a full course load
- Check in with the Academic Advisor to make sure you are taking the appropriate courses.

OPTION 2: Reinstatement While Remaining in the U.S.

Eligibility for seeking reinstatement within the U.S.

If you have not violated any of the following criteria, you may be able to remain in the U.S. and apply for reinstatement to F-1 student status:

- You have not been “out of compliance/status” for more than 5 months
- You do not have a record of willful or repeated violations
- You are enrolled in or have intentions of pursuing a full course of study. (You have not been dismissed from your program or have completed your program).
- You have not engaged in unauthorized employment.
- To the best of your knowledge, you are not removable by the U.S. Citizenship and Immigration Services (USCIS) on other grounds (for example, previous violations at other schools).

If eligible, you may remain in the U.S. and file an application for reinstatement (I-539) with USCIS. A student who is filing for reinstatement must work with his/her College or Graduate School to rectify the violations that have caused him or her to fall “out of compliance/status.” If a student has a financial hold or is withdrawn for financial reasons from the University, the student must pay the balance owed in order to be permitted to continue full-time enrollment and to be eligible to obtain an I-20 for reinstatement from OGS. The student must follow the required procedures and submit the reinstatement application to USCIS once it is completed (documents for a reinstatement application are listed on the next page). While a reinstatement application is pending, the student should not leave the U.S. and will be required to maintain their F-1 status.

While applying for reinstatement, NO on-campus employment, co-op or internship assignments are permitted.

For Reinstatement Application, please follow the steps below:

STEP 1. Prepare the following documents:

1. Letter written by you requesting reinstatement (your letter will be reviewed by the OGS Advisor.) For assistance with writing your letter, please refer to the “Reinstatement Letter Format Guide” at the end of these instructions.
2. Form I-539, available at: uscis.gov/sites/default/files/files/form/i-539.pdf (Please write the word
3. **“REINSTATEMENT”** at the top of the I-539)
4. \$370 filing fee in the form of a personal check or money order made payable to “U.S. Department of Homeland



5. \$85 biometrics fee in the form of a personal check or money order made payable to “U.S. Department of Homeland Security”



1. I-94 (showing most recent date of entry into U.S.) printout available at <https://i94.cbp.dhs.gov>
2. Financial support documentation (originals only)
3. Copies of all previous I-20s (pages 1 and 3 of older version(s); pages 1 and 2 of new version) NOTE: please sign the bottom of all I-20s if you have not already done so.
4. Copy of passport identification page(s)
5. Copy of most recent F-1 visa stamp page in passport
6. Letter of support from Academic Advisor or graduate school on college letterhead. A sample letter is attached at the end of these instructions.
7. Official transcript from the Registrar's Office.
8. Copy of Reinstatement I-20 to be provided by OGS Advisor. To obtain the I-20, see **STEP 2**
9. [OGS Academic Advisor/SEVIS Contact Confirmation of Program End Date Form](#)

STEP 2. Fill out the form:

I have access to MyNEU [I-20 request for reinstatement/readmission](#). OGS will email you when a new I-20 is ready.

I do not have access to MyNEU: [I-20 request for reinstatement/readmission](#).

STEP 3. Schedule an appointment with an OGS advisor to receive the reinstatement I-20 and to review the process/documents.

STEP 4. Submit the complete application materials to USCIS by mail. Please refer to **the Application Checklist** in the last page of this Guide for the list of application materials. **A mailing method that provides a tracking number is strongly recommended.**

Where to mail: Once all required forms, documentation and filing fee are assembled, mail the application to one of the following Lockbox facilities:

For U.S. Postal Service:

USCIS
P.O. Box 660166
Dallas, TX 75266

For Non-USPS express mail & courier service such as FedEx, UPS, DHL:

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

When will you hear from USCIS? Once your application for reinstatement has been received by USCIS, you will receive a notification/receipt with a receipt number, usually within fifteen days. (Enter the receipt number into the USCIS website to view the progress of your reinstatement application through the USCIS website). Please keep the OGS and USCIS informed of any change to your local address to ensure that important information and documentation can be delivered to you. The reinstatement process may take anywhere from **four to eight months** from the date USCIS receives your application.

Request for Further Evidence (RFE): If USCIS sends you a "Request for Further Evidence" (RFE) requesting that you submit additional documentation, please **contact the OGS Advisor immediately**.

Leaving the U.S./Abandoning the Reinstatement Application: Leaving the U.S. while a reinstatement application is pending is considered as *abandoning* the reinstatement application. If you decide to leave the U.S. after you file a reinstatement application, you should withdraw the application by writing to USCIS and submit a copy of the receipt for the filing fee and refer to the receipt number for your case. Inform the OGS Advisor prior to abandoning a reinstatement application and give the OGS Advisor a copy of your letter. If you abandon the reinstatement application by leaving the U.S. and still wish to return to the U.S. in F-1 status, you will need to pursue OPTION 1 discussed above.



