

ADMINISTRATIVE MEMORANDUM

VPAA 04-03

March 8, 2005

Replaces VPAA 03-04

**SUBJECT: UNIVERSITY POLICY ON SUPPORT FOR NON-IMMIGRANT
PROBATIONARY FACULTY - VISA ACQUISITION**

SERVICES PROVIDED BY THE CAMPUS:

The Office of Academic Affairs will facilitate processing the necessary documents for securing a H-1b visa for a newly hired non-immigrant probationary faculty member. The non-immigrant faculty member is responsible for providing copies of transcripts (translated to English if issued in a foreign language), visa/passport documents, and information required to complete the process. The initial H-1b visa may be approved for up to three years, with an additional three year extension possible. Once the extension has been filed by the University, the faculty member may continue working up to a maximum of 240 days beyond the expiration of their *initial* H-1b visa. However, the faculty member is advised to avoid traveling abroad until their extended visa is in place.

It is recommended that the faculty member begin the process for attaining permanent resident status in the early stages of their H-1b active status. Aside from signing relevant documents, the University does not assist with the permanent resident process.

COSTS:

The fee for submitting an application for the H-1b visa is currently \$320. The approval process is lengthy, taking anywhere between six to twelve months, unless a Premium Processing Fee of \$1,000 is paid to the USCIS (United States Citizenship and Immigration Services) in addition to the application fee. The Premium Processing Fee guarantees a response time (approval, denial or request for additional information) by the USCIS of no more than 15 calendar days. Fees associated with securing the H-1b visa are generally borne by the non-immigrant faculty member. If, however, the cost of H-1b fees is to be paid by the college as part of the negotiated salary package, non-General Fund resources must be used. Costs for translation of all foreign degrees required in the process are borne by the non-immigrant faculty member. All costs associated with permanent residence status are borne by the non-immigrant faculty member.

Fraud Prevention Fee - As of March 8, 2005, USCIS instituted a \$500 Fraud Prevention Fee for each H-1b application filed, which is borne by the employer (college or Library into which the individual is hired.) As this fee is for the protection of the University, the fee may be paid with General Fund resources.

The cost for mailing all documents in the visa acquisition process is borne by the Office of Academic Affairs. Though unlikely, should the non-immigrant faculty member be terminated during the active status of the H-1b visa, the University (college) is responsible for covering the cost of return transportation to the faculty member's last place of foreign residence.

REQUIREMENT:

Specific lawful job-related reasons why the alien is qualified will be required. This information is utilized during the process to gain permanent resident status at a later date.

If you have questions not addressed above, please contact the Office of Academic Affairs.

Recommended for approval by Council of Deans - March 9, 2005 (updated fees on 7/29/08 lh)