

H-1B Application Process

Including Required Forms and Documents

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IMPORTANT: Before beginning this checklist, be sure to thoroughly read the background document, *Overview: Hiring Foreign-National Faculty*, also available from ISSO.

Items and Actions Needed from Academic Department (#1-6 plus 13-14, 18, 22)

1. The following information is needed at the beginning of the process, **from the department chair**. (A sample is provided in this packet.) This should be emailed or faxed as early as possible, so that ISSO can begin initial paperwork. Actual job duties (A brief list only, as it must fit in a 1½ x 7 inch block on the Immigration form.)
 - a. brief statement of required qualifications (This should match exactly what was advertised.)
 - b. starting date
 - c. exact salary agreed upon
 - d. whether it is expected that faculty member will provide services off of the main Towson campus, and which sites if it is expected
 - e. names of publication(s) used for advertising and dates the ad(s) ran
 - f. actual text of the ad

- g. university search number (will be used later for reference to the archived search materials, but we need to have the number in the file)
2. Completed and signed one-page form *Declaration of the Department* from the chair.
3. Completed and signed one-page form *Identification of Similarly Employed Workers & Actual Wage Information* from chair. This can be delivered in person, or sent via campus mail to *Director, ISSO* and marked *Confidential*. This does not need to be given to the new faculty member, and in fact a copy will not be shared with him/her.
4. A photocopy of the actual job advertisement (i.e., not just the text of the ad) in a printed (i.e., not internet) publication, such as *The Chronicle of Higher Education*. Please photocopy or scan such that the name of the publication and issue date appear with the text, on the same page. This can be delivered or sent via campus mail. *Please note: This is the responsibility of the department, and should be done soon, before the print copies of the publication are discarded!*
5. Photocopies of the *Summary of the Search Committee's Report* and the *Faculty Search Interview Pool Approval* form, with all attachments including resumes of all applicants considered in the pool for interviewing, should be provided to the ISSO as soon as is convenient. This can be delivered in person or via campus mail, marked *Confidential* and *Attention ISSO Director*. This will be kept in a locked cabinet, but is required as part of the "public record" available for inspection by the U.S. Department of Labor in the case of an audit of the labor certification process. While the labor certification will not begin until the faculty member's second semester on campus, it is important to collect these materials and make a second copy for the ISSO now, before the documents are archived.
6. **FOUR** original, signed letters of support from the chair, **on department letterhead**. Description and sample of the letter are included in this packet. It is important that four originals are prepared, each signed in **BLUE INK**. (Federal agencies ask for the blue ink, to easily ascertain that the signature and document are original, not a copy.) This will be mailed with the H-1B petition, so it will be needed before we can submit.

Items Needed from the New Faculty Member, at the Beginning of the Process (#7-9) also see 17 and 19-23

7. Completed, signed form Certifications of the H-1B Beneficiary
8. Completed, signed multiple-page form Prospective Faculty Member Questionnaire, with the required attachments as listed in #9 (below) and on the questionnaire.
9. Required Documents:
 - Copy of signed TU contract (with all signatures) or a signed statement of acceptance of the job
 - Curriculum Vitae* or resume
 - Copies of diploma(s) with English translations, if necessary. (See *Questionnaire* for details.)
 - If PhD is from a non-U.S. institution, then an official credential evaluation must also be provided. The evaluation must state that the foreign degree is equivalent to the U.S. degree. (Two widely recognized credential evaluators are World Education Services www.wes.org and AACRAO www.aacrao.org, the American Association of Collegiate Registrars and Admissions Officers. There may be companies which provide evaluations for a lower fee, but please check first with ISSO if considering an alternate, so we can be sure the company will be recognized by the government.)

- If you have dependent family members (spouse and/or children) currently in the U.S., a \$290 check, payable to U.S. Citizenship & Immigration Services and Form I-539 with its required attachments/explanations.
- Photocopies of the identity and validity pages of passport (must include: photo, bio-demo information, passport number, expiration date) for faculty member and any family needing H-4 status
- Photocopies of all relevant immigration documents mentioned in the *Prospective Faculty Member Questionnaire*. (Including, but not limited to U.S. visa pages, Form I-94, any and all of the following forms: I-20, IAP-66, DS-2019, I-797, I-688, EAD, as applicable.) If spouse and/or children need H-4 status, the same documentation is needed for each family member.
- If currently in H status, a letter verifying your current employment, any W-2s (end-of-year statement of earnings, for filing your federal and state income tax returns) from current employer, and copies of paycheck attachment slips from the past two months. These should be provided right before the petition is mailed, so that they are the most recent possible. (Please read the “portability” section in the ISSO document *Hiring Foreign-National Faculty*.)
- If currently in H status, also provide a photocopy of the I-129, cover letter, and employer/supervisor letter of support which were submitted for you to obtain your current H-1 status.

NOTE: Please do not submit any double-sided copies. Thank you.

ISSO can work on the following, as long as the department has completed Step 1

10. ISSO may need to submit a *Request for Prevailing Wage* to the Department of Labor. This form requires information about the position as it was posted: actual salary, job duties to be performed, required degree and field of study, any required skills which were published in the advertisement, experience required (type, in years), number and title of employees supervised (if any), title of supervisor. It can take up to six weeks for a response.
11. ISSO prepares Labor Condition Attestation (LCA) for certification by the U.S. Department of Labor. This requires actual salary and official prevailing wage information. As soon as the LCA is approved, the Internal Notice (see next item; sample included in this packet, but will be provided by ISSO via email when needed) must be (or, have been) posted. The approval can take up to seven business days, but is generally a bit faster.
12. ISSO creates an Internal Notice of Filing of Labor Condition Application in Support of an H-1B Status Petition, completed with the appropriate information for this position. Both the Office of Human Resources and the academic department post it (as described on the form) for the required two weeks, then remove it, certify it as described, and return it to the ISSO. (Don’t post this now; wait for ISSO to provide the department with one filled in with dates, title, salary range. However, this must be posted no later than 24 hours after the Labor Condition Attestation has been approved, so please post it immediately after receiving it from the ISSO.)

