



UNIVERSITY OF CENTRAL FLORIDA

Office of the President

SUBJECT: UCF Policy for All Foreign Nationals	Effective Date: 7/10/2019	Policy Number: 2-901.2	
	Supersedes: 2-901.1	Page 1	Of 6
	Responsible Authority: Vice Provost for UCF Connect & 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, U.S. 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 in or return to the United States or a department or unit's ability to employ a foreign national.

International Students and Exchange Visitors

The University of Central Florida complies with all federal statutory and regulatory requirements related to international students, exchange visitors, and their dependents with F or J visa status, including compliance with the requirements to participate in the U.S. Immigration and Customs Enforcement's Student and Exchange Visitor Information System (SEVIS).

UCF Global is responsible for implementing, disseminating, and maintaining specific policies and procedures regarding international students and exchange visitors who are enrolled at the university, or who are conducting research or teaching at the university. The policies and procedures of UCF Global may be reviewed at global.ucf.edu, and any department or unit wanting information about the policies, procedures, or their interpretation should consult the UCF Global website for the latest information. The procedures address immigration admissions, maintenance of immigration status, and employment authorization as they relate to F-1 international students and J-1 exchange visitors, along with restrictions governing F-2 and J-2 dependents. For every semester in which a student or exchange visitor on F or J visa status is enrolled, a service fee will be added to the student or exchange visitor's invoice.

The University of Central Florida is required to regulate only F and J visas as they pertain to study and exchange visitor activities. Holders of other visa statuses are responsible for regulating their activities at the university to ensure maintenance of immigration status.

DEFINITIONS

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

DS-2019. The Form DS-2019, Certificate of Eligibility for Exchange Visitor Status (J-Nonimmigrant), is the U.S. Department of State form used by an exchange visitor wishing to study, conduct research, or teach at an educational institution in the United States in J-1 status. The DS-2019 is issued by the University of Central Florida for exchange visitors who meet the eligibility requirements for DS-2019 issuance.

Exchange visitor. Any person issued a Form DS-2019 who holds J status.

F-1 visa holder. Individuals in the U.S. engaging in a full course 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.

I-20. The Form I-20, Certificate of Eligibility for Nonimmigrant Student Status, is the U.S. Immigration and Customs Enforcement form used by an international student wishing to study at an educational institution in the United States in F-1 status. The I-20 is issued by UCF Global through SEVIS for international students who meet the eligibility requirements for I-20 issuance and who have been admitted to the university for a full course of study.

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.

International student. Any individual in F-1 or J-1 status who entered the United States for the primary purpose of study.

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.

Nonimmigrant. Any person in an immigration status classified as temporary. Common nonimmigrant statuses include F, J, and H-1B visas.

SEVIS. The Student and Exchange Visitor Information System is the federal internet-based computer system that enables schools and program sponsors to transmit electronic information and event notifications to the U.S. Department of Homeland Security and the U.S. Department of state throughout an F-1 student, J-1 exchange visitor, or F-2 or J-2 dependent’s stay in the United States. SEVIS is designed to assist in the legitimate entrance of foreign nationals to the United States while guarding against the abuse of F or J nonimmigrant visa status.

PROCEDURES

Admissions

- 1) After receiving admission to UCF for a degree program or non-degree program (e.g. intensive English program, pathways, etc.), 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. The required documentation and steps are outlined on the UCF Global website at global.ucf.edu.

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 check-in is provided on the UCF Global website at global.ucf.edu.

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 Forms I-20 or DS-2019 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 on the UCF Global website at global.ucf.edu.

2) UCF Global implements immigration-related workshops in face-to-face and online formats for F-1 students and J-1 exchange visitors. The workshops are designed to support the maintenance of immigration status. Topics include, but are not limited to, employment and travel regulations.

3) UCF Global uses customized reports to monitor the immigration compliance of all F-1 students and J-1 exchange visitors for the duration of their time at UCF. UCF Global will communicate directly with the student or exchange visitor regarding any actions necessary to avoid immigration violations.

4) UCF Global has final authority in determining if an F-1 student or J-1 exchange visitor is properly maintaining their 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 U.S. Department of Labor and U.S. Citizenship and Immigration Services regulations during all phases of the sponsorship. This includes offering appropriate salary and benefits. UCF requires a U.S. Department of Labor National Prevailing Wage Center Prevailing Wage Determination for all H-1B filings; this will afford the university legal protection on each case when applicable. Upon early termination, departments must pay return fare home for H-1B visa holders or other visa holders with the same regulatory requirement. All requests for work visa sponsorship must be submitted through the UCF Global written intake form or designated online intake portal: <https://ims.fragomen.net/>.

d) Hiring departments that employ part-time H-1B visa holder(s) must provide UCF Global with weekly timesheets completed by the H-1B visa holder, 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 Student Reimbursement Request Form: Form D

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

- 3) 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

1. UCF Global <http://global.ucf.edu>
2. Department of Homeland Security <http://www.dhs.gov/>

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/>
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/>

RELATED DOCUMENTS

UCF Policy 2-900 *International Academic Agreements*
<https://policies.ucf.edu/>

UCF Policy 2-902 *Study Abroad Programs*
<https://policies.ucf.edu/>

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 Vice President for Academic Affairs

POLICY APPROVAL	
(For use by the Office of the President)	
Policy Number: 2-901.2	
Dr. Elizabeth A. Dooley Provost and Vice President for Academic Affairs	
Initiating Authority: _____	Date: <u>7/2/2019</u>
University Policies and Procedures Committee Chair: _____	Date: <u>6/27/19</u>
President or Designee: _____	Date: <u>7/10/19</u>