



UNIVERSITY OF CENTRAL FLORIDA

Office of the President

SUBJECT: UCF Policy for All Foreign Nationals	Effective Date: 6/9/2017	Policy Number: 2-901.1	
	Supersedes: 2-901	Page 1	Of 5
	Responsible Authority: Vice Provost for Faculty Excellence & UCF Global		

DATE OF INITIAL ADOPTION AND EFFECTIVE DATE 11/16/2011

APPLICABILITY/ACCOUNTABILITY

This policy applies to all university departments and units.

BACKGROUND INFORMATION

The University of Central Florida's culture, curricula, and research are enhanced by the inclusion of a wide variety of international students, employees, and visitors. To ensure compliance with federal laws, UCF Global develops, maintains, and enforces policies and procedures related to international students, faculty, staff, and visitors. Failure to comply with federal regulations may result in monetary sanctions or the inability to host or employ foreign nationals at UCF.

POLICY STATEMENT

The University of Central Florida complies with and enforces all federal statutory and regulatory requirements related to foreign nationals and their dependents, including requirements by the U.S. Internal Revenue Service, U.S. Department of Homeland Security, U.S. Citizenship and Immigration Services, Department of State, U.S. Immigration and Customs Enforcement, U.S. Customs and Border Protection, U.S. Department of Labor, and

the Federal Bureau of Investigation. UCF Global is charged with compliance and administration of all processes related to an individual's status as a foreign national and has final authority on all such matters. All university departments and units must process requests and documentation related to foreign nationals through UCF Global. Failure to comply with this policy may result in a violation impacting immigration status and a foreign national's ability to remain or return to the United States or a department or unit's ability to employ a foreign national.

DEFINITIONS

Dependents. Spouses and/or children of foreign nationals in the United States.

F-1 visa holder. Individuals in the U.S. engaging in a full course load of academic study in an accredited program.

Foreign national. Any person in the U.S. who is not a U.S. citizen or lawful permanent resident.

H-1B visa holder. Temporary worker in a specialty occupation.

Immigrant—also known as a permanent resident. An individual who has permission to reside in the U.S. on a permanent basis; i.e., a “Green Card” holder.

J-1 visa holder. Exchange visitors in the U.S., including students, student interns, scholars, professors, researchers, specialists, trainees, or physicians.

Non-U.S. person(s). Any person in the U.S. who is not a U.S. citizen or lawful permanent resident.

PROCEDURES

Admissions

- 1) After receiving admission to UCF for a degree program, students must apply for a visa to enter the United States. UCF Global will send admitted students a packet containing the appropriate forms and other related information for obtaining a visa. UCF Global determines the immigration documentation that is required for submission by incoming F-1 and J-1 visa holders as part of the UCF application process. Students should follow the steps outlined at the following links for completion and submission of appropriate documentation:

- a) Undergraduate Admissions Process – see the following for reference:
<http://global.ucf.edu/international-students-scholars-and-professionals/international-admissions/undergraduate/>
- b) Graduate Admissions Process – see the following for reference:
<http://global.ucf.edu/international-students-scholars-and-professionals/international-admissions/graduate/>
- 2) Upon arrival to UCF, all F-1 and J-1 visa holders must report to UCF Global and complete a mandatory check-in process prior to beginning their studies and/or employment (unless excluded in advance by UCF Global). Information related to this mandatory orientation is provided at the following link:
<http://global.ucf.edu/international-students-scholars-and-professionals/pre-arrival-and-orientation/>
- 3) UCF Global determines the final submission deadlines for all required immigration documents.
 UCF Global has final authority in the placement and removal of international “holds” on F-1 and J-1 visa holder accounts.
- 4) UCF Global makes the final determination in the cancellation or termination of certificate of immigration eligibility documents for incoming F-1 and J-1 visa holders.

Maintenance of Immigration Status

- 1) All F-1 and J-1 visa holders must attend a mandatory orientation session given online or in-person which covers information on the maintenance of immigration status. Information about the maintenance of immigration status is also provided at the following links:
 - a) Maintaining Visa Status (F-1): <http://global.ucf.edu/international-students-scholars-and-professionals/international-students-and-scholars/f-1-students/>
 - b) Maintaining Visa Status (J-1):
<http://global.ucf.edu/scholarsandprofessionals/j1exchange/>
- 2) UCF Global implements immigration-related workshops in face-to-face and online formats for F1 visa holders. The workshops are designed to support the maintenance of status by F-1 visa holders. Topics include, but are not limited to, employment and travel regulations.
- 3) UCF Global uses customized reports to monitor the immigration progress of all F-1 and J-1 visa holders for the duration of their time at UCF. UCF Global will communicate directly with the visa holder in regards to any actions necessary to avoid immigration violations.
- 4) UCF Global has final authority in determining if an F-1 or J-1 visa holder is properly maintaining his or her immigration status.