Department provides checks for Immigration fees once ISSO is nearly finished assembling the petition

13. The \$460 (new fee as of 12/23/16) CIS application fee must be paid by the employer. It can be a university Working Fund check, and should be made payable to U.S. Citizenship & Immigration Services, with the name of the faculty member (the beneficiary of the petition) and “Fee for Form I-129” on the face of the check. An additional \$290 filing fee is necessary if the faculty member has dependent family -- spouse and/or children -- in the U.S. who need H-4 status. This fee must be paid by the faculty member or his/her dependents and should also be written as payable to U.S. Citizenship & Immigration Services, with a notation in the lower left corner: “Fee for Form I-539.”

14. Additionally, a \$500 check made payable to the U.S. Department of Homeland Security, for the Fraud Prevention and Detection Fee, is required in the initial H-1B petition process (though not for subsequent extensions for the same employee), and must also be paid by the employer. The two required employer fees cannot be combined -- two separate checks must be issued.

The most efficient way to pay the fees is to obtain a check from the University's Working Fund. The Working Fund staff has documentation which ISSO provided about the necessity/justification for this fee. (If it is required again, please contact the ISSO.) The Working Fund staff should be familiar with this kind of request and should answer any questions, but in general, they will need the department budget code and signature on the Working Fund Advance Request Form (even though that form is usually used for travel). The \$500 check should not be requested too early, as it will take a few weeks before CIS mails a Receipt Notice, which Working Fund needs in order to complete the advance and transfer over the funds from the academic department. (Working Fund has limited funds and their policies are designed to have outlaid monies returned to the fund as soon as possible.) However, the check should be requested enough ahead to give Working Fund sufficient time to prepare it, and so that it is available when the entire H petition is ready to be mailed to CIS.

If this H-1B application must be rushed please see the sections about *Premium Processing* in the ISSO document *Hiring Foreign-National Faculty* regarding the additional \$1,225 fee.

Once department and new faculty member have submitted all items described above, then ISSO/the attorney can complete the petition

15. Once the LCA is approved and all needed items from department and new faculty member received, the ISSO prepares the U.S. CIS forms with cover letter, form supplements and supporting documents, in duplicate. ISSO mails the packet, with the checks, to CIS by regular U.S. mail with Return Receipt Requested. A complete copy of the packet (except for the chart from the department with the wages of other faculty members) is provided to the new faculty member with a cover memo outlining many important issues related to H-1B status, travel, and the process of obtaining U.S. permanent residency. It is important that the faculty member safe-keep this memo and petition copy, as it will be needed later for international travel and for the permanent residence application.

Waiting for Receipt Notice and Approval Notice

16. Our region's CIS Service Center generally responds more quickly than any other region in the nation (about 60-90 days), but at certain peak times of year (such as summer) or due to an unpredictable onslaught of other high priority immigration-related petitions, the wait has been much longer (currently 4-5 months typically).
17. If this is the first application for H-1B status, the faculty member cannot begin working until an H-1 Approval Notice is received, unless s/he currently holds an unexpired F-1 Optional Practical Training work document or J-1 status with work authorization specifically for Towson. However, if the faculty member is currently on H-1B status for another employer, s/he can begin working at TU as soon as the Receipt Notice is obtained. (See the "portability" section of the ISSO document *Hiring Foreign-National Faculty*.)
18. Receipt Notice: Once the ISSO receives the official Receipt Notice, we'll provide Working Fund and the academic department with a copy, so that the Working Fund can then charge the fees against the department's funds. (The Working Fund can provide further information, but the Miscellaneous Expense Voucher will be necessary. The department is requested by the Working Fund to complete this paperwork as quickly as possible.) We'll also quickly communicate with the faculty member about using the Receipt Notice

for the Form I-9 (Employment Eligibility Verification) process at the Office of Human Resources, if it is an H portability case.

19. After the Receipt Notice arrives, there is a wait for either a Request for Further Evidence or the Approval Notice. The Approval must be kept by ISSO, but the faculty member will be given a photocopy and the original of the attached replacement Form I-94. The faculty member uses the new two-part Form I-94 to complete the Form I-9 (Verification of Employment Eligibility) at the Office of Human Resources. (The original Approval Notice should be borrowed from the ISSO file if a U.S. visa is needed due to international travel. An up-to-date letter of employment should also be obtained from the Office of Human Resources before any travel abroad. This letter should verify that the employment continues and include start date, title, and salary.)

Special Procedures if New Professor is not now in the United States

20. If the H-1 application is for a faculty member who is not in the U.S. and does not already have an unexpired H-1 visa, then ISSO will request Consular Notification to the U.S. Consulate where s/he will apply for the H-1 visa. However, the academic department should also send the original Approval Notice to the new faculty member, with a copy of the entire H application, as the Consular Notification procedure (between the CIS, of Department of Homeland Security, and the U.S. Department of State) does not always work smoothly or quickly.

For security and speed, the documents should be sent by express mail. The department should investigate the various express mail companies thoroughly, and ask for opinions about them from the new faculty member who is abroad, to determine which service is reliable for that particular city. Prices can vary and can be as expensive as \$100. The department should have the express mailer completely ready for when the Approval Notice arrives, checked and double-checked for accuracy of address and delivery information, so that the fee is not wasted and the materials can be sent immediately.