What happens if reinstatement is approved?: The OGS will be reinstatement and you will receive a letter from USCIS informing you of the approval or denial of your reinstatement. If your reinstatement has been approved, the Advisor will update your new SEVIS record and issue you a *continued attendance* I-20 and email you to let you know it is ready for you to pick up at the OGS. Please notify the OGS advisor when you receive the approval.

What happens if reinstatement is denied?: The OGS cannot guarantee that USCIS will approve your reinstatement. A student who is denied reinstatement will have to exit the U.S. and seek reinstatement by readmission to the U.S. described under the first option in these instructions.

More Questions?: Please contact or make an appointment with an OGS advisor. To schedule an appointment, please call the OGS 617-373-2310.



Instructions for writing your letter requesting reinstatement: While your letter will be reviewed by the OGS Advisor handling reinstatement applications, you are required to bring a completed letter requiring little or no edits to your meeting with the Advisor. Please remember that if the letter does not clearly explain why you fell “out of status” and how you are remedying this problem, you will not be reinstated. Simply state the facts of what happened. Your letter does not have to be long, but it should be clear, organized and accurate. Please see the *Reinstatement Letter Format Guide* that follows for guidance on writing your letter.

Reinstatement Letter Format Guide

You should format and address the letter as follows (the letter is addressed to the Vermont Service Center even though you will be mailing it along with the entire application to one of the Texas lockbox facilities listed previously in “Where to mail” your reinstatement application:

Date (*month/day/year*)

USCIS Vermont Service Center
ATTN: I-539
75 Lower Weldon Street
Saint Albans, VT 05479

RE: Request for Reinstatement to F-1 student status; SEVIS ID No. (enter the SEVIS ID number which starts with the letter “N” from the top of your SEVIS I-20.

Dear Sir/Madam:

In the first paragraph of the letter you should introduce yourself. State when you first came to the U.S. in F-1 status, and indicate what country you are from. Mention what you are studying and what school you are attending (for example: Northeastern University’s College of Professional Studies).

In the second paragraph you should explain how you came to fall “out of status”. Explain what was beyond your control that made this happen. You must state how you will remedy this problem. For example, if you failed to enroll for part of one term, you should explain that you are now enrolled full-time or will be enrolled full-time for the next term.

In the third paragraph you should explain that you understand and regret your error and are now requesting to be reinstated and allowed to remain in the U.S. to complete your program. You should be courteous in asking for this favor. Explain what would happen to you if you could not complete your program and how this would make you and perhaps your parents feel.

In the last paragraph, you should state that you are including supporting documentation and paying the requisite filing fee and hope for a favorable response. Don’t forget to thank them for reviewing your case.

Sincerely,

(Write your signature here)

(Type your name below signature)



Sample letter for Academic Advisors or SEVIS Contact

[department letterhead]

Date

U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services

Re: Confirmation of Academic Standing
Student: (SEVIS ID#: N)
D.O.B: 00/00/0000
Country of Citizenship:

Dear Sir/Madam:

The above-referenced student and reinstatement applicant is currently enrolled at Northeastern University's *Graduate School/College*. He/She is pursuing a *XXXXX degree in Major* and we anticipate that he/she will complete his/her academic program on (*Date*). (*Please provide academic program information of relevance or merit pertaining to the student's academic standing, progress towards completion of educational objectives, achievements, etc.*)

We respectfully request *Mr./Ms. XXXXXXXXX* be reinstated to F-1 nonimmigrant visa status so that he/she may continue his/her studies and successfully complete his/her academic program at Northeastern University. We appreciate your attention to this matter and if we can provide you with any further information to aid in adjudication please do not hesitate to contact us.

Sincerely,

(Name and Title)



Reinstatement Application Check List

1. Letter written by you requesting reinstatement.
2. Form I-539, available at: uscis.gov/sites/default/files/files/form/i-539.pdf (please write the word **"REINSTATEMENT"** at the top of the I-539)
3. \$370 filing fee in the form of a personal check or money order payable to "U.S. Department of Homeland Security" – Please check the I-539 instructions to ensure there are no changes with filing fees:
file:///C:/Users/cloomos/AppData/Local/Microsoft/Windows/INetCache/IE/8BKOO72Z/i-539instr.pdf
4. \$85 biometrics fee in the form of a personal check or money order payable to "U.S. Department of Homeland Security" - Please check the I-539 instructions to ensure there are no changes with the biometrics fee:
file:///C:/Users/cloomos/AppData/Local/Microsoft/Windows/INetCache/IE/8BKOO72Z/i-539instr.pdf
5. Financial support documentation (originals only)
6. I-94 (that shows most recent date of entry into U.S.) printout available at
<https://i94.cbp.dhs.gov>
7. Copies of all previous I-20s (pages 1 and 3 of older version(s); pages 1 and 2 of new version)
NOTE: please sign the bottom of all I-20s
8. Copy of Reinstatement I-20 NOTE: please sign the bottom of the I-20
9. Copy of passport identification page(s)
10. Copy of most recent F-1 visa stamp page in passport
11. Letter of support from Academic Advisor or graduate school on college letterhead
12. Official transcript from Registrar's Office.