Employment and Taxation:

- 1) Before beginning employment or providing services at the university, non-U.S. person(s) must obtain work approval from UCF Global based on prevailing U.S. labor, immigration, and tax laws.
 - a) Hiring departments must request approval from UCF Global for employment of non-U.S. person(s) through (1) written communication, (2) completion of a Human Resources payroll packet, or (3) submittal of immigration documents or a Green Card.
 - b) Hiring departments offering employment to non-U.S. person(s) who require a U.S. work visa must request sponsorship on the university's behalf exclusively through UCF Global; common work visas include the H-1B, TN, O-1, and E-3.
 - c) Hiring departments that request H-1B or other work visa sponsorship must abide by Department of Labor and United States Citizenship and Immigration Services Regulations during all phases of the sponsorship. This includes offering appropriate salary and benefits. If departments are unable to comply with regulations, they must terminate employment and pay the H-1B employee's travel expenses home. All requests for work visa sponsorship must be submitted through the UCF Global written intake form or designated online intake portal.
<https://ucf.fdbl.com/>.
 - d) Hiring departments that employ part-time H-1Bs must provide UCF Global with weekly timesheets affected by the H-1B, including salaried and hourly employees.
 - e) Hiring departments offering employment to non-U.S. person(s) who require or seek an employment-based Green Card must request sponsorship on the foreign national's behalf exclusively through UCF Global and must use UCF's designated immigration attorneys for all required filings, applications and/or petitions. Employment-based petition preferences include EB1, EB2, and EB3. Green Card sponsorship requires a permanent and/or tenure-track position before the university will allow for sponsorship. Green Card sponsorship cannot be processed before employment begins or be processed for anticipated positions other than for impending re-classifications or promotions.
- 2) University departments must request approval from UCF Global for vendor activities and reimbursements on behalf of any non-U.S. person(s) by submitting (1) a UCF Global approved vendor form, (2) applicable immigration documents, (3) a travel voucher/invoice, (4) applicable tax documents, and (5) applicable export control documents.

Foreign Vendor Information: Form C

<http://global.ucf.edu/formsandfiles/7550>

Foreign Vendor Information: Form D

<http://global.ucf.edu/formsandfiles/7547>

- University departments must request approval from UCF Global for scholarship and fellowship awards on behalf of any non-U.S. person(s) by (1) submitting their request to Financial Aid, (2) obtaining tax documents from the student, and (3) directing students to bring tax documents to UCF Global.

RELATED INFORMATION

- UCF Global <http://global.ucf.edu>
- Department of Homeland Security <http://www.dhs.gov/index.shtm>
- U.S. Immigration and Customs Enforcement <http://www.ice.gov/>
- U.S. Department of State <http://www.state.gov/>
- U.S. Citizenship and Immigration Services <http://www.uscis.gov/portal/site/uscis>
- U.S. Department of Labor <http://www.dol.gov/>
- Internal Revenue Service <http://www.irs.gov/>
- Federal Bureau of Investigation <http://www.fbi.gov/>
- UCF Office of Research & Commercialization, Export Compliance <http://www.research.ucf.edu/ExportControl/>

RELATED DOCUMENTS

2-900 International Academic Agreements policy
2-902 Study Abroad Programs policy

CONTACTS

For questions regarding UCF Global policies and procedures, please call (407) 823-2337 or visit the website at <http://global.ucf.edu/>.

INITIATING AUTHORITY Provost and Executive Vice President

POLICY APPROVAL (For use by the Office of the President)	
Policy Number: <u>2-901.1</u>	
Initiating Authority: <u>Dale Whittaker</u>	Date: <u>6/6/2017</u>
University Policies and Procedures Committee Chair: <u>Ronda Bishop</u>	Date: <u>6/2/17</u>
President or Designee: <u>John C. Hill</u>	Date: <u>6/9/17</u>