21. Once the new faculty member is on campus, s/he must stop by the ISSO to have photocopies made of the H-1B visa and arrival documents if there was an entry from abroad to obtain H-1B status.

Future Actions Needed Once H-1B is Approved

22. The department chair, department executive assistant, new faculty member, and ISSO should all mark their long-term calendars with a date to begin the process of H renewal, in case the faculty member's U.S. permanent residence processing does not move along quickly enough.

To be cautious, it would be best to start the paperwork for a renewal at least 60 days in advance of the expiration of the first Approval Notice. The renewal process will entail all of the same procedural steps. Many of the required documents may be reused. The extension procedure can take just as long, but the faculty member can continue working provided a formal Receipt Notice is received from CIS (to indicate a non-frivolous application has been filed) prior to the expiration of the current status. Hence, the extension request should be mailed to CIS at least 30 days before current expiration, as Receipt Notices can sometimes take that long.

23. The new faculty member will likely soon begin the process of applying for U.S. permanent residency. The ISSO director will be the liaison to outside legal counsel for this process, but the department chair and/or search chair will be asked for certain documentation about the search, the department, and the employment conditions. Please see the description of the necessary items and a sample search report, in the ISSO document, *Hiring Foreign-National Faculty*.

The University will pay (and must pay) for the cost of a labor certification, but the faculty member must follow the necessary timeline suggested in the above-named ISSO document or a “special handling” labor certification will not be possible, and the University may therefore choose not to sponsor the faculty member for permanent residence. Further details will be provided by the ISSO director, and the faculty member should come in to discuss the permanent residency application/process no later than the beginning of the second semester at TU. (Note: Academic Affairs will cover the expenses of the special handling labor certification. It will not come from department funds.)

*Note for #17, regarding *H portability*: If the new faculty member is currently in the United States in H-1 status at another institution and we are filing an H petition to change employer, then the individual may begin working for Towson University as soon as we receive back an official Form I-797 Receipt Notice from CIS. Generally a Receipt Notice is generated and received by us within about three weeks of mailing the petition to CIS.

Summary/Sample of Information about this Position/Search

(For Step 1) Department Chairperson: Please submit the following details about your new faculty position to Gail Gibbs. As this is the first step in the H-1B Petition process, please provide this at your earliest convenience.

Title: Assistant Professor, Astrophysics

Proposed Duties:

- teach both lower-division and upper-division undergraduate courses in physics
- develop (and obtain external funding for) a vigorous research program that involves undergraduate physics majors
- demonstrate scholarship via publication of that research in peer-reviewed journals and presentations at academic meetings and conferences
- serve the Department, College of Science & Mathematics, and the University with committee work, curriculum development, and administrative management

It is expected that faculty member will/will not provide services off of the main Towson campus. (Indicate which site/s if it is expected.)

Advertised Requirements for Consideration

- Degree Required: PhD (or ABD if dissertation is completed by February 1, 20YY)
- Field of Study: Physics
- Experience Required (in years): part-time experience in teaching and research, such as that gained in the PhD program; further experience is desired but not required, as this is an entry-level position

Final Salary in Contract: \$ \$\$, \$\$\$

Offer made: date; Offer accepted: date; Contract start date.

Names of publications (and date/s) in which position was advertised in paper/print format: *The Chronicle of Higher Education* (date/s), etc.).

Names of publications (and date/s) in which position was advertised electronically: *The Washington Post* (date/s), *The Journal of Astrophysics* (November 2007), etc.

Photocopy of the full ad text is attached.

International Student & Scholar Office

Psychology Building 408

E-mail: isso@towson.edu

Phone 410-704-2421; Fax 410-704-6040

Website: www.towson.edu/isso



Declaration of the Department

Please submit to ISSO at beginning of the H-1B visa application process.

H-1B Petition Beneficiary's Name: _____

Department: _____ **Position Title:** _____

1. By signing below, the department chair certifies on behalf of the department that it will comply with the following regulations during the H-1B application process and during the employment of the above-named foreign national under the terms of H-1B status.
2. The department acknowledges that hiring this foreign national will not adversely affect the working conditions of other workers employed by the department. Additionally, there is no strike, lockout, or other labor dispute in the occupation. The department will comply with the job posting requirements, placing the Internal Notice of Filing in a public area of the academic department for the required number of days, when it is provided by the ISSO.
3. The department has allocated funds to cover the salary of the employee for the duration of his/her employment under the terms of this petition. The employee is eligible for all benefits available to other similarly situated employees. For the duration of this status, the department cannot place the employee in an unpaid status, unless it is determined that the situation is consistent with immigration law.
4. The department will notify the university's ISSO director if the terms of the employment change during the validity period of this H-1B petition, so that an amended petition can be filed with the U.S. Citizenship & Immigration Services (CIS). Changes requiring Department of Labor and/or Immigration notification include, but are not limited to: changes in the hours worked, significant changes in job duties, changes in wages (other than regularly scheduled merit increases), change in location of position.
5. The department agrees to pay the reasonable return costs of the foreign national's return trip to his/her home country (or country of last residence) should the department terminate his/her employment before the expiration of the employment period approved by the U.S. CIS.
6. The department understands that the director of the International Student and Scholar Office is the university official recognized by the U.S. Department of Labor and the U.S. CIS to endorse all immigration-related forms and documents on behalf of Towson University and its non-immigrant faculty, research scholars, and students. The department will not endorse forms or documents on behalf of the University or an employee.
7. It is / is not (please circle) expected that this new faculty member will on occasion be teaching or conducting research in another location other than the main Towson, Maryland campus. Expected location(s), if applicable:

REQUIRED SIGNATURE:

Signature of Department Chair

Date

Printed Name of Chair

Identification of Similarly Employed Workers & Actual Wage Information

Please seal this in an envelope marked "confidential" and deliver it to the Director of the International Student & Scholar Office. For questions, call 410-704-2421.

