

SUBJECT: UCF Policy for All Foreign Nationals	Effective Date: 11/16/11	Policy Number: 2-901	
	Supersedes:	Page 1	Of 5
	Responsible Authority: Director, International Services Center		

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, the International Services Center (ISC) will create, maintain, and enforce policies and procedures related to international students, faculty members, staff members, 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. The ISC is the designated office at UCF in charge of 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 ISC.

DEFINITIONS

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

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

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

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. citizen. Any person in the U.S. who is not a U.S. citizen, including permanent residents.

PROCEDURES

Admissions

- 1) ISC has final authority in determining the immigration documentation that is required for submission by incoming F-1 and J-1 visa holders as part of the UCF application process. See the following for reference: <http://www.intl.ucf.edu/index.cfm?PageID=238>
 - a) Undergraduate Admissions Process – see the following for reference: <http://www.intl.ucf.edu/index.cfm?PageID=237>
 - b) Graduate Admissions Process – see the following for reference: <http://www.intl.ucf.edu/index.cfm?PageID=236>
- 2) Upon arrival to UCF, all F-1 and J-1 visa holders must report to ISC and complete a mandatory check-in process prior to beginning their studies and/or employment (unless excluded in advance by ISC). See the following for reference: <http://www.intl.ucf.edu/index.cfm?PageID=284>
- 3) ISC determines the final submission deadlines for all required immigration documents.

- 4) ISC has final authority in the placement and removal of international “holds” on F-1 and J-1 visa holder accounts.
- 5) ISC makes the final determination in the cancellation or termination of certificate of immigration eligibility documents for incoming F-1 and J-1 visa holders.

Advising:

- 1) All new F-1 and J-1 visa holders must attend a mandatory orientation session, which covers information on the maintenance of their immigration statuses. The information provided at orientation is also available on the International Services Center Web site:
 - a) Maintaining Visa Status (F-1):
<http://www.intl.ucf.edu/index.cfm?RsrcID=19&SubCatID=80>
 - b) Maintaining Visa Status (J-1):
<http://www.intl.ucf.edu/index.cfm?RsrcID=20&SubCatID=90>
- 2) ISC has final authority in determining if an F-1 or J-1 visa holder is properly maintaining his or her immigration status.
- 3) ISC implements immigration-related workshops in face-to-face and online formats for F-1 visa holders. The workshops are designed to support the maintenance of status by F-1 visa holders. Topics include employment and travel regulations.
- 4) ISC 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. ISC will communicate directly with the visa holder in regards to any actions necessary to avoid immigration violations.

Employment and Taxation:

- 1) Before beginning employment or providing services at the university, non-U.S. citizens must obtain work approval from the International Services Center (ISC) based on prevailing U.S. labor, immigration, and tax laws.
 - a) Hiring departments must request approval from ISC for employment of non-U.S. citizens through (1) written communication, (2) completion of a Human Resources payroll packet, or (3) submittal of immigration documents or a GreenCard.
 - b) Hiring departments offering employment to non-U.S. citizens who require a U.S. work visa must request sponsorship on the university’s behalf exclusively through ISC; 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 ISC's written intake form or designated online intake portal.

<https://ucf.fdbl.com/>.

- d) Hiring departments that employ part-time H-1Bs must provide ISC with weekly timesheets affected by the H-1B, including salaried and hourly employees.
 - e) Hiring departments offering employment to non-U.S. citizens who require or seek an employment-based Green Card must request sponsorship on the university's behalf exclusively through ISC. Employment-based petition preferences include EB1, EB2, and EB3. Green Card sponsorship requires one full year of employment by the beneficiary before the university will allow for sponsorship. An exception may be requested by the department head. Green Card sponsorship requires a permanent and/or tenure-track position before the university will allow for sponsorship.
- 2) University departments must request approval from ISC for vendor activities and reimbursements on behalf of any non-U.S. citizen by submitting an (1) ISC approved vendor form and (2) a travel voucher/invoice.
<http://www.intl.ucf.edu/formsnfiles/Openfile.cfm?ID=257>
<http://www.intl.ucf.edu/formsnfiles/Openfile.cfm?ID=258>
 - 3) University departments must request approval from ISC for scholarship and fellowship awards on behalf of any non-U.S. citizen by (1) submitting their request to Financial Aid, (2) obtaining tax documents from the student, and (3) directing students to bring tax documents to ISC.

RELATED INFORMATION

1. International Services Center <http://www.intl.ucf.edu/>
2. Department of Homeland Security <http://www.dhs.gov/index.shtm>
3. U.S. Immigration and Customs Enforcement <http://www.ice.gov/>
4. U.S. Department of State <http://www.state.gov/>
5. U.S. Citizenship and Immigration Services <http://www.uscis.gov/portal/site/uscis>
6. U.S. Department of Labor <http://www.dol.gov/>
7. Internal Revenue Service <http://www.irs.gov/>
8. Federal Bureau of Investigation <http://www.fbi.gov/>
9. UCF Office of Research & Commercialization, Export Compliance
<http://www.research.ucf.edu/ExportControl/>
10. UCF Office of Internalization <http://www.internationalization.ucf.edu/>

RELATED DOCUMENTS

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

CONTACTS

For questions regarding ISC policies and procedures, please call (407) 823-2337 or visit the Web site at <http://www.intl.ucf.edu/>.

INITIATING AUTHORITY

Provost and Executive Vice President

POLICY APPROVAL (For use by the Office of the President)	
Policy Number: 2-901	
Initiating Authority: <u>[Signature]</u>	Date: <u>11-28-11</u>
Policies and Procedures Review Committee Chair: <u>[Signature]</u>	Date: <u>11-22-11</u>
President or Designee: <u>[Signature]</u>	Date: <u>11/28/11</u>