CONFIDENTIAL – for U.S. Dept. of Labor Inspection File

Department: _____

Position Title: _____

H-1B Petition Beneficiary's Name: _____

In the spaces below, list information for all employees in the department who

- *hold the above-listed title, --and--*
- *have the same type of duties and responsibilities as the beneficiary of this H-1B petition, --and--*
- *have qualifications, education, and experience similar to the beneficiary of this H-1B petition.*

Continue list on reverse side, if needed.

<u>NAME</u>	<u>TITLE</u>	<u>START DATE</u>	<u>CURRENT SALARY</u>
1. _____	_____	_____	_____
2. _____	_____	_____	_____
3. _____	_____	_____	_____
4. _____	_____	_____	_____
5. _____	_____	_____	_____
6. _____	_____	_____	_____
7. _____	_____	_____	_____

List continued on reverse side? Yes No

Please also endorse below to attest the following:

- The H-1B beneficiary will be paid the prevailing wage (as determined by Maryland's Dept. of Labor, Licensing & Regulation, Alien Labor Certification unit) or more.
- The H-1B beneficiary is eligible for the same benefits as other similarly employed individuals.
- The employment of this individual will not adversely affect working conditions of the individuals listed above.
- There is no strike, lockout or work stoppage in this department for the position indicated above. Should such an event occur, the department will notify the International Student & Scholar Office.

REQUIRED SIGNATURE: _____

Signature of Department Chair (or Designate)

Date

Printed Name & Title of Signator

[THIS WILL BE FILLED IN AND PROVIDED BY THE ISSO AT THE TIME NEEDED. ACADEMIC DEPARTMENT AND OFFICE OF HUMAN RESOURCES WILL DO THE POSTINGS AND INSTRUCTIONS WILL BE GIVEN BY ISSO.]

Internal Notice of Filing of Labor Condition Application in Support of an H-1B Status Petition

This is not a job vacancy announcement.

An H-1B Non-Immigrant is sought for the following position. The Labor Condition Application is available for public inspection at the International Student & Scholar Office, Psychology Building 408.

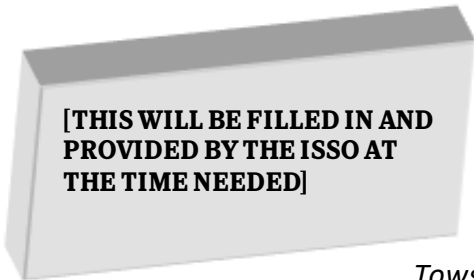
Number of H-1B employees covered by this petition: one

Job title: *Assistant professor, XYZ*

Wages offered: *\$range per academic year*

Period of employment: *DATE to DATE*

Location of position: *Towson, Maryland*



Complaints alleging misrepresentation of material facts used to support the labor condition application and/or failure to comply with the terms of the labor condition application may be filed with any office of the Wage and Hour Division of the U.S. Department of Labor.

Instructions to Hiring Department and Office of Human Resources regarding the two required postings: U.S. Department of Labor regulations require that employees be notified of the filing of an H-1B petition. To ensure compliance with this legal requirement, please follow the instructions below.

1. Post this notice in a conspicuous area
2. Leave this notice posted for two weeks
3. At the end of the posting period, remove the notice then complete and certify the bottom section of this page
4. Return the certified notice to the TU International Student & Scholar Office.

This notice has been posted at the following location: _____

I certify that I have posted this notice in the above location for the following time period:

Date posted: ___ / ___ / ___ *Date removed:* ___ / ___ / ___

_____ _____

Signature *Date*

My printed name and position title: _____

International Student & Scholar Office

Psychology Building 408

E-mail: isso@towson.edu

Phone 410-704-2421; Fax 410-704-6040

Website: www.towson.edu/isso



Description of Department Chair's Letter of Support for H-1B Petition

One of the critical elements in the H-1 application is a comprehensive letter from the Chairperson of the academic department. This letter is written in support of the H-1 beneficiary from the perspective of the chair as the prospective supervisor. It also contains thorough information about the search to fill the position, a process normally managed or closely coordinated by the department chair. Please prepare FOUR signed originals, on department letterhead. Please sign each in BLUE ink.

Attached is a sample letter, which contains all of the required elements of this part of the application. You may use this sample freely, as appropriate, to adapt it to your department and your recent search. Here are the required elements.

- Provide background information on the department and your college, including number of faculty, number of students, and types of majors and courses offered. Also include any special acclaim or unique aspects of your department, such as "the only accredited program of ... in the state of Maryland" or "ranked number eight in the U.S. in ..." or "graduates the largest number of teachers of ... in the state of Maryland."
- Give a description of the job.
- Include a description of the required qualifications and experience for the position.
- Describe the search process/results in detail.
- Overview the selected candidate's qualifications, education, experience, and proper fit to the position and to the department's needs.
- Explain how the actual salary was determined.
- State when the new faculty will start working and that the initial length of employment will be three years. (Or other amount of time, based on discussion with the Director of the ISSO. See note below.)

* The maximum length of H-1 classification is three years, with extensions possible up to a total of six years. In most cases we will want to apply for the entire three-year period, although there may be an exception based on the beneficiary's individual immigration circumstances, which will come up during the application preparation. (For example, the individual may have already been in the U.S. with H-1 status for some length of time, to be subtracted from the six year maximum.) Regardless, the department chair's letter should unambiguously state a length of employment to match the length requested in the immigration form. The contract between the individual and the University will contain the actual legal terms of the length of employment, but it may be confusing to the Immigration examiner. Therefore, the best phrasing in the Chair's letter is something like *the initial term of employment is expected to be (three) years (or some other number of years, if determined necessary per the individual's immigration circumstances)*, so that it does not contradict the possible reasons for a lesser term or non-renewal if/as stated in the university contract.

Sample of Department Chair's Letter for H-1B (initial)

Remember to use department letterhead • prepare FOUR originals • sign in BLUE ink

Date

Director, California Service Center
U.S. Citizenship & Immigration Services
P.O. Box 10129
Laguna Niguel, CA 92607-1012

RE: H-1B Petition for Dr. *Name of new faculty*

Dear Director or Adjudicating Officer:

As the chair of the Department of Mathematics, I submit this letter in support of the H-1B petition by Towson University for Dr. Noname Joe, a British national, to serve as an Assistant Professor of mathematics at Towson University. The University wishes to employ Dr. Joe in this specialty occupation for an initial period of three* years.

*[*Note: we may not be petitioning for the full three years if the faculty member does not have three years remaining out of the maximum of six years, if s/he had been previously employed in the U.S. with H-1B status]*

Towson University's Mathematics Department is one of five departments in the College of Science and Mathematics. It offers undergraduate programs in pure mathematics, applied mathematics, secondary education, actuarial science, and applied mathematics with computing. It also has two masters-level graduate programs, in applied and industrial mathematics and in mathematics education. In addition, the Department offers service courses for majors in science, business, education, and nursing, and general education mathematics courses for all students in the University. Approximately 150 sections are taught each semester. There are approximately 150 undergraduate students majoring in mathematics (and many more non-major undergraduate students) and about 30 graduate mathematics students.

There are 28 full-time teaching employees in the Mathematics Department – 17 with tenure, seven in tenure-track positions, and four full-time contractual employees. There are eleven professors, seven associate professors, seven assistant professors, and three lecturers. All are primarily teaching undergraduate and graduate mathematics courses, plus continuing their research and carrying out administrative and advising responsibilities.

As an assistant professor of mathematics, Dr. Joe will be required to: teach nine credits of university-level mathematics classes per semester; advise students of mathematics in terms of their courses, degree program, career plans, and research; conduct continuing research in mathematics, leading to refereed publications and presentations at professional conferences; and serve the needs of the Department, the College, and the University with committee work, curriculum development, and administrative management.

This position requires a recent PhD in mathematics (with a focus in the area of pure mathematics) and less than four years experience, as it is entry-level. Dr. Joe received his PhD in mathematics from San Francisco State University in October 1999. His thesis was on an area of pure mathematics; the title was *The Clever Little Tricks Which Can Be Played By Those Charming Algebraic Formulae*. His master's and bachelor's degrees were granted by The Chinese University of Hong Kong in July 1995, and The University of Hong Kong in July 1992, respectively. He has been teaching university mathematics courses at San Francisco State since 1998, and won an award from that university for his teaching ability as a graduate student. He has taught a wide range of courses, from college algebra through calculus and number theory. This is most appropriate for Towson University, a comprehensive (rather than research) university, with an emphasis on undergraduate teaching. Part of the interview process required Dr. Joe to teach a class, during which his teaching abilities were observed and praised by the search committee.

The Mathematics Department conducted a competitive national search for an entry-level (up to four years post-PhD) assistant professor of mathematics, with a focus on special qualifications in the area of pure mathematics.

The search committee was comprised of five full-time tenured professors and associate professors of mathematics. The position vacancy was posted in the *Chronicle of Higher Education* and in the *Journal of the American Mathematics Association*. Approximately 200 candidates applied. Though some were eliminated due to incomplete files and lack of fit to the requirements advertised, approximately 100 files were considered. After considerable study of application files by the search committee, ten candidates were interviewed by telephone, and three candidates were invited for interviews on campus. Following the campus interviews, the committee recommended Dr. Joe and an all-department vote confirmed the choice.

After the interviews, the Dean, in consultation with the financial officers of the University, compared Dr. Joe's qualifications and experience with other similar candidates and other current employees. Based on this analysis and the University's standards for entry-level assistant professors in this field of study, a determination of the appropriate salary range was made. Then negotiation with the candidate led to the final approved and accepted starting salary of \$XX, 000 per academic year. The initial term of employment is expected to be three years.

The Department of Mathematics and Towson University are very enthusiastic about the prospect of Dr. Joe joining our faculty this year, and are looking forward to your positive response to this H-1 petition. Assuming our petition is approved, we fully intend to comply with all of the regulations regarding employment of individuals in H-1B status. We confirm that, in the event that Dr. Joe is dismissed before the end of this period of authorized employment, we will be responsible for the reasonable cost of his return transportation abroad.

Thank you for your consideration and attention to this petition.

Sincerely,

Remember: Sign in BLUE ink

Jane Dove, PhD
Chair, Department of Mathematics

International Student & Scholar Office

Psychology Building 408

E-mail: isso@towson.edu

Phone 410-704-2421

Website: www.towson.edu/isso



Certifications of the H-1B Beneficiary

H-1B Petition Beneficiary's Name: _____ TU Department: _____

Please check the option below which best describes your situation and provide the requested information. When you have done so, please indicate your understanding of your employment situation by signing below.

I have a U.S. Immigration-issued work authorization card which allows me to work for any employer. My work permission expires on _____. I understand that I can work only under the terms and conditions of my current work authorization until the day it expires. I also understand that if the Towson University H-1B petition is not approved by the day my current work authorization expires, I must be removed from TU Payroll until the H-1B petition is approved.

I am not currently employed at Towson University. I do not have work authorization which allows me to work at TU. I understand that I cannot be employed at TU until my H-1B status is approved by the CIS (or until the ISSO receives a Receipt Notice from CIS for my TU H-1B petition, if I am currently in H-1B status through another employer).

I am currently employed at Towson University and am applying for a Change of Status as I currently do not hold H-1B status. I currently hold _____ status which expires on _____. I understand that I can work only under the terms and conditions of my current work authorization until the day it expires. I also understand that if this H-1B petition is not approved by the day my current work authorization expires, I must be removed from TU Payroll until the H-1B petition is approved.

I am currently employed at Towson University and I am applying for an extension of my TU-sponsored H-1B status. I understand that I may continue to work at TU under the terms and conditions of my current H-1B status. I also understand that, if my current H-1B expires before the extension is approved, I may continue working for an additional 90 days. If my H-1B extension is not granted by the end of that 90-day period, I should be removed from the TU Payroll unless I have taken appropriate steps and obtained other work permission.

Certifications:

I certify that the above-indicated statement best describes my situation.

I fully understand the limitations of the status I currently hold as described above.

I understand that employment with H-1B status does not guarantee TU's sponsorship for employment-based U.S. Permanent Resident status. If this is a tenure-track position, I may request the University's sponsorship for permanent residency, but I must begin the application process at the outset of my second semester at TU, so that the highly advantageous, streamlined "special handling" labor certification provisions (available only for college and university teachers) can be used. (Special handling labor certification requests must be filed with the U.S. Department of Labor no later than 18 months after the faculty member was selected, i.e., no later than 18 months from the date the provost signed your contract.) The university will not be obligated to financially assist with the process of petitioning for an adjustment to permanent resident status, but will cover all attorney fees and filing fees for the preliminary, labor certification steps of the process, if the "special handling" type of labor certification is used. If I am eligible, I will be referred by the ISSO Director to legal counsel qualified to file on behalf of the University and to petition CIS for employment-based U.S. Permanent Residency (Second Preference category: Members of the Professions Holding Advanced Degrees) on my behalf.

I certify that any copies of documents submitted are exact photocopies of unaltered original documents and I understand that I may be required to submit original documents to an Immigration or Consular official at a later date.

Signed: _____

Date: _____

International Student & Scholar Office

Psychology Building 408

E-mail: isso@towson.edu

Phone 410-704-2421; Fax 410-704-6040

Website: www.towson.edu/isso



Prospective Faculty Member Questionnaire

Please submit this completed form to the International Student & Scholar Office as soon as possible.

Department: _____ Position Title: _____

H-1B Petition Beneficiary's Name: _____ Current E-mail address: _____

Date of Birth: _____ City, Province, & Country of Birth: _____
month/day/year (no abbreviations, please)

Country of Citizenship: _____ Passport #: _____

Passport Expiration Date: _____ Passport Issue Date: _____
month/day/year month/day/year

(Your passport should be valid for at least 6 months into the future.)

Current Phone Numbers: Home: _____ Work: _____ Cell: _____

Have you completed your PhD? Yes No If not, what is your expected dissertation defense date? _____
conferral of degree date? _____ If you have finished, please complete: Degree Date: _____

Name of University _____ Field of study on diploma: _____

General mailing address for university: _____

1. Have you ever applied for (or has someone petitioned on your behalf for) U.S. Permanent Resident status? Yes No
2. If yes to (1), what is your priority date? *(If no to (1), enter N/A.)* _____ *(month/day/year)*
3. If yes to (1), under what basis have you applied (e.g., marriage to a U.S. citizen, or the Diversity Lottery, labor certification, etc.)? *If no to (1), enter N/A.* _____

4. Do you currently hold a valid Immigration Form I-688, Employment Authorization Document? Yes No If yes, when does it expire? _____ If no, have you ever had one? Yes No If yes, you do or did, what kind of work authorization is/was it? _____ When is/was it valid? Beginning date: _____

Ending date: _____ What was the A# on the card? _____

5. What is your current non-immigrant (visa) status? _____

6. When does your current status expire? _____

7. What is the entry date on your most recent Form I-94 Arrival/Departure Record (small white card which you fill in while on the airplane, and then submit to the Port-of-Entry Immigration inspector)? _____ *(month/day/year)*

Please fill in the I-94 11-digit number from your last arrival: _____ Is this your only Form I-94?

Yes No If No, do you have a replacement I-94 card (issued on a Form I-797)? Yes No. If you have a replacement I-94 card, why? You lost your I-94, or because you had your nonimmigrant status changed from within the U.S.

8. If you are in F-1 status, have you applied for OPT? Yes No

9. If yes to (8), what are/will be the dates of your OPT employment eligibility?

From _____ to _____.

Note: If you are eligible for post-completion F-1 Optional Practical Training (OPT), then you must apply PRIOR to the completion of your current degree program, and you should apply as soon as possible so that you will receive the work permit card back from Immigration in time to begin teaching on the first day of the semester. If you have not applied yet, you should contact your International Student Services office immediately for further information and the application materials. The entire process can take as long as five months in some regions of the United States.

10. Have you ever been given J-1 Exchange Visitor or J-2 (dependent) status? Yes No

11. If yes to (10), are you subject to the two year home country physical presence requirement, the 212 (e) regulation?

Yes No If no to (10), enter N/A: _____

12. Have you waived or fulfilled the 212(e) requirement? Yes No If no to (10) or (11), enter N/A: _____

13. If you are in J-1 status now, what category is selected in section 4 of your DS-2019? _____ And what are the validity dates of your current DS-2019 (section 3)? _____ If no to (10), enter N/A.

14. Have you ever had H-1B Specialty Occupation Temporary Worker status? Yes No If yes, for what employer, and for what time period (dates)? _____

15. Have you ever had H-4 or any other type of H status? Yes No If yes, what type, for what employer, and for what time period (dates)? _____

16. Have you ever been denied H-1B status? Yes No

17. Do you know of anything which would make you ineligible for H-1B status? Yes No

18. If yes to (16) or (17), please explain _____

19. Are you now, or have you (and/or your dependent family members who will want H-4 status) ever been, in exclusion, removal, or deportation proceedings with the U.S. Immigration service? Yes No

If yes, please explain: _____

20. What is your U.S. social security number? _____ - _____ - _____

(This will be kept secure, but it is a required field on the Form I-129.)

21. Are you currently in the United States? Yes No

22. Are you planning any travel outside the United States prior to the beginning of your employment at Towson University?

Yes No If so, please discuss this travel with the director of the International Student & Scholar Office, to avoid any problems with returning to the United States

23. What is your current home address? _____

24. Please enter the complete address of the U.S. Embassy or Consulate in your home country (or country of last legal residence) where you would apply for a visa if necessary. _____

25. Please provide your foreign address. (Use your parents or other close relative, if necessary.)

26. Information needed about your immediate family:

Do you have family members (spouse and/or children) who will be H-4 dependents on your H-1B status? Yes No

If yes, please write (below) the following information for each person:

- Family name, Given name, Middle name(s)
- Date of birth (month/day/year), Country of birth
- Social security # (if any)
- Country of passport, Expiration date of passport

And if any are in the U.S. now, also write:

- Date of arrival in the U.S. and I-94 #
- Current non-immigrant status
- Expiration of current non-immigrant status

If any family members have ever been in H classification (either H-1, H-4, or another H type) in the U.S. for the past 6 years, list those time periods and the name of the sponsoring employer. (This information is needed, even if you don't need H-4 status for your family members.)

Please note: If you have a spouse and/or children who are dependents on your status, there will be an additional form to fill in for them to extend (or change to) H-4 status, Form I-539, available from the ISSO or the Immigration website: <https://www.uscis.gov/forms> and appropriate filing fee (<https://www.uscis.gov/forms/filing-fees>), payable to "U.S. Department of Homeland Security." The fee must be provided in a separate check, but the I-539 with attachments must be mailed together with the I-129 for your H-1B status. Please submit the completed I-539 with attached explanation page (part of the Form), copies of the dependents' immigration-related documents, and the filing fee with the materials for your H-1B status.

27. Please state your current occupation and provide a very brief summary of your prior work experience. Please include the experience which qualified you for this position at Towson University. Refer to the "required and preferred qualification" items outlined in the job advertisement for the position. Give exact month/date range for each item of work experience, and the name of the place you obtained this experience. *This must be an extremely concise description, as space on the H-1B petition form is limited. Also, please follow these directions exactly. You may e-mail a draft to the ISSO director if you are not certain of the exact requirements.*

Please submit photocopies (or originals, as noted, if applicable) of the following needed items. (Please do not submit any copies which are double-sided.)

- Copy of signed TU contract (with all signatures) or a signed statement of acceptance of the job
- Curriculum Vitae or resume
- Copy of PhD diploma -- with English translation, if necessary (Translations need to be provided by a third party, not the new faculty member. The person translating the document must certify that the translation is complete and accurate and that s/he is competent to translate from the foreign language into English.)
- If PhD is from a non-U.S. institution, then an official credential evaluation is also provided. The evaluation states that the foreign degree is equivalent to the U.S. degree. (Two widely recognized credential evaluators are World Education Services www.wes.org and AACRAO www.aacrao.org, the American Association of Collegiate Registrars and Admissions Officers. There may be companies which provide evaluations for a lower fee, but please check first with ISSO if considering an alternate, so we can be sure the company will be recognized by the government.)
- If spouse and/or children are currently in the U.S. and need H-4 (H-1B's dependent) status, a applicable fee check, payable to U.S. Department of Homeland Security, and completed/signed Form I-539 with required addendum/explanation pages. (see <https://www.uscis.gov/forms/filing-fees> for fee amount)
- Photocopies of the identity and validity pages of passport (must include: photo, bio-demo information, passport number, expiration date) for faculty member and any family needing H-4 status
- Photocopies of all U.S. immigration-related documents. (Including, but not limited to: copy of current and all previous U.S. visa pages in your passport, Form I-94, and each of the following forms as appropriate to your U.S. status "history" I-20, IAP-66, DS-2019, I-797, I-688, and EAD from your F-1 OPT.) If spouse and/or children need H-4 status, the same documentation is needed for each family member.
- If currently in H status, a letter verifying your current employment, any W-2s (end of year statement of earnings, for filing your federal and state income tax returns) from current employer, and copies of paycheck attachment slips from the past two months. These should be provided right before the petition is mailed, so that they are the most recent possible. (Please read the "portability" section in the ISSO document "Hiring Foreign National Faculty.")
- If currently in H status, also provide a photocopy of the I-129, cover letter, and employer/supervisor letter of support which were submitted for you to obtain H status.

√ I certify that any copies of documents submitted are exact photocopies of unaltered original documents and I understand that I may be required to submit original documents to an Immigration or Consular official at a later date.

√ Signed: _____ Date: _____

Sample Letter of Support from Chair for H-1B EXTENSION

Edit to customize, then copy and paste onto your department letterhead. Set margins to TOP 2.25 inches, LEFT 2 inches, BOTTOM and RIGHT .5 inches to accommodate the standard university letterhead. Set margins to 1.0 inches (all edges) for the second page if using standard university "second page" letterhead with the TU logo only.

[Edits needed are identified in bold typeface. Remember to remove caps as appropriate and return to regular(un-bolded) font before finalizing.]

Date

U.S. Citizenship & Immigration Services, California Service Center
ATTN: H-1B Non-Cap Case
P.O. Box 30040
Laguna Niguel, CA 92607-3004

RE: H-1B Petition for Dr. **John Doe**
CAP EXEMPT -- EXTENSION: Continued Employment without Change

Dear Adjudicating Officer:

As the chair of the **XYZ** Department, I submit this letter in support of the petition by Towson University for an extension of the H-1B status for Dr. **John Doe**, a citizen of **COUNTRY OF CITIZENSHIP**, to serve as an Assistant Professor of **X ACADEMIC DISCIPLINE** at Towson University. The University wishes to continue to employ Dr. **Doe** in this specialty occupation for **three more years**. [check with ISSO Director, whether the standard 3 yrs is correct in this case]

Towson University's **XYZ** Department is one of **X#** departments in the College of **ABC**. [EDIT THE FOLLOWING AS APPROPRIATE:] It offers an undergraduate and a master's program, as well as post-baccalaureate certificate. We teach approximately 35 sections each semester. There are approximately 30 undergraduate students majoring in **XYZ**, about 35 minors, and about 25 graduate students.

Including Dr. **Doe**, there are **X#** tenure-track teaching employees in the **XYZ** Department – **Y#** are full time and **Z#** are [EDIT THE FOLLOWING AS APPROPRIATE:] joint appointments who serve half-time in another department. Three of the full-time employees and one of the joint appointments are tenured, and two of the full-time employees and one of the joint appointments are in tenure-track positions. Of these seven employees, two are professors, two are associate professors, and three are assistant professors. All are teaching undergraduate and graduate **X SUBJECT** courses, plus continuing their research and carrying out administrative and advising responsibilities. The **XYZ** Department also has **X#** adjunct/part-time faculty who teach only undergraduate introductory level courses.

As an assistant professor of **XYZ**, Dr. **Doe** will continue to be required to: teach **X#** credits of university-level **SUBJECT/DISCIPLINE** classes per year; advise students in the **XYZ major** in terms of their courses, degree program, and career plans; conduct continuing research in **XYZ** leading to refereed publications and presentations at professional conferences; and serve the needs of the Department, the College, and the University with committee work, curriculum development, and administrative management.

This position requires a PhD in **XYZ** or a related field (with a focus in the areas of **ABC, DEF, and GHI**), and is an entry-level position. Dr. **Doe** received his/her PhD in **YEAR** from **NAME OF** University in **XYZ (field of study)**.

Her dissertation was in the area of **ABC subspecialty**; the title was **TITLE OF DISSERTATION**. Her master's degree was granted by **NAME OF University in XYZ (field) in YEAR**. Her bachelor's degree in **ABC** was granted by **NAME OF University in CITY, STATE OR COUNTRY in YEAR**. Dr. **Doe's** research interest in **ABC (particular areas of scholarship)** mesh well with the needs of the **XYZ** Department.

The **XYZ** Department conducted a competitive national search for an entry-level assistant professor of **XYZ**, with a focus on issues of **ABC (particular focus of scholarship/teaching)**. The search committee was comprised of **X#** full-time tenured professors. The position vacancy was posted in the *Chronicle of Higher Education* and in **Name all other journal titles**. The search committee received **X#** applications. **X#** of the applicants were deemed qualified in that they met the published criteria and would be further considered. Of the **X#** qualified applicants, **X#** failed to complete the faculty application. The remaining **X#** applicants were ranked and the top **X#** were invited to campus for interviews. **X#** of the invitees declined the interview. **[EDIT AS NEEDED TO DESCRIBED RESULTS OF YOUR SEARCH]** An offer was then made to **X# of the Y#** interviewed in this first round, but that candidate declined the offer. The search committee proceeded to invite the next **X#** top ranked candidates to campus for interviews and a **X#nd/rd/th** offer was made to Dr. **JOHN DOE** who accepted it.

After the interviews, the Dean, in consultation with the financial officers of the University, compared Dr. **Doe's** qualifications and experience with other similar candidates and other current employees. Based on this analysis and the University's standards for entry-level assistant professors in this field of study, a determination of the appropriate salary range was made. Then negotiation with the candidate led to the final approved and accepted starting salary of **\$XX,XXX**. Currently, Dr. **Doe's** salary for the **YEAR-YEAR** academic year is **\$YY,YYY**.

The Department of **XYZ** and Towson University look forward to your positive response to this petition for an extension of the H-1 status of Dr. **Doe**. Assuming our petition is approved, we fully intend to comply with all of the regulations regarding employment of individuals in H-1B status. We confirm that, in the event that Dr. **Doe** is dismissed before the end of this period of authorized employment, we will be responsible for the reasonable cost of **her /his** return transportation abroad.

Thank you for your consideration and attention to this petition.

Sincerely,

Remember: Sign in BLUE ink

YOUR NAME, PhD
Chair, **XYZ** Department